

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 30, 2023

11 3:31 p.m.

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14 REGULAR SESSION

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18 SENATOR JAMAAL T. BAILEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

4 I ask everyone present to please
5 rise for the presentation of colors.

6 Color Guard, parade the colors.

7 (Whereupon, the 10th Mountain
8 Division Color Guard entered the chamber through
9 the rear doors and proceeded to the center of the
10 chamber, presenting the colors.)

11 ACTING PRESIDENT BAILEY: I now ask
12 everyone present to join us in reciting the
13 Pledge of Allegiance.

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

16 ACTING PRESIDENT BAILEY: Senior
17 Command Chaplain Colonel James Key, from the
18 10th Mountain Division, will deliver today's
19 invocation.

20 CHAPLAIN KEY: Let us all pause for
21 a word of prayer as we close our eyes and bow our
22 heads.

23 Let us pray.

24 Great is Thy faithfulness. Great is
25 Thy faithfulness. Morning by morning, new

1 mercies I see. All I have needed, Thy hand hath
2 provided. Great is Thy Faithfulness, Lord, unto
3 me.

4 Almighty God, we pause on this day
5 and ask that You bless today's Senate session.
6 Please walk with our Senators and give them
7 vision and courage as they ponder decisions
8 affecting the lives of men and women of this
9 great state. Give them discerning hearts, bold
10 faith, and wise minds. Teach them -- and all of
11 us -- not just what is good, but what is best.

12 Help us to recognize that You are
13 the source of all of our accomplishments and
14 blessings, and that Your eye is on the sparrow
15 and You watch over all of us.

16 Remind us on this day that despite
17 differences of political affiliation,
18 demographic, gender or ethnicity, we are always
19 at our best when we stand together as one nation,
20 indivisible with liberty and justice for all.

21 This is the prayer we submit to You
22 right now, at this hour, on this day. Please
23 receive it, for it is in Your mighty, liberating,
24 sustaining and holy name we pray.

25 And we all say together, amen and

1 amen.

2 (Response of "Amen.")

3 ACTING PRESIDENT BAILEY: Color
4 Guard, retire the colors.

5 (Whereupon, the Color Guard lowered
6 the colors and marched to the rear doors, exiting
7 the chamber.)

8 ACTING PRESIDENT BAILEY: It is my
9 honor to introduce Deputy Commander Colonel
10 Matt Braman, of the 10th Mountain Division, to
11 deliver opening remarks.

12 Deputy Commander.

13 COLONEL BRAMAN: Good afternoon.
14 My name is Colonel Matt Braman. I'm the deputy
15 commander of the 10th Mountain Division, and I
16 have arguably the best job in the Army.

17 I'm here with some great friends of
18 us from the division. But on behalf of
19 Major General Greg Anderson, the commander of the
20 10th Mountain Division, who's currently deployed
21 in MK Air Base in Romania, I brought with us a
22 few great folks, and he passes his regrets and he
23 said he'll be here next year.

24 But with me today is our -- the most
25 powerful man in the 10th Mountain Division, and

1 that is our command sergeant major,
2 Sergeant Major Nema Mobar.

3 We've got with us our -- for us, our
4 mayor or city manager, our garrison commander,
5 Colonel Jim Zacchino.

6 We've got our great chaplain, who we
7 just had the opening remarks -- or opening prayer
8 from, Chaplain Key.

9 And if you look up to my right, to
10 your left, up there are 14 service members from
11 the division, all who were born and raised here
12 in the State of New York.

13 And so on behalf of all of us, it's
14 our honor to be here today. And so I would like
15 to thank the leadership for allowing us to be
16 here, for celebrating 10th Mountain Day. And so,
17 Senator Stewart-Cousins, Senator Rob Ortt, thank
18 you for allowing us to be here today, and sir,
19 thank you for your service to the Army.

20 Also, to Senator Scarcella-Spanton,
21 your work for veterans is not unnoticed by us,
22 and we appreciate all the things you do for our
23 veterans and their families. And as a former
24 Army spouse, thank you for your service as well
25 as the service of your husband.

1 And finally, our Senator from back
2 home in Watertown, New York, Senator Walczyk,
3 thank you for hosting us here today. And your
4 presence at Fort Drum in support of all of our
5 great soldiers doesn't go unnoticed as well, and
6 thank you for hosting us today.

7 And so this is my favorite part I
8 get to do. Every Wednesday, at Fort Drum, the
9 sergeant major and I get to welcome every new
10 soldier into the 10th Mountain Division, and we
11 get to stand up there and tell them about the
12 history of the organization, the importance it
13 has, and the great things it's done and will do
14 in the future.

15 And so for those who don't know,
16 10th Mountain Division was formed on July 15,
17 1943, but not in New York. Which is weird,
18 because the 10th Mountain is here now. But
19 actually the roots of the division do go back to
20 the State of New York.

21 So in early 1940, the Army decided
22 they needed to evaluate what its capabilities
23 were in cold weather and alpine capability. And
24 they quickly found that the Army had none. And
25 so with the help of an entrepreneur who was then

1 the head of what was to become the National Ski
2 Patrol, Charles Minot "Minnie" Dole, he went to
3 the president and said: We've got to have the
4 capability. We've seen what the Norwegians can
5 do, we've seen what the Finnish soldiers can do.
6 We need that capability in the United States
7 Army.

8 And so the division was formed and
9 born in Camp Hale, Colorado. And they went on to
10 do famous things in the war, in the Italian
11 campaign. And when the war was complete, they
12 came home and disbanded the organization.

13 In 1985 the United States Army said,
14 We need a light division, somebody that's capable
15 of deploying worldwide, short notice. And they
16 decided to reactivate the 10th Mountain Division
17 and to do it where the division was really born
18 in concept, at Fort Drum, New York.

19 And so since then, the division has
20 remained the most deployed division in the Army.
21 It began with its service in Desert Storm, went
22 on to Haiti, Somalia, Bosnia. And when the
23 unprecedented attacks occurred on 9/11, the
24 10th Mountain Division was the first division
25 deployed to Afghanistan to defend this nation.

1 And in somewhat -- coincidence, at
2 the end of our chapter in Afghanistan, it was
3 10th Mountain Division soldiers that closed the
4 doors. In fact, with us today is my aide de
5 camp, First Lieutenant Allie Rios. She was of
6 the remaining last members of the division to
7 leave Afghanistan just a little over two years
8 ago from today.

9 And today, as we speak, you know, no
10 good deed goes unpunished. The nation has relied
11 on this division to do great things, and today
12 our division headquarters is deployed in Romania
13 doing the assure, deter and assist mission with
14 our NATO partners and allies in Romania, Hungary,
15 and throughout the Balkans.

16 Our division tactical headquarters
17 is deployed to Poland doing support for the
18 Security Assistance Group-Ukraine, ensuring the
19 timely delivery of material aid to the Ukrainian
20 army and conducting training with those soldiers
21 so they can defeat the Russians.

22 And finally, we have soldiers in
23 Finland, back doing the mission that this mission
24 was designed to do in its inception, becoming
25 alpine warriors. And they're doing that today

1 with our Second Battalion 22nd Infantry Regiment.

2 Some of you may know, in December
3 our First Brigade Combat Team returned, as the
4 only forward-deployed combat unit in the
5 United States Army. And they returned from
6 Kuwait, Syria and Iraq. And shortly, this
7 summer, our Second Brigade Combat Team will
8 deploy in that same mission. Again, being the
9 only deployed unit in the Army in a combat area.
10 Our Aviation Brigade will follow in about a year
11 to do support for that same mission.

12 But we know every day at Fort Drum
13 we stand ready, with 18,000 soldiers stationed
14 there, to support and defend the Constitution of
15 the United States. And we've done it very well
16 for the last -- since 1943, and will continue to
17 do so.

18 So I'd like to, one, invite all of
19 you up to Fort Drum. We'll host any of you at
20 any point. It's a great place to serve. It's a
21 great place for our families, to raise families,
22 and it's a great place to train. And so please
23 come up and visit us there.

24 And in fact, on June 21st, we host
25 what we call Mountain Fest, which is our annual

1 remembrance of the division's history and a
2 celebration of the installation itself. So come
3 up to Mountain Fest. We're going to salute the
4 nation. But at any point, please come up and see
5 our soldiers.

6 Throughout our visit we've also been
7 asked what can you do for us. Well, if you don't
8 know, the Army is hiring.

9 (Laughter.)

10 COLONEL BRAMAN: We're looking for
11 great soldiers. I'm looking for my replacement.
12 I've been doing this for 28 years. I'm looking
13 for the next me.

14 Invite us to your communities. We
15 will come to you in New York. We will
16 demonstrate the capabilities of what our soldiers
17 can do, the great skills that they've acquired
18 and the hundred -- the over a hundred skill sets
19 that we recruit for. Bring us to them. We want
20 to meet your folks and meet the community.

21 So in closing, because I know you
22 have lots of important business to do, I want to
23 talk about one thing we do at Fort Drum. As we
24 walk around the installation, it's customary for
25 the junior -- if a junior member of the division

1 sees one of his superior officers, he is -- comes
2 to a crisp attention and provides a salute and
3 says the words "Climb to Glory." And the
4 senior's response back to that individual is "To
5 the Top."

6 And that "Climb to Glory/To the Top"
7 is in honor of our forefathers that started the
8 mission of the 10th Mountain in 1943, and we
9 continue that climb today.

10 So I say to all of you today, thanks
11 for hosting us. Climb to Glory!

12 (Response: "To the Top!")

13 COLONEL BRAMAN: Thank you.

14 (Standing ovation.)

15 ACTING PRESIDENT BAILEY: Thank
16 you, Deputy Commander Colonel Braman.

17 Reading of the Journal.

18 THE SECRETARY: In Senate, Monday,
19 May 29, 2023, the Senate met pursuant to
20 adjournment. The Journal of Sunday, May 28,
21 2023, was read and approved. On motion, the
22 Senate adjourned.

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

25 Presentation of petitions.

1 Messages from the Assembly.

2 The Secretary will read.

3 THE SECRETARY: Senator Harckham
4 moves to discharge, from the Committee on Energy
5 and Telecommunications, Assembly Bill Number 343A
6 and substitute it for the identical Senate Bill
7 2988A, Third Reading Calendar 425.

8 Senator Cleare moves to discharge,
9 from the Committee on Investigations and
10 Government Operations, Assembly Bill Number 1371A
11 and substitute it for the identical Senate Bill
12 208A, Third Reading Calendar 430.

13 Senator Sanders moves to discharge,
14 from the Committee on Health, Assembly Bill
15 Number 2609A and substitute it for the identical
16 Senate Bill 1839A, Third Reading Calendar 520.

17 Senator Lanza moves to discharge,
18 from the Committee on Environmental Conservation,
19 Assembly Bill Number 6857 and substitute it for
20 the identical Senate Bill 4829, Third Reading
21 Calendar 612.

22 Senator Mayer moves to discharge,
23 from the Committee on Higher Education,
24 Assembly Bill Number 5806 and substitute it for
25 the identical Senate Bill 5229, Third Reading

1 Calendar 682.

2 Senator Harckham moves to discharge,
3 from the Committee on Investigations and
4 Government Operations, Assembly Bill Number 5742A
5 and substitute it for the identical Senate Bill
6 6062, Third Reading Calendar 703.

7 Senator Harckham moves to discharge,
8 from the Committee on Transportation,
9 Assembly Bill Number 5604 and substitute it for
10 the identical Senate Bill 5397, Third Reading
11 Calendar 730.

12 Senator Kavanagh moves to discharge,
13 from the Committee on Codes, Assembly Bill Number
14 3057 and substitute it for the identical Senate
15 Bill 5826, Third Reading Calendar 744.

16 Senator Webb moves to discharge,
17 from the Committee on Commerce, Economic
18 Development and Small Business, Assembly Bill
19 Number 4264 and substitute it for the identical
20 Senate Bill 6213, Third Reading Calendar 1003.

21 Senator Harckham moves to discharge,
22 from the Committee on Alcoholism and Substance
23 Use Disorders, Assembly Bill Number 5074 and
24 substitute it for the identical Senate Bill 5332,
25 Third Reading Calendar 1041.

1 Senator Gianaris moves to discharge,
2 from the Committee on Health, Assembly Bill
3 Number 2147 and substitute it for the identical
4 Senate Bill 149, Third Reading Calendar 1044.

5 Senator Griffo moves to discharge,
6 from the Committee on Civil Service and Pensions,
7 Assembly Bill Number 5862 and substitute it for
8 the identical Senate Bill 3513, Third Reading
9 Calendar 1057.

10 Senator Bailey moves to discharge,
11 from the Committee on Judiciary, Assembly Bill
12 Number 152 and substitute it for the identical
13 Senate Bill 939, Third Reading Calendar 1071.

14 Senator Harckham moves to discharge,
15 from the Committee on Local Government,
16 Assembly Bill 6101 and substitute it for the
17 identical Senate Bill 5886, Third Reading
18 Calendar 1107.

19 Senator Stewart-Cousins moves to
20 discharge, from the Committee on Housing,
21 Construction and Community Development,
22 Assembly Bill Number 6291A and substitute it for
23 the identical Senate Bill 264A, Third Reading
24 Calendar 197.

25 Senator Palumbo moves to discharge,

1 from the Committee on Investigations and
2 Government Operations, Assembly Bill Number 6919
3 and substitute it for the identical Senate Bill
4 6721, Third Reading Calendar 973.

5 Senator Mannion moves to discharge,
6 from the Committee on Environmental Conservation,
7 Assembly Bill Number 6822 and substitute it for
8 the identical Senate Bill 6125, Third Reading
9 Calendar 1148.

10 Senator Rolison moves to discharge,
11 from the Committee on Rules, Assembly Bill
12 Number 7429 and substitute it for the identical
13 Senate Bill 5376, Third Reading Calendar 1101.

14 Senator Thomas moves to discharge,
15 from the Committee on Environmental Conservation,
16 Assembly Bill Number 7433 and substitute it for
17 the identical Senate Bill 7055, Third Reading
18 Calendar 1163.

19 Senator Brouk moves to discharge,
20 from the Committee on Finance, Assembly Bill
21 Number 1510 and substitute it for the identical
22 Senate Bill 1861, Third Reading Calendar 832.

23 ACTING PRESIDENT BAILEY: So
24 ordered.

25 Messages from the Governor.

1 Reports of standing committees.
2 Reports of select committees.
3 Communications and reports from
4 state officers.

5 Motions and resolutions.
6 Senator Gianaris.

7 SENATOR GIANARIS: Mr. President,
8 can we begin with previously adopted
9 Resolution 868, by Senator Scarcella-Spanton,
10 read that resolution's title, and recognize
11 Leader Stewart-Cousins on that resolution.

12 ACTING PRESIDENT BAILEY: The
13 Secretary will read.

14 THE SECRETARY: Senate Resolution
15 868, by Senator Scarcella-Spanton, memorializing
16 Governor Kathy Hochul to proclaim May 30, 2023,
17 as 10th Mountain Division and Fort Drum Day in
18 the State of New York.

19 ACTING PRESIDENT BAILEY: Majority
20 Leader Andrea Stewart-Cousins on the resolution.

21 SENATOR STEWART-COUSINS: Thank you
22 so much, Mr. President.

23 And again, I want to really extend
24 my gratitude to Fort Drum for always coming and
25 representing.

1 To the chaplain, thank you for your
2 prayers. Thank you for reminding us that His
3 eye's on the sparrow. I really -- you can come
4 back any time.

5 And for Colonel Braman, I was
6 talking to Senator Breslin here and he was saying
7 "What enthusiasm." It's so true. We're all
8 going to sign up, but not -- not right now.

9 (Laughter.)

10 SENATOR STEWART-COUSINS: Maybe
11 after session.

12 (Laughter.)

13 SENATOR STEWART-COUSINS: But, you
14 know, it was just so important to hear the
15 history and of course be reminded of the
16 incredible role that Fort Drum plays not only in
17 terms of our national security, but
18 internationally as well.

19 And I want to thank you for bringing
20 your wonderful senior leadership. I want to
21 thank the Color Guard, the enlisted personnel,
22 including our native-born -- I hear there's 15
23 native-born New Yorkers. And just to let you
24 know, again, that we are honored by your
25 presence.

1 The other thing that -- since you
2 did such a great job of the history, we wanted to
3 make sure that everyone understands the
4 significance of Fort Drum as captured in your
5 mission statement, which has expanded a great
6 deal. "To the Top," we'll always remember that.
7 But I understand the mission statement is:
8 "Team Drum generates, rapidly deploys and
9 sustains ready forces to meet national security
10 requirements while caring for soldiers, families
11 and civilians."

12 That's an amazing statement. And
13 that's what you embody.

14 And beyond your contributions to
15 protecting New Yorkers and Americans abroad,
16 Fort Drum goes above and beyond in serving the
17 local community. Recent reports highlight your
18 direct economic impact of approximately
19 \$1.6 billion in 2022 in Jefferson, Lewis and
20 St. Lawrence counties, marking a 4.6 percent
21 increase from the previous year. It also
22 supports 25,000 jobs in the area.

23 So you obviously, in Fort Drum, play
24 a vital role in securing federal funding for
25 local schools and communities as well as

1 providing support to military veterans and
2 survivors.

3 But I know, Senator Walczyk, you've
4 made it very clear that this is an important part
5 of your district, and I thank you for what you're
6 doing. And I know that you are doing it with the
7 same pride that your predecessor, Senator Patty
8 Ritchie, did. I think we began Fort Drum Day in
9 2012.

10 And of course I want to thank my own
11 Senator Jessica Scarcella-Spanton, who's chair of
12 the Senate's Veterans, Homeland Security and
13 Military Affairs Committee, for your dedication
14 and your leadership and continued support for
15 veterans and military families all over.

16 Certainly, as the Majority Leader, I
17 want to convey New York's immense pride in having
18 you as part of our great state, and our
19 unwavering commitment is there to support you.

20 Again, thank you so much for being
21 here. Thank you for making our Fort Drum Day one
22 of the highlights of our session. So thank you.

23 Thank you, Mr. President.

24 ACTING PRESIDENT BAILEY: Senator
25 Scarcella-Spanton on the resolution.

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

3 And thank you to our Majority Leader
4 for that wonderful introduction and for having
5 this day be a part of our history here in the
6 State Senate.

7 I'd like to thank my cosponsor on
8 the resolution, Senator Walczyk, and all of my
9 colleagues in the Senate for your support on
10 passing this resolution to proclaim May 30th as
11 10th Mountain Division and Fort Drum Day in the
12 State of New York.

13 I'd like to recognize the senior
14 leadership, who's here today, especially
15 Deputy Commander Colonel Matt Braman for your
16 wonderful, wonderful remarks -- you really jazzed
17 up the Senate this afternoon, and we appreciate
18 that.

19 For Colonel James Key, for the
20 wonderful prayer that we all could use today.

21 Command Sergeant Major Nema Mobar.

22 And of course Colonel James
23 Zacchino, the garrison commander.

24 Fort Drum is renamed in honor of
25 Lieutenant General Hugh Drum, a decorated

1 national hero and former commander of 1st Army.
2 But Fort Drum Day is about more than honoring a
3 place of great historical significance. It also
4 honors the brave men and women of Fort Drum
5 today, who continue to demonstrate commitment and
6 valor in the name of protecting our freedoms.

7 Which also allows me to thank -- and
8 I have a special place in my heart for enlisted
9 members. My husband was enlisted in the Army.
10 He left as a specialist. He was in Fort Carson
11 in the Infantry Division. So I just want to
12 thank you all for being here today.

13 I was joking with them earlier that
14 I know it was a long four-day weekend, so I do
15 think that they got out of PT this morning, so I
16 hope that's a good surprise today.

17 (Laughter.)

18 SENATOR SCARCELLA-SPANTON: The
19 soldiers of the 10th Mountain Division have
20 exemplified honor, distinction and immense
21 sacrifice in service to our nation. It has been
22 instrumental in numerous missions worldwide,
23 advising and assisting operations across the
24 globe. These soldiers have fiercely defended our
25 nation and protected our freedoms, often at great

1 personal cost.

2 Fort Drum has been the proud home of
3 the renowned 10th Mountain Division for over
4 three decades, a division that has consistently
5 proven itself as one of the most deployed in the
6 United States Army. In addition to its vital
7 role in national defense, Fort Drum stands as the
8 largest employer in Northern New York and is our
9 state's largest single-site employer. They are
10 our neighbors, coworkers, classmates, friends and
11 fellow New Yorkers.

12 As a member of a military family
13 myself, I know how hard it is firsthand when your
14 family member deploys. The community that
15 Fort Drum has created is there for each other, to
16 support one another through ups and downs. And
17 that's what makes it so special.

18 It is my true honor to welcome you
19 all here today, and I proudly vote aye.

20 Thank you.

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

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

25 I want to thank my colleague

1 Majority Leader Senator Stewart-Cousins; Senator
2 Scarcella-Spanton, for bringing the resolution
3 forward; and of course Senator Walczyk for
4 continuing to make sure that this day happens
5 here in Albany. As the Majority Leader said,
6 this has gone on since 2012.

7 And, you know, we've all heard
8 about -- we know that this is the most deployed
9 unit, period, in the U.S. Army. Obviously since
10 9/11 they have been the most deployed unit in the
11 United States military.

12 We know the impact and I'm sure
13 we're going to hear about the impact in the
14 North Country and to the surrounding communities.
15 And that's not uncommon, but it's very special to
16 have a unit this storied that calls New York
17 home. Because Fort Drum doesn't really exist
18 without the 10th Mountain Division. Fort Drum is
19 simply -- it's a federal installation, but
20 without that unit there operating out of
21 Fort Drum, doing its global mission that you
22 heard, Fort Drum doesn't exist and the impact on
23 New York State and the North Country doesn't
24 happen.

25 But I think it's important to know

1 two things, for the folks in this room. In the
2 United States military, everybody wears a patch
3 on their arm, and that's the unit that you are
4 serving in, and in some cases you wear a patch of
5 a unit that you have served with in combat. You
6 may not be with that unit currently, but you
7 served in combat with that unit.

8 The 10th Mountain Division is a unit
9 that is known throughout the U.S. Army. It is a
10 storied unit. You don't have to explain what it
11 is. There are some patches -- there are many
12 units in the U.S. Army that if you've never
13 served in that division or never served in that
14 battalion, maybe you don't know that unit patch.
15 But everybody knows the 10th Mountain patch. And
16 there is no further explanation that is needed
17 when you see it. And we are very -- we should be
18 very proud to have that storied unit call
19 New York home.

20 And then lastly, I'll just say we
21 just observed Memorial Day. A lot of you spent
22 time at parades and at ceremonies. Three hundred
23 twenty-eight, by my last count -- it may be more
24 now, but we'll just say well over 300 soldiers
25 since 9/11 have lost their lives serving with

1 10th Mountain. And when you think about the most
2 deployed unit, when you think about the economic
3 opportunity to the North Country, when you think
4 about all these things that are great and should
5 be celebrated, there's a price that that comes
6 with.

7 There's a price to be the most
8 deployed unit in the United States military. And
9 that price is paid in blood. And that is the
10 price of our freedom and our way of life here in
11 New York and across the country.

12 And so to all of you who are here
13 today, and to your brothers and sisters in arms
14 who are not here today, I say thank you for your
15 service, thank you for your sacrifice, and thank
16 you for being here today.

17 God bless you, and may God bless the
18 United States of America.

19 Thank you, Mr. President.

20 ACTING PRESIDENT BAILEY: Senator
21 Walczyk on the resolution.

22 SENATOR WALCZYK: Mr. President,
23 thank you so much.

24 Welcome to the 10th Mountain
25 Division and Fort Drum Day. And I want to say to

1 you, Majority Leader, thank you so much for
2 making today possible. Also to the Secretary of
3 the Senate, to Ale, for all the behind-the-scenes
4 work that goes into a day like today. We
5 appreciate it.

6 And you mentioned -- Majority
7 Leader, you mentioned my predecessor, Senator
8 Patty Ritchie, who started this thing up. I was
9 actually on her staff in 2012 when we started the
10 very first 10th Mountain Division and Fort Drum
11 Day here in the Senate chamber. And this has
12 been a time-honored tradition that I am so proud
13 to carry the torch on, alongside an excellent
14 selection that you made, if I might add, for your
15 Veterans and Military affairs chair in Jessica
16 Scarcella-Spanton. She's been great to work with
17 on 10th Mountain Division and Fort Drum Day, and
18 veterans issues in general.

19 And Leader Ortt, thank you so much
20 for your support of today and of veterans.

21 Please pass back from all of us to
22 General Anderson, gentlemen, give him our best.
23 Major General Anderson is deployed forward in
24 Europe right now. He would have been up where
25 the president of the Senate is today, delivering

1 those remarks himself, if he was stateside. But
2 it's a perfect example, Leader Ortt, as you
3 pointed out, of the time-honored tradition, the
4 storied legacy of the 10th Mountain Division.

5 They have a saying, and it is so
6 true, that the sun never sets on the
7 10th Mountain Division patch because they are
8 forward in all kinds of places around the globe,
9 training, fighting, keeping us safe.

10 You know, as host of the
11 10th Mountain Division, I think of Fort Drum, the
12 economic impact of, you know, being a military
13 community and supporting their mission. But as
14 United States citizens, you should know that that
15 recognizable patch that the leader mentioned, of
16 crossed bayonets with a mountain tab over it, is
17 something that we should all be very proud as
18 New Yorkers to be the host.

19 To Colonel Braman, thank you so much
20 for your remarks. And if you didn't hear the
21 message from him, I'll repeat it once again.
22 Recruit, recruit, recruit. There's an excellent
23 division here in New York State where young men
24 and women from your districts can continue to
25 call home in New York, and there is a place for

1 them in this United States Army, I promise.

2 To CSM Mobar, thanks for being here
3 today. Again, want to pass along our best to
4 Major General Anderson and thank you for all the
5 leadership that you provide.

6 And to Lieutenant Colonel Cleveland,
7 thank you for all the organization today.

8 For our mayor of Fort Drum, also
9 known on the Army side as a garrison commander,
10 to Jim Zacchino, thank you, sir, for all of the
11 work that you do to mesh our homes and make sure
12 that there's good integration between, you know,
13 our community in the North Country and yours.

14 And I do want to, on behalf of the
15 members here, invite some of those guests that
16 were mentioned earlier. So just for your
17 situational awareness -- and I'll read off their
18 rank and their last name, as well as the town
19 that they're from. And this just represents a
20 small portion. I promise, after a four-day
21 weekend, the commander at Fort Drum didn't send
22 all of New York soldiers down from Fort Drum to
23 sit in the gallery today, because they have
24 important work to do.

25 But here's just a splash, just a

1 representation of the types of troops that are at
2 Fort Drum. Sure, they're from nations around the
3 world, gaining their citizenship through our
4 United States Army program. They're from all
5 over the country and happen to be stationed at
6 our beautiful Fort Drum. But there's also
7 New Yorkers like Sergeant First Class Webster,
8 from Blossvale. Like Staff Sergeant McLoud, from
9 Brooklyn. Like Staff Sergeant Santos-Hobbs, from
10 New Windsor. Like Staff Sergeant Arzu, from
11 Brooklyn. Like Sergeant Poole, from Brooklyn.
12 And there's a Brooklyn theme here, but all five
13 boroughs, I promise, are represented in the
14 10th Mountain Division.

15 Like Sergeant Toussaint, from
16 Brooklyn. Like Sergeant Crim, from Ilion, home
17 of Remington Arms. Like Sergeant Doyle, from
18 Carthage. Like Sergeant Deluna, from Brooklyn.
19 Like Specialist Boadu, from Centereach. Like
20 Specialist Vasquez, from Manhattan, who turns
21 wrenches on a lot of the Army vehicles that keep
22 rolling along.

23 Like Specialist Finney, from the
24 Bronx. Like Private First Class Shackelford,
25 from Rocky Point. Like PV2 Marvin, from Corning,

1 in the Finger Lakes. And a special shout out to
2 First Lieutenant Allie Rios, from Carthage,
3 New York, who graduated with my brother-in-law,
4 no less.

5 Now, there in the gallery are
6 first-generation Americans and sometimes some
7 longstanding traditions of military service, or
8 colloquially we'll call them military brats. But
9 no matter what their family history or where
10 they're from, they put on the same uniform. And
11 despite what patch they might have for combat or
12 for the unit that they're with, they all wear the
13 United States flag -- and it looks backwards when
14 you look at an Army uniform, but there's only one
15 reason for that, and it's because the Army is
16 always charging forward. They all wear our flag,
17 and they all call New York State home.

18 Today we're also joined by some
19 excellent groups of advocacy, led by Advocate
20 Drum and joined by the Tug Hill Commission, the
21 Fort Drum Regional Health Planning Organization,
22 the Development Authority of the North Country,
23 the Greater Watertown Chamber of Commerce, and
24 the Planning Today for Tomorrow. These are just
25 some of the groups that are impacted by the

1 presence of the largest single-site employer in
2 New York State.

3 As was said about the history, the
4 Army installation located in Jefferson County has
5 a long and incredible history dating back to the
6 War of 1812, where Sackets Harbor -- which was a
7 consequential place for the Navy, no less --
8 became the headquarters for the northern
9 frontier. In the postwar, the United States
10 realized the importance of training troops, which
11 led to the creation of Madison Barracks.

12 And by 1907, firearm technology
13 outgrew that area of the Madison Barracks. The
14 Army looked for a new location, landing on the
15 area in Felts Mills just north of the
16 Black River. A small tent encampment was born
17 under the name Camp Hughes, which was mentioned
18 earlier by the Majority Leader.

19 Just a year later, President Ulysses
20 Grant's oldest son, Frederick, led a militia of
21 8,000 men throughout the Northeast and discovered
22 Pine Plains above Black River to be a vital
23 resource to train troops. Money was allocated to
24 purchase the land, and Pine Camp was born.

25 And in 1951 Pine Camp became

1 Camp Drum and was utilized in the Korean
2 conflicts due to its advantages of tough terrain
3 and climate. And in the Army, it certainly gets
4 a reputation for the climate, because you get
5 every amount of weather you could imagine at
6 Fort Drum.

7 In 1974, a permanent garrison was
8 assigned and the post was designated Fort Drum.
9 But we know Fort Drum from when the 10th Mountain
10 Division came in 1985 and was officially
11 reactivated in Northern New York.

12 Fort Drum now consists of 107,000
13 acres of well-managed wildlife refuge that
14 soldiers also train in. Mobilization and
15 training of almost 8,000 troops annually. So not
16 just the active duty of the 10th Mountain
17 Division, but the National Guard and the Reserves
18 heavily use this area, many of them from areas in
19 your community.

20 It's the largest single-site
21 employer in New York State -- that was mentioned
22 earlier. And Fort Drum is not just vital to the
23 protection of our country, but it is a huge
24 economic driver for the State of New York. As
25 the Majority Leader pointed out earlier,

1 \$1.6 billion to our economy. Not insignificant
2 whatsoever.

3 So Fort Drum has a motto that was
4 mentioned earlier, and that's "Climb to Glory,"
5 and the proper response is "To the Top." And
6 New York State also has its own motto, and it's
7 written on our seal, "Excelsior," meaning "Ever
8 Upward." And I always love to compare the
9 10th Mountain Division's motto to ours, because I
10 think our 10th Mountain Division goes hand in
11 hand with the motto of New York State.

12 The 10th Mountain Division Light
13 Fighters are the embodiment of our motto, of
14 Excelsior, meaning "ever upward." The sun never
15 sets on the 10th Mountain Division patch. They
16 train hard, and they are known by the
17 United States Army as the "Blue-Collar Division."
18 They are ready to just get after it and get to
19 work with what the Army needs done.

20 They lean forward, and they
21 innovate. They remain ready to fight for us on a
22 moment's notice. And all you have to do is watch
23 their deployment cycles to know that they're
24 always doing so.

25 Yesterday, as Minority Leader Ortt

1 mentioned, was Memorial Day, and we paused to
2 honor the war dead. Today, on the 10th Mountain
3 Division and Fort Drum Day, I appreciate the
4 opportunity that we've been given today to pause
5 and honor those who are still climbing to glory.

6 And I would say to you soldiers of
7 the 10th Mountain Division: Keep climbing,
8 Excelsior, and we'll see you at the top.

9 Thank you, Mr. President.

10 ACTING PRESIDENT BAILEY: To our
11 guests, I thank you very much for your service
12 and welcome you on behalf of the Senate. We
13 extend to you the privileges and courtesies of
14 this house.

15 Please rise and be recognized.

16 (Lengthy standing ovation.)

17 ACTING PRESIDENT BAILEY: The
18 resolution was previously adopted on May 2nd.

19 Senator Gianaris.

20 SENATOR GIANARIS: Mr. President,
21 Senator Scarcella-Spanton would like to open that
22 resolution for cosponsorship.

23 ACTING PRESIDENT BAILEY: The
24 resolution is open for cosponsorship. Should you
25 choose not to be a cosponsor, please notify the

1 desk.

2 Senator Gianaris.

3 SENATOR GIANARIS: Mr. President, I
4 have a series of motions we'll take up at this
5 time.

6 Amendments are offered to the
7 following Third Reading Calendar bills:

8 By Senator Cleare, on page 22,
9 Calendar Number 203, Senate Print 1212A;

10 By Senator Hoylman-Sigal, page 23,
11 Calendar Number 247, Senate Print 1783;

12 By Senator Parker, page 34, Calendar
13 Number 581, Senate Print 5126;

14 By Senator Rivera, page 35, Calendar
15 Number 620, Senate Print 1366;

16 By Senator Hoylman-Sigal, page 36,
17 Calendar 645, Senate Print 5107;

18 By Senator Skoufis, page 39,
19 Calendar Number 702, Senate Print 6026;

20 By Senator Cleare, page 40, Calendar
21 Number 711, Senate Print 2920;

22 By Senator Liu, page 40, Calendar
23 Number 725, Senate Print 760A;

24 By Senator Skoufis, page 44,
25 Calendar Number 800, Senate Print 1717;

1 By Senator Krueger, page 56,
2 Calendar Number 1018, Senate Print 1736B;

3 By Senator Hoylman-Sigal, page 61,
4 Calendar Number 1070, Senate Print 895;

5 By Senator Hinchey, page 65,
6 Calendar Number 1112, Senate Print 6226;

7 By Senator Breslin, page 71,
8 Calendar Number 1179, Senate Print 2677;

9 Senator Breslin again, page 72,
10 Calendar Number 1180, Senate Print 2679A;

11 By Senator Krueger, page 37,
12 Calendar Number 656, Senate Print 154B.

13 ACTING PRESIDENT BAILEY: The
14 amendments are received, and those bills will
15 retain their place on the Third Reading Calendar.

16 Senator Gianaris.

17 SENATOR GIANARIS: I also wish to
18 call up the following bills, which were recalled
19 from the Assembly and are now at the desk:

20 Senate Print Numbers 1303, 1867,
21 2175, 2140A, 809, 4878, 5186, 3586, 3285, and
22 454.

23 ACTING PRESIDENT BAILEY: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 129, Senate Print 1303, by Senator Parker, an act
2 to amend the Public Service Law.

3 Calendar Number 248, Senate Print
4 1867, by Senator Brouk, an act to amend the
5 Public Health Law.

6 Calendar Number 258, Senate Print
7 2175, by Senator Kennedy, an act to amend the
8 Workers' Compensation Law.

9 Calendar Number 287, Senate Print
10 2140A, by Senator Liu, an act to amend the
11 Education Law.

12 Calendar Number 323, Senate Print
13 809, by Senator Serrano, an act to amend the
14 Parks, Recreation and Historic Preservation Law.

15 Calendar Number 419, Senate Print
16 4878, by Senator Mayer, an act to amend the
17 Labor Law.

18 Calendar Number 511, Senate Print
19 5186, by Senator Mayer, an act to amend the
20 Environmental Conservation Law.

21 Calendar Number 1087, Senate Print
22 3586, by Senator Fernandez, an act to amend the
23 Veterans' Services Law.

24 Calendar Number 330, Senate Print
25 3285, by Senator Thomas, an act to amend the

1 General Business Law.

2 Calendar Number 393, Senate Print
3 454, by Senator Gianaris, an act to amend the
4 General Municipal Law.

5 SENATOR GIANARIS: I move to
6 reconsider the vote by which these bills were
7 passed.

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 58.

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

15 SENATOR GIANARIS: I offer the
16 following amendments.

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

20 Senator Gianaris.

21 SENATOR GIANARIS: Please recognize
22 Senator Lanza.

23 ACTING PRESIDENT BAILEY: Senator
24 Lanza.

25 SENATOR LANZA: Mr. President,

1 amendments are offered to the following Third
2 Reading Calendar bills:

3 Senator Rolison, page 39, Calendar
4 Number 693, Senate Print 5362B;

5 Senator Martins, page 66, Calendar
6 Number 1119, Senate Print 6797;

7 Senator Palumbo, page 25, Calendar
8 Number 306, Senate Print 2500A.

9 Mr. President, I now move that these
10 bills retain their place on Third Reading
11 Calendar.

12 ACTING PRESIDENT BAILEY: The
13 amendments are received, and those bills will
14 retain their place on the Third Reading Calendar.

15 Senator Gianaris.

16 SENATOR GIANARIS: Please recognize
17 Senator Rhoads for an introduction.

18 ACTING PRESIDENT BAILEY: Senator
19 Rhoads for the purposes of an introduction.

20 SENATOR RHOADS: Thank you,
21 Senator Gianaris. And thank you, Mr. President.

22 Eleanor Powell once gave the famous
23 quote that what we are is God's gift to us, but
24 what we become is our gift back to God.

25 And as many of you know, and I've

1 spoken about it a couple of times, I actually --
2 before I got into government at all, I had the
3 opportunity to be the youth minister at St. Pius
4 X Parish in Plainview -- serving the
5 Plainview-Old Bethpage community, that I've done
6 for the last 10 years.

7 And I'm happy that we have a couple
8 of our youth group alumni that are actually with
9 us here in the chamber today.

10 These kids, one of the things that
11 we always emphasize to them is that we've got a
12 responsibility -- it's something we all know in
13 our hearts -- we've got a responsibility to
14 something greater than ourselves, to try and use
15 the gifts and talents that we've been given to
16 try and make our corner of the world a little bit
17 better for having been here.

18 And the kids that we have with us
19 here today -- I can't say kids anymore, they're
20 young adults that we have with us today. And the
21 kids that are part of our program back at home
22 spend hundreds of hours over the course of their
23 four-year career in our program participating in
24 things like Families Feeding Families food
25 drives, delivering meals to home-bound seniors,

1 as part of Carroll's Kitchen, collecting coats
2 for the homeless, delivering toys to orphanages
3 and to shelters. They truly embody, through the
4 work that they do, some of the best that their
5 generation has to offer.

6 And I'm very proud that they're with
7 us here today. And up in the gallery I have
8 Brendan Von Runnen, who is a Wantagh Warrior, who
9 is actually my assistant youth minister and is an
10 analyst for the Nassau County Police Department
11 while he's finishing his master's at St. John's.

12 I have John Dossie, who just
13 completed his freshman year at Boston College;
14 Tyler Dady, who just completed his freshman year
15 at the State University of New York at
16 Binghamton; Ryan Farrell, who just completed his
17 freshman year at the University of Notre Dame.

18 And we all come to this chamber to
19 talk about very important issues, and we all have
20 things that motivate us each day to get up and do
21 the job. And the folks that are here today and
22 the kids that are back home are my reminder of
23 why we come here and why the issues that we
24 debate matter.

25 So, Mr. President, I ask that you

1 please extend our guests the courtesies of the
2 house and welcome them to the Senate.

3 ACTING PRESIDENT BAILEY: Thank
4 you, Senator Rhoads.

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

8 Please rise and be recognized.

9 (Standing ovation.)

10 ACTING PRESIDENT BAILEY: Senator
11 Gianaris.

12 SENATOR GIANARIS: Mr. President,
13 at this time we're going to simultaneously take
14 up the calendar and call an immediate meeting of
15 the Rules Committee in Room 332.

16 ACTING PRESIDENT BAILEY: There
17 will be an immediate meeting of the
18 Rules Committee in Room 332.

19 And the Secretary will read.

20 THE SECRETARY: Calendar Number
21 154, Senate Print 1066B, by Senator Mayer, an act
22 to amend the Criminal Procedure Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 12. 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 154, those Senators voting in the
9 negative are Senators Ashby, Borrello,
10 Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo,
11 Helming, Lanza, Martinez, Martins, Mattera,
12 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
13 Rolison, Stec, Tedisco, Walczyk and Weber.

14 Ayes, 36. Nays, 22.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 181, Senate Print 1873A, by Senator Webb, an act
19 to amend the Executive Law.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: Ayes, 58.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 196, Senate Print 1733A, by Senator Mayer, an act
9 to amend the Election Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect on the first of July.

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar 196, those Senators voting in the
21 negative are Senators Ashby, Borrello,
22 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
23 Lanza, Martinez, Martins, Mattera, Murray,
24 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
25 Rolison, Stec, Tedisco, Walczyk and Weber.

1 Ayes, 37. Nays, 21.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 197, Assembly Print Number 6291A, by
6 Assemblymember Burdick, an act to amend the
7 Executive Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 58.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 249, Senate Print 2124, by Senator Rivera, an act
23 to amend the Social Services Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

1 THE SECRETARY: Section 3. 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: Ayes, 58.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 Calendar Number 306 is high and will
12 be laid aside for the day.

13 THE SECRETARY: Calendar Number
14 318, Senate Print 179, by Senator Jackson, an act
15 to amend the Civil Service Law.

16 SENATOR SERRANO: Lay it aside for
17 the day.

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

20 THE SECRETARY: Calendar Number
21 320, Senate Print 253A, by Senator Serrano, an
22 act to amend the Arts and Cultural Affairs Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 120th day after it
2 shall have become a law.

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: Ayes, 58.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 401, Senate Print 209A, by Senator Cleare, an act
13 to amend the Education Law.

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: Ayes, 58.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 422, Senate Print 5055, by Senator Parker, an act
3 in relation to alternative finance investment
4 bonds.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar 3422, those Senators voting in the
16 negative are Senators Ashby, Borrello,
17 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
18 Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt,
19 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk
20 and Weber.

21 Ayes, 39. Nays, 19.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 425, Assembly Number 343A, by Assemblymember

1 Burdick, an act to amend the Public Service Law.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 425, those Senators voting in the
13 negative are Senators Mattera, Oberacker, O'Mara,
14 Ortt and Walczyk.

15 Ayes, 53. Nays, 5.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 430, Assembly Print Number 1371A, by
20 Assemblymember Rosenthal, an act to amend the
21 State Technology Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

24 THE SECRETARY: Section 2. 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 430, those Senators voting in the
8 negative are Senators O'Mara, Ortt and Walczyk.

9 Ayes, 55. Nays, 3.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 435, Senate Print 416, by Senator Thomas, an act
14 to amend the Highway Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

17 THE SECRETARY: Section 3. 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: Senator
23 Rhoads to explain his vote.

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

1 This particular location happens to
2 be inside the Fifth Senate District, which I
3 represent. And this is a resolution that is long
4 overdue. Trooper MacLarnon lost his life in
5 January of 1931.

6 He was killed when he was struck by
7 a vehicle at the intersection of the Southern
8 State Parkway and the Wantagh Parkway. He had
9 just parked -- there used to be booths, actually,
10 located on the parkways themselves at major
11 intersections. He was a motorcycle officer and
12 was actually killed when he parked his
13 motorcycle, walking to his booth, when he was
14 struck by a motor vehicle.

15 And I'm thrilled that ninety -- I've
16 got to do a little math here -- but 92 years
17 after the fact, we are finally giving this hero
18 the recognition that he deserves. I want to
19 thank my colleagues for voting aye on the
20 resolution. I do the same.

21 Thank you, Mr. President.

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

24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar Number 435, voting in the negative:

2 Senator Brisport.

3 Ayes, 58. Nays, 1.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 437, Senate Print 2515B, by Senator Ramos, an act
8 to amend the Vehicle and Traffic Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 441, Senate Print 4262A, by Senator Webb, an act
24 to amend the Highway Law.

25 SENATOR SERRANO: Lay it aside for

1 the day.

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

4 THE SECRETARY: Calendar Number
5 465, Senate Print 1901A, by Senator Stavisky, an
6 act to amend the Criminal Procedure 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 Number 465, voting in the negative:
18 Senator Brisport.

19 Ayes, 58. Nays, 1.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 516, Senate Print 5036A, by Senator May, an act
24 to amend the Education Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

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: Ayes, 59.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 520, Assembly Print Number 2609A, by
15 Assemblymember Hyndman, an act to amend the
16 Public Health Law.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

19 THE SECRETARY: Section 2. 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: Ayes, 59.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 541, Senate Print 1293, by Senator Parker, an act
6 directing the Department of Public Service to
7 prepare a written report on the affordability of
8 utility services.

9 SENATOR PALUMBO: Lay it aside.

10 ACTING PRESIDENT BAILEY: Lay it
11 aside.

12 THE SECRETARY: Calendar Number
13 566, Senate Print 2832A, by Senator Breslin, an
14 act to amend the Penal Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

17 THE SECRETARY: Section 3. 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: Ayes, 59.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 606, Senate Print 4097B, by Senator Gounardes, an
4 act to amend the Civil Service Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce
13 the results.

14 THE SECRETARY: Ayes, 59.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 612, Assembly Print Number 6857, by
19 Assemblymember Fall, an act to amend Chapter 306
20 of the Laws of 2011.

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: Ayes, 59.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 663, Senate Print 5823C, by Senator Mayer, an act
10 to amend the General Business Law.

11 SENATOR PALUMBO: Lay it aside.

12 SENATOR SERRANO: Lay it aside for
13 the day.

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

16 THE SECRETARY: Calendar Number
17 679, Senate Print 3475, by Senator Stavisky, an
18 act to amend the Education Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

21 THE SECRETARY: Section 4. 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 679, those Senators voting in the
5 negative are Senators Ashby, Borrello,
6 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
7 Martins, Mattera, Murray, Oberacker, O'Mara,
8 Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk and
9 Weber.

10 Ayes, 41. Nays, 18.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 682, Assembly Print Number 5806, by
15 Assemblymember Burdick, an act to amend
16 Chapter 405 of the Laws of 2011.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

19 THE SECRETARY: Section 2. 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: Ayes, 59.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 703, Assembly Print Number 5742A, by
6 Assemblymember Slater, an act to amend the
7 Public Officers Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 730, Assembly Print Number 5604, by
22 Assemblymember Magnarelli, an act to amend the
23 Vehicle and Traffic Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

1 THE SECRETARY: Section 2. 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: Ayes, 59.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 744, Assembly Print Number 3057, by
14 Assemblymember Cruz, an act to amend the
15 Criminal Procedure Law.

16 SENATOR PALUMBO: Lay it aside.

17 SENATOR SERRANO: Lay it aside for
18 the day.

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

21 THE SECRETARY: Calendar Number
22 756, Senate Print 550, by Senator Kennedy, an act
23 to amend the Racing, Pari-Mutuel Wagering and
24 Breeding Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

2 THE SECRETARY: Section 2. This
3 act shall take effect on the 60th day after it
4 shall have become a law.

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: Ayes, 59.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 764, Senate Print 5621B, by Senator May, an act
15 to amend the Public Officers Law.

16 ACTING PRESIDENT BAILEY: Read the
17 last section.

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

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 764, those Senators voting in the
2 negative are Senators Griffo, Oberacker, O'Mara,
3 Ortt, Stec and Walczyk.

4 Ayes, 53. Nays, 6.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 776, Senate Print 6424B, by Senator Persaud, an
9 act to amend the Social Services Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 808, Senate Print 2049, by Senator Felder, an act
24 to amend the Education Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

2 THE SECRETARY: Section 3. This
3 act shall take effect on the first of April.

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, 59.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 823, Senate Print 6349, by Senator Breslin, an
14 act to amend the Executive 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: Ayes, 60.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 827, Senate Print 543, by Senator Gianaris, an
4 act to amend the Tax Law and the Administrative
5 Code of the City of New York.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

8 THE SECRETARY: Section 13. 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 Number 827, those Senators voting in the
17 negative are Senators Ashby, Borrello,
18 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
19 Lanza, Martins, Mattera, Murray, Oberacker,
20 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
21 Tedisco, Walczyk and Weber.

22 Ayes, 40. Nays, 20.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 830, Senate Print 1480, by Senator Hinchey, an
2 act to amend the Executive Law.

3 ACTING PRESIDENT BAILEY: Read the
4 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: Ayes, 61.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 823, Assembly Print Number 1510, by
17 Assemblymember Jean-Pierre, an act to establish a
18 Black youth suicide prevention task force.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

21 THE SECRETARY: Section 2. This
22 act shall take effect on the 60th day after it
23 shall have become a law.

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 833, Senate Print 2099C, by Senator Harckham, an
9 act to amend the Public Health Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

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

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 865, Senate Print 167, by Senator Gianaris, an
25 act to amend the Criminal Procedure Law.

1 SENATOR LANZA: Lay it aside.

2 ACTING PRESIDENT BAILEY: Lay it
3 aside.

4 THE SECRETARY: Calendar Number
5 867, Senate Print 1268, by Senator Ortt, an act
6 to amend the Criminal Procedure Law.

7 ACTING PRESIDENT BAILEY: Read the
8 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: Ayes, 61.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 973, Assembly Print Number 6919, by
21 Assemblymember Thiele, an act to amend the
22 Indian 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: Senator
6 Palumbo to explain his vote.

7 SENATOR PALUMBO: Thank you,
8 Mr. President.

9 And I appreciate your allowing me to
10 interrupt the proceedings to explain my vote.
11 And I do appreciate this bill coming to the floor
12 again. I thank the Majority for doing it. It
13 passed unanimously last year. It's been around
14 for a few years, to recognize the Montaukett
15 Indian Nation.

16 And I just want to read a little bit
17 from the bill text, because I think there's some
18 confusion. Governor Cuomo sent this for a study
19 a few years ago when it passed, and vetoed it,
20 saying that this situation needed to be further
21 examined in order for the Montaukett Nation to be
22 recognized as a new entity.

23 But this is what's important to
24 know. The Montaukett Indian Nation is seeking
25 reinstatement of its recognition and

1 acknowledgment by the State of New York. Such
2 recognition and acknowledgment was improperly
3 removed from the Montaukett Indian Nation in
4 1910, in the case of Pharaoh v. Benson, when the
5 Montaukett Indian Nation was declared to be,
6 quote, extinct.

7 The court ruled that "the tribe has
8 disintegrated and been absorbed into the mass of
9 citizens and at the time of commencement of this
10 action there was no tribe of Montaukett Indians."

11 This arbitrary ruling ignored
12 earlier United States Supreme Court decisions
13 defining Indian Nations according to the criteria
14 under which the Montaukett Indian Nation
15 qualified as an existing sovereign tribe, and
16 giving Congress, rather than the courts, power to
17 decide the status of an Indian.

18 And what's important to note is this
19 was a land dispute in, of course, Montauk, where
20 a wealthy developer was looking to develop land.
21 The Montaukett Nation said: This is our land.
22 And the court improperly and quite reprehensibly,
23 in my opinion, just said they don't exist, just
24 stripped their status as a people. Not only took
25 their property, but took their identity.

1 So this is a very important bill.
2 And this was vetoed last year by the Governor
3 because I think that wasn't clear, that this
4 isn't someone seeking to get new recognition as a
5 nation. They just want reinstatement for what is
6 rightfully theirs.

7 So I'm proud to vote aye. I
8 appreciate all of you voting as you did last year
9 and unanimously passing this. This is very
10 important. And I would just respectfully ask
11 that the Governor really look at this closely,
12 because this is not a new application, this is
13 something they deserve.

14 Thank you.

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

17 Announce the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 982, Senate Print 1803A, by Senator Ramos, an act
23 to amend the Veterans' Services Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

1 THE SECRETARY: Section 3. This
2 act shall take effect on the first of April.

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: Ayes, 61.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 991, Senate Print 397, by Senator Cleare, an act
13 directing the Metropolitan Transportation
14 Authority to study the transportation and housing
15 needs of Randalls and Wards Islands.

16 ACTING PRESIDENT BAILEY: Read the
17 last section.

18 THE SECRETARY: Section 3. 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: Ayes, 61.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1003, Assembly Print Number 4264, by
5 Assemblymember Paulin, an act to amend the
6 General Business Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

9 THE SECRETARY: Section 2. This
10 act shall take effect on the 60th day after it
11 shall have become a law.

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Senator
16 Webb to explain her vote.

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

19 This legislation expands upon last
20 year's chapter requiring truck stops to visibly
21 post human trafficking informational signs or
22 cards in its public bathrooms.

23 This bill would require information
24 concerning services for human trafficking victims
25 to be posted in lactation rooms at truck stops.

1 These informational cards and signs must only
2 contain information concerning services for human
3 trafficking victims and prominently include the
4 National Human Trafficking Hotline telephone
5 number.

6 New York State is a major gateway
7 state on this critical issue, and human
8 trafficking is also a global phenomena that
9 generates \$150 billion in annual profits. In
10 2021, an estimated 25 million people were
11 trafficked.

12 The anonymity and isolation and the
13 opportunity for a concentration of clients in one
14 place make truck stops ideal locations for
15 traffickers to exploit their victims. Many
16 victims are heavily supervised and controlled.
17 That also results in them being prevented from
18 seeking safety and help and also additional
19 resources without fear of retaliation.

20 As known trafficking hubs, they are
21 the best place to provide information about
22 victim's services. I vote aye, and I encourage
23 my colleagues to do the same.

24 Thank you, Mr. President.

25 ACTING PRESIDENT BAILEY: Senator

1 Webb to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1005, Senate Print 1836, by Senator Griffo, an
8 act to amend the Highway Law and the Vehicle and
9 Traffic Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

12 THE SECRETARY: Section 4. This
13 act shall take effect on the 120th day after it
14 shall have become a law.

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar Number 1005, voting in the negative:
22 Senator Skoufis.

23 Ayes, 60. Nays, 1.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1008, Senate Print 4085A, by Senator Harckham, an
3 act to amend the Highway Law.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

6 THE SECRETARY: Section 3. 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 Number 1008, voting in the negative:
15 Senator Brisport.

16 Ayes, 60. Nays, 1.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1019, Senate Print 1737, by Senator Krueger, an
21 act to amend the Public Authorities Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

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

1 shall have become a law.

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 1019, those Senators voting in the
9 negative are Senators Borrello,
10 Canzoneri-Fitzpatrick, Griffo, Martins, Murray,
11 O'Mara, Ortt, Rhoads and Walczyk.

12 Ayes, 52. Nays, 9.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 Senator Gianaris.

16 SENATOR GIANARIS: Mr. President,
17 can we pause in the calendar to recognize
18 Senator Thomas for a quick introduction.

19 ACTING PRESIDENT BAILEY: Senator
20 Thomas for the purpose of a quick introduction.

21 SENATOR THOMAS: Thank you,
22 Mr. President.

23 I want to extend my sincere welcome
24 to some future leaders here in this great state,
25 sitting up in the gallery today from my Senate

1 district.

2 Welcome to Albany, Baldwin High
3 School students. A shout out to the Baldwin
4 School District teachers, who know how important
5 it is for young minds to understand our state
6 government and what it means to engage with our
7 democratic process.

8 These students created the
9 Youth Change Leader Collaborative in 2022, and
10 were recognized nationally for their presentation
11 on violence, anti-bullying and cyberbullying
12 awareness by Invent to Prevent, a national
13 competition which aims to empower schools and
14 students by challenging them to create and
15 implement products, tools and initiatives to
16 target issues in their communities.

17 Your presence here exemplifies the
18 importance of civic participation and education,
19 and I hope this sparks some inspiration and
20 empowers you to stay involved in the community
21 and help to shape your futures for the better.

22 Mr. President, please give all the
23 courtesies of this chamber to my young leaders,
24 my future leaders.

25 Thank you for being here.

1 ACTING PRESIDENT BAILEY: To our
2 young now and future leaders, we welcome you on
3 behalf of the Senate. We extend to you all of
4 the privileges and courtesies of this house.

5 Please rise and be recognized.

6 (Standing ovation.)

7 ACTING PRESIDENT BAILEY: Senator
8 Gianaris.

9 SENATOR GIANARIS: Let's continue
10 with the calendar.

11 ACTING PRESIDENT BAILEY: The
12 Secretary will read.

13 THE SECRETARY: Calendar Number
14 1020, Senate Print 2144, by Senator Persaud, an
15 act to amend the Social Services Law.

16 ACTING PRESIDENT BAILEY: Read the
17 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: Senator
24 Murray to explain his vote.

25 SENATOR MURRAY: Thank you,

1 Mr. President. I rise to thank the sponsor of
2 this bill, Senator Persaud.

3 This morning -- she is the chair of
4 the Social Services Committee; I'm the ranking
5 Minority member. And this morning we met with
6 our Assembly counterparts in Social Services,
7 discussing issues like this.

8 One of the big issues is the
9 so-called benefits cliff, where some people --
10 they work hard, they earn a raise, but taking
11 that raise might push them to the point where
12 they lose some very necessary benefits for their
13 families. Sometimes they end up passing on the
14 raise that they've earned.

15 This bill addresses something
16 similar. Folks that are trying to better
17 themselves in their career, taking adult training
18 classes or some sort of job training that also
19 offers a little bit of pay, but that might push
20 them over the edge and cause them to lose some
21 very necessary benefits.

22 If we expect people to help
23 themselves and get off of the social services, we
24 need to do our part and help them, and I think
25 this bill goes a long way in doing that.

1 So I'm proud to vote yes. I thank
2 the sponsor. I urge my colleagues to do the
3 same.

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

6 Announce the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1040, Senate Print 6042, by Senator Parker, an
12 act to amend the Mental Hygiene Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

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

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: Ayes, 61.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1041, Assembly Print Number 5074, by
3 Assemblymember Epstein, an act to amend the
4 Criminal Procedure Law and the Penal Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Senator
14 Krueger to explain her vote.

15 SENATOR KRUEGER: Thank you.

16 So Senator Harckham's bill simply
17 points out that when people are dealing with
18 substance abuse or alcoholism, but they may not
19 have a religious orientation, they ought to have
20 the right to go to a program that does not base
21 its premise of, I guess, support and help to be
22 religiously based.

23 I don't understand, in a country
24 that recognizes religious freedom -- which
25 includes the right not to be religious -- why we

1 would want to deprive these people of something
2 that is so fundamentally established within our
3 Constitution.

4 It's not stopping us from telling
5 them they must be in a court-ordered program or
6 that they must participate in the treatment
7 protocols, but simply saying that they don't --
8 that they should be offered a program that does
9 not have a religious theme to it.

10 I don't understand no votes on this
11 at all. I certainly vote yes.

12 Thank you, Mr. President.

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

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 1041, those Senators voting in the
18 negative are Senators Borrello,
19 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
20 Mattera, Murray, Oberacker, O'Mara, Ortt,
21 Palumbo, Rhoads, Stec, Tedisco and Walczyk. Also
22 Senator Weber.

23 Ayes, 45. Nays, 16.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1044, Assembly Print Number 2147, by
3 Assemblymember Dinowitz, an act to amend the
4 Public Health Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce
13 the results.

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1057, Assembly Bill Number 5862, by
19 Assemblymember Buttenschon, an act to authorize
20 Douglas Brenning of the Village of New York Mills
21 to take the competitive civil service
22 examination.

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 Number 1057, voting in the negative:
10 Senator Brisport.

11 Ayes, 60. Nays, 1.

12 ACTING PRESIDENT BAILEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1061, Senate Print 3571, by Senator Skoufis, an
16 act to amend the Labor Law.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

19 THE SECRETARY: Section 2. 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: Ayes, 61.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1064, Senate Print 6410, by Senator Ramos, an act
6 to amend the Insurance Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

9 THE SECRETARY: Section 9. 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: Ayes, 61.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1067, Senate Print 349A, by Senator Cleare, an
21 act to amend the Criminal Procedure Law.

22 SENATOR LANZA: Lay it aside.

23 ACTING PRESIDENT BAILEY: Lay it
24 aside.

25 THE SECRETARY: Calendar Number

1 1068, Senate Print Number 580A, by
2 Senator Hoylman-Sigal, an act to amend the
3 Social Services Law.

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: Senator
12 Hoylman-Sigal to explain his vote.

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

15 And thank you to my colleagues for
16 their support of this legislation.

17 As was mentioned here in recent
18 weeks, we're not yet halfway through the calendar
19 year, yet 17,500 people have already died from
20 gun violence in 2023. And on average, of course,
21 the story is grim in every state across this
22 country. One thousand New Yorkers annually die
23 from gun violence.

24 And many hospitals see a revolving
25 door of gunshot injuries, as patients who have

1 been injured are at high risk of being violently
2 reinjured and are at risk of perpetrating
3 retaliatory violence themselves as a result. In
4 some hospitals, over 40 percent of patients
5 treated for violence injuries return to the
6 emergency room with a new violent injury within
7 five years.

8 Well, we're doing something about
9 that with this legislation, which would allow
10 Medicaid reimbursement for community violence
11 prevention programs. These programs place
12 professional social workers and trained community
13 members in hospital emergency rooms and in
14 communities to deescalate conflict in realtime
15 and work with folks through their violent injury
16 recovery, interrupting cycles of conflict with
17 trusted communicators at the point of violent
18 injury.

19 It's an approach, Mr. President,
20 that has seen enormous success in over
21 30 jurisdictions across at least 19 states.

22 Here in New York, violence
23 interruption programming has been proven to
24 reduce community gun violence by 60 percent.

25 And I'll tell you that the President

1 of the United States himself has praised and
2 encouraged this approach to direct Medicaid,
3 federal dollars, toward these lifesaving health
4 initiatives. California, Connecticut and
5 Illinois have already heeded that call. With our
6 colleagues' support today, New York State will be
7 part of this growing movement.

8 I vote aye, Mr. President.

9 ACTING PRESIDENT BAILEY: Senator
10 Hoylman-Sigal to be recorded in the affirmative.

11 Announce the results.

12 THE SECRETARY: In relation to
13 Calendar Number 1068, those Senators voting in
14 the negative are Senators Borrello, Helming,
15 O'Mara and Ortt.

16 Ayes, 57. Nays, 4.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1069, Senate Print 887, by Senator Cleare, an act
21 to amend the Elder Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect one year after it shall

1 have become a law.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1071, Assembly Print Number 152, by
12 Assemblymember Cruz, an act to amend the
13 Criminal Procedure Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the 60th day after it
18 shall have become a law.

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 Number 1071, those Senators voting in

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

6 Ayes, 43. Nays, 18.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1072, Senate Print 962, by Senator Bailey, an act
11 to amend the Economic Development Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 8. 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: Ayes, 61.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1073, Senate Print 1051, by Senator Cooney, an

1 act to amend the Executive Law.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT BAILEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1074, Senate Print 1755A, by Senator Sanders, an
16 act establishing a commission to determine what
17 benefits a public bank or public authority
18 constituted by the State of New York can provide.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

21 THE SECRETARY: Section 5. 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 Number 1074 those Senators voting in the
5 negative are Senators Borrello, Brisport,
6 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
7 Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt,
8 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk
9 and Weber.

10 Ayes, 42. Nays, 19.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1075, Senate Print 1815, by Senator Stavisky, an
15 act to amend the Criminal Procedure Law.

16 ACTING PRESIDENT BAILEY: Read the
17 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 Number 1075, voting in the negative:
2 Senator Brisport.

3 Ayes, 60. Nays, 1.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1076, Senate Print 1821, by Senator Stavisky, an
8 act to amend the Education Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1077, Senate Print 1865A, by Senator Brouk, an
24 act to amend the Education Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

2 THE SECRETARY: Section 3. This
3 act shall take effect July 16, 2024.

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Senator
8 Brouk to explain her vote.

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

11 Today we're voting on yet another
12 bill that's going to help us to address the
13 mental health crisis that exists here in
14 New York.

15 But within the mental health crisis,
16 there's truly a crisis when it comes to our young
17 people. So I want to share a few statistics that
18 I think will bring to light exactly what we're
19 dealing with here.

20 Among girls, 30 percent say they
21 have seriously considered attempting suicide,
22 double the rate among boys, and up almost
23 60 percent from a decade ago. We see that almost
24 half of our LGBTQ students said they have
25 seriously considered a suicide attempt.

1 These types of things are affecting
2 our young people every single day, especially on
3 their developing brains. So what this bill will
4 do is take this 988 lifeline that we passed and
5 have funded through this legislative body, but
6 actually make sure that that information is on
7 student I.D. cards for students around the State
8 of New York, along with a crisis text line.

9 Because it's not enough for us to be
10 funding these lines and these help services. We
11 actually need to make sure that young people can
12 get this information in that moment that they
13 find themselves in crisis.

14 For those reasons, I vote aye.
15 Thank you.

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

18 Announce the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1078, Senate Print 1963A, by Senator Addabbo, an
24 act to amend the Social Services 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 THE SECRETARY: Calendar Number
13 1079, Senate Print 2143A, by Senator Persaud, an
14 act to amend the Social Services Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the first of April.

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 1079, those Senators voting in the

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

5 Ayes, 47. Nays, 14.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1080, Senate Print 2202A, by Senator Thomas, an
10 act to amend the Highway Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

13 THE SECRETARY: Section 3. 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 Number 1080, voting in the negative:
22 Senator Brisport.

23 Ayes, 60. Nays, 1.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1081, Senate Print 2315, by Senator Cleare, an
3 act in relation to naming a certain state
4 facility after Willie Mae "Goody" Goodman.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Senator
13 Cleare to explain her vote.

14 SENATOR CLEARE: Thank you,
15 Mr. President.

16 Willie Mae Goodman is an absolute
17 treasure. She turned 92 years old a week ago and
18 came to Albany to be honored as my Woman of
19 Distinction.

20 At 92 years young, she saw the
21 Senate chamber for the first time in her life.
22 But she was not new to grassroots advocacy. On
23 behalf of her daughter Margaret and thousands of
24 other children, similarly situated children born
25 with developmental disabilities, she has made

1 quite a mark in history.

2 Willie Mae Goodman drew attention to
3 the inhumane and deplorable conditions at
4 Willowbrook State School and eventually helped
5 close it down. Willie Mae Goodman fought for
6 better and more empowering conditions for all
7 those with developmental disabilities in our
8 state, and she simply would not settle for the
9 depravity of isolation and institutionalization.

10 Willie Mae Goodman was instrumental
11 in bringing lawsuits against the Department of
12 Mental Hygiene, which led to guarantee certain
13 rights, a certain set of rights to the disabled,
14 including the paramount right to live, exist,
15 grow and thrive in their local communities.

16 Today, Willie Mae's daughter
17 Margaret lives in a community residence on
18 119th Street in Harlem, where she was raised and
19 has resided since 1991. It is highly appropriate
20 and fitting to name this facility after the woman
21 who fought so courageously for so many decades to
22 ensure that the most vulnerable among us may live
23 in peace and dignity and support.

24 I believe it is imperative to let
25 our community pioneers know how much we love and

1 appreciate them when they're alive to hear our
2 words. Thank God for Willie Mae Goodman, and may
3 this naming ensure that her wonderful works
4 continue for all time.

5 I proudly vote aye.

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

8 Announce the results.

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1082, Senate Print 2355, by Senator Felder, an
14 act to amend the Family Court Act.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

17 THE SECRETARY: Section 3. 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: Ayes, 61.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1084, Senate Print 3117A, by Senator Mannion, an
4 act to amend the Workers' Compensation Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

7 THE SECRETARY: Section 7. This
8 act shall take effect on the 120th day after it
9 shall have become a law.

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 Number 1084, voting in the negative:
17 Senator Walczyk.

18 Ayes, 60. Nays, 1.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1085, Senate Print 3315, by Senator Sepúlveda, an
23 act to amend the Surrogate's Court Procedure Act.

24 SENATOR LANZA: Lay it aside.

25 ACTING PRESIDENT BAILEY: Lay it

1 aside.

2 THE SECRETARY: Calendar Number
3 1086, Senate Print 3512, by Senator May, an act
4 in relation to authorizing Christopher Walser to
5 take the competitive civil service examination.

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

8 Read the 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 Number 1086, voting in the negative:
18 Senator Brisport.

19 Ayes, 60. Nays, 1.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1088, Senate Print 4407, by Senator Fernandez, an
24 act to amend the Executive 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 THE SECRETARY: Calendar Number
13 1089, Senate Print 4412B, by Senator Ramos, an
14 act to amend the Alcoholic Beverage Control Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

17 THE SECRETARY: Section 5. 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: Ayes, 61.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1090, Senate Print 4621, by Senator Sepúlveda, an
4 act to amend the Correction Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

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 1090, those Senators voting in the
17 negative are Senators Borrello, Gallivan, Griffo,
18 Helming, O'Mara, Ortt, Rhoads, Stec, Tedisco,
19 Walczyk and Weber.

20 Ayes, 50. Nays, 11.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1091, Senate Print Number 4674, by
25 Senator Hoylman-Sigal, an act to amend the

1 Public Health Law.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

4 THE SECRETARY: Section 2. This
5 act shall take effect on the 30th day after it
6 shall have become a law.

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: Ayes, 61.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1092, Senate Print 4715A, by
17 Senator Stewart-Cousins, an act to authorize the
18 Village of Dobbs Ferry to offer an optional
19 20-year retirement plan to a certain police
20 officer.

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

23 Read the 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 Number 1092, voting in the negative:
8 Senator Brisport.

9 Ayes, 60. Nays, 1.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1093, Senate Print 4743, by Senator Webb, an act
14 to amend the Education Law.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

17 THE SECRETARY: Section 3. This
18 act shall take effect on the first of April.

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Senator
23 Webb to explain her vote.

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

1 I rise to explain my vote on this
2 long-time-coming legislation which would create a
3 Black Leadership Institute within the
4 State University of New York.

5 I am thrilled that we were able to
6 secure funding in our budget that we passed to
7 implement the Black Leadership Institute within
8 the SUNY system. This legislation codifies into
9 statute this new initiative to support, retain
10 and foster Black leaders in higher education,
11 with the mission to grow within the SUNY system a
12 greater proportion of Black professionals on
13 SUNY's campuses.

14 Under the leadership of the
15 chancellor, Dr. John King, SUNY is forging ahead
16 with its mission to be the most inclusive
17 university system in the country. The Black
18 Leadership Institute will ensure an investment in
19 the success of Black leaders at SUNY and beyond,
20 fostering an inclusive environment in which they
21 can continue to grow as professionals and as
22 leaders.

23 I vote aye, and I encourage my
24 colleagues to do the same.

25 Thank you, Mr. President.

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

3 Announce the results.

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1094, Senate Print 4751, by Senator Skoufis, an
9 act to amend the Town Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar 1094, those Senators voting in the
21 negative are Senators Borrello,
22 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
23 Kennedy, Lanza, Martinez, Martins, Mattera,
24 Murray, Oberacker, O'Mara, Ortt, Palumbo,
25 Scarcella-Spanton, Stec, Tedisco and Weber. Also

1 Senator Felder.

2 Ayes, 41. Nays, 20.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1095, Senate Print 4818, by Senator Gianaris, an
7 act to amend the General Business Law and the
8 Penal Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

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 Number 1095, those Senators voting in
20 the negative are Senators Ashby, Borrello,
21 Canzoneri-Fitzpatrick, Gallivan, Griffo,
22 Harckham, Helming, Lanza, Mattera, Murray,
23 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
24 Rolison, Stec, Tedisco and Walczyk.

25 Ayes, 42. Nays, 19.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1096, Senate Print 4999, by Senator Helming, an
5 act to amend the Alcoholic Beverage Control Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

8 THE SECRETARY: Section 3. 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, 61.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1098, Senate Print 5056, by Senator Thomas, an
20 act to amend the Financial Services 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 Number 1098, those Senators voting in
7 the negative are Senators Borrello,
8 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
9 Mattera, Murray, Oberacker, O'Mara, Ortt,
10 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk
11 and Weber.

12 Ayes, 44. Nays, 17.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1099, Senate Print 5086, by Senator Mayer, an act
17 to amend the Public Officers Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 1099, those Senators voting in the
4 negative are Senators Borrello,
5 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
6 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
7 Rolison, Tedisco and Weber.

8 Ayes, 47. Nays, 14.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1101, Assembly Print Number 7429, by
13 Assemblymember Woerner, an act to amend
14 Chapter 455 of the Laws of 2011.

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 1101, those Senators voting in the

1 negative are Senators Brisport and Hoylman-Sigal.

2 Ayes, 59. Nays, 2.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1102, Senate Print 5465, by Senator Jackson, an
7 act to amend the Executive Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Senator
17 Jackson to explain his vote.

18 SENATOR JACKSON: Thank you,
19 Mr. President.

20 My colleagues, I rise today to speak
21 in support of my bill, S5465. Today I stand
22 before you to discuss a critical bill that aims
23 to make a significant impact on the lives of
24 caregivers in our society: The Caregiver
25 Discrimination Act.

1 Caregiving is an essential role that
2 affects a substantial portion of our population.
3 And according to the National Alliance for
4 Caregiving, 18 percent of adults in the
5 United States bear caregiving responsibilities.
6 However, it is disheartening to note that
7 caregiving remains undervalued in our society,
8 leaving many caregivers without the support they
9 desperately need.

10 This lack of support becomes
11 incredibly challenging when caring for aging
12 parents or loved ones with serious illness or
13 disabilities.

14 One of the major hurdles caregivers
15 find is the balancing act between caregiving and
16 work. The strain of managing both
17 responsibilities simultaneously often leads to
18 lasting economic consequences. Sadly, this
19 burden falls disproportionately on women, and
20 over 75 percent of all caregivers are women, as
21 reported by the Institute of Aging.

22 Regrettably, caregivers are also
23 susceptible to workplace discrimination. They
24 may be unjustly passed over for promotion or
25 denied opportunities simply because of

1 assumptions that they will not be able to handle
2 more demanding roles while caring for their
3 elderly parent or loved ones. This is not only
4 unfair but also perpetuates inequality and
5 hampers the economic progress of caregivers.

6 The bill before us is a crucial step
7 towards rectifying this situation. If passed, it
8 will ensure that caregivers are provided equal
9 opportunities in the workplace and prohibit
10 discrimination based on a caregiver's status,
11 including the refusal to provide reasonable
12 accommodations in specific circumstances.

13 By enacting this bill, we send a
14 clear message: Caregivers deserve respect,
15 recognition, and fair treatment. We recognize
16 the invaluable role they play in our society and
17 the sacrifices they make every single day. It is
18 our duty to ensure that they have equal access to
19 employment opportunities and are not penalized
20 for fulfilling their caregiving responsibilities.

21 In conclusion, my colleagues, I urge
22 all of you to support this bill. Let us come
23 together to champion caregivers' rights, reduce
24 workplace discrimination, and build a more
25 inclusive society. By doing so, we take

1 significant strides forward towards a fairer and
2 more compassionate future for all of us.

3 Thank you. I vote aye.

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

6 Senator May to explain her vote.

7 SENATOR MAY: Thank you,
8 Mr. President.

9 I want to thank my colleague
10 Senator Jackson for this bill, and my colleagues
11 for supporting it.

12 When I was chair of the Committee on
13 Aging, I met frequently with family caregivers
14 who were making enormous sacrifices, often
15 spending a lot of their own money to create the
16 conditions for their loved ones to thrive in
17 their homes. And if their employers were
18 discriminating against them, that was just adding
19 insult to injury.

20 We are at a moment right now when
21 Congress is considering adding work requirements
22 for SNAP benefits for many people who may be
23 unemployed because they are caregivers. And
24 we've got to make it easier for them to find work
25 if this draconian requirement is going to be

1 applied. But even if it's not, we need them to
2 be able to work if that's what they want to do.

3 And so I feel like this is just a
4 matter of basic fairness, but also supporting
5 those who need the care and supporting our entire
6 economy, because family caregivers save us
7 billions of dollars in medical expenses every
8 year.

9 So I proudly support this bill.

10 Thank you.

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

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar 1102, those Senators voting in the
16 negative are Senators Borrello, Lanza, Oberacker,
17 O'Mara, Ortt, Stec and Walczyk.

18 Ayes, 54. Nays, 7.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1103, Senate Print 5505, by Senator
23 Scarcella-Spanton, an act to amend the Penal Law.

24 ACTING PRESIDENT BAILEY: Read the
25 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: Senator
7 Scarcella-Spanton to explain her vote.

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

10 And thank you to my colleagues for
11 your support in helping pass this bill, which
12 will help keep New Yorkers feeling safer.

13 This legislation redefines the term
14 "following" for a crime of stalking in the fourth
15 degree, to include the use of certain devices or
16 computers to gain access to, record, track or
17 report the movement or location of a person or
18 their property without the person's permission to
19 do so.

20 With technology developing rapidly,
21 our current laws do not account for the various
22 new ways that predators can now stalk
23 individuals. From Apple tags to Find My iPhone,
24 there are countless ways that a person can find
25 your location, and this legislation aims to

1 combat this by updating the parameters of how we
2 define stalking in New York State.

3 For far too long victims have lived
4 in a constant state of fear of someone accessing
5 their location through technology, with no avenue
6 for recourse. By broadening the definition, we
7 send a clear message that technology-assisted
8 stalking is just as damaging to victims' mental
9 and emotional well-being as traditional forms of
10 stalking.

11 By passing this today, we are taking
12 a crucial step toward keeping our constituents
13 feeling safer in an increasingly interconnected
14 world. Thank you, and I proudly vote aye and
15 encourage my colleagues to do so as well.

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

19 Announce the results.

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1105, Senate Print 5733, by Senator Borrello, an
25 act to authorize the Board of Education of the

1 Salamanca City School District to establish a
2 federal impact aid reserve fund.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

5 THE SECRETARY: Section 4. 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: Ayes, 61.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1107, Assembly Print Number 6101, by
17 Assemblymember Levenberg, an act to amend the
18 Village Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar Number 1107, voting in the negative:
5 Senator Skoufis.

6 Ayes, 60. Nays, 1.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1108, Senate Print 5932, by Senator Harckham, an
11 act to amend the Vehicle and Traffic Law.

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

14 Read the 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 Number 1108, voting in the negative:
24 Senator Skoufis.

25 Ayes, 60. Nays, 1.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1110, Senate Print 6150A, by Senator Cooney, an
5 act in relation to authorizing the Town of
6 Henrietta, County of Monroe, to alienate certain
7 lands used as parkland.

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

10 Read the last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1115, Senate Print 6550, by Senator Mayer, an act
23 to amend the Vehicle and Traffic Law.

24 SENATOR GIANARIS: Lay it aside for
25 the day.

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

3 THE SECRETARY: Calendar Number
4 1148, Assembly Print Number 6822, by
5 Assemblymember Stirpe, an act to amend the
6 Environmental Conservation Law.

7 ACTING PRESIDENT BAILEY: Read the
8 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 1148, those Senators voting in the
18 negative are Senators Brisport, Hoylman-Sigal,
19 Martinez, May and Ramos.

20 Ayes, 56. Nays, 5.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1163, Assembly Print Number 7433, by
25 Assemblymember Eachus, an act to amend the

1 Environmental Conservation Law.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT BAILEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1172, Senate Print 5724, by Senator Kennedy, an
16 act to amend the Highway Law.

17 ACTING PRESIDENT BAILEY: Read the
18 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: Ayes, 61.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1178, Senate Print 1965, by Senator Addabbo, an
6 act to amend the Insurance Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

9 THE SECRETARY: Section 4. This
10 act shall take effect on the first of January.

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: Ayes, 61.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1192, Senate Print 7157, by Senator Breslin, an
21 act to amend the Chapter 490 of the Laws of 2017.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

24 THE SECRETARY: Section 2. 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: Ayes, 61.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1193, Senate Print 7189, by Senator Breslin, an
11 act to amend the insurance law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 8. 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: Ayes, 61.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

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

1 SENATOR GIANARIS: Mr. President, I
2 believe there's a report of the Rules Committee
3 at the desk. Can we take that up at this time.

4 ACTING PRESIDENT BAILEY: The
5 Secretary will read.

6 THE SECRETARY: Senator
7 Stewart-Cousins, from the Committee on Rules,
8 reports the following bills:

9 Senate Print 477, by
10 Senator Krueger, Concurrent Resolution of the
11 Senate and Assembly concerning the rescission of
12 all previous requests by the New York State
13 Legislature;

14 Senate Print 5520A, by
15 Senator Comrie, an act to amend the
16 General Municipal Law;

17 Senate Print 2339, by
18 Senator Rivera, an act to amend the
19 Social Services Law;

20 Senate Print 2713, by
21 Senator Kennedy, an act to amend the
22 Public Health Law;

23 Senate Print 2727A, by
24 Senator Skoufis, an act to amend the
25 Not-for-Profit Corporation Law;

1 Senate Print 3009, by Senator Ryan,
2 an act to amend the Public Health Law;

3 Senate Print 3146, by
4 Senator Mannion, an act to amend the
5 Social Services Law and the Public Health Law;

6 Senate Print 3492, by
7 Senator Jackson, an act to amend the
8 Retirement and Social Security Law;

9 Senate Print 4314A, by
10 Senator Sepúlveda, an act to amend the
11 Agriculture and Markets Law;

12 Senate Print 4564B, by
13 Senator Gallivan, an act to amend the
14 Highway Law;

15 Senate Print 4811B, by
16 Senator Gounardes, an act to amend the
17 General Municipal Law;

18 Senate Print 4858, by
19 Senator Hinchey, an act to amend the
20 Public Health Law;

21 Senate Print 4879, by Senator Mayer,
22 an act to amend the Penal Law;

23 Senate Print 4972, by
24 Senator Gounardes, an act to amend the
25 Retirement and Social Security Law;

1 Senate Print 5057A, by
2 Senator Hinchey, an act to allow Benjamin Doty to
3 be eligible to take the civil service
4 examination;

5 Senate Print 5329A, by
6 Senator Harckham, an act to amend the
7 Public Health Law;

8 Senate Print 5536, by
9 Senator Skoufis, an act to amend the
10 Retirement and Social Security Law;

11 Senate Print 5605, by Senator Webb,
12 an act to authorize the City of Binghamton to
13 offer an optional 25-year retirement plan to
14 Firefighter Scott Pavlick;

15 Senate Print 5607A, by
16 Senator Breslin, an act providing for a taxpayer
17 assistance authorization;

18 Senate Print 5900, by
19 Senator Brisport, an act to establish a task
20 force to identify evidence-based and
21 evidence-informed solutions;

22 Senate Print 6102, by
23 Senator Martinez, an act to amend Chapter 643 of
24 the Laws of 2019;

25 Senate Print 6122, by

1 Senator Martinez, an act to amend Chapter 130 of
2 the Laws of 1998;

3 Senate Print 6167, by
4 Senator Murray, an act to amend Chapter 47 of the
5 Laws of 1963;

6 Senate Print 6173A, by
7 Senator Skoufis, an act to amend the
8 Election Law;

9 Senate Print 6209, by Senator May,
10 an act to amend the City of Syracuse and the
11 Board of Education of the City School District of
12 the City of Syracuse Cooperative School
13 Reconstruction Act;

14 Senate Print 6426, by
15 Senator Canzoneri-Fitzpatrick, an act authorizing
16 the Vineyard Christian Fellowship South Shore
17 Inc. to file with the County of Nassau assessor
18 an application for a retroactive real property
19 tax exemption;

20 Senate Print 6432A, by
21 Senator Martins, an act in relation to
22 authorizing the County of Nassau assessor to
23 accept an application for a real property tax
24 exemption;

25 Senate Print 6521, by

1 Senator Thomas, an act to amend the Public Health
2 Law;

3 Senate Print 6538, by
4 Senator Harckham, an act to amend Chapter 329 of
5 the Laws of 2009;

6 Senate Print 6549, by Senator Mayer,
7 an act to amend the Local Finance Law;

8 Senate Print 6564, by
9 Senator Kennedy, an act to amend the
10 Local Finance Law;

11 Senate Print 6596, by
12 Senator Persaud, an act to amend the
13 Environmental Conservation Law;

14 Senate Print 6632, by Senator May,
15 an act to amend the Vehicle and Traffic Law;

16 Senate Print 6682A, by
17 Senator Sepúlveda, an act to amend Chapter 544 of
18 the Laws of 2022;

19 Senate Print 6750, by Senator Chu,
20 an act to amend the Private Housing Finance Law;

21 Senate Print 6764, by
22 Senator Kennedy, an act to amend Chapter 756 of
23 the Laws of 2021;

24 Senate Print 6788, by
25 Senator Helming, an act granting retroactive

1 membership in the New York State and Local
2 Employees' Retirement System to Justin Whitmore;

3 Senate Print 6793, by
4 Senator Martins, an act to amend the Nassau
5 County Civil Divisions Act;

6 Senate Print 6802A, by
7 Senator Breslin, an act to amend the Vehicle and
8 Traffic Law;

9 Senate Print 6861, by
10 Senator Jackson, an act to amend the
11 Education Law;

12 Senate Print 6876, by Senator Stec,
13 an act to amend the Public Authorities Law;

14 Senate Print 6885A, by
15 Senator Martins, an act in relation to
16 authorizing North Shore Land Alliance, Inc. to
17 file with the County of Nassau assessor an
18 application for a retroactive real property tax
19 exemption;

20 Senate Print 6901, by
21 Senator Breslin, an act to amend the Tax Law;

22 Senate Print 6940, by
23 Senator Martinez, an act to amend the
24 Local Finance Law;

25 Senate Print 6941, by

1 Senator Cooney, an act to amend the State Finance
2 Law;

3 Senate Print 6942, by
4 Senator Cooney, an act to amend the State Finance
5 Law;

6 Senate Print 6943, by
7 Senator Kavanagh, an act to amend Chapter 514 of
8 the Laws of 1983;

9 Senate Print 6945, by
10 Senator Persaud, an act to amend Chapter 81 of
11 the Laws of 1985;

12 Senate Print 7026, by
13 Senator Stewart-Cousins, an act to amend the
14 Vehicle and Traffic Law;

15 Senate Print 7065, by Senator Ryan,
16 an act to amend Chapter 581 of the Laws of 2005;

17 Senate Print 7066, by Senator Ryan,
18 an act to amend Chapter 492 of the Laws of 1993;

19 Senate Print 7067, by Senator Ryan,
20 an act to amend Chapter 629 of the Laws of 2005;

21 Senate Print 7068, by Senator Ryan,
22 an act to amend Chapter 307 of the Laws of 2005;

23 Senate Print 7080, by
24 Senator Martinez, an act to amend Chapter 719 of
25 the Laws of 1980;

1 Senate Print 7091, by Senator Ramos,
2 an act to amend Chapter 413 of the Laws of 2003;

3 Senate Print 7094, by
4 Senator Mannion, an act to amend the
5 Executive Law;

6 Senate Print 7116, by
7 Senator Sepúlveda, an act to amend the
8 Local Finance Law;

9 Senate Print 7205, by
10 Senator Comrie, an act to amend the Penal Law;

11 Senate Print 7353, by
12 Senator Brisport, an act to amend the
13 Education Law;

14 Senate Print 7354, by
15 Senator Hinchey, an act to amend the
16 Cannabis Law;

17 Senate Print 7361, by
18 Senator Thomas, an act to amend the Real Property
19 Tax Law;

20 Senate Print 7363A, by
21 Senator Cooney, an act to amend Part X of
22 Chapter 62 of the Laws of 2003;

23 Senate Print 7370, by
24 Senator Scarcella-Spanton, an act to amend
25 Chapter 413 of the Laws of 2015;

1 Senate Print 7371, by
2 Senator Sanders, an act to amend the
3 Executive Law;

4 Senate Print 7372, by
5 Senator Jackson, an act to amend the
6 Administrative Code of the City of New York;

7 Senate Print 7373, by
8 Senator Salazar, an act to amend Chapter 73 of
9 the Laws of 2011;

10 Senate Print 7374, by
11 Senator Scarcella-Spanton, an act to amend the
12 Executive Law;

13 Senate Print 7375, by
14 Senator Salazar, an act to amend the
15 Executive Law;

16 Senate Print 7376, by
17 Senator Jackson, an act to amend the
18 Civil Service Law;

19 Senate Print 7377, by
20 Senator Scarcella-Spanton, an act to amend the
21 Environmental Conservation Law;

22 Senate Print 7378, by
23 Senator Scarcella-Spanton, an act to amend the
24 Civil Service Law;

25 Senate Print 7379, by Senator Webb,

1 an act to amend the General Construction Law;

2 Senate Print 7381, by

3 Senator Skoufis, an act to amend the

4 Executive Law;

5 Senate Print 7382, by

6 Senator Hoylman-Sigal, an act to amend the

7 Executive Law;

8 Senate Print 7383, by

9 Senator Sepúlveda, an act to amend the New York
10 City Charter;

11 Senate Print 7393, by

12 Senator Stewart-Cousins, an act to amend

13 Chapter 372 of the Laws of 2020;

14 Senate Print 7400, by

15 Senator Gounardes, an act to amend the

16 Real Property Tax Law;

17 Senate Print 7430, by

18 Senator Walczyk, an act to amend Chapter 326 of
19 the Laws of 2006;

20 Senate Print 7445, by

21 Senator Bailey, an act to amend the

22 Criminal Procedure Law;

23 Senate Print 7446, by

24 Senator Salazar, an act to amend the Family Court
25 Act;

1 Senate Print 7447, by
2 Senator Persaud, an act to amend the Family Court
3 Act and the Social Services Law;

4 Senate Print 7448, by
5 Senator Brisport, an act to amend the
6 Social Services Law;

7 Senate Print 7449, by
8 Senator Rivera, an act to amend the
9 Public Authorities Law;

10 Senate Print 7450, by
11 Senator Mannion, an act to amend the
12 Mental Hygiene Law;

13 Senate Print 7451, by
14 Senator Persaud, an act to amend the
15 Social Services Law;

16 Senate Print 7453, by
17 Senator Addabbo, an act to amend the Penal Law;

18 Senate Print 7457, by
19 Senator Harckham, an act to amend the
20 Environmental Conservation Law;

21 Senate Print 7458, by
22 Senator Harckham, an act to amend Chapter 550 of
23 the Laws of 2013;

24 Senate Print 7460, by
25 Senator Palumbo, an act to amend Chapter 438 of

1 the Laws of 2022.

2 All bills reported direct to third
3 reading.

4 SENATOR GIANARIS: Move to accept
5 the report of the Rules Committee.

6 ACTING PRESIDENT BAILEY: All those
7 in favor of accepting the report of the
8 Rules Committee, signify by saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT BAILEY: Opposed,
11 nay.

12 (No response.)

13 ACTING PRESIDENT BAILEY: The
14 report of the Rules Committee is accepted.

15 Senator Gianaris.

16 SENATOR GIANARIS: Let's move on to
17 the controversial calendar, please.

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

20 The Secretary will read.

21 THE SECRETARY: Calendar Number
22 541, Senate Print 1293, by Senator Parker, an act
23 directing the Department of Public Service to
24 prepare a written report on the affordability of
25 utility services.

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

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

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

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

12 SENATOR LANZA: Accordingly,
13 Mr. President, I appeal the ruling of the chair
14 and ask that Senator Walczyk be heard on the
15 appeal.

16 ACTING PRESIDENT BAILEY: The
17 appeal has been made and recognized, and
18 Senator Walczyk may be heard.

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

21 I know that was a pretty quick read
22 for you on the amendment that was at the desk, so
23 perhaps I could just explain a little bit more
24 why this is so germane to the bill today.

25 This amendment is germane to the

1 bill-in-chief because it both deals with
2 conducting studies -- both bills deal with
3 conducting studies having to do with the COVID-19
4 impact in the State of New York.

5 This amendment would require the
6 Division of Homeland Security and Emergency
7 Services to conduct an after-action review of
8 New York State's response to the COVID-19
9 pandemic. This study will be helpful in
10 determining how the state can better respond to
11 the next pandemic.

12 Whether it was the nursing home
13 directive or the decision to shut down schools
14 for extended periods of time, the citizens of the
15 state deserve to know why decisions were made and
16 the effects those decisions have on the people of
17 the State of New York.

18 It is only through learning from our
19 past mistakes that we will be better able to plan
20 for the future. Instead of asking ratepayers
21 through the PSC to pay for a study specifically
22 on electricity and the grid and the impact on
23 ratepayers throughout the COVID-19 pandemic --
24 one very narrow thing that this bill does -- it's
25 time for us to have an honest conversation about

1 what went right and especially what went wrong,
2 where New York State lied to citizens and where
3 New York State made honest mistakes in front of
4 citizens that need to be improved on in the
5 future.

6 So, Mr. President, I respectfully
7 request all Senators to support this amendment to
8 provide a full accounting of the state's response
9 to the COVID-19 pandemic.

10 ACTING PRESIDENT BAILEY: Thank
11 you, Senator Walczyk.

12 I want to remind the house that this
13 vote is on the procedures of the house and the
14 ruling of the chair.

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

17 (Response of "Aye.")

18 SENATOR LANZA: Request a show of
19 hands.

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

22 Announce the results.

23 THE SECRETARY: Ayes, 20.

24 ACTING PRESIDENT BAILEY: The
25 ruling of the chair stands, and the bill-in-chief

1 is before the house.

2 Senator Gianaris.

3 SENATOR GIANARIS: Mr. President,
4 if we could return this bill to the
5 noncontroversial calendar.

6 ACTING PRESIDENT BAILEY: We will
7 return to the bill to the noncontroversial
8 calendar.

9 Read the last section.

10 THE SECRETARY: Section 4. 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 541, those Senators voting in the
19 negative are Senators Borrello,
20 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
21 Lanza, Oberacker, O'Mara, Ortt, Rhoads, Stec,
22 Tedisco, Walczyk and Weber.

23 Ayes, 47. Nays, 14.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 The Secretary will ring the bell.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 865, Senate Print 167, by Senator Gianaris, an
5 act to amend the Criminal Procedure Law.

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

8 SENATOR LANZA: Mr. President, I
9 believe there's an amendment at the desk. I
10 waive the reading of that amendment and ask that
11 you recognize Senator Canzoneri-Fitzpatrick.

12 ACTING PRESIDENT BAILEY: Thank
13 you, Senator Lanza.

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

17 SENATOR LANZA: Accordingly,
18 Mr. President, I appeal the ruling of the chair
19 and ask that Senator Canzoneri-Fitzpatrick be
20 recognized on the appeal.

21 ACTING PRESIDENT BAILEY: The
22 appeal has been made and recognized, and
23 Senator Canzoneri-Fitzpatrick may be heard.

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

1 I rise to appeal the ruling of the
2 chair.

3 The proposed amendment is germane to
4 the bill at hand because both the amendment and
5 the bill-in-chief deal with the safety and the
6 well-being of the residents of our state.

7 It is our duty as legislators to
8 look out for all New Yorkers. This means
9 considering public safety needs in our state as
10 well as the needs of the most vulnerable
11 populations, such as those impacted by mental
12 illness.

13 It is unfortunate that the current
14 state of our mental hygiene laws has allowed
15 thousands of individuals who require more
16 stringent mental health protocols for treatment
17 to go without the appropriate oversight to ensure
18 that their treatment is pursued. This has
19 resulted in severe behavioral transgression, to
20 include a large increase in homelessness,
21 criminal behavior, drug use and alcoholism.

22 All too often we are seeing
23 unsuspecting individuals or the patients
24 themselves killed or injured as the result of the
25 violent behavior by patients who have either

1 disregarded or rejected available or mandated
2 health services due to their deteriorating mental
3 health state.

4 Outpatient commitment is the
5 preferred mode of treatment for many patients
6 seeking mental health services. However, we are
7 at a time where judicial intervention to seek
8 immediate mandated treatment through
9 court-ordered inpatient treatment is necessary to
10 prevent ongoing negative behavioral episodes that
11 end up placing the patient or the public at risk
12 of physical injury or death.

13 The assisted outpatient treatment
14 framework under Kendra's Law allows for those
15 with a history of serious mental illness to seek
16 treatment while still being part of their
17 communities. This framework has been successful
18 in a number of ways. Recipients of treatment are
19 shown to engage in less future violence. The
20 program does not increase the stigma of mental
21 illness, as it integrates those with mental
22 illness into their communities. And finally,
23 studies show that the framework is
24 nondiscriminatory and applied equally throughout
25 the state.

1 Let us figure out what is not
2 working and create legislation that remedies the
3 issue. One way to do that is to strengthen our
4 mental health institutions, professionals'
5 abilities, and the resources to help people who
6 need it most, through Kendra's Law.

7 Let us make this law permanent. We
8 hold the power to make New York safer. We hold
9 the power to look out for our most vulnerable
10 populations. All we have to do is come up to the
11 table and make the changes. This amendment would
12 do that.

13 For those reasons, Mr. President, I
14 strongly urge you to reconsider your ruling.

15 Thank you.

16 ACTING PRESIDENT BAILEY: Thank
17 you, Senator Canzoneri-Fitzpatrick.

18 I want to remind the house that the
19 vote is on the procedures of the house and the
20 ruling of the chair.

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

23 (Response of "Aye.")

24 SENATOR LANZA: Request a show of
25 hands.

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

3 Announce the results.

4 THE SECRETARY: Ayes, 20.

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

8 Senator Canzoneri-Fitzpatrick, why
9 do you rise?

10 SENATOR CANZONERI-FITZPATRICK:

11 Thank you, Mr. President.

12 I was wondering if the sponsor would
13 yield for a few questions.

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR GIANARIS: Yes, I will.

17 ACTING PRESIDENT BAILEY: The
18 sponsor yields.

19 SENATOR CANZONERI-FITZPATRICK:

20 Thank you, Senator Gianaris. Through you,
21 Mr. President.

22 I would like to ask if the current
23 law allows an individual to make a citizen's
24 arrest and that the law requires that they use
25 physical force only if it is justifiable. Is

1 that interpretation correct of the current law?

2 SENATOR GIANARIS: I suppose it
3 depends what you mean by "justifiable."

4 The current law allows someone who
5 reasonably believes that somebody snatched a
6 purse, for example, and is running away, to kill
7 that person. Which is obviously absurd. But
8 that is what the law provides, and that is what
9 we are attempting to repeal, to stop those crazy
10 possibilities from existing.

11 SENATOR CANZONERI-FITZPATRICK:
12 Through you, Mr. President, is the sponsor
13 suggesting that --

14 ACTING PRESIDENT BAILEY: Senator,
15 are you asking the sponsor to yield?

16 SENATOR CANZONERI-FITZPATRICK:
17 Yes. Will the sponsor yield, continue to yield.

18 ACTING PRESIDENT BAILEY: Will the
19 sponsor yield?

20 SENATOR GIANARIS: Yes.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR CANZONERI-FITZPATRICK:
24 Thank you. Through you, Mr. President.

25 Is the sponsor suggesting that a

1 purse snatcher -- that the use of deadly force is
2 appropriate for snatching a purse?

3 SENATOR GIANARIS: No. That is why
4 I'm trying to repeal the existing law, which
5 would permit that.

6 SENATOR CANZONERI-FITZPATRICK:
7 Through you, Mr. President, will the sponsor
8 continue to yield.

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT BAILEY: The
13 sponsor yields.

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

16 And under the current law, a person
17 is allowed to use force to effect an arrest or
18 prevent escape if they believe that there has
19 been a crime committed, is that correct?

20 SENATOR GIANARIS: The law says
21 they have to reasonably believe a crime is
22 committed, and in fact the crime was committed.
23 Which also presents some strange legal
24 possibilities.

25 SENATOR CANZONERI-FITZPATRICK:

1 Through you, Mr. President, will the sponsor
2 continue to yield.

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR CANZONERI-FITZPATRICK: So
9 I would like to share a story about a personal
10 situation I found myself in. During college -- I
11 worked through college, I worked as a bank teller
12 to support myself. During one of the times I was
13 working -- and this was the late '80s, there was
14 not a lot of security provided -- a gentleman
15 came in and said that he was holding up the bank.

16 The gentleman reached over the
17 counter, he was quite tall and able to reach me.
18 And at the time there was a gentleman, another
19 customer, that prevented this potential burglar
20 from stopping the fact that he was actually able
21 to steal money. He wrestled him to the ground
22 and detained him until the police arrived.

23 No theft had occurred, no robbery
24 had occurred, because no money was actually
25 turned over.

1 My interpretation of the current law
2 is that because a crime was not committed, that
3 this intervener who stopped this person would in
4 fact potentially face criminal charges for acting
5 the way he did.

6 And I would like to know if the
7 sponsor agrees that in the fact pattern I just
8 presented, if the intervener could potentially
9 face criminal charges under the current bill.

10 SENATOR GIANARIS: Respectfully, I
11 think my colleague is conflating and confusing
12 two different areas of the law.

13 The Penal Law, in Section 35.05 sub
14 2 and 35.10 sub 6, provides when someone can
15 intervene or use force to protect someone else or
16 prevent a crime from occurring.

17 It has nothing to do with the
18 citizen's arrest laws, which are contained in
19 35.30 of the Penal Law, which says that after the
20 crime has been committed they can take certain
21 action to detain the person or use deadly force
22 against them, depending on what may have
23 happened.

24 In fact, in answer to your previous
25 question, I pointed out that the current law

1 requires that the crime actually have been
2 committed. So it's the citizen's arrest laws
3 that would have no application in the example you
4 used.

5 But there are other provisions of
6 law which would protect someone who intervened to
7 prevent harm from coming to you or a theft from
8 occurring.

9 SENATOR CANZONERI-FITZPATRICK:

10 Thank you.

11 On the bill, Mr. President.

12 ACTING PRESIDENT BAILEY: Senator
13 Canzoneri-Fitzpatrick on the bill.

14 SENATOR CANZONERI-FITZPATRICK:

15 Thank you, Senator Gianaris, for engaging in this
16 discussion.

17 While I understand that there may be
18 very technical things that are at play here, my
19 interpretation of this law is that it's going to
20 chill the effect of citizens getting involved to
21 protect other citizens. It's going to chill the
22 effect of our good Samaritans that intervene,
23 when they need to, to assist us. And I don't
24 believe that this bill is going to achieve the
25 goal that has been laid out.

1 I do think that we have done so many
2 things to protect the -- we need to do more to
3 protect victims, is really what I'd like to say,
4 and I don't think that this bill will do that.

5 So for those reasons, Mr. President,
6 I'll be voting against it. Thank you.

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

9 SENATOR BORRELLO: Mr. President,
10 will the sponsor yield for a question.

11 ACTING PRESIDENT BAILEY: Would the
12 sponsor yield?

13 SENATOR GIANARIS: Yes, I will.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

16 SENATOR BORRELLO: Through you,
17 Mr. President. So I do have some concerns with
18 this bill, but I do have a question. I'll use
19 myself as an example in a somewhat similar
20 situation.

21 So in our businesses, our
22 establishments, on busy days we use private paid
23 security, many of whom are armed. And my
24 question is, if a paid, licensed security
25 guard -- in New York State you have to be trained

1 and licensed as a security guard. If we had an
2 incident where someone assaults another person,
3 steals a purse, something, and that licensed
4 security guard witnesses that incident, would
5 they be allowed to detain that person under this
6 law?

7 SENATOR GIANARIS: It's my
8 understanding, Mr. President, that there are
9 separate provisions of law having nothing to do
10 with this one that deal with the responsibilities
11 and potential liabilities of people acting in
12 private security.

13 This, very simply, relates to any
14 private person throughout this state and what
15 they are permitted and authorized to do. So I
16 don't think the example you're using has
17 application here.

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

20 ACTING PRESIDENT BAILEY: Will the
21 sponsor yield?

22 SENATOR GIANARIS: Yes.

23 ACTING PRESIDENT BAILEY: The
24 sponsor yields.

25 SENATOR BORRELLO: Well, it's my

1 understanding -- and this is a genuine question I
2 don't know the answer to. It's my understanding
3 that in a private security situation, store
4 security, that they are actually using the
5 citizen's arrest laws in order to detain those
6 that have committed a crime. That's the
7 authorization under which they are able to detain
8 someone lawfully.

9 Can you address that?

10 SENATOR GIANARIS: First of all,
11 that's not my understanding, so I don't think
12 your premise is correct.

13 I will also point out that the bill
14 continues to allow someone to use physical force
15 upon another person when they have reason to
16 believe a felony has been committed or a felony
17 was in fact committed, to prevent their escape.
18 Okay? So that is still allowed.

19 I don't think a private security
20 person is operating under that section of law
21 anyway. I think there are other provisions of
22 law that permit them to do what they do,
23 including detaining people on-site.

24 But even under this law, a private
25 person will still be able to do that.

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

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR BORRELLO: Well, thank you
9 for that clarification.

10 It says if a felony has been
11 committed. I mean, does this mean that a private
12 citizen would need to be an expert on what is a
13 felony versus a misdemeanor? And what if, in the
14 end, that person was charged and was -- you know,
15 pled down to a misdemeanor that was originally a
16 felony?

17 SENATOR GIANARIS: First of all,
18 the absurdity of the current law requires a
19 private person to have -- to actually know if a
20 felony or an offense of any kind was in fact
21 committed or not.

22 We have an entire criminal legal
23 system designed to figure that out, with a jury
24 of one's peers and a prosecution and a defense.

25 And the law currently authorizes any

1 person in the State of New York to make that
2 determination on their own and use physical force
3 as a result.

4 So what we're trying to do is narrow
5 that application to at least -- because we do
6 want people to have the ability to intervene in a
7 case where someone has committed a felony.

8 Now, if a felony -- if the action
9 committed is a felony and someone pled down to
10 something else, I don't think that has any
11 application to what we're doing here.

12 SENATOR BORRELLO: Mr. President,
13 on the bill.

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

16 SENATOR BORRELLO: Senator
17 Gianaris, thank you for the answers.

18 You know, I think in general this
19 does create a situation where people are going to
20 question whether or not they can act as a good
21 Samaritan. And that's really the problem here.
22 This is taking a long-standing law, changing it,
23 and potentially putting someone in a libelous
24 situation -- criminally, potentially.

25 So I think making this change,

1 whether or not there are good intentions here,
2 ultimately could lead to what would be a tragic
3 situation where someone who is on the scene when
4 a crime is committed may wish to intervene and
5 then hesitates because of this change to the law.

6 So I'll also be voting no.

7 Thank you, Mr. President.

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

10 Seeing and hearing none, debate is
11 closed. The Secretary will ring the bell.

12 Read the last section.

13 THE SECRETARY: Section 5. 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: Senator
19 Gianaris to explain his vote.

20 SENATOR GIANARIS: Mr. President, I
21 just want to take a moment and point out the
22 absurdity that my colleagues who are concerned
23 about this law are using.

24 So there are laws that protect
25 people from intervening. I made that clear;

1 there are other sections of law.

2 The argument my colleagues are
3 making is that we have to allow people to go way
4 beyond that just to make sure they feel
5 comfortable intervening. So we have to allow
6 people to have the power to kill somebody because
7 someone who committed a robbery is escaping.
8 That is what the current law provides.

9 Somebody, you know, grabs a purse
10 off a woman's shoulder or a man's shoulder, is
11 running down the street, Senator Borrello has a
12 legal firearm or some other weapon at his
13 disposal -- he is empowered by law to kill that
14 person, shoot them in the back, to prevent their
15 escape. That's what the law currently says.

16 You all want to allow that to make
17 sure that someone feels comfortable intervening
18 to prevent a crime. Because that person is
19 supposed to say to themselves, Oh, I'm not
20 allowed to do that, therefore I'm not going to
21 help somebody else who's possibly facing a
22 criminal act. It's nuts.

23 No less than the Heritage
24 Foundation, who I suspect might be more of an
25 authority to my colleagues across the aisle than

1 to me, two years ago was talking about, in
2 defense of citizen's arrest laws -- which I don't
3 agree with, obviously -- but their justification
4 was in a nation where most police departments
5 employ fewer than 10 officers, the ability of
6 private citizens to detain criminals plays an
7 important role in law enforcement.

8 That is not the situation we're
9 dealing with in New York, my friends. New York
10 City has over 30,000 police officers to do this
11 job. We don't need to empower almost 20 million
12 people to act on their own. And we know the
13 consequences when that happens.

14 No less than the State of Georgia
15 repealed their citizen's arrest laws. Why?
16 Because two racists who thought they were
17 preventing a crime killed someone who was jogging
18 through a white neighborhood. And the State of
19 Georgia, with a Republican governor, repealed
20 their citizen's arrest laws after that
21 experience.

22 In the State of New York we
23 shouldn't be sitting here defending these
24 anachronistic laws that existed in places where
25 there were no police or very little police. We

1 don't have that situation anymore here in the
2 21st century.

3 Mr. President, I vote yes. I thank
4 my colleagues for supporting this bill.

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

7 Senator Rhoads to explain his vote.

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

10 I think part of the issue,
11 Senator Gianaris, is that your alternative is
12 that individual just gets away scot-free. We
13 would certainly -- we would certainly agree with
14 the fact that if somebody steals a purse, you
15 shouldn't be able to shoot them in the back. But
16 they also shouldn't be able to get away
17 scot-free, which is the alternative that you're
18 presenting.

19 I think what we're suggesting is --
20 well, I mean, essentially, unless it's a felony,
21 they can't -- they can't intervene.

22 SENATOR GIANARIS: (Inaudible.)

23 ACTING PRESIDENT BAILEY: Excuse
24 me. Excuse me. Senator Rhoads, continue.

25 SENATOR RHOADS: Thank you,

1 Mr. President. I appreciate it.

2 The point is that there has to be
3 some sort of middle ground. No one wants a
4 situation like the one that Senator Gianaris is
5 referencing.

6 No one also believes that -- that
7 people -- I don't think people believe that no
8 crime unless it's a felony do citizens have the
9 right to be able to intervene to stop the flight
10 of someone. What we need is something where the
11 effort to intervene is commensurate with the
12 threat that they present.

13 There seems to be a very easy fix to
14 this. I don't believe that the fix is what's
15 presented by the sponsor. That's why I will be
16 voting no, Mr. President. And I thank you for
17 the opportunity.

18 ACTING PRESIDENT BAILEY: Senator
19 Rhoads to be recorded in the negative.

20 Announce the results.

21 THE SECRETARY: In relation to
22 Calendar 865, those Senators voting in the
23 negative are Senators Ashby, Borrello,
24 Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo,
25 Helming, Lanza, Martinez, Martins, Mattera,

1 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
2 Rolison, Scarcella-Spanton, Stec, Tedisco,
3 Walczyk and Weber.

4 Ayes, 38. Nays, 23.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 Senator Gianaris.

8 SENATOR GIANARIS: Mr. President,
9 at this point we're going to lay aside for the
10 day the two remaining bills on the controversial
11 calendar, Calendar 1067 and 1085.

12 ACTING PRESIDENT BAILEY: The
13 remaining bills will be laid aside for the day.

14 SENATOR GIANARIS: I also have a
15 motion here.

16 On page 44, I offer the following
17 amendments to Calendar Number 790, Senate Print
18 2483, and ask that said bill retain its place on
19 the Third Reading Calendar.

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

23 SENATOR GIANARIS: Please recognize
24 Senator Lanza.

25 ACTING PRESIDENT BAILEY: Senator

1 Lanza.

2 SENATOR LANZA: Mr. President, on
3 behalf of Senator Stec, on page 39 I offer the
4 following amendments to Calendar Number 701,
5 Senate Print Number 5608A, and ask that said bill
6 retain its place on Third Reading Calendar.

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

10 Senator Gianaris.

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

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

15 SENATOR GIANARIS: Move to adjourn
16 until tomorrow, Wednesday, May 31st, at 3:00 p.m.

17 ACTING PRESIDENT BAILEY: On
18 motion, the Senate will stand adjourned until
19 Wednesday, May 31st, at 3:00 p.m.

20 (Whereupon, at 5:46 p.m., the Senate
21 adjourned.)

22

23

24

25