NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 24, 2023

11:44 a.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT BAILEY: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 23, 2023, the Senate met pursuant to adjournment. The Journal of Monday, May 22, 2023, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Oberacker

moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 3152 and substitute it for the identical Senate Bill 5778, Third Reading Calendar 924.

Senator Webb moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 6322 and substitute it for the identical Senate Bill 6228, Third Reading Calendar 940.

ACTING PRESIDENT BAILEY: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

On behalf of Senator Skoufis, on page 55 I offer the following amendments to Calendar Number 842, Senate Print Number 5207. I ask that said bill retain its place on third

reading.

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

Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

I wish to call up -- on behalf of Senator Ramos, I wish to call up Bill Print Number 2515A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 437, Senate Print 2515A, by Senator Ramos, an act to amend the Vehicle and Traffic Law.

SENATOR SERRANO: Mr. President, I now move to reconsider the vote by which this bill was passed.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

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

Calendar.

SENATOR SERRANO: Thank you, Mr. President. I now offer the following amendments.

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

Senator Serrano.

SENATOR SERRANO: Thank you.

Moving on to resolutions, please take up previously adopted Resolution 1118, by Senator May, read the resolution title only, and call on Senator May.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 1118, by Senator May, mourning the death of Sally Johnston, a leader of the disability movement, distinguished citizen, and devoted member of her community.

ACTING PRESIDENT BAILEY: Senator May on the resolution.

SENATOR MAY: Thank you, Mr. President.

A year ago I stood on this floor to

celebrate Sally Johnston's induction into the New York State Disability Rights Hall of Fame. Today I stand to honor her whole life, because Sally died two weeks ago in Syracuse, at the age of 80.

Many of you met Sally as she toured around the Capitol in her wheelchair as part of the Caring Majority's fight for #FairPay4HomeCare. But her activism and impact go much farther back. In the 1980s she fought for curb cuts in Syracuse and Onondaga County. She and others lay down in front of Centro buses as part of an ultimately successful movement to get wheelchair lifts on buses.

What got Sally into the Disability Rights Hall of Fame was another achievement, her successful fight to bring Consumer Directed Personal Assistance, the program, to upstate New York, to improve and expand the program, and to create the CDPA Association of New York State, the only statewide resource for CDPA for consumers and fiscal intermediaries.

I'm pleased that we're joined today by Bryan O'Malley, Julia Battista, and Laura Cardwell of the association that Sally

created.

Sally's resume of activism, work and achievements is long. But what it doesn't include is the human side of this extraordinary woman. She was kind, loving, humorous and gentle if fierce in her advocacy. She was a willing teacher for anyone who wanted to understand the challenges faced by people with physical disabilities. She welcomed me warmly into her home and patiently demonstrated the equipment and the assistance she needed for daily living. And the bond she had with her personal assistant was beautiful to behold.

Sally was married for over 50 years to James Johnston. I offer my condolences to their son Jay, their three grandchildren, their many family members and friends, and the huge community of disability rights advocates in the Caring Majority, AccessCNY, and all around this state who looked to Sally for leadership and inspiration.

Sally made the world demonstrably a better place, and we are all the better for her good life.

I vote aye. Thank you.

ACTING PRESIDENT BAILEY: Senator Mannion on the resolution.

SENATOR MANNION: Thank you, Mr. President.

I rise to celebrate the life and accomplishments of Sally Johnston, a proud Central New Yorker and an even prouder and tenacious fighter for people with disabilities.

Sadly, we lost Sally recently, but her work and her mission will continue. There is a direct line between Sally Johnston's pioneering work in the disability rights movement to the work of the Disabilities Committee that I am humbled to chair and so grateful to our Majority Leader, Andrea Stewart-Cousins, for establishing.

If you were a supporter in this chamber of Senator May's Fair Pay for Home Care, Sally had a lot to do with that. If you were in the care industry, Sally helped make sure that you had better pay and better working conditions. If you have a disability, Sally made sure that you received the services that were necessary and the housing that might be required.

She made public buses and public

buildings more accessible in New York in the years prior to the passing of the ADA.

She was a leader in the creation and development of the consumer-directed home care program, improving the quality of life and standard of living for tens of thousands of New Yorkers.

Sally began her work in 1975 when Willowbrook-style warehousing of people with disabilities was still the norm. In her words, she said she did not have a college education because she was told, quote: You are too disabled to go to college. You are too disabled to have a job. And knowing Sally, and Sally being Sally, her words -- not mine -- were, "Really? Screw them. I'll get that job."

She never did anything halfway. She never took no for an answer. She knew how to organize and educate the public and the policymakers. And she knew how to make a difference.

While we have lost this giant, this fierce giant in our movement, we have gained so much through her lifetime of service and advocacy.

I thank the sponsor, Senator May, for advancing this resolution, and I proudly vote aye.

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was previously adopted on May 23rd.

Senator Serrano.

SENATOR SERRANO: Thank you.

Let's take up previously adopted Resolution 873, by Senator Tedisco, please read that resolution title only, and call on Senator Tedisco.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senate Resolution 873, by Senator Tedisco, memorializing Governor Kathy Hochul to proclaim October 2023 as Bullying Prevention Month in the State of New York.

ACTING PRESIDENT BAILEY: Senator Tedisco on the resolution.

SENATOR TEDISCO: Thank you, Mr. President.

As we bring this resolution to the floor to designate October as Bullying Prevention Month in our schools to protect our students, it's only appropriate that up in the balcony behind me, with us today and joining us early in the morning for a press conference on anti-bullying, are anti-bullying advocates who have come here today to support what's called Jacobe's Law, which will help to mitigate and prevent bullying and do exactly what this resolution is calling for.

You may have seen recently the U.S. Surgeon General, through research, has announced that New York State and the entire nation is facing a growing epidemic. That epidemic is loneliness and isolation. I can't think of another group who's facing this epidemic of loneliness and isolation more than those who have and continue to face the tragedy of bullying and its emotional, psychological and physical impact.

As we all know, bullying continues to be a challenge throughout our school systems and society at large. The guests here with us

today have experienced this problem firsthand. You know, we ask a lot of our parents and the guardians of our children and encourage them to take advice roles in their children's education. I'm sure many of you, my Senate colleagues, bear that same responsibility today, have in the past, and will in the future.

I've asked this question before. I asked it two times on the floor of the Senate when I sat on that side over there and we were in the majority, and it passed twice, overwhelmingly: Would anyone here not want to know if your child was being bullied at school? More importantly, would you want that information withheld from you?

Every time I've asked that, nobody has raised their hand and said, Don't tell me my son or daughter is having their head slammed into a metal locker every single day and being vocally and emotionally and psychologically and tragically attacked at school.

As I mentioned, earlier today we held a press conference regarding Jacobe's Law. This is a bill that was named in loving memory of Jacobe Taras, from the Town of Moreau in

Saratoga County, in my district. Jacobe tragically took his own life, at the age of 13, after having been subjected to terrible bullying and harassing behavior.

Jacobe's parents were never informed of the extent of the bullying that was occurring at school. They never had the ability to weigh in, to find a solution, to mitigate it, to prevent it.

We're not only talking about the family and the parents of a child who's being bullied; we're talking about the parents of a child who's doing the bullying. Both of them have to be informed, by this legislation.

Nobody who is a parent, I believe, wants their child to grow up thinking it's all right to be cruel and to become a bully and stay a bully, and that's the case in many instances if we don't have parental involvement.

As you know, under the Dignity for All Students Act, it's required that when an incident of bullying takes place in our schools, they are required to report it to the State Education Department. Unbelievably, they're not required to report it to the parents of the child

who's being bullied, who's living with this quiet desperation of the loneliness and isolation that happens.

Now, some things have changed with bullying, but some things stay the same. You know what stays the same? The same thing that impacted me, and maybe you when you were younger and got bullied. It's embarrassing. They don't go home. I never went home when I had one or two incidents like that and told my parents, because I was embarrassed. Jacobe was embarrassed. Children are embarrassed. That's why it's so important to get their parents involved. And you know what? We ask them to do a tremendous amount, the parents.

Jacobe's Law will require schools to make a reasonable and good-faith effort to notify a parent or guardian of a child involved in a bullying incident to potentially avert future tragedies such as the one this family endured. If Jacobe's parents were aware of the level of bullying he was enduring, they and I truly believe this tragedy could well have been prevented.

Christine and Richard Taras,

Jacobe's parents, are with us today up in the balcony.

I personally want to thank Senator Jackson and Senator Sepúlveda for their sponsorship of this bill, for their support of this bill, for Senator Jackson speaking of his support at the press conference this morning.

And we are also joined today by Isabella Sementilli, of Niskayuna, along with her parents, Paula -- her father Guy couldn't make it today because, believe it or not, he had court duty today. You may recall Isabella was my New York State Woman of Distinction for 2023.

In fifth grade a school bully yanked Isabella's chair out from under her, causing a concussion, fractured tailbone, neck and back injuries. The effect of this concussion left Isabella with two rare and debilitating headache disorders. As a result of this traumatic brain injury, Isabella was forced to be home-schooled from eighth grade until graduating from high school in 2021.

In addition to becoming an author and starting her own small business, Isabella is a strong anti-bullying advocate who visits

schools and speaks to community groups about the lifelong effects of bullying. It illustrates that although bullying can take place over and over and over again, it only takes one incidence, one incidence, to destroy or purportedly attempt to destroy a young person's life.

Her business consists of selling cookies from a recipe she tweaked from her grandfather. Isabella donates the profits to traumatic brain injury research and support groups in anti-bullying efforts. Her message? Be nice. Be kind. Share a smile. And no matter what, be strong. Be a tough cookie. Most importantly, never crumble.

Mr. President, we commend our guests for their strength in turning their deep tragedies into something positive, a positive mission to help others. I ask that you give them a warm welcome and offer them all the cordialities of this august body, and that we all work together to prevent bullying in our schools.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Tedisco.

To our guests, I welcome you on

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: The resolution was previously adopted on May 9th.

Senator Serrano.

SENATOR SERRANO: Thank you.

At the request of the sponsors, these resolutions are open for cosponsorship.

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

Senator Serrano.

SENATOR SERRANO: Thank you.

Please take up the reading of the calendar.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 639, Senate Print Number 5416, by Senator Scarcella-Spanton, an act to amend the Veterans' Services 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: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 872, Assembly Print Number 1368A, by Assemblymember Rozic, an act to amend the Public Service Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 920, Senate Print 5613A, by Senator O'Mara, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Excuse me. There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 920, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Skoufis and Webb. Also Senator Scarcella-Spanton.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 921, Senate Print 5734A, by Senator Borrello, an act to amend Chapter 579 of the Laws of 2004.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 921, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 924, Assembly Print Number 3152, by Assemblymember Angelino, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 924, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 925, Senate Print 5804A, by Senator O'Mara, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 925, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 926, Senate Print 5805A, by Senator O'Mara, an act to amend the Tax 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 926, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 927, Senate Print 5811A, by Senator Borrello, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 927, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 929, Senate Print 6023, by Senator Griffo, an act

to amend the Tax Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 929, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 930, Senate Print 6024, by Senator Griffo, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 930, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 933, Senate Print 6079, by Senator Borrello, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 933, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 934, Senate Print 6083A, by Senator Fernandez, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 934, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 935, Senate Print 6147, by Senator Borrello, an act to amend Chapter 98 of the Laws of 2009.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 935, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 936, Senate Print 6149A, by Senator Cooney, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. 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 936, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 938, Senate Print 6205, by Senator Borrello, an

act to amend Chapter 405 of the Laws of 2007.

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 938, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 939, Senate Print 6206, by Senator Borrello, 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: In relation to Calendar 939, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 940, Assembly Print Number 6322, by Assemblymember Lupardo, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

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 940, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton and Skoufis.

Ayes, 51. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 941, Senate Print 6245A, by Senator Skoufis, an act to amend Chapter 373 of the Laws of 2020.

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 941, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick,

Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton and Webb.

Ayes, 51. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 942, Senate Print 6272A, by Senator Ashby, an act to amend the Tax 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 942, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 943, Senate Print 6274, by Senator Webb, an act to amend Chapter 443 of the Laws of 2007.

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 943, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton and Skoufis.

Ayes, 51. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 944, Senate Print 6276, by Senator Webb, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

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 944, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton and Skoufis.

Ayes, 51. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 945, Senate Print 6277, by Senator Webb, an act to amend the Tax 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 945, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton and Skoufis.

Ayes, 51. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 946, Senate Print 6295, by Senator Rolison, an act to amend the Tax 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 946, those Senators voting in the

negative are Senators Canzoneri-Fitzpatrick, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 51. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 947, Senate Print 6345, by Senator Walczyk, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

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 947, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Lanza.

(Laughter.)

SENATOR LANZA: Mr. President, as it seems that we've already paused --

(Laughter.)

SENATOR LANZA: -- why don't we congratulate Senator Walczyk on his first Senate bill.

(Laughter; standing ovation.)

THE SECRETARY: Calendar Number 948, Senate Print 6346, by Senator Walczyk, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

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 948, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 949, Senate Print 6406, by Senator Walczyk, an act to amend Chapter 549 of the Laws of 2005.

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 949, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 950, Senate Print 6407, by Senator Walczyk, an act to amend the Tax 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: Announce the results.

THE SECRETARY: In relation to Calendar 950, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 959, Senate Print 6506, by Senator Mannion, an act to amend the Tax 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 959, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 51. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 961, Senate Print 6533, by Senator Walczyk, an act to amend the Tax 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 961, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 962, Senate Print 6554, by Senator Skoufis, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 962, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton and Webb.

Ayes, 51. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 963, Senate Print 6572, by Senator May, an act to amend the Tax 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 963, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 964, Senate Print 6582, by Senator Martinez, 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: In relation to Calendar 964, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Scarcella-Spanton, Skoufis and Webb.

Ayes, 51. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 966, Senate Print 6595, by Senator Walczyk, an

act to amend the Tax Law.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

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 966, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 967, Senate Print 6626, by Senator Borrello, an act to amend the Tax 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 967, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 970, Senate Print 6672, by Senator Breslin, 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: In relation to Calendar 970, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 972, Senate Print 6687, by Senator Breslin, an act to amend Chapter 105 of the Laws of 2009.

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 972, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez,

Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 975, Senate Print 6762, by Senator Breslin, an act to amend Chapter 405 of the Laws of 2005.

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 975, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Hinchey, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 50. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

986, Senate Print 5241, by Senator Sanders, an act requiring the State University of New York and the City University of New York to examine and conduct a study on the availability of campus services.

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: Announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1087, Senate Print 3586, by Senator Fernandez, an act to amend the Veterans' Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Fernandez to explain her vote.

SENATOR FERNANDEZ: Thank you, Mr. President. And thank you for this moment that we are in right now.

This bill is the first of its kind, and some may believe that we should have been doing this for the longest time. But it is something that I'm so proud to see happen right now.

This bill would establish the Alex R. Jiminez Military Family Program, which for those that have been discharged, family members included in this, we are creating a new program to help them get on the path of naturalization.

Every year when we celebrate Veterans Day, Memorial Day, we praise those that have given their life to this country, those that have taken the huge step of courage to fight and put themselves on the line for this country. And sadly, many of our veterans who are undocumented, who aren't yet a citizen, then face deportation

after serving this country.

And that is what happened with Alex R. Jiminez. He served in Iraq. Unfortunately, we lost him. And in the time that we were looking for his body, his wife and family were facing deportation.

New York State can be the example. In this bill, we are the example to lead, to help those that have helped us, to set up guidance, to have the support systems so they know what to do to become naturalized.

This is going to help so many New Yorkers, so many that have given their time, their love, their energy, their life to this state and country.

And I'm incredibly honored to carry this bill today, and I thank my partners that helped us come to this place, including Senator Jake Ashby. Thank you for the inspiration. Thank you for first introducing it. And thank you for believing in me and relying on me to get it to this point.

And to my Assembly sponsor, Catalina Cruz, thank you for sharing this story. Thank you for always partnering. And thank you

for allowing me to be a part of this huge step in history as to what it means to be an American and to support those that support us.

I proudly vote aye.

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

Senator Ashby to explain his vote.

SENATOR ASHBY: Thank you, Mr. President.

In 2007, south of Baghdad, on May 12th Staff Sergeant Alex Jiminez went missing in action. And in 2008, in July, his remains were recovered. And I remember when that happened, because I was in Diyala Province when his remains were recovered.

What I didn't know at the time was that his spouse was actively being deported, which is reprehensible. And the administration at the time worked with the Department of Homeland Security to make sure that it wasn't carried through, and the military parole in place program was established.

There's no state in this country that provides resources for this program. And at a time when immigration seems to be a big topic

of discussion, this is a great opportunity for New York State to lead. It's a great opportunity for this body to come together and demonstrate what leadership looks like.

I want to thank my friend and colleague Nathalia Fernandez for taking on this bill and making sure that it gets across the finish line. It's been a few years that we've been working on this. I have had the opportunity to meet Staff Sergeant Jiminez's family in Queens -- his mother Maria, his brother Andy. Very emotional. It was very emotional for me to be able to meet with them and thank them.

And I want to thank my dear friend and colleague Catalina Cruz for leading on this effort, and her commitment to making sure that this gets done.

Because we are better than this. We are better as a state, we are better as a country, through the leadership that Staff Sergeant Jiminez has demonstrated, through the leadership that his family has demonstrated. Let that inspire us here to always work on their behalf for a better state and a better country.

I proudly vote aye.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1104, Senate Print 5530, by Senator Brouk, an act to amend the Veterans' Services Law and the Public Health 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 Scarcella-Spanton -- Senator Brouk to explain her vote, excuse me.

SENATOR BROUK: Thank you, Mr. President.

I am so proud to bring this bill to the floor, and I want to thank all my Senate

colleagues and our Majority Leader.

Because as has been said, there is so much attention often where we want to thank our service members while they're serving. Right? And now we're moving to really making sure that we're doing what we need to do to support our veterans, whether -- for me specifically -- mental health for our veterans, peer-to-peer services for our veterans, making sure they have healthcare that they need.

But unfortunately oftentimes what has happened is that at the very end of their lives, should they be lucky enough to come back to the States and live out the rest of their years, we haven't always perfectly honored their wishes when it comes to their end of life.

And so this bill is incredibly important not just for New Yorkers and those who have served us, but specifically to my own constituents. This came out of an instance where there was an individual who had served and who no longer had a next of kin, but a friend or family member knew exactly where he wanted to be buried, and yet could not honor that wish because our laws needed to adapt to the situation.

So with this bill passing, we can make sure that that last wish can be honored for a service member to be able to be buried where they have chosen and be able to lie in honor for service to their community and to this nation.

So thank you to my colleagues for bringing this bill. I'm proud of the passage today, and I proudly vote aye.

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

Senator Scarcella-Spanton to explain her vote.

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

I rise today to strongly support this legislation by my colleague Senator Brouk.

It's a great day to be having so many pieces of important legislation concerning veterans, especially as we go into Memorial Day weekend. This specific bill will allow friends and close family of a veteran to express their desire to be buried in a veterans cemetery.

I come from a military family. My husband served two tours in Afghanistan. And I really just wanted to take this opportunity to

remind everybody that this weekend is really about remembering those who made the ultimate sacrifice in war.

I proudly stand before you all to vote aye. And I also wanted to make mention that my daughter, Emily Spanton, is here with me today. Do you want to stand up and say hi?

And she's a military child. So her dad left --

(Applause.)

SENATOR SCARCELLA-SPANTON: He deployed 10 days after she was born. So I wanted to just make mention of her today and say hello.

And I proudly vote aye. Thank you.

ACTING PRESIDENT BAILEY: Senator Scarcella-Spanton to be recorded in the affirmative, and likely Emily too.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1109, Senate Print 5967, by Senator Harckham, an act to amend the Real Property Tax 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.

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

SENATOR SERRANO: Thank you.

Can we please go to the reading of the controversial calendar.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 872, Assembly Print Number 1368A, by Assemblymember Rozic, an act to amend the Public Service Law.

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

SENATOR BORRELLO: Mr. President, would the sponsor yield for a question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: Yes, Mr. President, I'll yield.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President. Thank you, Senator Parker.

I guess my first question is this legislation would expand third-party notice to the phone and cable internet providers, is that correct? Third-party notification. It would expand it to the --

SENATOR PARKER: So --

SENATOR BORRELLO: This is the easy question. It would expand it to the third-party phone, cable, internet providers.

SENATOR PARKER: Yes.

ACTING PRESIDENT BAILEY: Okay. Good. Mr. President will the sponsor yield for a question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So I'm trying to figure out why this is even possible. Because how does the PSC actually have jurisdiction? This is something that's under the purview of the federal government or the FCC. I mean, they have it for utilities -- gas, electric -- but their domain does not go to communications companies -- phone, cable and internet. So how is this possible?

SENATOR PARKER: Mr. President, this legislation is actually just a codification in law of something that's already a practice of every single major utility in the State of New York, including telephone, internet and cable providers.

That if you as a customer want to have a third party receive bills or information, that this allows that to happen. Right? With notification by and permission by each party. Right?

And so this now we're asking the PSC to make sure that this is available across

every utility -- water, gas, electric, telephone, internet, cable. The PSC does have the authority to allow this.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield? (Pause.)

Senator Parker, do you yield?

SENATOR PARKER: I do yield.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So you said a couple of things -- and I appreciate the answers.

First, you said this is common practice. So we really don't need this legislation, it's already being done.

But that being said, you want to codify it. But again, I go back to the question. You say that the PSC has this authority, but according to our counsel, the -- this is not the purview of a state organization, this is federal, because it is indeed communications.

So can you explain to me where they have that authority, how they have that authority?

SENATOR PARKER: Mr. President, through you. Frankly, the -- and let me clarify. The PSC doesn't need to provide a permission to do this. This law actually doesn't modify that. This actually is in the General Business Law. So this is a practice that we're saying now that companies can do automatically.

And again, we're codifying it in law, codifying a practice that already happens, but we're codifying it in law. And it exists already in the General Business Law.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So customers are already allowed to provide their information voluntarily, you know, to their credentials -- whether it's family members or whatever third party. So they already have the ability to give someone access to that account. You know, if they so choose.

So why are we putting these companies in the middle?

SENATOR PARKER: Through you, Mr. President, the companies are in the middle because the companies have decided that they're going to go into the business of providing a service. And so by definition they put themselves in the middle, because they're the ones providing the bills.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So is there some kind of a, you know, consumer outcry that they were being unjustly treated, that companies were refusing to do so? You just said it's a very common practice. And so I'm just curious, you know, where was this problem -- where was this problem we're trying to solve?

SENATOR PARKER: This is a consumer -- this is a consumer rights issue that

has been around for a number of years. This is not the -- this bill has existed, you know, I don't know, five years, six years. It's been around for a minute.

And it's been something that we have been, again, trying to simply codify. In fact, last year we actually passed this bill 60-whatever to zero. So I'm not sure where all the outcry is coming from in this particular moment about this issue. But we've passed this uncontroversially in the past.

SENATOR BORRELLO: Briefly on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: So to answer your question, Senator Parker, you know, we did not hear any opposition from the industry last year. So like so many things in this chamber, we passed something that's really, you know, not needed, but hey, it looked like it was pretty harmless. Until we heard from the companies that this will be difficult and harmful and potentially open them up to liability.

So to answer your question, we did

something -- or at least I did something -- that's somewhat unique in this chamber. We actually listened to the people that were impacted by the bill and decided to change -- I decided to change my vote as a result of the fact that the actual stakeholders were going to be harmed.

But with that being said, if I could ask the sponsor to yield.

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR PARKER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So this is already common practice, it's already a business practice, we're really -- we conflict as to whether or not this is within the jurisdiction of PSC.

But why should these companies be responsible for the receipt of a written agreement from a third party, which is -- a written agreement is kind of undefined.

SENATOR PARKER: Mr. President, through you. Once again we have a clear issue

that we always have here, which is that we have the Republican Party who is supporting profits and companies over rights and consumers. We here in the Democratic Party of the State Senate are protecting consumers.

This is why I got up and I said it's a consumer rights issue. And again, we know that folks on the other side don't care about consumer rights. Right? And so here we are protecting consumer rights.

And instead of taking a vote, as they have in the past, to protect those consumer rights, as soon as somebody says that their profits might be affected by this, instead of protecting the consumers -- who they actually, by the way, are the same as their voters, who they have pledged to fight for -- they've decided that they're going to run to the aid of the billionaires who run multinational companies and support them.

And so what we're doing here is doing what we've always done, which is protect people. And so why we are allowing this to happen is because it's important to make sure that consumers have notifications, that there's

in fact some documentation just in case there's a problem, and that we are providing notice on both sides to make sure there's clear communication about who's able and not able to receive a third party.

And as I indicated, if it was such a burden to them, why would they already provide it right now without the legislation? Again, what we're doing here is codifying a commonly used practice into law to make sure that consumers continue to be protected beyond the whims of multinational profit-making corporations.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So I really didn't hear an answer to my question, so I'll ask it again.

Why should companies be responsible for the receipt of written agreements from a third party?

SENATOR PARKER: Mr. President, through you again, being that I guess a comprehension issue is arising here, is -- again, we are trying to protect consumers.

And so these folks, these companies that have voluntarily gone into the business of providing utility services, whether that's water, electric, gas, cable, internet, telephone -- that they have gone into it voluntarily. Nobody held a gun to their head and said "Go into this business."

We are now saying that you have consumers, and we as responsible caretakers of people in the State of New York, are putting forth a law that codifies a practice that makes sure that consumers are protected.

And so they should go into this and do this paperwork or do whatever they have to do because they have decided that they wanted to go into this business. And it's our job to make sure that now that they're in this business, that consumers are protected.

And so here we are protecting consumers by making sure that they have a -- a -- not just a law that's codified, but also some

clear definitions around everybody's responsibility within the context of this contract.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So we'll go -- maybe go backwards a little bit and try to get an answer to this question.

Where was the problem we're trying to solve? Did we hear from some consumer groups, some -- I don't know, some utility-rights groups that said this is a problem? I'm just trying to figure out why we're -- what the problem is we're trying to fix.

SENATOR PARKER: Through you, Mr. President. Again, I think if my colleagues spent as much time talking to consumers and consumer-rights groups as they do to large multinational corporations that apparently dictate their agenda, they would have actually

heard the hue and cry of the people in their districts who have been asking to be protected from these companies.

And it's the same kind of thing that we did when we did, you know, a moratorium on people having to pay their bills when they lost their jobs during the pandemic. It's the same thing we've done in terms of dealing with, you know, utility arrears. It's the same kind of thing we did last week when we put forward measures to lower people's energy and utility costs in the state. We listened to people, and they told us what they needed.

And what we know is that people have been traditionally having problems with third party -- with third-party receiving of their utility bills. Right? And so some -- so most of the companies have come forward and started doing it on their own.

We want to make sure that that practice isn't left to the whims of these corporations and that they continue to do it. Thus here we are, doing what we should do as legislators, which is codifying the protection of consumers into the law of the State of New York.

SENATOR BORRELLO: Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So you mentioned public outcry and you heard from the people. Could you name those people? I'll take one.

ACTING PRESIDENT BAILEY: Before -- Senator Parker, before you answer that, I'd just like to remind the house that we may disagree, but we don't have to be disagreeable, ladies and gentlemen.

Senator Parker yields.

SENATOR PARKER: Through you, Mr. President.

SENATOR BORRELLO: I agree.

SENATOR PARKER: Do I have the name of a particular person based on a bill that was written six years ago that you voted on unanimously last year? No.

Can you name one of the board members of the companies that came to you and

said to you that this is going to be a problem for them?

SENATOR BORRELLO: Are you asking me to yield?

ACTING PRESIDENT BAILEY: Senator Parker, are you -- Senator Borrello, will you yield?

SENATOR BORRELLO: Yes.

ACTING PRESIDENT BAILEY: Senator Borrello yields.

SENATOR PARKER: Okay. Do you know the name of one of the stockholders of one of the companies that came to you and said this is going to be a major problem for them?

SENATOR BORRELLO: No.

SENATOR PARKER: Here we go.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Senator Parker, thank you.

SENATOR PARKER: Thank you, Senator Borrello.

SENATOR BORRELLO: I think the

issue here is that this is a solution in search of a problem.

And I realize we do that a lot here. We codify things in law that are already happening, and usually they're rather innocuous. But, you know, we talked a lot about consumer protection, even though there really wasn't a firm definition of who felt violated by this.

But yet, this is already occurring. So you might say, Well, just let it go. We voted for it unanimously. But then we heard from the companies. You know, I don't know about you, but my cellphone bill is starting to look like a car payment. And that's because we continue to heap more taxes and fees and regulations on these companies, which continue to raise the price.

So if we're really concerned about the consumers, then why do we pass a law that's going to obligate them to do something that they're already doing, which probably opens the window for a class action lawsuit if they don't? Which is probably going to put money in the pockets of some very large, influential donors.

Now, I'm not saying that that's going to happen. But I'm just saying if

Senator Parker believes that this is some grand conspiracy that Republicans are supporting giant corporations over the people, well, the people who own cellphones are going to be damaged by this bill in the long run, one of many unintended consequences.

So while I appreciate being a champion for the consumer, I don't see that this bill is actually that.

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

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

Seeing and hearing none, debate is closed.

Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

Upon consent, please restore Calendar 872 to the noncontroversial calendar.

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

The Secretary will read the last section.

THE SECRETARY: Section 4. 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 872, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Walczyk and Weik. Also Senator Tedisco.

Ayes, 46. Nays, 15.

ACTING PRESIDENT BAILEY: The bill is passed.

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

SENATOR SERRANO: Thank you.

Is there any further business at the desk?

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

SENATOR SERRANO: I move to adjourn

until Tuesday, May 30th, at 3:00 p.m., with the intervening days being legislative days.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Tuesday, May 30th, at 3:00 p.m., with the intervening days being legislative days.

Also, Dorothy Powell's birthday on May 28th.

(Whereupon, at 12:50 p.m., the Senate adjourned.)