NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 6, 2023

3:11 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT PERSAUD: Reading of the Journal.

THE SECRETARY: In Senate, Monday, June 5, 2023, the Senate met pursuant to adjournment. The Journal of Sunday, June 4, 2023, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Salazar

moves to discharge, from the Committee on Rules, Assembly Bill Number 1707A and substitute it for the identical Senate Bill 599A, Third Reading Calendar 75.

Senator Hoylman-Sigal moves to discharge, from the Committee on Codes, Assembly Bill Number 3340 and substitute it for the identical Senate Bill 3161, Third Reading Calendar 470.

Senator Weik moves to discharge, from the Committee on Local Government, Assembly Bill Number 2756A and substitute it for the identical Senate Bill 3489A, Third Reading Calendar 554.

Senator Hinchey moves to discharge, from the Committee on Rules, Assembly Bill Number 1926A and substitute it for the identical Senate Bill 1683A, Third Reading Calendar 686.

Senator Ramos moves to discharge, from the Committee on Crime Victims, Crime and Correction, Assembly Bill Number 5939 and substitute it for the identical Senate Bill Number 4748B, Third Reading Calendar 712.

Senator Borrello moves to discharge, from the Committee on Rules, Assembly Bill

Number 6095A and substitute it for the identical Senate Bill 5782A, Third Reading Calendar 820.

Senator Hinchey moves to discharge, from the Committee on Agriculture, Assembly Bill Number 6435 and substitute it for the identical Senate Bill 6326, Third Reading Calendar 864.

Senator Rolison moves to discharge, from the Committee on Housing, Construction and Community Development, Assembly Bill Number 7265A and substitute it for the identical Senate Bill Number 6917A, Third Reading Calendar 1168.

Senator Palumbo moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 3691B and substitute it for the identical Senate Bill Number 4168B, Third Reading Calendar 1235.

Senator Hoylman-Sigal moves to discharge, from the Committee on Judiciary, Assembly Bill Number 6698 and substitute it for the identical Senate Bill 6636, Third Reading Calendar 1245.

Senator Weber moves to discharge, from the Committee on Finance, Assembly Bill Number 7121 and substitute it for the identical Senate Bill 6878, Third Reading Calendar 1290.

Senator Liu moves to discharge, from the Committee on Higher Education, Assembly Bill Number 2235 and substitute it for the identical Senate Bill 2165, Third Reading Calendar 1301.

Senator Bailey moves to discharge, from the Committee on Rules, Assembly Bill Number 219A and substitute it for the identical Senate Bill Number 942A, Third Reading Calendar 1449.

Senator Cooney moves to discharge, from the Committee on Rules, Assembly Bill Number 2672B and substitute it for the identical Senate Bill 10848A, Third Reading Calendar 1450.

Senator Bailey moves to discharge, from the Committee on Health, Assembly Bill Number 1399A and substitute it for the identical Senate Bill 2323A, Third Reading Calendar 1460.

Senator May moves to discharge, from the Committee on Education, Assembly Bill Number 286A and substitute it for the identical Senate Bill 2629A, Third Reading Calendar 1465.

Senator Skoufis moves to discharge, from the Committee on Cultural Affairs, Tourism, Parks and Recreation, Assembly Bill Number 6084A and substitute it for the identical Senate Bill

Number 3309A, Third Reading Calendar 1471.

Senator Skoufis moves to discharge, from the Committee on Insurance, Assembly Bill Number 2078 and substitute it for the identical Senate Bill 5201, Third Reading Calendar 1490.

Senator Jackson moves to discharge, from the Committee on Finance, Assembly Bill Number 6081 and substitute it for the identical Senate Bill 5254, Third Reading Calendar 1492.

Senator Salazar moves to discharge, from the Committee on Education, Assembly Bill Number 5010A and substitute it for the identical Senate Bill 5261A, Third Reading Calendar 1493.

Senator Cooney moves to discharge, from the Committee on Transportation, Assembly Bill Number 3305B and substitute it for the identical Senate Bill 5521A, Third Reading Calendar 1500.

Senator Liu moves to discharge, from the Committee on Rules, Assembly Bill Number 514A and substitute it for the identical Senate Bill Number 5650, Third Reading Calendar 1503.

ACTING PRESIDENT PERSAUD: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Madam President.

We have some very important guests in the chamber today that I want to introduce before we get started with today's business, so please recognize Senator Thomas.

ACTING PRESIDENT PERSAUD: Senator Thomas for an introduction.

SENATOR THOMAS: Thank you, Madam President.

It is an honor to welcome Her Excellency Amna Binzaal Almheiri to Albany. She is a good friend and an excellent representative of the United Arab Emirates. She serves as the first female Consul General here in New York, and this is historic in nature.

She was appointed Consul General of the United Arab Emirates in New York in August of 2021. She's been working to promote and

strengthen the UAE-U.S. bilateral relationship since.

Government exists for one reason, to serve our people, to help improve their lives. When governments truly invest in their citizens, their education, skills and health, and when universal human rights are upheld, countries are more peaceful, more prosperous, and more successful. And that's exactly what we have seen with the UAE and its commitment to improving the lives of its residents through services like healthcare, empowering entrepreneurs, and advancing clean energy.

Who hasn't heard about what the UAE has been doing in the last decade? It has developed into a regional and global financial hub for tourism and so much more. It's a model we need to see all over this globe. Our countries can learn from each other. We can make our governments even more responsive and accountable to our citizens.

And please know that New York will continue to be a friend of the UAE now and going forward.

Madam President, would you please

welcome our guests to the chamber.

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Madam President, can we adopt the Resolution Calendar, with the exception of Resolutions 1121 and 1317.

ACTING PRESIDENT PERSAUD: All those in favor of adopting the Resolution Calendar, with the exceptions of Resolutions 1121 and 1317, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Can we begin

with taking up previously adopted Resolution 524, by Senator Cleare, read its title, and call on Senator Cleare.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution 524, by Senator Cleare, mourning the death of Abraham Snyder, distinguished citizen and devoted member of his community.

ACTING PRESIDENT PERSAUD: Senator Cleare on the resolution.

SENATOR CLEARE: Thank you, Madam President. Good afternoon.

It is my great honor to rise and pay tribute to a true pioneer and visionary, Abraham Snyder -- known as Abe to his loved ones -- who passed away on February 3, 2023, at the age of 86.

Mr. Snyder lived a life of leadership. He always strived for excellence in his civic and charitable endeavors. He had a humanistic spirit and led with compassion.

He was a social worker and was able to keep many families together, in addition to creating a better environment for people in our

communities, people of color.

Throughout his lifetime he centered his noble work on African-American heritage, advocating and showcasing the beauty of the Black community. He was a founding member of the Association of Black Social Workers, a member of the Urban League, the NAACP, Chama, and other action groups who worked to dismantle the systems that enabled discrimination against African-Americans and others.

His most lasting accomplishment commenced over 50 years ago when he cofounded the African-American Day Parade, where African-American culture and heritage is used to unify and highlight the very best and brightest in the community.

The parade began in 1969 under the theme Africa's Gift to America. It has been held every year, every third Sunday in September, since then.

Adam Clayton Powell Jr. Boulevard of the legendary Harlem, New York, is the traditional route for the parade, due to its historical significance in Black culture.

Abe proudly marched and led the

parade for over 40 years. And when the time came to pass on the baton, he became chairman emeritus.

Abraham Snyder leaves behind a legacy which will long endure the passage of time. Today, on the floor and in the gallery, we are joined by members of the African Day Parade Committee.

But I'm going to say, on a very personal level, I grew up with the parade, and it meant so much to me in a darker time in history in Harlem. This was our hope. This was our ray of sunshine. This was what showed us what could be and what would be.

As we stood in the midst of neglect and abandonment, saturation of the drug epidemic, all those years I would run outside -- we all would -- to be the first so that we could see all of our elected officials come by, to see all of our uniformed workers come by. My own father and his Masonic brothers marched by. We were so proud.

And it has left a mark on my life and the lives of so many others who needed to know that we are capable of achievement, that we

belong, and our history and our culture is important.

So I thank Abe Snyder for that contribution to Harlem and to the world, and what he did. And we are going to miss him dearly.

Today on the floor and in the gallery, like I said, we're joined by members of the African Day Parade Committee and the family members, Jasmine Robinson, granddaughter of Abe Snyder.

And I ask, Madam President, that they be given the cordialities of the house. Thank you.

And I vote aye on this resolution.

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: The resolution was previously adopted on March 15th.

Senator Gianaris.

SENATOR GIANARIS: Can we now move to Resolution 1317, by Senator Ramos, read that

resolution's title, and recognize Senator Ramos.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1317, by Senator Ramos, congratulating Quinton A. Owens upon the occasion of receiving the distinguished rank of Eagle Scout, the most prestigious of Scouting honors, on June 30, 2023.

ACTING PRESIDENT PERSAUD: Senator Ramos on the resolution.

SENATOR RAMOS: Thank you, Madam President.

Quinton A. Owens of the Greater New York Council Pathfinder District of the Boy Scouts of America, has earned the rank of Eagle Scout, the highest honor in the Boy Scouts.

For Quinton's Eagle Scout service project, he worked closely with me and my office to plan and organize a Health and Safety Fair held in Jackson Heights last summer. The event brought together local healthcare providers, clinics, pharmacies, insurance companies, the New York Blood Center, and FDNY, to share information and resources with the community.

And as we all appreciate, the

Scouting experience goes far deeper than that one big project. Quinton also learned the value and importance of good communication and organization. These are two skills that he has struggled with throughout his life, as he was diagnosed with high-functioning Asperger's in the third grade and has received speech and physical therapy since age 2.

His project challenged him to engage with others and coordinate plans for the event's success. He has overcome those challenges and now applies what he has learned to pursue academic excellence in college with a degree in mechanical engineering.

He is highly involved with Scouting still, and serves as an Assistant Scoutmaster with his troop. Quinton has completed the Boy Scouts of America National Youth Leadership Training, giving him skills to share his knowledge and guide Scouts to their highest success.

He is proud of his brotherhood rank in the Boy Scouts of America Honor Society, the Order of the Arrow, and is also a member of Venturing Crew 201.

He has secured a position to work this summer with youth at Curtis S. Read Scout Camp Reservation, and continues to develop his leadership skills to serve our youth.

On behalf of the residents of the 13th Senatorial District, Quinton, we are so very proud of you.

And I would like to mention that Quinton is actually our second Eagle Scout that we are honoring from our hometown.

So please join me in congratulating Quinton and his mom, Romy.

(Applause.)

ACTING PRESIDENT PERSAUD: Senator Comrie on the resolution.

SENATOR COMRIE: I want to congratulate Quinton Owens and thank Senator Ramos for recognizing this Eagle Scout candidate.

As you've heard from his record, he truly has overcome a lot of things. I really want to congratulate his mother and his extended family, but especially to all of those in the Boy Scouts to honor Quinton and also all of the other young men that are going to gain their

Eagle Scout badges this season.

You know, it's important that we understand that the Boy Scouts is a volunteer organization. They're putting time and effort. There are thousands of volunteers. I'm honored to have five different Boy Scout troops in my district, which all are working to produce at least one Eagle Scout every year.

And I just wanted to take this opportunity to thank the Boy Scouts, thank all of the volunteers, the parents, all of the people that are continuing to be involved in that organization, because it trains young men to be self-sufficient, to give them self-esteem, to be leaders, to understand how to carry themselves.

And also now, as they reach down to make sure that children that are having difficulty in learning or understanding because they've been shunned by a certain segment of people, that they have a positive, loving environment so that they can find a way to succeed like Quinton did.

So congratulations again to Quinton. Thank you, Senator Ramos. And thank you to all of the volunteers in the Boy Scouts of America.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, can we now move to previously adopted Resolution 1072, by Senator Cleare, read that resolution's title, and recognize Leader Stewart-Cousins on the resolution.

Can I also ask that we ask our colleagues to clear out from the corner there.

ACTING PRESIDENT PERSAUD: Senators? Thank you.

The Secretary will read.

THE SECRETARY: Resolution 1072, by Senator Cleare, mourning the death of former New York State Senator Bill Perkins, dedicated political leader and strong advocate for the people of this great Empire State.

ACTING PRESIDENT PERSAUD: Leader Stewart-Cousins on the resolution.

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

And I rise to thank Senator Cleare for bringing not only this resolution but the family of our departed and beloved Senator Bill Perkins to be here while we pay tribute to his legacy and his memory.

As I said at the funeral -- which, again, was an amazing tribute to all that Senator Perkins did as Councilman Perkins, as Activist Perkins, as community -- how do I say, he had a presence that was larger than life, from his fedora hats to his style. Everything about Senator Perkins was remarkable.

And that funeral, all of the variety

of people that he touched came together to celebrate him. And when I had an opportunity to speak, I thanked his wonderful wife, Pam, for being such an amazing support in every phase of his life, tirelessly, dedicating herself not only to supporting his every endeavor, but as it got very difficult towards the end, making sure that everything we all knew about him remained in the forefront of our minds.

But I also talked about the fact that we were in the 2007 Senate class together. And he and I sat back there, and I said he was on my right, I had a Senator from Long Island on my left, and I was in the middle. And sometimes I'd have to tell this guy, Look, I ain't doing that, and sometimes I'd have to tell Senator Perkins I couldn't do that.

And the thing about Senator Perkins is that, as I said, he never cared what you did or what you didn't do. It didn't matter to him. What mattered to him is that he knew what he was doing, and he knew exactly why he was doing it. And whether you were with him, whether you were against him, whether you were for it, whether you had -- he didn't care. He knew that he was there

to serve his community and to make a difference.

And we will talk -- and I know Senator Cleare will speak about all the things, but we all know how he stood up for the then -- now Exonerated 5, when so many would not and walked away from even the issue that he was willing to confront.

But that was his everyday persona. He came, he had a purpose, he knew what it was, he was not going to be kept from getting there. And even if he didn't win the battle, he was always ready to raise the argument and to argue for it.

When I first got here in 2007, there were a lot of people in my class, including Mayor Eric Adams. But although I did know the Eric Adams name, for sure I knew the name of Bill Perkins. And when I got into that class with Senator Perkins, I knew that something special was going to happen.

I thank you so much -- to you, to the family, his daughter, his nieces, other family members, and everybody for sharing him. And for never trying to make him do or be anything other than who he was. Because we got

the very best that we could have possibly gotten.

And although this is a moment that we recall him, it's also a moment for us to stand proudly on the shoulders of some of the historic giants who got to serve in this chamber. And remember that we all have an expiration date, but if you expire with the type of inspiration and legacy and heartfelt passion for what it is you brought to our community, you have a job that's been well done.

So again, thank you so much, Senator Cleare.

And again, thank you to the family. Your loss is our loss, but it's been our tremendous gain. Thank you.

Thank you so much, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Madam Leader.

Senator Cleare on the resolution.

SENATOR CLEARE: Thank you so much. Thank you, Madam President. And thank you, Leader Stewart-Cousins. I'm going to get through this.

There's so much that can be said about Bill Perkins. The stories, the anecdotes,

the jokes. Marches, protests, a few arrests here and there. But I wanted to take time today to focus on his Senate legacy.

When Bill was named chair of the Senate Corporations, Authorities and Commissions Committee from 2009 to 2010, he embraced every opportunity to shine a bright and sometimes blinding light on every single significant issue of the day, such as cemetery reform. Redevelopment of the World Trade Center. Port corruption. Eminent domain. The Columbia land grab. E-ZPass oversight. Public benefit corporations. Second Avenue subway. Atlantic Yards. There was no issue too big for Bill.

Without Bill Perkins, we wouldn't have had the Authorities Budget Office. The abuse of eminent domain would have gone unchecked except for Bill.

Bill was the original author of monumental pieces of legislation that only recently became law. He was the original author and first sponsor of the HALT solitary confinement act. He was the original author and first sponsor of the toxic toy ban. He was the original author and first sponsor of the DREAM

Act. He was the original author and first sponsor of the statewide videotaped interrogations bill. He was the long-time prime sponsor of the New York Health Act.

Bill Perkins passed numerous bills during his time in the Senate, including the legislation to create the Authorities Budget Office, legislation to review sulphur emissions from home heating oil, expanding and enhancing the Do Not Call registry, and removing idle scaffolding from NYCHA property.

Bill Perkins is probably best remembered as the man on the street helping his community, crusading on issues of moral righteousness, being arrested with tenants protesting the rent laws. Helping to organize the funeral of a trans youth killed in a hate crime.

Standing up for the Exonerated 5, from the moment of their wrongful arrests, and advocating for them throughout their wrongful conviction and incarceration and ultimately for their release. And even for some form of compensation, which took 25 years to happen.

Perkins, who was an avid runner, as

many of you know him, and completed a dozen or more marathons, would always refer to these difficult issues in the context that they -- they were not a sprint, they were a marathon. And he was in it till the end. Thus he continued advocating for the Exonerated 5 until finally they were compensated in 2014.

The Senate legacy of Bill Perkins is strong. He made the state a better place in every way. I was Bill Perkins' chief of staff proudly for 19 years. The thing about Bill that I'm going to most hold on to and remember, Bill was not an easy person. I'm not either.

(Laughter.)

SENATOR CLEARE: He allowed me to be me. He allowed me to grow as who I was. And he was an excellent teacher.

And sometimes many of you will hear me, how passionate I am about certain issues. It's because I bring him with me. I bring him with me in this job. He taught me how to fight for what you believe in. He taught me how to walk in this direction when sometimes everybody else is walking in that direction, if that's what you believe is right.

So like I said at his funeral, he reminds me of the words of Dr. King. It is always the right time to do what is right. And that's how Bill lived, doing what was right, what he felt was right, and representing his community.

So today we're joined by several distinguished guests: Bill's wife Pamela Green Perkins -- who, as the leader spoke on, allowed him to be, took care of him in every single way, was there for him. You need a strong partner when you are fighting the things that Bill fought. Pam, you were always there.

His oldest daughter, Kiva Perkins, whom he was extremely proud of in every way on every day.

Alvin Samuels, a long-time friend, family now.

Marcelle, his beautiful niece, thank you for all coming up here today.

Madam President, please extend to them the cordialities of this house.

Rest in power, Bill Perkins. Rest in power.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Madam President.

It's hard to follow my colleague Senator Cleare.

I have the distinct privilege of being on the opposite side of Bill Perkins, and that was no easy feat, as Senator Cleare mentioned. When he was a City Council member representing Harlem, I was working at St. Luke's Roosevelt Hospital where they decided to move the OBG-GYN from the uptown campus at 114th Street down to 59th Street. And the powers of Harlem organized and fought it, to their credit. They were on the right side. Bill Perkins was on the right side. Senator Cleare was on the right side.

But I had the perhaps unfortunate role to be the person that represented the hospital and sought to persuade, negotiate, cajole, and everything else against then-Councilman Perkins. He was a formidable, principled opponent, as Senator Cleare said, and

she was right by his side. They fought the kind of fight that we hope everyone fights in their community, whether on this side or that side, whether we're representing a hospital or we're representing the community.

He stood for the people he represented. He did not back down. He did not make it easy. He was never ugly. He was never personal. He was principled. And he fought as hard as he could.

Senator Cleare was right with him. She's right, she was not easy either. But they did what was right, as Senator Cleare has said.

And I was privileged to be his adversary then, and then to serve as counsel when he came to the Senate, where he continued with the same kind of principled commitment and devotion to the people he served.

I was honored to work with him, to serve under him, and today we honor his memory. Thank you to his family for sharing that commitment and that principle with all of us. We are the richer for it.

Thank you.

ACTING PRESIDENT PERSAUD: Thank

you.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Madam President.

I've had a lot of positive opportunities in my life. I've had people that have embraced me, people that were bewildered by me, people that couldn't understand me. Bill was in that final category.

(Laughter.)

SENATOR COMRIE: I got to the City Council, and I was honored to go right into leadership as majority whip at the time. And I sat in leadership meetings at the council. The first time Bill saw me in that capacity -- Bill knew me from activities when I was working on the Jesse Jackson campaign and the David Dinkins campaign, but he couldn't figure out how I got to leadership in the City Council.

He just -- he didn't like it. He didn't understand it. He thought that I was still wet behind the ears and I didn't understand anything and he needed to train me and school me and make me understand his mission and his purpose.

So we had a lot of conversations. We had a lot of back and forth. Cordell would tell you, we had a lot of discussions about different things. But he made me a better person. He made me a better legislator, he made me a better orator. You know, he drove me and drove me because he wanted me to make sure that I understood what his mission was, what the mission we needed to do as City Council people, what we needed to do to defend and improve our city. And he was just driven.

I had the honor of being with him and Phil Reed, also another giant in the City Council, a giant in the city. You know, I can't match -- and I've been driven to just thinking about powerful people in our lives that were focused on making sure that we were all better people.

Bill Perkins was that person.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

First, Ms. Perkins, let me -- on

behalf of my father Stanley, let me wish you the deepest condolences on behalf of my family. My father had the pleasure of working with you, Ms. Pam. And he sends -- once I told him what was happening, he made sure this was the first thing that I did.

And the first thing that I did when I got to the State Senate in 2017 -- we were on a different side of the aisle -- I got to meet somebody who I'd only heard about. See, like in Black New York there are certain names that ring bells no matter who you are, where you're at, if you're paying a little bit of attention. Bill Perkins' name was one of them.

I think one of the first times that I heard his name was on Primary Day in 2008. Primary Day in 2008. And it wasn't because I was at the polls. I was at the New York Giants parade. But there were reporters around, and one reporter came up to me and they said, "Who are you supporting in the primary, Hillary Clinton or Barack Obama? Did you know that Bill Perkins was the only elected official that was supporting Barack Obama?"

And I stopped for a second and I

thought, man, there's some gravity to that, to not be afraid to step out on that proverbial ledge. To live by the virtue of what you believe here and here and not have to worry about anything else.

You see, he was a runner, but he didn't run from anybody. Like, and the marathon of life is what he was about. The Exonerated 5, of great lore to many of us, those of us who were paying attention and those who knew that those young men didn't do that. He was there from the beginning, from the beginning.

And so I didn't have the pleasure of serving with him for an extended period of time. When I got here, he went back to the City Council. But the time that I did spend here with him, I was able to kind of absorb some of the jewels that he dropped.

And it was -- and what I realized about Senator Bill Perkins, Councilmember Bill Perkins, but the man Bill Perkins, is that there's something bigger than you out there. It's bigger than this chair, it's bigger than this chamber, it's bigger than this city, it's bigger than this country.

So as we think about these desks that we sit at, stand about and debate with, there's a tradition in the Senate that somebody's name is etched, right, past Senators' names are etched within the desks that we sit at.

His name will not just be indelibly etched in a desk here, but in the lives of all of us. We are better because of Bill Perkins.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Serrano on the resolution.

SENATOR SERRANO: Thank you, Madam President.

It's with a very heavy heart that I rise today on this resolution, and my sincere condolences to Pamela and to all of the Perkins family and friends. And my gratitude to my colleague Senator Cleare and to our leader, Andrea Stewart-Cousins, for this wonderful and fitting tribute and resolution for my friend Bill Perkins.

And everyone who knows me knows how much Bill meant to me and how dear a friend -- and I looked up to Bill. I first got to know him when I was elected in the election of

2001 to the City Council. And I was with Bill for three years in the Council, and then I ran for the Senate and came here. And a couple of years later he ran for the Senate and won, and I was so happy because I got to have my friend back.

And we sat together. And I have to tell you, there were several occasions where we almost got gaveled out of order for laughing too much.

Now, there is certainly nothing trivial about laughing in the sense that he brought me so much joy. And there's something profound about someone who gives you kindness, who helps lighten your load. And Bill did that all the time when he saw me.

And as I've been thinking over these last couple of weeks about Bill and all of the wonderful conversations we had over the years, he was so generous with his time. And I would sit there listening to him and listening to his stories and listening to his funny anecdotes and his one-liners. But there was so much knowledge and wisdom in everything that he was telling me, because he had these lived experiences.

And I remember standing on the sideline of the New York City Marathon as the race came through the Bronx just so I could catch a glimpse of Bill Perkins as he ran by, so I could wave to him, so I could shout to him. And I remember that one year, one particular marathon he ran -- if my memory serves me correctly, he ran a 3:17 marathon.

Now, for those who know about marathons -- and I've run one, not 3:17 -- that is extremely fast. But when you add to that this young man was in his 60s, his mid-60s at the time, and asthmatic, and a cancer survivor. So why is that so significant? Because it showed that Bill Perkins felt that there were no limits as long as you truly believed in something.

And a person maybe who didn't think he maybe could or should run a marathon because of those things I just mentioned? He said, "I'm going to run, and I'm going to run a 3:17. At this age."

And it was just amazing. And I couldn't stop talking about it. I'd go to meetings and say, "Did you know Bill Perkins ran a 3:17 marathon?" And I was just so proud of him

hum and so proud to know him and so proud to be able to listen to him.

And that energy that he brought, that profound righteousness towards the goals that he believed in, was the same energy he brought to making sure that we had a law in the City Council that dealt with lead paint for children in our communities. It was that same energy when he stood up for the Exonerated 5 and for justice there. It was that same energy when he stood up for immigrants in the Bronx and in East Harlem and throughout the City of New York.

So I look at him as a fearless leader, a person who didn't wait for an issue to become popular to then take a stand on it. He trusted his instincts. He trusted his gut. And I think that's an important lesson.

So I miss him dearly, and I will never stop thinking about him and all the funny things -- and I will laugh to myself about all the hilarious things he told me over the years. But I am so grateful for having known him and for his leadership in our community.

And again, my condolences to the family.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Madam President.

To Mrs. Perkins and Bill's family, my most sincere condolences and sympathies.

I had an opportunity to see you at Bill's wake in Harlem just a few weeks ago, and what a celebration it was of his life and his legacy.

I want to recognize my colleagues, Majority Leader Andrea Stewart-Cousins and Senator Cleare, for leading this effort and bringing this memorial resolution to the floor to honor a giant of a man and an extraordinary leader among all of us.

I had the tremendous opportunity to work with Bill for six years that I was here in the Senate. I was seated here in 2011; he left in early 2017 to pursue the next step in his political career, in the City Council once again.

And, you know, I never had the opportunity to serve with him in the Majority on this side of the aisle. But he sat behind me

right over here for those six years. And so any video that you see of me in my youth -- I had some more hair, I had a little bit more weight, I was probably a lot more fun -- you know, Bill was always there. He was always present.

And despite the fact that in the videos he was behind me, he was always in front of me, he was always in front of all of us. He was always in front of the issues.

And you think about his incredible career that was outlined by Senator Cleare and the issues that he led as a member of the Minority Conference that have since become law since we in the Democratic Conference have taken the Majority. It's a true tribute to him and his legacy, his leadership, the fact that he led on issues so important to the people of New York and of the nation, not when they were popular, but -- quite frankly, they were probably unpopular. But they were always right. They were always the right thing to do.

He was always on the right side of history. No matter what the issue, no matter what the politics of the day, and no matter where he stood, whether it was fighting for folks down

in Harlem or up here in Albany or anywhere in between, wherever Bill Perkins stepped foot, he was on the right side of people. And that's what I'll always remember about him.

What a giant of a man. An extraordinary leader and a wonderful friend. And a beautiful human being. Thank you for sharing his life with us, for giving us the opportunity to know Bill Perkins and to watch him lead our state with each and every one of us.

May he rest in peace.

ACTING PRESIDENT PERSAUD: Senator Parker on the resolution.

SENATOR PARKER: Thank you, Madam President.

Let me add my voice to those who are send their condolences to you, Pam, and his daughter, his family who are here.

And my thanks to the leader and to Cordell for bringing forward this resolution commemorating the life of Senator Bill Perkins.

I really -- I just want to -- there's a couple of things. Like, you know, I had a very -- I had a professional and a personal relationship with Bill. When I first met Bill, I

used to work for a statewide elected official. I remember going to a breakfast in Harlem. And I had never met -- I knew who he was, but I had never met -- Bill was in the Council at the time. I had never met him. I'm a young staffer. And he's like: Come here. Don't you work for so-and-so? And I was like, Yeah. And he proceeded for 10 minutes to undress me and the elected.

And I left there, I literally had to go to my car and put my head down because I was like -- I was literally in tears. Right? I was just like, Okay, me and Bill Perkins about to have a fistfight. I'm not sure I'm going to win, but it's about to be a problem. Right?

And I went from that to getting to know him when he came here to the State Senate when I was already here. And he became one of the people I had one of the closest relationships with in this chamber.

He was somebody who was authentic, every moment. You never had to think -- you never had to guess at what Bill thought of you, or what he thought about issues. Not one moment. Right? Because if he had -- if he thought

something, he was going to let you know.

He was somebody -- the one word I always think about him is fearless. Like there's literally nobody I have been with in a political context who was more fearless than Bill Perkins. He -- as you heard members say, every single step of the way, he always did the right thing.

And when we went to the beautiful homegoing that was done for him, the first thing I would think of is that he would hate it because he was like, I can't believe these people sitting around here all this time. He'd be like, We need to be doing something. Right? He would have been like, Really, you all doing all of this?

But the story had to be told about how he was a young activist in Harlem, about his work in the Board of Elections. Right? The work that he did with various civic and nonprofit groups and advocacy organizations on various issues. To getting elected to the City Council, to being in the Senate, going back to the Council.

And as you heard Senator Cleare indicate, there's a lot of major issues that we're talking about now that were founded because

Bill Perkins stood up and said we must deal with this. Right? As much as, you know, people at the time thought it was trivial, he was the first one on a citywide level to start talking about the rat problem in our city. And now we've literally hired somebody and paid them a hefty salary to deal with it. Bill Perkins was the first one. And we -- at the time, we used to tease him and call him the Rat Czar. Right? And -- but he was ahead of his time, as you heard people say. Right?

And he always did what was right. I used to see him a lot, I spent a lot of time in Harlem when I was a young person. And when the Exonerated 5 were fighting their battles, he used to always tell them, I'm going to keep it a buck, as we say in Brooklyn. Everybody didn't believe that they were innocent. Including a lot of Black people didn't believe they were innocent.

He always told me, he says, Kevin, those young men are innocent. From day one. From day one he was like, They're innocent. And he knew them. It wasn't a political thing. It wasn't a stunt. These were young men that he knew because of his work in the community. And

he always maintained their innocence.

And now that they've been exonerated, it's an easy position to take. At that time the whole city were calling for them to be executed. And he stood up for what was right.

And whether it was fighting for people on -- you know, people who had been -- were on parole or people who were in -- he always fought for the underdog. Right? One of the pieces of legislation that we really ought to bring up before we leave here is the RAPP legislation. Right? Around, you know, people who essentially are senior citizens and still in prison, that we're imprisoning for really no reason. Because we know statistically that they have no -- there's no danger to the community by releasing them. Right?

He was the first one to bring that issue up. Right? As you heard, HALT and, you know, medical coverage for all people. Like he consistently stood up for the things that were critically important.

And one of the things that people who will be -- when we were in the Minority, it was one of the funniest things. We used to call

him Dr. No. Right? It was a historical thing. At the time that we were here, no one had -- because we were in the Minority most of the time. No one had recorded as many no votes on bills than Bill Perkins. And they dubbed him the paper Dr. No.

But he consistently would, like, sit in the chamber -- and for those of you who have never been in the minority, you know, we do our work, we have other things to do, and we flutter around. We go, you know, make calls. When you're in the minority -- you know how committed you've got to be to sit here vote after vote in your chair and just vote no after no? And sometimes he was the only no vote. If you go back and look at the record, there'd be votes that -- why'd he vote no on this? He'd be voting no on everything. He's like: No, I'm a no on this. Right? And explain to you why he's a no.

Jabari, don't get no ideas. I see you over there smiling.

(Laughter.)

SENATOR PARKER: But he -- he was fearless. And he passed that passion, he passed that energy, he passed that defiance of things

that were wrong on to the people around him.

My last reference is that after the death of Trayvon Martin, a number of us took to the floor wearing hoodies in protest of the murder of young Trayvon Martin. And Bill was really the leader of that conversation. A lot of people don't know. There was a number of us involved in it -- Eric Adams, Carl Heastie. But it was really Bill who said that we have to do something, that we cannot let the murder of this young man happen. And even though it didn't happen in our state, we can't act like it happened somewhere else and we don't care and it's okay.

And he also fundamentally understood that for Black people to be free, everybody had to be free. Right? I mean, and it's clear -- like, he was very clear that he was primarily focused on that. But he wasn't limited to Black liberation. Some people are just like, I don't care what happens to nobody else. He understood that even within the context of the community, at times in which people weren't sympathetic to the Black gay community or the Black trans community, that he was.

That he understood that we had to work with Latinos and we had to work with Asians and we had to work with poor whites and other people who had the same kind of struggles. And so much of what you see done, although it comes out of this notion of Black liberation, was rooted there, but had blown -- had blossomed into other gardens and other fields. And that will be his legacy.

And I ask us, if we do nothing else, that we continue to understand that even though we may be rooted in our communities, whether those are ethnic communities or religious communities or geographic communities, that we ultimately understand that we're extending the things that we want in our own communities to extend to everyone's community. And that the freedoms and the benefits and the happiness that people should just have in our lives and in our communities, everybody should have.

We thank you, Bill Perkins. We miss you. We love you. And may we always have a piece of Bill Perkins in us as we fight for the people in our communities.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Jackson on the resolution.

SENATOR JACKSON: Thank you, Madam President.

And my colleagues, I rise to talk about Bill Perkins.

And first I'd like to offer my prayers and condolences to the family. And not only the personal family, but the family of Harlem that Bill represented.

Today we gather before this legislative body, in which he served for about 10 years, to express our dear appreciation and heartfelt regret as we acknowledge the loss of a remarkable individual who dedicated his adult life to public service.

Bill Perkins was a true champion for the community of Harlem. He served as a community activist, a district leader, tenant leader, and elected public official.

He tirelessly fought for reform, transparency and accountability, making real differences in the lives of the countless families that he represented. And Bill's voice for fairness and justice went through the entire

community.

Bill was not only an esteemed former colleague of mine, but he was also a personal friend. His departure cast a somber shadow upon us, for he was not just a public figure but a beloved native of Harlem who devoted himself to serving his community. And over the course of several decades, Bill selflessly toiled as a beacon of hope, illuminating a path towards a brighter future for those he represented.

He waged a valiant battle against the insidious threat of lead poisoning to safeguard the health of our community.

I want to read part of what I spoke about and read at Bill's funeral. Bill Perkins was my friend, and we spent time together, especially when we were in the New York City Council. There were so many events we attended together. Bill represented the 9th Councilmatic District, and I represented the 7th Councilmatic District, right next door to each other.

Also, many times we traveled together, because I had the car to drive to places.

(Laughter.)

SENATOR JACKSON: And we said we were brothers from another mother.

And I remember when I ran my first New York City Marathon in 2007, and at age 56, Bill said "I'm going to meet you at 125th Street and First Avenue." And he met me there and ran all the way with me until the last entry part of Central Park, where only you have to have your -- you know, your numbers on to get in Central Park.

And then when Bill was running a marathon, I think that's the one Senator Jose Serrano mentioned, I met him at 90th Street and First Avenue, because that's where I normally, with my wife and family, we go there, 90th and First Avenue, to watch the runners.

He was running a faster pace than I expected, and I almost missed him running by when I heard my daughter say, "Dad, Bill Perkins is here!" And I ran so fast to catch up with him.

After Bill had a colonoscopy, you could hear him say -- and I didn't say this word at the actual funeral -- but "You got to get your butt checked," to the people that he knew.

(Laughter.)

SENATOR JACKSON: And I attended a

press conference at Harlem Hospital where it was about colon cancer screening, and reporters was asking questions, and I promised to get my butt checked soon.

(Laughter.)

SENATOR JACKSON: A reporter called me several months later, six months later. He said, Senator Jackson -- "Councilmember Jackson, you said you were going to get your butt checked. What happened?" And what I said to him, I didn't have any symptoms whatsoever. And as you know, you don't have symptoms initially until you get your butt checked.

And I said it took me nine months from that press conference to get my butt checked, and I thank Bill for that. Because if it wasn't for Bill, I probably wouldn't have gotten my butt checked.

But he was a warrior, not afraid to address the needs of Harlem and New York City, from passing laws to prevent lead poisoning of our children, and to fight off rats. And I remember Bill invited a press conference on a tour of his district in Harlem one evening when it was dark outside. And the rats knew that the

press were there and had them jumping back, Whoo, whoo, whoo, whoo, when they were running out of the black garbage bags.

And Bill stood up for the Central Park 5 when others did not, including myself. Now referred to as the Exonerated 5.

And Bill was the first elected public official or party official to endorse Barack Obama for president of the United States.

Bill and I ran every day in the mile-high city of Denver, Colorado, during the 2008 Democratic National Convention.

And I say to you, as a colleague that worked with him for that many years in the City Council, and knowing him, who he is and who he was, Bill will always be with us, with his advocacy, his frankness, his enthusiasm for people, and always willing to laugh and smile but talk seriously with you.

So with that, I say peace be upon Bill and his family.

Assalamu alaikum, everyone.

ACTING PRESIDENT PERSAUD: Senator Gianaris on the resolution.

SENATOR GIANARIS: Thank you,

Madam President.

I want to just take a few moments and add my words and thoughts to our memories of Senator Perkins.

And my experience with him was he was an educator for me. I mean, not in the sense that he would sit in front of a classroom and teach, but just by his behavior and his example. He taught me a lot in the time that we shared here, about six and a half years in the State Senate.

Senator Parker mentioned the time when a number of Senators wore hoodies to protest the Trayvon Martin killing. And it was Senator Parker, now Mayor Adams as part of that group, Bill Perkins front and center, of course. And for some reason I was invited to join that group as a freshman member of the State Senate.

And I said to myself, knowing very little about this place back then, I said sure, I'll do this. I'll support my colleagues. This is an important issue.

And it was something now over a decade later, I still remember as one of the most important moments of my time here, and we've done

a lot of important things here. Because of Bill Perkins, this white boy sat in the seat Senator Rhoads is in right now wearing a hoodie during Senate session. And at the time, that was unheard-of. I mean, it's still unheard-of. Don't do it, right?

(Laughter.)

SENATOR GIANARIS: But it was an important moment.

Somehow I don't think you all would do that anyway, but ...

But he didn't stop there. You know, Senator Perkins' time here in the Senate with me overlapped with a very strange time here. We had this group called the IDC that was involved in a lot of things that somehow I was -- tended to be front and center in the battle with.

And what most people don't know is while all that was going on over many years, Bill Perkins was always in my ear. So we get into some fight, and like: Yeah, you show them. You tell them what you'd do. Or they'd do something and I wasn't even planning on doing anything, and he'd say, You going to take that from them? You going to let that stand? You've

got to say something about this.

And he was always stoking that fire. Because Bill Perkins was the embodiment of the good trouble that John Lewis talked about. He did so many things that weren't popular in the moment -- we heard a number of examples already -- but turned out to be right in time. And that is the true definition of a leader, someone who's not just following where the wind blows but is doing something because he believes it.

And I have the good fortune, now that we're in this chamber, now sitting next to Senator Cleare when we're in conference. And you could see his influence on her. You could see the traits that Bill Perkins had in his successor. Because both of them didn't take anybody's crap. They say what they think. They say what they mean, consequences be damned. And we're all better off for it.

You know, yesterday we had a conference, there's a lot of hot issues at the end of session, as always. And there was some issue we were discussing where a lot of us have strong opinions on either side. And I said

something. You know, I did my thing. And then I sit back down and Cordell leans over to me and she says, "Well said. I couldn't have said that that better myself." And I thought to myself, that's Bill Perkins' hand on my shoulder right now, doing what he was doing all those years, egging me on to do the right thing and speak my mind.

And so his legacy will not be forgotten. It has meant so much to me. I daresay given that encouragement and the lessons he taught, we would not be sitting on this side of the aisle if it wasn't for the way Bill Perkins comported himself when we were sitting on that side. And for that he has our everlasting gratitude.

And to Pam and his family, thank you for joining us and for letting us share in Bill Perkins all those years. May his memory be eternal.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Sanders on the resolution.

SENATOR SANDERS: Madam President, to the family and friends of Bill Perkins, I had

the pleasure of serving with Bill Perkins on at least two occasions.

And we've heard many things about him today. We've heard of his battle against the rats, his -- Senator Jackson spoke of his encouragement to get yourself checked.

(Laughter.)

SENATOR SANDERS: We have heard many different things. I just want to share just a little bit of what we did.

As I think I said, I served with him in City Council and in the Senate. But a period came when it was tough to stand up. There was a lot of political winds blowing, and a couple of us came together. There was the -- that member of the Divine Nine herself, Helen Foster from the Bronx. There was the unconquerable Al Vann from Brooklyn, myself from Queens, and the Olympic runner Bill Perkins from Manhattan.

And we looked around at all of the different people who were running and all of the possibilities, and we saw which way everybody was going. And for whatever reason, we said this is not the way it needs to go. It needs to go another way. And somehow we gravitated towards

each other. And it was a very rough time. Our county machines -- I'm sorry, our county organizations said to us --

(Laughter.)

SENATOR SANDERS: Organizations, quote me -- said to us, If you do this, you will be primaried. We will get you out of here. And I was indeed primaried.

But we all stood together. And -- and it came down to Bill's philosophy. We said, Bill, what do you do here? What do you do? And he was kind of forgetting the words -- I think it had to do with forget them. Forget them. Something like that, that became our motto, where we just said that we're going to see this thing through.

And sometimes you can be ahead of your time, and indeed we were. That person that we saw as having the wherewithal to lead America was a guy whose name at first nobody could even say. It turned out to be Barrack Obama. And these were the folk that we came together and said, We're going to see this thing through come hell or high water. And first out the door, first through the door was always Bill Perkins.

I cannot recall a fight in this period that he ducked. I can recall several he should have. But I cannot recall a single fight on this issue that he ducked, where he was saying that this -- it was possible that we could do these things, that America could be a greater place.

Bill was -- I mean, you know, sometimes you don't know what you have till you don't have it. And they don't make men that way too much this day and age. It's -- maybe they broke a mold, maybe. Who knows. But all I know is that those four folk had to turn to each other. And Bill, the guy -- you're right, he was fearless. Now, I try to move with a certain amount of caution, but he threw caution to the wind. There was no -- there was no caution with this man on this issue. He was just going to go there, and go there he did.

So I'm glad that I had the chance to walk with such giants, Al Vann, Bill Perkins, those type of people that made you stronger in spite of yourself, that made you just a better person.

Now, you don't have to accept all

what they said, and every person has flaws. But when you add it all together and you look at history, history should say that Bill Perkins stood when a lot of people did not. And Bill Perkins helped a lot of people to stand who couldn't stand otherwise, including myself.

So, Madam President, I am so glad to vote yes on this resolution, I can't put it in words, but I just did.

(Laughter.)

SENATOR SANDERS: Thank you very much, Madam President.

ACTING PRESIDENT PERSAUD: Senator Krueger on the resolution.

SENATOR KRUEGER: Thank you, Madam President.

My condolences to Pam and the whole family, the Perkins family.

Everybody has their stories about Bill, and I'm not going to spend very much time other than to say probably what other people have also said in their own way.

Bill taught you, as an elected official, how you looked in the mirror in the morning and you said, You're here to accomplish

good things for people. And if you ever forget that, then you shouldn't be here. Because I think that is the motto he lived by. And you've heard about his passion and you've heard about his commitment.

I actually met Bill Perkins before he was a City Council member, long before I was an elected official, when I was running community-based programs in Central Harlem -- 116th Street, 125th Street -- and got to know him a little bit, and then as my organization did antipoverty and eviction prevention and we worked to bring the Pathmark Supermarket into Harlem when there were no large food stores opening in poor communities in New York.

But then when I became a Senator, he talked to me about the fact that he had actually gone to school just a couple of blocks from where I lived in my district, and that his parents had sent him down to the school in the white district just south of Harlem, and that what some of that experience was like for him going to school there.

And then when I got myself into a significant fight in my own district trying to

fight to make sure four high schools in one building, doing a tremendous job, pretty much all for Black and brown children, people were trying to tear it down and throw those kids out. And I was like, No, these are tremendous schools doing a great job. The building was empty, and so the Department of Education -- Board of Education then -- said, We're going to use these schools for this purpose. And they're still doing a great job.

And Bill was there giving me advice how to fight with City Hall, how to fight with the Department of Education to make sure that those schools stayed where they were, stayed where they are, doing an unbelievable job working with kids who in theory, by those eighth-grade tests, were all supposed to never finish high school.

And to this day, those four high schools are there, with 98 percent graduation rates and 95 percent of the kids going to college.

So I learned a lot from Bill Perkins. And I will never forget the lessons that I learned from him and I think we

all learned from him.

My condolences to you all.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Martins on the resolution.

SENATOR MARTINS: Thank you, Madam President.

First and foremost, my condolences to the Perkins family, to the entire family.

I served with Bill for six years here in the Senate. And Madam President, we were not close friends. We didn't go out to dinner, we didn't tend to socialize. But I was sitting on that side, Bill was sitting on this side. And you get to know somebody who you serve with over six years.

I just want to lend my voice to what's already been said by so many today. Bill didn't live his life by sticking his hand or finger in the wind to determine which way the wind was blowing, but by forcing the wind to change direction to how he felt it should be blowing.

You knew that he was passionate about his community. He defended Harlem. He was

a principled individual. And frankly, he was a great colleague to have.

Now, we may not necessarily have agreed on a great deal in terms of policy here in the state. In fact, I think oftentimes as I sat and watched Bill vote no over and over and over again, there were certain bills where you just wondered why he was voting no. But he had his reasons.

But I do find that the world is a sadder place. And when I did receive news that he had passed, I found myself remembering my colleague, the difference he made in the state, the principles he lived by, and understanding that the world is frankly a darker place and a worse place for Bill Perkins not being in it.

Madam President, I proudly vote aye.

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

Please stand and be recognized.

(Extended standing ovation.)

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

Senator Gianaris.

SENATOR GIANARIS: Madam President, at this time we're going to simultaneously call a meeting of the Rules Committee in Room 332 and take up the calendar.

ACTING PRESIDENT PERSAUD: There will be an immediate meeting of the Rules Committee in Room 332.

The Secretary will read.

THE SECRETARY: Calendar Number 75, Assembly Bill 1707A, by Assemblymember Rosenthal, an act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 75, those Senators voting in the negative are Senators Borrello, Helming, Rhoads, Rolison, Walczyk and Senator Weik. Also Senator

Mattera -- Senator Mattera in the affirmative. Senator Mattera in the negative. Senator Palumbo in the negative.

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 75, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Mattera, Murray, Oberacker, O'Mara, Rhoads, Rolison, Stec, Walczyk, Weber and Weik.

Ayes, 48. Nays, 14.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 232, Senate Print 2432, by Senator Comrie, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 232, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Palumbo, Weber and Weik.

Ayes, 57. Nays, 5.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 247, Senate Print Number 1783A, by Senator Hoylman-Sigal, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 247, those Senators voting in the negative are Senators Ashby, Helming, Murray, Ortt, Stec, Walczyk and Weik.

Ayes, 55. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 262, Senate Print 302, by Senator Salazar, an act to amend the Correction Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 262, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 271, Senate Print Number 2422A, by Senator Hoylman-Sigal, an act to amend the Vehicle and Traffic Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal to explain his vote.

SENATOR HOYLMAN-SIGAL: Thank you, Madam President.

And I appreciate my colleagues' support on this bill for a second time.

It's known as Sammy's Law. It's named after a young man named Samuel Cohen Eckstein, who was just a few months short of his bar mitzvah. He was 12, and was killed by a reckless driver speeding in Brooklyn.

Since that tragic day at least eight

years ago, 98 more children have lost their lives in traffic collisions on city streets. And last year New York City recorded the highest number of child traffic fatalities since the start of Vision Zero.

The question we have to ask ourselves is how many more kids, children, our loved ones, seniors, pedestrians, cyclists have to die? This is common-sense legislation if I've ever seen it. It will allow New York City to set its own speed limits.

After all, no offense to Senator Kennedy, but why should the Senator from Buffalo have anything to say about the speed limit in Brooklyn? And I'm proud to say that Senator Kennedy is a cosponsor of this legislation, and I want to thank him, as chair of the Transportation Committee, for his continued efforts in this regard.

Sammy's mom, since his death, founded a very important organization. I'm sure they've reached out to each and every one of you over the last several weeks. Her name is Amy Cohen, and she founded a group called Families for Safe Streets, in conjunction with

Transportation Alternatives. They have been here in force in the Capitol, Madam President, trying to get this bill done. They know firsthand, because many if not most of them are surviving family members of traffic fatality victims.

Now, another thing has to be said about this bill, which is a person hit by a car traveling at 35 miles per hour is five times more likely to die than a person hit by a car traveling at 20 miles per hour. Let's lower the speed limit. Let's allow New York City, in its considered judgment, to do so. That's all this bill does.

I want to thank the New York City Council for its home-rule message, which wasn't easy to get. I want to thank the mayor of the City of New York for his support. I want to thank Governor Hochul for mentioning this bill in her Executive Budget and showing her support.

And I want to thank our leader, Andrea Stewart-Cousins, and again, as I said, our chair of the Transportation Committee and all of my colleagues for their steadfast support in this legislation.

Amy Cohen, to her and to her mother,

Joan Dean, my constituent, I say to you our hearts are with you. We stand in solidarity as you engage in a hunger strike here in Albany to make your point that lower speed limits save lives and we as public officials have a responsibility to see Sammy's Law enacted.

I vote aye.

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal to be recorded in the affirmative.

Senator Ramos to explain her vote.

SENATOR RAMOS: Thank you, Madam President.

You know, I've lost 12 of my constituents to vehicular violence last year alone. And of course during the course of this year I've lost a few as well. And I'm so sad to say that so many of them were children, who were walking, crossing the street, holding their parent's hand, and lost their life to a driver who decided not to yield to pedestrians, who decided to drive fast down a very residential street.

And really I want to more than commemorate, of course, all of the lives that we've lost to irresponsible drivers, recognize

that there is terrible road rage across the State of New York right now that we don't talk about often enough. There's a lot of road rage because there's a lot of traffic.

And there's a lot of traffic because there are too many cars on the road. I know of households that have three, four cars -- since after the pandemic -- more than they had before. And it's just too much for our streets to handle.

So while I know that drivers are going to feel frustrated having to go a little slower, having to leave their house a little earlier, I really hope that they understand that it's about saving lives. We can't bring back all of the people, especially the children we've lost. And I saw Mr. Ampuero, who was up in the gallery earlier today. I remember losing Giovanni Ampuero in Jackson Heights back in 2018.

And among the many victims of vehicular violence last year we have Jonathan Martinez, who was only five years old, crossing the street holding his father's hand. It's heartbreaking.

So please -- you know, I don't have

a driver's license. I don't drive a car. But to every single person who decides to have a license, to drive a car, please, slow down. Slow down. Plan ahead. Yield to pedestrians where they're in the crosswalk and they have the right of way. Please help us save lives. Please help us keep our children alive, living to see their futures before them, their bright futures before them.

Thank you. I vote aye.

ACTING PRESIDENT PERSAUD: Senator Ramos to be recorded in the affirmative.

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President.

And my colleagues, I rise to express my unwavering support for S2422, Sammy's Law, a bill that has the potential to save countless lives in New York State and particularly New York City.

We are all aware of the dangers posed by speeding motorists that are a necessary grave threat to the lives of individuals in our communities. They transform our busy streets into potential death traps, endangering

pedestrians and cyclists.

The dangers of fast-moving traffic are all too familiar to me. As I expressed to some of you before, I have personally witnessed the devastating impact it can have. As a child, four years old, I was walking with my two sisters near the school in East Harlem and I was hit by the car, and I was in the hospital for three weeks with internal bleeding and what have you. Fortunately, I survived.

So -- and in my own district in Northern Manhattan, especially during the pandemic, people were driving much faster than they were before because you didn't have all of the traffic that was slowing on the highways and everything.

And I say this to you. I was late for a meeting, and I was driving too fast myself on Broadway, and the speed trap got me and I had to pay a $50 fine, appropriately so.

But I know that even now when I'm driving to the hotel and I'm going past the school, it has the 20 miles per hour speed zone, and that's what I do -- 20, 22, that's it. Because I know that it can save lives as a result

of slowing down.

I do see people going fast at 35 miles per hour and what have you and so forth, but not me. I've learned my lesson by receiving a fine. And I should know because I was hit by a car myself when I was four year old.

And I think about my grandsons -- they are 13 and 10 -- about them and how they need to understand traffic safety in the streets. They live in Virginia, but they come to New York often also, and they ride bikes.

So this legislation carries the memory and legacy of Sammy Cohen Eckstein, vibrant 12-year-old boy whose life was cut short and whose dreams were shattered by reckless driving in Prospect Park, Brooklyn, back in 2013.

ACTING PRESIDENT PERSAUD: Senator Jackson, how do you vote?

SENATOR JACKSON: Oh, I vote aye, Madam President. I just wanted to finish.

ACTING PRESIDENT PERSAUD: Thank you. Thank you, Senator.

Senator Jackson to be recorded in the affirmative.

SENATOR JACKSON: Thank you.

ACTING PRESIDENT PERSAUD: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Madam President.

First of all let me start by thanking our Majority Leader, Andrea Stewart-Cousins, for bringing this bill to the floor today, and for our amazing champion of this law, Senator Hoylman-Sigal, for being relentless in his advocacy. And we truly appreciate your leadership, Senator Hoylman-Sigal.

As the chair of the Senate Transportation Committee, I can tell you that this has been a priority not only of mine but of the committee, and of this conference, since day one. And we are advocating for the passage of this not just today here in this chamber, but to see it through to its final completion in the process, through the Assembly and on to the Governor's desk for her signature.

The Families for Safe Streets coalition -- who have so nobly and courageously told their stories, their heart-wrenching stories of loss to advance this legislation, Sammy's Law, and other pieces of important legislation to make

our streets safer all across New York State -- deserve to be commended.

The greatest advocate of all for this legislation, Sammy's Law, was Sammy's mother, Amy Cohen. I cannot tell you how important her work has been in seeing this bill through a vote once again today. I'm honored to be a part of its passage and look forward to finally making this a reality.

And we have to make this a reality. Too many people are dying in the streets of vehicular violence. The leaders of the City of New York have asked for this through home rule. It's high time we get this done once and for all.

With that, Madam President, I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 271, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Lanza, O'Mara, Palumbo, Rhoads, Scarcella-Spanton and Weik.

Ayes, 55. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 296, Senate Print 1081, by Senator Comrie, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 298, Senate Print 2872, by Senator Comrie, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 298, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Helming, Tedisco and Walczyk.

Ayes, 58. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 307, Senate Print 2707, by Senator Harckham, an act to amend the Real Property Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 329, Senate Print 2729, by Senator Sanders, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 329, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Griffo, Oberacker, Palumbo, Scarcella-Spanton, Stec, Tedisco, Walczyk and Weber.

Ayes, 52. Nays, 10.

SENATOR SERRANO: The bill is passed.

THE SECRETARY: Calendar Number 345, Senate Print 1466, by Senator Breslin, an

act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 5. This act shall take effect January 1, 2025.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 372, Senate Print 3233, by Senator Hoylman-Sigal, an act in relation to requiring the Division of Housing and Community Renewal to calculate the period of rent reduction.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 372, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 21.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 380, Senate Print 1890, by Senator Sanders, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 410, Senate Print Number 3266A, by Senator Hoylman-Sigal, an act to amend the Judiciary Law and the Labor Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 410, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 43. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 450, Senate Print 2451, by Senator Comrie, an act to amend the Not-For-Profit Corporation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 450, voting in the negative: Senator Martinez.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 462, Senate Print 5268A, by Senator Myrie, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 462, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Scarcella-Spanton, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 22.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 470, Assembly Bill Number 3340, by Assemblymember Cruz, an act to amend the Penal Law.

SENATOR PALUMBO: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 496, Senate Print 1819, by Senator Stavisky, an act to amend the Real Property Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 522, Senate Print 2928, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 522, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Ortt, Rhoads and Walczyk.

Ayes, 55. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 554, Assembly Bill Number 2756A, by Assemblymember Gandolfo, an act in relation to authorizing the assessor of Town of Islip, County of Suffolk, to accept an application for exemption from real property taxes.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 554, voting in the negative: Senator O'Mara.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 581, Senate Print 5126A, by Senator Parker, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 608, Senate Print 227B, by Senator May, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

THE SECRETARY: Section 4. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

Probably many of us in this room have in our blood or our tissue some level of PFAS or perfluoroalkyl substances. These are persistent chemicals, known as forever chemicals, that are present, for example, in a lot of food packaging, clothing, household and personal care products. PFAS move easily in the environment, and they've found their way into many drinking water supplies, into fish and marine life, and even into the air we breathe.

PFAS exposure is known to have effects on human hormonal activity and immune systems. They reduce fertility, affect child development, increase cholesterol levels, and

raise the risk of cancer. The U.S. EPA recently determined that there is effectively no safe level of PFAS in the environment.

So how do we protect people from these harmful effects? The best way is to stop the unnecessary production of these chemicals in the first place, which is part of the goal of Senator Harckham's excellent Packaging Reduction and Recycling Infrastructure Act, which I hope we will pass soon. But in the meantime, we need to know how and where PFAS are making their way into our waterways, so that municipalities and state regulators can take swift action.

That is the goal of this bill, which is the most comprehensive action any state has taken to identify point source discharges of PFAS.

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

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

Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you very much, Madam President.

I really want to commend Senator May for this bill. This is a very important bill. She so eloquently explained why it's important and the dangers of PFAS.

But I also want to stress that this takes an approach that we need to take on a host of issues. It's so easy for polluters to just kick the can down the road. And who bears the cost? The ratepayers of water districts, homeowners, taxpayers, both financially and in terms of public health.

And it's time that we start at the source, whether it's people who make the chemicals, people who use these chemicals. We need to make them responsible for testing, for monitoring and remediation at the source, rather than passing it along to taxpayers and consumers.

So with that, I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

622, Senate Print 4922, by Senator Sepúlveda, an act to amend the Public Health Law.

SENATOR PALUMBO: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 658, Senate Print 363, by Senator Thomas, an act to amend the Personal Property Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 658, those Senators voting in the negative are Senators Martins, Rhoads, and Walczyk.

Ayes, 59. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

659, Senate Print 1106, by Senator Comrie, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 659, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 668, Senate Print 6218, by Senator Parker, an act to amend the Public Authorities Law.

SENATOR SERRANO: Lay it aside temporarily.

ACTING PRESIDENT PERSAUD: Lay it aside temporarily.

THE SECRETARY: Calendar Number 686, Assembly Bill Number 1926A, by Assemblymember González-Rojas, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 698, Senate Print 5169, by Senator Mannion, an act to amend the State Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 702, Senate Print 6026A, by Senator Skoufis, an act to amend the Public Officers Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 712, Assembly Bill 5939, by Assemblymember Eichenstein, an act to amend the Correction Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 712, those Senators voting in the negative are Senators Borrello, Helming, Martins, O'Mara, Rhoads, Stec, Tedisco, Walczyk and Weik. Also Senator Ortt.

Ayes, 52. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 725, Senate Print 760B, by Senator Liu, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 725, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Rhoads and Walczyk. Also Senator O'Mara.

Ayes, 58. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 745, Senate Print 6162, by Senator May, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator May to explain her vote.

SENATOR MAY: Thank you,

Madam President.

So to become a police officer you need to pass a number of tests, and one of them is a color vision test. And it turns out that there is a whole range of color vision deficiency, levels of color vision deficiency, some of which should be disqualifying, but many of which should not.

So this bill, I'm very pleased that we're passing this bill to make it possible for some people who dream of becoming a police officer to realize their goal, even in spite of having a minor color deficiency.

But I'm a lot more excited about passing this bill because it was developed by my session assistant, Liam Vaitkus, who is here with us this session. He was a sophomore at UAlbany this past spring, and he was working in my office and came to me with the idea of this bill, did the research, got the sponsorships. He really did all of the legwork to make this bill happen. And I am thrilled that we are passing this good piece of legislation now and that he was able to join us to do it.

So thank you to my colleagues for

supporting this. I vote aye.

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

Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

Thank you, Senator May, for introducing this very important piece of legislation.

You know, anybody that wants to protect and serve us, you know, we should be able to open up those categories as opposed to limiting them.

But I am more excited, again, about Liam's introduction of it. And Senator May, for you allowing him to have that ability and latitude to be able to do that in your office.

Once upon a time, a long time ago, 19 years ago, I was also an intern, I was an intern in the other house, the Assembly. And I also came up with a bill concept -- not that I remember, it was A9534 of the Public Health Law, an act to amend -- but, you know, never mind.

But that one piece of legislation amongst that entire totality of the internship,

it made me believe in government more. And when you have a bill that you get to see, Liam -- and your family's here with you -- that you get to see pass the State Senate, something that you did, you should be incredibly proud of what you've done.

And the fact that you're only a sophomore at the best SUNY, SUNY Albany -- not that I'm an alumni of what UA you know -- but the fact that you're there should give you a lot of hope, and it should give us a lot of hope, regardless of what side of the aisle you may sit on, that our young people are doing quite well.

And I am very proud to vote aye on this bill, Madam President.

ACTING PRESIDENT PERSAUD: Senator Bailey to be recorded in the affirmative.

Senator Rolison to explain his vote.

SENATOR ROLISON: Thank you, Madam President.

I have the distinct honor to thank our session assistant, Liam Vaitkus, today for putting the work and the research in on this bill.

I have had the opportunity to see

this young man up close and personal. He graduated from my alma mater, Spackenkill High School, and became involved in numerous community endeavors. And going to Albany, he got here before me. And then I got here, and then he came over here.

And I want to thank Senator May for encouraging him to work on this bill.

And also in conversations that we had about, you know, when you put a bill forward, there could be the pros and the cons of whatever the bill is attempting to do. And as all of you know, a former police officer, I had said to Liam -- and I'm sure Senator May said the same thing, and others -- you need to reach out to people who know about why this may be a condition right now. And your desire to change this makes sense, but you're going to need to get the buy-in of other organizations. And he did that.

And there is no doubt that this young man from Ulster County and before that, Dutchess County, and going to Albany, is going places. And this is just another fine example of the work that he has done to make sure that that happens for him and benefits the community.

And I proudly vote aye on this resolution.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Rolison to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 745, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 820, Assembly Bill Number 6095A, by Assemblymember DiPietro, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 864, Assembly Bill Number 6435, by Assemblymember Lupardo, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 864, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick and Martinez.

Ayes, 60. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1045, Senate Print 213B, by Senator Myrie, an act

to amend the Agriculture and Markets Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1070, Senate Print Number 895A, by Senator Hoylman-Sigal, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal to explain his vote.

SENATOR HOYLMAN-SIGAL: Thank you, Madam President.

And thanks to my colleagues for their support on this legislation, which we wrote with the assistance of the Anti-Defamation League.

This legislation is similar to a statute that is in effect in California and would require social media companies to submit clear, coherent and standardized reports twice a year to the Office of the New York State Attorney General, and would make them use all the same metrics and publicize their terms of service so we can see the impact of their approach toward online hatred.

With the data in these reports, we'll finally be able to see the true geography

of hatred online, and we'll be able to identify which policies work best at curbing toxic content.

And I don't need to tell anyone here, but hate is on the rise and it's on the rise online. Since the pandemic began, online hate speech has increased 38 percent since March 2020. Since Elon Musk took control of Twitter, anti-LGBTQ, anti-Black, anti-AAPI and racist content has more than doubled.

And we cannot allow social media moguls like Musk to continue to promote hate when hate crimes have risen across the state.

And we can't trust these companies, Madam President, to control hatred on their own, because it's clearly not working. One audit found that Twitter failed to act on 99 percent of hateful tweets researchers reported, and that hateful posts from just a handful of accounts generated money for them, $6.4 million in ad revenue for the company while they were allowed to spread hatred.

This has to stop. This Social Media Disclosure and Transparency Act will be an important step in the right direction. I want to

thank Leader Andrea Stewart-Cousins for her support, and all of my colleagues for voting in the affirmative, as I do now.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1070, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk and Weber.

Ayes, 47. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1111, Senate Print Number 6151A, by Senator Canzoneri-Fitzpatrick, an act to amend Chapter 676 of the Laws of 1978.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1168, Assembly Bill Number 7265A, by Assemblymember Jacobson, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1168, voting in the negative: Senator Helming.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1235, Assembly Bill Number 3691B, by Assemblymember Thiele, an act to amend Chapter 672 of the Laws of 1993.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1245, Assembly Bill Number 6698, by Assemblymember Weinstein, an act to amend the Estates, Powers and Trusts Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal to explain his vote.

SENATOR HOYLMAN-SIGAL: Thank you, Madam President.

I rise again to thank my colleagues for the bipartisan support that I think we're going to see in a few moments in support of grieving families and reforming our antiquated wrongful death statute, which was written in 1875 when James K. Polk was president of the United States, and hasn't been updated since.

And since that time, so many families have suffered in our courts because when they lose a loved one in a wrongful death suit, in most instances their loved ones' lives are devalued because our current statute only accounts for their earning potential.

So that means, Madam President, if you lost an infant, a senior, an individual with a disability, someone who might be working class and doesn't make as much as a Wall Street

financier, the court has to value that life less than they might otherwise.

We're going to change it with the Grieving Families Act. I hope this year the Governor comes to the table and works with Assemblymember Weinstein and the Senate to sign this bill and finally reform this important legislation that will provide greater access to civil justice.

I vote aye.

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal to be recorded in the affirmative.

Senator Palumbo to explain his vote.

SENATOR PALUMBO: Thank you, Madam President.

And I would like to commend the sponsor on bringing this legislation back, making some tweaks. I know the Governor did have some concerns with the scope of the bill. But as an attorney who has handled many of these cases in my career, it's 150 years coming, that the value of a human life should be determined by a jury. When we have, for example, in an obstetrical malpractice case, if the baby survives after the medical negligence, it's obviously a very

significant damages case. But if the baby dies, they're worth just about nothing. And that is egregious.

So I commend the sponsor. As I said, I'm glad that we've made some significant changes -- narrowing the scope, shortening the statute of limitations, and allowing, as I said, the jury to render a verdict on whether or not damages are adequate and there's reasonable compensation.

So I proudly vote aye, withdraw my request, and say thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Palumbo to be recorded in the affirmative.

Senator Ramos to explain her vote.

SENATOR RAMOS: Thank you, Madam President.

You know, as chair of the Labor Committee I've prioritized workplace safety and reinforced the legislative guardrails to support and protect workers across New York State from hazardous work sites caused by negligent employers.

And there is just so much work to be done in this area. You know, according to

NYCOSH's 2023 "Deadly Skyline" report, New York still leads the nation in construction site deaths, with deaths only increasing since last year.

Raúl Tenelema Puli, a 27 year-old man from Corona, Queens, fell to his death at a Brooklyn construction site this past November. The site had multiple hazard safety violations by the Department of Buildings. Deaths like his are completely preventable.

Currently our wrongful death law only accounts for economic loss. Families can only be awarded the financial value of the worker, and it discriminates, therefore, based on income. Like Senator Hoylman said, a hedge fund manager's life is somehow worth more than a construction worker, when we of course know that that's not true.

The system works against the everyday working New Yorker, especially women and especially people of color, who are systematically underpaid.

This legislation amends the outdated and discriminatory system. It is a common-sense bill that places the value of a person's life on

the emotional loss felt by the family left behind, not on the individual's income.

And of course my colleagues and I, we all fought to pass this bill in the Legislature last year. It was vetoed. And we're really hoping that the Governor does the right thing this time. We owe it to the families of those who we've lost -- to the family of Raúl, the family of Zhiwen Yan, a delivery driver who was fatally shot, and of course the family of five-year-old Jonathan Martinez, my neighbor who I mentioned earlier who was mowed down by a reckless driver as he crossed the street while holding his father's hand.

And to all others who died tragically through no fault of their own, to see this signed into law is true justice.

I just want to thank State Senator Brad Hoylman-Sigal for this and so many other important bills that he's passing today. Thank you to my colleagues and of course to our leader, Andrea Stewart-Cousins.

I'm proud to vote aye.

ACTING PRESIDENT PERSAUD: Senator Ramos to be recorded in the affirmative.

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Madam President.

I also just rise to thank my colleague Senator Hoylman-Sigal for being persistent in getting this bill to the floor yet again in a slightly modified version, which we hope very much the Governor will understand the importance of signing this year rather than vetoing.

Because, Madam President, when tragic things happen and someone's responsible, it's just frankly wrong that the resolution to the grieving family members who are left behind is based on some arbitrary determination of the economic value of that person.

We spent a lot of time today talking about the value of Bill Perkins to all of us here in this room. So imagine instead if we were talking about a Bill Perkins who was five years old, so that when, God forbid, something had happened to the five-year-old Bill Perkins, he wouldn't have been of the same value.

And that's crazy to me, that we have had this antiquated model, not used pretty much

anywhere else in the country, that does real harm to real people who have already faced tragedy.

So I proudly vote yes.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1245, those Senators voting in the negative are Senators Borrello, Breslin, Canzoneri-Fitzpatrick, Cooney, Griffo, Oberacker, O'Mara and Stec.

Ayes, 54. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1285, Senate Print 5852A, by Senator Mattera, an act granting retroactive membership with Tier 2 status in the New York State Teachers' Retirement system to Lori Cohen.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1288, Senate Print 6536, by Senator Mayer, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1290, Assembly Bill Number 7121, by

Assemblymember Zebrowski, an act in relation to authorizing the State Cemetery Board to accept from the Town of Clarkstown an application for funding from the State Cemetery Vandalism Restoration Fund.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1292, Senate Print 4828, by Senator Lanza, an act to amend Chapter 759 of the Laws of 1973.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1299, Senate Print 6858A, by Senator Rhoads, an act authorizing the County of Nassau assessor to accept an application for a real property tax exemption.

SENATOR PALUMBO: Lay it aside for the day.

ACTING PRESIDENT PERSAUD: Lay it aside for the day.

THE SECRETARY: Calendar Number 1301, Assembly Bill Number 2235, by Assemblymember Hyndman, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1301, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Helming, Murray, Oberacker, O'Mara, Tedisco and Weik.

Ayes, 55. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1313, Senate Print 582, by Senator Hoylman-Sigal, an act to amend the General Business Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 1325, Senate Print Number 1001, by Senator Hoylman-Sigal, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 6. This

act shall take effect on the first of January.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1325, voting in the negative: Senator O'Mara. Also Senator Walczyk. Also Senator Weber.

Ayes, 59. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1359, Senate Print 99, by Senator Gounardes, an act to amend the Labor Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: In relation to Calendar 1359, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 43. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1361, Senate Print 932A, by Senator Persaud, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1361, those Senators voting in

the negative are Senators Rolison and Walczyk.

Ayes, 60. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1439, Senate Print 7446, by Senator Salazar, an act to amend the Family Court Act.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1440, Senate Print 7447, by Senator Persaud, an act to amend the Family Court Act and the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1449, Assembly Bill Number 219A, by Assemblymember Zebrowski, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect two years after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator

Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

I wanted to rise -- or run -- because that's what athletic trainers do; they help us run and they help us to be able to ensure that we are able to move adroitly in a variety of different things.

And when Damar Hamlin collapsed up in Buffalo, we all feared for the worst. But if not for athletic trainers and their specialty, we feared the worst that would have happened for Mr. Hamlin.

And so we're grateful for them on that day, but not just that day, every single day. And athletic trainers were up here and we got to meet some of them in the gallery and we got to hear some of their stories about how they are able to save lives after collapses, deal with severe injuries, in high schools and in middle schools and in colleges all throughout our great state and our country.

So I am extremely grateful to the great athletic trainers and am excited about this bill being passed. Thank you to Member Solages

in the Assembly. And I'm excited that we got this one done.

Senator May, thank you. Senator May previously carried this bill but due to the fact that I am slightly an obsessive sports fan, she decided that I was a better fit. And I don't know if I was a better fit, Senator May, but I do thank you for your graciousness.

And I proudly vote aye.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Bailey to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 1449, those Senators voting in the negative are Senators Ashby and Kennedy.

Ayes, 60. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1450, Assembly Bill Number 2672B, by Assemblymember Paulin, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1452, Senate Print 1211, by Senator Persaud, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1452, those Senators voting in the

negative are Senators Borrello, Oberacker, O'Mara, Ortt, Rhoads, Stec and Walczyk.

Ayes, 55. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1453, Senate Print 1577, by Senator Brouk, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1455, Senate Print 1863, by Senator Brouk, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1456, Senate Print 1892, by Senator Stavisky, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1456, those Senators voting in the

negative are Senators Ashby, Borrello, Gallivan, Griffo, Lanza, Oberacker, O'Mara, Ortt, Stec, Tedisco and Walczyk.

Ayes, 51. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1457, Senate Print 1900, by Senator Stavisky, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1459, Senate Print 2102, by Senator Harckham, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you, Madam President.

Every month in the United States an average of 70 women are killed with a handgun by an intimate partner. In the United States, Black women are nearly twice as likely as white women to be shot by an intimate partner, and 4.5 million women in the United States have reported being threatened with a gun by an intimate partner.

Right here in New York, outside of New York City, in 2020 -- the last year we have statistics -- 45 percent of intimate homicide victims were killed with a handgun.

In 2020 we passed the Safe Homes Act, which gave police the opportunity to seize handguns when they arrived at a domestic violence

scene. We have been reached out to by domestic violence groups and some police groups at the lack of enforcement to seize weapons, to give time for orders of protection, for housing plans, for safety plans.

So what this legislation does is it requires police departments, if they are visible or if they have a search warrant -- so there are guardrails for lawful gun owners -- but it's imperative that they seize them and hold them for five days, as I said before, to give time for orders of protection to be put in place, safety plans, housing plans and the like.

I think this is an important step forward. It has guardrails. It protects rights of lawful gun owners. But most importantly, what this does is protect the lives of women in domestic violence cases.

I vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1459, those Senators voting in the negative are Senators Ashby, Borrello,

Canzoneri-Fitzpatrick, Griffo, Helming, Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 43. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1460, Assembly Bill Number 1399A, by Assemblymember Bichotte Hermelyn, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

I just want to thank you, thank my colleagues. And I want to thank Senator Ashby, a

vet himself, for signing onto this bill.

A very common-sense piece of legislation. When our vets come home from all that they've served to us, the very least that we can do is make it a little bit easier for them to figure out how to enroll in certain types of healthcare. A common-sense piece of legislation, bipartisan piece of legislation. Very happy to pass it.

I vote aye, Madam President.

ACTING PRESIDENT PERSAUD: Senator Bailey to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1461, Senate Print 2356, by Senator Felder, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1462, Senate Print 2399, by Senator Gounardes, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1463, Senate Print 2465, by Senator Persaud, an act to amend the Insurance Law and the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1464, Senate Print 2496, by Senator Mannion, an act to amend the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1465, Assembly Bill Number 286A, by Assemblymember Paulin, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 4. This act shall take effect 18 months after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1468, Senate Print 2956A, by Senator Hinchey, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1468, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1469, Senate Print 3036, by Senator Brouk, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 8. This act shall take effect 12 months after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1469, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1470, Senate Print 3037, by Senator Walczyk, an act to amend the Highway Law.

SENATOR LANZA: Lay it aside for the day.

ACTING PRESIDENT PERSAUD: Lay it aside for the day.

THE SECRETARY: Calendar Number 1471, Assembly Bill Number 6084A, by Assemblymember Jean-Pierre, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1472, Senate Print 3539, by Senator Breslin, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1472, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Helming, Murray, Oberacker, Ortt, Palumbo, Rhoads, Rolison, Walczyk, Weber and

Weik. Also Senator Tedisco.

Ayes, 47. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1473, Senate Print 3591A, by Senator Breslin, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1474, Senate Print 4100, by Senator Kennedy, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Madam President.

First of all, I want to thank the Majority Leader for bringing this bill to the floor today, my colleague for supporting it.

This bill requires AED devices to be available at school-sponsored athletic events, to make sure they're on-premise when our students, our youth, our grandchildren are out in the community with their coaches, practicing, training or participating in games that are school-sponsored.

We all know the importance of these life-saving automated external defibrillator, AED devices.

Senator Bailey mentioned Damar Hamlin of the Buffalo Bills earlier that we all watched on national television lose his life, only to be brought back to life on the field by

the trainers that were there that day and the medical professionals down in Cincinnati, Ohio, and the follow-up support that he received. They not only used CPR in the moment, but they used an AED device.

We hear about these stories oftentimes. I actually lived this moment. Just last year, as a matter of fact, May 22, 2022, just eight days after the horrific massacre that happened in Buffalo. We were celebrating the 21st birthday of Zaire Goodman, the son of Zeneta Everhart, my head of diversity and inclusion. Zaire was shot on May 14th by that racist terrorist in Buffalo.

Just eight days later we celebrated his 21st birthday at Canisius College. And it was an emotional, difficult, heart-wrenching eight days leading up to that point, and the year-plus since that horrific day. But in the moment, the community was rallying together and there was a lot of grief and a lot of trauma that we're still dealing with again today. But that ended up taking itself out on a dear friend of ours who was on the front lines helping the community, like she always does, Marnetta

Malcolm. And Marnetta Malcolm actually helped Zeneta plan this 21st birthday for Zaire.

During the event, this celebratory occasion, Marnetta went down, passed out, her heart stopped. Myself and two others, Tearah "Tab" Massenburg, who is a registered nurse, and Mo Sumbundu, who works for Empire State Development -- is actually the son of Gale Brewer, Councilwoman Gale Brewer from Manhattan -- were there. The three of us, knowing CPR and having an AED device on hand, because it was Canisius College, were able to use that to save Marnetta Malcolm's life.

And it's a moment I will never forget, that I think about often and every time I see her. And she's right back where she was, the doctors said. Because of us being able to jump into action in that moment, her life was saved and she has no residual long-term impact.

All of that I say because I was able to see firsthand the importance of an AED device that was -- that we attached to her to help shock her heart back. The Buffalo Fire Department, the Buffalo Police Department, who also descended on the scene shortly thereafter, also used that same

AED device.

So why not make these devices available for our high school and grammar school and college students when they're participating in sports, when we know that their hearts are hard at work, we know that oftentimes during these sporting occasions these unfortunate circumstances happen. And an AED device on hand will save these individuals' lives. That's the purpose of this bill.

With that, Madam President, I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1475, Senate Print 4306, by Senator Chu, an act to amend the State Finance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1476, Senate Print 4393, by Senator Martinez, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1478, Senate Print 4501A, by Senator Skoufis, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as Section 1 of Part LL of Chapter 56 of the Laws of 2023.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61. Nays, 1.

Senator Martinez voting in the negative.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1479, Senate Print 4534, by Senator Harckham, an act to amend the Transportation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect one year after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1480, Senate Print 4550, by Senator May, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of July.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1480, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick,

Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1481, Senate Print 4558A, by Senator Skoufis, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thanks very much, Madam President.

For my colleagues who don't have the pleasure of living in or representing parts of the lower or mid-Hudson Valley, you may not fully grasp the depths of the sentiment that our constituents feel in our region when it comes to

what happens to the Tappan Zee Bridge naming back in 2017.

I was in the Assembly at the time and remember well that a deal was struck and in an omnibus bill shoved into a much, much larger piece of legislation, was surprisingly a renaming of the Tappan Zee Bridge.

And as we all know certainly six years later, the bridge that was erected and now spans the Rockland and Westchester piece of the Hudson River has been the Governor Mario M. Cuomo Bridge.

A common refrain among my constituents and those in the region has been, for the past six years, "It will always be the Tappan Zee to me." And so with this bill we seek to right the wrong of six years ago and restore the Tappan Zee name to our bridge.

I am thankful for my colleagues who worked with me on this compromise. This is an amended version. And we landed in a place that I think is respectful of all parties: The Governor Mario M. Cuomo Tappan Zee Bridge.

And so I'm proud to support this legislation, I implore the Assembly to take it

up, and thank my colleagues for their support.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Skoufis to be recorded in the affirmative.

Senator Weber to explain his vote.

SENATOR WEBER: Thank you, Madam President.

And I want to start off by thanking Senator Skoufis for sponsoring this very important legislation here for the residents of Rockland and the Hudson Valley. You know, I was proud to be the first Senator from Rockland County to cosponsor the bill that we return the Tappan Zee Bridge to its proper name.

You know, the bill's taken a long time, as Senator Skoufis said, to finally come to a floor vote. The original bill was first introduced by Assemblyman Lawler in the Assembly and then carried by Orange County Senator Mike Martucci after our Rockland Senator Melnick, at the time, would not carry the bill.

I want to thank Senator Skoufis for putting party politics aside and taking the lead on the bill once Senator Martucci didn't run for reelection.

While I prefer the original version of the bill, I continue to cosponsor this amended version of this hybrid fix. It's a step in the right direction, in my opinion, but we have more work to do. Right now we have no current Assembly version of this bill, so I think we have additional time in the coming months to persuade our colleagues here in the Senate and in the Assembly to get the name change entirely right.

Changing the name of this bridge infuriated many residents of Rockland. I'll ask my colleagues on the other side to close their eyes for a moment, then imagine opening your eyes and suddenly being at and seeing the Donald J. Trump State Park in Westchester. Now you know the feeling of many of the constituents in Rockland every time they drive on the Thruway and see that sign.

It remains one of the most talked-about topics in the district, including street fairs, community events, and calls to my office. It triggers most people in Rockland when they see the sign. They continue to thank me for continuing to fight to change the name. The fight continues.

When the bridge first opened in 1955, the original bridge, it was named Tappan Zee. It was an interesting combination used to honor a local Native American tribe, the Tappan, and the Dutch word for "sea," or "zee."

Yes, in 1994 the name was changed to honor former Governor Malcolm Wilson. Its full name became the Governor Malcolm Wilson Tappan Zee Bridge, but it was still just the old Tappan Zee Bridge to us.

At the time, no one minded honoring the former governor, because the new name continued to honor the Tappan along with a nod to the Dutch, who just a few years earlier, in 1624, founded a trading post not too many miles to its south, on the southern tip of the Island of Manhattan. The 1994 name change honored a former governor and taught us a lesson about our region at the same time.

This was obviously ripped away from us in 2017, when the new name was changed entirely, as Senator Skoufis said, with no public input, in the middle of the night.

In conclusion, today's vote to modify the bridge's name to include Tappan Zee is

a step in the right direction, and I commend Senator Skoufis for really taking the lead on this.

I'm proud to vote aye.

ACTING PRESIDENT PERSAUD: Senator Weber to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 1481, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Helming, Mattera, Murray, Ortt, Stec, Tedisco, Walczyk and Weik. Also Senator O'Mara.

Ayes, 51. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1482, Senate Print 4598, by Senator Bailey, an act to amend the Education Law and the State Finance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

You know, we often hear the refrain "Stop the violence." And, you know, violence is never good in any community amongst any age group, but it's especially troubling when it happens amongst our youth.

When we think about where do our youth spend the most of their time on any given day, it's within the confines of an educational institution, in the schools. And so this Anti-Violence Curriculum Act is what we need to start making sure that our young folks get to hear that violence is not the answer, but they get to hear it in a manner and in a place where they already are.

You know, there is an adage about saying "Meet people where they're at." Well, we're going to meet you where you're at, because we're going to meet you in the schools. And we're going to give you the tools that you need to learn about how to defuse these problems,

about how to mediate these concerns, about how to quell what even may become violence before it even starts.

So it's not just -- it's all types of violence, but especially gun violence, which is really prevalent in the after-school hours. Studies show that between 3:30 and 5:30, that is when the highest incidence of gun violence takes place amongst young teens. We've got to make sure that we can find after-school funding and after-school programs. Within these programs, we have to make sure we give them the curriculum and give them the tools to be able to operate in a manner where we can truly reduce the violence.

I want to thank Khaleel Anderson in the Assembly for sponsoring this bill. I also want to thank Rebecca Fischer from New Yorkers Against Gun Violence for helping us along the way to -- and helping us, you know, mold this curriculum and mold this bill.

I'm truly looking forward to a day where we don't have to worry about gun violence in our schools. But until that day, we need bills like this.

And I proudly vote aye,

Madam President.

ACTING PRESIDENT PERSAUD: Senator Bailey to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1484, Senate Print 4862, by Senator Comrie, an act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1485, Senate Print 4864, by Senator Cooney, an act to amend the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1489, Senate Print 4973, by Senator Gounardes, an act to amend the Labor Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1490, Assembly Bill Number 2078, by Assemblymember Stern, an act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1492, Assembly Bill Number 6081, by Assemblymember Pheffer Amato, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1493, Assembly Bill Number 5010A, by Assemblymember Lavine, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1493, voting in the negative:

Senator Oberacker.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1494, Senate Print 5289, by Senator Mayer, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1495, Senate Print 5327A, by Senator Brisport, an act to amend the Social Services Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it

aside.

THE SECRETARY: Calendar Number 1496, Senate Print 5396, by Senator Harckham, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1497, Senate Print 5423, by Senator Martinez, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1497, voting in the negative: Senator Oberacker.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1498, Senate Print 5424, by Senator Martinez, an act to amend the Navigation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1498, voting in the negative are

Senators Hinchey, Murray and Walczyk.

Ayes, 59. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1500, Assembly Bill Number 3305B, by Assemblymember Clark, an act to amend the Vehicle and Traffic Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 1501, Senate Print 5574, by Senator Gounardes, an act to amend the Criminal Procedure Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 1502, Senate Print 5591A, by Senator Comrie, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1502, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Martins, Rhoads and Weik.

Ayes, 56. Nays, 6.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1503, Assembly Bill Number 514A, by Assemblymember Peoples-Stokes, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect July 1, 2024.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1504, Senate Print 5728A, by Senator Harckham, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris, that completes the reading of the calendar.

SENATOR GIANARIS: Mr. President, I believe there's a report of the Rules Committee at the desk.

Can we take that up.

ACTING PRESIDENT BAILEY: The Secretary will read.

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

Senate Print 139B, by Senator Ryan, an act to amend the Uniform Justice Court Act;

Senate Print 225B, by Senator Myrie, Concurrent Resolution of the Senate and Assembly proposing an amendment to Article 1 of the Constitution;

Senate Print 239C, by Senator May, an act in relation to enacting the "New York Open Water Data Act";

Senate Print 368, by Senator Gallivan, an act to repeal Section 925-t of the General Municipal Law;

Senate Print 546, by Senator Gianaris, an act to amend the Public Housing Law;

Senate Print 683A, by Senator Comrie, an act to amend the General Business Law;

Senate Print 688, by Senator May, an act to amend the Executive Law;

Senate Print 794, by Senator Comrie, an act to amend the Public Service Law;

Senate Print 995B, by Senator Hoylman-Sigal, an act to amend the Limited Liability Company Law;

Senate Print 1047A, by Senator Cooney, an act to amend the Cannabis Law;

Senate Print 1208, by Senator Persaud, an act to amend the Civil Rights Law;

Senate Print 1671A, by Senator Addabbo, an act to amend the New York State Urban Development Corporation Act;

Senate Print 1970, by Senator Sepúlveda, an act to amend the Correction Law;

Senate Print 2016A, by Senator Krueger, an act to amend the Public Service Law;

Senate Print 2161A, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 2413B, by Senator Bailey, an act to amend the General Municipal Law;

Senate Print 2440A, by Senator Hoylman-Sigal, an act to amend the Executive Law;

Senate Print 2475B, by Senator Hoylman-Sigal, an act to amend the Family Court Act;

Senate Print 2712B, by Senator Kennedy, an act to amend the Vehicle and Traffic Law;

Senate Print 2946B, by Senator Kavanagh, an act to amend the General Business Law;

Senate Print 3439, by Senator Skoufis, an act to amend the Public Authorities Law;

Senate Print 4146A, by Senator Cooney, an act to amend the General Business Law;

Senate Print 4671, by Senator Thomas, an act to amend the Vehicle and Traffic Law;

Senate Print 4804A, by Senator Palumbo, an act to amend the Environmental Conservation Law;

Senate Print 5069A, by

Senator Persaud, an act to amend the Public Authorities Law;

Senate Print 5081A, by Senator Ramos, an act to amend the Labor Law;

Senate Print 5253A, by Senator Harckham, an act to amend the Public Authorities Law;

Senate Print 5615, by Senator Thomas, an act to amend the State Finance Law;

Senate Print 5652B, by Senator Ortt, an act to repeal Section 926-o of the General Municipal Law;

Senate Print 5781A, by Senator Breslin, an act to amend the Real Property Tax Law;

Senate Print 5935, by Senator Cleare, an act to amend the Judiciary Law;

Senate Print 5982A, by Senator Martinez, an act to authorize the study of general aviation flight operations;

Senate Print 6184A, by Senator Skoufis, an act to amend the Public Officers Law;

Senate Print 6249, by Senator Walczyk, an act to amend the Highway Law;

Senate Print 6350B, by Senator May, an act to amend the Education Law;

Senate Print 6419C, by Senator Kavanagh, an act to amend the Environmental Conservation Law;

Senate Print 6545, by Senator Kennedy, an act to amend the Banking Law;

Senate Print 6752, by Senator Harckham, an act to amend the Education Law;

Senate Print 6891, by Senator Comrie, an act to amend the Alcoholic Beverage Control Law;

Senate Print 6895, by Senator Persaud, an act to amend Chapter 238 of the Laws of 2021;

Senate Print 7050, by Senator Skoufis, an act to amend the General Municipal Law;

Senate Print 7175, by Senator Bailey, an act to amend the Executive Law;

Senate Print 7230, by Senator Mayer,

an act to amend the Public Service Law;

Senate Print 7394A, by Senator Gianaris, an act to amend the Election Law;

Senate Print 7414, by Senator Gonzalez, an act to amend the Executive Law;

Senate Print 7424, by Senator Mayer, an act to amend the Public Health Law;

Senate Print 7443A, by Senator Ryan, an act authorizing the State University of New York to lease a portion of the lands on the campus of SUNY Buffalo State University;

Senate Print 7521, by Senator Mayer, an act in relation to authorizing the City of White Plains to alienate property owned by the City of White Plains and operated as the former Galleria of White Plains public parking garage.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

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

Senator Gianaris.

SENATOR GIANARIS: Mr. President, can we go back to motions from the Assembly, please -- messages, excuse me.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senator Gallivan moves to discharge, from the Committee on Rules, Assembly Bill Number 3313 and substitute it for the identical Senate Bill 368, Third Reading Calendar 1616.

Senator Comrie moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 703A and substitute it for the identical Senate Bill Number 683A, Third Reading Calendar 1618.

Senator Comrie moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 3683 and

substitute it for the identical Senate Bill 794, Third Reading Calendar 1620.

Senator Cooney moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 7388 and substitute it for the identical Senate Bill 1047A, Third Reading Calendar 1623.

Senator Addabbo moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 6140A and substitute it for the identical Senate Bill 1671A, Third Reading Calendar 1625.

Senator Skoufis moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 4386 and substitute it for the identical Senate Bill 3439, Third Reading Calendar 1635.

Senator Thomas moves to discharge, from the Committee on Codes, Assembly Bill Number 3983 and substitute it for the identical Senate Bill 4671, Third Reading Calendar 1637.

Senator Persaud moves to discharge, from the Committee on Transportation, Assembly Bill Number 4504A and substitute it for the identical Senate Bill 5069A, Third Reading

Calendar 1639.

Senator Harckham moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 5687 and substitute it for the identical Senate Bill 5253A, Third Reading Calendar 1641.

Senator Breslin moves to discharge, from the Committee on Finance, Assembly Bill Number 5477A and substitute it for the identical Senate Bill 5781A, Third Reading Calendar 1644.

Senator Skoufis moves to discharge, from the Committee on Ethics and Internal Governance, Assembly Bill Number 5308A and substitute it for the identical Senate Bill 6184A, Third Reading Calendar 1647.

Senator Walczyk moves to discharge, from the Committee on Transportation, Assembly Bill Number 6412 and substitute it for the identical Senate Bill 6249, Third Reading Calendar 1648.

Senator Comrie moves to discharge, from the Committee on Commerce, Economic Development and Small Business, Assembly Bill Number 7275 and substitute it for the identical Senate Bill 6891, Third Reading Calendar 1653.

Senator Mayer moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 237 and substitute it for the identical Senate Bill 7230, Third Reading Calendar 1657.

Senator Gonzalez moves to discharge, from the Committee on Internet and Technology, Assembly Bill Number 7364 and substitute it for the identical Senate Bill 7414, Third Reading Calendar 1659.

Senator Bailey moves to discharge, from the Committee on Rules, Assembly Bill Number 6833 and substitute it for the identical Senate Bill 7175, Third Reading Calendar 1656.

ACTING PRESIDENT BAILEY: So ordered.

Senator Gianaris.

SENATOR GIANARIS: Can we now take up the supplemental calendar, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 1583, Senate Print 139B, by Senator Ryan, an act to amend the Uniform Justice Court Act.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Ryan to explain his vote.

SENATOR RYAN: Thank you, Mr. President.

Thanks to Senator Hoylman, from the Judiciary Committee, for his help on this bill. The same with -- to Eric Katz, the Senate counsel.

So every year thousands of civil and criminal cases come before our justice system. And we have 1200 town courts in our state. And these courts can hear a variety of cases, Mr. President, from small claims to evictions, traffic infractions, felony arraignments, misdemeanors. In order to be a judge in one of these town or village courts, you don't need to be an attorney, you simply need to be a resident of the town.

Many issues that come before the

town and village courts are complex -- evictions, contract disputes, property disputes, and many, many, many criminal cases.

So having an attorney in a criminal case is a constitutional right recognized by the Supreme Court in Gideon v. Wainwright. The potential deprivation of liberty is so serious that you can't go in front of a judge in a criminal matter without an attorney.

So how come the judge doesn't need to be an attorney? New York is one of only eight states in the Union that allow judges who aren't lawyers to sentence people to jail time.

So we have a two-tiered, parallel but not equal justice system in New York State. We have the Office of Court Administration judges, 1300 judges. You may know them -- Family Court, City Court, County Court, Supreme Court, Court of Appeals. And they're all under the supervision of the Chief Judge, who has jurisdiction over all those courts. And all those judges have to be attorneys.

But the other court system, which we call the justice court systems, they have more judges than the OCA: 1800 judges. There's no

chief judge. There's no governing rules. And most importantly, the judges don't have to be lawyers.

So in New York State alone, tens of thousands of people come before these judges, these non-attorney judges, in criminal cases. So this legislation is one step on the ladder to try to get to an equal justice system. And it makes it so that the judges in the hundred busiest courts in New York State have to be lawyers. A simple requirement. In two years, '18 and '19, those courts alone did 200,000 criminal arraignments.

So the legislation is a step in the right direction. It will make a big difference for the thousands of defendants who appear in these courts every year. They'll have the solace to know they're appearing in front of a judge who has three years of training, is a lawyer admitted to the bar and has five years' experience practicing law and, most importantly, is bound by the Judicial Code of Ethics.

But even after this bill passes, the vast majority of town courts in New York State will not have lawyers. These courts are often

underresourced. Some lack wifi. And they have little or no oversight from the Office of Court Administration.

So this is a step towards ensuring that New Yorkers have equal access to equal court systems and have a full opportunity to be heard in a court of law and to have your case heard by a lawyer.

Thank you, Mr. President. I proudly vote aye and look forward to passing more legislation in this area.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1583, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1598, Senate Print 225B, by Senator Myrie,

Concurrent Resolution of the Senate and Assembly proposing an amendment to Article 1 of the Constitution.

ACTING PRESIDENT BAILEY: Call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Myrie to explain his vote.

SENATOR MYRIE: Thank you, Mr. President.

During the height of the COVID-19 pandemic many of us stayed inside, quarantined, stayed safe, and required hand sanitizer that was produced by incarcerated individuals -- the very incarcerated individuals who cannot use that hand sanitizer that they made. The same incarcerated individuals who got paid, on average, 13 cents an hour to produce that hand sanitizer. And the same incarcerated individuals who cannot refuse that work, who had to work if they were told because our State Constitution still allows for forced labor. In other words, human enslavement.

We know that our 13th Amendment abolished slavery except as a punishment for crime. And this state has been no exception for

that. And we have on the books today, in our own Constitution, sanctioned human enslavement.

So what this bill does is start an incredibly important process, a necessary process to amend our Constitution and remove this vestige of slavery from New York. Every single New Yorker should know that we still have slavery on the books. And every single New Yorker should have the opportunity to vote to remove that stain from our Constitution.

So I am incredibly proud to stand here not only as a representative of many formerly incarcerated individuals, but as someone who taught in our correctional facilities, someone who had students that made driver's license plates for cents an hour -- the best humans I've ever known.

Today we start the process to stand up for true justice in this state, to remove this original sin from our Constitution, and to allow New Yorkers to say we will end slavery in this state once and for all.

I vote in the affirmative.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator

Myrie to be recorded in the affirmative.

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

I rise in order to support this bill that Senator Myrie put forward, which we call the 13th Forward Act, in order to address the 13th Amendment of the Constitution.

And it has been 158 years since the true emancipation of enslaved people in the U.S., yet here we find ourselves in the 21st century embarking on a mission to close the loopholes that have led to the proliferation of a different form of slavery, the exploitation of forced labor by individuals convicted of certain crimes.

It is time for New York to take a progressive stance and eradicate the lingering remnants of slavery's legacy within our state. This effort is part of the national push to amend the 13th Amendment of the United States Constitution that banned enslavement or involuntary servitude except as a form of criminal punishment. That exception has permitted the exploitation of labor by convicted felons, and that's not right.

Like many, when I found out that this exception existed, I thought we have to go to fix this, and we've got to fix this now. The idea that anyone could say slavery is okay when it's involuntary servitude for persons in prison has to rip out the soul of any human being with love and empathy in them.

Our Constitution should reveal the values and beliefs of our state. The notion that we could ever, ever justify slavery under the guise of involuntary servitude for incarcerated individuals is morally repugnant.

This cause should transcend the political divisions that united us here, because it is all crystal-clear that this form of slavery must be abolished.

I proudly vote aye, understanding to achieve this we must pass the No Slavery Act to enshrine in our State Constitution the end of forced labor and the complete abolition of slavery without exception. Seven other states have recently chosen to abolish slavery without exception in their constitutions, and it's time for New York to get on board.

Thank you, Mr. President. I vote

aye on this.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1598, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Walczyk, Weber and Weik. Also Senator Tedisco.

Ayes, 43. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1615, Senate Print 239C, by Senator May, an act in relation to enacting the "New York Open Water Data Act."

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

Fresh water is probably our most precious resource on this planet, and it is in decline. But here in New York State, we have abundant fresh water. In my district alone, there are four Finger Lakes and a part of Lake Ontario. But we do not really have a handle on all of the information. We don't have enough information about our fresh water to really do the work of protecting this water.

And part of that is because so many different entities are collecting information, whether it's DEC or soil and water conservation districts or academic institutions or citizen scientists or volunteer watershed organizations. We need to bring all that information together and make it publicly accessible and standardize it so that we really can protect our public water and our open water here in New York State.

So I am very proud that this bill will do exactly that. And I'm grateful for the

support for this. I vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1615, those Senators voting in the negative are Senators Griffo, Oberacker and O'Mara.

Ayes, 59. Nays, 3.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1616, Assembly Bill Number 3313, by Assemblymember DiPietro, an act to repeal Section 925-t of the General Municipal Law.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1617, Senate Print 546, by Senator Gianaris, an act to amend the Public Housing Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1617, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1618, Assembly Bill Number 703A, by Assemblymember Dinowitz, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1618, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk and Weik. Also Senator Weber.

Ayes, 44. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1619, Senate Print 688, by Senator May, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1619, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Also -- excuse me. Also Senator Weber.

Ayes, 43. Nays, 19.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1620, Assembly Bill Number 3683, by Assemblymember Zebrowski, an act to amend the Public Service Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1622, Senate Print Number 995B, by Senator Hoylman-Sigal, an act to amend the Limited Liability Company Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 10. This act shall take effect on the 360th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Hoylman-Sigal to explain his vote.

SENATOR HOYLMAN-SIGAL: Thank you.

Mr. President, this is the LLC Transparency Act. And I want to thank my

colleagues for their support in this important legislation, which today will require LLCs to disclose the name and business address of their owners and instruct the New York State Department of State to create a public database of these owners.

That's not a lot to ask for. In fact, LLCs currently in New York require less information than if your kid goes to the New York Public Library and applies for a library card.

These measures are going to help prevent property buyers from masking their identity and make it easier to hold them accountable.

There are 1.3 million limited liability companies registered in New York State, and many of these, if not most, exist for legitimate legal purposes, such as streamlining the creation and operation of small businesses. But it is not in the public interest or in the spirit of limited liability as a concept to let these entities operate as law-avoidance tools and totally in the dark.

Limited liability corporations are relatively recent, in the last 50 years. And it

is a legal privilege conferred upon an individual by the state, not a license to commit crimes or neglect with abandon, as we've seen in our districts where our apartment buildings are owned by shadowy LLCs and tenants don't know who their landlord is. And in parts of our districts, LLCs operated by foreign entities have evaded legal scrutiny because they hide in the shadows.

Well, we're going to change that with the LLC Transparency Act. I want to thank my Assembly sponsor who helped write this law and has been a champion, Assemblymember Gallagher. Let's get it passed today, let's get it passed in the Assembly.

I vote aye, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1622, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 21.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1623, Assembly Bill Number 7388, by Assemblymember Peoples-Stokes, an act to amend the Cannabis Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1623, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Martinez and Rhoads. Also Senator Weik. Also Senator Martins.

Ayes, 57. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1624, Senate Print 1208, by Senator Persaud, an act to amend the Civil Rights Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1624, those Senators voting in the negative are Senators Ashby, Gallivan, Griffo, Helming, Martins, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Walczyk, Weber and Weik.

Ayes, 46. Nays, 16.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1625, Assembly Bill Number 6140A, by Assemblymember Cook, an act to amend the New York State Urban Development Corporation Act.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1626, Senate Print 1970, by Senator Sepúlveda, an act to amend the Correction Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Calendar 1626, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik. Also Senator Skoufis.

Ayes, 42. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1627, Senate Print 2016A, by Senator Krueger, an act to amend the Public Service Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1629, Senate Print 2161A, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1630, Senate Print 2413B, by Senator Bailey, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect April 1, 2024.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1631, Senate Print Number 2440A, by Senator Hoylman-Sigal, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1631, those Senators voting in the negative are Senators Griffo, Helming, Murray, Oberacker, O'Mara, Ortt, Walczyk and Weik.

Ayes, 54. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1632, Senate Print Number 2475B, by Senator Hoylman-Sigal, an act to amend the Family Court Act.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Hoylman-Sigal to explain his vote.

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

You know, with Pride upon us, it is a sad state of affairs when state legislatures -- not this one, but across the country -- are banning gender-affirming care for young people.

They've made trans kids their number-one target. Just today, the Human Rights Campaign declared a national state of emergency for LGBTQ people due to this real, tangible and dangerous threat.

There are currently 525 anti-LGBTQ bills introduced in state houses across this nation, over 125 of which seek to eliminate access to gender-affirming care. And it seems like every day you open a newspaper or scroll online, you see another state legislature, another governor signing a ban on gender-affirming care for young people. Texas was the most recent; that is the 18th in law.

I am so proud today, Mr. President,

that here in New York, especially during Pride, we're taking the opposite approach. We are protecting trans kids and their families and their physicians based on science and medicine.

This is so important because we know that the rates of suicide and suicide ideation among transgender youth are skyrocketing. We can do something about it. We can invite families to move to New York to seek their gender-affirming care for their families and ensure that they have the protections of the state that we similarly provided to individuals seeking abortion care.

It's Pride Month. I'm extremely proud to be a New York State Senator today, and proud to be a New Yorker.

I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1632, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1633, Senate Print 2712B, by Senator Kennedy, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 6. This act shall take effect April 1, 2024.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1634, Senate Print 2946B, by Senator Kavanagh, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 270th day after it

shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1635, Assembly Bill Number 4386, by Assemblymember Zebrowski, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1636, Senate Print 4146A, by Senator Cooney, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1637, Assembly Bill Number 3983, by Assemblymember Thiele, an act to amend the Vehicle and Traffic Law.

SENATOR GIANARIS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number

1638, Senate Print 4804A, by Senator Palumbo, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1638, voting in the negative: Senator Martinez.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1639, Assembly Bill Number 4504A, by Assemblymember Epstein, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1640, Senate Print 5081A, by Senator Ramos, an act to amend the Labor Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1640, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Oberacker, Palumbo, Rhoads, Stec,

Tedisco, Walczyk, Weber and Weik.

Ayes, 50. Nays, 12.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1641, Assembly Bill Number 5687, by Assemblymember Barrett, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1641, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1642, Senate Print 5615, by Senator Thomas, an act to amend the State Finance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1643, Senate Print 5652B, by Senator Ortt, an act to repeal Section 926-o of the General Municipal Law.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1644, Assembly Bill Number 5477A, by Assemblymember McDonald, an act to amend the Real Property Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1645, Senate Print 5935, by Senator Cleare, an

act to amend the Judiciary Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1646, Senate Print 5982A, by Senator Martinez, an act to authorize the study of general aviation flight operations.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1647, Assembly Bill Number 5308A, by Assemblymember McDonald, an act to amend the Public Officers Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1648, Assembly Bill Number 6412, by Assemblymember Barclay, an act to amend the Highway Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1649, Senate Print 6350B, by Senator May, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Pardon me, there was a home-rule message at the desk on Calendar Number 1648.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 61. Nays, 1. Senator Ortt voting in the negative.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1650, Senate Print 6419C, by Senator Kavanagh, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1651, Senate Print 6545, by Senator Kennedy, an act to amend the Banking Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1652, Senate Print 6752, by Senator Harckham, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1653, Assembly Bill Number 7275, by Assemblymember Vanel, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1654, Senate Print 6895, by Senator Persaud, an act to amend Chapter 238 of the Laws of 2021.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1655, Senate Print 7050, by Senator Skoufis, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1655, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Walczyk, Weber and Weik.

Ayes, 47. Nays, 15.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: We are moving at a very efficient clip, which I appreciate, but we

breezed through Calendar Number 1649 without giving Senator May the opportunity to explain her vote on her bill.

So without objection, if we could just give her that chance, I'd appreciate it.

ACTING PRESIDENT BAILEY: Senator May to explain her vote on Calendar Number 1649, Senate Print 6350B.

SENATOR MAY: Thank you, Mr. President. I appreciate it.

In the last six months of 2022, there were almost 1500 incidents of book banning in schools in the United States -- sometimes single works, sometimes whole classes of books. The vast majority of these were either books by or about people of color or about LGBTQ experiences.

And in some school districts, all it takes is for one parent to express discomfort with a book or a topic, and it is gone from the school library.

We know that children become more avid readers and are more likely to succeed in school if they are surrounded by images of people who look like them. And when books about people

of color, books about LGBTQ children and families are removed from school libraries, it does a disservice to our children.

But we also know that when people refuse to confront things that make them uncomfortable, they also have a much harder time learning how to avoid the kinds of problems that have created the issues of racism and discrimination that a lot of children experience.

And so I am proud that we are passing this bill on the Freedom to Read Act to make sure that our school libraries in New York State are able to provide the widest range of materials to children in our schools.

And I proudly voted aye on it.

Thank you.

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

The Secretary will read.

THE SECRETARY: Calendar Number 1656, Assembly Bill Number 6833, by Assemblymember Jean-Pierre, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1657, Assembly Bill Number 237, by Assemblymember Sayegh, an act to amend the Public Service Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1658, Senate Print 7394A, by Senator Gianaris, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1659, Assembly Bill Number 7364, by

Assemblymember Otis, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1660, Senate Print 7424, by Senator Mayer, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1661, Senate Print 7443A, by Senator Ryan, an act authorizing the State University of New York to lease a portion of the lands on the campus on SUNY Buffalo State.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1662, Senate Print 7521, by Senator Mayer, an act in relation to authorizing the City of White Plains to alienate property owned by the

City of White Plains and operated as the former Galleria of White Plains public parking garage.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

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

SENATOR GIANARIS: Can we now move to the controversial calendar, beginning with Calendar 1627, by Senator Krueger.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1627, Senate Print 2016A, by Senator Krueger, an

act to amend the Public Service Law.

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

SENATOR BORRELLO: Thank you, Mr. President. Will the sponsor yield for a question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes, I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President. Senator Krueger, can you explain what the purpose of the legislation is and if it's indeed about phasing out natural gas as a source of energy?

SENATOR KRUEGER: Thank you very much.

The reason we need to phase out natural gas is actually because we have several laws we have passed that require it -- the CLCPA, the All Electric Buildings, a number of other pieces of legislation. So we know we have a timetable in law to phase out gas, specifically gas to be used in residences and commercial

buildings.

So this bill changes Public Service Commission law to basically say you no longer are mandated to arrange for natural gas. Because we're phasing out natural gas, so why are we spending the money with new facilities being built to require natural gas connections in that last hundred feet?

So it gives the Public Service Commission the authority not to do certain things they've been doing under their law, which would then make their law consistent with other laws we've already passed.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President. Thank you for that answer. But you're saying this is going to allow the PSC. Isn't this forcing the PSC into an accelerated timeline beyond what even is mentioned in the

Climate Action Council Scoping Plan?

SENATOR KRUEGER: It doesn't force the PSC. Anyone can still go to the PSC and ask for approval to put in those gas lines to those specific facilities, or even repair older ones. So it's not forcing them, it's just the opposite, no longer forcing them to build into any plan that there will be gas lines.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: I'm sorry, I was getting a supplemental answer.

SENATOR BORRELLO: Okay.

SENATOR KRUEGER: PSC also has to review feasibility, necessity, and some other things before they would approve the continued new gas line. Or lines, plural.

SENATOR BORRELLO: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes, I will.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR BORRELLO: Okay. So you're saying, then, that the PSC has the ability to allow this to happen, yet you're -- starting in 2025, this bill is going to prohibit gas corporations from commencing construction on new distribution.

So aren't we essentially saying that we're speeding up the timeline by almost a year?

SENATOR KRUEGER: Well, objectively, one, all these things take time, so having this go into effect one year earlier than mandated for other laws is not really relevant, because again, they can still say yes if you come and ask them.

Two, we're spending $200 million of ratepayers' money per year with the existing law. So if we pass this law, the estimate is that ratepayers will save $200 million a year. And even for one year, that would be a pretty significant savings for ratepayers.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: And --

SENATOR BORRELLO: Okay.

SENATOR KRUEGER: -- even a better answer for you, we're only asking for the transition plan for that one year, not actual implementation. So we're sort of hand-in-hand with the timeline on the rest of the requirements.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Oh, of course, I'm sorry.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Thank you. Through you, Mr. President. Isn't this going to essentially start preemptively dismantling the natural gas infrastructure in New York State? We have no idea if we're going to have the ability to provide reliable and cost-efficient energy before this timeline starts ticking.

SENATOR KRUEGER: This legislation -- through you, Mr. President -- doesn't dismantle anything. It's not dismantling the current gas-pipe structure.

It's simply saying that we no longer have to continue to expand the gas-pipe structure to new facilities at a moment in history where we actually have a series of laws saying we have to get off of gas.

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

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Thank you. Through you, Mr. President. So you're making this sound like this is voluntary and that somehow there is a mandate to bring natural gas to a new-construction new building. But that's not really the case. How is this voluntary when we're saying as of 2025, that's it, no more new infrastructure for new construction?

SENATOR KRUEGER: So if you can prove there's a necessity for new additional gas lines into individual buildings, the PSC will rule in your favor.

Right now you have to go to the PSC

when you're building to get permission to build new gas lines. That already exists. So it's not some new requirement on them, it's just new standards for whether or not the PSC actually has to say yes to you.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So essentially you're saying we're going to allow the PSC to I guess arbitrarily refuse new gas hookups. What standard are they -- does this bill give them to follow to say yes or no to new gas hookups?

SENATOR KRUEGER: They're certainly not arbitrary. We give the PSC the authority to make those determinations on utilities all the time. It's not even a new set of questions for them, it's just new options for them to be able to say no, saving us an enormous amount of money as ratepayers.

SENATOR BORRELLO: Mr. President,

will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes, of course.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Thank you. Through you, Mr. President. So you're trying to say, I think, that nothing to see here, we aren't changing anything.

But really we are. You know, what we're hearing from National Fuel and others is that this is going to essentially make it, you know, difficult if not impossible for new constructions to have natural gas even when it's needed.

So how are we on the one hand saying we're going to present this bill that will limit that and accelerate the deadline for which you can no longer have new natural gas hookups, and yet we're saying, Well, it's up to the PSC to determine whether or not a new construction can have natural gas?

I'm very confused as to what the change is, then.

SENATOR KRUEGER: I don't -- with all due respect, I'm not confused.

(Laughter.)

SENATOR KRUEGER: So it lays out a well-planned strategic downsizing of our gas distribution system as required by the Climate Action Council's final scoping plan of the CLCPA. It's not actually speeding it up, because as we just answered you, it's a one-year planning timeline before implementation, so it's consistent with the existing laws that we've already passed.

It does give the PSC the ability to evaluate individual cases that may be brought to them by individual customers, either for private homes or for businesses. That is all within the scope of the role of the PSC now.

Now, if you're asking me perhaps that your confusion is this is an effort to move us forward away from gas, yes, it is, absolutely. As is consistent with many laws we have already passed and, perhaps even more importantly than our laws, the pure necessity of the State of New York to decrease its dependence on gas and oil and use alternative options within energy.

And frankly it's a model that, if you get to the rest of the bill, is actually going to save ratepayers $200 million a year and assure that low- and middle-income ratepayers do not have to pay more than 6 percent of their annual income towards the utilities.

So this is a huge boon for ratepayers, particularly those who have found their utility costs to be an excessive percentage of their annual income.

At the same time as we are moving down that road, we must move down by moral obligation for the survival of the planet, and to be consistent with the other laws we have passed to be transitioning from gas dependence to alternative options.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So you brought up the 6 percent cap. So on one hand we're

saying we're going to save all this money if we do this, $200 million to ratepayers. On the other hand, you find it necessary in this bill to limit the total income -- 6 percent of the total income for low- and moderate-income individuals, so I'm assuming the middle class would be included in that.

So if this is going to save so much money, why do we have to cap it for, you know, three-quarters of the population of New York State?

SENATOR KRUEGER: Well, I don't think we would be capping it for three-quarters of the population. I don't -- do we know the percentage of the population who likely fit in this?

SENATOR BORRELLO: I'm assuming "middle income" means middle class.

ACTING PRESIDENT BAILEY: Senator Borrello, are you asking the sponsor to yield to a question?

SENATOR BORRELLO: I'm just clarifying my --

SENATOR KRUEGER: I'm sorry, through you. I didn't hear the last statement.

ACTING PRESIDENT BAILEY: Senator Borrello, could you repeat the question?

SENATOR BORRELLO: Yes. Through you, Mr. President.

So if you're saying low and moderate income, I would assume that to mean middle class. So if you include all those folks that would be considered middle class, I'd say roughly two-thirds to three-quarters of the population of New York State. Without having the data.

SENATOR KRUEGER: So the -- it would be capped at 6 percent for 80 percent of the area median income. So that varies, obviously, depending on where you live in the state.

But if you're saying this would help capture a limit on cost to 75 percent of New Yorkers, I'm going to say that's a reasonable assumption.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR BORRELLO: So I'm confused. If this is going to save money, but we still have to cap the expenditures for a very large percentage of the state, then isn't that going to shift the burden? Either it's going to not save money, which is kind of what this bill is saying, or we're just going to shift that burden of the additional cost to other -- the remaining ratepayers.

SENATOR KRUEGER: No, Mr. --

SENATOR BORRELLO: Like manufacturers and businesses, our food processors that use a lot of energy, they're going to end up footing the bill.

SENATOR KRUEGER: No, Mr. President, we don't believe that is the case. Because, again, this is one bill in a package of other laws that we have passed, even changes we made in the State Budget providing supplemental monies to assist people with utility costs.

Although this bill does not -- as was asked, does not end gas infrastructure as we know it, shifting off of gas, and the sooner the better, is actually projected to save the State

of New York $150 billion in repairs of our existing gas system over the next several years, which of course will also save consumers, and ratepayers in particular, significantly more money.

We also know that the cost of natural gas and oil have continued to skyrocket while the costs of alternative and renewable energy options have been decreasing in cost. So every move we make away from our traditional system to a system not dependent on an old, leaky, needing-to-be-repaired, incredibly expensive gas system with the cost of gas being so high, into newer systems that are renewable, are going down in cost, and again, of course, are not doing massive damage to the environment of the State of New York.

So it's a win for ratepayers. It's a win for the environment. And it's just smart public policy that's consistent with the other laws that we have passed in this state.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: First of all, Senator Krueger, thank you again for engaging on this.

You know, I see that on one hand we're going to save money by converting -- going away from gas to electric. Yet -- and I believe the number that Senator Krueger gave was $150 billion to not have to upgrade that infrastructure.

But it reminds me of the fact that we do not have the infrastructure in place to electrify New York State, and that cost is probably going to exceed $1 trillion based on the simple math that was somehow missed by the Climate Action Council in their estimate. So we're going to spend a trillion to save 150 billion. I don't think that's a good idea.

But more importantly, this is going to actually start the dismantling of our natural gas infrastructure. In Western New York, where I'm from, that is the number-one way to heat your home.

We also have abundant natural gas here. It's cleaner, it's lower in emissions. And the bottom line is we do not have the ability

to do this. And this is going to start pushing it up, starting in 2025. And if you look at the calendar, it's 2023. I don't see how we're going to be able to, in two years, start improving things.

And then there's the question of what's affordable when it comes to heating our homes and running our businesses, manufacturing. And the response was, Well, it's -- the cost of renewable energy is going down. It's going down because taxpayers have to subsidize it, to the tune of hundreds of billions of dollars a year. They have to subsidize the construction of these facilities, these installations, and they have to perpetually subsidize every single kilowatt that is produced. It's really going to be massive tax burdens on New Yorkers and everyone that supports this.

So really we're talking about trying to save someone potentially money on their gas bill or on their electric bill after they have to pay a lot more in taxes to subsidize that electric bill. So the math just doesn't make sense.

But more importantly, we will not be

able to continue to have the quality of life that we have in New York State without natural gas. We will not be able to have the manufacturers that are here in New York State remain without natural gas. For those that think, oh, they'll just simply convert to electricity, that's not going to happen either.

So right now if you are in economic development in New York State and you are trying to attract a new plant like the Great Lakes Cheese plant that's being built right now in my district, you have to tell them: I'm sorry, this is going to be a problem for you because it's likely that the natural gas infrastructure that you need to actually continue to build this plant and actually provide those jobs, provide that economic impact, isn't going to be there. That's the troubling part of all this.

So I'll be voting no.

Thank you, Mr. President.

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

Senator Mattera. Senator Mattera on the bill, or are you asking the sponsor to yield?

SENATOR MATTERA: I'd like to

yield -- if the Senator would yield for a couple of questions. May I? Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Yes, sir.

Will the sponsor yield?

SENATOR KRUEGER: Yes, I am happy to answer Senator Mattera's questions.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MATTERA: Senator Krueger, thank you so much.

And, you know, I was just listening to the debate with you and Senator Borrello. My question is, where did you get your facts and figures from? You got some big numbers. And where did you get your research from?

SENATOR KRUEGER: So we have had a series -- we've had a series of hearings around the CLCPA and the scoping plan, with experts testifying that were on the scoping commission who spent three years -- two years? -- three years doing the evaluation and the math.

And so we also had -- so we had a full hearing -- I think you were at it, actually. And then we of course had the budget hearing that also had extensive discussion around the costs

and advantages of the shifts required under the CLCPA.

I can get you all that testimony again, although I think it's all online because both hearings, all of the testimony submitted -- and many were scientists who submitted that testimony -- is already online. I don't have it all here for you tonight.

SENATOR MATTERA: Through you, Madam President, would the sponsor continue to yield, please.

ACTING PRESIDENT MAYER: Senator Krueger, do you yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MATTERA: Senator, do we have any exemptions at all with your bill?

SENATOR KRUEGER: Well, there's exemptions in the sense that the PSC will have the ability to say, You have made an argument for why you need this, and it meets our standards, and we will say yes.

So yes. The answer is yes.

SENATOR MATTERA: Through you,

Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MATTERA: We discussed also, too, about emergency power and everything like that. So, you know, with our generators, backup generators and everything like -- you know, things of that sort.

Are -- so again, so you're saying that the PSC will determine that. So are people, when they're denied, are they going to be able to appeal anything with it? Or how is this going to work?

SENATOR KRUEGER: So currently if the PSC denies you something you ask for, you have an appeal process, and I believe it will be the exact same appeal process.

And as far as, you know, backups -- I think you said the word "backup." But just for the record, the New York Independent System Operator, NYISO, has determined we have

sufficient capacity to maintain reliability everywhere in the state going forward and that NYSERDA has assured us many times we have enough renewable generation in the queue to meet our 70 percent renewable standard by 2030.

So I am very confident that we have the ability to give the PSC the authority to do this, to make exceptions when they're required, to say, Oh, maybe that geographic area has a different need, maybe that specific business has a specific need, maybe something else has happened for the good or the bad. We're not tying their hands. We are giving them all that authority to move forward with -- based on their expertise.

SENATOR MATTERA: Through you, Madam President, would the sponsor continue to yield for one more question.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: I certainly do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MATTERA: Senator, are you aware of what happened with Berkeley, California,

with the lawsuit with the Restaurant Association.

SENATOR KRUEGER: Very familiar.

SENATOR MATTERA: Are you concerned at all that this is going to happen the same in New York State?

SENATOR KRUEGER: No. It has been clarified for me, through multiple attorneys, that the decision that was made in Berkeley, California, does not relate. That's a Ninth Circuit decision for an overturning of a specific approach to the law that was made in Berkeley, California.

That is not the approach we are using here. And that we are not under the jurisdiction of that circuit court. And so I'm quite sure that that does not apply to New York.

SENATOR MATTERA: Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Mattera on the bill.

SENATOR MATTERA: And I thank you, Senator Krueger.

We've been to hearings and, you know, I've been vocal about this, being the ranker on Energy. And this is very concerning to

all New Yorkers. All this is doing is leading to New Yorkers to pay triple to quadruple their electric bills.

And, you know, I'm very, very concerned because I'm still not getting the answer from anybody, who is going to be paying for this, all of this renewable energy moving forward. I am for renewable energy, especially with green hydrogen, nuclear, all kinds of different renewable energies. But when we have just wind and solar and battery storage, it's not going to be doing what's happening here. It's the cart before the horse.

All New Yorkers need to understand that we need to be vocal about this, because all this is doing is stopping for you to use natural gas for our future, to mandate. New Yorkers do not need to have mandates.

So I will be voting a hundred percent no on this bill. I would wish all of my colleagues to make sure they vote no on this bill, because we are hurting all New Yorkers' pocketbooks. We need a plan, not a ban.

Thank you very much.

ACTING PRESIDENT MAYER: Thank you,

Senator Mattera.

Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Madam President.

I want to thank all my colleagues for -- or those of you who are supporting this bill tonight. Again, you know, we're living in New York State on a day where the air quality was rated so bad that people were advised to stay inside. The fires that are burning in Quebec, we can see the smoke and smell the smoke here in Albany.

We are already spending hundreds of billions of dollars in this country every year

just to try to mitigate the damage that is being done. The scientists are so clear of what we have to do, which is replace our dependence on oil and gas with other safer and cleaner products. We've been saying this now for multiple years and moving really important legislation through both houses and signed by the Governor into law.

We're in a very good position compared to most states in the country to be successfully moving forward.

But despite all of that, when you read this bill in the detail sections, if you like, you will see there is nothing in here that doesn't allow the PSC to make exceptions or to change policies midstream in any specific circumstance if there aren't alternatives. We have been consistent on this side of the aisle, and in hearings and working with the PSC and the commissioners on the scoping document, that reliability is our top priority, along with the need to transition.

And this bill isn't even a tough one when it comes to continuing transition, protecting reliability. We have hard decisions

we will continue to have to make on our energy path, no question about it, but this isn't even one of the big lifts.

So thank you all who are voting yes, and I hope that my colleagues who are voting no will reconsider as we move down this road. Because guess what? We have no choice. There is no Planet B. We are fighting for our children, our grandchildren, and the future of our planet.

I vote yes. Thank you, Madam President.

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

Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

And I want to express my deep gratitude to Senator Krueger and to all the staff who worked so hard on this really important piece of legislation.

Just imagine if your cellphone bill included a surcharge for running new landlines to everybody's house and apartment even if they didn't need it. Or imagine you're in the 1930s and you pay a monthly charge for your car that

goes to installing horse stables in everyone's house.

This is about recognizing when something becomes obsolete and moving on. And as Senator Krueger said so eloquently, we do not have a choice but to move on from fossil fuels right now. This creates an orderly way to do it, a plan for doing it. And it is just pure common sense.

I am proud to vote aye on this bill.

Thank you.

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

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Madam President.

With all due respect to my colleagues on the other side of the aisle, there is no Plan B because you're killing it. There is no alternative. And we're setting up a circumstance where there will be no alternative to being fully electric.

Make no mistake. This bill is just one small step towards a process of eliminating our choice as consumers from being able to have

access to clean, safe, dependable and plentiful natural gas, which we have relied upon for generations.

When we're told that no one's coming after your gas stove, they are. When we're told that you, even under the CLCPA, will be able to have access, in the event of an emergency, to a backup generator that is powered by natural gas, you won't.

And how do we guarantee that that's going to happen? By a bill just like this. By dismantling the infrastructure that would be able to provide you with that natural gas for your stove or in the event of an emergency. By making sure that it's no longer profitable or possible for gas providers to maintain those lines.

And so while you're being told that you're being offered a choice, you have no choice. And this bill is yet another step in that direction.

So on this side of the aisle I think we all understand what's happening here. And we need the public to understand what's happening here. I will be voting no against this bill because it's a path that we're taking towards a

darker future, not a brighter one.

ACTING PRESIDENT MAYER: Senator Rhoads to be recorded in the negative.

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Madam President. I rise to explain my vote.

I'll be voting no on this bill. Not because I'm not concerned about the environment, not because I don't understand the responsibility we have in our daily lives to protect the environment and to ensure that we leave this world a better place for our children than we found it, but because I'm concerned about the safety of my constituents. Certainly representing a district that is located on an island that juts out into the middle of the Atlantic, that is susceptible to hurricanes and nor'easters, having an electric distribution system that actually is above ground, surrounded by trees, I know all too well that when we hit and get a storm, that those tree limbs come down, those lines come down, and there is no alternative.

Now, it's bad enough in the summer -- and we do have problems in peak times

in the summer when we have extraordinarily hot summers -- for the electric system to actually keep up with demand. Now, if you add heat to that -- that is, the ability to heat our homes in the winter when we do have those cold days in January and February that we all know -- in a system that isn't reliable and we don't have access to natural gas, people are going to get hurt. Our residents are going to be hurt, or worse.

And so we're not there yet. I think we all understand there's a process in place. I think we all understand that we have a responsibility to make sure that that process works. But we have to make sure that it's a responsible process and not one that kowtows to a false schedule that we're not able to meet.

So in speaking to our providers locally, they've told us -- certainly they've told me -- we cannot meet that schedule, we will not have a viable grid that can meet the needs of the 1.1 million customers, several million people who live on Long Island and get their energy through the Long Island Power Authority. So what are we supposed to do?

Madam President, I'll be voting in favor of my constituents, their safety, to ensure that they have heat and electricity and have access to power. I'll be voting no.

ACTING PRESIDENT MAYER: Senator Martins to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1627, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mannion, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Ryan, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 23.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris, that completes the reading of -- that completes something.

(Laughter.)

SENATOR GIANARIS: It completes Calendar 1627.

Madam President, we're going to now call an immediate joint meeting of the Committees

on Finance and Energy in Room 124.

And then we will proceed to take up the remaining bills on the controversial calendar in calendar-number order.

ACTING PRESIDENT MAYER: There will be a joint meeting of the Finance and Energy Committees in Room 124.

The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 470, Assembly Bill Number 3340, by Assemblymember Cruz, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Senator Palumbo, why do you rise?

SENATOR PALUMBO: Thank you, Madam President. I was wondering if the sponsor would yield for a few questions, please.

ACTING PRESIDENT MAYER: I'm sorry, one minute.

Senator Gianaris.

SENATOR GIANARIS: Just a moment, please.

(Pause.)

ACTING PRESIDENT MAYER: One

minute, please.

SENATOR GIANARIS: Madam President, we're ready to proceed.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR PALUMBO: Thank you, Chairman.

With respect to this bill, I'll kind of generalize the main provisions, if I may, that it does basically two things, is my understanding. It removes the penetration requirement for rape, which I know advocates and district attorneys have been calling for for years, and it also consolidates the criminal sexual act statutes with the rape statute.

Is that generally accurate? Through you, Madam President.

SENATOR HOYLMAN-SIGAL: Through you, Madam President, yes.

You know, I just wanted to say that there's someone at the center of this issue, which my colleagues may or may not know about, because this bill has never made it to the Senate floor. It's been passed by the other house for 10 years consecutively. And I want to give

credit to former Assemblymember Aravella Simotas and our current sponsor, Catalina Cruz, for all of their efforts at the start of this.

But the brave survivor at the center of this legislative change is a woman named Lydia Cuomo. In the early morning of August 19, 2011, when she was 25 years old, Ms. Cuomo was about to start her day as a schoolteacher and was waiting outside for her principal to give her a ride.

She was approached by an off-duty police officer named Michael Pena who had been out drinking the night before and asked her to accompany him to a nearby subway. When she refused, he brandished his police-issued 9-millimeter Glock handgun and forced her down an alleyway where, holding a gun to her head, he violated her in every way imaginable, threatening to shoot her in the face if she screamed or if she opened her eyes.

A day after Mr. Pena was convicted of sexually assaulting Ms. Cuomo, a New York State Supreme Court justice declared a mistrial on the remaining two counts of rape and related charges that had left the jury deadlocked. The

jury was divided on two rape counts, which required a finding that Pena had vaginally penetrated the victim, despite overwhelming evidence of forcible, nonconsensual sexual conduct against the victim, Pena was not convicted of rape but instead of the lesser charges of criminal sexual assault and predatory sexual assault.

We're changing that today. I know that's a long-winded answer to your question, to my colleague on the other side of the aisle. But I think it's very important to frame this issue in the context of its shorthand definition, which is: Criminal sexual acts, which is what in the end Mr. Pena was charged with, don't describe accurately the reality of rape. And that's why we call it "Rape is Rape."

SENATOR PALUMBO: Thank you, Chairman.

Will the sponsor continue to yield, Madam President?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The

sponsor yields.

SENATOR PALUMBO: And I certainly appreciate that, Chairman. You and I now have known each other for a few years. You know that I at one time was a prosecutor. And that was always an issue, the penetration issue.

And I'm just really glad to see -- because as I said, I know advocates and district attorneys have been calling for that clarification, because there was always a penetration aspect to it that was not always an easy thing to prove, particularly when you're dealing with child victims. So that aspect of this bill is a long time coming, and I think we're all happy to see that.

The second aspect of it is where I've had some -- I've seen some concerns from both sides, victim's advocates, even some defense attorneys, as well as prosecutors.

So regarding renaming the statutes and combining them all, can you tell me why that was necessary or why we're doing that all in one bill?

SENATOR HOYLMAN-SIGAL: Well, again, this bill has been around for over

10 years. And we are changing the statute to more accurately reflect the heinous acts that Ms. Cuomo and others have undergone.

It makes no sense that, for example, as a member of the LGBTQ community, if I am anally raped, it's not considered rape by the statute. And we want to change that definition because these words have a lot of weight in our society. And frankly, the term "criminal sexual act" just doesn't cut it. We need to define that for what it is.

SENATOR PALUMBO: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR PALUMBO: And thank you, Senator. And I do appreciate that. And through you, Madam President, that is something that I know at one point back in the day when I was handling these types of cases, it was called sodomy, and then that was changed to criminal sex act. And that led to a significant amount of

confusion amongst manners in which individuals were charged.

So the concern I have is that it might just be easier -- it would certainly be easier, I think, instead of overhauling all the statutes, to just change possibly the title, even, to rape by means of oral or anal conduct. Has that been considered at all by the sponsor?

SENATOR HOYLMAN-SIGAL: Well, and I -- through you, Madam President, we are in effect doing that, I would argue. And I know that's been a suggestion of the District Attorneys Association.

I'll say that in the Criminal Procedure Law it does provide a statutory provision which defines the offense named and the title thereof by providing in different subdivisions or paragraphs different ways in which such named offense may be committed, defining a separate offense in each such subdivision or paragraph.

But that's exactly what this bill does. There's vaginal, oral and anal sexual contact are each separate subdivisions, and therefore separate offenses under the rape

statutes.

So I think there's a misconception that consecutive charges cannot be levied on a defendant. In fact, they can. And you can get consecutive rape charges if -- if -- different counts, if the district attorney would make those -- make that charge very specifically. And I think that is possible under this bill.

SENATOR PALUMBO: Thanks for clarifying that, Chairman.

On the bill, please, Madam President.

ACTING PRESIDENT MAYER: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you.

And Senator Hoylman, I know this is something that I remember all my years in the Assembly with Assemblywoman Simotas, and she was a strong advocate for this.

And this is important. And those victims that you described deserve their justice. Criminal sexual act, even though it's the same level crime, it almost doesn't -- it doesn't really cut it, as you said. It really is not -- it doesn't sound like it's fair, it doesn't

provide the justice and the severity of a rape.

And my concern is this -- and I'm going to vote for this bill, because the ideas are a long time coming and they're absolutely necessary. And I think we should absolutely support this.

The only wrinkle I have is separating out and not completely revamping the statute. And I'll tell you why. When sodomy went to course of conduct or sexual conduct, the course of sexual conduct cases had a lot of problems. And there were problems charging. And all they really did was change the name, and that was much less significant than what we're doing here.

I think a very simple fix would be let's fix the penetration issue, that it's not required, number one. That should be done in and of itself. I like the name -- just renaming the sexual conduct statute itself. But here's the wrinkle. If you have someone who is experiencing this horror for years and years and years, particularly with child victims, you have situations where they'll say, I was about 7 or 8 years old, maybe in the summertime. They have

general ideas of when -- and you can charge, in 2014 this took place, because there is no statement of limitations, of course, so these can go on years and years after the fact you can charge someone.

So if you're trying to now discern when this act took effect, what is the proper charge, you can have problems with indictments. And in fact this was expressed by NOW-New York City, by Sonia Ossorio; by Jane Manning at the Women's Equal Justice Project. And obviously those are individuals who are extremely well versed and extremely bright when it comes to these issues.

And so the fact that there's almost unison on both sides saying great news, I'm so glad that we are fixing the penetration issue to make proof easier -- but they're very concerned with the second aspect of this.

And I agree with you, I and my colleagues, I think we all do agree that in order for justice to be served, it's rape, period, with what happens in those other types of violative acts. So I do definitely appreciate this bill, as I said. I will be voting yes.

But I would strongly suggest that we consider some amendments and just cleaning that up a little bit to avoid confusion in the future. Because this is -- I'm talking 10 years down the road there may be some real concerns trying to properly charge these crimes.

Thank you, Madam President.

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

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

Read the last section.

THE SECRETARY: Section 66. This act shall take effect January 1, 2024.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 470, those Senators voting in the negative are Senators Brisport, Gonzalez, O'Mara and Salazar.

Ayes, 58. Nays, 4.

ACTING PRESIDENT MAYER: The bill

is passed.

The Secretary will read.

THE SECRETARY: Calendar Number 622, Senate Print 4922, by Senator Sepúlveda, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Senator Gallivan.

SENATOR GIANARIS: Madam President, because Senator Gallivan is at the committee meeting we just called, we're going to skip to Calendar 1045, by Senator Myrie.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 1045, Senate Print 213B, by Senator Myrie, an act to amend the Agriculture and Markets Law.

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

SENATOR BORRELLO: Madam President, will the sponsor yield for a question.

ACTING PRESIDENT MAYER: Senator Myrie, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Through you, Madam President. Thank you, Senator Myrie.

A question, this bill speaks about the "rewarding cues" of unhealthy food marketing. Can you explain what a rewarding cue is?

SENATOR MYRIE: Through you, Madam President, I believe you're referencing the "Justification" memo that talks about the vulnerability of children and the development that happens at that age.

The United States Surgeon General just produced a report and an advisory on the dangers of social media on the minds of children, and in that report details that our children are indeed different on how they receive outside cues. And that in that special development period, seeing an advertisement sometimes does not come across as an advertisement but comes across as fact. And that ability to discern between what is fact, what is simply talk or an attempt to influence, is what we're referencing when it speaks of reward cues and the behaviors of children.

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

ACTING PRESIDENT MAYER: Senator Myrie, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So you said that the advertising is somehow fact. I guess I'm trying to determine, you know, what that means.

What do you mean when you're saying "reward cue"? When I think of something being a rewarding cue, I really don't know what that is, other than from an advertising standpoint you're saying that there is some kind of a benefit for either consuming something or engaging in a certain habit. So how does that pertain to this particular bill?

SENATOR MYRIE: Through you, Madam President. And I just want to make sure I'm understanding the question correctly. Are you asking what a reward cue is more broadly? Or are you referencing what that means within the context of this bill?

SENATOR BORRELLO: Madam President, can I respond to that clarification?

ACTING PRESIDENT MAYER: Yes,

Senator Borrello.

SENATOR BORRELLO: Okay. Yes, through you, Madam President. So I guess what I'm saying is how is -- someone has to enforce this. And when you're talking about rewarding cues as being a trigger for something that would be potentially actionable by the Department of Health or whoever else would be -- Department of Agriculture -- would be enforcing this, what is that -- how do you define that so that we can make sure that it's properly being enforced?

SENATOR MYRIE: Through you, Madam President. Thank you for that clarification, Senator Borrello.

I want to make clear that that is not the centerpiece of the enforcement action. If you look at the bill, we require several factors to be present to determine whether or not there will be enforcement under the Predatory Marketing Prevention Act.

First, we use almost verbatim the standard used by the FTC, which is a three-part test. That is the substantial injury test that requires you to go through several steps before you make a determination. One, the injury has to

be substantial; two, it cannot be outweighed by a countervailing benefit; and three, it has to be -- the consumer cannot have reasonably avoided this.

And if you then fall into that scope, there is a further test and further factors laid out in the second section of the bill that is also lifted from FTC regulations, to determine whether or not you are targeting a vulnerable consumer. And that goes through the whether -- the type of characters that you're using in that advertisement, what sort of role models you're using, if any, the colors, cartoons, et cetera.

So we are pretty prescriptive in what would fall under this. And we have done so in a way that matches almost identically with what the federal regulations are.

So it's not just about the rewarding cue, but it is about the totality of the impact of that advertisement.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: Can you give me an example of something that would be considered -- you know, an item that's being advertised to children that we would -- you know, that would be impacted by this?

SENATOR MYRIE: Through you, Madam President. You know, I'm -- oftentimes when we discuss these bills where we are giving the court the ability to examine a particular thing or an enforcement issue, I am loath to give exact examples because I don't want to preclude this.

This is necessarily a case-by-case basis. And given the factors that I just mentioned, if you run through those, I think you will be able to determine if that advertisement falls under this.

Let me step back for a second and say that the underlying principle, the guiding principle of this bill is that certain industries spend billions of dollars targeting the most vulnerable consumers amongst us, literally

billions of dollars. And these consumers happen to be incredibly vulnerable. They are our children. And when we talked about the reward cues, other vulnerabilities, it's important that we protect our children from false and misleading advertisements. And that is why we are beefing up our current false advertising laws both in the Ag & Markets Law and in our General Business Law, in order to protect them.

And so I think it's important for us to be guided by the factors as laid out here. And I would note that it is simply an addition to already existing false advertising regimes in our statutes.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: All right. So if we're not going to target certain items -- you know, this bill speaks about, you know, false advertising and it mentions things like music.

Can you explain what kind of music would trigger liability under this law?

SENATOR MYRIE: Through you, Madam President, I would repeat the refrain of being wary of giving exact examples.

But I would note that this is the exact standard that is used by the FTC when examining online activity targeted at our children.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: Can you give me any kind of an example? I mean, we have to have some kind of guidance here for this bill to be properly enforced. I mean, what kind of subject matter or visual content would trigger liability? What kind of language being used? Can you give me anything that can define what will trigger liability on the part of a food advertiser?

This is very important. I know

you're saying FTC guidelines, but New York is looking to go beyond that with this bill.

SENATOR MYRIE: Through you, Madam President, I would respectfully disagree that we are going beyond. We are matching what the federal regulatory system is.

And I can hypothesize as to what might be characterized as an advertisement directed at a child. We all know what is a commercial or an advertisement intuitively directed at children, and those advertisements tend to have the same characteristics. They tend to be brightly colored. They tend to match other areas of children's lives where they see music or other visual content.

And this is not just me hypothesizing. The food industry spends billions of dollars figuring out how best to market to children. This is not just me saying that. There have been studies that have demonstrated this. There are studies that point to industry conducting tests on children to determine what would be most palatable to them.

So this is not a made-up thing. This is something that the industry focuses on.

And I will point out that they particularly focus on Black and brown communities. Black and brown children are almost four times more likely to see advertising for junk food than their white counterparts. Again, these are facts, not me hypothesizing.

So I think we have a lot of material to point to, to see what might be examples of this type of targeted advertising.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: So the law speaks to, like, celebrities and so forth that might appeal to children. I mean, you know, so you're saying like a high-sugar cereal that might use, I don't know, you know, a famous athlete or, you know, Batman or Spider-Man. Would that then trigger a liability?

I mean, I'm sure Senator Gianaris and I would like the Batman or Spider-Man

references on the high-sugar cereal.

SENATOR MYRIE: Through you, Madam President, I have no -- or take no offense to sugared cereal. And I think people should be able to eat that if they so desire.

But I would shift our focus back to what this is meant to do. It is meant to detect false and misleading advertisements targeted at our children. And so in order for this to even fall under the ambit of the bill, you have to be false or misleading. And what we are doing in this bill is defining that more -- in a more detailed fashion, to match what the federal regulations are.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So if this is matching FTC guidelines, why is this bill needed in New York State?

SENATOR MYRIE: Through you,

Madam President, because a third of New York children are obese. We saw over the COVID-19 pandemic that there were young children suffering disproportionately from hypertension, lung disease, things exacerbated by the overconsumption of unhealthy and/or ultra-processed food.

We have a children's health crisis in this state, and the government has a very substantial and strong interest in using every tool at its disposal to help mitigate that crisis.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Well, again, I'm asking why we have to go beyond what the FTC -- or why we need this bill if the FTC is already regulating it.

But I guess my last question is, does this bill create a private right of action?

SENATOR MYRIE: Through you, Madam President. I'm sorry, can you repeat the question?

SENATOR BORRELLO: That's okay. Does this bill create a private right of action?

SENATOR MYRIE: Through you, Madam President, it does not.

And I want to point out this point of agreement. When this bill came up in the Agriculture Committee last year, Senator Borrello brought up the private right of action and said that he had some concerns about this. And I agreed. We removed that, so that we could take the focus off of the private right of action and focus on the protection of our children and having the government enforce this law.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Myrie. I want to also sincerely thank you for, you know, that amendment that removed that private right of action. Thank you very much.

With that being said, I think we all have concerns. There is a child health crisis, there's no doubt about it. I think we all have concerns about that. I think in our fast-paced lifestyle we lose track of the fact that we need to have good, wholesome food for our children, particularly in those development years.

That being said, I still have concerns with this bill, having to do with what will actually trigger the liability. I think this is well-intentioned. I think that we need to head down this road. I'm very supportive of things like our Double Up Food Bucks program to get more people that are on SNAP to, you know, our local food -- farmers markets to get healthy food grown locally.

So those are all good initiatives. I think we should focus on that. I think we should focus on encouraging people. Because if I'm not mistaken, SNAP still allows the purchase of junk food with those SNAP benefits, that you can buy prepared foods now that in fact I think that was recently added, that you can buy prepared foods at grocery stores which typically are not as healthy as buying, you know, and

making something at home.

So I think this particular bill is targeting one area, and we may have a long way to go to ensure that our children are eating healthy. So like I said, I agree with the spirit of this, but I still think there are some issues, so I'll be voting no.

Thank you.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Myrie to explain his vote.

SENATOR MYRIE: Thank you, Madam President.

And thank you, Senator Borrello, for the questions.

About two years ago on Halloween Day

I dressed up as a carrot announcing the introduction of this bill, and it subsequently became known as the Carrot Bill.

And I'm very proud of this effort because this is, at its core, about protecting the most vulnerable amongst us, and that of course is our children.

The place where I announced the introduction of this bill also happened to be the place that I walked past every single day to go to school. And in that intersection is a McDonald's, a Checkers, a Dunkin' Donuts, a Popeye's, and a Wendy's. And that's just right within one intersection.

We cannot continue to allow our kids to be barraged by this type of advertising, of this presence of unhealthy food. Our kids are literally dying because of these health maladies. We cannot stand by when an industry spends billions to target our children, subsequently make billions off of those sales, and the consequence of that are our kids, dying. We have to rein in the industry. And it's particularly pernicious because it is targeted at Black and brown communities. It is more prevalent in Black

and brown communities than it is in more white and affluent communities. That's not hyperbole; the studies have demonstrated such.

So I urge all of my colleagues to support this effort and to support protecting our children over protecting the profits of an industry. I proudly vote in the affirmative.

Thank you.

ACTING PRESIDENT MAYER: Senator Myrie to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1045, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Walczyk and Weik.

Ayes, 49. Nays, 13.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, I've been informed that the lay-aside on Calendar 1500 has been removed. So can we please restore that to the noncontroversial calendar and take that up, please.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 1500, Assembly Bill Number 3305B, by Assemblymember Clark, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Now can we continue on with Calendar 1313 on the controversial calendar.

ACTING PRESIDENT MAYER: I'm sorry, which calendar number?

SENATOR GIANARIS: 1313, by Senator Hoylman-Sigal.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 1313, Senate Print 582, by Senator Hoylman-Sigal, an act to amend the General Business Law.

ACTING PRESIDENT MAYER: Senator Oberacker, why do you rise?

SENATOR OBERACKER: Thank you, Madam President. I was wondering if the bill's sponsor would yield for a couple of questions.

ACTING PRESIDENT MAYER: Senator Hoylman-Sigal, do you yield?

SENATOR HOYLMAN-SIGAL: I do. Thank you.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you. Senator, thank you.

In as brief as possible, what is the purpose of this bill?

SENATOR HOYLMAN-SIGAL: The purpose of this bill -- through you, Madam President -- is -- I'll tell you what it does and what its

purpose is.

And let me -- let us be mindful of the power of our words here today, because this is a substance which is readily available to the public, including young people, and has been shown by researchers to be used to attempt and commit suicide.

So we, through this bill, would prohibit the sale of sodium nitrate and sodium nitrite to any person under the age of 21, in order to reduce, in our attempts here in this chamber, the suicide rates among young people, which are skyrocketing. For the ages of those 45 to 54, they've had the highest suicide rate in recent years, but the greatest percentage increase in the decade leading up to 2019 was among those aged 15 through 24.

Those young people, the same young people that Senator Myrie is discussing, had a 45 percent higher rate of suicide last year than in 2009.

We cannot allow these products to be readily available, to be purchased on your phone app, any longer.

SENATOR OBERACKER: Madam

President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Hoylman-Sigal, do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR OBERACKER: Thank you.

Senator, do you know what its actual use is in the food industry?

SENATOR HOYLMAN-SIGAL: Yes, I do. And I'm happy to discuss that. The first additive, sodium nitrite, is a common food component and preservative used in deli meats and can be used to treat cyanide poisoning.

The other compound that we're discussing today is used in fertilizers and is commonly used as a preservative and color fixative in cured meats and poultry. Both of these items can be purchased cheaply and widely.

SENATOR OBERACKER: Thank you.

Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR OBERACKER: So where exactly are these products being sold on an app on your phone? Are they coming from a retail operation, a wholesale operation?

SENATOR HOYLMAN-SIGAL: Through you, Madam President, both. The consumer can easily purchase them from an online retailer like Amazon.

A recent news report showed that in fact 10 people who used these compounds to attempt and in some cases successfully attempt suicide, purchased them on Amazon. Also other platforms such as eBay and Etsy have sold these items. But both of those platforms have taken steps to limit and in some cases ban these compounds after learning of their purchases on their website in connection with suicide deaths.

And according to the National Poison Data System, the use of these compounds as a method for suicide is on the rise. From 2017 through 2022, researchers identified 47 cases of suicide attempts reported to the National Poison

Data System, all of which occurred in that time frame, 2019 through 2022.

And it's international too. In Canada, this compound was responsible for the deaths by suicide of 23 people from 2019 and 2020. Recent studies have shown a significant increasing trend in the use of this compound in countries like South Africa. And in the UK, a British vendor stopped selling the compound to the public after their corporate leadership recognized the shocking number of people who were using it to attempt suicide.

SENATOR OBERACKER: Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR OBERACKER: Senator, are you familiar with the designation of GRAS? It's an acronym that is used by the FDA and the USDA, and it stands for Generally Regarded As Safe. Do you know if this has a GRAS designation?

SENATOR HOYLMAN-SIGAL: I do not

know that it does or does not.

SENATOR OBERACKER:

Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: So a GRAS designation, for those that are not aware, sets limits as to what is considered a lethal level. Being that I'm a food scientist -- I do own a food ingredient company -- we are monitored, of course, by FDA, USDA, and here in New York by Ag & Markets, for all ingredients that would be sold to the public and into the food industry.

So my next question would be, to the Senator, do you know what that lethal level is in an amount? Is it a gram, is it a pound, is it -- is there some volume we could put to what a lethal level of sodium nitrite is?

SENATOR HOYLMAN-SIGAL: Through you, Madam President, I don't think it's appropriate or wise to discuss lethal amounts of

dangerous compounds like this in public.

That said, I appreciate the Senator's discussion of FDA regulation. Which I'd argue is beside the point, given that we're trying to limit access to this extremely dangerous compound that is used for other means by young people. And we're not restricting it from access by adults, but we're restricting access to it by vulnerable young people.

SENATOR OBERACKER: Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Senator, are you familiar with the word C. botulinum? Or, more appropriately, its scientific term is the Clostridium botulinum bacteria.

SENATOR HOYLMAN-SIGAL: Through you, Madam President, no, I can't say that that rolls off of my tongue or is embedded in my memory bank quite anywhere.

SENATOR OBERACKER: Madam

President, through you, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: So sodium nitrite, for educational purposes too, is the most effective at the lowest inclusion rate that will deal with and eradicate the botulinum bacteria, one of the most deadly neurotoxins out there, and potentially it is also what they call an anaerobe; it only grows in airless environments.

So real quickly on the bill, just to give a little bit more information, when we --

ACTING PRESIDENT MAYER: Senator Oberacker, are you on the bill?

SENATOR OBERACKER: I'm on the bill.

ACTING PRESIDENT MAYER: Okay. Senator Oberacker on the bill.

SENATOR OBERACKER: Thank you.

So when we produce bacon, for

example -- which I don't know about you, but any time I get up in the morning and I smell bacon, it's a good day.

(Laughter.)

SENATOR OBERACKER: So when bacon is produced, it is actually in an environment that's airless. We have a lot of smoke, we have a lot of heat. And so sodium nitrite is added as a way of taking care of and actually making safer a food product that has mass distribution. We then take it and we vacuum pack it in another airless environment. And so sodium nitrite is a very effective antibacterial product.

It is only used in 1 ounce -- 1 ounce for every 25 pounds of meat. The lethality level that I'm aware of is so high, is so high that to consume that -- there are other ways, I guess, in my opinion, that if your goal is to end your life, there are other ways of doing it that would be more -- that would be quicker, I guess if that's your goal, to do.

So I'm very concerned about the fact that we are looking at taking a very effective, a very, very effective bacteriostat, we have -- I think the Senator's goal is laudable in trying to

prevent this in use like that. But every ingredient, every ingredient has a lethal level. Every ingredient. Salt. Bicarbonate of soda, which is baking soda. Sodium carbonate, which is potash. Sodium chloride, which is just salt. We use chemical names that sound very horrifying and they're really everyday products.

I would love an opportunity to ask our Senator to lay this bill aside and for me to have an actual opportunity to talk and discuss not only the merits of this, but maybe a way of making sure that this product, number one, is educated, that we educate ourselves.

Number two, that we do look at potentially where we could monitor larger amounts of this product. Because my fear is a lot of companies are out there and they sell a simple ounce of what they call Prague powder, which is sodium nitrite and salt mixed together. It's used to cure products. And I'm afraid that we're going to really start to -- not enable, but make a lot more difficult those of us who like to make kielbasa and bacon, hams or whatever at a home rate, with this piece of legislation.

Senator, I would love to have a cup

of coffee with you. And more importantly, I think I would also like to have a cup of dihydro -- or dihydrogen oxide. Now, I know a lot of you are saying -- and believe me, I have no ill will towards our Senator. But dihydrogen oxide is nothing more than water. Words can be very scary.

I am voting no on this. I will hope we all take a moment to step back and to look at the benefits of this product that far outweigh, far outweigh what its potential use is. So I'll be voting no. And, Madam President, I hope my colleagues do the same.

Thank you.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Hoylman-Sigal to explain his vote.

SENATOR HOYLMAN-SIGAL: Thank you. I want to thank Senator Oberacker. It is a testament to the diversity, professional and otherwise, in this chamber that we have a food scientist who can share with us his knowledge at length, as he did. And I'm very grateful.

I will say that, to be clear, we're not banning anything. We're just trying to prevent kids from getting this dangerous compound for the untoward uses that we have described.

And that we should note there is a lot of social media websites dedicated to the use of this compound for these horrific and very sad purposes. And I think it's incumbent on us as legislators to take action with the rates of suicide rising among our young people. We have to take every step.

And to anyone who's watching, please reach out if you have thoughts of suicide: The National Suicide Prevention Lifeline, 800-273-8255. It's very important that we remind our young people and everyone that they can take steps to ward off the dark thoughts that might

lead one to purchase these products.

I vote aye.

ACTING PRESIDENT MAYER: Senator Hoylman-Sigal to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1313, those Senators voting in the negative are Senators Ashby, Gallivan, Griffo, Helming, Lanza, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco and Walczyk.

Ayes, 48. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 622, Senate Print 4922, by Senator Sepúlveda, an act to amend the Public Health Law.

SENATOR GIANARIS: Madam President.

ACTING PRESIDENT MAYER: Yes, Senator Gianaris.

SENATOR GIANARIS: Next up will be Calendar 1495, by Senator Brisport.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 1495, Senate Print 5327A, by Senator Brisport, an

act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Senator Murray, why do you rise?

SENATOR MURRAY: Thank you, Madam President. Would the sponsor yield for a few questions?

ACTING PRESIDENT MAYER: Senator Brisport, do you yield?

SENATOR BRISPORT: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MURRAY: Thank you. Through you, Madam President. Thank you, Senator.

I know we've talked quite a bit lately on the childcare issue, and I just want to clarify a few things because there may be some confusion as to what this bill is doing exactly.

I believe it was last year that legislation was passed regarding the childcare block grant and funding to help parents that need the help with childcare. And what we're doing with this bill is we're amending or clarifying that. Is that correct? Can you explain how we're amending or what we're amending or

clarifying?

SENATOR BRISPORT: Through you, Madam President. This is a technical clarification to a childcare decoupling bill we passed last year. What that bill did was relax requirements on working hours for parents, such that they would not be required to only get childcare for the exact hours they were working. This relaxation was done to help out parents who work part-time jobs or flexible jobs.

The bill that we passed last year, as written, was interpreted to only be applied to funding with local funds. This technical clarification says we can pay for it with state and federal funds as well.

SENATOR MURRAY: Thank you, Madam President. Would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR BRISPORT: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MURRAY: And thank you for that, because that's part of where the question

arose, was are we relaxing it to the point where the parent is not required to be working or something? We're not relaxing it to that extent; correct?

SENATOR BRISPORT: Through you, Madam President, there are still work requirements for parents who request childcare subsidies.

SENATOR MURRAY: Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR BRISPORT: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MURRAY: Thank you.

Now also, in addition to work, I believe it would help if they're going for work training, educational purposes, things of that nature as well. And also expanding, as you said, the hours, so it's not strictly to the hours that they're either working or training or at school, but to extend it a little bit further to help out and give some flexibility. Is that correct?

SENATOR BRISPORT: Through you,

Madam President, yes.

SENATOR MURRAY: Okay. Very good.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Murray on the bill.

SENATOR MURRAY: Thank you, Senator. I appreciate that.

Again, the purpose was to get clarification, because this is an extremely important issue, one that we have been working on, need to continue to work on. But the important part of this is -- because there was a little confusion as to whether or not this was being relaxed to the point where we were going to provide what some were quoting as babysitting, state-funded, which is not the case.

So to clarify, yes, you are still required to be working. We are simply giving flexibility with this bill. And I think it is very important that we continue to help parents who want to get in the workforce or better themselves through the workforce. So I'll be voting for this bill, and I urge my colleagues to do the same.

Thank you.

ACTING PRESIDENT MAYER: Senator Weik, why do you rise?

SENATOR WEIK: Madam President, through you, would the sponsor yield.

ACTING PRESIDENT MAYER: Senator Brisport, do you yield?

SENATOR BRISPORT: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR WEIK: So I appreciate that this bill offers a clarification, but it seems to exclude working parents who work the night shift -- so, for example, a nurse, a police officer, a factory worker who may work the night shift. It offers flexibility for someone to go to school, but not for those working parents to be able to come home and sleep and put their child in daycare. Is that correct?

SENATOR BRISPORT: Through you, Madam President, we do have another bill to provide additional funds for providers that do night and weekend shifts, but that is not this bill.

SENATOR WEIK: Thank you very much.

ACTING PRESIDENT MAYER: Are there

any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Brisport to explain his vote.

SENATOR BRISPORT: Thank you, Madam President.

You know, while this bill does not eliminate work requirements for childcare, we should. We should eliminate all work requirements for childcare, and means testing, and treat childcare as a universal public good. Eighty percent of your brain forms by the time you are three years old, and childcare is education. Education is a right. We do not require parents to be working to enroll their kids at public school or to get a library card, and the same should be true of childcare.

I proudly vote aye.

ACTING PRESIDENT MAYER: Senator Brisport to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1495, those Senators voting in the negative are Senators Gallivan, Griffo, Oberacker and Weik. Also Senator Walczyk.

Ayes, 57. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1501, Senate Print 5574, by Senator Gounardes, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT MAYER: Senator Palumbo, why do you rise?

SENATOR PALUMBO: Madam President, will the sponsor yield for just a couple of quick questions.

ACTING PRESIDENT MAYER: Senator Gounardes, do you yield?

SENATOR GOUNARDES: Madam President, even though I'm at five years here, not a single one of my bills has ever been debated. I will let Senator Palumbo --

(Laughter.)

SENATOR GOUNARDES: -- ruin my undefeated streak, and gladly will take his questions.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator Gounardes. And I have great news. This is another bill that I like and just have one slight issue with.

So -- and just generally, just to describe it for our colleagues who aren't familiar -- obviously you and I are attorneys -- but this is essentially, and please correct me if I'm wrong, codifying the Batson vs. Kentucky challenge. Which is when you cannot -- when you're picking a jury in a trial, you have something called a peremptory challenge. You have a certain number, based upon different criminal charges and obviously based on your civil case.

You can strike a juror just because you don't like maybe their views that aren't squaring with your client's views. However, you cannot strike that person on the basis of many

discriminatory factors -- race, gender. Now I believe this is codifying orientation, right?

And so generally this is trying to take that United States Supreme Court case, which has a number of additional cases, and codifying it in law. Is that accurate to say, just generally?

SENATOR GOUNARDES: Through you, Madam President, yes.

What we are doing with this bill is codifying the Batson standard in state law. We are also expanding the types of classes that are protected by what Batson offers, which is prohibitions against certain types of peremptory challenges.

SENATOR PALUMBO: Thank you.

Through you, Madam President, will the sponsor continue to yield.

SENATOR GOUNARDES: Of course.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GOUNARDES: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you,

Senator. And in that regard, and having seen this in practice -- of course the iPad just died, so I don't have the statute in front of me now. Let me steal my colleague's here.

And while I'm looking for it, the -- there have been -- a Batson challenge can exist and there can be a pattern of this type of striking, and it can actually be a pattern of one. Is that accurate? Are you familiar with that, that it doesn't need to be multiple jurors in a row that, you know, for example, a lawyer struck three or four women. It can be actually one, where it could be deemed a pattern and discriminatory, and that challenge gets removed and that juror sits on the jury.

Is that accurate?

SENATOR GOUNARDES: Through you, Madam President, yes, that's correct.

SENATOR PALUMBO: Thank you.

And would the sponsor continue to yield.

SENATOR GOUNARDES: Yes.

ACTING PRESIDENT MAYER: Do you continue to yield?

The Senator yields.

SENATOR PALUMBO: Now, Senator -- and as I was reading through this, I was looking at it and saying, Great, great, agree with it, agree with it. And this is where I have one wrinkle and one concern, and I'd like you to maybe consider possibly even amending it.

So on the second page, line 4, that the court makes its determination, they don't speculate, they listen to what the lawyer has to say and if they are satisfied that it was a nondiscriminatory purpose for the strike, then it will stand.

But it also has here, in lines -- it's actually 8 and 9, the court need not find purposeful discrimination to sustain such objection. Can you explain to me why that was included in this statute, please?

SENATOR GOUNARDES: Through you, Madam President, this bill was drafted based on the recommendations of the New York State Justice Task Force, which had been meeting for over a decade to address a whole bunch of issues in our criminal justice system. And they issued a report last year specifically around issues around jury selection, jury bias, implicit bias.

And in that report the members of that commission -- which is widely available. For folks that have not read it, it's actually very illuminating. In that report the commission decided first, unanimously, that they believe that Batson should be codified.

And then, secondly, they looked at the best way to do that, and the recommendation from the commission -- from the task force, after looking at other states that have similarly tried to address implicit bias in jury selection -- most notably California, Washington State, Arizona and Connecticut, which is considering it -- they decided to reject other approaches that those states took and instead adopt a reasonable person standard, which is throughout our laws and especially throughout our criminal laws, which is what our text is meant to adopt in codifying the recommendations of the task force.

So that language is designed to reflect the recommendation of this task force to adopt a reasonable-person standard in codifying and expanding the protections of Batson.

SENATOR PALUMBO: Would the sponsor

continue to yield.

SENATOR GOUNARDES: Yes.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GOUNARDES: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator.

And I understand that the task force was requesting that -- and through you, Madam President. And I understand what their reasons may have been. But do you have similar reasons or any concerns that that may lead to an inconsistent application? Because we now have a reasonable-man standard, yet we have to have an implied finding of something that is not necessarily intentional.

SENATOR GOUNARDES: Through you, Madam President. No, I don't share that concern. Because ultimately these decisions are decided by the presiding judge in these cases, and we trust that judges are able to make these decisions, as they have been for years and years -- you know, for 30-plus years since -- 36-plus years since

Batson has been around.

SENATOR PALUMBO: Thank you, Senator.

On the bill, please, Madam President.

ACTING PRESIDENT MAYER: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you, Madam President. Thank you, Senator Gounardes.

As I indicated, I do like the fact that we can clarify this and even expand these factors under the Batson case, because there have been a number of United States Supreme Court cases that have come down.

In fact, there was a quintuple homicide authored by Brett Kavanaugh reversing that conviction because of a very nuanced Batson challenge, where the prosecutor even articulated so-called non-discriminatory factors, but it was determined that they were pretextual. That case was a conviction, it went all the way up to the United States Supreme Court, they reversed and remanded for a new trial, because this is a very important constitutional protection in our law. So I absolutely agree with that.

The wrinkle is that we have someone now who's going to be able to review a conviction -- because if you improperly grant a Batson challenge, that can ultimately lead to a reversal almost every time. So now you're talking about someone who wasn't in the courtroom, who didn't hear the arguments verbally, who didn't see the jurors' responses and reaction in person. You have an appellate judge who's now going to not only inject themselves in as the reasonable person -- which isn't a bad standard typically, that's a common standard in law. But now there's no purposeful discrimination that will be needed.

So I think one judge could say, Well, they clearly did not have an intent in their heart to be discriminatory. However, two or three appellate courts down the road, they do see what they believe, based upon some statements and a subjective view that this is now in fact discriminatory, and then they would reverse a conviction and send it back.

So I think this is generally a very good idea. I will be voting for it. And I would just ask that the sponsor continue to look at

this through that lens, that this could actually be counterintuitive, that it's going to not just -- it's intended to protect the rights of defendants for sure, and fairness in the court system. However, I think that is actually a subjective factor and not objective. And that's something that needs to be looked at very closely.

Thank you, Madam President.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Gounardes to explain his vote.

SENATOR GOUNARDES: Thank you, Madam President.

I thank Senator Palumbo for his

questions.

You know, I just want to say, you know, this bill is incredibly important, as I alluded to. This came directly from recommendations from the New York State Justice Task Force to help us address issues of implicit bias in jury selection.

And just so we can have it on the record, I do want to share with everyone -- the five people listening at home, perhaps -- exactly how this bill not only codifies Batson but expands its protections so that an individual who is intending to serve as a juror cannot be rejected through a peremptory challenge on the basis of their race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability, or sexual orientation.

And these protections also match the same protections that exist in our court system for jury selection through the voir dire process, so now we have a consistent standard as to what types of classes are protected for individuals who are called to serve on a jury and then ultimately selected for a jury to serve and

perform their civic duty.

And I proudly vote aye, and I urge my colleagues to do the same.

Thank you.

ACTING PRESIDENT MAYER: Senator Gounardes to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1501, those Senators voting in the negative are Senators Borrello, Griffo, Helming, Lanza, Mattera, Murray, O'Mara, Ortt, Rhoads, Walczyk and Weik.

Ayes, 51. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, we're going to jump around depending on members' availability relative to the committee hearing that's continuing downstairs.

So next up will be Calendar 1620, by Senator Comrie.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number

1620, Assembly Bill Number 3683, by Assemblymember Zebrowski, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Senator Walczyk, why do you rise?

SENATOR WALCZYK: Thank you, Madam President. Would the sponsor yield.

ACTING PRESIDENT MAYER: Senator Comrie, do you yield?

SENATOR COMRIE: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR WALCZYK: And through you, Madam President. The statute of limitations for making a claim is six years, is that correct?

SENATOR COMRIE: No, it's not correct. It's actually eight years that -- put the statute of limitations to make the claims.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue --

SENATOR COMRIE: I said that wrong. The statute of limitations is six years, but it normally takes a while for the utilities to make their claims, so in the bill we're making it eight years.

They've found that in -- the issue -- in previous sessions there have been a lot of concerns about the PSC's responsiveness, about the ability to receive a determination. The determinations have been dealing with an issue which is called demand charge by utility companies, many of which take time to contest the bills for the entire six-year retroactive period. The demand charge is based on previous years, requiring them to need an additional two years to contest the bills.

Sorry, I was -- I just came off of Finance, I was a little discombobulated.

SENATOR WALCZYK: Thank you, Madam President. You answered both my first, second and third questions in that response. I appreciate your thoroughness.

SENATOR COMRIE: Thank you.

SENATOR WALCZYK: Thank you.

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

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

Read the last section.

THE SECRETARY: Section 5. This

act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1620, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Next up, Madam President, is Calendar 1658, by the esteemed Senator Gianaris.

(Laughter.)

ACTING PRESIDENT MAYER: The Secretary will read.

UNIDENTIFIED SENATOR: Where is he?

(Laughter.)

THE SECRETARY: Calendar Number 1658, Senate Print 7394A, by Senator Gianaris, an act to amend the Election Law.

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

SENATOR BORRELLO: Madam President, will the sponsor yield for a question.

ACTING PRESIDENT MAYER: Senator Gianaris, do you yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: The esteemed Senator Gianaris.

You know, this bill looks an awful lot like the bill -- the constitutional amendment that was defeated overwhelmingly by voters in 2021, which would give essentially no-excuse absentee balloting.

Isn't this just the same thing? Why aren't you just proposing another amendment?

SENATOR GIANARIS: No, you're mistaken -- Madam President, Senator Borrello is mistaken.

The referendum was relevant to the absentee ballot process. This bill relates to a form of early voting.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Gianaris, for that spirited and long debate.

(Laughter.)

SENATOR BORRELLO: You know, I think my concern here is -- and on the part of a lot of other people -- is that this essentially is saying that you can now mail in your early voting ballot and you can, you know, circumvent the system.

You know, the bottom line is we here in New York State have made it very, very easy to vote. Other than allowing you to vote while you're standing in line at Walmart, it couldn't get any easier than it is to vote here in New York State.

When we start talking about mail-in ballots, we saw what's happened in the past when

it overwhelms the system here. And I continue to say it: The most important thing in New York State and across the nation is not that everybody votes, because at the end of the day this is the United States, and you can still choose not to vote.

So circumventing the system, overwhelming the system to ensure that we have all of these people that may be able to vote by mail or may not, could prevent those people that have to vote by mail, those people who have to vote by absentee, from actually having their ballot count. And that undermines the integrity of our entire system.

And this is just really a work-around on that bill that overwhelmingly failed here in New York State where the voters of New York said, No, we're going to stick to the Constitution and we're going to say that only certain circumstances should allow someone to vote by mail, vote by absentee, or whatever it might be.

This bill essentially ignores the will of the people of New York State. And I'll be voting no, and I encourage my colleagues to do

the same. Thank you.

ACTING PRESIDENT MAYER: Thank you.

Are there any other Senators wishing to be heard?

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

Read the last section.

THE SECRETARY: Section 55. This act shall take effect January 1, 2024.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1658, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: If we could return for a moment, Madam President, to motions and resolutions.

On behalf of Senator Parker, on page 16 I offer the following amendments to Calendar 668, Senate Print 6218, and ask that said bill retain its place on Third Reading Calendar.

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

SENATOR GIANARIS: Also on behalf of Senator Parker, on page 13 I offer the following amendments to Calendar 529, Senate Print 5343, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR GIANARIS: Again on behalf of Senator Parker, I wish to call up Senate Print 1201, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 126, Senate Print 1201, by Senator Parker, an act to amend the Public Service Law.

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

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

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: On behalf of Senator Skoufis, I wish to call up Senate Print 6441, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 1580, Senate Print 6441A, by Senator Skoufis, an

act relating to approving certain employee benefit costs for transportation employees for the Goshen Central School District.

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 62.

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

SENATOR GIANARIS: I offer the following amendments.

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

SENATOR GIANARIS: Please recognize Senator Lanza.

ACTING PRESIDENT MAYER: Senator Lanza.

SENATOR LANZA: Thank you, Senator Gianaris.

Madam President, on behalf of Senator Griffo, on page 41 I offer the following

amendments to Calendar 1297, Senate Print Number 6493B, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: Madam President, I believe the next bill we are taking up is yours. So we'll give you a moment to get to your seat.

And then when Senator Persaud reaches the desk, she can call up Calendar 1657.

(Pause.)

ACTING PRESIDENT PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1657, Assembly Bill Number 237, by Assemblymember Sayegh, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Senator Walczyk, why do you rise?

SENATOR WALCZYK: I rise, Madam President, because I'm hoping the sponsor

will yield for a couple of questions about this bill.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR MAYER: Yes, of course.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Through you, Madam President.

So this -- currently already in law we require utilities to respond to a report of a downed power line within 36 hours. Is that correct?

SENATOR MAYER: Through you, Madam President, the relevant section of the law does require that the plan that the utility files provides for appropriate safety precautions regarding electrical hazards, including plans to promptly secure downed wires within 36 hours of notification.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: And the current law will also requires that the utilities respond to municipal officials that make an official report about a downed wire, is that correct?

SENATOR MAYER: Well, through you, Madam President, I'm not sure I would call it an official report. The language of the existing law requires that they respond upon notification of the location of the downed wires from a municipal emergency official.

The point of this bill is because ordinary citizens see a line down and want to complain to their utility, and currently basically the utility's position is don't come to us, go to your municipal official. And that really doesn't make sense to ordinary individuals, who drive and see a line down, or see a line down in front of their home.

So this bill will authorize individuals to make a complaint directly to the utility when they see a downed line.

SENATOR WALCZYK: Through you,

Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Do you know why individuals were left out in the past when -- why this statute, when we first laid it down, you know, required the 36 hours response and specifically says such downed wires from a municipal emergency official, as it reads in the current statute. Why were the individuals left out?

SENATOR MAYER: I don't know, Senator Walczyk.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: In this bill you've chosen to use the word "individual." Does that include anyone?

SENATOR MAYER: Well, through you, Madam President, the word "individual" isn't defined, but the intent is clear. It's what I described, is when you're driving and the road is blocked because a line is down, you shouldn't have to call the mayor, the supervisor, figure out who the right person is, you should be able to call the utility.

And in fact, on many of the utilities' websites it says when you see a downed line, call. So you're doing what you should do.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: What would be the way that an individual would notify the utility?

SENATOR MAYER: They would call,

the same as they do when there's a power outage at their home, when they see something that causes their concern. That is the way we have dealt with utility companies, and that's what you would do here.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Would the individual have to have a phone number that's from the State of New York or be a resident in the State of New York?

SENATOR MAYER: The statute does not provide that.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Does this legislation prescribe in any way for the utility what the priority of effort should be when they're hearing from individuals in addition to municipal emergency officials? Does it create a priority to handle the emergency municipal official's request on a downed power line before an individual, or does it speak to that at all?

SENATOR MAYER: My experience, having lived through multiple storms with the utility company -- I've worked very cooperatively with them throughout -- is that they prioritize based on the degree of risk, the number of people impacted by a downed power line.

And I'm confident that's what they'd continue to do.

SENATOR WALCZYK: Through you, Madam President, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MAYER: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

SENATOR WALCZYK: Do you think most individuals in the State of New York when driving around -- and you use the example of, you know, driving and seeing a downed line. Do you think most individuals in the New York State from their vehicle could tell the difference between a downed coaxial cable, downed telephone wire, and downed phased power? Do you think they'd be able to identify the difference?

SENATOR MAYER: Through you, Madam President, I'm confident when they see a line down and the road is blocked, they frequently anticipate it is a downed power line. Or when the power is out because a storm came and the line is down in front of their home or in their neighborhood, they assume it's a downed power line and they rightly call.

Just as I would point out, a municipal official frequently doesn't know exactly what kind of line is down.

SENATOR WALCZYK: Thank you.

Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Walczyk on the bill.

SENATOR WALCZYK: I know my colleague is well-intentioned in this, and I know in emergency situations it can be helpful to have as much data about what the real on-the-ground situation is. And I know that that's the intent.

But in an emergency situation it's also important to filter through some of the chaos. And I think that's why the statute right now says from a municipal emergency official, which would require those same individuals to go through their emergency departments so that we've got good lines of communication and so that utilities can continue to prioritize their effort based on the needs of the municipality and the emergency officials that understand where the priority of effort can be.

So while I think it's well-intentioned, my concern is that if we allow any individual, we could run into two problems. In a very real emergency, we could inundate utilities with requests, some of them not being about downed power lines but downed other lines, as people are pushing data and overwhelming the phone lines at a utility.

And also, you know, I've got a bill

that's against swatting.

But I think when you say any individual, so you've opened up the utility to say you've got to take these requests from any individual. They could even be in a foreign country, not necessarily a phone number here in the State of New York, not a resident of the State of New York. You're opening up those utilities to be vulnerable to an inundation, not even necessarily in an emergency situation, but some other entity that might want to cause chaos and harm in the State of New York.

So while I think it's well-intentioned, I'll be voting no and hope to work with my colleague on some of these issues in the future.

Thank you, Madam President.

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Mayer to explain her vote.

SENATOR MAYER: Thank you. I just wanted to briefly explain this very common-sense and simple bill.

When you see a power line down or a line down and there is no power, we serve our constituents, the regular everyday people who see this experience. To think that they're supposed to figure out who to call when they can easily call -- and frequently do call -- the utility company, sort of begs credulity.

So this is a simple edit to a law that just expands where a person can file a complaint. Frequently I think it will be helpful to the utilities. And I look forward to it passing and allowing our constituents to simply be able to call the utility when they see a downed power line.

Thank you. I vote aye.

ACTING PRESIDENT PERSAUD: Senator Mayer to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 1657, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, next up is Calendar 622, by the witty Senator Sepúlveda. Please call that bill up, please.

ACTING PRESIDENT PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 622, Senate Print 4922, by Senator Sepúlveda, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Senator Gallivan, why do you rise?

SENATOR GALLIVAN: Will the sponsor yield for a few questions.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR SEPÚLVEDA: Through you, Madam President, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR GALLIVAN: So the way I understand it, this bill prohibits health plans that administer the Child Health Plus program from requiring that participating providers also sign up for the commercial healthcare network operated by that same insurer.

Why is this necessary?

SENATOR SEPÚLVEDA: The problem that you have is that you have providers that are part of a network, and many of these providers don't want to work with other products that the network has. For example, some of the products that the networks have Medicaid, Essential Plan, and other commercial plans. And what happens is if -- unless the provider accepts all of these plans, they cannot participate with the network.

So for example, we have children whose family uses Child Care Plus as their insurance. If the provider is part of a network and the provider only wants to accept Child Care Plus, as a member of the network he is compelled or she is compelled to also accept all of the other's insurance, even though it may not be

financially feasible or make business sense.

And so what this bill does is says you can, the provider, can accept Child Care Plus without having to be compelled to accept all of the other products that that network may have.

SENATOR GALLIVAN: Will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SEPÚLVEDA: Through you, Madam President, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR GALLIVAN: So currently don't the providers have the ability to negotiate which products they want to participate in?

SENATOR SEPÚLVEDA: No, they do not. In fact, the network is in such a position that they can compel these providers to have to accept all of these insurances. And because of their status in the market, their strength in the market, the providers are almost compelled to accept these, even though these other plans may not make sense or may not be profitable or may not work for them economically.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SEPÚLVEDA: Through you, Madam President, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR GALLIVAN: Is that true of all insurers? The insurance companies, the healthcare plans, is that true that none of them will negotiate with a provider?

SENATOR SEPÚLVEDA: Well, I don't know if it's true, but this bill will impact those that do not negotiate.

SENATOR GALLIVAN: So it's possible, then, that some health plans, healthcare plans, do negotiate.

SENATOR SEPÚLVEDA: Absolutely, there are some. But again, this is targeted for those that do not.

SENATOR GALLIVAN: Will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SEPÚLVEDA: Through you, Madam President, I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR GALLIVAN: So it's common -- well, again, I can't speak to how common, that it's the majority or not. But certainly health plan members, based on their eligibility -- in this case, most likely the rising income that then exceeds the standards, often stay with the same insurance company and use different products.

Are you concerned at all that this might cause confusion with the insured, with the plan member, and they would be out of luck and have to go search for a different insurance company?

SENATOR SEPÚLVEDA: Through you, Madam President. Senator Gallivan, could you explain your question again? I'm sorry, I didn't quite understand it.

SENATOR GALLIVAN: I'll try to put it a different way.

SENATOR SEPÚLVEDA: Yes.

SENATOR GALLIVAN: If an insured

party, the healthcare member, is used to dealing with one insurance company and has that comfort level, then their eligibility for Child Health Plus changes, are you concerned at all that they would have some confusion or they would not be able to find a provider that's covered by their insurance company?

SENATOR SEPÚLVEDA: If the concern is about continuity of care, we already provide for that, so that's not going to change anything.

SENATOR GALLIVAN: Will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SEPÚLVEDA: Through you, Madam President, yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR GALLIVAN: How do you provide for the continuity of care?

SENATOR SEPÚLVEDA: Again, there's protection for -- in law, there's protection so that those that are providing the service, the continuity continues. So you have the protection so that the provider can still service the

patient.

SENATOR GALLIVAN: Will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SEPÚLVEDA: Through you, Madam President, yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR GALLIVAN: So that reference, then, would be not to this particular bill but other provisions of law?

SENATOR SEPÚLVEDA: Through you, Madam President, yes.

SENATOR GALLIVAN: Thank you.

Will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SEPÚLVEDA: Through you, Madam President, yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR GALLIVAN: So this bill I believe was vetoed by the Governor last year. And my question is, have there been any changes

made to the bill to address the concerns that the Governor raised in her veto message?

SENATOR SEPÚLVEDA: Through you, Madam President, no.

SENATOR GALLIVAN: On the bill.

ACTING PRESIDENT PERSAUD: Senator Gallivan on the bill.

SENATOR GALLIVAN: First I'd like to thank Senator Sepúlveda for answering the questions.

In the Governor's veto message last year, she raised two main concerns. The first has to do with potential unintended consequences of causing narrower networks in the commercial market. The -- that's the portion of the market that this bill would provide that -- well, would permit the providers to not have to be a part of if they so chose.

The second area is a concern about allowing providers to favor participation in only plans with higher reimbursement will leave fewer healthcare options, not just for the children but for others.

I think these concerns are still valid, and for that reason I'll be voting against

the bill. Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 622, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk and Weik.

Ayes, 43. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Now we move to Calendar 1650, by Senator Kavanagh.

ACTING PRESIDENT PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1650, Senate Print 6419C, by Senator Kavanagh, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Senator Walczyk, why do you rise?

SENATOR WALCZYK: Madam President, I rise in hopes that the sponsor will be willing to yield for some questions.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Through you, Madam President. Have you ever purchased a used mattress?

(Laughter; cross-talk.)

SENATOR KAVANAGH: Through you,

Madam President, not that I recall.

SENATOR WALCZYK: I'm sorry, Madam President, I didn't hear the response.

SENATOR KAVANAGH: Through you, Madam President, I guess I could ask my colleague to tell me what he means by "used mattress," but I would say not that I recall, at least as I understand the term "used mattress."

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Have you purchased a mattress from a mattress store or a retailer in the State of New York before?

SENATOR KAVANAGH: Through you, Madam President, yes.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

SENATOR WALCZYK: Are you aware that Section 389A of the General Business Law would require currently that if it were a used mattress, in whole or in part, that there be a large sticker permanently affixed to the mattress that says "used bedding"? Are you aware of that?

SENATOR KAVANAGH: Through you, Madam President, I take it my -- I will take it, for the purposes of this conversation, that that's what the General Business Law says. I'm not familiar with that particular section.

SENATOR WALCZYK: Madam President, I don't know if it's the noise in here or whether you're not speaking directly into the -- I'm having a hard time hearing my colleague's response.

SENATOR KAVANAGH: Through you, Madam President, I'll speak up and say that I'm not -- I'm not personally familiar with that particular provision of the General Business Law.

SENATOR WALCZYK: Through you,

Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: So this bill that you've brought before us here today, which is pretty lengthy, is titled the "Extended Producer Responsibility for Mattresses" and sort of outlines the way that they can be circularly recycled or recycled in whole or in part and returned back to various forms.

In doing some research -- and I notice that this bill has been recently amended. In doing some quick research, New York State wouldn't be the only state to have some kind of mattress recycling. Connecticut, Rhode Island, California and Oregon all have -- Oregon just recently, but they all have mattress recycling programs that they've worked with industry on developing, with a nonprofit situation to help with free turn-ins and that kind of thing.

Is this legislation modeled off of what those states are doing working with the mattress industry?

SENATOR KAVANAGH: Through you, Madam President, it is -- this legislation is informed by the experiences of those states and also by discussions with various participants in the industry who would be in the New York market. But it is more closely modeled off of the various laws that we've already enacted in New York State that create extended producer responsibility, including the most recent one, which was extended producer responsibility for carpets, which we enacted last year.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Does New York State currently have something that's concurrent

with this on the books? Do we already have a mattress recycling program similar to Connecticut, Rhode Island, California and Oregon?

SENATOR KAVANAGH: Through you, Madam President, perhaps my colleague didn't understand my last answer. We have extended producer responsibility programs in New York for various products, including the most recent one we passed last year that required extended producer responsibility for carpeting.

I would say this bill is more closely modeled on the manner in which we have enacted extended producer responsibility programs in New York than that it is modeled on the way they've done that for mattresses in other states.

But there are great similarities among all of the programs because this is a similar concept which has been around for at least a third of a century now, and so there's a lot of, you know, collective wisdom about how to do this effectively.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the

sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: So those states are recycling about 2 million mattresses a year. Why not just follow their program? Why have it modeled after our carpet recycling program rather than adapt a program that's working in other states currently?

SENATOR KAVANAGH: Through you, Madam President, I'm not sure what differences between our program and those programs that my colleague is concerned about, and perhaps we can talk about those. There are some differences that I'm aware of.

But we think this is an effective way to address this issue. The program we did with respect to carpeting was broadly supported, including by local governments, because they understand that these programs effectively take costs off their books and put them on the industries that are producing these products.

And the biggest difference between

those states -- at least some of those states that I'm aware of and this bill, is that in those states they allow a direct consumer fee for the privilege of purchasing a mattress and then having it recycled. And this bill assumes that the cost of this program, because it's borne collectively by the industry, will be incorporated into the cost of mattress programs. And economically, if you allow somebody to charge a fixed fee for providing a particular service, they have no incentive to do it efficiently, they just charge that fee.

So this bill is intended to basically do this efficiently, in the manner that we do it with other products in New York State.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: So on page 6,

section 3, your language states: "The program shall be free to the consumer, convenient and adequate to serve the needs of consumers in all areas of the state on an ongoing basis."

You said no fee. Free to the consumer, does that mean mattress prices can't go up to account for the program that they've got to pay for now?

SENATOR KAVANAGH: Through you, Madam President, no, I do not believe that it would do that, it would be that way.

But a program -- if somebody offers you, you know, a free coffee with your sandwich, we assume that, you know, that's not because they own a coffee farm out back and they don't have costs of coffee.

Free means you can't charge for that particular thing. And this program would not have a separate designated charge for the purpose of participating in the program.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Yeah, I think if someone offered me free coffee with a sandwich that I purchased, I would automatically assume that the sandwich is upcharged in order to pay for that cup of coffee which is marketed as free. And I think there's something similar going on in this legislation. When you say "free to the consumer," it's a little bit misleading, as those marketing practices would be.

But I want -- I want to ask this question. So -- and I think, you know, you begged this question because you were talking about some of the areas of difference between some of the other state models that are in effect. And, you know, millions of mattresses are being recycled in other states right now and have an effective program that they've worked with industry on.

Here's one way, on page 5, that I think this differs. So you've given annual goals, increasing over time, to the mattress

industry. And this is fully circular. So you're giving a 30 percent recycling rate overall for the amount of mattress products, but then in five years out, 10 percent would have to be within the circular recycling. Which means 10 percent of the -- if I understand this right, and please correct me if I'm wrong -- 10 percent of the products that are coming through mattress recycling are returned back to create a retail used mattress.

Am I understanding that correctly?

SENATOR KAVANAGH: Through you, Madam President, not exactly.

And also just to note that, you know, I don't think the person who gets the free coffee is misled, any more than the note here that the program is -- has to be free to the consumer is misled to think that, you know, it's -- the costs of it, you know, fall out of the sky.

But, you know, it's just to make it clear that they can't charge for -- they cannot charge particularly for participation in this program, which is a service that is distinct from the service of purchasing a mattress. Just as,

you know, the cup of coffee might be distinct from the sandwich, at least hopefully so.

In terms of what this bill does, it sets minimum targets, as my colleague noted, both for overall collection and recycling rate, and then a separate target for circular recycling, basically for what's called closed-loop -- that means returning some portion of what you collect back to the production of new products that are similar to the ones that are being produced.

It does not necessarily mean one-for-one a mattress has to be refurbished and become a mattress. They can -- industry is able to find ways to recycle that -- the materials of that mattress that is collected efficiently and put it back into the production of new mattresses.

For what it's worth, those targets are minimum standards in this bill, subject to DEC, again, having conversations with the industry. There's an industry -- there's an advisory group that would advise DEC before this program went into effect.

And just for comparison, since we're talking about other states, in 2020 California

set standards, and the goal there for 2021, one year after their bill went into effect, was 81 percent recycling rate, plus or minus 5 percent.

So the 30 percent recycling rate in Year 5 is a very minimal standard relative to what's been happening in other states and relative to what the industry has been capable of doing. And also industry in this state has objected neither to the overall recycling rate nor to the closed-loop recycling rate in this bill after, you know, a number of discussions.

SENATOR WALCZYK: Through you, Madam President, will the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: So when you say that closed loop, that 10 percent, does that mean 10 percent of used mattresses?

SENATOR KAVANAGH: Through you,

Madam President, it would mean 10 percent of the materials that they collect. So it's conceivable that they could, you know, remove the cloth from the thing but recycle the materials that are -- mattresses are made up of. There are lots of different kinds of mattresses; they're made up of different kinds of materials.

But they would have to take -- they would have a -- again, this would also be pursuant to a plan that they would submit to DEC within a year of the effective date of this, and then DEC would approve that plan.

So basically this bill, like most EPR programs, is intended to allow industry to define how they're going to meet regulatory standards and then meet and then achieve the standards in the manner that they have established with the approval of the environmental agency.

So it wouldn't be necessarily that if they collect a thousand mattresses, you know, they need to create a hundred mattresses out of a hundred, of those thousand mattresses. It would mean that if they're collecting a thousand mattresses, they would have a standard for

determining how much material, and 10 percent of that material would have to be in the production process of new mattresses.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: So just running by your numbers and what we already know about the General Business Law, with the requirement that if you're using any portion of a used mattress or used bedding to create bedding once again, that an affixed sticker is required to say "used bedding."

Taking all of that into account, with your 1,000 mattresses example, wouldn't that mean you're requiring the industry to have a hundred mattresses out of that thousand mattresses when you have a 10 percent used-mattress goal here, a hundred mattresses

will be in a retail store that say "used bedding" on them?

Am I reading this wrong, or is that how the closed-loop targets work?

SENATOR KAVANAGH: Through you, Madam President, I suspect -- as I noted before, I'm not -- I do have some language of the General Business Law here that's been handed to me, but I'm not familiar with the provision of the General Business Law.

I suspect that my colleague is misreading it because -- well, I guess the question would be, does a mattress that has been created from materials that have been collected through closed-loop recycling, as defined in this bill, meet the standard of the General Business Law for used mattress? And if it does, then I suppose that law would currently require that that sticker be on there.

However, I would suggest that if that law is -- if that law does have that outcome for this program, it would be wise for us to change that, because we're not -- I think that a law like that is likely to deal with a situation where a mattress is purchased, used, and then

kind of resold as a mattress.

In this case we would have manufacturers collecting mattresses and then finding ways to remanufacture new products that are mattresses or box springs or other products that count in the mattress definition here.

So they take all the wood out of a box spring and they use it to make new box springs, I would not suggest that that -- that seems unlikely that the General Business Law ought to characterize that as a used product. But we will have ample opportunity to look at the General Business Law because of course this bill wouldn't require anybody to do anything until one year after its effective date.

So I will -- I appreciate my colleague flagging this issue and certainly will review the General Business Law.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: There's a section 389-a of the General Business Law: Label requirements for used bedding. This is in our statute currently. "The label indicating that an article of bedding contains used material, in whole or in part, shall be at least 15 square inches in area, contain the phrase 'used material' or 'used bedding,' as the case may be" -- which is the case in this bill that you're proposing now -- "in prominent paint, be yellow in color, and be stitched or otherwise securely attached to the bedding in such a manner that it may be seen by consumers prior to purchase."

And I'm not suggesting that there's anything wrong with that statute. I think people probably would like to know if they're buying a used mattress. I think the General Business Law was pretty wise to require this.

But my question is still the same. Don't worry about the sticker, I just want to know, does that mean retailers are going to have 10 percent of the store is going to be used mattresses?

SENATOR KAVANAGH: Through you, Madam President, that provision of the General Business Law is not before us today.

And my colleague just read a lot of material about what kind of sticker might be there and how big it should be and what color and all that, but I didn't hear a definition of "used mattress" as the General Business Law understands that.

And I'm suggesting if that definition is broad enough, I would -- you know, I would look at the legislative history and see if they wrote that 40 years ago before anybody was repurposing the materials from used mattresses.

But more fundamentally, if a mattress manufacturer is taking mattresses back pursuant to an EPR program, presumably they would prefer not to have to resell mattresses with that big sticker if the thing is in fact brand-new and made from materials from -- that just happened to have been previously used in mattresses.

But I think we could have a conversation about what the law ought to deal with that in that circumstance at the appropriate

time, which again would be at least a year and three months from today if the bill were passed and signed into law today, which seems unlikely.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

But just to say I'm happy to -- if my colleague actually has a definition of used mattresses as it is in the General Business Law, I'm sure everyone in this room is, you know, hoping to hear that before we close this debate.

So if -- you know, I'd happy to -- I'd be happy to respond if the question is --

SENATOR WALCZYK: Is the sponsor asking me to yield?

ACTING PRESIDENT PERSAUD: The sponsor's asked you a question.

SENATOR WALCZYK: I'd be happy to yield. And provide, again, the definition of the General Business Law, Section 389-a, which details label requirements for used bedding.

"The label indicating that an article of bedding contains used material" -- your counsel could also read you the same section -- "in whole or in part, shall be at least 15" -- and it goes on to -- I know you heard me on the rest of the bit that describes what needs to be on there. But it's very specific about used bedding, in whole or in part.

And that's exactly what your bill is addressing today, in a closed loop or a recycling program for mattresses. That's why I believe that it's very applicable to the conversation that we're having.

SENATOR KAVANAGH: Through you, Madam President, it does indeed sound like that language would apply to these -- to mattresses, and to mattresses that are remanufactured by a manufacturer.

And I appreciate my colleague raising this issue, because it seems like something we ought to address before this program goes into effect in 2024-2025.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Actually, I don't think it's something that we need to address, because I think people deserve to know if they're buying a used mattress. I think there's very good reason for the General Business Law to detail exactly that.

So if your program went into effect and that didn't exist, you're requiring manufacturers to take 10 percent, just in the first five years, and then in 10 years, 20 percent, and then in 15 years, 40 percent of the mattresses will be within the closed-loop targets required in this legislation.

I would never suggest that somebody should walk into a retail mattress store, think that they're getting a new mattress, and not have a label that tells them that it's used when in fact parts or the whole mattress has been used by somebody before. I wouldn't suggest that.

But I do want clarifications on exactly that timeline. Five years, 10 percent; 10 years, 20 percent; and 15 years, 40 percent within the closed loop. Am I reading that right with what you're proposing here tonight?

SENATOR KAVANAGH: Through you, Madam President, yes.

And again, I'm sure my colleague is comforted that the current General Business Law would indeed have that sticker. I think that whether that -- whether that stitched sticker is necessary or appropriate in a process where materials have gone back to the original manufacturing process, as this bill would require them to, and they produce a mattress, presumably to their standards, whether it is worth continuing having that label on those mattresses is presumably a conversation we can have at a later date.

I would suggest that that is probably something that consumers will be okay with. But this bill certainly does not change the General Business Law.

SENATOR WALCZYK: Through you, Madam President, will the sponsor continue to

yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: On page 8 you talk about penalties, and I had a difficult time understanding exactly how these penalties apply.

There's a $500 penalty a day. Would that be per mattress that was in violation somehow of this statute? Or how would that penalty of $500 a day apply?

SENATOR KAVANAGH: I'm looking for the specific provision, just to make sure we're talking about the same provision.

Through you, Madam President, it is not a -- there's no -- there's no -- I just wanted to, you know, make -- reread this. There's nothing in the provision that suggests it's per mattress, it's per day. So a producer violating this law and continuing to do so would indeed be responsible for that penalty.

And again, this is the same penalty

that we've enacted for producers of other products in extended producer responsibility.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Happily, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: There's an enacting clause on this bill. When would it go into effect?

SENATOR KAVANAGH: Through you, Madam President. The bill would take effect immediately.

But again, the bill requires that within one year of that date, of the effective date -- this is on page 4, lines 4 through 9. One year from the effective date of the -- of the -- the first obligation that producers would have would be, within one year of the effective date, to produce a plan for the review of DEC. They could do that plan individually or they

could do it jointly with other producers, or they could do it collectively through a representative organization, which is the manner in which it's done in several of the states that have it.

And then within six months of that -- of the plan being approved, they would then have to start complying with the terms of this, taking the collection and then engaging in the recycling activities that are required.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KAVANAGH: Yes, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: You mentioned earlier in debate about the mattress collection program advocacy board. When -- when would those appointments be due, under this legislation?

SENATOR KAVANAGH: Through you, Madam President, the bill requires that they be appointed by the first of January of 2024.

So presumably that is -- you know, again, if this bill were signed today, that would be six months from now, obviously, and the first plan from producers would be due a year from today.

If this bill is signed in the -- toward the end of the year, as is more common, presumably the bill would go into effect in December, the board would be appointed promptly, and then the -- about one year from -- about December 2024, producers would be submitting plans to the DEC.

SENATOR WALCZYK: Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Walczyk on the bill.

SENATOR WALCZYK: So this -- there's a slew, a slew of issues that I have with this legislation. Some of them have already been detailed in debate, and I won't rehash them all. But I think to finish on this note.

So the program advisory board is made up of a lot of the folks that you would imagine would have input on how you would recycle mattresses, if this is the goal of the body. A

representative from mattress producers, retailers, recyclers, collectors, statewide environmental organization, waste disposal association, Product Stewardship Council, consumer organization, statewide recycling organization, some political appointees from the Senate and the Assembly, all of which makes sense for an advisory board.

What doesn't make sense is to have the advisory board be appointed in January of next year with a bill that goes into effect immediately, when really this advisory board should be the ones that are consulted before you ever even write this bill, let alone put it on the Governor's desk to have her sign it into law.

That's the cart before the horse. And that's why there's so much confusion from myself, from the industry, about the goals and the implementation here.

I have a lot of concerns about the closed-loop targets. I don't imagine that New York consumers really want to walk into their mattress store and see stickers on a required 40 percent of the mattresses in the store that say "this is a used mattress." Because currently

that's what would be required by statute if this bill goes into effect, to both have that sticker, but also the requirement that that many mattresses be made, in whole or in part, of used mattresses.

So for these reasons and many others that we talked about in debate, I'll be voting no and encourage my colleagues to do the same.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

In 2020 the U.S. threw out 18.2 million mattresses, but there were only 56 recycling facilities available to deal with the waste.

The thing about extended producer responsibility -- and I want to congratulate Senator Kavanagh on this bill -- is that it isn't about just trying to figure out, at the end of the whole life of the mattress, what to do with it. Because that's what we've been doing, and it isn't working. They're filling up landfills. And we don't have more space to put them.

The point of extended producer responsibility is to put the onus on the producers to figure out ahead of time what is the final use of this material, and with the idea that they will then produce mattresses that can be taken apart and the pieces of them can be reused and made into new mattresses, or something else, rather than simply thrown away.

So this kind of closed-loop system is the direction we have to go. And I am pleased to vote aye on this bill.

Thank you.

ACTING PRESIDENT PERSAUD: Senator

May to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1650, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mannion, Martinez, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Scarcella-Spanton, Stec, Walczyk and Weik.

Ayes, 41. Nays, 21.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, I believe that concludes the controversial calendar.

(Cheers, applause.)

ACTING PRESIDENT PERSAUD: Senator Gianaris, it does. That concludes the reading of controversial calendar.

SENATOR GIANARIS: Can we now return to resolutions and pick up previously adopted Resolution 557, by Senator Webb, read its title, and recognize Senator Webb.

ACTING PRESIDENT PERSAUD: The

Secretary will read.

THE SECRETARY: Resolution 557, by Senator Webb, commemorating the seventh annual Sock Out Cancer Day on June 4, 2023.

ACTING PRESIDENT PERSAUD: Senator Webb on the resolution.

SENATOR WEBB: Thank you, Madam President. I rise to speak on this resolution commemorating an important --

ACTING PRESIDENT PERSAUD: Can we have some order in the chamber, please. Senator Webb, excuse us.

Can we have some order in the chamber, please.

SENATOR WEBB: Thank you, Madam President.

My resolution is actually commemorating an important awareness campaign that's been going on in my district for quite some time, and that is the seventh annual Sock Out Cancer Day. And this is done in conjunction with the observance of National Cancer Survivors Day, and in solidarity with all New York State residents and family members who are fighting cancer.

Unfortunately, if we were to do a poll of us here in this chamber, I would imagine many of us can identify either a loved one or a family member who was taken from us far too soon due to cancer.

And so this particular event -- Security Mutual Life Insurance Company, that's in my district in Binghamton, founded Sock Out Cancer in 2017 to help cancer patients in need of financial assistance to pay for nonmedical expenses such as food, transportation, also housing, in recognition of the enormous emotional and financial strain and challenges that impact cancer patients and their families.

Sock Out Cancer works with hospitals and charitable organizations to assist financially distressed cancer patients throughout the entire state with nonmedical needs such as food, housing, transportation to treatment, and so on.

By making sure cancer patients are able to pay for their basic everyday life necessities, Sock Out Cancer ensures that patients are able to focus their energy on fighting cancer. With its signature multicolored

socks -- hence, Sock Out Cancer -- it helps to raise public awareness of the financial challenges facing families who are fighting cancer, and has raised over 1.32 million for the benefit of financially distressed cancer patients being treated in Binghamton, Syracuse, Albany, New York City, and throughout the state.

I'm very proud to be voting in favor of this resolution, and I want to thank Security Mutual Life Insurance Company for starting this initiative and bringing together so many stakeholders together for the last seven years to deliver these important resources to our families across the Southern Tier and beyond.

I proudly vote aye, and I encourage my colleagues to join me in socking out cancer by voting aye. Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator Webb.

The resolution was previously adopted on March 21st.

Senator Gianaris.

SENATOR GIANARIS: And now Resolution 1121, by Senator Fernandez, read its title, and recognize Senator Fernandez.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1121, by Senator Fernandez, memorializing Governor Kathy Hochul to proclaim July 20, 2023, as Colombia Independence Day in the State of New York, on the 213th Anniversary of Colombian Independence.

ACTING PRESIDENT PERSAUD: Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you, Madam President.

It gives me great joy and honor to stand here and introduce this resolution, because while I am half-Caribbean -- we celebrate it together, honoring my Cuban side -- I am half-Colombian. And I'm proud to say that in my first days in the Legislature in 2018, for a brief moment I was the only person of Colombian descent ever to serve in the State Legislature. And that is a testament to the growth, to the contributions that Colombian Americans have given to this state.

And with this resolution, we make it official that we recognize Colombia and its independence from the Spain regime, to allow our

Colombian American neighbors, residents, citizens to celebrate and be proud of the history.

I am incredibly proud of my heritage, my history, and the history of the Colombians that fought for me to get to this point right now.

In 1819 is when Colombia was able to liberate themselves from the Spanish regime. And if you look at their flag, it's a beautiful flag with the basic colors of the color wheel, red, blue and yellow. Yellow, which is the bigger portion of the flag, depicts the gold from the mountains of Colombia. Blue is the oceans that hug our coastlines, the Pacific and the Caribbean. And the red is the blood, the red is the blood of those that have shed for the freedoms that we fight for every single day.

And I'm so happy to see that now, in this day and age, I am not alone in the Legislature. I am so grateful that we are seeing every part of New York State come out and have real representation for their communities. And I must highlight my colleagues Senator Salazar, Senator Ramos, and Senator Gonzalez, that we share that Colombian pride.

But I love to see also how just in society Colombians are now a part of our prominent culture. When you look at music and history, Joe Arroyo is a very known and popular Colombian singer that has written and produced some of our most favorite salsa and Spanish tunes. To now Karol G, who is one of our rising pop stars. And looking at animation, Disney's Encanto is one of the most popular movies that Disney has ever produced, and it takes place in Colombia.

So this year I'm so proud that again we get to make sure that New York State recognizes the contributions of Colombian and Colombian Americans, and that we use this moment to praise the diversity and thank those who allow us to be -- not even allow us, but thank you for giving us and sharing the space to be a part of New York State as we know we are so well deserved to be.

So thank you, Madam President, for bringing this resolution to the floor. I thank my colleagues for voting on this. And que viva Colombia!

Thank you.

ACTING PRESIDENT PERSAUD: Senator Ramos on the resolution.

SENATOR RAMOS: {In Spanish.} I am so happy that we're ending on such a happy note after a long work day.

Look, you know, {in Spanish}. My parents arrived in Jackson Heights at the end of the seventies. And even though I'm not -- you know, I've never lived in Colombia, I'm born and raised in my district, I feel a tremendous amount of pride in my people, in my heritage, in my Indigenous ancestry.

And, you know, Colombians have very often been voted to be the happiest people in the world. And that's largely because we've seen so much tragedy. Colombia has been at civil war since 1949. We've dealt with guerillas. We've dealt with the paramilitary. We've dealt with two cartels. Narcoterrorism has been a very real part of our lives, whether it's in Colombia or on the streets of Jackson Heights at the and of the eighties and the early nineties.

And quite frankly, it is in thinking about all of that strife and all of that struggle and all of that pain that so many of our families

have been through that we have learned to find the beauty in life and in nature. We have the greatest variety of orchids and birds in the entire world.

And actually, if I may recount one of my favorite advertisements that I've ever seen about Colombia. It says that if you want to see the Amazon, you can go to Brazil. If you want to see the Pacific, you go to Ecuador. If you want to see the Andes, you go to Peru. If you want to see the desert, you go to Bolivia. If you want to see the Caribbean, you might even go to Guyana, not far away from us. But if you want to see it all in one place, you go to Colombia.

So thank you to Senator Fernandez, to my fellow Colombian colleagues. We're actually now 10 Colombian elected officials in the entire State of New York -- not only in the State Legislature, but also in the Suffolk County Legislature and in the Orange County Legislature we have some representation.

And I just want to use this opportunity to say that we're a very hardworking people, that we're on the up, and that I'm very thankful for all of the excellence that we've put

forth, not only here in the Legislature, in changing the quality of life, improving the quality of life of us, of our community and those around us. And hopefully the sky's the limit.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Gonzalez on the resolution.

SENATOR GONZALEZ: Thank you, Madam President.

As someone of Colombian descent, this resolution holds a deeply personal significance for me. It is an opportunity to honor roots, pay tribute to the courageous folks who fought colonialism, and to celebrate the thriving Colombian culture in New York.

I also represent Queens, which has over 150,000 people of Colombian descent, the highest concentration of Colombians anywhere in the United States.

Colombian independence came as a result of a movement that rejected Spanish colonialism. On July 20, 1810, a popular uprising occurred, throwing out Spanish officials and birthing a longer struggle for justice and

independence. And the struggle for justice continues both in Colombia and New York.

Emigration is no easy feat. I say that as the daughter of immigrants. But as you've heard from our colleagues, despite these challenges, we've left our mark on New York. We have Colombians who have become leaders in business, medicine, education, opened up small businesses in our neighborhoods. And I think of the artists and musicians, such as New York-based Colombian Alex Sensation, and writers and comedians such as New Yorker John Leguizamo, and so many other Colombians who have left their mark on New York's cultural landscape.

By proclaiming July 20th as Colombian Heritage Day, we not only recognize the historical significance of Colombian independence but also celebrate the culture, traditions and values that Colombians bring to this state.

And so I want to thank Senator Fernandez for bringing this to the floor. I want to thank my colleagues and encourage them to vote aye. And, again, say that I am so proud to be part of a body with, as you heard, 10 Colombian electeds, but such strong Latinas

who are really doing the work and setting that example for our community. So thank you so much.

And I vote aye. Thanks.

ACTING PRESIDENT PERSAUD: Senator Salazar on the resolution.

SENATOR SALAZAR: Thank you, Madam President. I will be brief; I realize that the hour is late.

But I just want to say that I could not be more proud to be colombiana, that my father emigrated to this country from Bogotá, and that I have spent some of the most joyful days of my young life in Colombia, and really am just grateful that the Colombian culture courses through my veins and lives on through me and my family both here in the United States and overseas in Colombia, and through our vibrant Colombian communities in New York.

Thank you to my fellow colombianas in the Senate, and especially to Senator Fernandez for introducing this resolution. And I am so grateful to have this opportunity to celebrate our heritage together.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: The

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

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, the sponsors of all the resolutions we took up throughout the day would like to open them all up for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Can we now return to the calendar, go back to Calendar 668, which was laid aside temporarily earlier today, and lay it aside for the day.

ACTING PRESIDENT PERSAUD: Calendar Number 668 is high and will be laid aside for the day.

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

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Wednesday, June 7th, at 2:00 p.m.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until June 7th at 2:00 p.m.

The Senate stands adjourned.

(Whereupon, at 9:20 p.m., the Senate adjourned.)