NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 17, 2023

3:33 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 16, 2023, the Senate met pursuant to adjournment. The Journal of Monday, May 15, 2023, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Breslin

moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 1628 and substitute it for the identical Senate Bill 2694, Third Reading Calendar 766.

ACTING PRESIDENT MAYER: Substitution so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Madam President.

I'm going to ask our colleagues in the corner if they could just give our guest a moment of breathing room, because I'd like you to recognize Leader Stewart-Cousins for an important introduction today.

ACTING PRESIDENT MAYER: Leader Stewart-Cousins for an introduction.

And I would ask all my colleague to take their seats.

SENATOR STEWART-COUSINS: Thank you so much, Madam President.

And there is a lot of commotion because we are honored to have a very special guest in our chamber. We are welcoming Tennessee Representative Justin Pearson to the New York State Senate today.

(Standing ovation.)

SENATOR STEWART-COUSINS: Okay, so I can tell by the majority of people standing up you all know who he is. But let me make sure to introduce him properly should some people have missed why we are so happy to welcome this young man.

In the beginning of April, we witnessed what was no less than an assault and a new front line in the battle for the future of American democracy, all taking place in the Tennessee State Legislature, when ultimately two young representatives were removed from their chamber for fighting for commonsense gun safety, all with the goal of better representing and protecting the people of Tennessee.

We all know that state legislatures are often the last line of defense and play an

even growing and more critical role than ever in this country.

Representative Pearson is here today in our State Capitol not talking about that, but talking about, yes, another crucial issue that he's been engaged in and that has been a focus for our conference as well. He was here talking about climate change.

We've spent far too long waiting for our federal government to take the drastic action that is necessary to protect the most vital resource.

We're glad, however, that you're here, that you are able to see the Assembly pass the climate bill, as we passed it here. And we're also happy to see our counterparts join us in taking the much-needed steps. And we are certainly hopeful that we can continue to work together to do all we can to protect our environment.

We are inspired, encouraged, heartened and excited by your tenacity and your bravery. And I'm happy that a representative such as yourself has been thrust into the national spotlight. And I think we are all

excited to see what you will be doing next.

And I can only thank you again for not only gracing our chambers, but reigniting, for those of us who might have let that flame die, the understanding that the next generation is well prepared, and on your shoulders and with your continued bravery, courage and tenacity, we will be the America that we know made this dream come true.

Thank you so very, very much for being here.

(Standing ovation.)

ACTING PRESIDENT MAYER: To our guest, Representative Justin Pearson, thank you for joining us today on behalf of all of the Senate. Please enjoy the cordialities of the house. We welcome you, and we couldn't be more pleased that you're here. Thank you again.

Senator Gianaris.

SENATOR GIANARIS: Madam President, can we now move to previously adopted Resolution 929, by Senator Sepúlveda, read that resolution's title, and recognize Senator Sepúlveda, who is here somewhere -- there he is.

ACTING PRESIDENT MAYER: The

Secretary will read.

THE SECRETARY: Senate Resolution 929, by Senator Sepúlveda, commemorating the first visit of a Dominican Senate President to the New York State Senate, Honorable Eduardo Estrella, and recognizing the importance of the relationship between the Dominican Republic and New York State.

ACTING PRESIDENT MAYER: Senator Sepúlveda on the resolution.

SENATOR SEPÚLVEDA: Thank you, Madam President, for allowing me to present this resolution.

It is with great pride and honor that I present to you our counterparts in the Dominican Republic. Today we have the president of or the leader of the Senate in the Dominican Republic, we have our friend Senator Eduardo Estrella.

We have the person who is responsible for a lot of the exchanges that we're doing -- he started, planted the seed in working with the Dominican government and our government and our Senate, my good friend Senator Alexis Victoria Yeb.

We have Senator Dionis Sánchez Carrasco. We have Senator Carlos Manuel Gómez. We have Senator Lenín Valdez López, Senator Ramón Pimentel Gómez, Senator José del Castillo Saviñón. We have the person in charge of international relations for the Senate, Carlos Castro, and of course someone who's been here before, and we've recognized her, and that is the Ambassador to the United States of the Dominican Republic, Ambassador Sonia Guzmán.

We have worked together over the last year to do a lot of exchange programs with the Dominican government and, more specifically, with the Dominican Senate. Every person here has worked directly with me to make sure that we create programs, exchange programs and delegation trips to the Dominican Republic, which we will be inviting all of you to attend probably in August, so you can meet the elected officials over there and learn about the culture and the history of the Dominican Republic.

To me it's a great honor, myself being a Dominican citizen. I was born of Puerto Rican descent, but I had the honor and privilege of being granted citizenship by decree

by the president of the Dominican Republic. And the people that are standing there had a lot to do with me getting that honor.

We're going to be here -- they're going to be here for the next few days. They came here to bless us with their presence in the New York State Senate, and I welcome them here to our state.

And just give me a point of privilege. {Addressing guests in Spanish.}

Madam Leader, please offer them welcome, and thank you for allowing me to present this resolution.

ACTING PRESIDENT MAYER: Thank you, Senator Sepúlveda.

Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you very much, Madam President.

First of all, I want to welcome our guests, these extraordinary leaders from the Dominican Republic.

I want to thank our colleague Senator Sepúlveda for bringing these leaders here to the Senate chamber today.

I say bienvenidos, estudié español

en la escuela muchos años en el pasado --

(Laughter.)

SENATOR KENNEDY: -- pero hablo uno poquito español pero trato.

But in English, I welcome you a thousand times over. You are gracing us with your presence. We appreciate your leadership, and we look forward to our continued relationship between the great country of the Dominican Republic and the great State of New York and the United States.

Welcome, and thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Kennedy.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Madam Chair.

I also want to rise to welcome the delegation from Santo Domingo. I had the honor of traveling with Senator Sepúlveda to the Dominican Republic -- sorry, I said Sant -- to the Dominican Republic. Sorry, I said Santo Domingo earlier. Busy day.

And I had the opportunity to travel to the Dominican Republic, and you were gracious

enough to let us into your chambers. We had extensive conversations about how we could share resources and create opportunities between our two countries. You shared with us how your Senate works and how -- we were able to discuss the -- how our Senate works vis-a-vis yours.

I'm glad that you're here today to see us in action, to see what we're doing. I look forward to sharing other opportunities with you as we continue to work to ensure that the Dominican Republic can be a more active trade partner with us in the state, utilizing our resources.

You've already been sending us your nurses, and your manufacturing facilities have increased tenfold in their ability. We were able to visit your manufacturing facilities, visit some of your cultural institutions and talk to your leaders on the national, local and federal levels. I truly believe that we as a state need to build and continue to expand our opportunities to have a positive relationship with all of you.

I enjoyed having a little time to spend with you today; the ambassador and the president of the Senate is here. I look forward

to continuing to work with you as we expand the opportunities between our state and your great nation.

Thank you. Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Comrie.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

Bienvenidos. {In Spanish.} It is really a pleasure to be here with you all. And, you know, I am -- I'm a state senator in the Bronx and Mount Vernon, ciudad de Mount Vernon in Westchester County. And I have mucho Dominicanos in el borough de Bronx. And the Dominican population is still -- is still -- is growing rapidly. It is one of the fastest-growing populations. And as we've mentioned on the floor many times, the Dominican, you know, community has made and will continue to make great contributions to not just the borough and not just the City of Mount Vernon, but the entire great State of New York, as Senators Kennedy, Sepúlveda and Comrie have all mentioned.

I'm looking forward to continuing to have a working relationship with you, as we continue to try to find that working relationship to ensure that we continue to understand that {in Spanish}, right? We're all the same.

And as it would be said in the Dominican Republic, de lo mio. Welcome.

ACTING PRESIDENT MAYER: To our guests, to our Senators, Ambassador, and all of our guests, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of the house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: The resolution was previously adopted on the 9th of May.

Senator Gianaris.

SENATOR GIANARIS: Can we now move on to previously adopted Resolution 1031, by Senator Ryan, read its title, and recognize Senator Ryan.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution

1031, by Senator Ryan, memorializing Governor Kathy Hochul to declare May 2023 as Small Business Month in the State of New York.

ACTING PRESIDENT MAYER: Senator Ryan on the resolution.

SENATOR RYAN: Thank you, Madam President.

As we know, small businesses are the backbone of our economy. More than 96 percent of the businesses in New York State and half the state's workforce work in small businesses. When they are thriving, New York State is thriving.

But we all know the pandemic was tough on businesses, mostly tough on small businesses -- wreaked havoc on locally owned businesses in every community across the state.

So we worked hard to put together a small business package to help them get through the pandemic. Now, as we negotiate the post-pandemic era, we need to make sure that our commitment to small businesses remains strong. That means finding creative ways to support them.

Whether it's from funding childcare to make sure the workforce is available, investing in broadband, investing in hydropower,

reducing the cost of power transmissions -- these are all the things that help small businesses survive, and always we can help them improve their workforce and support their workers.

But sometimes people think of the employer-employee dynamic as a zero-sum game: If you help one, you've got to be hurting the other. But the truth of that is when we invest in workforce development and when we invest in childcare and universal pre-K, we're making it easier for people to go to work. And it's helpful to the employees, but it's also helpful to the small businesses.

We want to continue to do that. So today I rise to thank all the small business owners in New York State for their entrepreneurship, for their innovation, for their hard work and their dedication.

So we're here today, and we're going to celebrate Small Business Month.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Ryan.

Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you,

Madam President. I rise to also thank the sponsor for celebrating May as Small Business Month.

You know, our small business owners, they are our farmers that grow our food, they're the people that build our homes, the people that repair our cars, the people that print our lawn signs as we go into elections. They're the people that sponsor our Little League teams, support our local charities, keep our downtowns vibrant. Small business truly is the very fabric of our state and our business.

They faced a lot of challenges, especially during the pandemic. But the bottom line is they are resilient. The backbone of our state is small business. As Senator Ryan mentioned, half of the employees in New York State are employed by small business. This chamber has an obligation to ensure that they are successful, because they are New York State.

And as a fellow small business owner myself, I can tell you it is difficult, it is rewarding, but thank God for the small businesses here in New York State.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Borrello.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

Thank you, Senator Ryan, for introducing this resolution.

You know, on the Saturday after Thanksgiving we have Small Business Saturday, where we go shop -- where we say "Shop Small." And, you know, and it's nice that we do that on that day. You know, it's good. But, like, the reality is that we should always be shopping small. Because during COVID, during the worst of COVID, the people that kept us fed were small businesses. It wasn't -- it wasn't the big chains. It certainly wasn't. You know, it was -- it was those mom and pop -- auntie and uncle, as you would say sometimes -- stores that kept us open.

And quite frankly in my district, Madam President, these small businesses were not only helping us feed people, but they were coming to us and asking, How can we help? What can we do? As opposed to just sitting on the sidelines.

So if for nothing else, we owe them a debt of gratitude for keeping us fed during COVID.

But they do so -- but they do so much. And when we actually invest in our communities, when that proverbial dollar gets recycled within the community, it makes our community stronger. And, you know, small businesses are incredibly important to the lifeblood of our community.

You know, and I like to shop small myself. And I think it's really important that we do it not just on Small Business Saturday, but every Saturday if you can.

I vote aye on the resolution, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Bailey.

Senator Weber on the resolution.

SENATOR WEBER: Thank you, Madam Speaker.

I want to thank my fellow Senator for recognizing small businesses today.

You know, I've been a CFO for a small business for over 20 years, and it's one of the reasons why I ran for office. You know,

small businesses in New York State have been getting crushed for a long time. High taxes. Draconian regulations throughout COVID closed a lot of our small businesses. Small businesses are the backbone of our economy here in New York State. And one of the reasons why I decided to run is to make sure that we support our small businesses up here, because they employ, you know, our friends and neighbors that are driving revenue in all of our counties.

And it's very important that we recognize them, and I applaud you for bringing this resolution today.

So thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you.

Senator Martins on the resolution.

SENATOR MARTINS: Thank you, Madam President.

I rise to honor small businesses in New York State, understanding that it's a difficult time for small businesses across the country, but especially here in New York.

Unfortunately, Madam President, we live in what has become an Amazon world, where people no longer go to their local shop owners to

buy things, but they'll buy things online and have it delivered to their house.

And at this time we take the opportunity this day, with this resolution, to honor small businesses. But I would just implore my colleagues, as I look across the chamber, that we remember small businesses in our policies each and every day. They're struggling.

So whether it's red tape, over -- let's say over-burdensome regulations, whether it's small businesses that we hear of in our urban centers and in our suburban centers that are facing shoplifting each and every day. And for us these are small items, right, we consider these to be small-ticket items, they're shoplifters. But for that small business, that's the margin between succeeding and failing.

And we should have policies here to protect those small businesses that are courageous enough to keep their businesses going even though they're facing the Amazons of the world and the policies that sometimes we pass right here in this chamber.

So I rise to support our small businesses. I thank them each and every day. I

strive to shop local in everything we do, and support them. Because they need us not only with our words on this floor, but with the policies that we support, to continue to support them, to make sure that they continue to be the backbone of our economy. And we can continue with resolutions, as was provided by my colleague Senator Ryan, where we can talk about it, but let's make sure that we remember them in our policies as well.

Madam President, I vote aye.

ACTING PRESIDENT MAYER: Thank you, Senator Martins.

Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Madam President.

I am certainly glad that my colleague spoke of remembering the policies that we do here. I'm going to speak to that, but of course I have to thank Senator Ryan for ensuring that we here recognize small business.

Small businesses of course are the bedrock of innovation. When we see change happening in America, you'll see it first at small businesses.

When you speak of small businesses, you have to speak of the community. They're backing the Boy Scouts, the Girl Scouts, the elderly. They're backing everybody. When you go into the stores and say, "Hey, I have a good idea, a good group," there's a rare moment when they say they can't help. Even when they should say they can't help, they end up saying, "Hey, I'm going to help you anyway, because it's part of the community and we're going to build it."

Every large business started small. You never get to be a large business unless you start and you start small. I'm glad that we understand that policies are the basis of what we do here and the policies is how we can aid small businesses. I am going to thank New York State for understanding that and understanding that it must back small businesses of every color.

Thank God that we have an MWBE policy of the state which says that New York State will have an even playing field for anyone. If you want to try and do great things, we have an even playing field, and you have as much of a chance, God willing, as anybody else. And that's because groups like this have said that in

New York State we're going to have one New York State and a state great for everyone.

So yes, we do need to watch the policies that we do to ensure that we have a positive impact on all of the people of this great state.

Senator Ryan, again, thank you.

Madam -- you've changed. Mr. President, thank you very much. Take care.

(Laughter.)

ACTING PRESIDENT BAILEY: A nice moment of levity.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Mr. President.

I also rise to salute small businesses and thank Senator Ryan for his resolution, and to all the Senators for their words today. I agree with everything that has been said, but it's my turn to say some of it as well.

You know, being from Queens, which is pretty much one of the small business capitals of this country, with so many different cultures, so many different ethnicities that are creating

their own niche small businesses to service their ethnicities and their cultures, it's important that we do everything necessary, as Senator Martins said, to get government out of the way -- to find a way to remove regulations, to find a way to remove blocks, to find a way to allow them to access services better.

As Senator Sanders just said, we have small businesses that are trying to get government contracts, trying to get MWBEs, that are waiting 18 months to 24 months just to get their certification. This is something that we have to change. There's no reason for the state to prohibit a small business from being able to do business in this state. That we have to make sure that we keep our young families in this state, and encouraging small business opportunities is the way to do that.

I would also agree with our president, who spoke about all of the small businesses during the pandemic that helped my district, from The Door Restaurant to the Farm Bureau {ph} to almost every small business in my district, once we identified that we had a need to take care of seniors because the senior

centers were closed, everyone that I reached out to stepped up and helped feed the seniors at every senior center in my district.

Small businesses are critical to our economy, to our community, and also to our entrepreneur spirit. We have to continue to do everything we can as a state legislature to create the policies to encourage us to be the small business capital of the country, as opposed to the statistics now where we're one of the last five states to have a positive small business environment.

So I'm glad that Senator Ryan has brought this resolution today. But may we all resolve to go from the bottom of the most wanted states to do small business to be one of the best.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Murray on the resolution.

SENATOR MURRAY: Thank you, Mr. President.

In listening to all of my colleagues -- first, I'd like to thank the sponsor for remembering and recognizing the

importance of small business. But as a small business owner myself, listening to all of my colleagues bringing up so many important points, and from different angles of how small business benefits -- we've heard everyone say it's the backbone of our state and our economy, and that's true.

But there are so many things we do here and so many aspects of small business that can benefit or hurt. Us taking the approach of tackling these important issues, whether it's getting rid of overburdensome regulations or one aspect that Senator Ryan brought up, childcare, helping our employees -- because the small businesses are made up of the employees. And again, being a small business owner myself, I can tell you many times it's like family. You really do care. I'm not saying the big box stores don't care or anything, but it's a different feel. And you want to care, you want to make sure that your employees are taken care of.

And focusing on policies that can help with childcare, to let our parents get back into the workforce and know that their children are being taken care of, that benefits all of us.

That needs to be a focus. Because as the employees are happy and they succeed, the businesses succeed. As they succeed, they grow, they create more opportunities. And that's the way we're going to keep our next generation here too, is through these opportunities and through our small businesses.

So again, I thank the sponsor for this, and all of my colleagues for bringing up these great points and showing just how important small business is to New York.

Mr. President, I gladly vote aye.

ACTING PRESIDENT BAILEY: Thank you.

Senator Cleare on the resolution.

SENATOR CLEARE: Thank you, Mr. President.

I want to thank Senator Ryan for this very timely resolution.

I rise to support small businesses in our communities. As my colleagues have mentioned, they are the backbone of our communities. And especially support to our small Black and minority-owned community businesses is crucial.

These businesses hire locally. Their dollars circulate locally. You know, many people get their first jobs at small businesses in their community. They give you a chance. They know you. They're familiar with us.

And they're so important to our communities. They don't leave, they stick it out, they stick with us. And someone even said earlier, when you go to them, they hardly ever say no, because they care about the community that they're in. Not to say that larger corporations don't, but our small businesses really do know us and care about our communities.

So I say shop small all the time. Try to support our small businesses. They have unique local items. You know, it's a good thing, you have a good feeling. You're not just getting something for yourself, but you're also creating -- you're creating economy for someone else and creating an opportunity for them to hire more people locally or keep those people hired.

So I proudly vote aye on the resolution. Thank you.

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

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

I rise, too, to thank the sponsor for this important resolution.

And I'm so pleased to see that regardless of where we sit in this chamber, we are all on the same page to support small businesses.

I truly have a mom-and-pop shop. My dad is my law partner. My mom is my dad's secretary. And we have employed, you know, local teenagers who are in college, in law school, in our law office.

And as has been said, we support the community. We support the Boy Scouts and the food drives. And we are there getting to know who our community is.

One of the beautiful things that I was the beneficiary of is, having my own business, I was able to bring my children to work. And I had four of them. And every one of them came to the office. And it allowed me to continue with my law career while still being a mom.

And it's incredibly important that

women feel empowered to do everything and to still be a mom and still be a professional and not have to choose. So these small businesses allow us to do that. And I am so grateful that I had that opportunity.

We must continue to do everything we can and not overburden our small businesses. And this chamber should be considerate of it. And that's why I am so glad to hear everybody on both sides of the aisle say that we want to support small business.

So thank you, Mr. President. I proudly vote aye.

ACTING PRESIDENT BAILEY: Senator May on the resolution.

SENATOR MAY: Thank you, Mr. President.

I also want to thank the sponsor of this resolution. But I want to talk about one particular kind of small business that was thought to be going extinct pretty recently.

When Amazon first opened, they were an online bookstore. And they very quickly put independent bookstores out of business all around the world and all around this country.

And I am delighted to say that independent bookstores are on the way back and are beginning to really thrive. And I wanted to shout out two in particular, one that started in my district when my district included Liverpool -- it's now in Senator Mannion's district -- but the Golden Bee Bookshop, which opened just a few weeks before the pandemic hit.

And I've got to say I did not think they were going to make it. But they are an absolutely thriving community center now and so many people come in to browse the books, to have events there, to just feel part of a community. It's a beautiful thing.

And now we have one in downtown Syracuse too, with Parthenon Books, which is the same thing, a gathering place for the whole community.

So bookstores were places I spent a lot of my childhood and young adulthood, and I am thrilled to know that my daughter is going to have that opportunity now too because bookstores are on the way back.

So I proudly support this resolution and am happy to report that bookstores are not a

thing of the past anymore.

Thank you.

ACTING PRESIDENT BAILEY: Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you, Mr. President.

I too stand to support and say I love my small businesses. In the 34th District we have a plethora of unique original businesses: Down East, Tremont, Westchester Square, Main Street in New Rochelle, and Morris Park Avenue.

And much to what we say today, we cannot forget the help and support that they need. Every single day, make a little purchase. Go say hello. Donate a little bit in that tip jar, because sometimes that really does make the difference for their employees.

But it is no secret that our businesses are the lifeblood of our communities. They are there for us. They were there for us. And sadly, during the pandemic we did lose some small businesses. But on the upside of that, many came back. New businesses came back.

And this resolution to me is a

reminder of how much more we need to do for them, to make sure that they can stay in those brick-and-mortars, that they do have the opportunities with our city and state to prosper, to grow, and to share their goods.

So thank you for this resolution. It is so needed. Because every day and every season, every holiday season, we have to remember that our small businesses are what helps our communities stay strong and keep the money flowing so we see the success in our communities.

Thank you for this resolution. I proudly vote aye.

ACTING PRESIDENT BAILEY: Senator Hoylman-Sigal on the resolution.

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

I want to thank Chair Ryan for this resolution and our colleagues for speaking out on behalf of small businesses.

In my district on the West Side of Manhattan -- and throughout Manhattan -- there is a very unfair rent tax that small businesses pay and no other businesses pay. It's called the commercial rent tax, and it runs from 96th Street

down to Reade Street throughout Manhattan. So small businesses in Manhattan are burdened by this additional tax.

And here I am, Mr. President, a tax-and-spend liberal arguing that we should get rid of a tax. But it's on small businesses. And I hope we can move that legislation forward someday soon.

I also want to mention, Mr. President, all of our local newspapers, our local journalists are so important to cover our efforts here in Albany and in our communities, but we've seen local newspapers disappear because of challenges, because of online media, because of media consolidation. So I hope we can find ways to support our local journalists through our Local Journalism Sustainability Act.

And then finally I want to also mention the fact that bookstores are truly the spine of our communities, and certainly agree with Senator May. I have one in my district called Three Lives & Company. I have The Strand, a branch of The Strand in another part of my district. They really do serve as a community resource.

And again, I want to thank Senator Ryan for this resolution and vote aye.

ACTING PRESIDENT BAILEY: The resolution was previously adopted quite some time ago, May 16th.

Senator Gianaris -- Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

Let's take up previously adopted Resolution 1032, by Senator Ryan, read that resolution title only, and recognize Senator Ryan.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 1032, by Senator Ryan, mourning the death of Joan Bozer, distinguished citizen and devoted member of her community.

ACTING PRESIDENT BAILEY: Senator Ryan on the resolution.

SENATOR RYAN: Thank you, Mr. President.

Joan Bozer was a great, great resident of Buffalo. If you wrote a book on the history of Buffalo in the last 50 years, Joan

Bozer would be in every chapter with her activism. She would have been 95 this week, the week of her death.

And she wasn't from Buffalo, she moved from Westchester. But she had this way of looking at Buffalo and seeing things that we often couldn't see. And she saw beauty, but she also saw potential.

She was ahead of her times when she was in her 30s. But it's so rare that you can continue that visionary, optimistic outlook to be still somebody to be said of that you're ahead of your times when you're in your 90s.

But after she moved to Buffalo, she saw some of the destruction of our parkway system, our Olmstead Parks and Parkways, and she responded to that and said, "We're not going to make any more mistakes like that in Buffalo."

She created the Buffalo Olmstead Parks Conservancy. She got together with Olmstead Parks from around the nation and created the National Association of Olmstead Parks. But she was, as I say, always ahead of her time.

When Buffalo went through the integration of their schools, a lot of people of

wealth responded by pulling their kids out of schools. She proudly joined the movement of integration and proudly kept all her kids in the public school. That was a real manifestation of her personality. She believed if you believe in something, you have to put it all out there. You know, you can't be a phoney and half-believe but send your kids somewhere else.

She was involved all over the historic preservation efforts in Buffalo. Our Downtown Buffalo ECC campuses and our historic post office would have been a wrecking ball -- would have been a parking lot but for Joan Bozer's advocacy.

She founded the Western New York Environment Sustainability Association 30 years ago. Before anyone talked about climate change, Joan Bozer was a pioneer in solar panels. She had what I think was the first residential application of solar panels on her house in -- just before the year 2000. But once again, so far forward looking.

I don't know how she did it, but she continued to do it. And most recently we're reclaiming some of our Outer Harbor, and her idea

is to make it -- our Outer Harbor to have a park in the Olmstead vision. A lot of people don't like big green space and they think it might be a good place for high-income housing or condos. Who led the effort to make sure there's no condos on the Outer Harbor? In her 90th decade, Joan Bozer did.

She also had this vision that took 30 years to achieve. She wanted to marry a concept of a solar-powered carousel with a carousel that was made in Buffalo at the turn of the last century. A lot of woodworking was going on. So just recently what did we open as the jewel of our Inner Harbor? A solar-powered historic carousel.

So throughout her life, she was able to bring good ideas into fruition. And lest I forget this part, she was also an Erie County legislator for several years and established the first Commission on Women in New York State.

So she had probably a first in so many things in each decade that she lived. So she was a selfless woman. She was an inspiration for the type of leaders we all strive to be.

So to the Bozer family, I'm deeply

sorry. And to Joan Bozer, I thank her for everything she did for her adopted hometown of Buffalo.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Mr. President.

First, I want to thank my colleague Senator Ryan for introducing this resolution and for honoring Joan Bozer and her incredible contributions to the Western New York community and to our great state.

While we sadly lost Joan earlier this month, we know that her 94 years were filled with passion and advocacy, whether that be as one of the first members of the former Friends of the Olmstead Parks organization, now known as the Buffalo Olmstead Parks Conservancy, or her leadership roles within the League of Women Voters and Citizens for Regional Transit, or her commitment to public good.

Serving in the Buffalo City Council and later the Erie County Legislature, Joan was heavily involved in building a better Buffalo,

both by preserving our city's past and ensuring the prosperity of its future by championing key reforms centered around sustainability and renewable energy.

When Joan set her mind to something, it got done. All we have to do is look at Buffalo's waterfront, where the Heritage Carousel sits. Joan wanted to bring this solar-powered carousel to that space for decades, and in 2021 she saw her vision come to life.

Despite her many accomplishments, Joan was most proud of her family. She's survived by her five children, seven grandchildren, and five great-grandchildren, and they will carry her spirit and legacy with them always.

So as we mourn the passing of Joan Bozer, we also celebrate the full life she lived and the many lives she changed during her time with us here on earth. May her passion for public service inspire us all, and may she rest in peace.

With that, Mr. President, I vote aye.

ACTING PRESIDENT BAILEY: The

resolution was previously adopted on May 16th.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

If I could just a take a moment to do another introduction, we are joined today by the distinguished Julia Gershun.

Will you please stand?

She's Miss Ukraine from 2016 and Miss Universe in 2018, and is traveling the world advocating for peace for her home country. And she has decided to come join us today as part of her efforts.

So we welcome Julia to the Senate chamber today.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

MS. GERSHUN: {Inaudible.} It's a very deep honor. Thank you.

SENATOR GIANARIS: Thank you.

(Applause.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Thank you,

Mr. President.

Can we now move to previously adopted Resolution 1003, by Senator Breslin, read that resolution's title, and recognize Senator Breslin.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 1003, by Senator Breslin, commending the Capital Region Chamber of Commerce upon the occasion of celebrating its Military Appreciation Event on May 17, 2023.

ACTING PRESIDENT BAILEY: Senator Breslin on the resolution.

SENATOR BRESLIN: Thank you, Mr. President.

This country, to keep up its military forces, has many places that we all recognize -- Quantico, Fort Bragg, even our own Fort Drum.

The Capital District has many, many military-related places, but unfortunately they're not under one roof. So the Capital District Chamber of Commerce decided, we're going to change that. We're going to bring all these

groups together to form a unit that can help them economically.

So we have, among others, the New York Air National Guard 109th Air Lift Wing, the Naval Support Activity Wing in Saratoga Springs, the Nuclear Power Training Unit in Ballston Spa, and the Watervliet Arsenal, plus numerous others. In addition to hosting hundreds of servicemembers, we've gotten together as a unit.

Now, I'll give you one example. The Watervliet Arsenal, which many of you know but many of you probably don't know, is located in Albany County in Watervliet, New York, and it was the site of the first building of cannons in 1812. It's the oldest continuously operating arsenal in the United States. Today it manufactures weaponry for the high-powered tank and artillery systems that serve as the bedrock of America and our allies militarily.

Appropriately, we just welcomed Miss Ukraine.

The 109th Air Lift Wing, based in Scotia, flies the world's only large specialized ski planes that support Arctic and Antarctic

operations, and they go back and forth.

So there's many others too numerous to mention on this busy, busy day. But rest assured the Capital District commerce group has really made an effort to bring these hundreds and hundreds of families together economically as well as militarily.

So I salute the Chamber of Commerce. I salute the new council. And we had a big press conference this morning, and some pictures here, and I think there's one remaining officer. And I was, you know, among many, many officers who really seriously threatened me being around.

So would you stand and be recognized as we salute our military in the Capital District and the Capital District Chamber of Commerce.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: To our guest, we welcome you on behalf of the Senate. Thank you for your service, and we extend to you the privileges and the courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was previously adopted on May 16th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at the request of the various sponsors, all of today's resolutions are open for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: I have a couple of motions here, Mr. President.

I wish to call up the following bills, which were recalled from the Assembly and are now at the desk:

Senate Prints 2988 and 1901.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 425, Senate Print 2988, by Senator Harckham, an act to amend the Public Service Law.

Calendar Number 465, Senate Print 1901, by Senator Stavisky, an act to amend the Criminal Procedure Law.

SENATOR GIANARIS: I now move to reconsider the vote by which these bills were

passed.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

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

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: Can we now take up the reading of the calendar.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 239, Senate Print 634, by Senator Comrie, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Stavisky to explain her vote.

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

I asked to be recorded as abstaining on this vote, on this bill, because of a personal conflict.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Stavisky to abstain from this vote.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 415, Senate Print 346, by Senator Gounardes, an act to amend the Labor Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 415, those Senators voting in the negative are Senators Borrello, Gallivan, Helming, Murray, Oberacker, O'Mara, Ortt, Rhoads, Tedisco and Walczyk.

Ayes, 51. Nays, 10.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 559, Senate Print 3587, by Senator Helming, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 693, Senate Print 5362A, by Senator Rolison, an act to amend the Highway Law.

SENATOR LANZA: Lay it aside for the day.

ACTING PRESIDENT BAILEY: The bill will be laid aside for the day.

THE SECRETARY: Calendar Number 766, Assembly Number 1628, by Assemblymember McDonald, an act to amend the Public Buildings Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 773, Senate Print 5907, by Senator Cleare, an act to amend the Elder Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Mr. President.

The NORCs -- naturally occurring retirement communities -- and Neighborhood NORCs supportive service programs within the State Office for the Aging are important programs that can help enhance the quality of life and continuity of services for older New Yorkers. In fact, this year's budget includes additional funding for NORCs in recognition of the pivotal role they play in our communities now and into the future.

This bill adds to the already existing SOFA-led data collection efforts concerning NORCs to include the ever-important metric of loneliness and social isolation.

Loneliness is more than an aging and public health issue; it is an epidemic, in many situations. We need to know if the current NORC model is meeting all the needs of New Yorkers who

feel alone and isolated or, conversely, if more funding supports and new approaches are needed.

Let us not forget that, sadly, loneliness and isolation have been linked to lower life expectancy, dementia, depression, anxiety and suicide in individuals. We must ensure that NORCs and all senior housing and resources are designed to make our loved ones feel supported and loved.

I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 777, Senate Print 1381A, by Senator Comrie, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Mr. President.

I rise in support of this bill. Thank you, Senator Comrie. I think simplifying things is great.

I do have to point out, though, that often we do not practice what we preach here in this chamber. Because as I look at today's active list, I see several titles that are in excess of 15 words, even though that's what this bill calls for.

But a good bill, and I think it's important that we make sure that these things are simple. Thank you.

I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

779, Senate Print 5537A, by Senator May, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I want to thank my colleagues and the leadership for bringing this bill to the floor. The idea of county-wide polling places or vote centers is an idea whose time has really come.

When we passed the electronic polling books legislation several years ago, one of the things it made possible was voting anywhere in your county, as people have been doing during early voting, because you can show up at any polling place and they can print out the appropriate ballot for your exact location

where you live.

So the City of Auburn has done this with -- on Election Day. I think other boards of elections may decide -- this is entirely voluntary on their part, but many of them may decide to make this possible too, to create both centers within a county so that people can show up where they are -- if they're working all day, they can just go to the nearest polling place, the nearest vote center, and vote.

So this is one more piece of progress toward making our election accessible and make sense in the 21st century.

So I'm grateful for all of the pieces of the puzzle that have put it together to allow us to get to this point where we can have vote centers. And I'm grateful for this bill coming to the floor today, and I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 779, those Senators voting in the negative are Senators Ashby, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,

Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk and Weik.

Ayes, 45. Nays, 16.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 787, Senate Print 5357, by Senator Webb, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Webb to explain her vote.

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

This legislation is also in tandem with the resolution that we passed earlier that was proposed by Senator Ryan, with respect to supporting small businesses. And this bill does that also.

So this legislation provides support

to our small businesses in the hospitality sector by expanding opportunities for bed-and-breakfasts to sell alcohol to their guests. By permitting a licensed brewery, farm brewery, farm cidery, distillery, farm winery or winery to operate a bed-and-breakfast, this legislation will not only support that economy but also boost our loyal agritourism industry and all of the amazing beer, cider, spirits and wine that we produce right here in New York State.

Furthermore, this bill removes the requirement that a patron must be an overnight guest in order for a B&B to sell them an alcoholic beverage, therefore expanding opportunities for these small businesses to expand their customer base.

Additionally, this bill expands choices for tourists coming to our state, allowing them to enjoy some of the same comforts at a B&B that they might expect at a hotel.

Mr. President, this bill will create parity between B&Bs and similar establishments such as hotels, restaurants and catering establishments, enhancing our local tourism industry by creating opportunities for

cross-promotion between the bed-and-breakfast industry and the state's growing wineries, distilleries, breweries, and cider industries.

I proudly vote aye and encourage my colleagues to do the same. Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 802, Senate Print 3611, by Senator Kennedy, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 811, Senate Print 5914A, by Senator Chu, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 811, voting in the negative: Senator Walczyk.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 812, Senate Print 6223, by Senator May, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 816, Senate Print 1552, by Senator Addabbo, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 816, those Senators voting in the

negative are Senators Brisport, Gonzalez, Griffo, Lanza, Ortt and Salazar.

Ayes, 55. Nays, 6.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 826, Senate Print 419, by Senator Thomas, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 833, Senate Print 2099B, by Senator Harckham, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you very much, Mr. President.

This bill is titled right now S9616, and hopefully after today this will be known as Matthew's Law.

Matthew Horan, like far too many New Yorkers, was a beautiful young man who succumbed in 2020 to a fentanyl overdose. And like many, Matthew could have been saved had he known what was in the substance he was taking. And so his sister Kailey came to us and asked us how we could spread the accessibility of fentanyl test strips.

And so if you all remember a few years ago, we allowed, through standing order in pharmacies, prescriptions for Narcan to use a pharmacy network to get this vital lifesaving

harm reduction tool out.

And that's what this bill does. Our harm reduction folks are committed, they're dedicated, but they're underfunded and there are too few of them. And so this bill will use the power of the existing retail pharmacy network that exists in New York State for standing orders of prescriptions of fentanyl test strips, and hopefully we can save some lives through this law.

So I'm grateful to Kailey for bringing this to us, and I will be voting aye.

Thank you so much.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 834, Senate Print 2193, by Senator Bailey, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you very much.

I rise to support your bill, Senator Bailey -- Mr. President.

I was actually on a jury once where we learned that the defendant continued to say during his arrest, during the court case, that he did not understand what was being said to him or asked of him. And the truth was there was nobody to translate into his language, which wasn't such a common language even in New York City.

And it took the jury a very short period of time to rule in favor of the defendant, because we understood that no one understood what he was saying and what he was asking during -- from the actual arrest, which was tape-recorded by the police, and the person kept saying "I don't understand, I don't speak English" -- to

the actual court proceeding.

And so I just think this is crucial to make sure that everyone is getting treated fairly under our law, is being brought to trial if they should. But frankly we would save some money in trials if we knew all of this in advance and didn't waste everyone's time bringing people to trial when they simply never had an opportunity to hear what they were being charged with and to explain anything.

So I'm very glad we're passing your bill today. Thank you, Mr. President.

I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 834, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 21.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 837, Senate Print 2675, by Senator Fernandez, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Fernandez to explain her vote.

SENATOR FERNANDEZ: Thank you, Mr. President.

As your chair of the Alcohol and Substance Use Disorders Committee, I've said it many times before that we are in a crisis with the overdoses and the deaths that are happening in New York State. Every 90 minutes we are losing a life. And we, as leaders of the state, need to be doing everything we can to make sure that an overdose death does not happen again.

And please let it be known that every overdose death is preventable. And this

day would give those that we've lost a place and a time for us to remember them, for the families and communities affected by those deaths to support them, and to let it be known and to forever continue to fight against overdoses and to make sure that we don't continue to see this terrible trend that has been continuing.

I'm very grateful for the leadership for bringing this bill for the floor, and to making it a point this year that overdoses are a pandemic, a crisis, and that it deserves a day of memory.

Our communities deserve to know that we are addressing this issue. They need to know that we are paying attention. And we must know that this is a priority. And I hope that my priority in pushing towards this is being -- oh, what's the word? That you feel what I'm trying to say.

But I really do appreciate this moment, and I thank everyone that has cosponsored, which has been on both sides of the aisle. And I think it's so important to highlight that this particular issue has no side. Every single one of us in this room has had

community members, friends, family, neighbors that is either suffering with addiction, has suffered, or has unfortunately passed because of overdose.

August 31st is going to be the day that we recognize this moment, that we remember those lost, and that we stay motivated to continue to push back against the stigma, to put the funding in place for services that work, and to make sure that we don't turn our backs on those that need our help.

Thank you, Mr. Speaker -- Mr. President.

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

Senator Scarcella-Spanton to explain her vote.

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

And thank you, Senator Fernandez, for introducing this important piece of legislation.

As we commemorate Overdose Awareness Day, we must confront the stark reality that overdose deaths continue to plague our

communities. It is a day that we will remember those who have fallen victim to addiction, and to honor their memory by taking decisive action to prevent further loss.

In recent years Staten Island has faced a unrelenting crisis with a disproportionately high rate of overdose deaths compared to other areas of the city. I can say personally I have lost countless amounts of friends due to this tragedy, I think nine from my graduating class alone in the school that I went to, in middle school.

One person I just really want to take a moment to commemorate is my dear friend Joey Fellini, who I will be sending this to his family. I do this in memory of him. As sick as I am today, I got up on the floor to speak about it. So may his memory always be never forgotten, and may we do everything we can to help families in the future.

I vote aye. Thank you.

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

Senator Murray to explain his vote.

SENATOR MURRAY: Thank you, Mr. President.

I'd like to thank the sponsor for this. It was just earlier we learned we were actually working on the same bill, without knowing it. And it shows just how important this is on both sides of the aisle. Everyone realizes how important this issue is. So I thank the sponsor for allowing me to cosponsor this with her.

Just a couple of interesting but sad statistics. New York is second in the nation with nearly 6,000 deaths in the latest year that the CDC has compiled the data. Overall overdose deaths in the U.S. are 96,700. New York comprises 6.25 percent of overdose deaths, while we make up only 5.7 percent of the population.

During the COVID years, we were seeing 30 percent increases in overdose deaths. If you didn't think this was an important issue, Senator Harckham just passes a bill, Matthew's Law, regarding fentanyl.

This issue is so pervasive, so dangerous, and so deadly. I had mentioned in a previous talk that I had attended a parents and

other survivors of murdered victims candlelight vigil. And you say, is this really murdered victims? Well, yes, every single overdose is a murdered victim. Because it is a deadly, deadly disease.

And it is terribly important that we spread the message that we need to do all we can to stop this. And it cannot be overstated how important it is to bring awareness to this insidious and deadly problem.

So I thank each and every one of you for supporting this bill. And thank you again to the sponsor for bringing it forward.

I proudly vote aye.

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

Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I also want to thank the sponsor of this bill and my colleagues on both sides of the aisle for their support of it.

As the chair of the Commission on Rural Resources, I also want to make sure that we don't lose sight of just how significant a crisis

there is in our rural areas. The rates of overdose have been going up, and they went up a lot faster in rural areas, especially in the 2010s, than they did in urban areas.

And we held a roundtable a few years ago in one of the more rural parts of my district about this issue, and found that not only were the rates very high, but the rate of stigma attached to drug use and overdose was far greater in rural areas than in urban areas.

I know a lot of first responders and others who deeply care about this issue have been trying to address that concern. But this kind of bill that we're passing today I think makes a difference. And we need to make sure that it is -- that we're lifting it up in every part of the state, because this is a tragedy for so many families in every kind of community in this state.

I vote aye.

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

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

I rise to congratulate my colleague in knowing this will be the -- August 31st as Overdose Awareness Day.

And I'm fully aware about overdose, because my younger sister in the 1970s, in the heroin epidemic, overdosed in a home in Harlem. And my mother and I had to go to identify her body in bed as a result of an overdose. So please, I know what it's like.

That's why when the overdose prevention center On Point in Washington Heights on 180th Street and Amsterdam Avenue was there, I supported it even though there were people in our community that rallied in front of it against it.

And I asked the question, if it was your mother, your father, your sister or brother, would you want them to overdose and die? Or would you want this center here -- if they were there shooting up in the center, to be revived? That's the question that I make it personal. And this is a personal matter to me, knowing from a history point of view, it's clear in my mind, in my head, I can visualize the day that we went there to identify the body.

And so, Madam President {sic}, I

vote aye and I thank the sponsor for putting forward this resolution.

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

Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you very much, Mr. President.

I want to thank Senator Fernandez for bringing this bill to the floor, for sponsoring it, and for her leadership of the committee.

I want to thank all the Senators we've heard today, and Senator May for speaking about stigma. Because when our task force toured the state some years ago, that was by far the number-one issue.

So the substance may be killing people, but the number-one killer is stigma. People don't know how to reach out for help, they're afraid to reach out for help. Families don't know where to go. And then the stigma and the ignorance around the disease and the people who are using.

And so if we honestly want to save

people's lives, we need to be breaking down stigma and meeting people where they are. And sometimes where they are may not be a nice place. It may not be the place we want to see in our neighborhood and our communities. But that's where folks are who we love, and that's where we have to meet them, unconditionally, and recognize that not everyone is ready for treatment, not everybody wants treatment, treatment doesn't work for everybody.

And so, first and foremost, it's about saving lives. All the models we used, you know, when I got sober 30 years ago, about alcohol and about cocaine, even the old heroin, those models are out the window. It's about saving lives and meeting people where they are and medication-assisted treatment on demand. And we have done a lot of work in that area in this chamber.

So I want to thank you. Every day should be Overdose Awareness Day. But at least we will now have one day in New York State where we can publicly focus attention on this issue, break down some barriers, and end the shame.

I'm proud to vote aye. Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 841, Senate Print 4648, by Senator Kennedy, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

I'm proud to sponsor this bill that will establish the Office of Native American Affairs here in New York State.

As the chair of the Senate

Subcommittee on Native American Relations, I can tell you that the creation of this office is much needed. It will be a game-changer in terms of elevating voices of Native American Nations across our great state.

Currently there is no central entity within our government that supports continued partnership and collaboration between the state and federally recognized Nations in New York.

And while the Legislature and the Governor can take steps to foster partnerships and initiatives to bolster these communities, there's no dedicated office responsible for taking the very needs and the perspective of Native Nations into consideration when making decisions that will ultimately impact them.

And we know that the disparities continue to persist within these communities. Whether we're talking about gaps in healthcare, economies or education, the list is endless. We also know that these disparities are perpetuated by decades of generational trauma, disinvestment, and discrimination that these Nations have faced. Without a central entity designed to help address these challenges head on, we're by default

allowing them to continue to exist.

With this bill, we're changing that. An Office of Native American Affairs here in New York State will ensure that voices of Native Nations are considered when we're shaping state policies.

This office will, among other things, maintain open lines of communication and strong relationships between New York and our tribal nations, coordinate and manage Native-American-related policies, and serve as a resource for Nations to access information on state programs that assist Native American populations.

This office is something that our Nations want. They see this as a way to strengthen the relationship between New York and the Native communities, and they believe it's a strong step toward building a more inclusive New York.

I want to thank our great Majority Leader, Andrea Stewart-Cousins, for truly listening to the needs of those Nations by prioritizing this bill and by helping to create this much-needed resource.

I want to thank the leadership of the individual Native Nations across the state who we've worked very closely with over the course of the last several years to ensure that changes are made and attention is brought to these communities that has never been there in over two centuries of the existence of this great state, and that this bill comes to the floor that will adequately address the needs of their citizens.

I also want to thank our colleagues in this chamber here today who have supported this legislation and continue to work with us to understand the direct impact that we have on Native communities by passing important legislation like this that's before us here today.

Today we're one step closer to elevating all of these voices together, Mr. President.

And with that, I vote aye.

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

Senator May to explain her vote.

SENATOR MAY: Thank you,

Mr. President.

And thank you, Senator Kennedy, for your leadership of the State Native American Relations Commission and in bringing this bill forward.

I have the honor to represent the Onondaga Nation territory as it is currently defined, but I also have the honor to represent an entire district that is on the traditional lands of the Haudenosaunee people.

I want to say one thing that I think we don't recognize enough is that when the Haudenosaunee Confederacy was formed, the Great Law of Peace that lies at the basis of the confederacy actually created one of the longest continuous democracies on earth. And the Great Law of Peace serves as a model for the United States Constitution. So we are honored to live and work on the lands that are the traditional lands of the Haudenosaunee, and we have a lot to learn from them.

I also agree with Senator Kennedy we have a lot to offer. And we have fought very hard in the last couple of years to make sure that we are addressing some of the inequities in

how the schools are funded, how the health clinics are funded. But we need to take a more comprehensive look. And I believe that this Office of Native American Affairs will make that easier to do.

I vote aye. Thank you.

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

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Mr. President.

I want to thank Senator Kennedy for this. He and I both share assets of the Seneca Nation in our districts. I'm proud to represent the sovereign nation of the Seneca Nation.

And more important, we talk about the past often, we talk about offenses against our Native tribes here in New York State. But unfortunately, the past is not all that far in the past.

We saw the previous administration that was actively engaged in sabotaging the Seneca Nation and others -- for example, refusing

to repair roads that ran through Seneca territories. We saw a compact that was violated by the previous governor, and other such atrocities that made it more difficult for the Seneca Nation and others that provide economic support particularly for our local governments, through their compact.

And I really urge the Governor to move forward with this new compact -- critically important as we're running to the end of this session.

Part of this legislation says to develop and maintain cooperative relationships between New York State's tribal nations, tribal organizations, Native American citizens and the state. We have a long way to go to complete that. And I am glad to see that the Legislature is stepping up to try to be a part in assisting that.

So I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 847, Senate Print 319, by Senator Salazar, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 847, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 42. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 860, Senate Print 1605, by Senator Serrano, an

act to amend the Social Services Law and the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

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

SENATOR GIANARIS: Can we now move to the controversial calendar, please.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 766, Assembly Print Number 1628, by Assemblymember McDonald, an act to amend the

Public Buildings Law.

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

SENATOR LANZA: Mr. President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize Senators Weber and Rolison.

ACTING PRESIDENT BAILEY: Thank you, Senator Lanza.

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

SENATOR LANZA: Accordingly, Mr. President, I appeal the ruling of the chair and ask that you recognize Senator Weber to be heard on the appeal, and upon completion of his remarks, that you then recognize Senator Rolison.

ACTING PRESIDENT BAILEY: Thank you, Senator Lanza. Both Senators Weber and Rolison may be heard on the appeal.

Senator Weber.

SENATOR WEBER: Mr. President, I rise to appeal the ruling of the chair.

The proposed amendment is germane to the bill at hand because the bill at hand deals

with the state leasing buildings and the Governor's executive order related to migrants making it easier for the state to lease buildings to house such migrants.

This amendment has two pieces. The first about local control. It would clarify that a local state of emergency supercedes a state's state of emergency issued by the Governor when the two are in conflict.

Giving power back to our local governments -- like my county executive, Ed Day, like my Orangetown supervisor, Teresa Kenny -- and allowing them to make their own decisions about what is best for their communities, without interference by the state, is critical.

There are several counties outside of New York City such as Rockland County, where I represent, and Orange County where, you know, Senator Rolison represents, that have made it clear that they do not have the resources to house and provide such services to migrants.

My colleagues on the other side of the aisle have long championed sanctuary cities, yet now they're eager to send migrants from the sanctuary city of New York City to other areas

like Rockland County that have no such designation.

For these reasons, Mr. President, I strong urge you to reconsider your ruling.

Thank you.

ACTING PRESIDENT BAILEY: Senator Rolison.

SENATOR ROLISON: Thank you, Mr. President.

The second part of this amendment concerns vulnerable individuals who are currently in a motel, hotel or homeless shelter. Now, this could include victims of crimes, veterans, children and families that are in these locations. And we know that they are because throughout this state, and especially in the Hudson Valley, those motels and hotels and shelters are full.

And we're putting this amendment forward today because of something that happened last week. And that is when we learned at the Crossgates Motel in Newburgh, because they were receiving migrants from the City of New York -- because Mayor Adams had said that he did not have any more room and he was going to need to put

them in other locations -- that veterans who were housed in that hotel were told that they had to leave.

There was no plan put in place, there was no warning given. As soon as the mayor said that these individuals were coming north, within a day or so they actually did, and that caused that displacement.

As we witnessed last night with the Women of Distinction, there were so many individuals there who have done so much for others. I had the honor to nominate Sharon Toney-Finch several weeks ago. Sharon Toney-Finch was the one that helped get those veterans to another location, because that's the organization that she founded and that's what she does. I don't know what many of these veterans would have done without Sharon Toney-Finch.

And there were others that had to leave too that may have been able to get other places to stay. But we spend a good amount of time and the right amount of time in this chamber advocating and protecting others. And we need to make sure in this case, to my colleagues, that we have to protect our most vulnerable, because

that's who is at risk here. Because upending the life of someone who finds themself in a place that they're currently calling home, and now they have to leave -- sometimes without a plan -- can be devastating, obviously, to those individuals.

You know, it is just plain inhumane and unjust to let this happen without a response. Because we can't, I think, currently prevent someone who owns a hotel or a motel to say that I am not going to take someone who is going to pay more money to me. It is a business. I find it abhorrent, but however that's what happened in Newburgh. And what I would say to my colleagues, if it can happen in Newburgh, it could happen other places.

So, Mr. President, this is why we have put forth this amendment, to ensure that that kind of activity doesn't happen again. And for those reasons, Mr. President, I strongly urge you to reconsider your ruling.

Thank you.

ACTING PRESIDENT BAILEY: Thank you to Senators Weber and Rolison.

But I want to remind the house that the vote is on the procedures of the house and

the ruling of the chair.

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

(Response of "Aye.")

SENATOR LANZA: Show of hands.

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

Announce the results.

THE SECRETARY: Ayes, 21.

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

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The bill will be restored to the noncontroversial calendar.

Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 766, those Senators voting in the negative are Senators Ashby, Borrello, Felder, Oberacker, O'Mara, Stec, Tedisco and Walczyk.

Ayes, 53. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

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

SENATOR GIANARIS: Thank you, Mr. President.

Going back to motions for a moment, on behalf of Senator Mannion, I wish to call up Senate Print 5287, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 578, Senate Print 5287, by Senator Mannion, an act to amend Chapter 373 of the Laws of 1998.

SENATOR GIANARIS: I move to reconsider the vote by which this bill was

passed, and ask that the bill be restored to the order of third reading.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

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

SENATOR GIANARIS: I now move to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Print 6547 and substitute it for the Senator Mannion bill.

The Senate bill on first passage was voted unanimously, and I move that the substituted Assembly bill have its third reading at this time.

ACTING PRESIDENT BAILEY: Substitution so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 578, Assembly Print Number 6547, by Assemblymember Gunther, an act to amend Chapter 373 of the Laws of 1998.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

SENATOR GIANARIS: Please recognize Senator Lanza for a motion.

ACTING PRESIDENT BAILEY: Senator Lanza.

SENATOR LANZA: Thank you, Senator Gianaris.

Mr. President, on behalf of Senator Rolison, on page 42 I offer the following amendments to Calendar Number 693, Assembly Print 5362A, and ask that said bill retain its place on Third Reading Calendar.

ACTING PRESIDENT BAILEY: The bill will be restored to its place on the Third Reading Calendar.

Senator Gianaris.

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

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Thursday, May 18th, at 11:00 a.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Thursday, May 18th, at 11:00 a.m.

(Whereupon, at 5:04 p.m., the Senate adjourned.)