

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 June 6, 2023

11 3:11 p.m.

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13
14 REGULAR SESSION

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18 SENATOR ROXANNE J. PERSAUD, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

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

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

13 ACTING PRESIDENT PERSAUD: Reading
14 of the Journal.

15 THE SECRETARY: In Senate, Monday,
16 June 5, 2023, the Senate met pursuant to
17 adjournment. The Journal of Sunday, June 4,
18 2023, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Salazar

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

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

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

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

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

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

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

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

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

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

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

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

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

5 Senator Bailey moves to discharge,
6 from the Committee on Rules, Assembly Bill
7 Number 219A and substitute it for the identical
8 Senate Bill Number 942A, Third Reading Calendar
9 1449.

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

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

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

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

1 Number 3309A, Third Reading Calendar 1471.

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

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

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

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

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

23 ACTING PRESIDENT PERSAUD: So
24 ordered.

25 Messages from the Governor.

1 Reports of standing committees.

2 Reports of select committees.

3 Communications and reports from
4 state officers.

5 Motions and resolutions.

6 Senator Gianaris.

7 SENATOR GIANARIS: Good afternoon,
8 Madam President.

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

13 ACTING PRESIDENT PERSAUD: Senator
14 Thomas for an introduction.

15 SENATOR THOMAS: Thank you,
16 Madam President.

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

23 She was appointed Consul General of
24 the United Arab Emirates in New York in August of
25 2021. She's been working to promote and

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

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

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

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

25 Madam President, would you please

1 welcome our guests to the chamber.

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

6 Please rise and be recognized.

7 (Standing ovation.)

8 ACTING PRESIDENT PERSAUD: Senator
9 Gianaris.

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

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

18 (Response of "Aye.")

19 ACTING PRESIDENT PERSAUD: Opposed,
20 nay.

21 (No response.)

22 ACTING PRESIDENT PERSAUD: The
23 Resolution Calendar is adopted.

24 Senator Gianaris.

25 SENATOR GIANARIS: Can we begin

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

4 ACTING PRESIDENT PERSAUD: The
5 Secretary will read.

6 THE SECRETARY: Senate Resolution
7 524, by Senator Cleare, mourning the death of
8 Abraham Snyder, distinguished citizen and devoted
9 member of his community.

10 ACTING PRESIDENT PERSAUD: Senator
11 Cleare on the resolution.

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

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

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

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

1 communities, people of color.

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

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

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

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

25 Abe proudly marched and led the

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

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

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

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

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

1 belong, and our history and our culture is
2 important.

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

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

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

14 And I vote aye on this resolution.

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

19 Please rise and be recognized.

20 (Standing ovation.)

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

23 Senator Gianaris.

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

1 resolution's title, and recognize Senator Ramos.

2 ACTING PRESIDENT PERSAUD: The
3 Secretary will read.

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

9 ACTING PRESIDENT PERSAUD: Senator
10 Ramos on the resolution.

11 SENATOR RAMOS: Thank you,
12 Madam President.

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

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

25 And as we all appreciate, the

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

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

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

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

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

5 On behalf of the residents of the
6 13th Senatorial District, Quinton, we are so very
7 proud of you.

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

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

13 (Applause.)

14 ACTING PRESIDENT PERSAUD: Senator
15 Comrie on the resolution.

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

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

1 Eagle Scout badges this season.

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

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

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

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

1 Thank you, Madam President.

2 ACTING PRESIDENT PERSAUD: Thank
3 you.

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

7 Please rise and be recognized.

8 (Standing ovation.)

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

12 (Response of "Aye.")

13 ACTING PRESIDENT PERSAUD: Opposed,
14 nay.

15 (No response.)

16 ACTING PRESIDENT PERSAUD: The
17 resolution is adopted.

18 Senator Gianaris.

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

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

1 ACTING PRESIDENT PERSAUD:

2 Senators? Thank you.

3 The Secretary will read.

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

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

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

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

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

25 And that funeral, all of the variety

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

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

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

1 to serve his community and to make a difference.

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

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

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

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

1 the very best that we could have possibly gotten.

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

11 So again, thank you so much,
12 Senator Cleare.

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

16 Thank you so much, Madam President.

17 ACTING PRESIDENT PERSAUD: Thank
18 you, Madam Leader.

19 Senator Cleare on the resolution.

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

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

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

4 When Bill was named chair of the
5 Senate Corporations, Authorities and Commissions
6 Committee from 2009 to 2010, he embraced every
7 opportunity to shine a bright and sometimes
8 blinding light on every single significant issue
9 of the day, such as cemetery reform.

10 Redevelopment of the World Trade Center. Port
11 corruption. Eminent domain. The Columbia land
12 grab. E-ZPass oversight. Public benefit
13 corporations. Second Avenue subway. Atlantic
14 Yards. There was no issue too big for Bill.

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

19 Bill was the original author of
20 monumental pieces of legislation that only
21 recently became law. He was the original author
22 and first sponsor of the HALT solitary
23 confinement act. He was the original author and
24 first sponsor of the toxic toy ban. He was the
25 original author and first sponsor of the DREAM

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

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

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

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

25 Perkins, who was an avid runner, as

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

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

14 (Laughter.)

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

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

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

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

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

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

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

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

23 Rest in power, Bill Perkins. Rest
24 in power.

25 Thank you.

1 ACTING PRESIDENT PERSAUD: Thank
2 you.

3 Senator Mayer on the resolution.

4 SENATOR MAYER: Thank you,
5 Madam President.

6 It's hard to follow my colleague
7 Senator Cleare.

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

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

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

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

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

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

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

24 Thank you.

25 ACTING PRESIDENT PERSAUD: Thank

1 you.

2 Senator Comrie on the resolution.

3 SENATOR COMRIE: Thank you,
4 Madam President.

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

10 (Laughter.)

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

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

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

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

19 Bill Perkins was that person.

20 Thank you, Madam President.

21 ACTING PRESIDENT PERSAUD: Senator
22 Bailey on the resolution.

23 SENATOR BAILEY: Thank you,
24 Madam President.

25 First, Ms. Perkins, let me -- on

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

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

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

25 And I stopped for a second and I

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

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

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

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

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

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

9 Thank you, Madam President.

10 ACTING PRESIDENT PERSAUD: Senator
11 Serrano on the resolution.

12 SENATOR SERRANO: Thank you,
13 Madam President.

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

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

1 2001 to the City Council. And I was with Bill
2 for three years in the Council, and then I ran
3 for the Senate and came here. And a couple of
4 years later he ran for the Senate and won, and I
5 was so happy because I got to have my friend
6 back.

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

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

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

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

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

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

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

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

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

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

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

24 And again, my condolences to the
25 family.

1 Thank you.

2 ACTING PRESIDENT PERSAUD: Senator
3 Kennedy on the resolution.

4 SENATOR KENNEDY: Thank you,
5 Madam President.

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

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

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

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

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

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

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

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

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

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

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

11 May he rest in peace.

12 ACTING PRESIDENT PERSAUD: Senator
13 Parker on the resolution.

14 SENATOR PARKER: Thank you,
15 Madam President.

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

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

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

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

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

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

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

1 something, he was going to let you know.

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

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

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

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

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

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

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

1 he always maintained their innocence.

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

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

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

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

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

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

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

22 (Laughter.)

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

1 that were wrong on to the people around him.

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

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

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

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

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

25 Thank you, Madam President.

1 ACTING PRESIDENT PERSAUD: Senator
2 Jackson on the resolution.

3 SENATOR JACKSON: Thank you,
4 Madam President.

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

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

11 Today we gather before this
12 legislative body, in which he served for about
13 10 years, to express our dear appreciation and
14 heartfelt regret as we acknowledge the loss of a
15 remarkable individual who dedicated his adult
16 life to public service.

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

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

1 community.

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

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

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

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

25 (Laughter.)

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

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

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

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

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

24 (Laughter.)

25 SENATOR JACKSON: And I attended a

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

5 (Laughter.)

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

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

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

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

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

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

10 Bill and I ran every day in the
11 mile-high city of Denver, Colorado, during the
12 2008 Democratic National Convention.

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

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

22 Assalamu alaikum, everyone.

23 ACTING PRESIDENT PERSAUD: Senator
24 Gianaris on the resolution.

25 SENATOR GIANARIS: Thank you,

1 Madam President.

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

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

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

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

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

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

7 (Laughter.)

8 SENATOR GIANARIS: But it was an
9 important moment.

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

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

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

1 got to say something about this.

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

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

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

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

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

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

21 Thank you, Madam President.

22 ACTING PRESIDENT PERSAUD: Senator
23 Sanders on the resolution.

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

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

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

7 (Laughter.)

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

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

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

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

4 (Laughter.)

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

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

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

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

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

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

25 Now, you don't have to accept all

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

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

10 (Laughter.)

11 SENATOR SANDERS: Thank you very
12 much, Madam President.

13 ACTING PRESIDENT PERSAUD: Senator
14 Krueger on the resolution.

15 SENATOR KRUEGER: Thank you,
16 Madam President.

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

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

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

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

6 I actually met Bill Perkins before
7 he was a City Council member, long before I was
8 an elected official, when I was running
9 community-based programs in Central Harlem --
10 116th Street, 125th Street -- and got to know him
11 a little bit, and then as my organization did
12 antipoverty and eviction prevention and we worked
13 to bring the Pathmark Supermarket into Harlem
14 when there were no large food stores opening in
15 poor communities in New York.

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

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

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

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

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

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

1 all learned from him.

2 My condolences to you all.

3 Thank you.

4 ACTING PRESIDENT PERSAUD: Senator
5 Martins on the resolution.

6 SENATOR MARTINS: Thank you,
7 Madam President.

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

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

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

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

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

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

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

17 Madam President, I proudly vote aye.

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

22 Please stand and be recognized.

23 (Extended standing ovation.)

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

1 Senator Gianaris.

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

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

9 The Secretary will read.

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

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

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

1 Mattera -- Senator Mattera in the affirmative.
2 Senator Mattera in the negative. Senator Palumbo
3 in the negative.
4 ACTING PRESIDENT PERSAUD: Announce
5 the results.
6 THE SECRETARY: In relation to
7 Calendar 75, those Senators voting in the
8 negative are Senators Borrello, Gallivan, Griffio,
9 Helming, Mattera, Murray, Oberacker, O'Mara,
10 Rhoads, Rolison, Stec, Walczyk, Weber and Weik.
11 Ayes, 48. Nays, 14.
12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.
14 THE SECRETARY: Calendar Number
15 232, Senate Print 2432, by Senator Comrie, an act
16 to amend the Public Service Law.
17 ACTING PRESIDENT PERSAUD: Read the
18 last section.
19 THE SECRETARY: Section 6. This
20 act shall take effect immediately.
21 ACTING PRESIDENT PERSAUD: Call the
22 roll.
23 (The Secretary called the roll.)
24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

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

5 Ayes, 57. Nays, 5.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 247, Senate Print Number 1783A, by
10 Senator Hoylman-Sigal, an act to amend the
11 Public Health Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

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

1 Ayes, 55. Nays, 7.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 262, Senate Print 302, by Senator Salazar, an act
6 to amend the Correction Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

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

24 Ayes, 45. Nays, 17.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 271, Senate Print Number 2422A, by
4 Senator Hoylman-Sigal, an act to amend the
5 Vehicle and Traffic Law.

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

8 Read the last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

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

16 SENATOR HOYLMAN-SIGAL: Thank you,
17 Madam President.

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

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

25 Since that tragic day at least eight

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

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

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

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

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

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

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

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

25 Amy Cohen, to her and to her mother,

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

7 I vote aye.

8 ACTING PRESIDENT PERSAUD: Senator
9 Hoylman-Sigal to be recorded in the affirmative.
10 Senator Ramos to explain her vote.

11 SENATOR RAMOS: Thank you,
12 Madam President.

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

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

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

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

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

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

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

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

10 Thank you. I vote aye.

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

13 Senator Jackson to explain his vote.

14 SENATOR JACKSON: Thank you,
15 Madam President.

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

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

1 pedestrians and cyclists.

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

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

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

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

1 of slowing down.

2 I do see people going fast at
3 35 miles per hour and what have you and so forth,
4 but not me. I've learned my lesson by receiving
5 a fine. And I should know because I was hit by a
6 car myself when I was four year old.

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

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

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

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

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

23 Senator Jackson to be recorded in
24 the affirmative.

25 SENATOR JACKSON: Thank you.

1 ACTING PRESIDENT PERSAUD: Senator
2 Kennedy to explain his vote.

3 SENATOR KENNEDY: Thank you,
4 Madam President.

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

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

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

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

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

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

15 With that, Madam President, I vote
16 aye.

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

19 Announce the results.

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

25 Ayes, 55. Nays, 7.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 296, Senate Print 1081, by Senator Comrie, an act
5 to amend the Public Authorities Law.

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 298, Senate Print 2872, by Senator Comrie, an act
20 to amend the Public Authorities Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

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

9 Ayes, 58. Nays, 4.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 307, Senate Print 2707, by Senator Harckham, an
14 act to amend the Real Property Tax Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 329, Senate Print 2729, by Senator Sanders, an
4 act to amend the General Business Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

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

21 Ayes, 52. Nays, 10.

22 SENATOR SERRANO: The bill is
23 passed.

24 THE SECRETARY: Calendar Number
25 345, Senate Print 1466, by Senator Breslin, an

1 act to amend the Insurance Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 372, Senate Print 3233, by Senator Hoylman-Sigal,
16 an act in relation to requiring the Division of
17 Housing and Community Renewal to calculate the
18 period of rent reduction.

19 ACTING PRESIDENT PERSAUD: Read the
20 last section.

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

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

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

10 Ayes, 41. Nays, 21.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 380, Senate Print 1890, by Senator Sanders, an
15 act to amend the Public Health Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 410, Senate Print Number 3266A, by
5 Senator Hoylman-Sigal, an act to amend the
6 Judiciary Law and the Labor Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

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

24 Ayes, 43. Nays, 19.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 450, Senate Print 2451, by Senator Comrie, an act
4 to amend the Not-For-Profit Corporation Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

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

18 Ayes, 61. Nays, 1.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 462, Senate Print 5268A, by Senator Myrie, an act
23 to amend the Election Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

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

16 Ayes, 40. Nays, 22.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 470, Assembly Bill Number 3340, by
21 Assemblymember Cruz, an act to amend the
22 Penal Law.

23 SENATOR PALUMBO: Lay it aside.

24 ACTING PRESIDENT PERSAUD: Lay it
25 aside.

1 THE SECRETARY: Calendar Number
2 496, Senate Print 1819, by Senator Stavisky, an
3 act to amend the Real Property Tax Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 522, Senate Print 2928, by Senator Rivera, an act
18 to amend the Public Health Law.

19 ACTING PRESIDENT PERSAUD: Read the
20 last section.

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

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

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

8 Ayes, 55. Nays, 7.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 554, Assembly Bill Number 2756A, by
13 Assemblymember Gandolfo, an act in relation to
14 authorizing the assessor of Town of Islip,
15 County of Suffolk, to accept an application for
16 exemption from real property taxes.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

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

4 Ayes, 61. Nays, 1.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 581, Senate Print 5126A, by Senator Parker, an
9 act to amend the Public Service Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 608, Senate Print 227B, by Senator May, an act to
24 amend the Environmental Conservation Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Senator
9 May to explain her vote.

10 SENATOR MAY: Thank you,
11 Madam President.

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

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

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

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

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

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

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

22 Senator Harckham to explain his
23 vote.

24 SENATOR HARCKHAM: Thank you very
25 much, Madam President.

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

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

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

18 So with that, I vote aye.

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

21 Announce the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 622, Senate Print 4922, by Senator Sepúlveda, an
2 act to amend the Public Health Law.

3 SENATOR PALUMBO: Lay it aside.

4 ACTING PRESIDENT PERSAUD: Lay it
5 aside.

6 THE SECRETARY: Calendar Number
7 658, Senate Print 363, by Senator Thomas, an act
8 to amend the Personal Property Law.

9 ACTING PRESIDENT PERSAUD: Read the
10 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

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

22 Ayes, 59. Nays, 3.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 659, Senate Print 1106, by Senator Comrie, an act
2 to amend the General Business Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

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

16 Ayes, 61. Nays, 1.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 668, Senate Print 6218, by Senator Parker, an act
21 to amend the Public Authorities Law.

22 SENATOR SERRANO: Lay it aside
23 temporarily.

24 ACTING PRESIDENT PERSAUD: Lay it
25 aside temporarily.

1 THE SECRETARY: Calendar Number
2 686, Assembly Bill Number 1926A, by
3 Assemblymember González-Rojas, an act to amend
4 the Public Health Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 698, Senate Print 5169, by Senator Mannion, an
19 act to amend the State Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT PERSAUD: Announce
3 the results.
4 THE SECRETARY: Ayes, 62.
5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 702, Senate Print 6026A, by Senator Skoufis, an
9 act to amend the Public Officers Law.
10 ACTING PRESIDENT PERSAUD: Read the
11 last section.
12 THE SECRETARY: Section 3. This
13 act shall take effect immediately.
14 ACTING PRESIDENT PERSAUD: Call the
15 roll.
16 (The Secretary called the roll.)
17 ACTING PRESIDENT PERSAUD: Announce
18 the results.
19 THE SECRETARY: Ayes, 62.
20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.
22 THE SECRETARY: Calendar Number
23 712, Assembly Bill 5939, by Assemblymember
24 Eichenstein, an act to amend the Correction Law.
25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

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

15 Ayes, 52. Nays, 10.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 725, Senate Print 760B, by Senator Liu, an act to
20 amend the Vehicle and Traffic Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

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

10 Ayes, 58. Nays, 4.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 745, Senate Print 6162, by Senator May, an act to
15 amend the Executive Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Senator
24 May to explain her vote.

25 SENATOR MAY: Thank you,

1 Madam President.

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

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

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

25 So thank you to my colleagues for

1 supporting this. I vote aye.

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

4 Senator Bailey to explain his vote.

5 SENATOR BAILEY: Thank you,
6 Madam President.

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

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

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

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

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

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

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

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

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

18 Senator Rolison to explain his vote.

19 SENATOR ROLISON: Thank you,
20 Madam President.

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

25 I have had the opportunity to see

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

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

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

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

1 And I proudly vote aye on this
2 resolution.

3 Thank you, Madam President.

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

6 Announce the results.

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

10 Ayes, 61. Nays, 1.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 820, Assembly Bill Number 6095A, by
15 Assemblymember DiPietro, an act to amend the
16 Executive Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 864, Assembly Bill Number 6435, by
6 Assemblymember Lupardo, an act to amend the
7 Agriculture and Markets Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

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

21 Ayes, 60. Nays, 2.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1045, Senate Print 213B, by Senator Myrie, an act

1 to amend the Agriculture and Markets Law.

2 SENATOR LANZA: Lay it aside.

3 ACTING PRESIDENT PERSAUD: Lay it
4 aside.

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

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1070, Senate Print Number 895A, by
22 Senator Hoylman-Sigal, an act to amend the
23 General Business Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

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

9 SENATOR HOYLMAN-SIGAL: Thank you,
10 Madam President.

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

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

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

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

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

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

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

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

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

4 Thank you, Madam President.

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

7 Announce the results.

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

14 Ayes, 47. Nays, 15.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1111, Senate Print Number 6151A, by
19 Senator Canzoneri-Fitzpatrick, an act to amend
20 Chapter 676 of the Laws of 1978.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1168, Assembly Bill Number 7265A, by
10 Assemblymember Jacobson, an act to amend the
11 Real Property Actions and Proceedings Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

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

25 Ayes, 61. Nays, 1.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1235, Assembly Bill Number 3691B, by
5 Assemblymember Thiele, an act to amend
6 Chapter 672 of the Laws of 1993.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Announce
15 the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1245, Assembly Bill Number 6698, by
21 Assemblymember Weinstein, an act to amend the
22 Estates, Powers and Trusts Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

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

7 SENATOR HOYLMAN-SIGAL: Thank you,
8 Madam President.

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

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

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

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

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

10 I vote aye.

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

13 Senator Palumbo to explain his vote.

14 SENATOR PALUMBO: Thank you,
15 Madam President.

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

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

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

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

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

15 Senator Ramos to explain her vote.

16 SENATOR RAMOS: Thank you,
17 Madam President.

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

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

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

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

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

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

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

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

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

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

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

23 I'm proud to vote aye.

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

1 Senator Krueger to explain her vote.

2 SENATOR KRUEGER: Thank you,
3 Madam President.

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

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

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

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

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

3 So I proudly vote yes.

4 Thank you, Madam President.

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

7 Announce the results.

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

13 Ayes, 54. Nays, 8.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1285, Senate Print 5852A, by Senator Mattera, an
18 act granting retroactive membership with Tier 2
19 status in the New York State Teachers' Retirement
20 system to Lori Cohen.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1288, Senate Print 6536, by Senator Mayer, an act
10 to amend the Retirement and Social Security Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1290, Assembly Bill Number 7121, by

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

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1292, Senate Print 4828, by Senator Lanza, an act
20 to amend Chapter 759 of the Laws of 1973.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1299, Senate Print 6858A, by Senator Rhoads, an
10 act authorizing the County of Nassau assessor to
11 accept an application for a real property tax
12 exemption.

13 SENATOR PALUMBO: Lay it aside for
14 the day.

15 ACTING PRESIDENT PERSAUD: Lay it
16 aside for the day.

17 THE SECRETARY: Calendar Number
18 1301, Assembly Bill Number 2235, by
19 Assemblymember Hyndman, an act to amend the
20 Education Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

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

10 Ayes, 55. Nays, 7.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1313, Senate Print 582, by Senator Hoylman-Sigal,
15 an act to amend the General Business Law.

16 SENATOR LANZA: Lay it aside.

17 ACTING PRESIDENT PERSAUD: Lay it
18 aside.

19 THE SECRETARY: Calendar Number
20 1325, Senate Print Number 1001, by
21 Senator Hoylman-Sigal, an act to amend the
22 Public Health Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 6. This

1 act shall take effect on the first of January.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

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

11 Ayes, 59. Nays, 3.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1359, Senate Print 99, by Senator Gounardes, an
16 act to amend the Labor Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

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

9 Ayes, 43. Nays, 19.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1361, Senate Print 932A, by Senator Persaud, an
14 act to amend the General Business Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

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

1 the negative are Senators Rolison and Walczyk.

2 Ayes, 60. Nays, 2.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1439, Senate Print 7446, by Senator Salazar, an
7 act to amend the Family Court Act.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1440, Senate Print 7447, by Senator Persaud, an
23 act to amend the Family Court Act and the
24 Social Services Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1449, Assembly Bill Number 219A, by
15 Assemblymember Zebrowski, an act to amend the
16 Education Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Senator

1 Bailey to explain his vote.

2 SENATOR BAILEY: Thank you,
3 Madam President.

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

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

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

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

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

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

9 And I proudly vote aye.

10 Thank you, Madam President.

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

13 Announce the results.

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

17 Ayes, 60. Nays, 2.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1450, Assembly Bill Number 2672B, by
22 Assemblymember Paulin, an act to amend the
23 General Business Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce
8 the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1452, Senate Print 1211, by Senator Persaud, an
14 act to amend the Executive Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

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

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

3 Ayes, 55. Nays, 7.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1453, Senate Print 1577, by Senator Brouk, an act
8 to amend the Education Law.

9 ACTING PRESIDENT PERSAUD: Read the
10 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1455, Senate Print 1863, by Senator Brouk, an act
23 to amend the Education Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce
8 the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1456, Senate Print 1892, by Senator Stavisky, an
14 act to amend the Penal Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

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

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

4 Ayes, 51. Nays, 11.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1457, Senate Print 1900, by Senator Stavisky, an
9 act to amend the Vehicle and Traffic Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1459, Senate Print 2102, by Senator Harckham, an
24 act to amend the Criminal Procedure Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Senator
8 Harckham to explain his vote.

9 SENATOR HARCKHAM: Thank you,
10 Madam President.

11 Every month in the United States an
12 average of 70 women are killed with a handgun by
13 an intimate partner. In the United States, Black
14 women are nearly twice as likely as white women
15 to be shot by an intimate partner, and
16 4.5 million women in the United States have
17 reported being threatened with a gun by an
18 intimate partner.

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

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

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

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

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

19 I vote aye. Thank you.

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

22 Announce the results.

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

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

5 Ayes, 43. Nays, 19.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1460, Assembly Bill Number 1399A, by
10 Assemblymember Bichotte Hermelyn, an act to amend
11 the Public Health Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Senator
21 Bailey to explain his vote.

22 SENATOR BAILEY: Thank you,
23 Madam President.

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

1 vet himself, for signing onto this bill.

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

10 I vote aye, Madam President.

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

13 Announce the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1461, Senate Print 2356, by Senator Felder, an
19 act to amend the Education Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT PERSAUD: Announce
3 the results.
4 THE SECRETARY: Ayes, 62.
5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 1462, Senate Print 2399, by Senator Gounardes, an
9 act to amend the General Business Law.
10 ACTING PRESIDENT PERSAUD: Read the
11 last section.
12 THE SECRETARY: Section 8. This
13 act shall take effect immediately.
14 ACTING PRESIDENT PERSAUD: Call the
15 roll.
16 (The Secretary called the roll.)
17 ACTING PRESIDENT PERSAUD: Announce
18 the results.
19 THE SECRETARY: Ayes, 62.
20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.
22 THE SECRETARY: Calendar Number
23 1463, Senate Print 2465, by Senator Persaud, an
24 act to amend the Insurance Law and the
25 Social Services Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1464, Senate Print 2496, by Senator Mannion, an
16 act to amend the Social Services Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1465, Assembly Bill Number 286A, by
6 Assemblymember Paulin, an act to amend the
7 Education Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1468, Senate Print 2956A, by Senator Hinchey, an
23 act to amend the Public Authorities Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

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

14 Ayes, 45. Nays, 17.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1469, Senate Print 3036, by Senator Brouk, an act
19 to amend the Education Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

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

8 Ayes, 61. Nays, 1.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1470, Senate Print 3037, by Senator Walczyk, an
13 act to amend the Highway Law.

14 SENATOR LANZA: Lay it aside for
15 the day.

16 ACTING PRESIDENT PERSAUD: Lay it
17 aside for the day.

18 THE SECRETARY: Calendar Number
19 1471, Assembly Bill Number 6084A, by
20 Assemblymember Jean-Pierre, an act to amend the
21 Parks, Recreation and Historic Preservation Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1472, Senate Print 3539, by Senator Breslin, an
11 act to amend the General Business Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

16 ACTING PRESIDENT PERSAUD: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

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

1 Weik. Also Senator Tedisco.

2 Ayes, 47. Nays, 15.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1473, Senate Print 3591A, by Senator Breslin, an
7 act to amend the Public Health Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1474, Senate Print 4100, by Senator Kennedy, an
22 act to amend the Education Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Senator
6 Kennedy to explain his vote.

7 SENATOR KENNEDY: Thank you,
8 Madam President.

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

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

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

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

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

6 We hear about these stories
7 oftentimes. I actually lived this moment. Just
8 last year, as a matter of fact, May 22, 2022,
9 just eight days after the horrific massacre that
10 happened in Buffalo. We were celebrating the
11 21st birthday of Zaire Goodman, the son of
12 Zeneta Everhart, my head of diversity and
13 inclusion. Zaire was shot on May 14th by that
14 racist terrorist in Buffalo.

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

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

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

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

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

1 AED device.

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

11 With that, Madam President, I vote
12 aye.

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

15 Announce the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1475, Senate Print 4306, by Senator Chu, an act
21 to amend the State Finance Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 shall have become a law.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: Ayes, 62.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1476, Senate Print 4393, by Senator Martinez, an
12 act to amend the Public Health Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

23 THE SECRETARY: Ayes, 62.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1478, Senate Print 4501A, by Senator Skoufis, an
3 act to amend the Public Health Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: Ayes, 61. Nays, 1.
16 Senator Martinez voting in the
17 negative.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1479, Senate Print 4534, by Senator Harckham, an
22 act to amend the Transportation Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 2. This

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1480, Senate Print 4550, by Senator May, an act
13 to amend the Education Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce
22 the results.

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

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

4 Ayes, 45. Nays, 17.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1481, Senate Print 4558A, by Senator Skoufis, an
9 act to amend the Public Authorities Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Senator
18 Skoufis to explain his vote.

19 SENATOR SKOUFIS: Thanks very much,
20 Madam President.

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

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

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

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

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

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

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

1 up, and thank my colleagues for their support.

2 Thank you, Madam President.

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

5 Senator Weber to explain his vote.

6 SENATOR WEBER: Thank you,
7 Madam President.

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

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

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

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

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

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

1 When the bridge first opened in
2 1955, the original bridge, it was named
3 Tappan Zee. It was an interesting combination
4 used to honor a local Native American tribe, the
5 Tappan, and the Dutch word for "sea," or "zee."

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

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

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

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

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

4 I'm proud to vote aye.

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

7 Announce the results.

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

13 Ayes, 51. Nays, 11.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1482, Senate Print 4598, by Senator Bailey, an
18 act to amend the Education Law and the
19 State Finance Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT PERSAUD: Senator
3 Bailey to explain his vote.

4 SENATOR BAILEY: Thank you,
5 Madam President.

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

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

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

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

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

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

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

25 And I proudly vote aye,

1 Madam President.

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

4 Announce the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1484, Senate Print 4862, by Senator Comrie, an
10 act to amend the Insurance Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1485, Senate Print 4864, by Senator Cooney, an
25 act to amend the Social Services Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1489, Senate Print 4973, by Senator Gounardes, an
15 act to amend the Labor Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce
24 the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1490, Assembly Bill Number 2078, by
5 Assemblymember Stern, an act to amend the
6 Insurance Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Announce
15 the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1492, Assembly Bill Number 6081, by
21 Assemblymember Pheffer Amato, an act to amend the
22 Retirement and Social Security Law.

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

25 Read the last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1493, Assembly Bill Number 5010A, by
13 Assemblymember Lavine, an act to amend the
14 Education Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

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

1 Senator Oberacker.

2 Ayes, 61. Nays, 1.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1494, Senate Print 5289, by Senator Mayer, an act
7 to amend the Retirement and Social Security Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1495, Senate Print 5327A, by Senator Brisport, an
23 act to amend the Social Services Law.

24 SENATOR LANZA: Lay it aside.

25 ACTING PRESIDENT PERSAUD: Lay it

1 aside.

2 THE SECRETARY: Calendar Number
3 1496, Senate Print 5396, by Senator Harckham, an
4 act to amend the Mental Hygiene Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1497, Senate Print 5423, by Senator Martinez, an
20 act to amend the Parks, Recreation and Historic
21 Preservation Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

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

9 Ayes, 61. Nays, 1.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1498, Senate Print 5424, by Senator Martinez, an
14 act to amend the Navigation Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

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

1 Senators Hinchey, Murray and Walczyk.

2 Ayes, 59. Nays, 3.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1500, Assembly Bill Number 3305B, by
7 Assemblymember Clark, an act to amend the
8 Vehicle and Traffic Law.

9 SENATOR LANZA: Lay it aside.

10 ACTING PRESIDENT PERSAUD: Lay it
11 aside.

12 THE SECRETARY: Calendar Number
13 1501, Senate Print 5574, by Senator Gounardes, an
14 act to amend the Criminal Procedure Law.

15 SENATOR LANZA: Lay it aside.

16 ACTING PRESIDENT PERSAUD: Lay it
17 aside.

18 THE SECRETARY: Calendar Number
19 1502, Senate Print 5591A, by Senator Comrie, an
20 act to amend the Insurance Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

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

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

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

10 Ayes, 56. Nays, 6.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1503, Assembly Bill Number 514A, by
15 Assemblymember Peoples-Stokes, an act to amend
16 the Education Law.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: Ayes, 62.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1504, Senate Print 5728A, by Senator Harckham, an
6 act to amend the Environmental Conservation Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 Senator Gianaris, that completes the
21 reading of the calendar.

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

25 Can we take that up.

1 ACTING PRESIDENT BAILEY: The
2 Secretary will read.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Senate Print 2440A, by
2 Senator Hoylman-Sigal, an act to amend the
3 Executive Law;
4 Senate Print 2475B, by
5 Senator Hoylman-Sigal, an act to amend the
6 Family Court Act;
7 Senate Print 2712B, by
8 Senator Kennedy, an act to amend the Vehicle and
9 Traffic Law;
10 Senate Print 2946B, by
11 Senator Kavanagh, an act to amend the
12 General Business Law;
13 Senate Print 3439, by
14 Senator Skoufis, an act to amend the
15 Public Authorities Law;
16 Senate Print 4146A, by
17 Senator Cooney, an act to amend the
18 General Business Law;
19 Senate Print 4671, by
20 Senator Thomas, an act to amend the Vehicle and
21 Traffic Law;
22 Senate Print 4804A, by
23 Senator Palumbo, an act to amend the
24 Environmental Conservation Law;
25 Senate Print 5069A, by

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

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

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

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

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

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

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

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

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

1 Senate Print 6249, by
2 Senator Walczyk, an act to amend the Highway Law;
3 Senate Print 6350B, by Senator May,
4 an act to amend the Education Law;
5 Senate Print 6419C, by
6 Senator Kavanagh, an act to amend the
7 Environmental Conservation Law;
8 Senate Print 6545, by
9 Senator Kennedy, an act to amend the Banking Law;
10 Senate Print 6752, by
11 Senator Harckham, an act to amend the
12 Education Law;
13 Senate Print 6891, by
14 Senator Comrie, an act to amend the
15 Alcoholic Beverage Control Law;
16 Senate Print 6895, by
17 Senator Persaud, an act to amend Chapter 238 of
18 the Laws of 2021;
19 Senate Print 7050, by
20 Senator Skoufis, an act to amend the
21 General Municipal Law;
22 Senate Print 7175, by
23 Senator Bailey, an act to amend the
24 Executive Law;
25 Senate Print 7230, by Senator Mayer,

1 an act to amend the Public Service Law;

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

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

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

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

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

19 All bills reported direct to third
20 reading.

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

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

1 (Response of "Aye.")

2 ACTING PRESIDENT BAILEY: Opposed,
3 nay.

4 (No response.)

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

7 Senator Gianaris.

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

11 ACTING PRESIDENT BAILEY: The
12 Secretary will read.

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

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

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

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

3 Senator Cooney moves to discharge,
4 from the Committee on Investigations and
5 Government Operations, Assembly Bill Number 7388
6 and substitute it for the identical Senate Bill
7 1047A, Third Reading Calendar 1623.

8 Senator Addabbo moves to discharge,
9 from the Committee on Corporations, Authorities
10 and Commissions, Assembly Bill Number 6140A and
11 substitute it for the identical Senate Bill
12 1671A, Third Reading Calendar 1625.

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

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

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

1 Calendar 1639.

2 Senator Harckham moves to discharge,
3 from the Committee on Energy and
4 Telecommunications, Assembly Bill Number 5687 and
5 substitute it for the identical Senate Bill
6 5253A, Third Reading Calendar 1641.

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

11 Senator Skoufis moves to discharge,
12 from the Committee on Ethics and Internal
13 Governance, Assembly Bill Number 5308A and
14 substitute it for the identical Senate Bill
15 6184A, Third Reading Calendar 1647.

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

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

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

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

11 Senator Bailey moves to discharge,
12 from the Committee on Rules, Assembly Bill Number
13 6833 and substitute it for the identical
14 Senate Bill 7175, Third Reading Calendar 1656.

15 ACTING PRESIDENT BAILEY: So
16 ordered.

17 Senator Gianaris.

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

20 ACTING PRESIDENT BAILEY: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number
23 1583, Senate Print 139B, by Senator Ryan, an act
24 to amend the Uniform Justice Court Act.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Senator
8 Ryan to explain his vote.

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

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

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

25 Many issues that come before the

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

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

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

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

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

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

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

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

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

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

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

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

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

14 Announce the results.

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

21 Ayes, 44. Nays, 18.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1598, Senate Print 225B, by Senator Myrie,

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll on the resolution.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Senator
8 Myrie to explain his vote.

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

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

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

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

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

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

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

23 I vote in the affirmative.

24 Thank you, Mr. President.

25 ACTING PRESIDENT BAILEY: Senator

1 Myrie to be recorded in the affirmative.

2 Senator Jackson to explain his vote.

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

5 I rise in order to support this bill
6 that Senator Myrie put forward, which we call the
7 13th Forward Act, in order to address the
8 13th Amendment of the Constitution.

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

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

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

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

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

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

25 Thank you, Mr. President. I vote

1 aye on this.

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

4 Announce the results.

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

12 Ayes, 43. Nays, 19.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1615, Senate Print 239C, by Senator May, an act
17 in relation to enacting the "New York Open Water
18 Data Act."

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Senator
3 May to explain her vote.

4 SENATOR MAY: Thank you,
5 Mr. President.

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

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

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

1 support for this. I vote aye.

2 Thank you.

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

5 Announce the results.

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

10 Ayes, 59. Nays, 3.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1616, Assembly Bill Number 3313, by
15 Assemblymember DiPietro, an act to repeal
16 Section 925-t of the General Municipal Law.

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

19 Read the last section.

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

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1617, Senate Print 546, by Senator Gianaris, an
7 act to amend the Public Housing Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

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

23 Ayes, 45. Nays, 17.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1618, Assembly Bill Number 703A, by
3 Assemblymember Dinowitz, an act to amend the
4 General Business Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

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

22 Ayes, 44. Nays, 18.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1619, Senate Print 688, by Senator May, an act to
2 amend the Executive Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

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

19 Ayes, 44. Nays, 18.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

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

24 Ayes, 43. Nays, 19.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1620, Assembly Bill Number 3683, by
4 Assemblymember Zebrowski, an act to amend the
5 Public Service Law.

6 SENATOR LANZA: Lay it aside.

7 ACTING PRESIDENT BAILEY: Lay it
8 aside.

9 THE SECRETARY: Calendar Number
10 1622, Senate Print Number 995B, by
11 Senator Hoylman-Sigal, an act to amend the
12 Limited Liability Company Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

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

23 SENATOR HOYLMAN-SIGAL: Thank you.

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

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

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

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

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

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

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

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

15 I vote aye, Mr. President.

16 ACTING PRESIDENT BAILEY: Senator
17 Hoylman-Sigal to be recorded in the affirmative.

18 Announce the results.

19 THE SECRETARY: In relation to
20 Calendar 1622, those Senators voting in the
21 negative are Senators Ashby, Borrello,
22 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
23 Lanza, Martins, Mattera, Murray, Oberacker,
24 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
25 Tedisco, Walczyk, Weber and Weik.

1 Ayes, 41. Nays, 21.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1623, Assembly Bill Number 7388, by
6 Assemblymember Peoples-Stokes, an act to amend
7 the Cannabis Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 1623, those Senators voting in the
19 negative are Senators Canzoneri-Fitzpatrick,
20 Martinez and Rhoads. Also Senator Weik. Also
21 Senator Martins.

22 Ayes, 57. Nays, 5.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1624, Senate Print 1208, by Senator Persaud, an
2 act to amend the Civil Rights Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 1624, those Senators voting in the
15 negative are Senators Ashby, Gallivan, Griffio,
16 Helming, Martins, Mattera, Murray, O'Mara, Ortt,
17 Palumbo, Rhoads, Rolison, Stec, Walczyk, Weber
18 and Weik.

19 Ayes, 46. Nays, 16.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1625, Assembly Bill Number 6140A, by
24 Assemblymember Cook, an act to amend the New York
25 State Urban Development Corporation Act.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1626, Senate Print 1970, by Senator Sepúlveda, an
15 act to amend the Correction Law.

16 ACTING PRESIDENT BAILEY: Read the
17 last section.

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

20 ACTING PRESIDENT BAILEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 1626, those Senators voting in the
2 negative are Senators Borrello,
3 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
4 Martins, Mattera, Murray, Oberacker, O'Mara,
5 Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco,
6 Walczyk, Weber and Weik. Also Senator Skoufis.

7 Ayes, 42. Nays, 20.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1627, Senate Print 2016A, by Senator Krueger, an
12 act to amend the Public Service Law.

13 SENATOR LANZA: Lay it aside.

14 ACTING PRESIDENT BAILEY: Lay it
15 aside.

16 THE SECRETARY: Calendar Number
17 1629, Senate Print 2161A, by Senator Rivera, an
18 act to amend the Public Health Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1630, Senate Print 2413B, by Senator Bailey, an
8 act to amend the General Municipal Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect April 1, 2024.

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1631, Senate Print Number 2440A, by
23 Senator Hoylman-Sigal, an act to amend the
24 Executive Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1631, those Senators voting in the
12 negative are Senators Griffo, Helming, Murray,
13 Oberacker, O'Mara, Ortt, Walczyk and Weik.

14 Ayes, 54. Nays, 8.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1632, Senate Print Number 2475B, by
19 Senator Hoylman-Sigal, an act to amend the
20 Family Court Act.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

23 THE SECRETARY: Section 12. This
24 act shall take effect immediately.

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

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

5 SENATOR HOYLMAN-SIGAL: Thank you,
6 Mr. President. Happy Pride.

7 You know, with Pride upon us, it is
8 a sad state of affairs when state legislatures --
9 not this one, but across the country -- are
10 banning gender-affirming care for young people.

11 They've made trans kids their
12 number-one target. Just today, the Human Rights
13 Campaign declared a national state of emergency
14 for LGBTQ people due to this real, tangible and
15 dangerous threat.

16 There are currently 525 anti-LGBTQ
17 bills introduced in state houses across this
18 nation, over 125 of which seek to eliminate
19 access to gender-affirming care. And it seems
20 like every day you open a newspaper or scroll
21 online, you see another state legislature,
22 another governor signing a ban on
23 gender-affirming care for young people. Texas
24 was the most recent; that is the 18th in law.

25 I am so proud today, Mr. President,

1 that here in New York, especially during Pride,
2 we're taking the opposite approach. We are
3 protecting trans kids and their families and
4 their physicians based on science and medicine.

5 This is so important because we know
6 that the rates of suicide and suicide ideation
7 among transgender youth are skyrocketing. We can
8 do something about it. We can invite families to
9 move to New York to seek their gender-affirming
10 care for their families and ensure that they have
11 the protections of the state that we similarly
12 provided to individuals seeking abortion care.

13 It's Pride Month. I'm extremely
14 proud to be a New York State Senator today, and
15 proud to be a New Yorker.

16 I vote aye.

17 ACTING PRESIDENT BAILEY: Senator
18 Hoylman-Sigal to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: In relation to
21 Calendar 1632, those Senators voting in the
22 negative are Senators Ashby, Borrello,
23 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
24 Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads,
25 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

1 Ayes, 44. Nays, 18.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1633, Senate Print 2712B, by Senator Kennedy, an
6 act to amend the Vehicle and Traffic Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

9 THE SECRETARY: Section 6. This
10 act shall take effect April 1, 2024.

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1634, Senate Print 2946B, by Senator Kavanagh, an
21 act to amend the General Business Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the 270th day after it

1 shall have become a law.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 62.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1635, Assembly Bill Number 4386, by
12 Assemblymember Zebrowski, an act to amend the
13 Public Authorities Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: Ayes, 62.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1636, Senate Print 4146A, by Senator Cooney, an
3 act to amend the General Business Law.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce
13 the results.

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1637, Assembly Bill Number 3983, by
19 Assemblymember Thiele, an act to amend the
20 Vehicle and Traffic Law.

21 SENATOR GIANARIS: Lay it aside for
22 the day.

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

25 THE SECRETARY: Calendar Number

1 1638, Senate Print 4804A, by Senator Palumbo, an
2 act to amend the Environmental Conservation Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar Number 1638, voting in the negative:
14 Senator Martinez.

15 Ayes, 61. Nays, 1.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1639, Assembly Bill Number 4504A, by
20 Assemblymember Epstein, an act to amend the
21 Public Authorities Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1640, Senate Print 5081A, by Senator Ramos, an
11 act to amend the Labor Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 7. This
15 act shall take effect on the 60th day after it
16 shall have become a law.

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 1640, those Senators voting in the
24 negative are Senators Borrello, Gallivan, Griffio,
25 Helming, Oberacker, Palumbo, Rhoads, Stec,

1 Tedisco, Walczyk, Weber and Weik.

2 Ayes, 50. Nays, 12.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1641, Assembly Bill Number 5687, by
7 Assemblymember Barrett, an act to amend the
8 Public Authorities Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar Number 1641, voting in the negative:
21 Senator Walczyk.

22 Ayes, 61. Nays, 1.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1642, Senate Print 5615, by Senator Thomas, an
2 act to amend the State Finance Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1643, Senate Print 5652B, by Senator Ortt, an act
18 to repeal Section 926-o of the General Municipal
19 Law.

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

22 Read the last section.

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

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1644, Assembly Bill Number 5477A, by
10 Assemblymember McDonald, an act to amend the
11 Real Property Tax Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1645, Senate Print 5935, by Senator Cleare, an

1 act to amend the Judiciary Law.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1646, Senate Print 5982A, by Senator Martinez, an
17 act to authorize the study of general aviation
18 flight operations.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1647, Assembly Bill Number 5308A, by
8 Assemblymember McDonald, an act to amend the
9 Public Officers Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1648, Assembly Bill Number 6412, by
24 Assemblymember Barclay, an act to amend the
25 Highway Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT BAILEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1649, Senate Print 6350B, by Senator May, an act
16 to amend the Education Law.

17 ACTING PRESIDENT BAILEY: Pardon
18 me, there was a home-rule message at the desk on
19 Calendar Number 1648.

20 Read the last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 61. Nays, 1.
4 Senator Ortt voting in the negative.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1650, Senate Print 6419C, by Senator Kavanaugh, an
9 act to amend the Environmental Conservation Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

12 SENATOR LANZA: Lay it aside.

13 ACTING PRESIDENT BAILEY: Lay it
14 aside.

15 THE SECRETARY: Calendar Number
16 1651, Senate Print 6545, by Senator Kennedy, an
17 act to amend the Banking Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1652, Senate Print 6752, by Senator Harckham, an
8 act to amend the Education Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1653, Assembly Bill Number 7275, by
23 Assemblymember Vanel, an act to amend the
24 Alcoholic Beverage Control Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1654, Senate Print 6895, by Senator Persaud, an
14 act to amend Chapter 238 of the Laws of 2021.

15 ACTING PRESIDENT BAILEY: Read the
16 last section.

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

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1655, Senate Print 7050, by Senator Skoufis, an
4 act to amend the General Municipal Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar 1655, those Senators voting in the
16 negative are Senators Borrello,
17 Canzoneri-Fitzpatrick, Gallivan, Helming, Lanza,
18 Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads,
19 Stec, Walczyk, Weber and Weik.

20 Ayes, 47. Nays, 15.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 Senator Gianaris.

24 SENATOR GIANARIS: We are moving at
25 a very efficient clip, which I appreciate, but we

1 breezed through Calendar Number 1649 without
2 giving Senator May the opportunity to explain her
3 vote on her bill.

4 So without objection, if we could
5 just give her that chance, I'd appreciate it.

6 ACTING PRESIDENT BAILEY: Senator
7 May to explain her vote on Calendar Number 1649,
8 Senate Print 6350B.

9 SENATOR MAY: Thank you,
10 Mr. President. I appreciate it.

11 In the last six months of 2022,
12 there were almost 1500 incidents of book banning
13 in schools in the United States -- sometimes
14 single works, sometimes whole classes of books.
15 The vast majority of these were either books by
16 or about people of color or about LGBTQ
17 experiences.

18 And in some school districts, all it
19 takes is for one parent to express discomfort
20 with a book or a topic, and it is gone from the
21 school library.

22 We know that children become more
23 avid readers and are more likely to succeed in
24 school if they are surrounded by images of people
25 who look like them. And when books about people

1 of color, books about LGBTQ children and families
2 are removed from school libraries, it does a
3 disservice to our children.

4 But we also know that when people
5 refuse to confront things that make them
6 uncomfortable, they also have a much harder time
7 learning how to avoid the kinds of problems that
8 have created the issues of racism and
9 discrimination that a lot of children experience.

10 And so I am proud that we are
11 passing this bill on the Freedom to Read Act to
12 make sure that our school libraries in New York
13 State are able to provide the widest range of
14 materials to children in our schools.

15 And I proudly voted aye on it.

16 Thank you.

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

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 1656, Assembly Bill Number 6833, by
22 Assemblymember Jean-Pierre, an act to amend the
23 Executive Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

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

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1657, Assembly Bill Number 237, by
13 Assemblymember Sayegh, an act to amend the
14 Public Service Law.

15 SENATOR LANZA: Lay it aside.

16 ACTING PRESIDENT BAILEY: Lay it
17 aside.

18 THE SECRETARY: Calendar Number
19 1658, Senate Print 7394A, by Senator Gianaris, an
20 act to amend the Election Law.

21 SENATOR LANZA: Lay it aside.

22 ACTING PRESIDENT BAILEY: Lay it
23 aside.

24 THE SECRETARY: Calendar Number
25 1659, Assembly Bill Number 7364, by

1 Assemblymember Otis, an act to amend the
2 Executive Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1660, Senate Print 7424, by Senator Mayer, an act
17 to amend the Public Health Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1661, Senate Print 7443A, by Senator Ryan, an act
7 authorizing the State University of New York to
8 lease a portion of the lands on the campus on
9 SUNY Buffalo State.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

12 THE SECRETARY: Section 10. This
13 act shall take effect immediately.

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1662, Senate Print 7521, by Senator Mayer, an act
24 in relation to authorizing the City of
25 White Plains to alienate property owned by the

1 City of White Plains and operated as the former
2 Galleria of White Plains public parking garage.

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

5 Read the last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

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

18 SENATOR GIANARIS: Can we now move
19 to the controversial calendar, beginning with
20 Calendar 1627, by Senator Krueger.

21 ACTING PRESIDENT BAILEY: The
22 Secretary will ring the bell.

23 The Secretary will read.

24 THE SECRETARY: Calendar Number
25 1627, Senate Print 2016A, by Senator Krueger, an

1 act to amend the Public Service Law.

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

4 SENATOR BORRELLO: Thank you,
5 Mr. President. Will the sponsor yield for a
6 question.

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR KRUEGER: Yes, I do.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR BORRELLO: Through you,
13 Mr. President. Senator Krueger, can you explain
14 what the purpose of the legislation is and if
15 it's indeed about phasing out natural gas as a
16 source of energy?

17 SENATOR KRUEGER: Thank you very
18 much.

19 The reason we need to phase out
20 natural gas is actually because we have several
21 laws we have passed that require it -- the CLCPA,
22 the All Electric Buildings, a number of other
23 pieces of legislation. So we know we have a
24 timetable in law to phase out gas, specifically
25 gas to be used in residences and commercial

1 buildings.

2 So this bill changes Public Service
3 Commission law to basically say you no longer are
4 mandated to arrange for natural gas. Because
5 we're phasing out natural gas, so why are we
6 spending the money with new facilities being
7 built to require natural gas connections in that
8 last hundred feet?

9 So it gives the Public Service
10 Commission the authority not to do certain things
11 they've been doing under their law, which would
12 then make their law consistent with other laws
13 we've already passed.

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

16 ACTING PRESIDENT BAILEY: Will the
17 sponsor yield?

18 SENATOR KRUEGER: Yes.

19 ACTING PRESIDENT BAILEY: The
20 sponsor yields.

21 SENATOR BORRELLO: Through you,
22 Mr. President. Thank you for that answer. But
23 you're saying this is going to allow the PSC.
24 Isn't this forcing the PSC into an accelerated
25 timeline beyond what even is mentioned in the

1 Climate Action Council Scoping Plan?

2 SENATOR KRUEGER: It doesn't force
3 the PSC. Anyone can still go to the PSC and ask
4 for approval to put in those gas lines to those
5 specific facilities, or even repair older ones.
6 So it's not forcing them, it's just the opposite,
7 no longer forcing them to build into any plan
8 that there will be gas lines.

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

11 ACTING PRESIDENT BAILEY: Will the
12 sponsor yield?

13 SENATOR KRUEGER: I'm sorry, I was
14 getting a supplemental answer.

15 SENATOR BORRELLO: Okay.

16 SENATOR KRUEGER: PSC also has to
17 review feasibility, necessity, and some other
18 things before they would approve the continued
19 new gas line. Or lines, plural.

20 SENATOR BORRELLO: Will the sponsor
21 continue to yield?

22 ACTING PRESIDENT BAILEY: Will the
23 sponsor yield?

24 SENATOR KRUEGER: Yes, I will.

25 ACTING PRESIDENT BAILEY: The

1 sponsor yields.

2 SENATOR BORRELLO: Okay. So you're
3 saying, then, that the PSC has the ability to
4 allow this to happen, yet you're -- starting in
5 2025, this bill is going to prohibit gas
6 corporations from commencing construction on new
7 distribution.

8 So aren't we essentially saying that
9 we're speeding up the timeline by almost a year?

10 SENATOR KRUEGER: Well,
11 objectively, one, all these things take time, so
12 having this go into effect one year earlier than
13 mandated for other laws is not really relevant,
14 because again, they can still say yes if you come
15 and ask them.

16 Two, we're spending \$200 million of
17 ratepayers' money per year with the existing law.
18 So if we pass this law, the estimate is that
19 ratepayers will save \$200 million a year. And
20 even for one year, that would be a pretty
21 significant savings for ratepayers.

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

24 ACTING PRESIDENT BAILEY: Will the
25 sponsor yield?

1 SENATOR KRUEGER: And --

2 SENATOR BORRELLO: Okay.

3 SENATOR KRUEGER: -- even a better
4 answer for you, we're only asking for the
5 transition plan for that one year, not actual
6 implementation. So we're sort of hand-in-hand
7 with the timeline on the rest of the
8 requirements.

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR KRUEGER: Oh, of course,
12 I'm sorry.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR BORRELLO: Thank you.
16 Through you, Mr. President. Isn't this going to
17 essentially start preemptively dismantling the
18 natural gas infrastructure in New York State? We
19 have no idea if we're going to have the ability
20 to provide reliable and cost-efficient energy
21 before this timeline starts ticking.

22 SENATOR KRUEGER: This
23 legislation -- through you, Mr. President --
24 doesn't dismantle anything. It's not dismantling
25 the current gas-pipe structure.

1 It's simply saying that we no longer
2 have to continue to expand the gas-pipe structure
3 to new facilities at a moment in history where we
4 actually have a series of laws saying we have to
5 get off of gas.

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

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor continue to yield?

10 SENATOR KRUEGER: Yes.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR BORRELLO: Thank you.
14 Through you, Mr. President. So you're making
15 this sound like this is voluntary and that
16 somehow there is a mandate to bring natural gas
17 to a new-construction new building. But that's
18 not really the case. How is this voluntary when
19 we're saying as of 2025, that's it, no more new
20 infrastructure for new construction?

21 SENATOR KRUEGER: So if you can
22 prove there's a necessity for new additional gas
23 lines into individual buildings, the PSC will
24 rule in your favor.

25 Right now you have to go to the PSC

1 when you're building to get permission to build
2 new gas lines. That already exists. So it's not
3 some new requirement on them, it's just new
4 standards for whether or not the PSC actually has
5 to say yes to you.

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

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield?

10 SENATOR KRUEGER: Yes.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR BORRELLO: So essentially
14 you're saying we're going to allow the PSC to I
15 guess arbitrarily refuse new gas hookups. What
16 standard are they -- does this bill give them to
17 follow to say yes or no to new gas hookups?

18 SENATOR KRUEGER: They're certainly
19 not arbitrary. We give the PSC the authority to
20 make those determinations on utilities all the
21 time. It's not even a new set of questions for
22 them, it's just new options for them to be able
23 to say no, saving us an enormous amount of money
24 as ratepayers.

25 SENATOR BORRELLO: Mr. President,

1 will the sponsor continue to yield?

2 ACTING PRESIDENT BAILEY: Will the
3 sponsor yield?

4 SENATOR KRUEGER: Yes, of course.

5 ACTING PRESIDENT BAILEY: The
6 sponsor yields.

7 SENATOR BORRELLO: Thank you.
8 Through you, Mr. President. So you're trying to
9 say, I think, that nothing to see here, we aren't
10 changing anything.

11 But really we are. You know, what
12 we're hearing from National Fuel and others is
13 that this is going to essentially make it, you
14 know, difficult if not impossible for new
15 constructions to have natural gas even when it's
16 needed.

17 So how are we on the one hand saying
18 we're going to present this bill that will limit
19 that and accelerate the deadline for which you
20 can no longer have new natural gas hookups, and
21 yet we're saying, Well, it's up to the PSC to
22 determine whether or not a new construction can
23 have natural gas?

24 I'm very confused as to what the
25 change is, then.

1 SENATOR KRUEGER: I don't -- with
2 all due respect, I'm not confused.

3 (Laughter.)

4 SENATOR KRUEGER: So it lays out a
5 well-planned strategic downsizing of our gas
6 distribution system as required by the Climate
7 Action Council's final scoping plan of the CLCPA.
8 It's not actually speeding it up, because as we
9 just answered you, it's a one-year planning
10 timeline before implementation, so it's
11 consistent with the existing laws that we've
12 already passed.

13 It does give the PSC the ability to
14 evaluate individual cases that may be brought to
15 them by individual customers, either for private
16 homes or for businesses. That is all within the
17 scope of the role of the PSC now.

18 Now, if you're asking me perhaps
19 that your confusion is this is an effort to move
20 us forward away from gas, yes, it is, absolutely.
21 As is consistent with many laws we have already
22 passed and, perhaps even more importantly than
23 our laws, the pure necessity of the State of
24 New York to decrease its dependence on gas and
25 oil and use alternative options within energy.

1 And frankly it's a model that, if
2 you get to the rest of the bill, is actually
3 going to save ratepayers \$200 million a year and
4 assure that low- and middle-income ratepayers do
5 not have to pay more than 6 percent of their
6 annual income towards the utilities.

7 So this is a huge boon for
8 ratepayers, particularly those who have found
9 their utility costs to be an excessive percentage
10 of their annual income.

11 At the same time as we are moving
12 down that road, we must move down by moral
13 obligation for the survival of the planet, and to
14 be consistent with the other laws we have passed
15 to be transitioning from gas dependence to
16 alternative options.

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

19 ACTING PRESIDENT BAILEY: Will the
20 sponsor yield?

21 SENATOR KRUEGER: Yes.

22 ACTING PRESIDENT BAILEY: The
23 sponsor yields.

24 SENATOR BORRELLO: So you brought
25 up the 6 percent cap. So on one hand we're

1 saying we're going to save all this money if we
2 do this, \$200 million to ratepayers. On the
3 other hand, you find it necessary in this bill to
4 limit the total income -- 6 percent of the total
5 income for low- and moderate-income individuals,
6 so I'm assuming the middle class would be
7 included in that.

8 So if this is going to save so much
9 money, why do we have to cap it for, you know,
10 three-quarters of the population of New York
11 State?

12 SENATOR KRUEGER: Well, I don't
13 think we would be capping it for three-quarters
14 of the population. I don't -- do we know the
15 percentage of the population who likely fit in
16 this?

17 SENATOR BORRELLO: I'm assuming
18 "middle income" means middle class.

19 ACTING PRESIDENT BAILEY: Senator
20 Borrello, are you asking the sponsor to yield to
21 a question?

22 SENATOR BORRELLO: I'm just
23 clarifying my --

24 SENATOR KRUEGER: I'm sorry,
25 through you. I didn't hear the last statement.

1 ACTING PRESIDENT BAILEY: Senator
2 Borrello, could you repeat the question?

3 SENATOR BORRELLO: Yes. Through
4 you, Mr. President.

5 So if you're saying low and moderate
6 income, I would assume that to mean middle class.
7 So if you include all those folks that would be
8 considered middle class, I'd say roughly
9 two-thirds to three-quarters of the population of
10 New York State. Without having the data.

11 SENATOR KRUEGER: So the -- it
12 would be capped at 6 percent for 80 percent of
13 the area median income. So that varies,
14 obviously, depending on where you live in the
15 state.

16 But if you're saying this would help
17 capture a limit on cost to 75 percent of
18 New Yorkers, I'm going to say that's a reasonable
19 assumption.

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

22 ACTING PRESIDENT BAILEY: Will the
23 sponsor yield?

24 SENATOR KRUEGER: Yes.

25 ACTING PRESIDENT BAILEY: The

1 sponsor yields.

2 SENATOR BORRELLO: So I'm confused.
3 If this is going to save money, but we still have
4 to cap the expenditures for a very large
5 percentage of the state, then isn't that going to
6 shift the burden? Either it's going to not save
7 money, which is kind of what this bill is saying,
8 or we're just going to shift that burden of the
9 additional cost to other -- the remaining
10 ratepayers.

11 SENATOR KRUEGER: No, Mr. --

12 SENATOR BORRELLO: Like
13 manufacturers and businesses, our food processors
14 that use a lot of energy, they're going to end up
15 footing the bill.

16 SENATOR KRUEGER: No,
17 Mr. President, we don't believe that is the case.
18 Because, again, this is one bill in a package of
19 other laws that we have passed, even changes we
20 made in the State Budget providing supplemental
21 monies to assist people with utility costs.

22 Although this bill does not -- as
23 was asked, does not end gas infrastructure as we
24 know it, shifting off of gas, and the sooner the
25 better, is actually projected to save the State

1 of New York \$150 billion in repairs of our
2 existing gas system over the next several years,
3 which of course will also save consumers, and
4 ratepayers in particular, significantly more
5 money.

6 We also know that the cost of
7 natural gas and oil have continued to skyrocket
8 while the costs of alternative and renewable
9 energy options have been decreasing in cost. So
10 every move we make away from our traditional
11 system to a system not dependent on an old,
12 leaky, needing-to-be-repaired, incredibly
13 expensive gas system with the cost of gas being
14 so high, into newer systems that are renewable,
15 are going down in cost, and again, of course, are
16 not doing massive damage to the environment of
17 the State of New York.

18 So it's a win for ratepayers. It's
19 a win for the environment. And it's just smart
20 public policy that's consistent with the other
21 laws that we have passed in this state.

22 SENATOR BORRELLO: Mr. President,
23 on the bill.

24 ACTING PRESIDENT BAILEY: Senator
25 Borrello on the bill.

1 SENATOR BORRELLO: First of all,
2 Senator Krueger, thank you again for engaging on
3 this.

4 You know, I see that on one hand
5 we're going to save money by converting -- going
6 away from gas to electric. Yet -- and I believe
7 the number that Senator Krueger gave was \$150
8 billion to not have to upgrade that
9 infrastructure.

10 But it reminds me of the fact that
11 we do not have the infrastructure in place to
12 electrify New York State, and that cost is
13 probably going to exceed \$1 trillion based on the
14 simple math that was somehow missed by the
15 Climate Action Council in their estimate. So
16 we're going to spend a trillion to save
17 150 billion. I don't think that's a good idea.

18 But more importantly, this is going
19 to actually start the dismantling of our natural
20 gas infrastructure. In Western New York, where
21 I'm from, that is the number-one way to heat your
22 home.

23 We also have abundant natural gas
24 here. It's cleaner, it's lower in emissions.
25 And the bottom line is we do not have the ability

1 to do this. And this is going to start pushing
2 it up, starting in 2025. And if you look at the
3 calendar, it's 2023. I don't see how we're going
4 to be able to, in two years, start improving
5 things.

6 And then there's the question of
7 what's affordable when it comes to heating our
8 homes and running our businesses, manufacturing.
9 And the response was, Well, it's -- the cost of
10 renewable energy is going down. It's going down
11 because taxpayers have to subsidize it, to the
12 tune of hundreds of billions of dollars a year.
13 They have to subsidize the construction of these
14 facilities, these installations, and they have to
15 perpetually subsidize every single kilowatt that
16 is produced. It's really going to be massive tax
17 burdens on New Yorkers and everyone that supports
18 this.

19 So really we're talking about trying
20 to save someone potentially money on their gas
21 bill or on their electric bill after they have to
22 pay a lot more in taxes to subsidize that
23 electric bill. So the math just doesn't make
24 sense.

25 But more importantly, we will not be

1 able to continue to have the quality of life that
2 we have in New York State without natural gas.
3 We will not be able to have the manufacturers
4 that are here in New York State remain without
5 natural gas. For those that think, oh, they'll
6 just simply convert to electricity, that's not
7 going to happen either.

8 So right now if you are in economic
9 development in New York State and you are trying
10 to attract a new plant like the Great Lakes
11 Cheese plant that's being built right now in my
12 district, you have to tell them: I'm sorry, this
13 is going to be a problem for you because it's
14 likely that the natural gas infrastructure that
15 you need to actually continue to build this plant
16 and actually provide those jobs, provide that
17 economic impact, isn't going to be there. That's
18 the troubling part of all this.

19 So I'll be voting no.

20 Thank you, Mr. President.

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

23 Senator Mattera. Senator Mattera on
24 the bill, or are you asking the sponsor to yield?

25 SENATOR MATTERA: I'd like to

1 yield -- if the Senator would yield for a couple
2 of questions. May I? Thank you, Mr. President.

3 ACTING PRESIDENT BAILEY: Yes, sir.
4 Will the sponsor yield?

5 SENATOR KRUEGER: Yes, I am happy
6 to answer Senator Mattera's questions.

7 ACTING PRESIDENT BAILEY: The
8 sponsor yields.

9 SENATOR MATTERA: Senator Krueger,
10 thank you so much.

11 And, you know, I was just listening
12 to the debate with you and Senator Borrello. My
13 question is, where did you get your facts and
14 figures from? You got some big numbers. And
15 where did you get your research from?

16 SENATOR KRUEGER: So we have had a
17 series -- we've had a series of hearings around
18 the CLCPA and the scoping plan, with experts
19 testifying that were on the scoping commission
20 who spent three years -- two years? -- three
21 years doing the evaluation and the math.

22 And so we also had -- so we had a
23 full hearing -- I think you were at it, actually.
24 And then we of course had the budget hearing that
25 also had extensive discussion around the costs

1 and advantages of the shifts required under the
2 CLCPA.

3 I can get you all that testimony
4 again, although I think it's all online
5 because both hearings, all of the testimony
6 submitted -- and many were scientists who
7 submitted that testimony -- is already online. I
8 don't have it all here for you tonight.

9 SENATOR MATTERA: Through you,
10 Madam President, would the sponsor continue to
11 yield, please.

12 ACTING PRESIDENT MAYER: Senator
13 Krueger, do you yield?

14 SENATOR KRUEGER: I do.

15 ACTING PRESIDENT MAYER: The
16 Senator yields.

17 SENATOR MATTERA: Senator, do we
18 have any exemptions at all with your bill?

19 SENATOR KRUEGER: Well, there's
20 exemptions in the sense that the PSC will have
21 the ability to say, You have made an argument for
22 why you need this, and it meets our standards,
23 and we will say yes.

24 So yes. The answer is yes.

25 SENATOR MATTERA: Through you,

1 Madam President, would the sponsor continue to
2 yield.

3 ACTING PRESIDENT MAYER: Do you
4 continue to yield?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT MAYER: The
7 sponsor yields.

8 SENATOR MATTERA: We discussed
9 also, too, about emergency power and everything
10 like that. So, you know, with our generators,
11 backup generators and everything like -- you
12 know, things of that sort.

13 Are -- so again, so you're saying
14 that the PSC will determine that. So are people,
15 when they're denied, are they going to be able to
16 appeal anything with it? Or how is this going to
17 work?

18 SENATOR KRUEGER: So currently if
19 the PSC denies you something you ask for, you
20 have an appeal process, and I believe it will be
21 the exact same appeal process.

22 And as far as, you know, backups --
23 I think you said the word "backup." But just for
24 the record, the New York Independent System
25 Operator, NYISO, has determined we have

1 sufficient capacity to maintain reliability
2 everywhere in the state going forward and that
3 NYSERDA has assured us many times we have enough
4 renewable generation in the queue to meet our
5 70 percent renewable standard by 2030.

6 So I am very confident that we have
7 the ability to give the PSC the authority to do
8 this, to make exceptions when they're required,
9 to say, Oh, maybe that geographic area has a
10 different need, maybe that specific business has
11 a specific need, maybe something else has
12 happened for the good or the bad. We're not
13 tying their hands. We are giving them all that
14 authority to move forward with -- based on their
15 expertise.

16 SENATOR MATTERA: Through you,
17 Madam President, would the sponsor continue to
18 yield for one more question.

19 ACTING PRESIDENT MAYER: Do you
20 continue to yield?

21 SENATOR KRUEGER: I certainly do.

22 ACTING PRESIDENT MAYER: The
23 sponsor yields.

24 SENATOR MATTERA: Senator, are you
25 aware of what happened with Berkeley, California,

1 with the lawsuit with the Restaurant Association.

2 SENATOR KRUEGER: Very familiar.

3 SENATOR MATTERA: Are you concerned
4 at all that this is going to happen the same in
5 New York State?

6 SENATOR KRUEGER: No. It has been
7 clarified for me, through multiple attorneys,
8 that the decision that was made in Berkeley,
9 California, does not relate. That's a
10 Ninth Circuit decision for an overturning of a
11 specific approach to the law that was made in
12 Berkeley, California.

13 That is not the approach we are
14 using here. And that we are not under the
15 jurisdiction of that circuit court. And so I'm
16 quite sure that that does not apply to New York.

17 SENATOR MATTERA: Madam President,
18 on the bill.

19 ACTING PRESIDENT MAYER: Senator
20 Mattera on the bill.

21 SENATOR MATTERA: And I thank you,
22 Senator Krueger.

23 We've been to hearings and, you
24 know, I've been vocal about this, being the
25 ranker on Energy. And this is very concerning to

1 all New Yorkers. All this is doing is leading to
2 New Yorkers to pay triple to quadruple their
3 electric bills.

4 And, you know, I'm very, very
5 concerned because I'm still not getting the
6 answer from anybody, who is going to be paying
7 for this, all of this renewable energy moving
8 forward. I am for renewable energy, especially
9 with green hydrogen, nuclear, all kinds of
10 different renewable energies. But when we have
11 just wind and solar and battery storage, it's not
12 going to be doing what's happening here. It's
13 the cart before the horse.

14 All New Yorkers need to understand
15 that we need to be vocal about this, because all
16 this is doing is stopping for you to use natural
17 gas for our future, to mandate. New Yorkers do
18 not need to have mandates.

19 So I will be voting a hundred
20 percent no on this bill. I would wish all of my
21 colleagues to make sure they vote no on this
22 bill, because we are hurting all New Yorkers'
23 pocketbooks. We need a plan, not a ban.

24 Thank you very much.

25 ACTING PRESIDENT MAYER: Thank you,

1 Senator Mattera.

2 Are there any other Senators wishing
3 to be heard?

4 Seeing and hearing none, debate is
5 closed. The Secretary will ring the bell.

6 Read the last section.

7 THE SECRETARY: Section 15. This
8 act shall take effect immediately.

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Senator
13 Krueger to explain her vote.

14 SENATOR KRUEGER: Thank you,
15 Madam President.

16 I want to thank all my colleagues
17 for -- or those of you who are supporting this
18 bill tonight. Again, you know, we're living in
19 New York State on a day where the air quality was
20 rated so bad that people were advised to stay
21 inside. The fires that are burning in Quebec, we
22 can see the smoke and smell the smoke here in
23 Albany.

24 We are already spending hundreds of
25 billions of dollars in this country every year

1 just to try to mitigate the damage that is being
2 done. The scientists are so clear of what we
3 have to do, which is replace our dependence on
4 oil and gas with other safer and cleaner
5 products. We've been saying this now for
6 multiple years and moving really important
7 legislation through both houses and signed by the
8 Governor into law.

9 We're in a very good position
10 compared to most states in the country to be
11 successfully moving forward.

12 But despite all of that, when you
13 read this bill in the detail sections, if you
14 like, you will see there is nothing in here that
15 doesn't allow the PSC to make exceptions or to
16 change policies midstream in any specific
17 circumstance if there aren't alternatives. We
18 have been consistent on this side of the aisle,
19 and in hearings and working with the PSC and the
20 commissioners on the scoping document, that
21 reliability is our top priority, along with the
22 need to transition.

23 And this bill isn't even a tough one
24 when it comes to continuing transition,
25 protecting reliability. We have hard decisions

1 we will continue to have to make on our energy
2 path, no question about it, but this isn't even
3 one of the big lifts.

4 So thank you all who are voting yes,
5 and I hope that my colleagues who are voting no
6 will reconsider as we move down this road.
7 Because guess what? We have no choice. There is
8 no Planet B. We are fighting for our children,
9 our grandchildren, and the future of our planet.

10 I vote yes. Thank you,
11 Madam President.

12 ACTING PRESIDENT MAYER: Senator
13 Krueger to be recorded in the affirmative.

14 Senator May to explain her vote.

15 SENATOR MAY: Thank you,
16 Madam President.

17 And I want to express my deep
18 gratitude to Senator Krueger and to all the staff
19 who worked so hard on this really important piece
20 of legislation.

21 Just imagine if your cellphone bill
22 included a surcharge for running new landlines to
23 everybody's house and apartment even if they
24 didn't need it. Or imagine you're in the 1930s
25 and you pay a monthly charge for your car that

1 goes to installing horse stables in everyone's
2 house.

3 This is about recognizing when
4 something becomes obsolete and moving on. And as
5 Senator Krueger said so eloquently, we do not
6 have a choice but to move on from fossil fuels
7 right now. This creates an orderly way to do it,
8 a plan for doing it. And it is just pure common
9 sense.

10 I am proud to vote aye on this bill.
11 Thank you.

12 ACTING PRESIDENT MAYER: Senator
13 May to be recorded in the affirmative.

14 Senator Rhoads to explain his vote.

15 SENATOR RHOADS: Thank you,
16 Madam President.

17 With all due respect to my
18 colleagues on the other side of the aisle, there
19 is no Plan B because you're killing it. There is
20 no alternative. And we're setting up a
21 circumstance where there will be no alternative
22 to being fully electric.

23 Make no mistake. This bill is just
24 one small step towards a process of eliminating
25 our choice as consumers from being able to have

1 access to clean, safe, dependable and plentiful
2 natural gas, which we have relied upon for
3 generations.

4 When we're told that no one's coming
5 after your gas stove, they are. When we're told
6 that you, even under the CLCPA, will be able to
7 have access, in the event of an emergency, to a
8 backup generator that is powered by natural gas,
9 you won't.

10 And how do we guarantee that that's
11 going to happen? By a bill just like this. By
12 dismantling the infrastructure that would be able
13 to provide you with that natural gas for your
14 stove or in the event of an emergency. By making
15 sure that it's no longer profitable or possible
16 for gas providers to maintain those lines.

17 And so while you're being told that
18 you're being offered a choice, you have no
19 choice. And this bill is yet another step in
20 that direction.

21 So on this side of the aisle I think
22 we all understand what's happening here. And we
23 need the public to understand what's happening
24 here. I will be voting no against this bill
25 because it's a path that we're taking towards a

1 darker future, not a brighter one.

2 ACTING PRESIDENT MAYER: Senator
3 Rhoads to be recorded in the negative.

4 Senator Martins to explain his vote.

5 SENATOR MARTINS: Thank you,
6 Madam President. I rise to explain my vote.

7 I'll be voting no on this bill. Not
8 because I'm not concerned about the environment,
9 not because I don't understand the responsibility
10 we have in our daily lives to protect the
11 environment and to ensure that we leave this
12 world a better place for our children than we
13 found it, but because I'm concerned about the
14 safety of my constituents. Certainly
15 representing a district that is located on an
16 island that juts out into the middle of the
17 Atlantic, that is susceptible to hurricanes and
18 nor'easters, having an electric distribution
19 system that actually is above ground, surrounded
20 by trees, I know all too well that when we hit
21 and get a storm, that those tree limbs come down,
22 those lines come down, and there is no
23 alternative.

24 Now, it's bad enough in the
25 summer -- and we do have problems in peak times

1 in the summer when we have extraordinarily hot
2 summers -- for the electric system to actually
3 keep up with demand. Now, if you add heat to
4 that -- that is, the ability to heat our homes in
5 the winter when we do have those cold days in
6 January and February that we all know -- in a
7 system that isn't reliable and we don't have
8 access to natural gas, people are going to get
9 hurt. Our residents are going to be hurt, or
10 worse.

11 And so we're not there yet. I think
12 we all understand there's a process in place. I
13 think we all understand that we have a
14 responsibility to make sure that that process
15 works. But we have to make sure that it's a
16 responsible process and not one that kowtows to a
17 false schedule that we're not able to meet.

18 So in speaking to our providers
19 locally, they've told us -- certainly they've
20 told me -- we cannot meet that schedule, we will
21 not have a viable grid that can meet the needs of
22 the 1.1 million customers, several million people
23 who live on Long Island and get their energy
24 through the Long Island Power Authority. So what
25 are we supposed to do?

1 Madam President, I'll be voting in
2 favor of my constituents, their safety, to ensure
3 that they have heat and electricity and have
4 access to power. I'll be voting no.

5 ACTING PRESIDENT MAYER: Senator
6 Martins to be recorded in the negative.

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar 1627, those Senators voting in the
10 negative are Senators Ashby, Borrello,
11 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
12 Lanza, Mannion, Martins, Mattera, Murray,
13 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
14 Rolison, Ryan, Stec, Tedisco, Walczyk, Weber and
15 Weik.

16 Ayes, 39. Nays, 23.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 Senator Gianaris, that completes the
20 reading of -- that completes something.

21 (Laughter.)

22 SENATOR GIANARIS: It completes
23 Calendar 1627.

24 Madam President, we're going to now
25 call an immediate joint meeting of the Committees

1 on Finance and Energy in Room 124.

2 And then we will proceed to take up
3 the remaining bills on the controversial calendar
4 in calendar-number order.

5 ACTING PRESIDENT MAYER: There will
6 be a joint meeting of the Finance and Energy
7 Committees in Room 124.

8 The Secretary will ring the bell.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 470, Assembly Bill Number 3340, by
12 Assemblymember Cruz, an act to amend the
13 Penal Law.

14 ACTING PRESIDENT MAYER: Senator
15 Palumbo, why do you rise?

16 SENATOR PALUMBO: Thank you,
17 Madam President. I was wondering if the sponsor
18 would yield for a few questions, please.

19 ACTING PRESIDENT MAYER: I'm sorry,
20 one minute.

21 Senator Gianaris.

22 SENATOR GIANARIS: Just a moment,
23 please.

24 (Pause.)

25 ACTING PRESIDENT MAYER: One

1 minute, please.

2 SENATOR GIANARIS: Madam President,
3 we're ready to proceed.

4 ACTING PRESIDENT MAYER: The
5 sponsor yields.

6 SENATOR PALUMBO: Thank you,
7 Chairman.

8 With respect to this bill, I'll kind
9 of generalize the main provisions, if I may, that
10 it does basically two things, is my
11 understanding. It removes the penetration
12 requirement for rape, which I know advocates and
13 district attorneys have been calling for for
14 years, and it also consolidates the criminal
15 sexual act statutes with the rape statute.

16 Is that generally accurate? Through
17 you, Madam President.

18 SENATOR HOYLMAN-SIGAL: Through
19 you, Madam President, yes.

20 You know, I just wanted to say that
21 there's someone at the center of this issue,
22 which my colleagues may or may not know about,
23 because this bill has never made it to the Senate
24 floor. It's been passed by the other house for
25 10 years consecutively. And I want to give

1 credit to former Assemblymember Aravella Simotas
2 and our current sponsor, Catalina Cruz, for all
3 of their efforts at the start of this.

4 But the brave survivor at the center
5 of this legislative change is a woman named
6 Lydia Cuomo. In the early morning of August 19,
7 2011, when she was 25 years old, Ms. Cuomo was
8 about to start her day as a schoolteacher and was
9 waiting outside for her principal to give her a
10 ride.

11 She was approached by an off-duty
12 police officer named Michael Pena who had been
13 out drinking the night before and asked her to
14 accompany him to a nearby subway. When she
15 refused, he brandished his police-issued
16 9-millimeter Glock handgun and forced her down an
17 alleyway where, holding a gun to her head, he
18 violated her in every way imaginable, threatening
19 to shoot her in the face if she screamed or if
20 she opened her eyes.

21 A day after Mr. Pena was convicted
22 of sexually assaulting Ms. Cuomo, a New York
23 State Supreme Court justice declared a mistrial
24 on the remaining two counts of rape and related
25 charges that had left the jury deadlocked. The

1 jury was divided on two rape counts, which
2 required a finding that Pena had vaginally
3 penetrated the victim, despite overwhelming
4 evidence of forcible, nonconsensual sexual
5 conduct against the victim, Pena was not
6 convicted of rape but instead of the lesser
7 charges of criminal sexual assault and predatory
8 sexual assault.

9 We're changing that today. I know
10 that's a long-winded answer to your question, to
11 my colleague on the other side of the aisle. But
12 I think it's very important to frame this issue
13 in the context of its shorthand definition, which
14 is: Criminal sexual acts, which is what in the
15 end Mr. Pena was charged with, don't describe
16 accurately the reality of rape. And that's why
17 we call it "Rape is Rape."

18 SENATOR PALUMBO: Thank you,
19 Chairman.

20 Will the sponsor continue to yield,
21 Madam President?

22 ACTING PRESIDENT MAYER: Do you
23 continue to yield?

24 SENATOR HOYLMAN-SIGAL: Yes.

25 ACTING PRESIDENT MAYER: The

1 sponsor yields.

2 SENATOR PALUMBO: And I certainly
3 appreciate that, Chairman. You and I now have
4 known each other for a few years. You know that
5 I at one time was a prosecutor. And that was
6 always an issue, the penetration issue.

7 And I'm just really glad to see --
8 because as I said, I know advocates and district
9 attorneys have been calling for that
10 clarification, because there was always a
11 penetration aspect to it that was not always an
12 easy thing to prove, particularly when you're
13 dealing with child victims. So that aspect of
14 this bill is a long time coming, and I think
15 we're all happy to see that.

16 The second aspect of it is where
17 I've had some -- I've seen some concerns from
18 both sides, victim's advocates, even some defense
19 attorneys, as well as prosecutors.

20 So regarding renaming the statutes
21 and combining them all, can you tell me why that
22 was necessary or why we're doing that all in one
23 bill?

24 SENATOR HOYLMAN-SIGAL: Well,
25 again, this bill has been around for over

1 10 years. And we are changing the statute to
2 more accurately reflect the heinous acts that
3 Ms. Cuomo and others have undergone.

4 It makes no sense that, for example,
5 as a member of the LGBTQ community, if I am
6 anally raped, it's not considered rape by the
7 statute. And we want to change that definition
8 because these words have a lot of weight in our
9 society. And frankly, the term "criminal sexual
10 act" just doesn't cut it. We need to define that
11 for what it is.

12 SENATOR PALUMBO: Will the sponsor
13 continue to yield.

14 ACTING PRESIDENT MAYER: Do you
15 continue to yield?

16 SENATOR HOYLMAN-SIGAL: Yes.

17 ACTING PRESIDENT MAYER: The
18 sponsor yields.

19 SENATOR PALUMBO: And thank you,
20 Senator. And I do appreciate that. And through
21 you, Madam President, that is something that I
22 know at one point back in the day when I was
23 handling these types of cases, it was called
24 sodomy, and then that was changed to criminal sex
25 act. And that led to a significant amount of

1 confusion amongst manners in which individuals
2 were charged.

3 So the concern I have is that it
4 might just be easier -- it would certainly be
5 easier, I think, instead of overhauling all the
6 statutes, to just change possibly the title,
7 even, to rape by means of oral or anal conduct.
8 Has that been considered at all by the sponsor?

9 SENATOR HOYLMAN-SIGAL: Well, and
10 I -- through you, Madam President, we are in
11 effect doing that, I would argue. And I know
12 that's been a suggestion of the District
13 Attorneys Association.

14 I'll say that in the Criminal
15 Procedure Law it does provide a statutory
16 provision which defines the offense named and the
17 title thereof by providing in different
18 subdivisions or paragraphs different ways in
19 which such named offense may be committed,
20 defining a separate offense in each such
21 subdivision or paragraph.

22 But that's exactly what this bill
23 does. There's vaginal, oral and anal sexual
24 contact are each separate subdivisions, and
25 therefore separate offenses under the rape

1 statutes.

2 So I think there's a misconception
3 that consecutive charges cannot be levied on a
4 defendant. In fact, they can. And you can get
5 consecutive rape charges if -- if -- different
6 counts, if the district attorney would make
7 those -- make that charge very specifically. And
8 I think that is possible under this bill.

9 SENATOR PALUMBO: Thanks for
10 clarifying that, Chairman.

11 On the bill, please,
12 Madam President.

13 ACTING PRESIDENT MAYER: Senator
14 Palumbo on the bill.

15 SENATOR PALUMBO: Thank you.

16 And Senator Hoylman, I know this is
17 something that I remember all my years in the
18 Assembly with Assemblywoman Simotas, and she was
19 a strong advocate for this.

20 And this is important. And those
21 victims that you described deserve their justice.
22 Criminal sexual act, even though it's the same
23 level crime, it almost doesn't -- it doesn't
24 really cut it, as you said. It really is not --
25 it doesn't sound like it's fair, it doesn't

1 provide the justice and the severity of a rape.

2 And my concern is this -- and I'm
3 going to vote for this bill, because the
4 ideas are a long time coming and they're
5 absolutely necessary. And I think we should
6 absolutely support this.

7 The only wrinkle I have is
8 separating out and not completely revamping the
9 statute. And I'll tell you why. When sodomy
10 went to course of conduct or sexual conduct, the
11 course of sexual conduct cases had a lot of
12 problems. And there were problems charging. And
13 all they really did was change the name, and that
14 was much less significant than what we're doing
15 here.

16 I think a very simple fix would be
17 let's fix the penetration issue, that it's not
18 required, number one. That should be done in and
19 of itself. I like the name -- just renaming the
20 sexual conduct statute itself. But here's the
21 wrinkle. If you have someone who is experiencing
22 this horror for years and years and years,
23 particularly with child victims, you have
24 situations where they'll say, I was about 7 or 8
25 years old, maybe in the summertime. They have

1 general ideas of when -- and you can charge, in
2 2014 this took place, because there is no
3 statement of limitations, of course, so these can
4 go on years and years after the fact you can
5 charge someone.

6 So if you're trying to now discern
7 when this act took effect, what is the proper
8 charge, you can have problems with indictments.
9 And in fact this was expressed by NOW-New York
10 City, by Sonia Ossorio; by Jane Manning at the
11 Women's Equal Justice Project. And obviously
12 those are individuals who are extremely well
13 versed and extremely bright when it comes to
14 these issues.

15 And so the fact that there's almost
16 unison on both sides saying great news, I'm so
17 glad that we are fixing the penetration issue to
18 make proof easier -- but they're very concerned
19 with the second aspect of this.

20 And I agree with you, I and my
21 colleagues, I think we all do agree that in order
22 for justice to be served, it's rape, period, with
23 what happens in those other types of violative
24 acts. So I do definitely appreciate this bill,
25 as I said. I will be voting yes.

1 But I would strongly suggest that we
2 consider some amendments and just cleaning that
3 up a little bit to avoid confusion in the future.
4 Because this is -- I'm talking 10 years down the
5 road there may be some real concerns trying to
6 properly charge these crimes.

7 Thank you, Madam President.

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

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

12 Read the last section.

13 THE SECRETARY: Section 66. This
14 act shall take effect January 1, 2024.

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 470, those Senators voting in the
22 negative are Senators Brisport, Gonzalez, O'Mara
23 and Salazar.

24 Ayes, 58. Nays, 4.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 622, Senate Print 4922, by Senator Sepúlveda, an
5 act to amend the Public Health Law.

6 ACTING PRESIDENT MAYER: Senator
7 Gallivan.

8 SENATOR GIANARIS: Madam President,
9 because Senator Gallivan is at the committee
10 meeting we just called, we're going to skip to
11 Calendar 1045, by Senator Myrie.

12 ACTING PRESIDENT MAYER: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 1045, Senate Print 213B, by Senator Myrie, an act
16 to amend the Agriculture and Markets Law.

17 ACTING PRESIDENT MAYER: Senator
18 Borrello, why do you rise?

19 SENATOR BORRELLO: Madam President,
20 will the sponsor yield for a question.

21 ACTING PRESIDENT MAYER: Senator
22 Myrie, do you yield?

23 SENATOR MYRIE: Yes.

24 ACTING PRESIDENT MAYER: The
25 Senator yields.

1 SENATOR BORRELLO: Through you,
2 Madam President. Thank you, Senator Myrie.

3 A question, this bill speaks about
4 the "rewarding cues" of unhealthy food marketing.
5 Can you explain what a rewarding cue is?

6 SENATOR MYRIE: Through you,
7 Madam President, I believe you're referencing the
8 "Justification" memo that talks about the
9 vulnerability of children and the development
10 that happens at that age.

11 The United States Surgeon General
12 just produced a report and an advisory on the
13 dangers of social media on the minds of children,
14 and in that report details that our children are
15 indeed different on how they receive outside
16 cues. And that in that special development
17 period, seeing an advertisement sometimes does
18 not come across as an advertisement but comes
19 across as fact. And that ability to discern
20 between what is fact, what is simply talk or an
21 attempt to influence, is what we're referencing
22 when it speaks of reward cues and the behaviors
23 of children.

24 SENATOR BORRELLO: Madam President,
25 will the sponsor continue to yield?

1 ACTING PRESIDENT MAYER: Senator
2 Myrie, do you yield?

3 SENATOR MYRIE: Yes.

4 ACTING PRESIDENT MAYER: The
5 Senator yields.

6 SENATOR BORRELLO: So you said that
7 the advertising is somehow fact. I guess I'm
8 trying to determine, you know, what that means.

9 What do you mean when you're saying
10 "reward cue"? When I think of something being a
11 rewarding cue, I really don't know what that is,
12 other than from an advertising standpoint you're
13 saying that there is some kind of a benefit for
14 either consuming something or engaging in a
15 certain habit. So how does that pertain to this
16 particular bill?

17 SENATOR MYRIE: Through you,
18 Madam President. And I just want to make sure
19 I'm understanding the question correctly. Are
20 you asking what a reward cue is more broadly? Or
21 are you referencing what that means within the
22 context of this bill?

23 SENATOR BORRELLO: Madam President,
24 can I respond to that clarification?

25 ACTING PRESIDENT MAYER: Yes,

1 Senator Borrello.

2 SENATOR BORRELLO: Okay. Yes,
3 through you, Madam President. So I guess what
4 I'm saying is how is -- someone has to enforce
5 this. And when you're talking about rewarding
6 cues as being a trigger for something that would
7 be potentially actionable by the Department of
8 Health or whoever else would be -- Department of
9 Agriculture -- would be enforcing this, what is
10 that -- how do you define that so that we can
11 make sure that it's properly being enforced?

12 SENATOR MYRIE: Through you,
13 Madam President. Thank you for that
14 clarification, Senator Borrello.

15 I want to make clear that that is
16 not the centerpiece of the enforcement action.
17 If you look at the bill, we require several
18 factors to be present to determine whether or not
19 there will be enforcement under the Predatory
20 Marketing Prevention Act.

21 First, we use almost verbatim the
22 standard used by the FTC, which is a three-part
23 test. That is the substantial injury test that
24 requires you to go through several steps before
25 you make a determination. One, the injury has to

1 be substantial; two, it cannot be outweighed by a
2 countervailing benefit; and three, it has to
3 be -- the consumer cannot have reasonably avoided
4 this.

5 And if you then fall into that
6 scope, there is a further test and further
7 factors laid out in the second section of the
8 bill that is also lifted from FTC regulations, to
9 determine whether or not you are targeting a
10 vulnerable consumer. And that goes through the
11 whether -- the type of characters that you're
12 using in that advertisement, what sort of role
13 models you're using, if any, the colors,
14 cartoons, et cetera.

15 So we are pretty prescriptive in
16 what would fall under this. And we have done so
17 in a way that matches almost identically with
18 what the federal regulations are.

19 So it's not just about the rewarding
20 cue, but it is about the totality of the impact
21 of that advertisement.

22 SENATOR BORRELLO: Madam President,
23 will the sponsor continue to yield?

24 ACTING PRESIDENT MAYER: Do you
25 continue to yield?

1 SENATOR MYRIE: Yes.

2 ACTING PRESIDENT MAYER: The
3 sponsor yields.

4 SENATOR BORRELLO: Can you give me
5 an example of something that would be
6 considered -- you know, an item that's being
7 advertised to children that we would -- you know,
8 that would be impacted by this?

9 SENATOR MYRIE: Through you,
10 Madam President. You know, I'm -- oftentimes
11 when we discuss these bills where we are giving
12 the court the ability to examine a particular
13 thing or an enforcement issue, I am loath to give
14 exact examples because I don't want to preclude
15 this.

16 This is necessarily a case-by-case
17 basis. And given the factors that I just
18 mentioned, if you run through those, I think you
19 will be able to determine if that advertisement
20 falls under this.

21 Let me step back for a second and
22 say that the underlying principle, the guiding
23 principle of this bill is that certain industries
24 spend billions of dollars targeting the most
25 vulnerable consumers amongst us, literally

1 billions of dollars. And these consumers happen
2 to be incredibly vulnerable. They are our
3 children. And when we talked about the reward
4 cues, other vulnerabilities, it's important that
5 we protect our children from false and misleading
6 advertisements. And that is why we are beefing
7 up our current false advertising laws both in the
8 Ag & Markets Law and in our General Business Law,
9 in order to protect them.

10 And so I think it's important for us
11 to be guided by the factors as laid out here.
12 And I would note that it is simply an addition to
13 already existing false advertising regimes in our
14 statutes.

15 SENATOR BORRELLO: Madam President,
16 will the sponsor continue to yield?

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR MYRIE: Yes.

20 ACTING PRESIDENT MAYER: The
21 sponsor yields.

22 SENATOR BORRELLO: All right. So
23 if we're not going to target certain items -- you
24 know, this bill speaks about, you know, false
25 advertising and it mentions things like music.

1 Can you explain what kind of music would trigger
2 liability under this law?

3 SENATOR MYRIE: Through you,
4 Madam President, I would repeat the refrain of
5 being wary of giving exact examples.

6 But I would note that this is the
7 exact standard that is used by the FTC when
8 examining online activity targeted at our
9 children.

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

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield?

14 SENATOR MYRIE: Yes.

15 ACTING PRESIDENT MAYER: The
16 sponsor yields.

17 SENATOR BORRELLO: Can you give me
18 any kind of an example? I mean, we have to have
19 some kind of guidance here for this bill to be
20 properly enforced. I mean, what kind of subject
21 matter or visual content would trigger liability?
22 What kind of language being used? Can you give
23 me anything that can define what will trigger
24 liability on the part of a food advertiser?

25 This is very important. I know

1 you're saying FTC guidelines, but New York is
2 looking to go beyond that with this bill.

3 SENATOR MYRIE: Through you,
4 Madam President, I would respectfully disagree
5 that we are going beyond. We are matching what
6 the federal regulatory system is.

7 And I can hypothesize as to what
8 might be characterized as an advertisement
9 directed at a child. We all know what is a
10 commercial or an advertisement intuitively
11 directed at children, and those advertisements
12 tend to have the same characteristics. They tend
13 to be brightly colored. They tend to match other
14 areas of children's lives where they see music or
15 other visual content.

16 And this is not just me
17 hypothesizing. The food industry spends billions
18 of dollars figuring out how best to market to
19 children. This is not just me saying that.
20 There have been studies that have demonstrated
21 this. There are studies that point to industry
22 conducting tests on children to determine what
23 would be most palatable to them.

24 So this is not a made-up thing.
25 This is something that the industry focuses on.

1 And I will point out that they particularly focus
2 on Black and brown communities. Black and brown
3 children are almost four times more likely to see
4 advertising for junk food than their white
5 counterparts. Again, these are facts, not me
6 hypothesizing.

7 So I think we have a lot of material
8 to point to, to see what might be examples of
9 this type of targeted advertising.

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

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield?

14 SENATOR MYRIE: Yes.

15 ACTING PRESIDENT MAYER: The
16 sponsor yields.

17 SENATOR BORRELLO: So the law
18 speaks to, like, celebrities and so forth that
19 might appeal to children. I mean, you know, so
20 you're saying like a high-sugar cereal that might
21 use, I don't know, you know, a famous athlete or,
22 you know, Batman or Spider-Man. Would that then
23 trigger a liability?

24 I mean, I'm sure Senator Gianaris
25 and I would like the Batman or Spider-Man

1 references on the high-sugar cereal.

2 SENATOR MYRIE: Through you,
3 Madam President, I have no -- or take no offense
4 to sugared cereal. And I think people should be
5 able to eat that if they so desire.

6 But I would shift our focus back to
7 what this is meant to do. It is meant to detect
8 false and misleading advertisements targeted at
9 our children. And so in order for this to even
10 fall under the ambit of the bill, you have to be
11 false or misleading. And what we are doing in
12 this bill is defining that more -- in a more
13 detailed fashion, to match what the federal
14 regulations are.

15 SENATOR BORRELLO: Madam President,
16 will the sponsor continue to yield?

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR MYRIE: Yes.

20 ACTING PRESIDENT MAYER: The
21 Senator yields.

22 SENATOR BORRELLO: So if this is
23 matching FTC guidelines, why is this bill needed
24 in New York State?

25 SENATOR MYRIE: Through you,

1 Madam President, because a third of New York
2 children are obese. We saw over the COVID-19
3 pandemic that there were young children suffering
4 disproportionately from hypertension, lung
5 disease, things exacerbated by the
6 overconsumption of unhealthy and/or
7 ultra-processed food.

8 We have a children's health crisis
9 in this state, and the government has a very
10 substantial and strong interest in using every
11 tool at its disposal to help mitigate that
12 crisis.

13 SENATOR BORRELLO: Madam President,
14 will the sponsor continue to yield?

15 ACTING PRESIDENT MAYER: Do you
16 continue to yield?

17 SENATOR MYRIE: Yes.

18 ACTING PRESIDENT MAYER: The
19 Senator yields.

20 SENATOR BORRELLO: Well, again, I'm
21 asking why we have to go beyond what the FTC --
22 or why we need this bill if the FTC is already
23 regulating it.

24 But I guess my last question is,
25 does this bill create a private right of action?

1 SENATOR MYRIE: Through you,
2 Madam President. I'm sorry, can you repeat the
3 question?

4 SENATOR BORRELLO: That's okay.
5 Does this bill create a private right of action?

6 SENATOR MYRIE: Through you,
7 Madam President, it does not.

8 And I want to point out this point
9 of agreement. When this bill came up in the
10 Agriculture Committee last year, Senator Borrello
11 brought up the private right of action and said
12 that he had some concerns about this. And I
13 agreed. We removed that, so that we could take
14 the focus off of the private right of action and
15 focus on the protection of our children and
16 having the government enforce this law.

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

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

21 SENATOR BORRELLO: Thank you,
22 Senator Myrie. I want to also sincerely thank
23 you for, you know, that amendment that removed
24 that private right of action. Thank you very
25 much.

1 With that being said, I think we all
2 have concerns. There is a child health crisis,
3 there's no doubt about it. I think we all have
4 concerns about that. I think in our fast-paced
5 lifestyle we lose track of the fact that we need
6 to have good, wholesome food for our children,
7 particularly in those development years.

8 That being said, I still have
9 concerns with this bill, having to do with what
10 will actually trigger the liability. I think
11 this is well-intentioned. I think that we need
12 to head down this road. I'm very supportive of
13 things like our Double Up Food Bucks program to
14 get more people that are on SNAP to, you know,
15 our local food -- farmers markets to get healthy
16 food grown locally.

17 So those are all good initiatives.
18 I think we should focus on that. I think we
19 should focus on encouraging people. Because if
20 I'm not mistaken, SNAP still allows the purchase
21 of junk food with those SNAP benefits, that you
22 can buy prepared foods now that in fact I think
23 that was recently added, that you can buy
24 prepared foods at grocery stores which typically
25 are not as healthy as buying, you know, and

1 making something at home.

2 So I think this particular bill is
3 targeting one area, and we may have a long way to
4 go to ensure that our children are eating
5 healthy. So like I said, I agree with the spirit
6 of this, but I still think there are some issues,
7 so I'll be voting no.

8 Thank you.

9 ACTING PRESIDENT MAYER: Are there
10 any other Senators wishing to be heard?

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

13 Read the last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Senator
20 Myrie to explain his vote.

21 SENATOR MYRIE: Thank you,
22 Madam President.

23 And thank you, Senator Borrello, for
24 the questions.

25 About two years ago on Halloween Day

1 I dressed up as a carrot announcing the
2 introduction of this bill, and it subsequently
3 became known as the Carrot Bill.

4 And I'm very proud of this effort
5 because this is, at its core, about protecting
6 the most vulnerable amongst us, and that of
7 course is our children.

8 The place where I announced the
9 introduction of this bill also happened to be the
10 place that I walked past every single day to go
11 to school. And in that intersection is a
12 McDonald's, a Checkers, a Dunkin' Donuts, a
13 Popeye's, and a Wendy's. And that's just right
14 within one intersection.

15 We cannot continue to allow our kids
16 to be barraged by this type of advertising, of
17 this presence of unhealthy food. Our kids are
18 literally dying because of these health maladies.
19 We cannot stand by when an industry spends
20 billions to target our children, subsequently
21 make billions off of those sales, and the
22 consequence of that are our kids, dying. We have
23 to rein in the industry. And it's particularly
24 pernicious because it is targeted at Black and
25 brown communities. It is more prevalent in Black

1 and brown communities than it is in more white
2 and affluent communities. That's not hyperbole;
3 the studies have demonstrated such.

4 So I urge all of my colleagues to
5 support this effort and to support protecting our
6 children over protecting the profits of an
7 industry. I proudly vote in the affirmative.

8 Thank you.

9 ACTING PRESIDENT MAYER: Senator
10 Myrie to be recorded in the affirmative.

11 Announce the results.

12 THE SECRETARY: In relation to
13 Calendar 1045, those Senators voting in the
14 negative are Senators Borrello, Gallivan, Griffio,
15 Helming, Lanza, Murray, Oberacker, O'Mara, Ortt,
16 Rhoads, Stec, Walczyk and Weik.

17 Ayes, 49. Nays, 13.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 Senator Gianaris.

21 SENATOR GIANARIS: Madam President,
22 I've been informed that the lay-aside on
23 Calendar 1500 has been removed. So can we please
24 restore that to the noncontroversial calendar and
25 take that up, please.

1 ACTING PRESIDENT MAYER: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number
4 1500, Assembly Bill Number 3305B, by
5 Assemblymember Clark, an act to amend the
6 Vehicle and Traffic Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 Senator Gianaris.

21 SENATOR GIANARIS: Now can we
22 continue on with Calendar 1313 on the
23 controversial calendar.

24 ACTING PRESIDENT MAYER: I'm sorry,
25 which calendar number?

1 SENATOR GIANARIS: 1313, by Senator
2 Hoylman-Sigal.

3 ACTING PRESIDENT MAYER: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number
6 1313, Senate Print 582, by Senator Hoylman-Sigal,
7 an act to amend the General Business Law.

8 ACTING PRESIDENT MAYER: Senator
9 Oberacker, why do you rise?

10 SENATOR OBERACKER: Thank you,
11 Madam President. I was wondering if the bill's
12 sponsor would yield for a couple of questions.

13 ACTING PRESIDENT MAYER: Senator
14 Hoylman-Sigal, do you yield?

15 SENATOR HOYLMAN-SIGAL: I do.
16 Thank you.

17 ACTING PRESIDENT MAYER: The
18 Senator yields.

19 SENATOR OBERACKER: Thank you.
20 Senator, thank you.

21 In as brief as possible, what is the
22 purpose of this bill?

23 SENATOR HOYLMAN-SIGAL: The purpose
24 of this bill -- through you, Madam President --
25 is -- I'll tell you what it does and what its

1 purpose is.

2 And let me -- let us be mindful of
3 the power of our words here today, because this
4 is a substance which is readily available to the
5 public, including young people, and has been
6 shown by researchers to be used to attempt and
7 commit suicide.

8 So we, through this bill, would
9 prohibit the sale of sodium nitrate and sodium
10 nitrite to any person under the age of 21, in
11 order to reduce, in our attempts here in this
12 chamber, the suicide rates among young people,
13 which are skyrocketing. For the ages of those 45
14 to 54, they've had the highest suicide rate in
15 recent years, but the greatest percentage
16 increase in the decade leading up to 2019 was
17 among those aged 15 through 24.

18 Those young people, the same young
19 people that Senator Myrie is discussing, had a
20 45 percent higher rate of suicide last year than
21 in 2009.

22 We cannot allow these products to be
23 readily available, to be purchased on your phone
24 app, any longer.

25 SENATOR OBERACKER: Madam

1 President, would the sponsor continue to yield.

2 ACTING PRESIDENT MAYER: Senator
3 Hoylman-Sigal, do you continue to yield?

4 SENATOR HOYLMAN-SIGAL: Yes.

5 ACTING PRESIDENT MAYER: The
6 sponsor yields.

7 SENATOR OBERACKER: Thank you.

8 Senator, do you know what its actual
9 use is in the food industry?

10 SENATOR HOYLMAN-SIGAL: Yes, I do.
11 And I'm happy to discuss that. The first
12 additive, sodium nitrite, is a common food
13 component and preservative used in deli meats and
14 can be used to treat cyanide poisoning.

15 The other compound that we're
16 discussing today is used in fertilizers and is
17 commonly used as a preservative and color
18 fixative in cured meats and poultry. Both of
19 these items can be purchased cheaply and widely.

20 SENATOR OBERACKER: Thank you.

21 Madam President, would the sponsor
22 continue to yield.

23 ACTING PRESIDENT MAYER: Do you
24 continue to yield?

25 SENATOR HOYLMAN-SIGAL: Yes.

1 ACTING PRESIDENT MAYER: The
2 sponsor yields.

3 SENATOR OBERACKER: So where
4 exactly are these products being sold on an app
5 on your phone? Are they coming from a retail
6 operation, a wholesale operation?

7 SENATOR HOYLMAN-SIGAL: Through
8 you, Madam President, both. The consumer can
9 easily purchase them from an online retailer like
10 Amazon.

11 A recent news report showed that in
12 fact 10 people who used these compounds to
13 attempt and in some cases
14 successfully attempt suicide, purchased them on
15 Amazon. Also other platforms such as eBay and
16 Etsy have sold these items. But both of those
17 platforms have taken steps to limit and in some
18 cases ban these compounds after learning of their
19 purchases on their website in connection with
20 suicide deaths.

21 And according to the National Poison
22 Data System, the use of these compounds as a
23 method for suicide is on the rise. From 2017
24 through 2022, researchers identified 47 cases of
25 suicide attempts reported to the National Poison

1 Data System, all of which occurred in that time
2 frame, 2019 through 2022.

3 And it's international too. In
4 Canada, this compound was responsible for the
5 deaths by suicide of 23 people from 2019 and
6 2020. Recent studies have shown a significant
7 increasing trend in the use of this compound in
8 countries like South Africa. And in the UK, a
9 British vendor stopped selling the compound to
10 the public after their corporate leadership
11 recognized the shocking number of people who were
12 using it to attempt suicide.

13 SENATOR OBERACKER: Madam
14 President, would the sponsor continue to yield.

15 ACTING PRESIDENT MAYER: Do you
16 continue to yield?

17 SENATOR HOYLMAN-SIGAL: Yes.

18 ACTING PRESIDENT MAYER: The
19 sponsor yields.

20 SENATOR OBERACKER: Senator, are
21 you familiar with the designation of GRAS? It's
22 an acronym that is used by the FDA and the USDA,
23 and it stands for Generally Regarded As Safe. Do
24 you know if this has a GRAS designation?

25 SENATOR HOYLMAN-SIGAL: I do not

1 know that it does or does not.

2 SENATOR OBERACKER:

3 Madam President, would the sponsor continue to
4 yield.

5 ACTING PRESIDENT MAYER: Do you
6 continue to yield?

7 SENATOR HOYLMAN-SIGAL: Yes.

8 ACTING PRESIDENT MAYER: The
9 Senator yields.

10 SENATOR OBERACKER: So a GRAS
11 designation, for those that are not aware, sets
12 limits as to what is considered a lethal level.
13 Being that I'm a food scientist -- I do own a
14 food ingredient company -- we are monitored, of
15 course, by FDA, USDA, and here in New York by Ag
16 & Markets, for all ingredients that would be sold
17 to the public and into the food industry.

18 So my next question would be, to the
19 Senator, do you know what that lethal level is in
20 an amount? Is it a gram, is it a pound, is it --
21 is there some volume we could put to what a
22 lethal level of sodium nitrite is?

23 SENATOR HOYLMAN-SIGAL: Through
24 you, Madam President, I don't think it's
25 appropriate or wise to discuss lethal amounts of

1 dangerous compounds like this in public.

2 That said, I appreciate the
3 Senator's discussion of FDA regulation. Which
4 I'd argue is beside the point, given that we're
5 trying to limit access to this extremely
6 dangerous compound that is used for other means
7 by young people. And we're not restricting it
8 from access by adults, but we're restricting
9 access to it by vulnerable young people.

10 SENATOR OBERACKER: Madam
11 President, would the sponsor continue to yield.

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield?

14 SENATOR HOYLMAN-SIGAL: Yes.

15 ACTING PRESIDENT MAYER: The
16 Senator yields.

17 SENATOR OBERACKER: Senator, are
18 you familiar with the word C. botulinum? Or,
19 more appropriately, its scientific term is the
20 Clostridium botulinum bacteria.

21 SENATOR HOYLMAN-SIGAL: Through
22 you, Madam President, no, I can't say that that
23 rolls off of my tongue or is embedded in my
24 memory bank quite anywhere.

25 SENATOR OBERACKER: Madam

1 President, through you, would the sponsor
2 continue to yield.

3 ACTING PRESIDENT MAYER: Do you
4 continue to yield?

5 SENATOR HOYLMAN-SIGAL: Yes.

6 ACTING PRESIDENT MAYER: The
7 Senator yields.

8 SENATOR OBERACKER: So sodium
9 nitrite, for educational purposes too, is the
10 most effective at the lowest inclusion rate that
11 will deal with and eradicate the botulinum
12 bacteria, one of the most deadly neurotoxins out
13 there, and potentially it is also what they call
14 an anaerobe; it only grows in airless
15 environments.

16 So real quickly on the bill, just to
17 give a little bit more information, when we --

18 ACTING PRESIDENT MAYER: Senator
19 Oberacker, are you on the bill?

20 SENATOR OBERACKER: I'm on the
21 bill.

22 ACTING PRESIDENT MAYER: Okay.
23 Senator Oberacker on the bill.

24 SENATOR OBERACKER: Thank you.

25 So when we produce bacon, for

1 example -- which I don't know about you, but any
2 time I get up in the morning and I smell bacon,
3 it's a good day.

4 (Laughter.)

5 SENATOR OBERACKER: So when bacon
6 is produced, it is actually in an environment
7 that's airless. We have a lot of smoke, we have
8 a lot of heat. And so sodium nitrite is added as
9 a way of taking care of and actually making safer
10 a food product that has mass distribution. We
11 then take it and we vacuum pack it in another
12 airless environment. And so sodium nitrite is a
13 very effective antibacterial product.

14 It is only used in 1 ounce --
15 1 ounce for every 25 pounds of meat. The
16 lethality level that I'm aware of is so high, is
17 so high that to consume that -- there are other
18 ways, I guess, in my opinion, that if your goal
19 is to end your life, there are other ways of
20 doing it that would be more -- that would be
21 quicker, I guess if that's your goal, to do.

22 So I'm very concerned about the fact
23 that we are looking at taking a very effective, a
24 very, very effective bacteriostat, we have -- I
25 think the Senator's goal is laudable in trying to

1 prevent this in use like that. But every
2 ingredient, every ingredient has a lethal level.
3 Every ingredient. Salt. Bicarbonate of soda,
4 which is baking soda. Sodium carbonate, which is
5 potash. Sodium chloride, which is just salt. We
6 use chemical names that sound very horrifying and
7 they're really everyday products.

8 I would love an opportunity to ask
9 our Senator to lay this bill aside and for me to
10 have an actual opportunity to talk and discuss
11 not only the merits of this, but maybe a way of
12 making sure that this product, number one, is
13 educated, that we educate ourselves.

14 Number two, that we do look at
15 potentially where we could monitor larger amounts
16 of this product. Because my fear is a lot of
17 companies are out there and they sell a simple
18 ounce of what they call Prague powder, which is
19 sodium nitrite and salt mixed together. It's
20 used to cure products. And I'm afraid that we're
21 going to really start to -- not enable, but make
22 a lot more difficult those of us who like to make
23 kielbasa and bacon, hams or whatever at a home
24 rate, with this piece of legislation.

25 Senator, I would love to have a cup

1 of coffee with you. And more importantly, I
2 think I would also like to have a cup of
3 dihydro -- or dihydrogen oxide. Now, I know a
4 lot of you are saying -- and believe me, I have
5 no ill will towards our Senator. But dihydrogen
6 oxide is nothing more than water. Words can be
7 very scary.

8 I am voting no on this. I will hope
9 we all take a moment to step back and to look at
10 the benefits of this product that far outweigh,
11 far outweigh what its potential use is. So I'll
12 be voting no. And, Madam President, I hope my
13 colleagues do the same.

14 Thank you.

15 ACTING PRESIDENT MAYER: Are there
16 any other Senators wishing to be heard?

17 Seeing and hearing none, debate is
18 closed. The Secretary will ring the bell.

19 Read the last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Senator
2 Hoylman-Sigal to explain his vote.

3 SENATOR HOYLMAN-SIGAL: Thank you.
4 I want to thank Senator Oberacker. It is a
5 testament to the diversity, professional and
6 otherwise, in this chamber that we have a food
7 scientist who can share with us his knowledge at
8 length, as he did. And I'm very grateful.

9 I will say that, to be clear, we're
10 not banning anything. We're just trying to
11 prevent kids from getting this dangerous compound
12 for the untoward uses that we have described.

13 And that we should note there is a
14 lot of social media websites dedicated to the use
15 of this compound for these horrific and very sad
16 purposes. And I think it's incumbent on us as
17 legislators to take action with the rates of
18 suicide rising among our young people. We have
19 to take every step.

20 And to anyone who's watching, please
21 reach out if you have thoughts of suicide: The
22 National Suicide Prevention Lifeline,
23 800-273-8255. It's very important that we remind
24 our young people and everyone that they can take
25 steps to ward off the dark thoughts that might

1 lead one to purchase these products.

2 I vote aye.

3 ACTING PRESIDENT MAYER: Senator
4 Hoylman-Sigal to be recorded in the affirmative.

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar 1313, those Senators voting in the
8 negative are Senators Ashby, Gallivan, Griffio,
9 Helming, Lanza, Murray, Oberacker, O'Mara, Ortt,
10 Palumbo, Rhoads, Stec, Tedisco and Walczyk.

11 Ayes, 48. Nays, 14.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 622, Senate Print 4922, by Senator Sepúlveda, an
16 act to amend the Public Health Law.

17 SENATOR GIANARIS: Madam President.

18 ACTING PRESIDENT MAYER: Yes,
19 Senator Gianaris.

20 SENATOR GIANARIS: Next up will be
21 Calendar 1495, by Senator Brisport.

22 ACTING PRESIDENT MAYER: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 1495, Senate Print 5327A, by Senator Brisport, an

1 act to amend the Social Services Law.

2 ACTING PRESIDENT MAYER: Senator
3 Murray, why do you rise?

4 SENATOR MURRAY: Thank you,
5 Madam President. Would the sponsor yield for a
6 few questions?

7 ACTING PRESIDENT MAYER: Senator
8 Brisport, do you yield?

9 SENATOR BRISPORT: Yes.

10 ACTING PRESIDENT MAYER: The
11 Senator yields.

12 SENATOR MURRAY: Thank you.
13 Through you, Madam President. Thank you,
14 Senator.

15 I know we've talked quite a bit
16 lately on the childcare issue, and I just want to
17 clarify a few things because there may be some
18 confusion as to what this bill is doing exactly.

19 I believe it was last year that
20 legislation was passed regarding the childcare
21 block grant and funding to help parents that need
22 the help with childcare. And what we're doing
23 with this bill is we're amending or clarifying
24 that. Is that correct? Can you explain how
25 we're amending or what we're amending or

1 clarifying?

2 SENATOR BRISPORT: Through you,
3 Madam President. This is a technical
4 clarification to a childcare decoupling bill we
5 passed last year. What that bill did was relax
6 requirements on working hours for parents, such
7 that they would not be required to only get
8 childcare for the exact hours they were working.
9 This relaxation was done to help out parents who
10 work part-time jobs or flexible jobs.

11 The bill that we passed last year,
12 as written, was interpreted to only be applied to
13 funding with local funds. This technical
14 clarification says we can pay for it with state
15 and federal funds as well.

16 SENATOR MURRAY: Thank you,
17 Madam President. Would the sponsor continue to
18 yield.

19 ACTING PRESIDENT MAYER: Do you
20 continue to yield?

21 SENATOR BRISPORT: Yes.

22 ACTING PRESIDENT MAYER: The
23 Senator yields.

24 SENATOR MURRAY: And thank you for
25 that, because that's part of where the question

1 arose, was are we relaxing it to the point where
2 the parent is not required to be working or
3 something? We're not relaxing it to that extent;
4 correct?

5 SENATOR BRISPORT: Through you,
6 Madam President, there are still work
7 requirements for parents who request childcare
8 subsidies.

9 SENATOR MURRAY: Madam President,
10 will the sponsor continue to yield.

11 ACTING PRESIDENT MAYER: Do you
12 continue to yield?

13 SENATOR BRISPORT: Yes.

14 ACTING PRESIDENT MAYER: The
15 Senator yields.

16 SENATOR MURRAY: Thank you.

17 Now also, in addition to work, I
18 believe it would help if they're going for work
19 training, educational purposes, things of that
20 nature as well. And also expanding, as you said,
21 the hours, so it's not strictly to the hours that
22 they're either working or training or at school,
23 but to extend it a little bit further to help out
24 and give some flexibility. Is that correct?

25 SENATOR BRISPORT: Through you,

1 Madam President, yes.

2 SENATOR MURRAY: Okay. Very good.

3 Madam President, on the bill.

4 ACTING PRESIDENT MAYER: Senator
5 Murray on the bill.

6 SENATOR MURRAY: Thank you,
7 Senator. I appreciate that.

8 Again, the purpose was to get
9 clarification, because this is an extremely
10 important issue, one that we have been working
11 on, need to continue to work on. But the
12 important part of this is -- because there was a
13 little confusion as to whether or not this was
14 being relaxed to the point where we were going to
15 provide what some were quoting as babysitting,
16 state-funded, which is not the case.

17 So to clarify, yes, you are still
18 required to be working. We are simply giving
19 flexibility with this bill. And I think it is
20 very important that we continue to help parents
21 who want to get in the workforce or better
22 themselves through the workforce. So I'll be
23 voting for this bill, and I urge my colleagues to
24 do the same.

25 Thank you.

1 ACTING PRESIDENT MAYER: Senator
2 Weik, why do you rise?

3 SENATOR WEIK: Madam President,
4 through you, would the sponsor yield.

5 ACTING PRESIDENT MAYER: Senator
6 Brisport, do you yield?

7 SENATOR BRISPORT: Yes.

8 ACTING PRESIDENT MAYER: The
9 Senator yields.

10 SENATOR WEIK: So I appreciate that
11 this bill offers a clarification, but it seems to
12 exclude working parents who work the night
13 shift -- so, for example, a nurse, a police
14 officer, a factory worker who may work the night
15 shift. It offers flexibility for someone to go
16 to school, but not for those working parents to
17 be able to come home and sleep and put their
18 child in daycare. Is that correct?

19 SENATOR BRISPORT: Through you,
20 Madam President, we do have another bill to
21 provide additional funds for providers that do
22 night and weekend shifts, but that is not this
23 bill.

24 SENATOR WEIK: Thank you very much.

25 ACTING PRESIDENT MAYER: Are there

1 any other Senators wishing to be heard?

2 Seeing and hearing none, debate is
3 closed. The Secretary will ring the bell.

4 Read the last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Senator
12 Brisport to explain his vote.

13 SENATOR BRISPORT: Thank you,
14 Madam President.

15 You know, while this bill does not
16 eliminate work requirements for childcare, we
17 should. We should eliminate all work
18 requirements for childcare, and means testing,
19 and treat childcare as a universal public good.
20 Eighty percent of your brain forms by the time
21 you are three years old, and childcare is
22 education. Education is a right. We do not
23 require parents to be working to enroll their
24 kids at public school or to get a library card,
25 and the same should be true of childcare.

1 I proudly vote aye.

2 ACTING PRESIDENT MAYER: Senator
3 Brisport to be recorded in the affirmative.

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar 1495, those Senators voting in the
7 negative are Senators Gallivan, Griffio, Oberacker
8 and Weik. Also Senator Walczyk.

9 Ayes, 57. Nays, 5.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1501, Senate Print 5574, by Senator Gounardes, an
14 act to amend the Criminal Procedure Law.

15 ACTING PRESIDENT MAYER: Senator
16 Palumbo, why do you rise?

17 SENATOR PALUMBO: Madam President,
18 will the sponsor yield for just a couple of quick
19 questions.

20 ACTING PRESIDENT MAYER: Senator
21 Gounardes, do you yield?

22 SENATOR GOUNARDES: Madam
23 President, even though I'm at five years here,
24 not a single one of my bills has ever been
25 debated. I will let Senator Palumbo --

1 (Laughter.)

2 SENATOR GOUNARDES: -- ruin my
3 undefeated streak, and gladly will take his
4 questions.

5 ACTING PRESIDENT MAYER: The
6 Senator yields.

7 SENATOR PALUMBO: Thank you,
8 Senator Gounardes. And I have great news. This
9 is another bill that I like and just have one
10 slight issue with.

11 So -- and just generally, just to
12 describe it for our colleagues who aren't
13 familiar -- obviously you and I are attorneys --
14 but this is essentially, and please correct me if
15 I'm wrong, codifying the Batson vs. Kentucky
16 challenge. Which is when you cannot -- when
17 you're picking a jury in a trial, you have
18 something called a peremptory challenge. You
19 have a certain number, based upon different
20 criminal charges and obviously based on your
21 civil case.

22 You can strike a juror just because
23 you don't like maybe their views that aren't
24 squaring with your client's views. However, you
25 cannot strike that person on the basis of many

1 discriminatory factors -- race, gender. Now I
2 believe this is codifying orientation, right?

3 And so generally this is trying to
4 take that United States Supreme Court case, which
5 has a number of additional cases, and codifying
6 it in law. Is that accurate to say, just
7 generally?

8 SENATOR GOUNARDES: Through you,
9 Madam President, yes.

10 What we are doing with this bill is
11 codifying the Batson standard in state law. We
12 are also expanding the types of classes that are
13 protected by what Batson offers, which is
14 prohibitions against certain types of peremptory
15 challenges.

16 SENATOR PALUMBO: Thank you.

17 Through you, Madam President, will
18 the sponsor continue to yield.

19 SENATOR GOUNARDES: Of course.

20 ACTING PRESIDENT MAYER: Do you
21 continue to yield?

22 SENATOR GOUNARDES: Yes.

23 ACTING PRESIDENT MAYER: The
24 Senator yields.

25 SENATOR PALUMBO: Thank you,

1 Senator. And in that regard, and having seen
2 this in practice -- of course the iPad just died,
3 so I don't have the statute in front of me now.
4 Let me steal my colleague's here.

5 And while I'm looking for it, the --
6 there have been -- a Batson challenge can exist
7 and there can be a pattern of this type of
8 striking, and it can actually be a pattern of
9 one. Is that accurate? Are you familiar with
10 that, that it doesn't need to be multiple jurors
11 in a row that, you know, for example, a lawyer
12 struck three or four women. It can be actually
13 one, where it could be deemed a pattern and
14 discriminatory, and that challenge gets removed
15 and that juror sits on the jury.

16 Is that accurate?

17 SENATOR GOUNARDES: Through you,
18 Madam President, yes, that's correct.

19 SENATOR PALUMBO: Thank you.

20 And would the sponsor continue to
21 yield.

22 SENATOR GOUNARDES: Yes.

23 ACTING PRESIDENT MAYER: Do you
24 continue to yield?

25 The Senator yields.

1 SENATOR PALUMBO: Now, Senator --
2 and as I was reading through this, I was looking
3 at it and saying, Great, great, agree with it,
4 agree with it. And this is where I have one
5 wrinkle and one concern, and I'd like you to
6 maybe consider possibly even amending it.

7 So on the second page, line 4, that
8 the court makes its determination, they don't
9 speculate, they listen to what the lawyer has to
10 say and if they are satisfied that it was a
11 nondiscriminatory purpose for the strike, then it
12 will stand.

13 But it also has here, in lines --
14 it's actually 8 and 9, the court need not find
15 purposeful discrimination to sustain such
16 objection. Can you explain to me why that was
17 included in this statute, please?

18 SENATOR GOUNARDES: Through you,
19 Madam President, this bill was drafted based on
20 the recommendations of the New York State Justice
21 Task Force, which had been meeting for over a
22 decade to address a whole bunch of issues in our
23 criminal justice system. And they issued a
24 report last year specifically around issues
25 around jury selection, jury bias, implicit bias.

1 And in that report the members of
2 that commission -- which is widely available.
3 For folks that have not read it, it's actually
4 very illuminating. In that report the commission
5 decided first, unanimously, that they believe
6 that Batson should be codified.

7 And then, secondly, they looked at
8 the best way to do that, and the recommendation
9 from the commission -- from the task force, after
10 looking at other states that have similarly tried
11 to address implicit bias in jury selection --
12 most notably California, Washington State,
13 Arizona and Connecticut, which is considering
14 it -- they decided to reject other
15 approaches that those states took and instead
16 adopt a reasonable person standard, which is
17 throughout our laws and especially throughout our
18 criminal laws, which is what our text is meant to
19 adopt in codifying the recommendations of the
20 task force.

21 So that language is designed to
22 reflect the recommendation of this task force to
23 adopt a reasonable-person standard in codifying
24 and expanding the protections of Batson.

25 SENATOR PALUMBO: Would the sponsor

1 continue to yield.

2 SENATOR GOUNARDES: Yes.

3 ACTING PRESIDENT MAYER: Do you
4 continue to yield?

5 SENATOR GOUNARDES: Yes.

6 ACTING PRESIDENT MAYER: The
7 Senator yields.

8 SENATOR PALUMBO: Thank you,
9 Senator.

10 And I understand that the task force
11 was requesting that -- and through you,
12 Madam President. And I understand what their
13 reasons may have been. But do you have similar
14 reasons or any concerns that that may lead to an
15 inconsistent application? Because we now have a
16 reasonable-man standard, yet we have to have an
17 implied finding of something that is not
18 necessarily intentional.

19 SENATOR GOUNARDES: Through you,
20 Madam President. No, I don't share that concern.
21 Because ultimately these decisions are decided by
22 the presiding judge in these cases, and we trust
23 that judges are able to make these decisions, as
24 they have been for years and years -- you know,
25 for 30-plus years since -- 36-plus years since

1 Batson has been around.

2 SENATOR PALUMBO: Thank you,
3 Senator.

4 On the bill, please,
5 Madam President.

6 ACTING PRESIDENT MAYER: Senator
7 Palumbo on the bill.

8 SENATOR PALUMBO: Thank you,
9 Madam President. Thank you, Senator Gounardes.

10 As I indicated, I do like the fact
11 that we can clarify this and even expand these
12 factors under the Batson case, because there have
13 been a number of United States Supreme Court
14 cases that have come down.

15 In fact, there was a quintuple
16 homicide authored by Brett Kavanaugh reversing
17 that conviction because of a very nuanced Batson
18 challenge, where the prosecutor even articulated
19 so-called non-discriminatory factors, but it was
20 determined that they were pretextual. That case
21 was a conviction, it went all the way up to the
22 United States Supreme Court, they reversed and
23 remanded for a new trial, because this is a very
24 important constitutional protection in our law.
25 So I absolutely agree with that.

1 The wrinkle is that we have someone
2 now who's going to be able to review a
3 conviction -- because if you improperly grant a
4 Batson challenge, that can ultimately lead to a
5 reversal almost every time. So now you're
6 talking about someone who wasn't in the
7 courtroom, who didn't hear the arguments
8 verbally, who didn't see the jurors' responses
9 and reaction in person. You have an appellate
10 judge who's now going to not only inject
11 themselves in as the reasonable person -- which
12 isn't a bad standard typically, that's a common
13 standard in law. But now there's no purposeful
14 discrimination that will be needed.

15 So I think one judge could say,
16 Well, they clearly did not have an intent in
17 their heart to be discriminatory. However, two
18 or three appellate courts down the road, they do
19 see what they believe, based upon some statements
20 and a subjective view that this is now in fact
21 discriminatory, and then they would reverse a
22 conviction and send it back.

23 So I think this is generally a very
24 good idea. I will be voting for it. And I would
25 just ask that the sponsor continue to look at

1 this through that lens, that this could actually
2 be counterintuitive, that it's going to not
3 just -- it's intended to protect the rights of
4 defendants for sure, and fairness in the court
5 system. However, I think that is actually a
6 subjective factor and not objective. And that's
7 something that needs to be looked at very
8 closely.

9 Thank you, Madam President.

10 ACTING PRESIDENT MAYER: Are there
11 any other Senators wishing to be heard?

12 Seeing and hearing none, debate is
13 closed. The Secretary will ring the bell.

14 Read the last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Senator
22 Gounardes to explain his vote.

23 SENATOR GOUNARDES: Thank you,
24 Madam President.

25 I thank Senator Palumbo for his

1 questions.

2 You know, I just want to say, you
3 know, this bill is incredibly important, as I
4 alluded to. This came directly from
5 recommendations from the New York State Justice
6 Task Force to help us address issues of implicit
7 bias in jury selection.

8 And just so we can have it on the
9 record, I do want to share with everyone -- the
10 five people listening at home, perhaps -- exactly
11 how this bill not only codifies Batson but
12 expands its protections so that an individual who
13 is intending to serve as a juror cannot be
14 rejected through a peremptory challenge on the
15 basis of their race, color, national origin,
16 ancestry, gender, gender identity or expression,
17 religion, religious practice, age, disability, or
18 sexual orientation.

19 And these protections also match the
20 same protections that exist in our court system
21 for jury selection through the voir dire process,
22 so now we have a consistent standard as to what
23 types of classes are protected for individuals
24 who are called to serve on a jury and then
25 ultimately selected for a jury to serve and

1 perform their civic duty.

2 And I proudly vote aye, and I urge
3 my colleagues to do the same.

4 Thank you.

5 ACTING PRESIDENT MAYER: Senator
6 Gounardes to be recorded in the affirmative.

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar 1501, those Senators voting in the
10 negative are Senators Borrello, Griffo, Helming,
11 Lanza, Mattera, Murray, O'Mara, Ortt, Rhoads,
12 Walczyk and Weik.

13 Ayes, 51. Nays, 11.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 Senator Gianaris.

17 SENATOR GIANARIS: Madam President,
18 we're going to jump around depending on members'
19 availability relative to the committee hearing
20 that's continuing downstairs.

21 So next up will be Calendar 1620, by
22 Senator Comrie.

23 ACTING PRESIDENT MAYER: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 1620, Assembly Bill Number 3683, by
2 Assemblymember Zebrowski, an act to amend the
3 Public Service Law.

4 ACTING PRESIDENT MAYER: Senator
5 Walczyk, why do you rise?

6 SENATOR WALCZYK: Thank you,
7 Madam President. Would the sponsor yield.

8 ACTING PRESIDENT MAYER: Senator
9 Comrie, do you yield?

10 SENATOR COMRIE: Yes, I do.

11 ACTING PRESIDENT MAYER: The
12 Senator yields.

13 SENATOR WALCZYK: And through you,
14 Madam President. The statute of limitations for
15 making a claim is six years, is that correct?

16 SENATOR COMRIE: No, it's not
17 correct. It's actually eight years that -- put
18 the statute of limitations to make the claims.

19 SENATOR WALCZYK: Through you,
20 Madam President, would the sponsor continue --

21 SENATOR COMRIE: I said that wrong.
22 The statute of limitations is six years, but it
23 normally takes a while for the utilities to make
24 their claims, so in the bill we're making it
25 eight years.

1 They've found that in -- the
2 issue -- in previous sessions there have been a
3 lot of concerns about the PSC's responsiveness,
4 about the ability to receive a determination.
5 The determinations have been dealing with an
6 issue which is called demand charge by utility
7 companies, many of which take time to contest the
8 bills for the entire six-year retroactive period.
9 The demand charge is based on previous years,
10 requiring them to need an additional two years to
11 contest the bills.

12 Sorry, I was -- I just came off of
13 Finance, I was a little discombobulated.

14 SENATOR WALCZYK: Thank you,
15 Madam President. You answered both my first,
16 second and third questions in that response. I
17 appreciate your thoroughness.

18 SENATOR COMRIE: Thank you.

19 SENATOR WALCZYK: Thank you.

20 ACTING PRESIDENT MAYER: Are there
21 any other Senators wishing to be heard?

22 Seeing and hearing none, debate is
23 closed. The Secretary will ring the bell.

24 Read the last section.

25 THE SECRETARY: Section 5. This

1 act shall take effect on the 30th day after it
2 shall have become a law.

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 1620, those Senators voting in the
10 negative are Senators Ashby, Borrello,
11 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
12 Martins, Mattera, Murray, Oberacker, O'Mara,
13 Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk and
14 Weik.

15 Ayes, 44. Nays, 18.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 Senator Gianaris.

19 SENATOR GIANARIS: Next up,
20 Madam President, is Calendar 1658, by the
21 esteemed Senator Gianaris.

22 (Laughter.)

23 ACTING PRESIDENT MAYER: The
24 Secretary will read.

25 UNIDENTIFIED SENATOR: Where is he?

1 (Laughter.)

2 THE SECRETARY: Calendar Number
3 1658, Senate Print 7394A, by Senator Gianaris, an
4 act to amend the Election Law.

5 ACTING PRESIDENT MAYER: Senator
6 Borrello, why do you rise?

7 SENATOR BORRELLO: Madam President,
8 will the sponsor yield for a question.

9 ACTING PRESIDENT MAYER: Senator
10 Gianaris, do you yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT MAYER: The
13 Senator yields.

14 SENATOR BORRELLO: The esteemed
15 Senator Gianaris.

16 You know, this bill looks an awful
17 lot like the bill -- the constitutional amendment
18 that was defeated overwhelmingly by voters in
19 2021, which would give essentially no-excuse
20 absentee balloting.

21 Isn't this just the same thing? Why
22 aren't you just proposing another amendment?

23 SENATOR GIANARIS: No, you're
24 mistaken -- Madam President, Senator Borrello is
25 mistaken.

1 The referendum was relevant to the
2 absentee ballot process. This bill relates to a
3 form of early voting.

4 SENATOR BORRELLO: Madam President,
5 on the bill.

6 ACTING PRESIDENT MAYER: Senator
7 Borrello on the bill.

8 SENATOR BORRELLO: Thank you,
9 Senator Gianaris, for that spirited and long
10 debate.

11 (Laughter.)

12 SENATOR BORRELLO: You know, I
13 think my concern here is -- and on the part of a
14 lot of other people -- is that this essentially
15 is saying that you can now mail in your early
16 voting ballot and you can, you know, circumvent
17 the system.

18 You know, the bottom line is we here
19 in New York State have made it very, very easy to
20 vote. Other than allowing you to vote while
21 you're standing in line at Walmart, it couldn't
22 get any easier than it is to vote here in
23 New York State.

24 When we start talking about mail-in
25 ballots, we saw what's happened in the past when

1 it overwhelms the system here. And I continue to
2 say it: The most important thing in New York
3 State and across the nation is not that everybody
4 votes, because at the end of the day this is the
5 United States, and you can still choose not to
6 vote.

7 So circumventing the system,
8 overwhelming the system to ensure that we have
9 all of these people that may be able to vote by
10 mail or may not, could prevent those people that
11 have to vote by mail, those people who have to
12 vote by absentee, from actually having their
13 ballot count. And that undermines the integrity
14 of our entire system.

15 And this is just really a
16 work-around on that bill that overwhelmingly
17 failed here in New York State where the voters of
18 New York said, No, we're going to stick to the
19 Constitution and we're going to say that only
20 certain circumstances should allow someone to
21 vote by mail, vote by absentee, or whatever it
22 might be.

23 This bill essentially ignores the
24 will of the people of New York State. And I'll
25 be voting no, and I encourage my colleagues to do

1 the same. Thank you.

2 ACTING PRESIDENT MAYER: Thank you.

3 Are there any other Senators wishing
4 to be heard?

5 Seeing and hearing none, debate is
6 closed. The Secretary will ring the bell.

7 Read the last section.

8 THE SECRETARY: Section 55. This
9 act shall take effect January 1, 2024.

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1658, those Senators voting in the
17 negative are Senators Ashby, Borrello,
18 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
19 Lanza, Martins, Mattera, Murray, Oberacker,
20 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
21 Tedisco, Walczyk, Weber and Weik.

22 Ayes, 41. Nays, 21.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 Senator Gianaris.

1 SENATOR GIANARIS: If we could
2 return for a moment, Madam President, to motions
3 and resolutions.

4 On behalf of Senator Parker, on
5 page 16 I offer the following amendments to
6 Calendar 668, Senate Print 6218, and ask that
7 said bill retain its place on Third Reading
8 Calendar.

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

12 SENATOR GIANARIS: Also on behalf
13 of Senator Parker, on page 13 I offer the
14 following amendments to Calendar 529,
15 Senate Print 5343, and ask that said bill retain
16 its place on the Third Reading Calendar.

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

20 SENATOR GIANARIS: Again on behalf
21 of Senator Parker, I wish to call up Senate Print
22 1201, recalled from the Assembly, which is now at
23 the desk.

24 ACTING PRESIDENT MAYER: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 126, Senate Print 1201, by Senator Parker, an act
3 to amend the Public Service Law.

4 SENATOR GIANARIS: Move to
5 reconsider the vote by which the bill was passed.

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT MAYER: The bill
11 is restored to its place on the Third Reading
12 Calendar.

13 SENATOR GIANARIS: I offer the
14 following amendments.

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

18 SENATOR GIANARIS: On behalf of
19 Senator Skoufis, I wish to call up Senate Print
20 6441, recalled from the Assembly, which is now at
21 the desk.

22 ACTING PRESIDENT MAYER: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 1580, Senate Print 6441A, by Senator Skoufis, an

1 act relating to approving certain employee
2 benefit costs for transportation employees for
3 the Goshen Central School District.

4 SENATOR GIANARIS: Move to
5 reconsider the vote by which the bill was passed.

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 62.

10 ACTING PRESIDENT MAYER: The bill
11 is restored to its place on the Third Reading
12 Calendar.

13 SENATOR GIANARIS: I offer the
14 following amendments.

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

18 SENATOR GIANARIS: Please recognize
19 Senator Lanza.

20 ACTING PRESIDENT MAYER: Senator
21 Lanza.

22 SENATOR LANZA: Thank you,
23 Senator Gianaris.

24 Madam President, on behalf of
25 Senator Griffo, on page 41 I offer the following

1 amendments to Calendar 1297, Senate Print Number
2 6493B, and ask that said bill retain its place on
3 Third Reading Calendar.

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

7 Senator Gianaris.

8 SENATOR GIANARIS: Madam President,
9 I believe the next bill we are taking up is
10 yours. So we'll give you a moment to get to your
11 seat.

12 And then when Senator Persaud
13 reaches the desk, she can call up Calendar 1657.

14 (Pause.)

15 ACTING PRESIDENT PERSAUD: The
16 Secretary will ring the bell.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1657, Assembly Bill Number 237, by
20 Assemblymember Sayegh, an act to amend the
21 Public Service Law.

22 ACTING PRESIDENT PERSAUD: Senator
23 Walczyk, why do you rise?

24 SENATOR WALCZYK: I rise,
25 Madam President, because I'm hoping the sponsor

1 will yield for a couple of questions about this
2 bill.

3 ACTING PRESIDENT PERSAUD: Will the
4 sponsor yield?

5 SENATOR MAYER: Yes, of course.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

8 SENATOR WALCZYK: Through you,
9 Madam President.

10 So this -- currently already in law
11 we require utilities to respond to a report of a
12 downed power line within 36 hours. Is that
13 correct?

14 SENATOR MAYER: Through you,
15 Madam President, the relevant section of the law
16 does require that the plan that the utility files
17 provides for appropriate safety precautions
18 regarding electrical hazards, including plans to
19 promptly secure downed wires within 36 hours of
20 notification.

21 SENATOR WALCZYK: Through you,
22 Madam President, would the sponsor continue to
23 yield.

24 ACTING PRESIDENT PERSAUD: Does the
25 sponsor yield?

1 SENATOR MAYER: Yes.

2 ACTING PRESIDENT PERSAUD: The
3 sponsor yields.

4 SENATOR WALCZYK: And the current
5 law will also requires that the utilities respond
6 to municipal officials that make an official
7 report about a downed wire, is that correct?

8 SENATOR MAYER: Well, through you,
9 Madam President, I'm not sure I would call it an
10 official report. The language of the existing
11 law requires that they respond upon notification
12 of the location of the downed wires from a
13 municipal emergency official.

14 The point of this bill is because
15 ordinary citizens see a line down and want to
16 complain to their utility, and currently
17 basically the utility's position is don't come to
18 us, go to your municipal official. And that
19 really doesn't make sense to ordinary
20 individuals, who drive and see a line down, or
21 see a line down in front of their home.

22 So this bill will authorize
23 individuals to make a complaint directly to the
24 utility when they see a downed line.

25 SENATOR WALCZYK: Through you,

1 Madam President, would the sponsor continue to
2 yield.

3 ACTING PRESIDENT PERSAUD: Does the
4 sponsor yield?

5 SENATOR MAYER: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

8 SENATOR WALCZYK: Do you know why
9 individuals were left out in the past when -- why
10 this statute, when we first laid it down, you
11 know, required the 36 hours response and
12 specifically says such downed wires from a
13 municipal emergency official, as it reads in the
14 current statute. Why were the individuals left
15 out?

16 SENATOR MAYER: I don't know,
17 Senator Walczyk.

18 SENATOR WALCZYK: Through you,
19 Madam President, would the sponsor continue to
20 yield.

21 ACTING PRESIDENT PERSAUD: Does the
22 sponsor yield?

23 SENATOR MAYER: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 sponsor yields.

1 SENATOR WALCZYK: In this bill
2 you've chosen to use the word "individual." Does
3 that include anyone?

4 SENATOR MAYER: Well, through you,
5 Madam President, the word "individual" isn't
6 defined, but the intent is clear. It's what I
7 described, is when you're driving and the road is
8 blocked because a line is down, you shouldn't
9 have to call the mayor, the supervisor, figure
10 out who the right person is, you should be able
11 to call the utility.

12 And in fact, on many of the
13 utilities' websites it says when you see a downed
14 line, call. So you're doing what you should do.

15 SENATOR WALCZYK: Through you,
16 Madam President, would the sponsor continue to
17 yield.

18 ACTING PRESIDENT PERSAUD: Does the
19 sponsor yield?

20 SENATOR MAYER: Yes.

21 ACTING PRESIDENT PERSAUD: The
22 sponsor yields.

23 SENATOR WALCZYK: What would be the
24 way that an individual would notify the utility?

25 SENATOR MAYER: They would call,

1 the same as they do when there's a power outage
2 at their home, when they see something that
3 causes their concern. That is the way we have
4 dealt with utility companies, and that's what you
5 would do here.

6 SENATOR WALCZYK: And through you,
7 Madam President, would the sponsor continue to
8 yield.

9 ACTING PRESIDENT PERSAUD: Does the
10 sponsor yield?

11 SENATOR MAYER: Yes.

12 ACTING PRESIDENT PERSAUD: The
13 sponsor yields.

14 SENATOR WALCZYK: Would the
15 individual have to have a phone number that's
16 from the State of New York or be a resident in
17 the State of New York?

18 SENATOR MAYER: The statute does
19 not provide that.

20 SENATOR WALCZYK: Through you,
21 Madam President, would the sponsor continue to
22 yield.

23 ACTING PRESIDENT PERSAUD: Does the
24 sponsor yield?

25 SENATOR MAYER: Yes.

1 ACTING PRESIDENT PERSAUD: The
2 sponsor yields.

3 SENATOR WALCZYK: Does this
4 legislation prescribe in any way for the utility
5 what the priority of effort should be when
6 they're hearing from individuals in addition to
7 municipal emergency officials? Does it create a
8 priority to handle the emergency municipal
9 official's request on a downed power line before
10 an individual, or does it speak to that at all?

11 SENATOR MAYER: My experience,
12 having lived through multiple storms with the
13 utility company -- I've worked very cooperatively
14 with them throughout -- is that they prioritize
15 based on the degree of risk, the number of people
16 impacted by a downed power line.

17 And I'm confident that's what they'd
18 continue to do.

19 SENATOR WALCZYK: Through you,
20 Madam President, will the sponsor continue to
21 yield.

22 ACTING PRESIDENT PERSAUD: Does the
23 sponsor yield?

24 SENATOR MAYER: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

2 SENATOR WALCZYK: Do you think most
3 individuals in the State of New York when driving
4 around -- and you use the example of, you know,
5 driving and seeing a downed line. Do you think
6 most individuals in the New York State from their
7 vehicle could tell the difference between a
8 downed coaxial cable, downed telephone wire, and
9 downed phased power? Do you think they'd be able
10 to identify the difference?

11 SENATOR MAYER: Through you,
12 Madam President, I'm confident when they see a
13 line down and the road is blocked, they
14 frequently anticipate it is a downed power line.
15 Or when the power is out because a storm came and
16 the line is down in front of their home or in
17 their neighborhood, they assume it's a downed
18 power line and they rightly call.

19 Just as I would point out, a
20 municipal official frequently doesn't know
21 exactly what kind of line is down.

22 SENATOR WALCZYK: Thank you.

23 Madam President, on the bill.

24 ACTING PRESIDENT PERSAUD: Senator
25 Walczyk on the bill.

1 SENATOR WALCZYK: I know my
2 colleague is well-intentioned in this, and I know
3 in emergency situations it can be helpful to have
4 as much data about what the real on-the-ground
5 situation is. And I know that that's the intent.

6 But in an emergency situation it's
7 also important to filter through some of the
8 chaos. And I think that's why the statute right
9 now says from a municipal emergency official,
10 which would require those same individuals to go
11 through their emergency departments so that we've
12 got good lines of communication and so that
13 utilities can continue to prioritize their effort
14 based on the needs of the municipality and the
15 emergency officials that understand where the
16 priority of effort can be.

17 So while I think it's
18 well-intentioned, my concern is that if we allow
19 any individual, we could run into two problems.
20 In a very real emergency, we could inundate
21 utilities with requests, some of them not being
22 about downed power lines but downed other lines,
23 as people are pushing data and overwhelming the
24 phone lines at a utility.

25 And also, you know, I've got a bill

1 that's against swatting.

2 But I think when you say any
3 individual, so you've opened up the utility to
4 say you've got to take these requests from any
5 individual. They could even be in a foreign
6 country, not necessarily a phone number here in
7 the State of New York, not a resident of the
8 State of New York. You're opening up those
9 utilities to be vulnerable to an inundation, not
10 even necessarily in an emergency situation, but
11 some other entity that might want to cause chaos
12 and harm in the State of New York.

13 So while I think it's
14 well-intentioned, I'll be voting no and hope to
15 work with my colleague on some of these issues in
16 the future.

17 Thank you, Madam President.

18 ACTING PRESIDENT PERSAUD: Are
19 there any other Senators wishing to be heard?

20 Seeing and hearing none, debate is
21 closed. The Secretary will ring the bell.

22 Read the last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Senator
4 Mayer to explain her vote.

5 SENATOR MAYER: Thank you. I just
6 wanted to briefly explain this very common-sense
7 and simple bill.

8 When you see a power line down or a
9 line down and there is no power, we serve our
10 constituents, the regular everyday people who see
11 this experience. To think that they're supposed
12 to figure out who to call when they can easily
13 call -- and frequently do call -- the utility
14 company, sort of begs credulity.

15 So this is a simple edit to a law
16 that just expands where a person can file a
17 complaint. Frequently I think it will be helpful
18 to the utilities. And I look forward to it
19 passing and allowing our constituents to simply
20 be able to call the utility when they see a
21 downed power line.

22 Thank you. I vote aye.

23 ACTING PRESIDENT PERSAUD: Senator
24 Mayer to be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: In relation to
2 Calendar Number 1657, voting in the negative:
3 Senator Walczyk.

4 Ayes, 61. Nays, 1.

5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.

7 Senator Gianaris.

8 SENATOR GIANARIS: Madam President,
9 next up is Calendar 622, by the witty
10 Senator Sepúlveda. Please call that bill up,
11 please.

12 ACTING PRESIDENT PERSAUD: The
13 Secretary will ring the bell.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 622, Senate Print 4922, by Senator Sepúlveda, an
17 act to amend the Public Health Law.

18 ACTING PRESIDENT PERSAUD: Senator
19 Gallivan, why do you rise?

20 SENATOR GALLIVAN: Will the sponsor
21 yield for a few questions.

22 ACTING PRESIDENT PERSAUD: Will the
23 sponsor yield?

24 SENATOR SEPÚLVEDA: Through you,
25 Madam President, I do.

1 ACTING PRESIDENT PERSAUD: The
2 sponsor yields.

3 SENATOR GALLIVAN: So the way I
4 understand it, this bill prohibits health plans
5 that administer the Child Health Plus program
6 from requiring that participating providers also
7 sign up for the commercial healthcare network
8 operated by that same insurer.

9 Why is this necessary?

10 SENATOR SEPÚLVEDA: The problem
11 that you have is that you have providers that are
12 part of a network, and many of these providers
13 don't want to work with other products that the
14 network has. For example, some of the products
15 that the networks have Medicaid, Essential Plan,
16 and other commercial plans. And what happens is
17 if -- unless the provider accepts all of these
18 plans, they cannot participate with the network.

19 So for example, we have children
20 whose family uses Child Care Plus as their
21 insurance. If the provider is part of a network
22 and the provider only wants to accept Child Care
23 Plus, as a member of the network he is compelled
24 or she is compelled to also accept all of the
25 other's insurance, even though it may not be

1 financially feasible or make business sense.

2 And so what this bill does is says
3 you can, the provider, can accept Child Care Plus
4 without having to be compelled to accept all of
5 the other products that that network may have.

6 SENATOR GALLIVAN: Will the sponsor
7 continue to yield.

8 ACTING PRESIDENT PERSAUD: Does the
9 sponsor yield?

10 SENATOR SEPÚLVEDA: Through you,
11 Madam President, I do.

12 ACTING PRESIDENT PERSAUD: The
13 sponsor yields.

14 SENATOR GALLIVAN: So currently
15 don't the providers have the ability to negotiate
16 which products they want to participate in?

17 SENATOR SEPÚLVEDA: No, they do
18 not. In fact, the network is in such a position
19 that they can compel these providers to have to
20 accept all of these insurances. And because of
21 their status in the market, their strength in the
22 market, the providers are almost compelled to
23 accept these, even though these other plans may
24 not make sense or may not be profitable or may
25 not work for them economically.

1 SENATOR GALLIVAN: Will the sponsor
2 continue to yield?

3 ACTING PRESIDENT PERSAUD: Does the
4 sponsor yield?

5 SENATOR SEPÚLVEDA: Through you,
6 Madam President, I do.

7 ACTING PRESIDENT PERSAUD: The
8 sponsor yields.

9 SENATOR GALLIVAN: Is that true of
10 all insurers? The insurance companies, the
11 healthcare plans, is that true that none of them
12 will negotiate with a provider?

13 SENATOR SEPÚLVEDA: Well, I don't
14 know if it's true, but this bill will impact
15 those that do not negotiate.

16 SENATOR GALLIVAN: So it's
17 possible, then, that some health plans,
18 healthcare plans, do negotiate.

19 SENATOR SEPÚLVEDA: Absolutely,
20 there are some. But again, this is targeted for
21 those that do not.

22 SENATOR GALLIVAN: Will the sponsor
23 continue to yield.

24 ACTING PRESIDENT PERSAUD: Does the
25 sponsor yield?

1 SENATOR SEPÚLVEDA: Through you,
2 Madam President, I do.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

5 SENATOR GALLIVAN: So it's
6 common -- well, again, I can't speak to how
7 common, that it's the majority or not. But
8 certainly health plan members, based on their
9 eligibility -- in this case, most likely the
10 rising income that then exceeds the standards,
11 often stay with the same insurance company and
12 use different products.

13 Are you concerned at all that this
14 might cause confusion with the insured, with the
15 plan member, and they would be out of luck and
16 have to go search for a different insurance
17 company?

18 SENATOR SEPÚLVEDA: Through you,
19 Madam President. Senator Gallivan, could you
20 explain your question again? I'm sorry, I didn't
21 quite understand it.

22 SENATOR GALLIVAN: I'll try to put
23 it a different way.

24 SENATOR SEPÚLVEDA: Yes.

25 SENATOR GALLIVAN: If an insured

1 party, the healthcare member, is used to dealing
2 with one insurance company and has that comfort
3 level, then their eligibility for Child Health
4 Plus changes, are you concerned at all that they
5 would have some confusion or they would not be
6 able to find a provider that's covered by their
7 insurance company?

8 SENATOR SEPÚLVEDA: If the concern
9 is about continuity of care, we already provide
10 for that, so that's not going to change anything.

11 SENATOR GALLIVAN: Will the sponsor
12 continue to yield.

13 ACTING PRESIDENT PERSAUD: Does the
14 sponsor yield?

15 SENATOR SEPÚLVEDA: Through you,
16 Madam President, yes.

17 ACTING PRESIDENT PERSAUD: The
18 sponsor yields.

19 SENATOR GALLIVAN: How do you
20 provide for the continuity of care?

21 SENATOR SEPÚLVEDA: Again, there's
22 protection for -- in law, there's protection so
23 that those that are providing the service, the
24 continuity continues. So you have the protection
25 so that the provider can still service the

1 patient.

2 SENATOR GALLIVAN: Will the sponsor
3 continue to yield?

4 ACTING PRESIDENT PERSAUD: Does the
5 sponsor yield?

6 SENATOR SEPÚLVEDA: Through you,
7 Madam President, yes.

8 ACTING PRESIDENT PERSAUD: The
9 sponsor yields.

10 SENATOR GALLIVAN: So that
11 reference, then, would be not to this particular
12 bill but other provisions of law?

13 SENATOR SEPÚLVEDA: Through you,
14 Madam President, yes.

15 SENATOR GALLIVAN: Thank you.

16 Will the sponsor continue to yield?

17 ACTING PRESIDENT PERSAUD: Does the
18 sponsor yield?

19 SENATOR SEPÚLVEDA: Through you,
20 Madam President, yes.

21 ACTING PRESIDENT PERSAUD: The
22 sponsor yields.

23 SENATOR GALLIVAN: So this bill I
24 believe was vetoed by the Governor last year.
25 And my question is, have there been any changes

1 made to the bill to address the concerns that the
2 Governor raised in her veto message?

3 SENATOR SEPÚLVEDA: Through you,
4 Madam President, no.

5 SENATOR GALLIVAN: On the bill.

6 ACTING PRESIDENT PERSAUD: Senator
7 Gallivan on the bill.

8 SENATOR GALLIVAN: First I'd like
9 to thank Senator Sepúlveda for answering the
10 questions.

11 In the Governor's veto message last
12 year, she raised two main concerns. The first
13 has to do with potential unintended consequences
14 of causing narrower networks in the commercial
15 market. The -- that's the portion of the market
16 that this bill would provide that -- well, would
17 permit the providers to not have to be a part of
18 if they so chose.

19 The second area is a concern about
20 allowing providers to favor participation in only
21 plans with higher reimbursement will leave fewer
22 healthcare options, not just for the children but
23 for others.

24 I think these concerns are still
25 valid, and for that reason I'll be voting against

1 the bill. Thank you.

2 ACTING PRESIDENT PERSAUD: Thank
3 you.

4 Are there any other Senators wishing
5 to be heard?

6 Seeing and hearing none, debate is
7 closed. The Secretary will ring the bell.

8 Read the last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 622, those Senators voting in the
18 negative are Senators Ashby, Borrello,
19 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
20 Lanza, Martins, Mattera, Murray, O'Mara, Ortt,
21 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk
22 and Weik.

23 Ayes, 43. Nays, 19.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 Senator Gianaris.

2 SENATOR GIANARIS: Now we move to
3 Calendar 1650, by Senator Kavanagh.

4 ACTING PRESIDENT PERSAUD: The
5 Secretary will ring the bell.

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 1650, Senate Print 6419C, by Senator Kavanagh, an
9 act to amend the Environmental Conservation Law.

10 ACTING PRESIDENT PERSAUD: Senator
11 Walczyk, why do you rise?

12 SENATOR WALCZYK: Madam President,
13 I rise in hopes that the sponsor will be willing
14 to yield for some questions.

15 ACTING PRESIDENT PERSAUD: Will the
16 sponsor yield?

17 SENATOR KAVANAGH: Yes,
18 Madam President.

19 ACTING PRESIDENT PERSAUD: The
20 sponsor yields.

21 SENATOR WALCZYK: Through you,
22 Madam President. Have you ever purchased a used
23 mattress?

24 (Laughter; cross-talk.)

25 SENATOR KAVANAGH: Through you,

1 Madam President, not that I recall.

2 SENATOR WALCZYK: I'm sorry,
3 Madam President, I didn't hear the response.

4 SENATOR KAVANAGH: Through you,
5 Madam President, I guess I could ask my colleague
6 to tell me what he means by "used mattress," but
7 I would say not that I recall, at least as I
8 understand the term "used mattress."

9 SENATOR WALCZYK: And through you,
10 Madam President, would the sponsor continue to
11 yield.

12 ACTING PRESIDENT PERSAUD: Does the
13 sponsor yield?

14 SENATOR KAVANAGH: Yes,
15 Madam President.

16 ACTING PRESIDENT PERSAUD: The
17 sponsor yields.

18 SENATOR WALCZYK: Have you
19 purchased a mattress from a mattress store or a
20 retailer in the State of New York before?

21 SENATOR KAVANAGH: Through you,
22 Madam President, yes.

23 SENATOR WALCZYK: And through you,
24 Madam President, would the sponsor continue to
25 yield.

1 ACTING PRESIDENT PERSAUD: Does the
2 sponsor yield?

3 SENATOR KAVANAGH: Yes, Madam
4 President.

5 SENATOR WALCZYK: Are you aware
6 that Section 389A of the General Business Law
7 would require currently that if it were a used
8 mattress, in whole or in part, that there be a
9 large sticker permanently affixed to the mattress
10 that says "used bedding"? Are you aware of that?

11 SENATOR KAVANAGH: Through you,
12 Madam President, I take it my -- I will take it,
13 for the purposes of this conversation, that
14 that's what the General Business Law says. I'm
15 not familiar with that particular section.

16 SENATOR WALCZYK: Madam President,
17 I don't know if it's the noise in here or whether
18 you're not speaking directly into the -- I'm
19 having a hard time hearing my colleague's
20 response.

21 SENATOR KAVANAGH: Through you,
22 Madam President, I'll speak up and say that I'm
23 not -- I'm not personally familiar with that
24 particular provision of the General Business Law.

25 SENATOR WALCZYK: Through you,

1 Madam President, would the sponsor continue to
2 yield.

3 ACTING PRESIDENT PERSAUD: Does the
4 sponsor yield?

5 SENATOR KAVANAGH: Yes,
6 Madam President.

7 ACTING PRESIDENT PERSAUD: The
8 sponsor yields.

9 SENATOR WALCZYK: So this bill that
10 you've brought before us here today, which is
11 pretty lengthy, is titled the "Extended Producer
12 Responsibility for Mattresses" and sort of
13 outlines the way that they can be circularly
14 recycled or recycled in whole or in part and
15 returned back to various forms.

16 In doing some research -- and I
17 notice that this bill has been recently amended.
18 In doing some quick research, New York State
19 wouldn't be the only state to have some kind of
20 mattress recycling. Connecticut, Rhode Island,
21 California and Oregon all have -- Oregon just
22 recently, but they all have mattress recycling
23 programs that they've worked with industry on
24 developing, with a nonprofit situation to help
25 with free turn-ins and that kind of thing.

1 Is this legislation modeled off of
2 what those states are doing working with the
3 mattress industry?

4 SENATOR KAVANAGH: Through you,
5 Madam President, it is -- this legislation is
6 informed by the experiences of those states and
7 also by discussions with various participants in
8 the industry who would be in the New York market.
9 But it is more closely modeled off of the various
10 laws that we've already enacted in New York State
11 that create extended producer responsibility,
12 including the most recent one, which was extended
13 producer responsibility for carpets, which we
14 enacted last year.

15 SENATOR WALCZYK: And through you,
16 Madam President, would the sponsor continue to
17 yield.

18 ACTING PRESIDENT PERSAUD: Will the
19 sponsor yield?

20 SENATOR KAVANAGH: Yes,
21 Madam President.

22 ACTING PRESIDENT PERSAUD: The
23 sponsor yields.

24 SENATOR WALCZYK: Does New York
25 State currently have something that's concurrent

1 with this on the books? Do we already have a
2 mattress recycling program similar to
3 Connecticut, Rhode Island, California and Oregon?

4 SENATOR KAVANAGH: Through you,
5 Madam President, perhaps my colleague didn't
6 understand my last answer. We have extended
7 producer responsibility programs in New York for
8 various products, including the most recent one
9 we passed last year that required extended
10 producer responsibility for carpeting.

11 I would say this bill is more
12 closely modeled on the manner in which we have
13 enacted extended producer responsibility programs
14 in New York than that it is modeled on the way
15 they've done that for mattresses in other states.

16 But there are great similarities
17 among all of the programs because this is a
18 similar concept which has been around for at
19 least a third of a century now, and so there's a
20 lot of, you know, collective wisdom about how to
21 do this effectively.

22 SENATOR WALCZYK: And through you,
23 Madam President, would the sponsor continue to
24 yield.

25 ACTING PRESIDENT PERSAUD: Does the

1 sponsor yield?

2 SENATOR KAVANAGH: Yes,
3 Madam President.

4 ACTING PRESIDENT PERSAUD: The
5 sponsor yields.

6 SENATOR WALCZYK: So those
7 states are recycling about 2 million mattresses a
8 year. Why not just follow their program? Why
9 have it modeled after our carpet recycling
10 program rather than adapt a program that's
11 working in other states currently?

12 SENATOR KAVANAGH: Through you,
13 Madam President, I'm not sure what differences
14 between our program and those programs that my
15 colleague is concerned about, and perhaps we can
16 talk about those. There are some differences
17 that I'm aware of.

18 But we think this is an effective
19 way to address this issue. The program we did
20 with respect to carpeting was broadly supported,
21 including by local governments, because they
22 understand that these programs effectively take
23 costs off their books and put them on the
24 industries that are producing these products.

25 And the biggest difference between

1 those states -- at least some of those states
2 that I'm aware of and this bill, is that in those
3 states they allow a direct consumer fee for the
4 privilege of purchasing a mattress and then
5 having it recycled. And this bill assumes that
6 the cost of this program, because it's borne
7 collectively by the industry, will be
8 incorporated into the cost of mattress programs.
9 And economically, if you allow somebody to charge
10 a fixed fee for providing a particular service,
11 they have no incentive to do it efficiently, they
12 just charge that fee.

13 So this bill is intended to
14 basically do this efficiently, in the manner that
15 we do it with other products in New York State.

16 SENATOR WALCZYK: And through you,
17 Madam President, would the sponsor continue to
18 yield.

19 ACTING PRESIDENT PERSAUD: Does the
20 sponsor yield?

21 SENATOR KAVANAGH: Yes,
22 Madam President.

23 ACTING PRESIDENT PERSAUD: The
24 sponsor yields.

25 SENATOR WALCZYK: So on page 6,

1 section 3, your language states: "The program
2 shall be free to the consumer, convenient and
3 adequate to serve the needs of consumers in all
4 areas of the state on an ongoing basis."

5 You said no fee. Free to the
6 consumer, does that mean mattress prices can't go
7 up to account for the program that they've got to
8 pay for now?

9 SENATOR KAVANAGH: Through you,
10 Madam President, no, I do not believe that it
11 would do that, it would be that way.

12 But a program -- if somebody offers
13 you, you know, a free coffee with your sandwich,
14 we assume that, you know, that's not because they
15 own a coffee farm out back and they don't have
16 costs of coffee.

17 Free means you can't charge for that
18 particular thing. And this program would not
19 have a separate designated charge for the purpose
20 of participating in the program.

21 SENATOR WALCZYK: Through you,
22 Madam President, would the sponsor continue to
23 yield.

24 ACTING PRESIDENT PERSAUD: Does the
25 sponsor yield?

1 SENATOR KAVANAGH: Yes,
2 Madam President.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

5 SENATOR WALCZYK: Yeah, I think if
6 someone offered me free coffee with a sandwich
7 that I purchased, I would automatically assume
8 that the sandwich is upcharged in order to pay
9 for that cup of coffee which is marketed as free.
10 And I think there's something similar going on in
11 this legislation. When you say "free to the
12 consumer," it's a little bit misleading, as those
13 marketing practices would be.

14 But I want -- I want to ask this
15 question. So -- and I think, you know, you
16 begged this question because you were talking
17 about some of the areas of difference between
18 some of the other state models that are in
19 effect. And, you know, millions of mattresses
20 are being recycled in other states right now and
21 have an effective program that they've worked
22 with industry on.

23 Here's one way, on page 5, that I
24 think this differs. So you've given annual
25 goals, increasing over time, to the mattress

1 industry. And this is fully circular. So you're
2 giving a 30 percent recycling rate overall for
3 the amount of mattress products, but then in
4 five years out, 10 percent would have to be
5 within the circular recycling. Which means
6 10 percent of the -- if I understand this right,
7 and please correct me if I'm wrong -- 10 percent
8 of the products that are coming through mattress
9 recycling are returned back to create a retail
10 used mattress.

11 Am I understanding that correctly?

12 SENATOR KAVANAGH: Through you,
13 Madam President, not exactly.

14 And also just to note that, you
15 know, I don't think the person who gets the free
16 coffee is misled, any more than the note here
17 that the program is -- has to be free to the
18 consumer is misled to think that, you know,
19 it's -- the costs of it, you know, fall out of
20 the sky.

21 But, you know, it's just to make it
22 clear that they can't charge for -- they cannot
23 charge particularly for participation in this
24 program, which is a service that is distinct from
25 the service of purchasing a mattress. Just as,

1 you know, the cup of coffee might be distinct
2 from the sandwich, at least hopefully so.

3 In terms of what this bill does, it
4 sets minimum targets, as my colleague noted, both
5 for overall collection and recycling rate, and
6 then a separate target for circular recycling,
7 basically for what's called closed-loop -- that
8 means returning some portion of what you collect
9 back to the production of new products that are
10 similar to the ones that are being produced.

11 It does not necessarily mean
12 one-for-one a mattress has to be refurbished and
13 become a mattress. They can -- industry is able
14 to find ways to recycle that -- the materials of
15 that mattress that is collected efficiently and
16 put it back into the production of new
17 mattresses.

18 For what it's worth, those targets
19 are minimum standards in this bill, subject to
20 DEC, again, having conversations with the
21 industry. There's an industry -- there's an
22 advisory group that would advise DEC before this
23 program went into effect.

24 And just for comparison, since we're
25 talking about other states, in 2020 California

1 set standards, and the goal there for 2021, one
2 year after their bill went into effect, was
3 81 percent recycling rate, plus or minus
4 5 percent.

5 So the 30 percent recycling rate in
6 Year 5 is a very minimal standard relative to
7 what's been happening in other states and
8 relative to what the industry has been capable of
9 doing. And also industry in this state has
10 objected neither to the overall recycling rate
11 nor to the closed-loop recycling rate in this
12 bill after, you know, a number of discussions.

13 SENATOR WALCZYK: Through you,
14 Madam President, will the sponsor continue to
15 yield.

16 ACTING PRESIDENT PERSAUD: Does the
17 sponsor yield?

18 SENATOR KAVANAGH: Yes,
19 Madam President.

20 ACTING PRESIDENT PERSAUD: The
21 sponsor yields.

22 SENATOR WALCZYK: So when you say
23 that closed loop, that 10 percent, does that mean
24 10 percent of used mattresses?

25 SENATOR KAVANAGH: Through you,

1 Madam President, it would mean 10 percent of the
2 materials that they collect. So it's conceivable
3 that they could, you know, remove the cloth from
4 the thing but recycle the materials that are --
5 mattresses are made up of. There are lots of
6 different kinds of mattresses; they're made up of
7 different kinds of materials.

8 But they would have to take -- they
9 would have a -- again, this would also be
10 pursuant to a plan that they would submit to DEC
11 within a year of the effective date of this, and
12 then DEC would approve that plan.

13 So basically this bill, like most
14 EPR programs, is intended to allow industry to
15 define how they're going to meet regulatory
16 standards and then meet and then achieve the
17 standards in the manner that they have
18 established with the approval of the
19 environmental agency.

20 So it wouldn't be necessarily that
21 if they collect a thousand mattresses, you know,
22 they need to create a hundred mattresses out of a
23 hundred, of those thousand mattresses. It would
24 mean that if they're collecting a thousand
25 mattresses, they would have a standard for

1 determining how much material, and 10 percent of
2 that material would have to be in the production
3 process of new mattresses.

4 SENATOR WALCZYK: And through you,
5 Madam President, would the sponsor continue to
6 yield.

7 ACTING PRESIDENT PERSAUD: Will the
8 sponsor yield?

9 SENATOR KAVANAGH: Yes,
10 Madam President.

11 ACTING PRESIDENT PERSAUD: The
12 sponsor yields.

13 SENATOR WALCZYK: So just running
14 by your numbers and what we already know about
15 the General Business Law, with the requirement
16 that if you're using any portion of a used
17 mattress or used bedding to create bedding once
18 again, that an affixed sticker is required to say
19 "used bedding."

20 Taking all of that into account,
21 with your 1,000 mattresses example, wouldn't that
22 mean you're requiring the industry to have a
23 hundred mattresses out of that thousand
24 mattresses when you have a 10 percent
25 used-mattress goal here, a hundred mattresses

1 will be in a retail store that say "used bedding"
2 on them?

3 Am I reading this wrong, or is that
4 how the closed-loop targets work?

5 SENATOR KAVANAGH: Through you,
6 Madam President, I suspect -- as I noted before,
7 I'm not -- I do have some language of the
8 General Business Law here that's been handed to
9 me, but I'm not familiar with the provision of
10 the General Business Law.

11 I suspect that my colleague is
12 misreading it because -- well, I guess the
13 question would be, does a mattress that has been
14 created from materials that have been collected
15 through closed-loop recycling, as defined in this
16 bill, meet the standard of the General Business
17 Law for used mattress? And if it does, then I
18 suppose that law would currently require that
19 that sticker be on there.

20 However, I would suggest that if
21 that law is -- if that law does have that outcome
22 for this program, it would be wise for us to
23 change that, because we're not -- I think that a
24 law like that is likely to deal with a situation
25 where a mattress is purchased, used, and then

1 kind of resold as a mattress.

2 In this case we would have
3 manufacturers collecting mattresses and then
4 finding ways to remanufacture new products that
5 are mattresses or box springs or other products
6 that count in the mattress definition here.

7 So they take all the wood out of a
8 box spring and they use it to make new box
9 springs, I would not suggest that that -- that
10 seems unlikely that the General Business Law
11 ought to characterize that as a used product.
12 But we will have ample opportunity to look at the
13 General Business Law because of course this bill
14 wouldn't require anybody to do anything until one
15 year after its effective date.

16 So I will -- I appreciate my
17 colleague flagging this issue and certainly will
18 review the General Business Law.

19 SENATOR WALCZYK: Through you,
20 Madam President, would the sponsor continue to
21 yield.

22 ACTING PRESIDENT PERSAUD: Does the
23 sponsor yield?

24 SENATOR KAVANAGH: Yes,
25 Madam President.

1 ACTING PRESIDENT PERSAUD: The
2 sponsor yields.

3 SENATOR WALCZYK: There's a section
4 389-a of the General Business Law: Label
5 requirements for used bedding. This is in our
6 statute currently. "The label indicating that an
7 article of bedding contains used material, in
8 whole or in part, shall be at least 15 square
9 inches in area, contain the phrase 'used
10 material' or 'used bedding,' as the case may
11 be" -- which is the case in this bill that you're
12 proposing now -- "in prominent paint, be yellow
13 in color, and be stitched or otherwise securely
14 attached to the bedding in such a manner that it
15 may be seen by consumers prior to purchase."

16 And I'm not suggesting that there's
17 anything wrong with that statute. I think people
18 probably would like to know if they're buying a
19 used mattress. I think the General Business Law
20 was pretty wise to require this.

21 But my question is still the same.
22 Don't worry about the sticker, I just want to
23 know, does that mean retailers are going to have
24 10 percent of the store is going to be used
25 mattresses?

1 SENATOR KAVANAGH: Through you,
2 Madam President, that provision of the
3 General Business Law is not before us today.

4 And my colleague just read a lot of
5 material about what kind of sticker might be
6 there and how big it should be and what color and
7 all that, but I didn't hear a definition of "used
8 mattress" as the General Business Law understands
9 that.

10 And I'm suggesting if that
11 definition is broad enough, I would -- you know,
12 I would look at the legislative history and see
13 if they wrote that 40 years ago before anybody
14 was repurposing the materials from used
15 mattresses.

16 But more fundamentally, if a
17 mattress manufacturer is taking mattresses back
18 pursuant to an EPR program, presumably they would
19 prefer not to have to resell mattresses with that
20 big sticker if the thing is in fact brand-new and
21 made from materials from -- that just happened to
22 have been previously used in mattresses.

23 But I think we could have a
24 conversation about what the law ought to deal
25 with that in that circumstance at the appropriate

1 time, which again would be at least a year and
2 three months from today if the bill were passed
3 and signed into law today, which seems unlikely.

4 SENATOR WALCZYK: Through you,
5 Madam President, would the sponsor continue to
6 yield.

7 ACTING PRESIDENT PERSAUD: Does the
8 sponsor yield?

9 SENATOR KAVANAGH: Yes,
10 Madam President.

11 But just to say I'm happy to -- if
12 my colleague actually has a definition of used
13 mattresses as it is in the General Business Law,
14 I'm sure everyone in this room is, you know,
15 hoping to hear that before we close this debate.

16 So if -- you know, I'd happy to --
17 I'd be happy to respond if the question is --

18 SENATOR WALCZYK: Is the sponsor
19 asking me to yield?

20 ACTING PRESIDENT PERSAUD: The
21 sponsor's asked you a question.

22 SENATOR WALCZYK: I'd be happy to
23 yield. And provide, again, the definition of the
24 General Business Law, Section 389-a, which
25 details label requirements for used bedding.

1 "The label indicating that an
2 article of bedding contains used material" --
3 your counsel could also read you the same
4 section -- "in whole or in part, shall be at
5 least 15" -- and it goes on to -- I know you
6 heard me on the rest of the bit that describes
7 what needs to be on there. But it's very
8 specific about used bedding, in whole or in part.

9 And that's exactly what your bill is
10 addressing today, in a closed loop or a recycling
11 program for mattresses. That's why I believe
12 that it's very applicable to the conversation
13 that we're having.

14 SENATOR KAVANAGH: Through you,
15 Madam President, it does indeed sound like that
16 language would apply to these -- to mattresses,
17 and to mattresses that are remanufactured by a
18 manufacturer.

19 And I appreciate my colleague
20 raising this issue, because it seems like
21 something we ought to address before this program
22 goes into effect in 2024-2025.

23 SENATOR WALCZYK: Through you,
24 Madam President, would the sponsor continue to
25 yield.

1 ACTING PRESIDENT PERSAUD: Does the
2 sponsor yield?

3 SENATOR KAVANAGH: Yes,
4 Madam President.

5 ACTING PRESIDENT PERSAUD: The
6 sponsor yields.

7 SENATOR WALCZYK: Actually, I don't
8 think it's something that we need to address,
9 because I think people deserve to know if they're
10 buying a used mattress. I think there's very
11 good reason for the General Business Law to
12 detail exactly that.

13 So if your program went into effect
14 and that didn't exist, you're requiring
15 manufacturers to take 10 percent, just in the
16 first five years, and then in 10 years, 20
17 percent, and then in 15 years, 40 percent of the
18 mattresses will be within the closed-loop targets
19 required in this legislation.

20 I would never suggest that somebody
21 should walk into a retail mattress store, think
22 that they're getting a new mattress, and not have
23 a label that tells them that it's used when in
24 fact parts or the whole mattress has been used by
25 somebody before. I wouldn't suggest that.

1 But I do want clarifications on
2 exactly that timeline. Five years, 10 percent;
3 10 years, 20 percent; and 15 years, 40 percent
4 within the closed loop. Am I reading that right
5 with what you're proposing here tonight?

6 SENATOR KAVANAGH: Through you,
7 Madam President, yes.

8 And again, I'm sure my colleague is
9 comforted that the current General Business Law
10 would indeed have that sticker. I think that
11 whether that -- whether that stitched sticker is
12 necessary or appropriate in a process where
13 materials have gone back to the original
14 manufacturing process, as this bill would require
15 them to, and they produce a mattress, presumably
16 to their standards, whether it is worth
17 continuing having that label on those mattresses
18 is presumably a conversation we can have at a
19 later date.

20 I would suggest that that is
21 probably something that consumers will be okay
22 with. But this bill certainly does not change
23 the General Business Law.

24 SENATOR WALCZYK: Through you,
25 Madam President, will the sponsor continue to

1 yield.

2 ACTING PRESIDENT PERSAUD: Does the
3 sponsor yield?

4 SENATOR KAVANAGH: Yes, Madam
5 President.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

8 SENATOR WALCZYK: On page 8 you
9 talk about penalties, and I had a difficult time
10 understanding exactly how these penalties apply.

11 There's a \$500 penalty a day. Would
12 that be per mattress that was in violation
13 somehow of this statute? Or how would that
14 penalty of \$500 a day apply?

15 SENATOR KAVANAGH: I'm looking for
16 the specific provision, just to make sure we're
17 talking about the same provision.

18 Through you, Madam President, it is
19 not a -- there's no -- there's no -- I just
20 wanted to, you know, make -- reread this.
21 There's nothing in the provision that suggests
22 it's per mattress, it's per day. So a producer
23 violating this law and continuing to do so would
24 indeed be responsible for that penalty.

25 And again, this is the same penalty

1 that we've enacted for producers of other
2 products in extended producer responsibility.

3 SENATOR WALCZYK: Through you,
4 Madam President, would the sponsor continue to
5 yield.

6 ACTING PRESIDENT PERSAUD: Does the
7 sponsor yield?

8 SENATOR KAVANAGH: Happily,
9 Madam President.

10 ACTING PRESIDENT PERSAUD: The
11 sponsor yields.

12 SENATOR WALCZYK: There's an
13 enacting clause on this bill. When would it go
14 into effect?

15 SENATOR KAVANAGH: Through you,
16 Madam President. The bill would take effect
17 immediately.

18 But again, the bill requires that
19 within one year of that date, of the effective
20 date -- this is on page 4, lines 4 through 9.
21 One year from the effective date of the -- of
22 the -- the first obligation that producers would
23 have would be, within one year of the effective
24 date, to produce a plan for the review of DEC.
25 They could do that plan individually or they

1 could do it jointly with other producers, or they
2 could do it collectively through a representative
3 organization, which is the manner in which it's
4 done in several of the states that have it.

5 And then within six months of
6 that -- of the plan being approved, they would
7 then have to start complying with the terms of
8 this, taking the collection and then engaging in
9 the recycling activities that are required.

10 SENATOR WALCZYK: And through you,
11 Madam President, would the sponsor continue to
12 yield.

13 ACTING PRESIDENT PERSAUD: Does the
14 sponsor yield?

15 SENATOR KAVANAGH: Yes,
16 Madam President.

17 ACTING PRESIDENT PERSAUD: The
18 sponsor yields.

19 SENATOR WALCZYK: You mentioned
20 earlier in debate about the mattress collection
21 program advocacy board. When -- when would those
22 appointments be due, under this legislation?

23 SENATOR KAVANAGH: Through you,
24 Madam President, the bill requires that they be
25 appointed by the first of January of 2024.

1 So presumably that is -- you know,
2 again, if this bill were signed today, that would
3 be six months from now, obviously, and the first
4 plan from producers would be due a year from
5 today.

6 If this bill is signed in the --
7 toward the end of the year, as is more common,
8 presumably the bill would go into effect in
9 December, the board would be appointed promptly,
10 and then the -- about one year from -- about
11 December 2024, producers would be submitting
12 plans to the DEC.

13 SENATOR WALCZYK: Madam President,
14 on the bill.

15 ACTING PRESIDENT PERSAUD: Senator
16 Walczyk on the bill.

17 SENATOR WALCZYK: So this --
18 there's a slew, a slew of issues that I have with
19 this legislation. Some of them have already been
20 detailed in debate, and I won't rehash them all.
21 But I think to finish on this note.

22 So the program advisory board is
23 made up of a lot of the folks that you would
24 imagine would have input on how you would recycle
25 mattresses, if this is the goal of the body. A

1 representative from mattress producers,
2 retailers, recyclers, collectors, statewide
3 environmental organization, waste disposal
4 association, Product Stewardship Council,
5 consumer organization, statewide recycling
6 organization, some political appointees from the
7 Senate and the Assembly, all of which makes sense
8 for an advisory board.

9 What doesn't make sense is to have
10 the advisory board be appointed in January of
11 next year with a bill that goes into effect
12 immediately, when really this advisory board
13 should be the ones that are consulted before you
14 ever even write this bill, let alone put it on
15 the Governor's desk to have her sign it into law.

16 That's the cart before the horse.
17 And that's why there's so much confusion from
18 myself, from the industry, about the goals and
19 the implementation here.

20 I have a lot of concerns about the
21 closed-loop targets. I don't imagine that
22 New York consumers really want to walk into their
23 mattress store and see stickers on a required
24 40 percent of the mattresses in the store that
25 say "this is a used mattress." Because currently

1 that's what would be required by statute if this
2 bill goes into effect, to both have that sticker,
3 but also the requirement that that many
4 mattresses be made, in whole or in part, of used
5 mattresses.

6 So for these reasons and many others
7 that we talked about in debate, I'll be voting no
8 and encourage my colleagues to do the same.

9 Thank you, Madam President.

10 ACTING PRESIDENT PERSAUD: Thank
11 you.

12 Are there any other Senators wishing
13 to be heard?

14 Seeing and hearing none, debate is
15 closed. The Secretary will ring the bell.

16 Read the last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Senator
23 May to explain her vote.

24 SENATOR MAY: Thank you,
25 Madam President.

1 In 2020 the U.S. threw out
2 18.2 million mattresses, but there were only
3 56 recycling facilities available to deal with
4 the waste.

5 The thing about extended producer
6 responsibility -- and I want to congratulate
7 Senator Kavanagh on this bill -- is that it isn't
8 about just trying to figure out, at the end of
9 the whole life of the mattress, what to do with
10 it. Because that's what we've been doing, and it
11 isn't working. They're filling up landfills.
12 And we don't have more space to put them.

13 The point of extended producer
14 responsibility is to put the onus on the
15 producers to figure out ahead of time what is the
16 final use of this material, and with the idea
17 that they will then produce mattresses that can
18 be taken apart and the pieces of them can be
19 reused and made into new mattresses, or something
20 else, rather than simply thrown away.

21 So this kind of closed-loop system
22 is the direction we have to go. And I am pleased
23 to vote aye on this bill.

24 Thank you.

25 ACTING PRESIDENT PERSAUD: Senator

1 May to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar 1650, those Senators voting in the
5 negative are Senators Ashby, Borrello,
6 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
7 Lanza, Mannion, Martinez, Martins, Mattera,
8 Murray, Oberacker, O'Mara, Ortt, Rhoads, Rolison,
9 Scarcella-Spanton, Stec, Walczyk and Weik.

10 Ayes, 41. Nays, 21.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 Senator Gianaris.

14 SENATOR GIANARIS: Madam President,
15 I believe that concludes the controversial
16 calendar.

17 (Cheers, applause.)

18 ACTING PRESIDENT PERSAUD: Senator
19 Gianaris, it does. That concludes the reading of
20 controversial calendar.

21 SENATOR GIANARIS: Can we now
22 return to resolutions and pick up previously
23 adopted Resolution 557, by Senator Webb, read its
24 title, and recognize Senator Webb.

25 ACTING PRESIDENT PERSAUD: The

1 Secretary will read.

2 THE SECRETARY: Resolution 557, by
3 Senator Webb, commemorating the seventh annual
4 Sock Out Cancer Day on June 4, 2023.

5 ACTING PRESIDENT PERSAUD: Senator
6 Webb on the resolution.

7 SENATOR WEBB: Thank you,
8 Madam President. I rise to speak on this
9 resolution commemorating an important --

10 ACTING PRESIDENT PERSAUD: Can we
11 have some order in the chamber, please. Senator
12 Webb, excuse us.

13 Can we have some order in the
14 chamber, please.

15 SENATOR WEBB: Thank you,
16 Madam President.

17 My resolution is actually
18 commemorating an important awareness campaign
19 that's been going on in my district for quite
20 some time, and that is the seventh annual
21 Sock Out Cancer Day. And this is done in
22 conjunction with the observance of National
23 Cancer Survivors Day, and in solidarity with all
24 New York State residents and family members who
25 are fighting cancer.

1 Unfortunately, if we were to do a
2 poll of us here in this chamber, I would imagine
3 many of us can identify either a loved one or a
4 family member who was taken from us far too soon
5 due to cancer.

6 And so this particular event --
7 Security Mutual Life Insurance Company, that's in
8 my district in Binghamton, founded Sock Out
9 Cancer in 2017 to help cancer patients in need of
10 financial assistance to pay for nonmedical
11 expenses such as food, transportation, also
12 housing, in recognition of the enormous emotional
13 and financial strain and challenges that impact
14 cancer patients and their families.

15 Sock Out Cancer works with hospitals
16 and charitable organizations to assist
17 financially distressed cancer patients throughout
18 the entire state with nonmedical needs such as
19 food, housing, transportation to treatment, and
20 so on.

21 By making sure cancer patients are
22 able to pay for their basic everyday life
23 necessities, Sock Out Cancer ensures that
24 patients are able to focus their energy on
25 fighting cancer. With its signature multicolored

1 socks -- hence, Sock Out Cancer -- it helps to
2 raise public awareness of the financial
3 challenges facing families who are fighting
4 cancer, and has raised over 1.32 million for the
5 benefit of financially distressed cancer patients
6 being treated in Binghamton, Syracuse, Albany,
7 New York City, and throughout the state.

8 I'm very proud to be voting in favor
9 of this resolution, and I want to thank Security
10 Mutual Life Insurance Company for starting this
11 initiative and bringing together so many
12 stakeholders together for the last seven years to
13 deliver these important resources to our families
14 across the Southern Tier and beyond.

15 I proudly vote aye, and I encourage
16 my colleagues to join me in socking out cancer by
17 voting aye. Thank you.

18 ACTING PRESIDENT PERSAUD: Thank
19 you, Senator Webb.

20 The resolution was previously
21 adopted on March 21st.

22 Senator Gianaris.

23 SENATOR GIANARIS: And now
24 Resolution 1121, by Senator Fernandez, read its
25 title, and recognize Senator Fernandez.

1 ACTING PRESIDENT PERSAUD: The
2 Secretary will read.

3 THE SECRETARY: Resolution 1121, by
4 Senator Fernandez, memorializing Governor Kathy
5 Hochul to proclaim July 20, 2023, as Colombia
6 Independence Day in the State of New York, on the
7 213th Anniversary of Colombian Independence.

8 ACTING PRESIDENT PERSAUD: Senator
9 Fernandez on the resolution.

10 SENATOR FERNANDEZ: Thank you,
11 Madam President.

12 It gives me great joy and honor to
13 stand here and introduce this resolution, because
14 while I am half-Caribbean -- we celebrate it
15 together, honoring my Cuban side -- I am
16 half-Colombian. And I'm proud to say that in my
17 first days in the Legislature in 2018, for a
18 brief moment I was the only person of Colombian
19 descent ever to serve in the State Legislature.
20 And that is a testament to the growth, to the
21 contributions that Colombian Americans have given
22 to this state.

23 And with this resolution, we make it
24 official that we recognize Colombia and its
25 independence from the Spain regime, to allow our

1 Colombian American neighbors, residents, citizens
2 to celebrate and be proud of the history.

3 I am incredibly proud of my
4 heritage, my history, and the history of the
5 Colombians that fought for me to get to this
6 point right now.

7 In 1819 is when Colombia was able to
8 liberate themselves from the Spanish regime. And
9 if you look at their flag, it's a beautiful flag
10 with the basic colors of the color wheel, red,
11 blue and yellow. Yellow, which is the bigger
12 portion of the flag, depicts the gold from the
13 mountains of Colombia. Blue is the oceans that
14 hug our coastlines, the Pacific and the
15 Caribbean. And the red is the blood, the red is
16 the blood of those that have shed for the
17 freedoms that we fight for every single day.

18 And I'm so happy to see that now, in
19 this day and age, I am not alone in the
20 Legislature. I am so grateful that we are seeing
21 every part of New York State come out and have
22 real representation for their communities. And I
23 must highlight my colleagues Senator Salazar,
24 Senator Ramos, and Senator Gonzalez, that we
25 share that Colombian pride.

1 But I love to see also how just in
2 society Colombians are now a part of our
3 prominent culture. When you look at music and
4 history, Joe Arroyo is a very known and popular
5 Colombian singer that has written and produced
6 some of our most favorite salsa and Spanish
7 tunes. To now Karol G, who is one of our rising
8 pop stars. And looking at animation, Disney's
9 Encanto is one of the most popular movies that
10 Disney has ever produced, and it takes place in
11 Colombia.

12 So this year I'm so proud that again
13 we get to make sure that New York State
14 recognizes the contributions of Colombian and
15 Colombian Americans, and that we use this moment
16 to praise the diversity and thank those who allow
17 us to be -- not even allow us, but thank you for
18 giving us and sharing the space to be a part of
19 New York State as we know we are so well deserved
20 to be.

21 So thank you, Madam President, for
22 bringing this resolution to the floor. I thank
23 my colleagues for voting on this. And que viva
24 Colombia!

25 Thank you.

1 ACTING PRESIDENT PERSAUD: Senator
2 Ramos on the resolution.

3 SENATOR RAMOS: {In Spanish.} I am
4 so happy that we're ending on such a happy note
5 after a long work day.

6 Look, you know, {in Spanish}. My
7 parents arrived in Jackson Heights at the end of
8 the seventies. And even though I'm not -- you
9 know, I've never lived in Colombia, I'm born and
10 raised in my district, I feel a tremendous amount
11 of pride in my people, in my heritage, in my
12 Indigenous ancestry.

13 And, you know, Colombians have very
14 often been voted to be the happiest people in the
15 world. And that's largely because we've seen so
16 much tragedy. Colombia has been at civil war
17 since 1949. We've dealt with guerillas. We've
18 dealt with the paramilitary. We've dealt with
19 two cartels. Narcoterrorism has been a very real
20 part of our lives, whether it's in Colombia or on
21 the streets of Jackson Heights at the end of the
22 eighties and the early nineties.

23 And quite frankly, it is in thinking
24 about all of that strife and all of that struggle
25 and all of that pain that so many of our families

1 have been through that we have learned to find
2 the beauty in life and in nature. We have the
3 greatest variety of orchids and birds in the
4 entire world.

5 And actually, if I may recount one
6 of my favorite advertisements that I've ever seen
7 about Colombia. It says that if you want to see
8 the Amazon, you can go to Brazil. If you want to
9 see the Pacific, you go to Ecuador. If you want
10 to see the Andes, you go to Peru. If you want to
11 see the desert, you go to Bolivia. If you want
12 to see the Caribbean, you might even go to
13 Guyana, not far away from us. But if you want to
14 see it all in one place, you go to Colombia.

15 So thank you to Senator Fernandez,
16 to my fellow Colombian colleagues. We're
17 actually now 10 Colombian elected officials in
18 the entire State of New York -- not only in the
19 State Legislature, but also in the Suffolk County
20 Legislature and in the Orange County Legislature
21 we have some representation.

22 And I just want to use this
23 opportunity to say that we're a very hardworking
24 people, that we're on the up, and that I'm very
25 thankful for all of the excellence that we've put

1 forth, not only here in the Legislature, in
2 changing the quality of life, improving the
3 quality of life of us, of our community and those
4 around us. And hopefully the sky's the limit.

5 Thank you, Madam President.

6 ACTING PRESIDENT PERSAUD: Thank
7 you.

8 Senator Gonzalez on the resolution.

9 SENATOR GONZALEZ: Thank you,
10 Madam President.

11 As someone of Colombian descent,
12 this resolution holds a deeply personal
13 significance for me. It is an opportunity to
14 honor roots, pay tribute to the courageous folks
15 who fought colonialism, and to celebrate the
16 thriving Colombian culture in New York.

17 I also represent Queens, which has
18 over 150,000 people of Colombian descent, the
19 highest concentration of Colombians anywhere in
20 the United States.

21 Colombian independence came as a
22 result of a movement that rejected Spanish
23 colonialism. On July 20, 1810, a popular
24 uprising occurred, throwing out Spanish officials
25 and birthing a longer struggle for justice and

1 independence. And the struggle for justice
2 continues both in Colombia and New York.

3 Emigration is no easy feat. I say
4 that as the daughter of immigrants. But as
5 you've heard from our colleagues, despite these
6 challenges, we've left our mark on New York. We
7 have Colombians who have become leaders in
8 business, medicine, education, opened up small
9 businesses in our neighborhoods. And I think of
10 the artists and musicians, such as New York-based
11 Colombian Alex Sensation, and writers and
12 comedians such as New Yorker John Leguizamo, and
13 so many other Colombians who have left their mark
14 on New York's cultural landscape.

15 By proclaiming July 20th as
16 Colombian Heritage Day, we not only recognize the
17 historical significance of Colombian independence
18 but also celebrate the culture, traditions and
19 values that Colombians bring to this state.

20 And so I want to thank
21 Senator Fernandez for bringing this to the floor.
22 I want to thank my colleagues and encourage them
23 to vote aye. And, again, say that I am so proud
24 to be part of a body with, as you heard,
25 10 Colombian electeds, but such strong Latinas

1 who are really doing the work and setting that
2 example for our community. So thank you so much.

3 And I vote aye. Thanks.

4 ACTING PRESIDENT PERSAUD: Senator
5 Salazar on the resolution.

6 SENATOR SALAZAR: Thank you,
7 Madam President. I will be brief; I realize that
8 the hour is late.

9 But I just want to say that I could
10 not be more proud to be colombiana, that my
11 father emigrated to this country from Bogotá, and
12 that I have spent some of the most joyful days of
13 my young life in Colombia, and really am just
14 grateful that the Colombian culture courses
15 through my veins and lives on through me and my
16 family both here in the United States and
17 overseas in Colombia, and through our vibrant
18 Colombian communities in New York.

19 Thank you to my fellow colombianas
20 in the Senate, and especially to
21 Senator Fernandez for introducing this
22 resolution. And I am so grateful to have this
23 opportunity to celebrate our heritage together.

24 Thank you, Madam President.

25 ACTING PRESIDENT PERSAUD: The

1 question is on the resolution. All in favor
2 signify by saying aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT PERSAUD: Opposed,
5 nay.

6 (No response.)

7 ACTING PRESIDENT PERSAUD: The
8 resolution is adopted.

9 Senator Gianaris.

10 SENATOR GIANARIS: Madam President,
11 the sponsors of all the resolutions we took up
12 throughout the day would like to open them all up
13 for cosponsorship.

14 ACTING PRESIDENT PERSAUD: The
15 resolutions are open for cosponsorship. Should
16 you choose not to be a cosponsor, please notify
17 the desk.

18 Senator Gianaris.

19 SENATOR GIANARIS: Can we now
20 return to the calendar, go back to Calendar 668,
21 which was laid aside temporarily earlier today,
22 and lay it aside for the day.

23 ACTING PRESIDENT PERSAUD: Calendar
24 Number 668 is high and will be laid aside for the
25 day.

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

3 ACTING PRESIDENT PERSAUD: There is
4 no further business at the desk.

5 SENATOR GIANARIS: Move to adjourn
6 until tomorrow, Wednesday, June 7th, at 2:00 p.m.

7 ACTING PRESIDENT PERSAUD: On
8 motion, the Senate stands adjourned until
9 June 7th at 2:00 p.m.

10 The Senate stands adjourned.

11 (Whereupon, at 9:20 p.m., the Senate
12 adjourned.)

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