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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

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

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

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

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

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

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

13 ACTING PRESIDENT BAILEY: Reading
14 of the Journal.

15 THE SECRETARY: In Senate, Tuesday,
16 May 23, 2023, the Senate met pursuant to
17 adjournment. The Journal of Monday, May 22,
18 2023, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Oberacker

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

6 Senator Webb moves to discharge,
7 from the Committee on Investigations and
8 Government Operations, Assembly Bill Number 6322
9 and substitute it for the identical Senate Bill
10 6228, Third Reading Calendar 940.

11 ACTING PRESIDENT BAILEY: So
12 ordered.

13 Messages from the Governor.

14 Reports of standing committees.

15 Reports of select committees.

16 Communications and reports from
17 state officers.

18 Motions and resolutions.

19 Senator Serrano.

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

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

1 reading.

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

5 Senator Serrano.

6 SENATOR SERRANO: Thank you,
7 Mr. President.

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

12 ACTING PRESIDENT BAILEY: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 437, Senate Print 2515A, by Senator Ramos, an act
16 to amend the Vehicle and Traffic Law.

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

20 ACTING PRESIDENT BAILEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 55.

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

1 Calendar.

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

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

8 Senator Serrano.

9 SENATOR SERRANO: Thank you.
10 Moving on to resolutions, please
11 take up previously adopted Resolution 1118, by
12 Senator May, read the resolution title only, and
13 call on Senator May.

14 ACTING PRESIDENT BAILEY: The
15 Secretary will read.

16 THE SECRETARY: Senate Resolution
17 1118, by Senator May, mourning the death of
18 Sally Johnston, a leader of the disability
19 movement, distinguished citizen, and devoted
20 member of her community.

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

23 SENATOR MAY: Thank you,
24 Mr. President.

25 A year ago I stood on this floor to

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

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

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

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

1 created.

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

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

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

25 I vote aye. Thank you.

1 ACTING PRESIDENT BAILEY: Senator
2 Mannion on the resolution.

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

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

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

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

25 She made public buses and public

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

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

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

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

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

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

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

8 Please rise and be recognized.

9 (Standing ovation.)

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

12 Senator Serrano.

13 SENATOR SERRANO: Thank you.

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

18 ACTING PRESIDENT BAILEY: The
19 Secretary will read.

20 THE SECRETARY: Senate Resolution
21 873, by Senator Tedisco, memorializing Governor
22 Kathy Hochul to proclaim October 2023 as Bullying
23 Prevention Month in the State of New York.

24 ACTING PRESIDENT BAILEY: Senator
25 Tedisco on the resolution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 Christine and Richard Taras,

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

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

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

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

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

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

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

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

22 Thank you, Mr. President.

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

25 To our guests, I welcome you on

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

3 Please rise and be recognized.

4 (Standing ovation.)

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

7 Senator Serrano.

8 SENATOR SERRANO: Thank you.

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

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

15 Senator Serrano.

16 SENATOR SERRANO: Thank you.

17 Please take up the reading of the
18 calendar.

19 ACTING PRESIDENT BAILEY: The
20 Secretary will read.

21 THE SECRETARY: Calendar
22 Number 639, Senate Print Number 5416, by
23 Senator Scarcella-Spanton, an act to amend the
24 Veterans' Services Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: Ayes, 58.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 872, Assembly Print Number 1368A, by
14 Assemblymember Rozic, an act to amend the
15 Public Service Law.

16 SENATOR LANZA: Lay it aside.

17 ACTING PRESIDENT BAILEY: Lay it
18 aside.

19 THE SECRETARY: Calendar Number
20 920, Senate Print 5613A, by Senator O'Mara, an
21 act to amend the Tax Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

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

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

3 Read the last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

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

16 Ayes, 50. Nays, 8.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 921, Senate Print 5734A, by Senator Borrello, an
21 act to amend Chapter 579 of the Laws of 2004.

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

24 Read the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 921, those Senators voting in the
9 negative are Senators Canzoneri-Fitzpatrick,
10 Hinchey, Lanza, Mannion, Martinez,
11 Scarcella-Spanton, Skoufis and Webb.

12 Ayes, 50. Nays, 8.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 924, Assembly Print Number 3152, by
17 Assemblymember Angelino, an act to amend the
18 Tax Law.

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

21 Read the last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 924, those Senators voting in the
6 negative are Senators Canzoneri-Fitzpatrick,
7 Hinchey, Lanza, Mannion, Martinez,
8 Scarcella-Spanton, Skoufis and Webb.

9 Ayes, 50. Nays, 8.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 925, Senate Print 5804A, by Senator O'Mara, an
14 act to amend the Tax Law.

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

17 Read the last section.

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

20 ACTING PRESIDENT BAILEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce
24 the results.

25 THE SECRETARY: In relation to

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

5 Ayes, 50. Nays, 8.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 926, Senate Print 5805A, by Senator O'Mara, an
10 act to amend the Tax Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

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

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 926, those Senators voting in the
22 negative are Senators Canzoneri-Fitzpatrick,
23 Hinchey, Lanza, Mannion, Martinez,
24 Scarcella-Spanton, Skoufis and Webb.

25 Ayes, 50. Nays, 8.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 927, Senate Print 5811A, by Senator Borrello, an
5 act to amend the Tax Law.

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

8 Read the last section.

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

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 927, those Senators voting in the
18 negative are Senators Canzoneri-Fitzpatrick,
19 Hinchey, Lanza, Mannion, Martinez,
20 Scarcella-Spanton, Skoufis and Webb.

21 Ayes, 50. Nays, 8.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 929, Senate Print 6023, by Senator Griffo, an act

1 to amend the Tax Law.

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

4 Read the last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

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

17 Ayes, 50. Nays, 8.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 930, Senate Print 6024, by Senator Griffo, an act
22 to amend the Tax Law.

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

25 Read the last section.

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

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 930, those Senators voting in the
10 negative are Senators Canzoneri-Fitzpatrick,
11 Hinchey, Lanza, Mannion, Martinez,
12 Scarcella-Spanton, Skoufis and Webb.

13 Ayes, 50. Nays, 8.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 933, Senate Print 6079, by Senator Borrello, an
18 act to amend the Tax Law.

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

21 Read the last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 933, those Senators voting in the
6 negative are Senators Canzoneri-Fitzpatrick,
7 Hinchey, Lanza, Mannion, Martinez,
8 Scarcella-Spanton, Skoufis and Webb.

9 Ayes, 50. Nays, 8.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 934, Senate Print 6083A, by Senator Fernandez, an
14 act to amend the Tax Law.

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

17 Read the last section.

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

20 ACTING PRESIDENT BAILEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce
24 the results.

25 THE SECRETARY: In relation to

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

5 Ayes, 50. Nays, 8.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 935, Senate Print 6147, by Senator Borrello, an
10 act to amend Chapter 98 of the Laws of 2009.

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

13 Read the last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 935, those Senators voting in the
23 negative are Senators Canzoneri-Fitzpatrick,
24 Hinchey, Lanza, Mannion, Martinez,
25 Scarcella-Spanton, Skoufis and Webb.

1 Ayes, 50. Nays, 8.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 936, Senate Print 6149A, by Senator Cooney, an
6 act to amend the Tax Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 936, those Senators voting in the
18 negative are Senators Canzoneri-Fitzpatrick,
19 Hinchey, Lanza, Mannion, Martinez,
20 Scarcella-Spanton, Skoufis and Webb.

21 Ayes, 50. Nays, 8.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 938, Senate Print 6205, by Senator Borrello, an

1 act to amend Chapter 405 of the Laws of 2007.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 938, those Senators voting in the
13 negative are Senators Canzoneri-Fitzpatrick,
14 Hinchey, Lanza, Mannion, Martinez,
15 Scarcella-Spanton, Skoufis and Webb.

16 Ayes, 50. Nays, 8.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 939, Senate Print 6206, by Senator Borrello, an
21 act to amend the Tax Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar 939, those Senators voting in the
8 negative are Senators Canzoneri-Fitzpatrick,
9 Hinchey, Lanza, Mannion, Martinez,
10 Scarcella-Spanton, Skoufis and Webb.

11 Ayes, 50. Nays, 8.

12 ACTING PRESIDENT BAILEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 940, Assembly Print Number 6322, by
16 Assemblymember Lupardo, an act to amend the
17 Tax Law.

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

20 Read the last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 940, those Senators voting in the
5 negative are Senators Canzoneri-Fitzpatrick,
6 Hinchey, Lanza, Mannion, Martinez,
7 Scarcella-Spanton and Skoufis.

8 Ayes, 51. Nays, 7.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 941, Senate Print 6245A, by Senator Skoufis, an
13 act to amend Chapter 373 of the Laws of 2020.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 941, those Senators voting in the
25 negative are Senators Canzoneri-Fitzpatrick,

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

3 Ayes, 51. Nays, 7.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 942, Senate Print 6272A, by Senator Ashby, an act
8 to amend the Tax Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 942, those Senators voting in the
20 negative are Senators Canzoneri-Fitzpatrick,
21 Hinchey, Lanza, Mannion, Martinez,
22 Scarcella-Spanton, Skoufis and Webb.

23 Ayes, 50. Nays, 8.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 943, Senate Print 6274, by Senator Webb, an act
3 to amend Chapter 443 of the Laws of 2007.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 943, those Senators voting in the
15 negative are Senators Canzoneri-Fitzpatrick,
16 Hinchey, Lanza, Mannion, Martinez,
17 Scarcella-Spanton and Skoufis.

18 Ayes, 51. Nays, 7.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 944, Senate Print 6276, by Senator Webb, an act
23 to amend the Tax Law.

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

1 Read the last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 944, those Senators voting in the
11 negative are Senators Canzoneri-Fitzpatrick,
12 Hinchey, Lanza, Mannion, Martinez,
13 Scarcella-Spanton and Skoufis.

14 Ayes, 51. Nays, 7.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 945, Senate Print 6277, by Senator Webb, an act
19 to amend the Tax Law.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 945, those Senators voting in the
6 negative are Senators Canzoneri-Fitzpatrick,
7 Hinchey, Lanza, Mannion, Martinez,
8 Scarcella-Spanton and Skoufis.

9 Ayes, 51. Nays, 7.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 946, Senate Print 6295, by Senator Rolison, an
14 act to amend the Tax Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

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

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 946, those Senators voting in the

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

4 Ayes, 51. Nays, 7.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 947, Senate Print 6345, by Senator Walczyk, an
9 act to amend the Tax Law.

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

12 Read the last section.

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

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 947, those Senators voting in the
22 negative are Senators Canzoneri-Fitzpatrick,
23 Hinchey, Lanza, Mannion, Martinez,
24 Scarcella-Spanton, Skoufis and Webb.

25 Ayes, 50. Nays, 8.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 Senator Lanza.
4 (Laughter.)

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

7 (Laughter.)

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

11 (Laughter; standing ovation.)

12 THE SECRETARY: Calendar Number
13 948, Senate Print 6346, by Senator Walczyk, an
14 act to amend the Tax Law.

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

17 Read the last section.

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

20 ACTING PRESIDENT BAILEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce
24 the results.

25 THE SECRETARY: In relation to

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

5 Ayes, 50. Nays, 8.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 949, Senate Print 6406, by Senator Walczyk, an
10 act to amend Chapter 549 of the Laws of 2005.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

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

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 949, those Senators voting in the
22 negative are Senators Canzoneri-Fitzpatrick,
23 Hinchey, Lanza, Mannion, Martinez,
24 Scarcella-Spanton, Skoufis and Webb.

25 Ayes, 50. Nays, 8.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 950, Senate Print 6407, by Senator Walczyk, an
5 act to amend the Tax Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

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

20 Ayes, 50. Nays, 8.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 959, Senate Print 6506, by Senator Mannion, an
25 act to amend the Tax Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 959, those Senators voting in the
12 negative are Senators Canzoneri-Fitzpatrick,
13 Hinchey, Lanza, Martinez, Scarcella-Spanton,
14 Skoufis and Webb.

15 Ayes, 51. Nays, 7.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 961, Senate Print 6533, by Senator Walczyk, an
20 act to amend the Tax Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

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

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 961, those Senators voting in the
7 negative are Senators Canzoneri-Fitzpatrick,
8 Hinchey, Lanza, Mannion, Martinez,
9 Scarcella-Spanton, Skoufis and Webb.

10 Ayes, 50. Nays, 8.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 962, Senate Print 6554, by Senator Skoufis, an
15 act to amend the Tax Law.

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

18 Read the last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

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

6 Ayes, 51. Nays, 7.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 963, Senate Print 6572, by Senator May, an act to
11 amend the Tax Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 963, those Senators voting in the
23 negative are Senators Canzoneri-Fitzpatrick,
24 Hinchey, Lanza, Mannion, Martinez,
25 Scarcella-Spanton, Skoufis and Webb.

1 Ayes, 50. Nays, 8.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 964, Senate Print 6582, by Senator Martinez, an
6 act to amend the Tax Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 964, those Senators voting in the
18 negative are Senators Canzoneri-Fitzpatrick,
19 Hinchey, Lanza, Mannion, Scarcella-Spanton,
20 Skoufis and Webb.

21 Ayes, 51. Nays, 7.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 966, Senate Print 6595, by Senator Walczyk, an

1 act to amend the Tax Law.

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

4 Read the last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 966, those Senators voting in the
14 negative are Senators Canzoneri-Fitzpatrick,
15 Hinchey, Lanza, Mannion, Martinez,
16 Scarcella-Spanton, Skoufis and Webb.

17 Ayes, 50. Nays, 8.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 967, Senate Print 6626, by Senator Borrello, an
22 act to amend the Tax Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 967, those Senators voting in the
9 negative are Senators Canzoneri-Fitzpatrick,
10 Hinchey, Lanza, Mannion, Martinez,
11 Scarcella-Spanton, Skoufis and Webb.

12 Ayes, 50. Nays, 8.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 970, Senate Print 6672, by Senator Breslin, an
17 act to amend the Tax Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 970, those Senators voting in the
4 negative are Senators Canzoneri-Fitzpatrick,
5 Hinchey, Lanza, Mannion, Martinez,
6 Scarcella-Spanton, Skoufis and Webb.

7 Ayes, 50. Nays, 8.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 972, Senate Print 6687, by Senator Breslin, an
12 act to amend Chapter 105 of the Laws of 2009.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

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

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 972, those Senators voting in the
24 negative are Senators Canzoneri-Fitzpatrick,
25 Hinchey, Lanza, Mannion, Martinez,

1 Scarcella-Spanton, Skoufis and Webb.

2 Ayes, 50. Nays, 8.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 975, Senate Print 6762, by Senator Breslin, an
7 act to amend Chapter 405 of the Laws of 2005.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 975, those Senators voting in the
19 negative are Senators Canzoneri-Fitzpatrick,
20 Hinchey, Lanza, Mannion, Martinez,
21 Scarcella-Spanton, Skoufis and Webb.

22 Ayes, 50. Nays, 8.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 986, Senate Print 5241, by Senator Sanders, an
2 act requiring the State University of New York
3 and the City University of New York to examine
4 and conduct a study on the availability of campus
5 services.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

15 THE SECRETARY: Ayes, 58.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1087, Senate Print 3586, by Senator Fernandez, an
20 act to amend the Veterans' Services Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Senator
5 Fernandez to explain her vote.

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

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

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

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

1 after serving this country.

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

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

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

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

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

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

4 I proudly vote aye.

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

7 Senator Ashby to explain his vote.

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

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

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

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

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

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

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

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

25 I proudly vote aye.

1 Thank you, Mr. President.

2 ACTING PRESIDENT BAILEY: Senator

3 Ashby to be recorded in the affirmative.

4 Announce the results.

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT BAILEY: The bill

7 is passed.

8 THE SECRETARY: Calendar Number

9 1104, Senate Print 5530, by Senator Brouk, an act

10 to amend the Veterans' Services Law and the

11 Public Health Law.

12 ACTING PRESIDENT BAILEY: Read the

13 last section.

14 THE SECRETARY: Section 3. This

15 act shall take effect immediately.

16 ACTING PRESIDENT BAILEY: Call the

17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Senator

20 Scarcella-Spanton -- Senator Brouk to explain her

21 vote, excuse me.

22 SENATOR BROUK: Thank you,

23 Mr. President.

24 I am so proud to bring this bill to

25 the floor, and I want to thank all my Senate

1 colleagues and our Majority Leader.

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

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

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

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

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

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

11 Senator Scarcella-Spanton to explain
12 her vote.

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

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

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

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

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

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

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

10 (Applause.)

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

14 And I proudly vote aye. Thank you.

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

18 Announce the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1109, Senate Print 5967, by Senator Harckham, an
24 act to amend the Real Property Tax Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

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

14 SENATOR SERRANO: Thank you.

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

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

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 872, Assembly Print Number 1368A, by
22 Assemblymember Rozic, an act to amend the
23 Public Service Law.

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

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

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

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

7 ACTING PRESIDENT BAILEY: The
8 sponsor yields.

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

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

16 SENATOR PARKER: So --

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

20 SENATOR PARKER: Yes.

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

24 ACTING PRESIDENT BAILEY: Will the
25 sponsor yield?

1 SENATOR PARKER: Yes.

2 ACTING PRESIDENT BAILEY: The
3 sponsor yields.

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

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

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

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

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

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

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

8 Senator Parker, do you yield?

9 SENATOR PARKER: I do yield.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

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

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

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

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

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

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

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

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR PARKER: I do.

17 ACTING PRESIDENT BAILEY: The
18 sponsor yields.

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

1 So why are we putting these
2 companies in the middle?

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

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

12 ACTING PRESIDENT BAILEY: Will the
13 sponsor yield?

14 SENATOR PARKER: I do.

15 ACTING PRESIDENT BAILEY: The
16 sponsor yields.

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

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

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

5 And it's been something that we have
6 been, again, trying to simply codify. In fact,
7 last year we actually passed this bill
8 60-whatever to zero. So I'm not sure where all
9 the outcry is coming from in this particular
10 moment about this issue. But we've passed this
11 uncontroversially in the past.

12 SENATOR BORRELLO: Briefly on the
13 bill.

14 ACTING PRESIDENT BAILEY: Senator
15 Borrello on the bill.

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

25 So to answer your question, we did

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

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

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor continue to yield?

12 SENATOR PARKER: Yes.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

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

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

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

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

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

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

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

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

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

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

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR PARKER: I do.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

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

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

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

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

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

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

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

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

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

6 ACTING PRESIDENT BAILEY: Will the
7 sponsor yield?

8 SENATOR PARKER: Yes.

9 ACTING PRESIDENT BAILEY: The
10 sponsor yields.

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

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

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

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

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

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

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

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

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR PARKER: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

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

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

16 Senator Parker yields.

17 SENATOR PARKER: Through you,
18 Mr. President.

19 SENATOR BORRELLO: I agree.

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

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

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

3 SENATOR BORRELLO: Are you asking
4 me to yield?

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

8 SENATOR BORRELLO: Yes.

9 ACTING PRESIDENT BAILEY: Senator
10 Borrello yields.

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

15 SENATOR BORRELLO: No.

16 SENATOR PARKER: Here we go.

17 SENATOR BORRELLO: Mr. President,
18 on the bill.

19 ACTING PRESIDENT BAILEY: Senator
20 Borrello on the bill.

21 SENATOR BORRELLO: Senator Parker,
22 thank you.

23 SENATOR PARKER: Thank you,
24 Senator Borrello.

25 SENATOR BORRELLO: I think the

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

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

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

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

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

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

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

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

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

14 Seeing and hearing none, debate is
15 closed.

16 Senator Serrano.

17 SENATOR SERRANO: Thank you,
18 Mr. President.

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

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

24 The Secretary will read the last
25 section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 872, those Senators voting in the
11 negative are Senators Ashby, Borrello,
12 Canzoneri-Fitzpatrick, Griffo, Mattera, Murray,
13 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
14 Rolison, Walczyk and Weik. Also Senator Tedisco.
15 Ayes, 46. Nays, 15.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

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

20 SENATOR SERRANO: Thank you.

21 Is there any further business at the
22 desk?

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

25 SENATOR SERRANO: I move to adjourn

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

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

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

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

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