

1 NEW YORK STATE SENATE

2
3
4 THE STENOGRAPHIC RECORD

5
6
7
8
9 ALBANY, NEW YORK

10 May 16, 2023

11 3:41 p.m.

12
13
14 REGULAR SESSION

15
16
17
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: Archbishop
9 Mor Titus Yeldho, from the Malankara Archdiocese
10 of the Syrian Orthodox Church in North America,
11 will deliver today's invocation.

12 ARCHBISHOP YELDHO: Honorable
13 President, honorable Senators, leaders of these
14 diverse communities, sisters and brothers. It is
15 a pleasure and honor for me to stand before you
16 on this beautiful day in the New York State
17 Senate as you observe the month of May as
18 Asian American Pacific Islanders Heritage Month,
19 and also you recognize and honor the Malayali
20 community at large.

21 Even though the Malayali community,
22 having arose in the Indian state Kerala, is a
23 small community here, with their participation in
24 the society it has become a vibrant community in
25 the State of New York. They have established

1 their presence in every walk of life by
2 participating positively in the social and
3 democratic cultures of the country.

4 As bishop of the Syrian Orthodox
5 Church, I am proud to be a member of the Malayali
6 community. And on behalf of the Malayali
7 community, let me express our deepest
8 appreciation to the honorable Senate of the State
9 of New York for this wonderful day.

10 I take also this opportunity to
11 thank the Honorable Senator Kevin Thomas for
12 organizing this historic event and bringing us
13 all here.

14 Let me begin the prayer in the
15 Malayalam language, the language of our state,
16 Kerala. (In Malayalam.)

17 We give You thanks and worship You,
18 our Lord. The Holy Scripture teaches us that all
19 authority is given from God, and urges us to make
20 prayers and intercessions for the rulers and for
21 all those in authority.

22 Therefore we pray for this country,
23 especially the State of New York, for all who
24 work for the progress of this state, and for
25 everyone dwelling in the state.

1 May the leaders have true love for
2 the people, willingness to serve them selflessly
3 and with honesty. May the people from various
4 ethnicities and following different faiths keep
5 brotherly love among them, cooperate with one
6 another, and live in unity.

7 Enable us to fight for -- fight
8 against all the social evils in our community.
9 Guide us, O Lord, in the way of progress.

10 We submit this prayer to the
11 Heavenly Father, saying:

12 Our Father who art in heaven,
13 hallowed be thy name. Thy Kingdom come, Thy Will
14 be done, on earth as it is in heaven. Give us
15 this day our daily bread, and forgive our
16 trespasses, as we forgive trespasses against us.
17 Lead us not into temptation, but deliver us from
18 the Evil One, for Thine is the Kingdom, the
19 Power, and the Glory forever and ever.

20 Amen.

21 Thank you so much.

22 ACTING PRESIDENT BAILEY: In honor
23 of the passing of Bill Perkins, a cherished and
24 respected member of this body from the years 2007
25 to 2017, the Senate will now observe a moment of

1 silence.

2 Please stand.

3 (Whereupon, the assemblage rose and
4 respected a moment of silence.)

5 ACTING PRESIDENT BAILEY: Rest in
6 power, Brother Perkins.

7 Reading of the Journal.

8 THE SECRETARY: In Senate, Monday,
9 May 15, 2023, the Senate met pursuant to
10 adjournment. The Journal of Friday, May 12,
11 2023, was read and approved. On motion, the
12 Senate adjourned.

13 ACTING PRESIDENT BAILEY: Without
14 objection, the Journal stands approved as read.

15 Presentation of petitions.

16 Messages from the Assembly.

17 The Secretary will read.

18 THE SECRETARY: Senator Jackson
19 moves to discharge, from the Committee on Energy
20 and Telecommunications, Assembly Bill Number 1190
21 and substitute it for the identical Senate Bill
22 334, Third Reading Calendar 125.

23 Senator Stavisky moves to discharge,
24 from the Committee on Higher Education,
25 Assembly Bill Number 3694A and substitute it for

1 the identical Senate Bill 2060A, Third Reading
2 Calendar 241.

3 Senator Hoylman-Sigal moves to
4 discharge, from the Committee on Judiciary,
5 Assembly Bill Number 4899 and substitute it for
6 the identical Senate Bill 4397, Third Reading
7 Calendar 791.

8 ACTING PRESIDENT BAILEY: So
9 ordered.

10 Messages from the Governor.

11 Reports of standing committees.

12 Reports of select committees.

13 Communications and reports from
14 state officers.

15 Motions and resolutions.

16 Senator Gianaris.

17 SENATOR GIANARIS: Good afternoon,
18 Mr. President.

19 I move to adopt the Resolution
20 Calendar, with the exception of Resolution 1040.

21 ACTING PRESIDENT BAILEY: All in
22 favor of adopting the Resolution Calendar, with
23 the exception of Resolution 1040, signify by
24 saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT BAILEY: Opposed,
2 nay.

3 (No response.)

4 ACTING PRESIDENT BAILEY: The
5 Resolution Calendar is adopted.

6 Senator Gianaris.

7 SENATOR GIANARIS: Can we begin by
8 taking up previously adopted Resolution 635, by
9 Senator Thomas, read its title, and recognize
10 Senator Thomas on the resolution.

11 ACTING PRESIDENT BAILEY: The
12 Secretary will read.

13 THE SECRETARY: Senate Resolution
14 635, by Senator Thomas, memorializing Governor
15 Kathy Hochul to proclaim May 2023 as Malayalee
16 Heritage Month in the State of New York.

17 ACTING PRESIDENT BAILEY: Senator
18 Thomas on the resolution.

19 SENATOR THOMAS: Thank you,
20 Mr. President.

21 (In Malayalam.)

22 Thank you to His Eminence the
23 Archbishop of the Malankara Syrian Orthodox
24 Church, for the opening prayer.

25 It is with great joy and pride that

1 I get to introduce a resolution like this
2 declaring the month of May as Malayalee Heritage
3 Month, because I am a Malayali myself.

4 This month is not only a time for
5 the Malayali community to come together and
6 commemorate our rich heritage, but also an
7 opportunity for us to reflect on the countless
8 contributions that Malayalis have made to the
9 fabric of this great nation.

10 For example, we all just heard from
11 His Eminence right now -- it should come as no
12 surprise that Christianity has had a long history
13 in India. According to tradition, Christianity
14 in India was established by the Apostle Thomas
15 when he arrived in the State of Kerala back in
16 A.D. 52. This is a beautiful state in
17 Southern India, bordering the Arabian Sea and
18 Indian Ocean, and it's known for its scenic
19 landscapes, lush greenery, and warmhearted
20 people.

21 As Malayalis, we value education,
22 hard work, and community service. Our families
23 and communities are the cornerstone of our
24 identity, and we proudly celebrate our culture
25 through festivals, food, language and traditional

1 dresses that the women today are wearing.

2 (Applause.)

3 SENATOR THOMAS: We carry a rich
4 tapestry of customs, traditions, language, art
5 and cuisine with us that has flourished for over
6 a thousand years. Malayalis are renowned for
7 their contributions to fields such as medicine,
8 engineering and technology, and are responsible
9 for groundbreaking discoveries that have pushed
10 the boundaries of human advancement.

11 This dedication to education and
12 innovation serves as an inspiration to us all.
13 Malayalee Heritage Month is not only an occasion
14 to celebrate the past and present achievements of
15 this community, but it's also an opportunity to
16 look to the future.

17 As a society, we must continue to
18 foster an inclusive environment that cherishes
19 diversity and encourages everyone, regardless of
20 their background, to pursue their dreams.

21 I know that my fellow Malayalis are
22 just as committed as I am to working tirelessly
23 to ensure that our voices are heard, our
24 needs are met, and that our community continues
25 to prosper. And that's why I'm so proud to

1 welcome some of my fellow Malayalis into the
2 Senate chamber today, including Dr. Anna George,
3 the president of the Indian Nurses Association,
4 who is with us today.

5 (Applause.)

6 SENATOR THOMAS: Thomas David,
7 chairman of Kalavedi, which is a newspaper
8 that -- and a program that is circulated around
9 our community.

10 Ajit Abraham, the national chairman
11 from the FOMAA Civic Forum.

12 And we also have the Honorable Raja
13 Rajewshwari, who is a Richmond County Criminal
14 Court judge; Officer Tom Joy, from the Suffolk
15 County Police; and Leela Maret, who's from the
16 Indian Overseas Congress, as well.

17 So together we can and will champion
18 causes that matter to us, advocate for equality,
19 celebrate our diversity, and create a better
20 future for the generations to come.

21 Through music, dance, art and
22 cuisine, we can introduce others to the beauty
23 and diversity of our traditions. Malayalis have
24 always worked really hard, and they give back to
25 society. And having Malayalee Heritage Month in

1 May here in New York is a success story for this
2 group. May we continue to celebrate our
3 Malayalee heritage with pride and joy, this month
4 and beyond.

5 And Mr. President, please recognize
6 my guests in the gallery. Thank you.

7 ACTING PRESIDENT BAILEY: Thank
8 you, Senator Thomas.

9 To our guests, we welcome you on
10 behalf of the State Senate. We extend to you all
11 of the privileges and courtesies of this house.

12 Please rise and be recognized.

13 (Standing ovation.)

14 ACTING PRESIDENT BAILEY: The
15 resolution was previously adopted on April 10th.

16 Senator Gianaris.

17 SENATOR GIANARIS: Can we now move
18 to Resolution 1040, by Leader Stewart-Cousins,
19 read that resolution's title, and recognize
20 Senator Webb to speak on the resolution.

21 ACTING PRESIDENT BAILEY: The
22 Secretary will read.

23 THE SECRETARY: Senate Resolution
24 1040, by Senator Stewart-Cousins, congratulating
25 the 2023 New York State Senate Women of

1 Distinction.

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

4 SENATOR WEBB: Thank you,
5 Mr. President.

6 I rise today with pride and
7 enthusiasm to speak in support of this resolution
8 congratulating the 2023 New York State Senate
9 Women of Distinction.

10 In this moment I would be remiss if
11 I didn't recognize our own Woman of Distinction,
12 and that is our Senate Majority Leader, Senator
13 Andrea Stewart-Cousins, who is a Woman of
14 Distinction in her own right as being the first
15 woman and first woman of color to be our Senate
16 Majority Leader. This --

17 (Applause.)

18 SENATOR WEBB: Yes.

19 So this recognition was established
20 in 1998 as a program, which is a testament to our
21 commitment as a state to honor exemplary women
22 from across our great state.

23 The 2023 Women of Distinction have
24 demonstrated outstanding professional or personal
25 achievements, an unwavering commitment to

1 excellence, and a track record of accomplishments
2 that merit this special recognition.

3 Today as we recognize the Women of
4 Distinction, we celebrate the diversity of our
5 state and the contributions made by women from
6 every economic, ethnic, and religious background.
7 These women have shattered glass ceilings --
8 sometimes often brick ceilings -- fighting
9 against stereotypes, prejudice, and seemingly
10 insurmountable obstacles, paving the way for
11 future generations of trailblazers.

12 We applaud their character, their
13 initiative and commitment to our communities.
14 From the pioneers of the women's suffrage
15 movement to the present day, women have played a
16 crucial role and still play a crucial role in
17 shaping the history of our great state.

18 The 2023 Women of Distinction are
19 keeping that tradition as vibrant leaders who are
20 integral to our rich heritage. They have
21 contributed to the advancement of our culture
22 through both traditional and nontraditional roles
23 in society. They have dedicated themselves to
24 enhancing the well-being of their communities,
25 showcasing a long and sustained commitment to

1 excellence. They have earned the recognition and
2 applause of all the residents of this great
3 Empire State.

4 To quote author Toni Morrison:
5 "There is no modernity, no justice without the
6 talent, the passion, and the steely intelligence
7 of women."

8 Let us, as the New York State
9 Senate, proudly stand together to congratulate
10 the 2023 New York State Senate Women of
11 Distinction. We thank you for your service to
12 our state and to our country.

13 I proudly vote aye, Mr. President.

14 Thank you.

15 ACTING PRESIDENT BAILEY: Thank
16 you, Senator Webb. To be recorded in the
17 affirmative.

18 Senator Helming on the resolution.

19 SENATOR HELMING: Thank you,
20 Mr. President.

21 I'm truly honored to speak before
22 this body on such a special and important
23 occasion. On this I think we can all agree:
24 New York is a state with a history of formidable
25 and courageous women. We're the proud home of

1 Seneca Falls, the birthplace of the women's
2 rights movement. Across every single district of
3 this great Empire State, women are doing
4 extraordinary things for their communities, their
5 workplaces and families.

6 They are the innovators in business,
7 pioneers in nonprofits, role models in our
8 classrooms, caretakers in hospitals and nursing
9 homes, protectors in law enforcement, producers
10 on our farms, change-makers in our governments,
11 and guiding lights in our families.

12 Women of all ages, backgrounds and
13 talents continue playing an integral role in
14 shaping the future of our communities and our
15 state and inspiring the next generation of female
16 leaders.

17 All of us, I'm sure, have been
18 influenced by the character and contributions of
19 a woman. Today we honor a group of women that
20 have carried on this tradition of proud
21 excellence. All are leaders, role models and
22 innovators in their local communities.

23 These women embody the spirit of
24 New York State, achieving the highest standards
25 of excellence and always, always striving for new

1 heights which we all aspire to.

2 To those who have joined us here
3 today, I sincerely thank you on behalf of this
4 conference. Your contributions to our state are
5 truly remarkable, and we appreciate each and
6 every one of you. Know that you are an
7 inspiration to girls and women across this state.

8 And from one woman to many other
9 women, I ask may we continue, continue to
10 acknowledge, applaud and support and value one
11 another always. Congrats to all of our Women of
12 Distinction.

13 Mr. President, I proudly vote yes on
14 this resolution.

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

17 The question is on the resolution.
18 All in favor signify by saying aye.

19 (Response of "Aye.")

20 ACTING PRESIDENT BAILEY: Opposed?

21 (No response.)

22 ACTING PRESIDENT BAILEY: The
23 resolution is unanimously adopted.

24 Senator Gianaris -- oh, excuse me.

25 To our guests, our Women of

1 Distinction -- just can't skip that on the day
2 we're honoring you -- I welcome you on behalf of
3 the Senate. We extend to you all of the
4 privileges and courtesies of this house.

5 Please rise and be recognized.

6 (Lengthy standing ovation.)

7 ACTING PRESIDENT BAILEY: Senator
8 Gianaris.

9 SENATOR GIANARIS: Thank you,
10 Mr. President.

11 Can we now move to previously
12 adopted Resolution 381, by Senator Sepúlveda,
13 read its title, and recognize Senator Sepúlveda.

14 ACTING PRESIDENT BAILEY: The
15 Secretary will read.

16 THE SECRETARY: Senate Resolution
17 381, by Senator Sepúlveda, memorializing
18 Governor Kathy Hochul to proclaim March 11, 2023,
19 to April 12, 2023, as Garifuna-American Heritage
20 Month in the State of New York.

21 ACTING PRESIDENT BAILEY: Senator
22 Sepúlveda on the resolution.

23 SENATOR SEPÚLVEDA: Thank you,
24 Mr. President, for allowing me to present this
25 resolution for a group of people in our state who

1 are doing great things. I want to say (in
2 Garifuna) to all of them.

3 Today I rise to pay tribute to the
4 vibrant cultural heritage that enriches and
5 diversifies the State of New York. It's
6 essential that we acknowledge and celebrate the
7 contribution of various ethnic groups that make
8 up the State of New York. Now, as a legislative
9 body, it is our duty to applaud and commemorate
10 events that foster ethnic pride and exemplify the
11 cultural diversity that strengthens our great
12 state.

13 This resolution today allows us to
14 celebrate the history, culture, achievements and
15 contributions of the Garifuna people not only to
16 the societies of Belize, Guatemala, Honduras,
17 Nicaragua, St. Vincent and the Grenadines, but
18 also here in the United States.

19 Garifuna-American Heritage Month
20 serves as a platform to raise the awareness and
21 promote a greater appreciation for Garifuna
22 history and traditions. It is a time to affirm
23 the history, culture, identity and self-esteem of
24 an extremely resilient people.

25 Through this celebration we honor

1 the rich heritage and shed light on the history
2 and traditions of the Garifuna people,
3 exemplifying the indomitable spirit of their
4 community.

5 Let us take a moment to reflect on
6 the remarkable journey of the Garifuna people.
7 In 1665, two Spanish ships met an unfortunate
8 fate off the coast of St. Vincent. The West
9 African enslaved people who escaped to the island
10 intermarried with the Caribs and the Arawaks,
11 giving birth to a new race known as the Garifuna.
12 They grew strong and prosperous on the island.

13 In 1795, the Garifuna embarked on
14 the Second Carib War against the British,
15 enduring heavy losses on both sides but never
16 giving up. The final battle, on June 10, 1796,
17 resulted in the Garifuna's surrender.

18 The surviving Black Caribs faced
19 forced deportations to the neighboring island of
20 Balliceaux. Eventually, on March 11, 1797, the
21 Garifunas were transported to Roatan, Honduras,
22 making a permanent separation for their families.

23 This year we commemorate the
24 226th anniversary of the forcible deportation of
25 the Garifuna people by the British from

1 St. Vincent and the Grenadines, as well as their
2 settlement in Central America.

3 The Garifunas continued their
4 journey, leading them to the United States during
5 the 1930s. Today New York City is host to the
6 largest Garifuna community outside of
7 Central America.

8 Garifuna Heritage Month provides us
9 with a unique opportunity to celebrate the
10 reunion of Garifuna families and recognize their
11 profound contributions to the quality and
12 character of New York State. Through various
13 events and activities throughout the month, we
14 can all gain a greater appreciation of Garifuna
15 history and traditions.

16 We must acknowledge and honor the
17 significant role that Garifuna-Americans have
18 played and will continue to play in shaping
19 New York City society, and especially the Bronx.

20 Thank you, and I vote aye on the
21 resolution.

22 (Applause.)

23 ACTING PRESIDENT PERSAUD: Senator
24 Bailey on the resolution.

25 SENATOR BAILEY: Thank you,

1 Madam President.

2 Thank you, Senator Sepúlveda, for
3 introducing the resolution.

4 And you know -- and I saw the
5 Garifuna community in the hallway earlier today,
6 and I told Rose that I was presiding and I
7 wouldn't be able to speak on the resolution,
8 probably, right? Rose is up there, and she gave
9 me a look, so I had to come down here and make
10 sure I spoke on the resolution.

11 (Laughter.)

12 SENATOR BAILEY: But I -- and it's
13 not just Rose, it's José Francisco, it's the
14 whole Garifuna community in the Bronx that is
15 incredibly dynamic.

16 And, you know, it makes you -- it
17 makes you really appreciate the cultural richness
18 of this state. And when folks from different
19 areas and different parts of the state get to
20 come here, I think it truly is an incredible
21 fashion, you know, Madam President.

22 But the Garifuna community is a
23 really proud and incredible and indelible force
24 in our borough. You know, they're not just in
25 one part of the Bronx, they're throughout the

1 entire borough. They have made their ways and
2 made their mark in a variety of fields. And I'm
3 just proud to represent so many members of the
4 Garifuna community, and proud to call them
5 friends. And they certainly contribute to the
6 patchwork quilt that we call the Bronx and the
7 greater State of New York.

8 So, Madam President, I proudly vote
9 aye on this resolution, and I salute the Garifuna
10 community. And thank you for coming up.

11 ACTING PRESIDENT PERSAUD: Senator
12 Fernandez on the resolution.

13 SENATOR FERNANDEZ: Thank you,
14 Madam President.

15 And thank you to the sponsor for
16 this resolution.

17 I too represent a beautiful plethora
18 amount of the Garifuna community in my
19 34th Senate District. And I have seen firsthand
20 not only the beauty of their history and
21 heritage, but the outreach and compassion that
22 they give to every part of their community,
23 whether you're Garifuna or not.

24 And it's certainly an example as to
25 how we as community members, leaders of our

1 heritage, can join forces and continue to
2 highlight ourselves but also help and empower
3 others.

4 And that's something that the
5 Garifuna community has done in an amazing way,
6 and I'm so grateful that they are here in Albany
7 today so we can properly give them the
8 recognition that they do deserve as part of our
9 blanket, as has been said, that makes New York
10 State.

11 So welcome to the Capitol, and thank
12 you for being here.

13 I vote aye.

14 ACTING PRESIDENT PERSAUD: Senator
15 Cleare on the resolution.

16 SENATOR CLEARE: Thank you,
17 Madam President.

18 I am Senator Cordell Cleare. I
19 represent the beautiful village of Harlem. And I
20 am honored here today that my colleagues brought
21 forth this resolution. I proudly vote aye on it.

22 The Garifuna community in Harlem has
23 been long and strong, and I am proud to represent
24 all of you and all the contributions you have
25 made to what I call the mecca of the African

1 Diaspora, my village of Harlem.

2 Thank you.

3 (Applause.)

4 ACTING PRESIDENT BAILEY: Thank
5 you, Senator Cleare.

6 The resolution was previously
7 adopted on February 7th.

8 Excuse me. Sorry about that. Keep
9 messin' up.

10 To our guests, I welcome you on
11 behalf of the Senate. We extend to you all the
12 privileges and courtesies of this house.

13 Please rise and be recognized.

14 (Standing ovation.)

15 ACTING PRESIDENT BAILEY: Senator
16 Gianaris.

17 SENATOR GIANARIS: Before we move
18 on to the next resolution, let's pause for a
19 moment and recognize that we have a former
20 colleague in the chamber with us, and welcome
21 back former Senator Betty Little.

22 (Applause.)

23 ACTING PRESIDENT BAILEY: Senator
24 Gianaris.

25 SENATOR GIANARIS: Now,

1 Mr. President, can we move on to previously
2 adopted Resolution 290, by Senator Stec, read its
3 title and recognize Senator Stec.

4 ACTING PRESIDENT BAILEY: The
5 Secretary will read.

6 THE SECRETARY: Senate Resolution
7 290, by Senator Stec, mourning the death of
8 James T. Kneeshaw, admired educator, proud
9 veteran, and devoted member of his community.

10 ACTING PRESIDENT BAILEY: Senator
11 Stec on the resolution.

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

14 And thank you to my colleagues for
15 allowing me this interruption to bring forward
16 this very important resolution.

17 And it's no coincidence that we just
18 greeted I'm sure everyone's preferred favorite
19 Senator from the North Country -- mine too --
20 Senator Betty Little, my predecessor, because she
21 has a close tie to this resolution.

22 And also I'm proud to announce that
23 she is my Woman of Distinction nominee this year.
24 So I'm thrilled, and I know that the Senate
25 chamber is as well, for that.

1 (Applause.)

2 SENATOR STEC: We're commemorating
3 and remembering the life of James T. Kneeshaw,
4 who was an admired educator, proud veteran, and a
5 devoted member of the community.

6 The connection that I have with
7 Jim Kneeshaw, I knew him as a kid coming through
8 school -- he was my high school principal. And
9 as fate had it, he was also my mother's boss. My
10 mom was a secretary in the high school for many
11 years.

12 But Jim Kneeshaw was an educator, he
13 was educated in the North Country. He taught in
14 a few different schools, but most notably
15 Queensbury, where he became the high school
16 principal. And he was high school principal
17 while I was there, and then he went on and later
18 became school superintendent in Ticonderoga.

19 But in addition to that achievement,
20 he was a Navy veteran, he was a Navy pilot. He
21 made 200 carrier landings on the U.S.S. Coral Sea
22 back in the early sixties before returning to the
23 teaching profession, where he taught, again, in
24 the Queensbury School District for many, many
25 years.

1 He was a member of the
2 Bolton Planning Board, Zoning Board, so many
3 things that he dedicated his life to -- the
4 Lake George Park Commission, he was a Lake George
5 Park Commission member.

6 So Jim Kneeshaw meant a lot to
7 certainly all of us in Warren County. But also,
8 importantly -- and this is where the connection
9 with our colleague Senator Little comes -- is
10 that Jim Kneeshaw and Betty were partners,
11 life partners for over 20 years.

12 And he passed away right before
13 Christmas last year. Again, a loss to the
14 community, certainly a loss to Senator Little,
15 but a wonderful person, certainly worthy of our
16 recognition and pausing here.

17 So again, I thank my colleagues for
18 allowing me this privilege, this great honor to
19 remember Jim Kneeshaw, his life, and his
20 connection to our former colleague.

21 And with that, Senator -- or
22 Mr. President, thank you very much.

23 ACTING PRESIDENT BAILEY: Thank
24 you, Senator Stec.

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
7 January 24th.

8 Senator Gianaris.

9 SENATOR GIANARIS: Would you now
10 recognize Senator Comrie for an introduction.

11 ACTING PRESIDENT BAILEY: Senator
12 Comrie for the purposes of an introduction.

13 SENATOR COMRIE: Thank you,
14 Mr. President.

15 I just want to take a minute and
16 acknowledge former Senator Betty Little also.
17 It's good to see her back in the house.

18 And I just want to thank her for
19 being gracious to me when I first arrived. And
20 so I hope that we can talk a little bit later.

21 But I rise today to greet and
22 welcome the student council members from
23 School District 29 that are now in the gallery.
24 School leaders led by Superintendent Dr. Crystal
25 Bonds, who is here, and volunteers and parents

1 visiting us today from the best borough, Queens.

2 Huh? What? What? What? What?

3 (Laughter; applause.)

4 SENATOR COMRIE: School District
5 29's mission is to promote the achievement of
6 educational standards, empower, educate and
7 engage parents, our scholars, and our school
8 community. Our children deserve the best quality
9 education, and District 29 is committed to
10 advocating on behalf of the families.

11 The young people had an opportunity
12 today to visit with our State Senators, my
13 colleagues Toby Ann Stavisky, John Liu,
14 James Sanders -- and also, in the Assembly,
15 Alicia Hyndman, Clyde Vanel and Khaleel Anderson.
16 They are here today to learn how to advocate, how
17 to make sure that they can find out what happens
18 in government and how government impacts them.

19 I want to thank them for coming.
20 And understanding that they do have to catch a
21 bus, I'm not going to do the entire speech, but I
22 want to thank the leader and the staff for
23 allowing us to say a few words and to welcome
24 them in the gallery.

25 I know that all of you are going to

1 be leaders in the future. I know that I'm going
2 to hear from all of you as you continue to enjoy
3 success. I want you to remember this day.
4 Remember that this is not the last time that
5 you're going to impact government, because I know
6 I'm going to hear great things from all of my
7 student leaders in School District 29.

8 Welcome to the chambers. Thank you.
9 (Applause.)

10 ACTING PRESIDENT BAILEY: To our
11 guests, on behalf of Southeast Queens and Queens
12 in general, I welcome you on behalf of the
13 Senate. We extend to you the privileges and
14 courtesies of this house.

15 Please rise and be recognized.
16 (Standing ovation.)

17 ACTING PRESIDENT BAILEY: Senator
18 Gianaris.

19 SENATOR GIANARIS: Mr. President, I
20 want to note for the kids from School District 29
21 that our practices on the floor only allow one
22 member to speak on introductions, and that was
23 Senator Comrie. But Senator Sanders and Senator
24 Stavisky also wanted to be sure to let you know
25 how much they appreciate your attendance here.

1 Mr. President, at the request of the
2 sponsors of the various resolutions we took up
3 today, they are all open for cosponsorship.

4 ACTING PRESIDENT BAILEY: These
5 resolutions are open for cosponsorship. Should
6 you choose not to be a cosponsor, please notify
7 the desk.

8 Senator Gianaris.

9 SENATOR GIANARIS: I now have a
10 couple of motions.

11 Mr. President, amendments are
12 offered to the following Third Reading Calendar
13 bills:

14 By Senator Mayer, Calendar Number
15 367, Senate Print 2294;

16 And by Senator Krueger,
17 Calendar Number 429, Senate Print 158.

18 ACTING PRESIDENT BAILEY: The
19 amendments are received, and those bills will
20 retain their place on the Third Reading Calendar.

21 Senator Gianaris.

22 SENATOR GIANARIS: And on behalf of
23 Senator Breslin, I also wish to call up the
24 following bills, which were recalled from the
25 Assembly and are now at the desk: Senate Bill

1 Numbers 2683 and 5890.

2 ACTING PRESIDENT BAILEY: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number
5 347, Senate Print 2683, by Senator Breslin, an
6 act to amend the Insurance Law.

7 Calendar Number 631, Senate Print
8 5890, by Senator Breslin, an act to amend the
9 Insurance Law.

10 SENATOR GIANARIS: Move to
11 reconsider the vote by which these bills were
12 passed.

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT BAILEY: The bills
18 are restored to their place on the Third Reading
19 Calendar.

20 SENATOR GIANARIS: I offer the
21 following amendments.

22 ACTING PRESIDENT BAILEY: The
23 amendments are received, and the bills will
24 retain their place on the Third Reading Calendar.

25 SENATOR GIANARIS: Please recognize

1 Senator Lanza.

2 ACTING PRESIDENT BAILEY: Senator
3 Lanza.

4 SENATOR LANZA: Mr. President, on
5 behalf of Senator Rolison, I call up Bill Number
6 4899, recalled from the Assembly, which is now at
7 the desk.

8 ACTING PRESIDENT BAILEY: The
9 Secretary will read.

10 THE SECRETARY: Calendar Number
11 443, Senate Print 4899, by Senator Rolison, an
12 act to amend the Highway Law.

13 SENATOR LANZA: I now move to
14 reconsider the vote by which the bill was passed.

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT BAILEY: The bill
20 is restored to its place on the Third Reading
21 Calendar.

22 SENATOR LANZA: I now offer the
23 following amendments.

24 ACTING PRESIDENT BAILEY: The
25 amendments are received, and the bill will retain

1 its place on the Third Reading Calendar.

2 SENATOR GIANARIS: One more,
3 Mr. President.

4 On behalf of Senator Mayer, on
5 page 36 I offer the following amendments to
6 Calendar Number 663, Senate Print 5823B, and ask
7 that said bill retain its place on Third Reading
8 Calendar.

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

12 Senator Gianaris.

13 SENATOR GIANARIS: Please take up
14 the calendar.

15 ACTING PRESIDENT BAILEY: The
16 Secretary will read.

17 THE SECRETARY: Calendar Number 77,
18 Senate Print 608C, by Senator Salazar, an act to
19 amend the General Business Law.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 125, Assembly Print Number 1190, by
9 Assemblymember Rivera, an act to amend the
10 Public Service Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

13 THE SECRETARY: Section 3. This
14 act shall take effect on the 180th day after it
15 shall have become a law.

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 125, those Senators voting in the
23 negative are Senators Borrello,
24 Canzoneri-Fitzpatrick, Gallivan, Griffio, Mattera,
25 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,

1 Stec, Tedisco, Walczyk, Weber and Weik.

2 Ayes, 46. Nays, 16.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 218, Senate Print 1571, by Senator Gianaris, an
7 act to amend the Judiciary Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 225, Senate Print 333, by Senator Jackson, an act
22 to amend the Multiple Dwelling Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. 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: In relation to
8 Calendar 225, those Senators voting in the
9 negative are Senators Ashby, Borrello,
10 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
11 Lanza, Martins, Mattera, Murray, Oberacker,
12 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
13 Tedisco, Walczyk, Weber and Weik.

14 Ayes, 41. Nays, 21.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 240, Senate Print 1396, by Senator Liu, an act to
19 amend the Education Law.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

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

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 241, Assembly Print Number 3694A, by
10 Assemblymember Rosenthal, an act to amend the
11 Education Law.

12 SENATOR LANZA: Lay it aside.

13 ACTING PRESIDENT BAILEY: Lay it
14 aside.

15 THE SECRETARY: Calendar Number
16 269, Senate Print 1930, by Senator Griffo, an act
17 to amend the Vehicle and Traffic Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 414, Senate Print 4398, by Senator Hoylman-Sigal,
7 an act to amend the Judiciary Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar Number 414, voting in the negative:
19 Senator Walczyk.

20 Ayes, 61. Nays, 1.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 485, Senate Print 4187, by Senator Lanza, an act
25 to amend the Highway Law and the Administrative

1 Code of the City of New York.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

4 THE SECRETARY: Section 8. This
5 act shall take effect immediately.

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

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

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

13 And thank you to my colleague and
14 friend Senator Lanza for introducing this bill to
15 change the official name of the Staten Island
16 Expressway to the POW-MIA Memorial Highway.

17 This bill holds deep significance
18 for our Staten Island community and pays
19 tribute to the brave men and women who have made
20 an immense sacrifice for our nation. POWS and
21 MIAs made tremendous sacrifices, often enduring
22 years of captivity or leaving their families
23 without closure, all in defense of our freedoms.

24 Our nation owes an immeasurable debt
25 to the heroes who have endured unimaginable

1 hardships in service of our country. For many
2 military families, having your loved ones become
3 a prisoner of war or officially declared missing
4 in action is a heart-wrenching experience that
5 brings unimaginable uncertainty and emotional
6 turmoil.

7 By renaming the Staten Island
8 Expressway to the POW-MIA Memorial Highway, we
9 not only pay homage to the extraordinary
10 sacrifice of our servicemen and -women, but we
11 also acknowledge the impact on their families who
12 bear the weight of uncertainty for years.
13 Designating the Staten Island Expressway as the
14 POW-MIA Memorial Highway will create a lasting
15 tribute that not only serves as a reminder of
16 their sacrifices but also educates future
17 generations about the legacy that they have given
18 to the United States.

19 Thank you again to Senator Lanza,
20 who has always been a wonderful friend to our
21 veterans, for introducing this, and I proudly
22 vote aye.

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

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar Number 485, voting in the negative:
4 Senator Brisport.

5 Ayes, 61. Nays, 1.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 539, Senate Print 775A, by Senator Cooney, an act
10 to amend the Vehicle and Traffic Law and the
11 Penal Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 9. This
15 act shall take effect on the first of November.

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 614, Senate Print 6211B, by Senator Martinez, an

1 act to amend the Environmental Conservation Law.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar Number 614, voting in the negative are
13 Senators Oberacker and Walczyk.

14 Ayes, 60. Nays, 2. Also Senator
15 Ortt. Ayes, fifty -- pardon me.

16 (Off the record.)

17 THE SECRETARY: So in relation to
18 Calendar Number 614, voting in the negative are
19 Senators Oberacker, O'Mara, Ortt and Walczyk.

20 Ayes, 58. Nays, 4.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 654, Senate Print 5572, by Senator Gounardes, an
25 act to amend the Labor Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

3 THE SECRETARY: Section 4. 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: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT BAILEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 748, Senate Print 6383, by Senator Parker, an act
16 to amend the Administrative Code of the City of
17 New York.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 758, Senate Print 1811, by Senator Addabbo, an
7 act to amend the General Business Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

10 THE SECRETARY: Section 2. This
11 act shall take effect on the 60th 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, 62.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 762, Senate Print 3310, by Senator Skoufis, an
23 act to amend the Public Officers Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

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

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 762, those Senators voting in the
10 negative are Senators Borrello,
11 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
12 Lanza, Martins, Mattera, Murray, Oberacker,
13 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
14 Tedisco, Walczyk, Weber and Weik.

15 Ayes, 42. Nays, 20.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 763, Senate Print 4152, by Senator Gianaris, an
20 act to amend the Legislative Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

23 THE SECRETARY: Section 7. This
24 act shall take effect immediately.

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 763, those Senators voting in the
7 negative are Senators Borrello,
8 Canzoneri-Fitzpatrick, Gallivan, Helming,
9 Martins, Mattera, Murray, Oberacker, O'Mara,
10 Ortt, Rhoads, Stec, Tedisco, Walczyk, Weber and
11 Weik.

12 Ayes, 46. Nays, 16.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 791, Assembly Print Number 4899, by
17 Assemblymember Dinowitz, an act to amend the
18 Criminal Procedure Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

21 THE SECRETARY: Section 3. 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: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar Number 791, those Senators voting in the
5 negative are Senators Borrello,
6 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
7 Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco,
8 Walczyk, Weber and Weik.

9 Ayes, 48. Nays, 14.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 795, Senate Print 6417, by Senator Bailey, an act
14 to amend the Judiciary Law and the Executive Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

17 THE SECRETARY: Section 4. This
18 act shall take effect immediately.

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 795, those Senators voting in the

1 negative are Senators Borrello,
2 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
3 Lanza, Martins, Mattera, Murray, Oberacker,
4 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
5 Tedisco, Walczyk, Weber and Weik.

6 Ayes, 42. Nays, 20.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 798, Senate Print 6665, by Senator Gianaris, an
11 act to amend the Judiciary Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 4. This
15 act shall take effect immediately.

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 798, those Senators voting in the
23 negative are Senators Ashby, Borrello,
24 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
25 Lanza, Martins, Mattera, Murray, Oberacker,

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

3 Ayes, 41. Nays, 21.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 819, Senate Print 5620A, by Senator Harckham, an
8 act to amend the Executive Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

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, 62.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 825, Senate Print 160, by Senator Hoylman-Sigal,
23 an act to amend the Judiciary Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

1 THE SECRETARY: Section 4. This
2 act shall take effect on the 90th day after it
3 shall have become a law.

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 Number 825, those Senators voting in the
11 negative are Senators Chu, Martinez,
12 Scarcella-Spanton and Thomas.

13 Ayes, 58. Nays, 4.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

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

18 SENATOR GIANARIS: Thank you,
19 Mr. President. Can we now move to the
20 controversial calendar.

21 ACTING PRESIDENT BAILEY: The
22 Secretary will ring the bell.

23 The Secretary will read.

24 THE SECRETARY: Calendar Number
25 241, Assembly Print Number 3694A, by

1 Assemblymember Rosenthal, an act to amend the
2 Education Law.

3 ACTING PRESIDENT BAILEY: Senator
4 Lanza, why do you rise?

5 SENATOR LANZA: Mr. President, I
6 believe there's an amendment at the desk. I
7 waive the reading of that amendment and ask that
8 you recognize Senator Rhoads.

9 ACTING PRESIDENT BAILEY: Thank
10 you, Senator Lanza.

11 Upon review of the amendment, in
12 accordance with Rule 6, Section 4B, I rule it
13 nongermane and out of order at this time.

14 SENATOR LANZA: Accordingly,
15 Mr. President, I appeal the ruling of the chair
16 and ask that Senator Rhoads be heard on the
17 appeal.

18 ACTING PRESIDENT BAILEY: The
19 appeal has been made and recognized, and
20 Senator Rhoads may be heard.

21 Senator Rhoads.

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

24 Mr. President, I rise to appeal the
25 ruling of the chair.

1 The proposed amendment is germane to
2 the bill at hand, as the bill at hand aims at
3 reducing the number of hate crimes, as does the
4 proposed amendment, which would add all hate
5 crimes to the list of qualifying offenses, which
6 would allow judges to set bail for any offense
7 that is charged as a hate crime.

8 Since cashless bail went into effect
9 in 2020, Mr. President, New Yorkers have been
10 suffering the consequences. Crime continues to
11 rise, and our citizens continue to bear the risk.
12 And this trend has impacted New Yorkers across
13 the state. And it's had a particularly troubling
14 impact on members of marginalized communities,
15 who have been experiencing higher rates of the
16 hate crimes.

17 Since last year the number of hate
18 crime incidents has risen nearly 20 percent.
19 Since 2019, the last year before bail reform went
20 into effect, hate crimes have gone up by
21 47 percent. And the rise in hate crimes has
22 threatened the fundamental feature of the
23 American way of life. And while this threat
24 continues to grow, our laws limit the ability of
25 a judge to set bail on those who target a person

1 based on their race, their ethnicity, their
2 religion, their gender or their sexuality.

3 Because of bail reform, judges must
4 release a person who is charged with a hate crime
5 unless they commit an offense that is a
6 qualifying offense, or they commit a misdemeanor
7 assault or arson in the third degree as a hate
8 crime.

9 A person who threatens a person
10 based on a protected characteristic or vandalizes
11 a synagogue or a mosque wouldn't be eligible for
12 bail. And even those who are eligible for bail
13 that would qualify, judges can only set bail
14 based upon risk of flight. They cannot set bail
15 based upon the danger that the defendant poses to
16 a person, a group of people, or the community as
17 a whole.

18 Bail reform has severely limited the
19 ability of courts to protect our vulnerable
20 citizens from the violent and hateful attacks
21 that continue to plague the state. And while
22 criminals target innocent New Yorkers based on
23 their race, gender or other protected
24 characteristics, criminals continue to enjoy the
25 benefits of these misguided criminal justice

1 reforms.

2 Mr. President, it is time that we
3 put the interests of law-abiding citizens above
4 criminals, restore common sense to our criminal
5 justice system, and give judges back the ability
6 to set bail for any hate crime.

7 Look, you had recently a Long Island
8 man who used social media to go on a hate crime
9 spree against the LGBTQ community. Against Jews
10 in the Bronx, you had the windows of four
11 synagogues that were smashed in. You had an
12 individual who was waving a knife at Central Park
13 menacing -- who was charged with menacing as a
14 hate crime while he was making comments against
15 women. You had a homeless man who sucker-punched
16 an Asian-American woman, who had 17 prior arrests
17 and, on those 17 prior arrests, was held without
18 bail.

19 If the courts can't protect us, who
20 are we going to turn to? Even Bill de Blasio --
21 when I ran for the Senate, I never thought in a
22 million years that I would actually be quoting
23 Bill de Blasio. Even Bill de Blasio stated that
24 when it comes to hate crimes, judges need more
25 space to use discretion when they think there is

1 a legitimate public threat.

2 I think one of the ways we fight
3 hate crimes is by making it clear that there will
4 be consequences. And I'm concerned that if
5 someone that consistently committed a hate crime
6 is out on the street, they may get the
7 opportunity to do it again.

8 This bill is germane. And I ask
9 you, Mr. President, to reverse your decision and
10 allow the amendment to move forward, because
11 while it's important that we report, while it's
12 important that we educate, while it's important
13 that we inform, information without action has no
14 meaning. And the action that we need to have is
15 to restore consequences and restore judicial
16 discretion to be able to set bail to someone who
17 commits a hate crime and is a threat to the
18 community and a threat to do it again.

19 Thank you, Mr. President. And I ask
20 that you reconsider your decision.

21 ACTING PRESIDENT BAILEY: Thank
22 you, Senator Rhoads.

23 I want to remind the house that this
24 vote is on the procedures of the house and the
25 ruling of the chair.

1 Those in favor of overruling the
2 chair, signify by saying aye.

3 (Response of "Aye.")

4 SENATOR LANZA: (Pause.) Show of
5 hands.

6 ACTING PRESIDENT BAILEY: A show of
7 hands has been requested and so ordered.

8 Announce the results.

9 THE SECRETARY: Ayes, 21.

10 ACTING PRESIDENT BAILEY: The
11 ruling of the chair stands, and the bill-in-chief
12 is before the house.

13 SENATOR GIANARIS: Mr. President,
14 we've agreed to restore this bill to the
15 noncontroversial calendar.

16 ACTING PRESIDENT BAILEY: The bill
17 has been restored to the noncontroversial
18 calendar.

19 The Secretary will read the last
20 section.

21 THE SECRETARY: Section 5. This
22 act shall take effect on the 90th day after it
23 shall have become a law.

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Senator
3 Stavisky to explain her vote.

4 SENATOR STAVISKY: Yes, thank you,
5 Mr. President.

6 This bill is about reporting hate
7 crimes on a college website. That's it. What I
8 heard a moment ago was almost a non sequitur.
9 This has nothing to do -- nothing to do with what
10 was described.

11 Instead, the colleges -- any college
12 or university in New York State that receives
13 state aid has to report the incident on its
14 website. Currently they do it in the college
15 catalog. Now, college catalogs were popular when
16 I applied to college. But with all due respect,
17 today even I use the websites.

18 It only applies to the website, and
19 I vote aye, Mr. President, on my bill.

20 Thank you.

21 ACTING PRESIDENT BAILEY: Senator
22 Stavisky to be recorded in the affirmative.

23 Senator Chu to explain her vote.

24 SENATOR CHU: Thank you,
25 Mr. President.

1 I want to show my support for this
2 important piece of legislation. And thank you,
3 Senator Stavisky, for bringing this to our
4 attention and for your advocacy for this issue.

5 As we have seen in the past three
6 years, hate crimes towards marginalized
7 New Yorkers have been on the rise throughout our
8 state, including college campuses. We need to
9 make sure we are protecting our students and
10 providing a clear pathway to reporting and
11 assessing statistics on hate crimes that occur on
12 our campuses.

13 Through this legislation we can
14 provide the necessary transparency for
15 crime-related statistics in a manner that
16 reflects the investment in technology available
17 to us today. And as a proud alumna of our CUNY
18 Brooklyn College, ensuring the safety of our
19 college campuses for students is our top
20 priority.

21 I'm a proud cosponsor of this bill.
22 And for all these reasons, I vote aye.

23 ACTING PRESIDENT BAILEY: Senator
24 Chu to be recorded in the affirmative.

25 Senator Rhoads to explain his vote.

1 SENATOR RHOADS: Thank you,
2 Mr. President.

3 I want to thank Senator Stavisky for
4 advancing this bill. I voted for this bill in
5 committee. I'm voting for this bill on the floor
6 today. It's a piece -- it's an important piece,
7 but it's just a piece.

8 My point was that we're missing out
9 on the larger component, which is that we need to
10 establish -- in addition to providing
11 information, you have to establish that there are
12 consequences to that action. And consequences in
13 giving judges the ability to keep people off the
14 street who are repeatedly committing these crimes
15 is an important component to reducing the number
16 of hate crimes that we see.

17 So this is an important piece, and
18 I'm voting for it, but I think we're missing a
19 larger piece.

20 Thank you, Mr. President.

21 ACTING PRESIDENT BAILEY: Senator
22 Rhoads to be recorded in the affirmative.

23 Senator Webb to explain her vote.

24 SENATOR WEBB: Thank you,
25 Mr. President.

1 I want to thank Senator Stavisky for
2 this piece of legislation.

3 You know, I would be remiss if I
4 didn't lift up that with this legislation it
5 helps us to have more data-driven solutions to
6 this very complex issue.

7 And being someone who worked on a
8 college campus and worked with students who
9 unfortunately experienced hate crimes, part of
10 the challenge is getting students, faculty or
11 staff to even report what they have experienced
12 because of fear of retaliation or not having
13 access to information about what could actually
14 be done.

15 And so this legislation is an
16 important step to provide to our educational
17 institutions to help to facilitate that.

18 This bill updates the Education Law,
19 ensuring that college campuses who are
20 experiencing hate crimes have the ability to
21 report that data accurately so that they can have
22 more informed policies and practices -- but also
23 the students and their families have more
24 information that can facilitate their decisions
25 as relates to their own safety at these

1 respective institutions.

2 And so, again, I want to thank
3 Senator Stavisky for this bill. I will be voting
4 aye.

5 Thank you, Mr. President.

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

8 Announce the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

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

14 SENATOR GIANARIS: Mr. President,
15 if I can return to motions for a moment, on
16 behalf of Senator Hinchey, on page 40, I offer
17 the following amendments to Calendar Number 741,
18 Senate Print 1042, and ask that said bill retain
19 its place on Third Reading Calendar.

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

23 Senator Gianaris.

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

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

3 SENATOR GIANARIS: Move to adjourn
4 until Wednesday, tomorrow, May 17th, at 3:00 p.m.

5 ACTING PRESIDENT BAILEY: On
6 motion, the Senate stands adjourned until
7 Wednesday, May 17th, at 3:00 p.m.

8 (Whereupon, at 4:40 p.m., the Senate
9 adjourned.)

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25