

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 June 7, 2023

11 3:11 p.m.

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13
14 REGULAR SESSION

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18 SENATOR SHELLEY B. MAYER, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT MAYER: The Senate
3 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 MAYER: Today's
9 invocation will be delivered by Tadodaho Sid
10 Hill, President of the Six Nations Confederacy.

11 TADODAH0 SID HILL: You can all be
12 seated when we do this.

13 We do this throughout the
14 confederacy, throughout New York State and
15 Canada, all the nations. We do it in our
16 ceremonies, when we have small or big gatherings
17 and our council meetings. And so when someone
18 stands and has the floor, they're respected in
19 that way, so it's all right to be seated while I
20 do this.

21 I'll do this in the Onondaga
22 language. It's done throughout the confederacy,
23 in Mohawk, Oneida, Onondaga, Cayuga, Seneca and
24 Tuscarora. So we still continue our ceremonies
25 throughout our communities, throughout Ontario,

1 as far as Oneida, Wisconsin.

2 And so I just -- I'll do this in the
3 Onondaga language. (In Onondaga.)

4 So that was our thanksgiving
5 address, and it's a really short version.

6 (Laughter.)

7 TADODAHO SID HILL: I remember as a
8 child sitting through 45 minutes of our elders
9 giving thanks to all of the things that the
10 Creator has given us.

11 So just briefly, it's -- it's -- we
12 thank the people that are here, that you're all
13 here and well. And then we thank the Mother
14 Earth, all the things that she brought to us, and
15 still doing her duty, and that we thank the
16 medicines, the plants, the trees, the fruits and
17 the berries. And we go on to the animals, to the
18 four-legged, the ones that fly, and those that
19 are in the waters.

20 And, you know, like just briefly, we
21 thank the waters, we thank the winds. And we
22 talk about the winds. We're thankful for the
23 soft winds. And we know like what we're dealing
24 with today, with the winds coming our way, you
25 know, and we're kind of fortunate that it's -- it

1 is dangerous for our people, but we know how
2 strong the winds can be. And we don't see them
3 strong winds that come. So we always give thanks
4 for the soft winds that are coming our way.

5 We give thanks to what we call the
6 Sky People. And we call the thunders our
7 Grandfather. We call our -- the sun our
8 Elder Brother the sun. Our Grandmother Moon, and
9 the -- our Grandmother the Stars. And we've lost
10 a lot of the knowledge of the stars, but we still
11 do some of our ceremonies, going by the stars and
12 the moons. So we give thanks that they're still
13 doing their duties.

14 We also ask -- when the Creator came
15 back and was looking over, he saw that -- the
16 many dangers that were out there for the people.
17 And He asked these four protectors to watch over
18 them as they walk about on earth.

19 And then He also, with the coming of
20 our white brothers 200 years ago, He sent a
21 message down to one of our leaders and He gave us
22 instructions as to how do we keep being who we
23 are as a people, and that's continue our
24 language, our ceremonies, our songs, our dances,
25 our language and our ways as much as we can.

1 Because we know all these things that our white
2 brother has brought to us might take us away as
3 to who we are.

4 So that -- that was our last
5 instructions from the Creator from some 200 years
6 ago. And amongst those things was some
7 prophecies. And those prophecies are what we're
8 seeing now, things like trees dying. We see the
9 water burn -- you know, the fire on the water.
10 And those things we've seen. We've seen those
11 things.

12 And there are still a lot of things
13 that have been prophesized that are coming that
14 we're seeing them. When my mother and
15 grandmothers were talking about these things,
16 they were talking about things that were going to
17 happen. But now we're seeing a lot of these
18 things, these prophesies that are coming.

19 So we knew there was going to be
20 change. And how we address -- basically, that's
21 climate change. How do we address that? How do
22 we deal? We're not going to be dealing with
23 this, but our children are going to be right in
24 the midst of that whenever -- however fast that
25 happens, who knows.

1 So it's -- it's a lot of things.
2 It's -- it's -- it then depends on leaders. It
3 depends on leaders to guide, to guide their
4 people as to how do we go into this, what's going
5 to happen, how do we prepare, how do we endure
6 what's coming forward in the future.

7 So as a leader, one of your
8 instructions are not to look at your generation
9 or the next generation, but look into the future
10 of the seventh generation and what impact your
11 decisions today will have on that seventh
12 generation.

13 So that's -- as a leader, we're
14 given that instruction, to look -- to think about
15 those things. How much of an impact. Your
16 decisions today will affect the next generations.

17 So I just -- I'm just honored to be
18 here and thankful at having this time to share
19 with you some of our -- some of our teachings.
20 And I just appreciate the opportunity.

21 Thank you.

22 (Standing ovation.)

23 ACTING PRESIDENT MAYER: Reading of
24 the Journal.

25 THE SECRETARY: In Senate, Tuesday,

1 June 6, 2023, the Senate met pursuant to
2 adjournment. The Journal of Monday, June 5,
3 2023, was read and approved. On motion, the
4 Senate adjourned.

5 ACTING PRESIDENT MAYER: Without
6 objection, the Journal stands approved as read.

7 Presentation of petitions.

8 Messages from the Assembly.

9 The Secretary will read.

10 THE SECRETARY: Senator Cleare
11 moves to discharge, from the Committee on Health,
12 Assembly Bill Number 2190 and substitute it for
13 the identical Senate Bill 5100, Third Reading
14 Calendar 853.

15 Senator Harckham moves to discharge,
16 from the Committee on Rules, Assembly Bill
17 Number 3288 and substitute it for the identical
18 Senate Bill 5541, Third Reading Calendar 1010.

19 Senator May moves to discharge, from
20 the Committee on Environmental Conservation,
21 Assembly Bill Number 783 and substitute it for
22 the identical Senate Bill 2630, Third Reading
23 Calendar 1138.

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

1 Number 463A and substitute it for the identical
2 Senate Bill 2677A, Third Reading Calendar 1179.

3 Senator Breslin moves to discharge,
4 from the Committee on Insurance, Assembly Bill
5 Number 7038 and substitute it for the identical
6 Senate Bill 3613, Third Reading Calendar 1185.

7 Senator Borrello moves to discharge,
8 from the Committee on Rules, Assembly Bill
9 Number 5035 and substitute it for the identical
10 Senate Bill 4069, Third Reading Calendar 1210.

11 Senator Oberacker moves to
12 discharge, from the Committee on Rules,
13 Assembly Bill Number 6781A and substitute it for
14 the identical Senate Bill 6813A, Third Reading
15 Calendar 1214.

16 Senator Chu moves to discharge, from
17 the Committee on Rules, Assembly Bill Number 7246
18 and substitute it for the identical Senate
19 Bill 6938A, Third Reading Calendar 1216.

20 Senator Webb moves to discharge,
21 from the Committee on Women's Issues,
22 Assembly Bill Number 3227 and substitute it for
23 the identical Senate Bill 4263, Third Reading
24 Calendar 1259.

25 Senator Webb moves to discharge,

1 from the Committee on Corporations, Authorities
2 and Commissions, Assembly Bill Number 4669 and
3 substitute it for the identical Senate Bill 4267,
4 Third Reading Calendar 1260.

5 Senator Martins moves to discharge,
6 from the Committee on Rules, Assembly Bill
7 Number 6129A and substitute it for the identical
8 Senate Bill 6354A, Third Reading Calendar 1296.

9 Senator Brisport moves to discharge,
10 from the Committee on Rules, Assembly Bill
11 Number 7349 and substitute it for the identical
12 Senate Bill 7448, Third Reading Calendar 1441.

13 Senator Persaud moves to discharge,
14 from the Committee on Social Services,
15 Assembly Bill Number 7360 and substitute it for
16 the identical Senate Bill 7451, Third Reading
17 Calendar 1444.

18 Senator Harckham moves to discharge,
19 from the Committee on Environmental Conservation,
20 Assembly Bill Number 7380 and substitute it for
21 the identical Senate Bill 7457, Third Reading
22 Calendar 1446.

23 Senator Gounardes moves to
24 discharge, from the Committee on Rules,
25 Assembly Bill Number 6156 and substitute it for

1 the identical Senate Bill 5744, Third Reading
2 Calendar 1506.

3 Senator Ramos moves to discharge,
4 from the Committee on Labor, Assembly Bill
5 Number 6208 and substitute it for the identical
6 Senate Bill 5867, Third Reading Calendar 1508.

7 Senator Jackson moves to discharge,
8 from the Committee on Rules, Assembly Bill
9 Number 6750 and substitute it for the identical
10 Senate Bill 6416, Third Reading Calendar 1523.

11 Senator Kavanagh moves to discharge,
12 from the Committee on Finance, Assembly Bill
13 Number 6113B and substitute it for the identical
14 Senate Bill 6640B, Third Reading Calendar 1530.

15 Senator Rivera moves to discharge,
16 from the Committee on Rules, Assembly Bill
17 Number 7365 and substitute it for the identical
18 Senate Bill 6641A, Third Reading Calendar 1531.

19 Senator Mannion moves to discharge,
20 from the Committee on Rules, Assembly Bill
21 Number 7016B and substitute it for the identical
22 Senate Bill 6644B, Third Reading Calendar 1532.

23 Senator Rivera moves to discharge,
24 from the Committee on Rules, Assembly Bill
25 Number 7328 and substitute it for the identical

1 Senate Bill 6897, Third Reading Calendar 1535.

2 Senator Jackson moves to discharge,
3 from the Committee on Rules, Assembly Bill
4 Number 7420 and substitute it for the identical
5 Senate Bill 6976, Third Reading Calendar 1536.

6 Senator Mannion moves to discharge,
7 from the Committee on Commerce, Economic
8 Development and Small Business, Assembly Bill
9 Number 2364 and substitute it for the identical
10 Senate Bill 7012, Third Reading Calendar 1538.

11 Senator Parker moves to discharge,
12 from the Committee on Commerce, Economic
13 Development and Small Business, Assembly Bill
14 Number 6793 and substitute it for the identical
15 Senate Bill 7124, Third Reading Calendar 1540.

16 Senator Mannion moves to discharge,
17 from the Committee on Rules, Assembly Bill
18 Number 7368A and substitute it for the identical
19 Senate Bill 7225A, Third Reading Calendar 1543.

20 Senator Ryan moves to discharge,
21 from the Committee on Commerce, Economic
22 Development and Small Business, Assembly Bill
23 Number 7292 and substitute it for the identical
24 Senate Bill 7232, Third Reading Calendar 1544.

25 Senator Persaud moves to discharge,

1 from the Committee on Rules, Assembly Bill Number
2 7424A and substitute it for the identical Senate
3 Bill 7259A, Third Reading Calendar 1545.

4 Senator Serrano moves to discharge,
5 from the Committee on Health, Assembly Bill
6 Number 7290 and substitute it for the identical
7 Senate Bill 7455, Third Reading Calendar 1551.

8 Senator Scarcella-Spanton moves to
9 discharge, from the Committee on Rules,
10 Assembly Bill 3381A and substitute it for the
11 identical Senate Bill 7461, Third Reading
12 Calendar 1552.

13 Senator Mannion moves to discharge,
14 from the Committee on Health, Assembly Bill
15 Number 7426 and substitute it for the identical
16 Senate Bill 7463, Third Reading Calendar 1554.

17 Senator Ramos moves to discharge,
18 from the Committee on Rules, Assembly Bill
19 Number 7661 and substitute it for the identical
20 Senate Bill 7474, Third Reading Calendar 1557.

21 Senator Rivera moves to discharge,
22 from the Committee on Rules, Assembly Bill
23 Number 7393 and substitute it for the identical
24 Senate Bill 7477, Third Reading Calendar 1560.

25 Senator Rivera moves to discharge,

1 from the Committee on Rules, Assembly Bill
2 Number 7425 and substitute it for the identical
3 Senate Bill 7478, Third Reading Calendar 1561.

4 Senator Rivera moves to discharge,
5 from the Committee on Health, Assembly Bill
6 Number 7373 and substitute it for the identical
7 Senate Bill 7479, Third Reading Calendar 1562.

8 Senator Serrano moves to discharge,
9 from the Committee on Corporations, Authorities
10 and Commissions, Assembly Bill Number 7171 and
11 substitute it for the identical Senate Bill 7480,
12 Third Reading Calendar 1563.

13 Senator Walczyk moves to discharge,
14 from the Committee on Rules, Assembly Bill
15 Number 7118 and substitute it for the identical
16 Senate Bill 6761, Third Reading Calendar 974.

17 ACTING PRESIDENT MAYER: So
18 ordered.

19 Messages from the Governor.

20 Reports of standing committees.

21 Reports of select committees.

22 Communications and reports from
23 state officers.

24 Motions and resolutions.

25 Senator Gianaris.

1 SENATOR GIANARIS: Good afternoon,
2 Madam President.

3 On behalf of Senator Brisport I wish
4 to call up Senate Print 5355, recalled from the
5 Assembly, which is now at the desk.

6 ACTING PRESIDENT MAYER: The
7 Secretary will read.

8 THE SECRETARY: Calendar Number
9 809, Senate Print 5355, by Senator Brisport, an
10 act to amend the Education Law.

11 SENATOR GIANARIS: Move to
12 reconsider the vote by which that bill was
13 passed.

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 58.

18 ACTING PRESIDENT MAYER: The bill
19 is restored to its place on the Third Reading
20 Calendar.

21 SENATOR GIANARIS: I offer the
22 following amendments.

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

1 Senator Gianaris.

2 SENATOR GIANARIS: Please recognize
3 Senator Lanza.

4 ACTING PRESIDENT MAYER: Senator
5 Lanza.

6 SENATOR LANZA: Thank you,
7 Senator Gianaris.

8 Madam President, on behalf of
9 Senator Oberacker, on page 24 I offer the
10 following amendments to Calendar Number 1011,
11 Senate Print 5937, and ask that said bill retain
12 its place on Third Reading Calendar.

13 Madam President, on behalf of
14 Senator Rhoads, on page 37 I offer the following
15 amendments to Calendar 1299, Senate Print 6858A,
16 and ask that said bill retain its place on Third
17 Reading Calendar.

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

21 Senator Gianaris.

22 SENATOR GIANARIS: Can we now take
23 up previously adopted Resolution 861, by
24 Leader Stewart-Cousins, read its title and
25 recognize Senator Cleare to speak on the

1 resolution.

2 ACTING PRESIDENT MAYER: The
3 Secretary will read.

4 THE SECRETARY: Resolution 861, by
5 Senator Stewart-Cousins, mourning the death of
6 Harry Belafonte, Jamaican-American singer,
7 songwriter, actor and humanitarian.

8 ACTING PRESIDENT MAYER: Senator
9 Cleare on the resolution.

10 SENATOR CLEARE: Thank you,
11 Madam President.

12 Today it is with heavy heart that we
13 honor the life of Harry Belafonte. Harry
14 Belafonte's legacy is representative of Harlem's
15 legacy, one of a musician, performer, an artist
16 and humanitarian, and an advocate for civil
17 rights.

18 Born at Lying In Hospital in Harlem
19 to Jamaican parents, Harry Belafonte was an
20 iconic figure for Black people everywhere.
21 Despite living under segregation, Harry Belafonte
22 dutifully served his country in the U.S. Navy
23 during World War Two, aiding to defeat fascism
24 and oppression abroad.

25 Harry Belafonte shares a special

1 connection to my district, where not only was he
2 native to but also fell in love with performing
3 at the American Negro Theater on West 135th
4 Street. His name will forever be cemented in
5 Harlem's history with the Harry Belafonte
6 115th Street Library.

7 Belafonte was not only a supporter
8 of the civil rights movement, but also served as
9 one of Dr. King's closest confidants, and even
10 provided the King family with financial aid.

11 Belafonte led the effort to bail
12 King out of the Birmingham Jail he was imprisoned
13 in, raising \$50,000 in the effort. He was a key
14 contributor in the 1961 Freedom Rides, supported
15 voter registration drives, and helped organize
16 the 1963 March on Washington.

17 Belafonte was one of the pioneers of
18 advocating for equitable contributions in our
19 democracy. Like others today who champion these
20 goals, Belafonte was persecuted during the
21 McCarthy-era Red Scare. With an increasing
22 effort seeking to reverse the progress on voting
23 expansion, Belafonte's teachings and advocacy are
24 more necessary now than ever.

25 Belafonte's relentless commitment to

1 human rights didn't stop at the injustices he
2 experienced. He was an advocate for the
3 anti-apartheid movement in South Africa, being a
4 UNICEF Goodwill Ambassador, supporting the
5 campaign against the HIV and AIDS virus, actively
6 campaigning to address climate change and
7 opposing America's foreign imperialism.

8 His life's work as an artist,
9 activist and role model has created the space for
10 so many people. But his work must continue
11 through all of us.

12 Belafonte is survived by his four
13 children -- Shari, David, Adrienne, and Gina --
14 and his five grandchildren -- Rachel Blue, Brian,
15 Maria, Sarafina and Amadeus, who all stated: "To
16 the world, he was a legend. But to us, he was
17 Dad."

18 With us today accepting the
19 resolution on behalf of the Belafonte family are
20 the legendary Voza Rivers, executive producer of
21 New Heritage Theater Group in Harlem, and
22 Ken Sunshine, former chief of staff to
23 Mayor David Dinkins and present publicist.

24 ACTING PRESIDENT MAYER: Thank you,
25 Senator Cleare.

1 Senator Ramos on the resolution.

2 SENATOR RAMOS: Thank you,
3 Madam President.

4 You know, although Harry Belafonte
5 is of course remembered as a son of Harlem, he
6 actually once called East Elmhurst home. He
7 lived at 96-16 25th Avenue, actually not too far
8 away from where my father once lived. You see,
9 in the late 1950s Belafonte was one of the many
10 great Black artists to move to East Elmhurst. It
11 was once beachfront property, and it was known as
12 the Black Beverly Hills at one point.

13 There is so much art and culture
14 that we consider quintessentially American that
15 came out of that particular neighborhood. Harry
16 Belafonte's work, of course, is no exception.
17 The King of Calypso gave us folk music steeped in
18 activism, a habit that continued long after he
19 retired from performing.

20 And I have to say that I had the
21 privilege of meeting him a few times in my own
22 journey as a member of the labor movement.

23 We are very lucky to have had
24 Harry Belafonte for a very long time,
25 particularly when so many giants of the

1 Civil Rights Era were cruelly taken away from us
2 too soon, including, of course, the late
3 Malcolm X, who also lived in East Elmhurst.

4 In his autobiography, he writes how
5 his friend MLK Jr. believed that anger was
6 necessary for change, but not anger experienced
7 in isolation or anger for the sake of it. He
8 said: "Our cause showed me how to redirect the
9 anger that once protected me and make it
10 productive."

11 I'd like to thank Senator Cleare for
12 this resolution and for giving us the opportunity
13 to reflect on a great man's legacy and how we may
14 draw from it for our own work, today and always.

15 I vote aye on the resolution.

16 Thank you.

17 ACTING PRESIDENT MAYER: Thank you,
18 Senator Ramos.

19 Senator Bailey on the resolution.

20 SENATOR BAILEY: Thank you,
21 Madam President.

22 I want to thank the leader and thank
23 you, Senator Cleare, for bringing this.

24 Look, I had the opportunity to meet
25 Mr. Belafonte once in passing, but you felt what

1 his legacy was even in that passing. And when
2 you're growing up Black, one of those names that
3 you hear in many different spheres was Harry
4 Belafonte. Not just an artist, not just an
5 actor, not just an activist -- someone who, as I
6 guess Tupac said about Marvin Gaye, had you
7 feeling like Black was the thing to be. Like he
8 made us -- through his actions, he inspired us.

9 And so sometimes you don't have to
10 know someone incredibly well to feel their
11 essence and what they've done for the movement.
12 And, you know, and a lot has -- a lot can be said
13 about that. You know, a lot can be said about
14 the music that we hear on Sundays while our
15 parents are cleaning the house or while we're
16 driving to church or the conversation that you're
17 having within your aunts and your uncles.

18 And upon the passing of
19 Mr. Belafonte, there were a lot of conversations
20 in my family group chat -- which is, you know,
21 how we keep contact nowadays, Madam President --
22 and all of my aunts and uncles had a fond
23 Harry Belafonte memory about a song that touched
24 them or a lyric that inspired them.

25 So I just want to say, to the

1 family, thank you for lending him to us. Thank
2 you for lending his voice to us. It means a heck
3 of a lot. And so that generations well beyond
4 mine and that of my children, they will know his
5 name, because it will mean something to them.

6 I vote aye, Madam President.

7 ACTING PRESIDENT MAYER: Thank you,
8 Senator Bailey.

9 Senator Serrano on the resolution.

10 SENATOR SERRANO: Thank you very
11 much, Madam President.

12 And my condolences to the
13 Belafonte family and friends, and my gratitude to
14 Senator Cleare for bringing forth this
15 resolution.

16 Harry Belafonte was a tremendous
17 individual, a person who stood for really
18 important causes that affect all of us in
19 meaningful ways. And as an artist he exemplified
20 using his art and using his ability to reach an
21 audience as a vehicle for social justice.

22 And as chair of the Committee on the
23 Arts and Culture, and as a person who has had the
24 good fortune of being around the arts for a good
25 part of my life, one of the things that I have

1 found so compelling about the arts, and why I
2 care so deeply about it, is because the artists
3 throughout history have been the ones, long
4 before many others, to step forward and talk
5 about the inequalities in society, to talk about
6 the needs for social justice, to talk about at
7 times the hypocrisy in the world at that time.
8 And they did it courageously and often at the
9 detriment of their own careers, but they did it
10 because they understood that they could build
11 something that everyone can coalesce around.

12 So Harry Belafonte exemplified that,
13 and he used his platform for really positive and
14 wonderful things that we all cherish.

15 So again, my condolences and my
16 sincere gratitude to the Belafonte family for all
17 that they've done for our society.

18 Thank you.

19 ACTING PRESIDENT MAYER: Thank you,
20 Senator Serrano.

21 To our guests who are here on behalf
22 of the Belafonte family and friends, we welcome
23 you on behalf of the Senate. We extend to you
24 the privileges and courtesies of the house.

25 Please rise and be recognized.

1 (Standing ovation.)

2 ACTING PRESIDENT MAYER: The
3 resolution was previously adopted on May 2nd.

4 Senator Gianaris.

5 SENATOR GIANARIS: Next let's move
6 to previously adopted Resolution 1357, by
7 Senator Fernandez, read its title and recognize
8 Senator Fernandez.

9 ACTING PRESIDENT MAYER: The
10 Secretary will read.

11 THE SECRETARY: Calendar Number
12 1357, by Senator Fernandez, mourning the death of
13 Sandra Pabon, district leader, distinguished
14 citizen, and devoted member of her community.

15 ACTING PRESIDENT MAYER: Senator
16 Fernandez on the resolution.

17 SENATOR FERNANDEZ: Thank you,
18 Madam President.

19 I told myself I wouldn't cry
20 (weeping).

21 I have to start with the happy
22 moments of Sandra. I have to remember how much
23 she made me laugh, how much she supported me, how
24 much she loved her community. And we lost her
25 less than a week ago. So I'm very grateful that

1 leadership did what they had to do to let us have
2 this moment, to let her have this moment and this
3 recognition. I'm sorry I'm crying so much.

4 She was so special to so many
5 people. When I came in the Assembly, when I
6 first started in the Assembly as a staffer, as a
7 volunteer, she saw me first. She saw me before
8 many people noticed the work that I was doing,
9 the care that I gave, and she was my biggest
10 cheerleader.

11 And anyone who knows Sandra in the
12 Bronx, you know that when she supported you, she
13 loved you, she gave you everything -- from not
14 just her, her presence, but her voice. And
15 that's one thing that I'm going to miss so much,
16 hearing her booming voice down 204th Street and
17 Hull, at any event. And to hear her chant my
18 name, because that was something that she did.
19 Every time I walked onto the block, every time I
20 walked into the room: Nath-al-ia! Nath-al-ia!
21 And she got the whole crowd going.

22 But knowing Sandra's life and
23 history, when I came to the Senate, she was sad
24 to see me leave, but I told her I would never
25 leave the 80th, the greatest 80th, that I call

1 it, because it was -- it is the greatest
2 80th Assembly District in the entire
3 United States, I will always say.

4 But she made it great because she
5 was a voice, a force, a figure, a beacon of
6 light, hope and especially faith. She was a
7 woman of God, an NYPD chaplain, and she offered
8 her prayer every moment that you needed it, any
9 moment that you needed it.

10 And in the community's most time of
11 need, before the pandemic, it was always:
12 "Nathalia, my community's hungry, what are we
13 going to do?" "My community needs this, what are
14 we going to do?" And I would do everything I can
15 to make it possible. But she made it easy to
16 make it possible. Because once I got the
17 supplies, she was the street soldier to get it
18 out there.

19 She was the advocate to let it be
20 known who did what. Because many times we don't
21 give that credit to those that said something,
22 did something. But Sandra was always about the
23 truth, always about the merit, and always about
24 the possibility of what can happen.

25 And that extended, again, through

1 her voice and encouragement to the neighbors that
2 she had to push to believe that we can have
3 better, and that was able to show them, Look, we
4 do have better.

5 When I came into the Senate and I
6 told her I was the chair of Alcohol and Substance
7 Use, she was like, "I'm so happy. As much as I'm
8 sad not to have you, do you know what this means
9 for someone like me?" Because Sandra was a
10 substance abuse counselor before she got into
11 politics, before she got into her real community
12 work.

13 And she told me then, "You have to
14 be compassionate, Nathalia. The people that are
15 suffering, they need to know that you see them,
16 you hear them. Meet them where they are and
17 always encourage them." And even now she'd go
18 back and pray, just pray with them. And that
19 force that you felt when she held your hands and
20 when she spoke to God with you, for you -- I know
21 I'm never going to lose that.

22 So I'm so sad to lose her. And I
23 truly thank her for the inspiration that she gave
24 us, for the motivation, for the support. And for
25 her family, thank you for sharing her with us.

1 To her daughter Alex and her granddaughters
2 Amelia, Sophia and Michael, her husband Billy, I
3 know you know. You have no idea how much this
4 loss hurts not just Norwood, not just the 80th,
5 not just the Bronx, but anybody in this state and
6 country that met her, knew her.

7 So I take this moment to say thank
8 you, Sandra, because I don't think I would be
9 here without you. Thank you for always praying
10 for us. And thank you for still praying for us.
11 I know she's still going to be praying for us.

12 And thank you for those that are
13 going to vote aye, because you have no idea how
14 much this means to me, how much this means to the
15 80th, and how much this means for what someone
16 thinks of when they give themselves to their
17 community. Because she is the example that we
18 need to live by. She is the example that you
19 need to tell your grandkids about. A fearless
20 woman who was tough -- don't get me wrong, she
21 was a proud Puerto Rican woman from the Bronx,
22 and she was tough as nails. But the love that
23 she had that you saw, that you felt, that you
24 heard, I hope that we can see that everyday in
25 each other.

1 Thank you so much, and I proudly
2 vote aye.

3 ACTING PRESIDENT MAYER: Thank you,
4 Senator Fernandez.

5 Senator Bailey on the resolution.

6 SENATOR BAILEY: Thank you,
7 Madam President.

8 Thank you, Senator Fernandez, for
9 introducing this resolution. This is a tough
10 one. Sandra was like -- just at day one, when I
11 first endeavored to seek office, the Norwood
12 section was new to me. And I was introduced to
13 this just dynamite, energy-filled, really loud
14 but really amazing woman, Sandra Pabon.

15 And like Senator Fernandez says, if
16 Sandra was with you, she was with you. Like the
17 time for canvassing, it didn't matter, because
18 Sandra was with you. She wasn't stopping at
19 6 o'clock, she was stopping when she felt like
20 she was called to stop. And she didn't ever
21 stop.

22 Sandra was everywhere. She was
23 every single place that either you needed her to
24 be or that you didn't know you needed her to be,
25 because she was our voice in the community.

1 After like I was successful in the
2 election, we had T-shirts. And Sandra brought me
3 a frame of a T-shirt that she wore with her voter
4 contact card, with her "I Voted" sticker on it.
5 That -- I keep that frame outside of my office,
6 ever since I moved into that office. And I never
7 thought a day where I'd have to relinquish it,
8 but Alex, I think I have to give it to you. That
9 has to be yours now. Because I want you to
10 realize how much your mom meant to me, how much
11 she meant to the Bronx, and how like even things
12 that she didn't realize were inspirational helped
13 to calm us.

14 I did the introduction at the State
15 Democratic Convention. And when I stepped up on
16 the stage I was nervous as heck, Madam President.
17 And I heard "The Bronx loves Bailey, the Bronx
18 loves Bailey." Sandra Pabon, unmistakable voice.
19 If you were from the Bronx, you know her voice.
20 Hearing that calmed me down.

21 When Nathalia sent me the text that
22 she passed away -- the longest thing that you
23 didn't think that you saw because you didn't want
24 to see it. You don't want to realize, you don't
25 want to believe that she's gone. And she's gone

1 in the physical form, but she's never going to
2 leave us. Right?

3 I just -- you want to remember her
4 in the good times, the great times. And the
5 irony is that like the night before, I wanted to
6 get to the Noche Buena that she was at. And
7 Sandra loved Facebook Live more than most people
8 in the world. She was good at it, too. She was
9 doing her Facebook Live, dancing, just showing
10 the love and exuberance that she had for life.
11 And then I saw it, and then like I -- I was just
12 in disbelief that like she's not with us anymore.

13 I remember like on Primary Night
14 that -- how much -- she worked the whole day and
15 stayed for the whole event. Made sure she shook
16 everybody in my family's hand and hugged
17 everybody in my family.

18 When Hurricane Maria happened,
19 she -- all five-foot-something of Sandra was
20 lifting barrels, organizing relief drives with
21 other chaplains throughout the borough, city and
22 state. We'd given out food on 204th and Hull,
23 like Senator Fernandez was saying. Sandra just
24 taking it to people that she knew were not
25 mobile, that she knew couldn't get out to get

1 these food boxes, but she knew they were hungry
2 because she knew her community.

3 And she loved her community. And
4 her community loved her. And I love her. She
5 was a fantastic woman, and it's going to be
6 really difficult in the Bronx without her. I
7 don't know how I'm going to feel about the next
8 large-scale gathering.

9 But I just really just want to say
10 to Alex and Billy and to the family, just thank
11 you again for sharing her with us. You should
12 know that Senator Fernandez and I are far from
13 the only ones who love and revere your mother.
14 She left an indelible mark on all of us.

15 And it's -- we're going -- we're
16 going to have to do something to enshrine her
17 name in perpetuity, that I can promise. I don't
18 know what it is, but I can promise that I'm going
19 to do something. I don't know what, but I will.

20 I just want to say thank you for
21 lending her to us. I just want to say if you get
22 a chance, you know, whoever it is that you love,
23 man, like just tell them you love them. You
24 don't know when you're going to say it again.
25 And when you're going to see them again.

1 Rest in peace, Sandra. One of the
2 best that we've ever had.

3 I vote aye, Madam President.

4 ACTING PRESIDENT MAYER: Thank you,
5 Senator Bailey.

6 To our guests from Sandra Pabon's
7 family, we welcome you on behalf of the Senate.

8 Please rise and be recognized.

9 (Standing ovation.)

10 ACTING PRESIDENT MAYER: The
11 resolution was previously adopted on June 6th.

12 Senator Gianaris.

13 SENATOR GIANARIS: Madam President,
14 let's take up next previously adopted
15 Resolution 933, by Senator Palumbo, read its
16 title and recognize Senator Palumbo.

17 ACTING PRESIDENT MAYER: The
18 Secretary will read.

19 THE SECRETARY: Resolution 933, by
20 Senator Palumbo, congratulating the Southold
21 High School Robotics Team RICE 870 upon their
22 designation as a Finalist in the FIRST World
23 Championships.

24 ACTING PRESIDENT MAYER: Senator
25 Palumbo on the resolution.

1 SENATOR PALUMBO: Thank you,
2 Madam President.

3 And I rise today to recognize and
4 congratulate the Southold Robotics Team for
5 coming in second in the world. And, you know, in
6 response to just what we've seen as far as these
7 other resolutions, the students are in the
8 gallery, and they're from Greenport and Southold
9 High Schools. And to have heard just what we
10 head from Senator Fernandez and Senator
11 Stewart-Cousins, who just had some resolutions on
12 the floor about some really truly special people,
13 individuals like Sandra -- who allowed things
14 like the robotics competition to happen
15 throughout her career -- that it's really special
16 to be recognized on the floor of the New York
17 State Senate. And this is one of those moments
18 as well.

19 So the Southold High School Team
20 RICE 870 is composed of students from Southold
21 and Greenport High Schools. RICE, R-I-C-E, is an
22 acronym for the team motto: Respect, integrity,
23 compassion, and equity. And most importantly,
24 this is not just a team from the 1st Senate
25 District, this is my hometown. And in fact one

1 of those students who I'll embarrass in a little
2 bit is my daughter Madeline on this team.

3 So these students faced off to get
4 to the world's -- there were over 3,600 teams
5 worldwide from over 30 countries. They had a
6 great season, they went 42 and 14 for the season,
7 and they qualified for the championship in
8 Houston, Texas, by winning the region.

9 And the robotics team program
10 teaches students various skills such as critical
11 thinking, collaboration, communication,
12 leadership, and that hard work pays off.

13 And just to give you a little bit of
14 background, each year before they enter
15 competitions, the students of Team 870 design and
16 engineer a robot, they build it from scratch, and
17 program it to move and perform tasks necessary
18 for competition game play.

19 This year's competition, dubbed
20 Charged Up, required robots to pick up cones and
21 cubes, then place them on a series of nodes at
22 three different heights, which each have
23 different point values.

24 The Southold team began building
25 their robot and practicing back in January. They

1 worked daily after school into the late evening
2 hours to prepare for their victory in the FIRST
3 Long Island Regional No. 2 match. And what's
4 important to note is -- you see it looks like a
5 pretty big team -- is they build from scratch.
6 So they have a build team, they have a coding
7 team that codes the robot, they have a business
8 team that raises money.

9 And what's so significant is these
10 schools have about 60, 70 kids in a class. Of
11 these other teams that they faced from giant
12 schools all around the world, they have a
13 shoestring budget. They raised money in the
14 community. About \$60,000 was their total budget.
15 There were teams in this competition that had
16 hundreds of thousands of dollars from GM, Google,
17 Boeing. I believe one Israeli team had a
18 \$100,000 grant from the Israeli government.

19 I mean, this is serious stuff. And
20 to have a small school like this compete as well
21 as they did is really remarkable and impressive.

22 And in the Long Island Region 2,
23 held at Hofstra University from March 23rd to
24 March 25th, 47 teams competed from four
25 countries. Team RICE 870 had a record of 13 and

1 2 and went on to win the regional, and the win
2 earned them an invitation to the World
3 Championship in Houston, Texas.

4 Now, when they went to Houston,
5 Texas, they competed against approximately
6 620 teams from over 30 countries. They were
7 divided into eight divisions. And they were
8 placed in the Daly division after the qualifying
9 rounds, and won that division, which got them
10 into the World Championships where eight teams
11 were in a round-robin tournament.

12 They won a few games. They went
13 into the lower bracket after losing one game --
14 it's a two-game elimination, double elimination
15 round-robin tournament. They fought their way
16 through to the final game. It was the best of
17 three.

18 Now unfortunately, the reason why
19 they're second in the world is just more or less
20 I think a part of the competition itself, because
21 these robots are going all day, they're banging
22 into each other. And there are teams of three on
23 each side. One of their teams had a
24 communication error, so they couldn't drive the
25 robot wirelessly on the first game, and

1 unfortunately they lost quite significantly. The
2 second game they lost by one point. And they did
3 suffer a slight mechanical error, or mechanical
4 complication.

5 But the bottom line is these amazing
6 kids from little old Southold have done
7 absolutely amazing work to have gotten to where
8 they've gotten. And I just wanted to read off
9 the names. And if maybe the kids would stand up
10 in the gallery that are here as I mention their
11 name in this resolution.

12 Sofia Gillan. Ava Rose. Flynn
13 Klipstein. Brian Schill. Bryce Keels. Will
14 Helinski. Noah Berry. Elizabeth Estrada. Laila
15 Rose. Rylee Owens. Anna Colosi. Danna Duarte.
16 Amy Estrada. Kimberly Gregorio. Caige
17 Kaessinger. Harrison Craigue. Mae Dominy. And
18 Maddy, get up, you can stand up too: Madeline
19 Palumbo. Michaela Lynch. And Emma Binkis.

20 And from Greenport High School --
21 those were the Southold High School kids -- we
22 have Declan Crowley. Nate Stevenson. Shepherd
23 Odell. John Harvey. Brae Iglesias. And Noah
24 Ganguzza.

25 And their co-advisors, Christine

1 Schade and Bob Gammon. And we're also joined by
2 mentors Lynette Crowley -- and Tony Kryl is a
3 mentor who's up there who was a tech teacher who
4 founded the Robotics Program in 2001 in Southold.

5 So, Madam President, I appreciate
6 your indulgence and the opportunity to speak on
7 this resolution. If you would be so kind as to
8 afford all the cordialities and pleasantries of
9 the house to these fine kids.

10 ACTING PRESIDENT MAYER: Thank you,
11 Senator Palumbo.

12 To our guests from Team RICE 870, I
13 welcome you on behalf of the Senate. We extend
14 to you the privileges and courtesies of the
15 house.

16 Please rise and be recognized.

17 (Standing ovation.)

18 ACTING PRESIDENT MAYER: The
19 resolution was previously adopted on May 9th.

20 Senator Gianaris.

21 SENATOR GIANARIS: The sponsors
22 would like to open the resolutions we took up
23 today to cosponsorship.

24 ACTING PRESIDENT MAYER: The
25 resolutions are open for cosponsorship. Should

1 you choose not to be a cosponsor on the
2 resolutions, please notify the desk.

3 Senator Gianaris.

4 SENATOR GIANARIS: At this time,
5 Madam President, we are going to call an
6 immediate meeting of the Rules Committee in
7 Room 332 and simultaneously take up the calendar.

8 But we're going to begin with
9 Calendar 1637 and then take up the remainder of
10 the calendar in order after that.

11 ACTING PRESIDENT MAYER: There will
12 be an immediate meeting of the Rules Committee in
13 Room 332.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1637, Assembly Bill Number 3983, by
17 Assemblymember Thiele, an act to amend the
18 Vehicle and Traffic Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

21 THE SECRETARY: Section 5. This
22 act shall take effect on the first of November.

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Senator
2 Thomas to explain his vote.

3 SENATOR THOMAS: Thank you,
4 Madam President.

5 Fifteen years. It took 15 years to
6 bring Angelica's Law to the floor here in the
7 Senate. What is Angelica's Law? This
8 legislation will amend the Vehicle and Traffic
9 Law to make it a felony to drive with five or
10 more license suspensions, instead of the current
11 10.

12 This is a crucial piece of
13 legislation that will bring justice to the memory
14 of a young life lost and safeguard the future of
15 our children in the communities. In 2008, a
16 vibrant young woman named Angelica Nappi had her
17 life cruelly taken by a driver who,
18 astonishingly, had accumulated seven prior
19 license suspensions.

20 The grief that Angelica's loved
21 ones -- especially her mom and her dad, who are
22 here with us today -- experienced is
23 immeasurable. And the impact of this loss
24 rippled throughout the entire community. It was
25 a stark reminder of the devastating consequences

1 that can arise when we fail to address the issue
2 of unlicensed drivers who repeatedly endanger the
3 lives of people and the communities that they
4 live in.

5 New York State has long been at the
6 forefront of efforts to improve traffic safety.
7 However, the menace of motor vehicle crashes
8 persists, inflicting untold personal suffering
9 and remaining a significant public concern.

10 The peril posed by unlicensed
11 drivers, not only to pedestrians but also to
12 other motorists, is well documented. We cannot
13 stand idly by. We have a moral obligation to
14 act, to protect our citizens from preventable
15 harm and to ensure the safety of our roads.

16 Angelica's Law is a vital step
17 towards achieving these goals. With this, we are
18 sending a clear message: Dangerous drivers who
19 repeatedly break the law will face severe
20 consequences.

21 Through the passage of this law we
22 aim to remove these reckless individuals from our
23 roadways. Angelica's tragedy must not be in
24 vain. Instead, it should serve as a rallying cry
25 for change, a catalyst for safer and more

1 responsible driving. Let us therefore stand
2 united today, bound by a shared determination to
3 create safer roads in our communities.

4 This is a bipartisan triumph, a
5 triumph that belongs to Angelica's mother, Dawn
6 Nappi, who has been pushing to make our roads
7 safer for the last 15 years. And because of her
8 hard work on this, it was made possible.

9 And I want to thank my colleagues
10 Assemblymember Thiele and Senator Murray for
11 their tireless work on this bill long before I
12 entered this chamber.

13 We did it. This is about making
14 sure our communities are safe, and we did this
15 together. And this is because of Angelica. May
16 you rest in peace. And thank you, Dawn and Mark,
17 for being here.

18 I vote in the affirmative.

19 Thank you.

20 ACTING PRESIDENT MAYER: Senator
21 Thomas to be recorded in the affirmative.

22 Senator Murray to explain his vote.

23 SENATOR MURRAY: Thank you,
24 Madam President.

25 First let me start by thanking my

1 colleague Senator Thomas. As he had mentioned,
2 this has been a very long, difficult, sometimes
3 very disappointing, sometimes angering process,
4 but we did get here. We are here.

5 There was some confusion over what
6 the bill did in the beginning. We worked
7 together. We've compromised, come together to
8 clarify that this is dealing with suspensions for
9 moving violations only. Not for financial
10 violations, not for administrative violations.
11 Moving violations only. It's important that we
12 know that, because the purpose is to keep our
13 streets safe.

14 So I thank Senator Thomas. I thank
15 Assemblyman Thiele, Assemblywoman DeStefano for
16 their efforts.

17 But I want to give you a little
18 detail about why we're here and why it is
19 Angelica's Law.

20 It was a Tuesday, February 19, 2008,
21 and six young ladies, all excited, some of them
22 members of a church dance troupe, and this new
23 dance movie was coming out. They all wanted to
24 go see it. So they piled in the car. Included
25 in there was Angelica and her 12-year-old sister

1 Nicolette. They hopped in the car, they headed
2 westbound on Woodside Avenue. Unfortunately,
3 they never made it to the movie theater, because
4 coming northbound on route 101, streaming right
5 through the red light and slamming into their
6 car, full speed, was Stephen Catalano, who had
7 had his license suspended multiple times -- and
8 I'll get back to that.

9 It was so bad, there were four cars
10 ending up being involved in this accident -- nine
11 people injured. Unfortunately, Angelica, through
12 the injuries she suffered, just three days later,
13 on Friday, February 22nd, she succumbed to those
14 injuries and we lost her.

15 Her mother, from that point on,
16 said: I will not give up. This will not be in
17 vain. We will make changes to this law. And
18 that's when the journey began.

19 I got in the Assembly in 2010, and
20 that's when I picked up the bill and have been
21 pushing forward ever since. There were years it
22 would pass the Senate and not the Assembly, then
23 years it was the Assembly, not the Senate.
24 finally, this year, thanks to Senator Thomas,
25 Assemblyman Thiele, it's getting done in both

1 houses, and hopefully the Governor will sign this
2 into law.

3 Why is it important? Because --
4 let's get to the crux of it. We're talking about
5 five suspensions. Currently it's 10 suspensions
6 before it even becomes a felony. So there is no
7 deterrent. If you do not believe that,
8 understand that when Stephen Catalano got behind
9 the wheel, as Senator Thomas mentioned, he had
10 his license suspended seven times. The seventh
11 time was by a judge who said "You can't drive
12 anymore." He literally walked out of the
13 courthouse, got in the car, started it up, and
14 drove up Route 101 and cost Angelica her life.
15 It wasn't a deterrent at all. He couldn't care
16 less.

17 The irony is this. If Angelica's
18 Law was in place at that time, he would have
19 never been on the roadway. He would have been
20 behind bars. So there is no doubt that this bill
21 and our passing this bill today will help to save
22 lives. And that will be Angelica's legacy.

23 And finally, I'll close with this.
24 I also want to talk to Dawn Nappi, her mother,
25 who is here with us in the gallery today, who has

1 been just tireless. Her drive and her
2 determination is unmatched. Her dedication, her
3 perseverance, her love for her daughter -- she
4 told me the other day on the phone, "If we get
5 this done, it won't be in vain."

6 Well, Dawn, it's getting done, and
7 it's not in vain. I've never been more proud to
8 vote yes on a bill.

9 Thank you.

10 ACTING PRESIDENT MAYER: Announce
11 the results.

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 (Standing ovation.)

16 ACTING PRESIDENT MAYER: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 254, Senate Print 1161A, by Senator Sanders, an
20 act to amend the Workers' Compensation Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 254, those Senators voting in the
7 negative are Senators Ashby, Borrello,
8 Canzoneri-Fitzpatrick, Griffo, Helming, Murray,
9 Oberacker, Ortt, Stec, Tedisco, Walczyk and
10 Weber.

11 Ayes, 50. Nays, 12.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 577, Senate Print 5482, by Senator Hoylman-Sigal,
16 Concurrent Resolution of the Senate and Assembly
17 proposing an amendment to Section 25 of Article 6
18 of the Constitution.

19 ACTING PRESIDENT MAYER: Call the
20 roll on the resolution.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT MAYER: The

1 resolution is adopted.

2 THE SECRETARY: Calendar Number
3 735, Senate Print 2659A, by Senator Comrie, an
4 act to amend the General Business Law.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

7 THE SECRETARY: Section 3. 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: Announce
13 the results.

14 THE SECRETARY: Ayes, 59.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 755, Senate Print 5549, by Senator Kennedy, an
19 act to amend the Racing, Pari-Mutuel Wagering and
20 Breeding Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 784, Senate Print 4725, by Senator Sanders, an
11 act to amend the Public Authorities Law.

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

14 ACTING PRESIDENT MAYER: The bill
15 is laid aside for the day.

16 THE SECRETARY: Calendar Number
17 836, Senate Print 2311, by Senator Myrie, an act
18 to amend the Penal Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar Number 836, those Senators voting in the
5 negative are Senators Borrello,
6 Canzoneri-Fitzpatrick, Griffo, Lanza, Martins,
7 Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads,
8 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

9 Ayes, 42. Nays, 17.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 840, Senate Print 4235, by Senator Cleare, an act
14 to amend the State Finance Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: Ayes, 59.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 843, Senate Print 5286, by Senator Parker, an act
5 to amend the Executive Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

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 843, those Senators voting in the
17 negative are Senators Borrello,
18 Canzoneri-Fitzpatrick, Griffo, Lanza, Oberacker,
19 Rhoads, Tedisco, Walczyk and Weik.

20 Ayes, 50. Nays, 9.

21 ACTING PRESIDENT MAYER: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 853, Assembly Bill Number 2190, by
25 Assemblymember Dinowitz, an act to amend the

1 Public Health Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar Number 853, voting in the negative:
13 Senator Lanza.

14 Ayes, 60. Nays, 1.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 863, Senate Print 2163B, by Senator Addabbo, an
19 act to amend the Agriculture and Markets Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Senator
4 Addabbo to explain his vote.

5 SENATOR ADDABBO: Thank you,
6 Madam President.

7 Good afternoon, everyone.

8 In 2021 we passed unanimously a
9 bill, Senate Bill 1442, which made it basically
10 illegal to slaughter thoroughbred racehorses, and
11 improved the aftercare of such horses. But it's
12 kind of -- you know, in looking at enforcement
13 over the past two years, it's been kind of
14 difficult because sometimes it is, again,
15 difficult to distinguish between a racehorse or
16 police horse or a horse used for therapy.

17 So today's bill, Senate Bill Number
18 2075A, corrects that by making it now illegal to
19 slaughter any horse. And we're hopeful with this
20 bill that we can see the fact that we will not
21 have slaughter of any horses and actually
22 improve, once again, the aftercare of these
23 horses.

24 I want to thank the horse advocates
25 for obviously advancing this bill, helping us

1 advance this bill, especially 11-year-old Skylar
2 Blass. Today is her birthday. And I want to
3 thank her because it's advocates like this that
4 really help us protect horses and move certain
5 pieces of legislation. So I want to thank her.

6 I want to thank our leader for
7 getting the bill to the floor.

8 I want to thank my colleagues again
9 for protecting all horses at this point from
10 slaughter and improving the aftercare of all
11 horses throughout the state.

12 Madam President, I'll be voting aye.
13 Thank you so much.

14 ACTING PRESIDENT MAYER: Senator
15 Addabbo to be recorded in the affirmative.

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar Number 863, voting in the negative:
19 Senator Walczyk.

20 Ayes, 60. Nays, 1.

21 ACTING PRESIDENT MAYER: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 875, Senate Print 2586, by Senator Parker, an act
25 to amend the Public Service Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

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

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 875, those Senators voting in the
12 negative are Senators Borrello,
13 Canzoneri-Fitzpatrick, Helming, Martins, Mattera,
14 Oberacker, O'Mara, Rhoads, Rolison, Stec and
15 Walczyk.

16 Ayes, 50. Nays, 11.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 876, Senate Print 4876A, by Senator Stec, an act
21 to amend the Public Authorities Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 886, Senate Print 1870A, by Senator Cleare, an
11 act to amend the Public Housing Law.

12 ACTING PRESIDENT MAYER: Read the
13 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 Cleare to explain her vote.

21 SENATOR CLEARE: Thank you,
22 Madam President.

23 We generally believe that
24 transparency is a good thing when entering into
25 retail and commercial transactions and contracts.

1 However, right now a prospective tenant of a
2 rent-regulated or stabilized apartment has no way
3 of knowing the rent history of an apartment
4 before they make a choice whether or not to enter
5 into a lease transaction.

6 Given the major changes in the law
7 over the last 25 years, many of which
8 disproportionately advantaged landlords until we
9 finally passed the HSTPA in 2019. Combined with
10 the fact that there has repeatedly been fraud and
11 extralegal coercion in the pricing of rents and
12 efforts to deregulate apartments, understanding
13 the complete rent history of your possible home
14 is the baseline of information we should be
15 providing.

16 Housing is a human right, and it
17 should not go to the highest bidder or be held
18 hostage by an unscrupulous few. The more we
19 demystify the pricing of rents, the better for
20 tenants. And the more we ask for the truth to be
21 told by landlords, the more they can be held
22 accountable.

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

25 Thank you.

1 ACTING PRESIDENT MAYER: Senator
2 Cleare to be recorded in the affirmative.

3 Announce the results.

4 THE SECRETARY: In relation to
5 Calendar 886, those Senators voting in the
6 negative are Senators Ashby, Borrello,
7 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
8 Lanza, Martins, Mattera, Murray, Oberacker,
9 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
10 Tedisco, Walczyk, Weber and Weik.

11 Ayes, 40. Nays, 21.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 932, Senate Print 6064, by Senator Ortt, an act
16 to amend the Tax Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

21 ACTING PRESIDENT MAYER: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar 932, those Senators voting in the
3 negative are Senators Canzoneri-Fitzpatrick,
4 Harckham, Hinchey, Lanza, Mannion, Martinez,
5 Scarcella-Spanton, Skoufis and Webb.

6 Ayes, 52. Nays, 9.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 974, Assembly Bill Number 7118, by
11 Assemblymember Smullen, an act to amend
12 Chapter 489 of the Laws of 2004.

13 ACTING PRESIDENT MAYER: Read the
14 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar Number 974, those Senators voting in the
24 negative are Senators Canzoneri-Fitzpatrick,
25 Harckham, Hinchey, Lanza, Mannion, Martinez,

1 Scarcella-Spanton, Skoufis and Webb.

2 Ayes, 52. Nays, 9.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 998, Senate Print 1731C, by Senator Sanders, an
7 act to amend the General Business Law.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

10 THE SECRETARY: Section 5. This
11 act shall take effect on the 120th day after it
12 shall have become a law.

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 998, those Senators voting in the
20 negative are Senators Ashby, Borrello,
21 Canzoneri-Fitzpatrick, Gallivan, Griffo, Lanza,
22 Martins, Mattera, Murray, Oberacker, O'Mara,
23 Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco,
24 Walczyk, Weber and Weik.

25 Ayes, 41. Nays, 20.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1010, Assembly Bill Number 3288, by
5 Assemblymember Slater, an act to amend the
6 Highway Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar Number 1010, voting in the negative:
18 Senator Brisport.

19 Ayes, 60. Nays, 1.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1018, Senate Print 1736C, by Senator Krueger, an
24 act to amend the Executive Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 1018, those Senators voting in the
11 negative are Senators Ashby, Borrello,
12 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
13 Lanza, Martins, Mattera, Murray, Oberacker,
14 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
15 Tedisco, Walczyk, Weber and Weik.

16 Ayes, 40. Nays, 21.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1135, Senate Print Number 1856A, by
21 Senator Hoylman-Sigal, an act to amend the
22 Environmental Conservation Law.

23 SENATOR LANZA: Lay it aside.

24 ACTING PRESIDENT MAYER: The bill
25 is laid aside.

1 THE SECRETARY: Calendar Number
2 1138, Assembly Bill Number 783, by
3 Assemblymember Hunter, an act to amend the
4 Environmental Conservation Law.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar Number 1138, voting in the negative:
16 Senator Brisport. Senator Martinez as well.

17 Ayes, 59. Nays, 2.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1141, Senate Print 3116A, by Senator Mannion, an
22 act to amend the Environmental Conservation Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1143, Senate Print 4099, by Senator Kennedy, an
13 act to amend the Environmental Conservation Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Senator
22 Kennedy to explain his vote.

23 SENATOR KENNEDY: Thank you,
24 Madam President.

25 I'm very proud to carry this

1 legislation here today. I want to thank our
2 Majority Leader, Andrea Stewart-Cousins, for
3 bringing this bill to the floor, and all my
4 colleagues for supporting this bill.

5 This legislation was introduced in
6 consultation with the Humane Society. And what
7 it does is quite simple. It is a prevention of
8 killing wild animals for contest, competition,
9 tournament or derby, just for prizes and
10 entertainment and a waste of life.

11 You know, we're not talking about
12 deer hunting or fishing tournaments, turkey
13 hunting or even bear hunting. Those are
14 activities that have a legitimate purpose of
15 gathering food or population control, and they're
16 regulated by the State of New York.

17 But you know what, shooting
18 squirrels, bobcats, foxes, crows, woodchucks and
19 many other wild animals, and just leaving their
20 carcasses to rot or, you know, taking these in
21 for cash prizes by the dozens or more -- it's
22 just wrong. It's inhumane. And that's why we
23 need to make it illegal here in the State of
24 New York, like other states have done across this
25 nation. We need to prevent the taking of

1 wildlife for no substantive reason.

2 And let me be clear. This by no
3 means is a ban on hunting, and I would absolutely
4 oppose that. This simply says that the wanton
5 waste of wildlife, one of our state's most
6 precious resources, shouldn't continue.
7 Oftentimes, again, these carcasses are simply
8 discarded, and that's not what hunting is all
9 about.

10 Hunting is about appreciating
11 nature, preserving nature, and engaging with our
12 wildlife on an individual level. And if an
13 individual appreciates the skill it takes to hunt
14 small game, that will remain perfectly legal here
15 in the State of New York.

16 This bill is extremely important
17 across our state. It shows the respect for the
18 game and the wild animals that are hunted, and it
19 preserves hunting in a way that it should be.
20 But it absolutely outlaws the inhumane waste that
21 is perpetrated upon wildlife here in the State of
22 New York.

23 And I'm again proud of my colleagues
24 for supporting this bill. With that,
25 Madam President, I vote aye.

1 ACTING PRESIDENT MAYER: Senator
2 Kennedy to be recorded in the affirmative.

3 Senator Oberacker to explain his
4 vote.

5 SENATOR OBERACKER: Thank you,
6 Madam President.

7 Just to give another little context
8 to this bill, I see previously just a couple of
9 bills before, we passed a bill that has -- its
10 intended purpose is to manage wildlife, a pilot
11 program to manage wildlife. Well, I daresay that
12 another part of what we are about to potentially
13 pass here is the fact that this also acts as a
14 management system for wildlife.

15 I, being an outdoorsman all my life,
16 I have participated in many of these same events.
17 And they're not just a wanton waste of wildlife.
18 In fact, they have a -- they actually have many
19 dual purposes, in fact.

20 One is a lot of the volunteer fire
21 departments -- of which I belong to one -- we use
22 this as a way of gathering folks together. We
23 have a game dinner with the game that is brought
24 in. Yes, some prizes are awarded. But more
25 importantly, it also brings in some revenue into

1 such organizations.

2 I notice that we have seen a --
3 explosion is a term I'll use, with some of our
4 higher-predator wildlife, I being again a farmer,
5 as well, with animals. In fact, my wife just the
6 other night heard a pack of coyotes that were up
7 on our hill. And not that I'm taking anything
8 away from them, but when you see what a -- one
9 pack of coyotes can do as far as not only damage
10 to your livestock but damage to other wildlife --
11 and there is nothing there, there is nothing
12 there to take care of them in a management
13 situation.

14 So, unfortunately, I feel as though
15 this although well-intentioned bill does kind of
16 fall short as far as some of those other areas of
17 concern. And I, being an outdoorsman who
18 absolutely love the outdoors, love wildlife and
19 am a steward of it, Madam President, I will have
20 to vote no on this.

21 So thank you.

22 ACTING PRESIDENT MAYER: Senator
23 Oberacker to be recorded in the negative.

24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar 1143, those Senators voting in the
2 negative are Senators Ashby, Borrello, Gallivan,
3 Griffo, Helming, Hinchey, Lanza, Oberacker,
4 O'Mara, Ortt, Scarcella-Spanton, Stec, Tedisco
5 and Walczyk. Also Senator Ryan.

6 Ayes, 46. Nays, 15.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1152, Senate Print 6719, by Senator Mattera, an
11 act to amend the Environmental Conservation Law.

12 ACTING PRESIDENT MAYER: Read the
13 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: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1152, those Senators voting in the
23 negative are Senators Brisport, Hoylman-Sigal,
24 Martinez and Ramos.

25 Ayes, 57. Nays, 4.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1171, Senate Print 4563, by Senator Skoufis, an
5 act to amend the Highway Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

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 Number 1171, voting in the negative:
17 Senator Brisport.

18 Ayes, 60. Nays, 1.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1175, Senate Print 6579A, by Senator Gallivan, an
23 act to amend the Highway Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

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 Number 1175, voting in the negative:
10 Senator Brisport.

11 Ayes, 60. Nays, 1.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1179, Assembly Bill Number 463A, by
16 Assemblymember McDonald, an act to amend the
17 Insurance Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

20 THE SECRETARY: Section 5. This
21 act shall take effect on the 90th 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: Announce
2 the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1182, Senate Print 2684, by Senator Breslin, an
8 act to amend the Insurance Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1183, Senate Print 2798, by Senator Breslin, an
23 act to amend the Insurance Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

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: Ayes, 61.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1185, Assembly Bill Number 7038, by
13 Assemblymember Woerner, an act to amend
14 Chapter 589 of the Laws of 2015.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1210, Assembly Bill Number 5035, by
4 Assemblymember Giglio, an act to amend
5 Chapter 672 of the Laws of 1993.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

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: Ayes, 61.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1214, Assembly Bill Number 6781A, by
20 Assemblymember Tague, an act to amend Chapter 672
21 of the Laws of 1993.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1216, Assembly Bill Number 7246, by
11 Assemblymember Woerner, an act to amend the
12 Education Law.

13 ACTING PRESIDENT MAYER: Read the
14 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1231, Senate Print 2535, by Senator Comrie, an
2 act to amend the Public Authorities Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

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

7 ACTING PRESIDENT MAYER: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MAYER: Announce
11 the results.

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1232, Senate Print 2963A, by Senator Kavanaugh, an
17 act to amend the Public Authorities Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 1232, those Senators voting in the
4 negative are Senators Ashby, Borrello,
5 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
6 Lanza, Martins, Mattera, Murray, Oberacker,
7 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
8 Tedisco, Walczyk, Weber and Weik.

9 Ayes, 40. Nays, 21.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1233, Senate Print 3014, by Senator Comrie, an
14 act to amend the Public Authorities Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 1233, those Senators voting in the

1 negative are Senators Borrello, Griffo, Lanza,
2 Martins, Murray, Oberacker, O'Mara, Ortt, Rhoads
3 and Walczyk. Also Senator Canzoneri-Fitzpatrick.

4 Ayes, 50. Nays, 11.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1759, Assembly Bill Number 3227, by
9 Assemblymember Paulin, an act to amend
10 Chapter 802 of the Laws of 1947.

11 ACTING PRESIDENT MAYER: 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 MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1260, Assembly Bill Number 4669, by

1 Assemblymember Paulin, an act to amend
2 Chapter 154 of the Laws of 1921.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

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

7 ACTING PRESIDENT MAYER: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MAYER: Announce
11 the results.

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1275, Senate Print 3141, by Senator Mannion, an
17 act to amend the Private Housing Finance Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1275, voting in the negative:
4 Senator Walczyk.

5 Ayes, 60. Nays, 1.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1282, Senate Print 5230, by Senator Thomas, an
10 act to amend the Executive Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 Senator Serrano.

25 SENATOR SERRANO: Thank you,

1 Madam President.

2 There will be an immediate meeting
3 of the Finance Committee in Room 124.

4 ACTING PRESIDENT MAYER: There will
5 be an immediate meeting of the Finance Committee
6 in Room 124.

7 SENATOR SERRANO: And we can
8 continue with the calendar.

9 ACTING PRESIDENT MAYER: The
10 Secretary will read.

11 THE SECRETARY: Calendar Number
12 1296, Assembly Bill Number 6129A, by
13 Assemblymember Blumencranz, an act in relation to
14 authorizing the Gold Coast Public Library
15 District to file with the County of Nassau
16 assessor an application for a retroactive real
17 property tax exemption.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1296, voting in the negative:
4 Senator O'Mara.

5 Ayes, 60. Nays, 1.

6 ACTING PRESIDENT MAYER: Can we
7 have some quiet? It's hard to hear.

8 The bill is passed.

9 THE SECRETARY: Calendar Number
10 1335, Senate Print 3100A, by Senator Ryan, an act
11 to amend the Labor Law.

12 SENATOR LANZA: Lay it aside.

13 ACTING PRESIDENT MAYER: The bill
14 is laid aside.

15 THE SECRETARY: Calendar Number
16 1349, Senate Print 4234A, by Senator Hinchey, an
17 act to amend the Public Service Law.

18 SENATOR LANZA: Lay it aside.

19 ACTING PRESIDENT MAYER: The bill
20 is laid aside.

21 THE SECRETARY: Calendar Number
22 1363, Senate Print 2713, by Senator Kennedy, an
23 act to amend the Public Health Law.

24 ACTING PRESIDENT MAYER: 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 MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 1363, those Senators voting in the
11 negative are Senators Borrello, Griffo, Mattera,
12 Murray, Oberacker, O'Mara, Rhoads, Stec, Weber
13 and Weik.

14 Ayes, 51. Nays, 10.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1441, Assembly Bill Number 7349, by
19 Assemblymember Hevesi, an act to amend the
20 Social Services Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1442, Senate Print 7449, by Senator Rivera, an
10 act to amend the Public Authorities Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

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 Number 1442, voting in the negative:
22 Senator Palumbo.

23 Ayes, 60. Nays, 1.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1443, Senate Print 7450, by Senator Mannion, an
3 act to amend the Mental Hygiene Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1444, Assembly Bill Number 7360, by
18 Assemblymember Lee, an act to amend the
19 Social Services Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT MAYER: Announce
3 the results.
4 THE SECRETARY: Ayes, 61.
5 ACTING PRESIDENT MAYER: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 1445, Senate Print 7453, by Senator Addabbo, an
9 act to amend the Penal Law.
10 ACTING PRESIDENT MAYER: Read the
11 last section.
12 THE SECRETARY: Section 8. This
13 act shall take effect immediately.
14 ACTING PRESIDENT MAYER: Call the
15 roll.
16 (The Secretary called the roll.)
17 ACTING PRESIDENT MAYER: Announce
18 the results.
19 THE SECRETARY: Ayes, 61.
20 ACTING PRESIDENT MAYER: The bill
21 is passed.
22 THE SECRETARY: Calendar Number
23 1446, Assembly Bill Number 7380, by
24 Assemblymember Thiele, an act to amend the
25 Environmental Conservation Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

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

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1447, Senate Print 7458, by Senator Harckham, an
15 act to amend Chapter 550 of the Laws of 2013.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1506, Assembly Bill Number 6156, by
5 Assemblymember Pheffer Amato, an act to amend the
6 Retirement and Social Security Law.

7 ACTING PRESIDENT MAYER: There is a
8 home-rule message at the desk.

9 Read the last section.

10 THE SECRETARY: Section 8. This
11 act shall take effect on the 90th day after it
12 shall have become a law.

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar Number 1506, voting in the negative:
20 Senator Helming.

21 Ayes, 60. Nays, 1.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1507, Senate Print 5853, by Senator Krueger, an

1 act to amend the Public Authorities Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 1507, those Senators voting in the
13 negative are Senators Griffo, Ortt and Walczyk.

14 Ayes, 58. Nays, 3.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1508, Assembly Bill Number 6208, by
19 Assemblymember Joyner, an act to amend the
20 Workers' Compensation Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1522, Senate Print 6412, by Senator Kennedy, an
10 act to amend the Vehicle and Traffic Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar Number 1522, those Senators voting in
23 the negative are Senators Borrello, Gallivan,
24 Griffo, Helming, Oberacker, O'Mara, Ortt,
25 Palumbo, Stec, Walczyk and Weber.

1 Ayes, 50. Nays, 11.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1523, Assembly Bill Number 6750, by
6 Assemblymember Pheffer Amato, an act to amend the
7 Administrative Code of the City of New York.

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

10 Read the last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1524, Senate Print 6458, by Senator Martinez, an
23 act to amend the Social Services Law.

24 ACTING PRESIDENT MAYER: There is a
25 home-rule message at the desk.

1 Read the last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar Number 1524, voting in the negative:
11 Senator Brisport.

12 Ayes, 60. Nays, 1.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1525, Senate Print 6534, by Senator Breslin, an
17 act to amend the Vehicle and Traffic Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1525, voting in the negative:
4 Senator Walczyk.

5 Ayes, 60. Nays, 1.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar Number 1525, voting in the negative:
12 Senator Walczyk.

13 Ayes, 60. Nays, 1.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1526, Senate Print 6537, by Senator Gounardes, an
18 act to amend the Education Law.

19 SENATOR LANZA: Lay it aside.

20 ACTING PRESIDENT MAYER: The bill
21 is laid aside.

22 THE SECRETARY: Calendar Number
23 1527, Senate Print 6542, by Senator Rivera, an
24 act to amend the Public Health Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1528, Senate Print 6552, by Senator Skoufis, an
14 act to amend the Public Authorities Law.

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

17 Read the last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1530, Assembly Bill Number 6113B, by
5 Assemblymember Carroll, an act to amend the
6 Real Property Tax Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1531, Assembly Bill Number 7365, by
21 Assemblymember Paulin, an act to amend the
22 Public Health Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1532, Assembly Bill Number 7016B, by
12 Assemblymember Magnarelli, an act to amend the
13 Highway Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect one year after it shall
18 have become a law.

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Senator
23 Mannion to explain his vote.

24 SENATOR MANNION: Thank you,
25 Madam President.

1 I'd like to thank Majority Leader
2 Senator Stewart-Cousins for helping to bring this
3 to the floor.

4 And I appreciate Senator Kennedy's
5 previous bill, which addressed trucks utilizing
6 commercial GPS.

7 I'm in strong support of this
8 legislation, my legislation to study and identify
9 solutions to low-bridge strikes in the state.

10 New York is an old state. It has
11 old infrastructure, and it has more low bridges
12 than any other state in the country. That's
13 partially due to our transportation systems --
14 our canals, our railroads, our highways that have
15 led, in many ways, to our success.

16 But we have a bridge in my newly
17 drawn 50th Senate District, in the Town of
18 Salina, the Onondaga Lake Parkway Bridge, that is
19 continuously being hit, and it is being hit at a
20 much higher frequency than ever before.

21 A number of years ago this bridge
22 was hit by a bus, and unfortunately four people
23 died.

24 Simply, Central New Yorkers are fed
25 up without solutions to this issue. There's been

1 lots of ideas, but honestly not enough action and
2 not a cost analysis to potential solutions.

3 So what this bill does is to study
4 and identify where the problems exist and what
5 the possible solutions might be. There are
6 things like raising the bridge or lowering the
7 road, additional signage or signals. Some of
8 these solutions may actually work.

9 But we need to get the input from
10 the experts so that we can have a road map on how
11 to move forward, because the status quo is simply
12 not working. It's unsafe, it's untenable, and
13 state government can act and should act, and we
14 will help to solve this problem quickly and cost
15 effectively.

16 I proudly vote aye.

17 Thank you, Madam President.

18 ACTING PRESIDENT MAYER: Senator
19 Mannion to be recorded in the affirmative.

20 Announce the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1533, Senate Print 6733, by Senator Rivera, an

1 act to amend the Public Health Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: Ayes, 61.

12 SENATOR GIANARIS: The bill is
13 passed.

14 THE SECRETARY: Calendar Number
15 1534, Senate Print 6862, by Senator Jackson, an
16 act to amend the General Municipal Law.

17 ACTING PRESIDENT MAYER: There's a
18 home-rule message at the desk.

19 Read the last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1535, Assembly Bill Number 7328, by
7 Assemblymember Paulin, an act to amend the
8 Public Health Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1536, Assembly Bill Number 7420, by
23 Assemblymember Pheffer Amato, an act to amend the
24 Retirement and Social Security Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1537, Senate Print 7000, by Senator Mannion, an
14 act to amend the Education Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1538, Assembly Bill Number 2364, by
5 Assemblymember Stirpe, an act to amend the
6 State Administrative Procedure Act.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1539, Senate Print 7082, by Senator Kennedy, an
21 act to amend the Parks, Recreation and Historic
22 Preservation Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 90th 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 Number 1539, voting in the negative:
10 Senator Walczyk.

11 Ayes, 60. Nays, 1.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1540, Assembly Bill Number 6793, by
16 Assemblymember Bichotte Hermelyn, an act to amend
17 the Alcoholic Beverage Control Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1541, Senate Print 7152, by Senator Parker, an
7 act to amend the Public Health Law.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 1541, those Senators voting in the
20 negative are Senators Ashby, Borrello, Gallivan,
21 Griffo, Helming, Lanza, Mattera, Murray,
22 Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco,
23 Walczyk, and Weik.

24 Ayes, 45. Nays, 16.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1542, Senate Print 7211, by Senator Cleare, an
4 act to amend the Public Health Law.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Senator
14 Cleare to explain her vote.

15 SENATOR CLEARE: Thank you,
16 Madam President.

17 The ombudsman program is one of the
18 most important layers of accountability,
19 transparency and safety for our loved ones in
20 nursing homes and long-term care in similar
21 situations.

22 Ombudsmen serve an absolutely vital
23 role in advocating for patient needs and bringing
24 issues of concern to the Department of Health.
25 However, the program is in need of reform and

1 revitalization.

2 This bill makes three significant
3 improvements. One, it ensures that the
4 long-term-care ombudsman will receive status
5 reports on the resolution of the issue they
6 reported to the department, on a consistent
7 timeline, until the complete resolution of the
8 issue, with full reporting.

9 Additionally, the bill directs the
10 state long-term-care ombudsman to add cultural
11 competency and diversity as topics to be included
12 in the certification training and continuing
13 education programs required for long-term-care
14 ombudsmen.

15 Lastly, and very importantly, the
16 state long-term-care ombudsman program is also
17 directed to expand their awareness program to
18 include outreach and other methods to recruit
19 additional volunteers, who are needed in the
20 thousands, for which we provided nearly
21 \$5 million in this year's state budget.

22 This bill is incredibly important
23 for the safety, security and well-being of older
24 New Yorkers. I vote aye.

25 Thank you.

1 ACTING PRESIDENT PERSAUD: Senator
2 Cleare to be recorded in the affirmative.
3 Announce the results.
4 THE SECRETARY: Ayes, 61.
5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 1543, Assembly Bill Number 7368A, by
9 Assemblymember Magnarelli, an act enacting the
10 Syracuse Regional Airport Authority Design-Build
11 Act.
12 ACTING PRESIDENT PERSAUD: Read the
13 last section.
14 THE SECRETARY: Section 2. 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 Number 1543, voting in the negative:
23 Senator Walczyk.
24 Ayes, 60. Nays, 1.
25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1544, Assembly Bill Number 7292, by
4 Assemblymember Stirpe, an act to amend the
5 Economic Development 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, 61.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1545, Assembly Bill Number 7424A, by
20 Assemblymember Davila, an act establishing a
21 fiscal cliff task force.

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: Ayes, 61.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1546, Senate Print 7358, by
11 Senator Stewart-Cousins, an act to allow
12 Tammy Sciavillo, wife of deceased firefighter
13 Vito Sciavillo, to file an application for
14 continuation of state health insurance benefits.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

17 THE SECRETARY: Section 3. 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, 61.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1547, Senate Print 7384A, by Senator Krueger, an
4 act to amend the Real Property Tax Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

7 THE SECRETARY: Section 5. 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, 61.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1548, Senate Print 7385, by Senator Sanders, an
19 act to amend the Insurance Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

22 THE SECRETARY: Section 3. 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: In relation to
5 Calendar 1548, those Senators voting in the
6 negative are Senators Ashby, Borrello,
7 Canzoneri-Fitzpatrick, Gallivan, Griffio, Lanza,
8 Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec,
9 Tedisco, Walczyk, Weber and Weik.

10 Ayes, 45. Nays, 16.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1549, Senate Print 7386, by Senator Sepúlveda, an
15 act to amend the Tax Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

18 THE SECRETARY: Section 14. 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: In relation to

1 Calendar 1549, those Senators voting in the
2 negative are Senators Ashby, Borrello,
3 Canzoneri-Fitzpatrick, Gallivan, Harckham,
4 Helming, Hinchey, Lanza, Mannion, Martinez,
5 Martins, Murray, Ortt, Palumbo, Rhoads,
6 Scarcella-Spanton, Skoufis, Tedisco, Webb and
7 Weik.

8 Ayes, 41. Nays, 20.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1551, Assembly Bill Number 7290, by
13 Assemblymember Chandler-Waterman, an act to amend
14 Chapter 192 of the Laws of 2011.

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, 61.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1552, Assembly Bill Number 3381A, by
4 Assemblymember Woerner, an act to amend the
5 Real Property Tax 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, 61.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1553, Senate Print 7462, by Senator Ryan, an act
20 to amend the Education Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the 60th 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: Ayes, 61.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1554, Assembly Bill Number 7426, by
11 Assemblymember Stern, an act to amend Chapter 563
12 of the Laws of 2001.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

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

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: Ayes, 61.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1555, Senate Print 7464, by Senator Mayer, an act
2 to amend the Education Law.

3 ACTING PRESIDENT PERSAUD: Read the
4 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 PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT PERSAUD: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1556, Senate Print 7465, by Senator Mannion, an
18 act to amend the Executive Law.

19 ACTING PRESIDENT PERSAUD: Read the
20 last section.

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

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, 61.
5 ACTING PRESIDENT PERSAUD: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 1557, Assembly Bill Number 7661, by
9 Assemblymember Wallace, an act to amend
10 Chapter 363 of the Laws of 2010.
11 ACTING PRESIDENT PERSAUD: Read the
12 last section.
13 THE SECRETARY: Section 2. 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: In relation to
21 Calendar Number 1557, voting in the negative:
22 Senator Lanza.
23 Ayes, 60. Nays, 1.
24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1558, Senate Print Number 7475, by
3 Senator Hoylman-Sigal, an act to amend the
4 Surrogate's Court Procedure Act.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

7 THE SECRETARY: Section 7. 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: In relation to
15 Calendar 1558, those Senators voting in the
16 negative are Senators Borrello, Griffo, Helming,
17 Oberacker, O'Mara, Rhoads, Tedisco and Walczyk.

18 Ayes, 53. Nays, 8.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1559, Senate Print 7476, by Senator Gianaris, an
23 act to amend the Civil Practice Law and Rules.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

1 THE SECRETARY: Section 8. This
2 act shall take effect on the first of January.

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 1559, those Senators voting in the
10 negative are Senators Ashby, Borrello, Griffo,
11 Helming, Ortt, Stec, Tedisco, Walczyk and --

12 So again, those in the negative on
13 Calendar Number 1559 are Senators Ashby,
14 Borrello, Griffo, Helming, Oberacker, O'Mara,
15 Ortt, Stec, Tedisco, Walczyk and Weber.

16 Ayes, 50. Nays, 11.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1560, Assembly Bill Number 7393, by
21 Assemblymember Darling, an act to amend Part F of
22 Chapter 59 of the Laws of 2018.

23 SENATOR LANZA: Lay it aside.

24 ACTING PRESIDENT PERSAUD: Lay it
25 aside.

1 THE SECRETARY: Calendar Number
2 1561, Assembly Bill Number 7425, by
3 Assemblymember Reyes, an act to amend Chapter 2
4 of the Laws of 1998.

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, 61.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1562, Assembly Bill Number 7373, by
19 Assemblymember Reyes, an act to amend Chapter 81
20 of the Laws of 1995.

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, 61.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1563, Assembly Bill Number 7171, by
10 Assemblymember Gibbs, an act to amend Chapter 384
11 of the Laws of 1998.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1564, Senate Print 7481, by Senator Cooney, an

1 act to amend the Cannabis Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

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

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: In relation to
12 Calendar 1564, those Senators voting in the
13 negative are Senators Canzoneri-Fitzpatrick and
14 Martinez.

15 Ayes, 59. Nays, 2.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1565, Senate Print 7488, by Senator Ryan, an act
20 to amend the Judiciary Law and the State Finance
21 Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 Senator Gianaris, that completes the
10 reading of today's calendar.

11 SENATOR GIANARIS: Thank you.

12 I believe at this point there's a
13 report of the Rules Committee at the desk. Can
14 we take that up, please.

15 ACTING PRESIDENT PERSAUD: The
16 Secretary will read.

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

20 Senate Print 138A, by Senator Ryan,
21 an act to amend the Penal Law;

22 Senate Print 1078A, by
23 Senator Gounardes, an act to amend the
24 Public Health Law;

25 Senate Print 1931B, by

1 Senator Bailey, an act to amend the
2 General Business Law;

3 Senate Print 2129A, by
4 Senator Krueger, an act to amend the
5 Environmental Conservation Law;

6 Senate Print 2279C, by
7 Senator Cleare, an act to amend the
8 General Business Law;

9 Senate Print 2314, by
10 Senator Skoufis, an act to amend the
11 Education Law;

12 Senate Print 2379A, by
13 Senator Persaud, an act to amend the
14 Administrative Code of the City of New York;

15 Senate Print 2672A, by Senator Webb,
16 an act to amend the Education Law;

17 Senate Print 2695B, by
18 Senator Harckham, an act to amend the
19 General Municipal Law;

20 Senate Print 2773B, by
21 Senator Krueger, an act to amend the
22 Administrative Code of the City of New York;

23 Senate Print 4520, by
24 Senator Stewart-Cousins, an act in relation to
25 authorizing Lawrence Ecker to receive certain

1 service credit with the New York State and Local
2 Employees' Retirement System;

3 Senate Print 4669, by
4 Senator Hinchey, an act to amend the
5 Public Authorities Law;

6 Senate Print 5495, by
7 Senator Jackson, an act to amend the
8 Civil Service Law;

9 Senate Print 5633, by
10 Senator Kennedy, an act to authorize the widow of
11 William James Middlebrooks to file a retirement
12 option election form;

13 Senate Print 5688A, by
14 Senator Comrie, an act to amend the
15 Executive Law;

16 Senate Print 5731, by
17 Senator Skoufis, an act to amend the
18 Alcoholic Beverage Control Law;

19 Senate Print 5801A, by Senator Liu,
20 an act to amend the Public Officers Law;

21 Senate Print 5892, by
22 Senator Kennedy, an act to amend the Vehicle and
23 Traffic Law;

24 Senate Print 5954, by
25 Senator Mannion, an act to amend the

1 Public Authorities Law;

2 Senate Print 6188, by
3 Senator Rhoads, an act granting retroactive
4 Tier 5 membership in the New York State and Local
5 Employees' Retirement System;

6 Senate Print 6210A, by
7 Senator Mayer, an act to amend the Judiciary Law;

8 Senate Print 6288, by
9 Senator Hinchey, an act to amend the
10 Family Court Act;

11 Senate Print 6289, by Senator Ashby,
12 an act to incorporate the Salem Volunteer Fire
13 Department Benevolent Association, and providing
14 for its powers and duties;

15 Senate Print 6337A, by
16 Senator Breslin, an act to amend the
17 Education Law;

18 Senate Print 6430, by
19 Senator Cooney, an act to amend the
20 Social Services Law;

21 Senate Print 6443, by
22 Senator Hinchey, an act to amend the
23 Alcoholic Beverage Control Law;

24 Senate Print 6457, by
25 Senator Breslin, an act directing the Department

1 of Transportation to conduct a traffic and
2 planning study;

3 Senate Print 6577, by
4 Senator Kavanagh, an act to amend the
5 Real Property Actions and Proceedings Law;

6 Senate Print 6631, by Senator May,
7 an act to amend the Vehicle and Traffic Law;

8 Senate Print 6649, by
9 Senator Gianaris, an act to amend the Penal Law;

10 Senate Print 6659A, by
11 Senator Comrie, an act to amend the
12 Public Authorities Law;

13 Senate Print 6662, by
14 Senator Breslin, an act to amend the
15 Public Officers Law;

16 Senate Print 6715A, by
17 Senator Martinez, an act to amend the
18 Highway Law;

19 Senate Print 6743A, by
20 Senator Harckham, an act to authorize the Town of
21 Yorktown, County of Westchester, to discontinue
22 as parklands and lease certain lands;

23 Senate Print 6748, by
24 Senator Gianaris, an act to amend the
25 General Business Law;

1 Senate Print 6751, by
2 Senator Kennedy, an act to authorize the widow of
3 Gerald J. Sullivan to file an application with
4 the New York State and Local Police and Fire
5 Retirement System;

6 Senate Print 6755A, by
7 Senator Skoufis, an act authorizing the Town of
8 Warwick, County of Orange, to alienate certain
9 lands held in public trust in the Town of
10 Warwick;

11 Senate Print 6927, by
12 Senator Martins, an act to amend the Village Law;

13 Senate Print 6965, by
14 Senator Kavanagh, an act to amend the
15 Real Property Tax Law;

16 Senate Print 6996, by
17 Senator Breslin, an act to amend the
18 Judiciary Law;

19 Senate Print 6999, by
20 Senator Addabbo, an act to amend the
21 Real Property Tax Law;

22 Senate Print 7038, by
23 Senator Harckham, an act to amend the
24 Public Health Law;

25 Senate Print 7081, by

1 Senator Hinchey, an act to amend the
2 Agriculture and Markets Law;

3 Senate Print 7202, by
4 Senator Hoylman-Sigal, an act in relation to
5 ordering a study and report on improvements of
6 State Route 9A;

7 Senate Print 7216A, by
8 Senator Gonzalez, an act to amend the Tax Law;

9 Senate Print 7227, by
10 Senator Mannion, an act to amend Chapter 746 of
11 the Laws of 1957;

12 Senate Print 7285A, by
13 Senator Skoufis, an act in relation to enacting
14 the "Village of Washingtonville Deficit Financing
15 Act";

16 Senate Print 7295A, by
17 Senator Hinchey, an act to amend the
18 Cannabis Law;

19 Senate Print 7369, by
20 Senator Sanders, an act to amend the Banking Law;

21 Senate Print 7387B, by
22 Senator Parker, an act to amend the New York City
23 Charter;

24 Senate Print 7388A, by
25 Senator Parker, an act to amend the

1 Education Law;

2 Senate Print 7409, by
3 Senator Breslin, an act to amend Chapter 453 of
4 the Laws of 1977;

5 Senate Print 7411A, by Senator Ortt,
6 an act to amend the State Finance Law;

7 Senate Print 7418, by
8 Senator Walczyk, an act in relation to
9 authorizing Brett W. Brewer to take the
10 competitive civil service examination;

11 Senate Print 7419, by
12 Senator Walczyk, an act in relation to
13 authorizing Isaac B. Bertos to take the
14 competitive civil service examination;

15 Senate Print 7420, by
16 Senator Krueger, an act to amend the
17 Financial Services Law;

18 Senate Print 7439, by
19 Senator Palumbo, an act authorizing the Town of
20 Southampton, County of Suffolk, to alienate
21 certain parklands for the purpose of installing
22 an algae skimmer;

23 Senate Print 7440, by Senator Ryan,
24 an act to amend Chapter 430 of the Laws of 1963;

25 Senate Print 7454, by

1 Senator Martinez, an act to repeal Title 16 of
2 Article 8 of the Public Authorities Law;

3 Senate Print 7459, by
4 Senator Martinez, an act to amend the
5 Education Law;

6 Senate Print 7496, by
7 Senator Bailey, an act to authorize the Office of
8 Court Administration to pay certain judicial
9 compensation;

10 Senate Print 7500, by
11 Senator Breslin, an act directing the Department
12 of Financial Services, in consultation with the
13 Office of Employee Relations and the Department
14 of Civil Service, to conduct a comprehensive
15 study on how the Department of Financial Services
16 may create a compensation system;

17 Senate Print 7511, by
18 Senator Kavanagh, an act to amend the
19 Alcoholic Beverage Control Law;

20 Senate Print 7532, by
21 Senator Sanders, an act to amend the Banking Law;

22 Senate Print 7535, by
23 Senator Brisport, an act to amend the
24 Family Court Act;

25 Senate Print 7541, by

1 Senator Comrie, an act to amend the
2 Public Authorities Law.

3 All bills reported direct to third
4 reading.

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

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

10 (Response of "Aye.")

11 ACTING PRESIDENT PERSAUD: Opposed,
12 nay.

13 (No response.)

14 ACTING PRESIDENT PERSAUD: The
15 report of the Rules Committee is accepted.

16 Senator Gianaris.

17 SENATOR GIANARIS: Please take up
18 the supplemental calendar -- wait.

19 Let's return to messages from the
20 Assembly, please.

21 ACTING PRESIDENT PERSAUD: The
22 Secretary will read.

23 THE SECRETARY: Senator Webb moves
24 to discharge, from the Committee on Rules,
25 Assembly Bill Number 2307A and substitute it for

1 the identical Senate Bill 2672A, Third Reading
2 Calendar 1668.

3 Senator Jackson moves to discharge,
4 from the Committee on Finance, Assembly Bill
5 Number 6806 and substitute it for the identical
6 Senate Bill 5495, Third Reading Calendar 1675.

7 Senator Skoufis moves to discharge,
8 from the Committee on Investigations and
9 Government Operations, Assembly Bill Number 6941
10 and substitute it for the identical Senate
11 Bill 5731, Third Reading Calendar 1678.

12 Senator Kennedy moves to discharge,
13 from the Committee on Transportation,
14 Assembly Bill Number 5606 and substitute it for
15 the identical Senate Bill 5892, Third Reading
16 Calendar 1680.

17 Senator Mannion moves to discharge,
18 from the Committee on Corporations, Authorities
19 and Commissions, Assembly Bill Number 5781 and
20 substitute it for the identical Senate Bill 5954,
21 Third Reading Calendar 1681.

22 Senator Breslin moves to discharge,
23 from the Committee on Higher Education,
24 Assembly Bill Number 6779A and substitute it for
25 the identical Senate Bill 6337A, Third Reading

1 Calendar 1686.

2 Senator Hinchey moves to discharge,
3 from the Committee on Commerce, Economic
4 Development and Small Business, Assembly Bill
5 Number 6134 and substitute it for the identical
6 Senate Bill 6443, Third Reading Calendar 1688.

7 Senator May moves to discharge, from
8 the Committee on Rules, Assembly Bill Number 6686
9 and substitute it for the identical Senate Bill
10 Number 6631, Third Reading Calendar 1691.

11 Senator Comrie moves to discharge,
12 from the Committee on Rules, Assembly Bill
13 Number 7007A and substitute it for the identical
14 Senate Bill 6659A, Third Reading Calendar 1693.

15 Senator Breslin moves to discharge,
16 from the Committee on Investigations and
17 Government Operations, Assembly Bill Number 7046
18 and substitute it for the identical Senate Bill
19 Number 6662, Third Reading Calendar 1694.

20 Senator Martins moves to discharge,
21 from the Committee on Local Government,
22 Assembly Bill Number 7274 and substitute it for
23 the identical Senate Bill 6927, Third Reading
24 Calendar 1700.

25 Senator Kavanagh moves to discharge,

1 from the Committee on Cities, Assembly Bill
2 Number 7394 and substitute it for the identical
3 Senate Bill 6965, Third Reading Calendar 1701.

4 Senator Addabbo moves to discharge,
5 from the Committee on Finance, Assembly Bill
6 Number 5969 and substitute it for the identical
7 Senate Bill 6999, Third Reading Calendar 1703.

8 Senator Mannion moves to discharge,
9 from the Committee on Rules, Assembly Bill
10 Number 7580 and substitute it for the identical
11 Senate Bill 7227, Third Reading Calendar 1708.

12 Senator Sanders moves to discharge,
13 from the Committee on Banks, Assembly Bill
14 Number 7376 and substitute it for the identical
15 Senate Bill 7369, Third Reading Calendar 1711.

16 Senator Parker moves to discharge,
17 from the Committee on Higher Education,
18 Assembly Bill Number 7107B and substitute it for
19 the identical Senate Bill 7388A, Third Reading
20 Calendar 1713.

21 Senator Martinez moves to discharge,
22 from the Committee on Higher Education,
23 Assembly Bill Number 6996 and substitute it for
24 the identical Senate Bill 7459, Third Reading
25 Calendar 1722.

1 Senator Brisport moves to discharge,
2 from the Committee on Codes, Assembly Bill
3 Number 6545 and substitute it for the identical
4 Senate Bill 7535, Third Reading Calendar 1727.

5 ACTING PRESIDENT PERSAUD: So
6 ordered.

7 Senator Gianaris.

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

10 ACTING PRESIDENT PERSAUD: The
11 Secretary will read.

12 THE SECRETARY: Calendar Number
13 1621, Senate Print 138A, by Senator Ryan, an act
14 to amend the Penal Law and the Executive Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

17 THE SECRETARY: Section 3. 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 1621, those Senators voting in the

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

6 Ayes, 41. Nays, 20.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1628, Senate Print 1078A, by Senator Gounardes,
11 an act to amend the Public Health 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 Number 1628, voting in the negative:
23 Senator Walczyk.

24 Ayes, 60. Nays, 1.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1663, Senate Print 1931B, by Senator Bailey, 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 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: Senator
14 Bailey to explain his vote.

15 SENATOR BAILEY: Thank you,
16 Madam President.

17 There's a place called Co-op City in
18 the Bronx, and I just -- we did something that
19 was an incredible nuisance for many of the
20 residents in Co-op City. There were many of
21 these digital billboards that were not only
22 nuisances but they were actually distractions to
23 many of the drivers driving by Co-op City, and
24 many of the seniors that reside within Co-op
25 City.

1 So this is a simple bill so that
2 they can't erect these billboards in that area.
3 I thank my colleagues for supporting it.

4 I vote aye, Madam President.

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

7 Announce the results.

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1664, Senate Print 2129A, by Senator Krueger, an
13 act to amend the Environmental Conservation Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

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 1664, those Senators voting in the
25 negative are Senators Ashby, Borrello,

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

5 Ayes, 41. Nays, 20.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 Calendar Number 1665 is high and
9 will be laid aside for the day.

10 THE SECRETARY: Calendar Number
11 1666, Senate Print 2314, by Senator Skoufis, an
12 act to amend the Education 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: Ayes, 61.

23 ACTING PRESIDENT PERSAUD: The bill
24 is passed.

25 Calendar 1667 is high and will be

1 laid aside for the day.

2 THE SECRETARY: Calendar Number
3 1668, Assembly Bill Number 2307A, by
4 Assemblymember Lupardo, an act to amend the
5 Education 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, 61.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1669, Senate Print 2695B, by Senator Harckham, an
20 act to amend the General Municipal 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 1669, voting in the negative:
7 Senator Brisport.

8 Ayes, 60. Nays, 1.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1670, Senate Print 2773B, by Senator Krueger, an
13 act to amend the Administrative Code of the City
14 of New York.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

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 1670, those Senators voting in the

1 negative are Senators Ashby, Borrello,
2 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
3 Lanza, Martins, Mattera, Murray, Oberacker, Ortt,
4 Rhoads, Rolison, Stec, Tedisco, Walczyk and Weik.

5 Ayes, 43. Nays, 18.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1672, Senate Print 4520, by Senator
10 Stewart-Cousins, an act in relation to
11 authorizing Lawrence Ecker to receive certain
12 service credit with the New York State and
13 Local Employees' Retirement System.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

18 (The Secretary called the roll.)

19 ACTING PRESIDENT PERSAUD: Announce
20 the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1674, Senate Print 4669, by Senator Hinchey, an

1 act to amend the Public Authorities Law.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Senator
10 Hinchey to explain her vote.

11 SENATOR HINCHEY: I'm sorry, are we
12 already on 6288? I don't --

13 ACTING PRESIDENT PERSAUD: Oh,
14 sorry.

15 Announce the results.

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1675, Assembly Bill Number 6806, by
21 Assemblymember Pheffer Amato, an act to amend the
22 Civil Service 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: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1676, Senate Print 5633, by Senator Kennedy, an
12 act to authorize the widow of William James
13 Middlebrooks to file a retirement option election
14 form.

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, 61.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1677, Senate Print 5688A, by Senator Comrie, an
4 act to amend the Executive Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

7 THE SECRETARY: Section 6. 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: In relation to
15 Calendar Number 1677, those Senators voting in
16 the negative are Senators Canzoneri-Fitzpatrick,
17 Gallivan, Griffio, Helming, Oberacker, Rhoads,
18 Tedisco and Walczyk.

19 Ayes, 53. Nays, 8.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1678, Assembly Bill Number 6941, by
24 Assemblymember Bronson, an act to amend the
25 Alcoholic Beverage Control 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: In relation to
11 Calendar 1678, those Senators voting in the
12 negative are Senators Canzoneri-Fitzpatrick,
13 Griffo, Martinez, Oberacker, Persaud, Tedisco,
14 Walczyk and Weik.

15 Ayes, 53. Nays, 8.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1679, Senate Print 5801A, by Senator Liu, an act
20 to amend the Public Officers Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

23 THE SECRETARY: Section 3. 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 1679, those Senators voting in the
7 negative are Senators Borrello,
8 Canzoneri-Fitzpatrick, Rhoads and Walczyk.

9 Ayes, 57. Nays, 4.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1680, Assembly Bill Number 5606, by
14 Assemblymember Magnarelli, an act to amend the
15 Vehicle and Traffic Law.

16 SENATOR LANZA: Lay it aside.

17 ACTING PRESIDENT PERSAUD: Lay it
18 aside.

19 THE SECRETARY: Calendar Number
20 1681, Assembly Bill Number 5781, by
21 Assemblymember Magnarelli, an act to amend the
22 Public Authorities 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: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1682, Senate Print 6188, by Senator Rhoads, an
12 act granting retroactive Tier 5 membership in the
13 New York State and Local Employees' Retirement
14 System to Daniel Miller.

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

17 Read the last section.

18 THE SECRETARY: Section 3. 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, 61.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 Calendar 1683 is high and will be
4 laid aside for the day.

5 ACTING PRESIDENT PERSAUD: Calendar
6 Number 1684, Senate Print Number 6288, by
7 Senator Hinchey, an act to amend the
8 Family Court Act and the Criminal Procedure Law.

9 ACTING PRESIDENT PERSAUD: Read the
10 last section.

11 THE SECRETARY: Section 4. 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: Senator
17 Hinchey to explain her vote.

18 SENATOR HINCHEY: Thank you,
19 Madam President.

20 On May 29, 2022, Melanie Chianese
21 was murdered by her mother's ex-boyfriend. This
22 was a tragedy that rocked Dutchess County, and it
23 was a tragedy that was absolutely avoidable.
24 Cheryl Chianese had an order of protection
25 against her ex-boyfriend, and her grandson,

1 Miles, was able to be included in that order of
2 protection. But because her daughter was 29,
3 over 18, she was not allowed to be included in
4 the order of protection that her mother had.

5 Unfortunately, because of that and
6 many other things, we lost Melanie, an incredible
7 young woman with a bright future ahead of her.
8 This bill, Melanie's Law, is meant to close that
9 loophole. It's to allow direct family members,
10 regardless of age, to be included in an existing
11 order of protection, in order to protect
12 everyone in the family.

13 This is a bill that is incredibly
14 important. I want to thank Cheryl for her
15 tireless advocacy, for turning a tragedy into
16 hope for other families and to turn this
17 senseless tragedy into goodness for the rest of
18 our state.

19 I want to thank Senator Rob Rolison
20 for his work on this bill. I want to thank our
21 Assembly sponsor, Assemblyman Cunningham, too for
22 his advocacy. I want to thank the leader and our
23 colleagues for bringing this forward to the
24 floor. This bill will save lives, and I'm
25 incredibly proud to carry it.

1 With that, I vote aye. Thank you.

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

4 Senator Rolison to explain his vote.

5 SENATOR ROLISON: Thank you,
6 Madam President.

7 And I too want to thank the leader
8 for bringing this forward, and I want to thank my
9 colleague and friend Senator Hinchey for carrying
10 this bill in this chamber.

11 Also, on the Assembly side,
12 Assemblyman Cunningham and Assemblyman Beephan,
13 for what they're doing and what they've done over
14 there in the Assembly to fix a glaring deficiency
15 in the order of protection that this young woman
16 was not afforded.

17 After getting elected last year, one
18 of the first individuals that I met who came to
19 me with a problem, with something that needed to
20 be fixed, was Cheryl, was Melanie's mother. And
21 at the time I was following the case of this
22 individual that ultimately was held accountable
23 and sent away for this terrible, terrible crime
24 that he perpetrated on Melanie.

25 And Cheryl actually came to an event

1 essentially celebrating my victory, and I was
2 really honored that she was there. And we had
3 the opportunity to talk again, and at that time
4 she gave me Melanie's mass card that had a
5 notation on the back about the law.

6 And in hoping that this bill would
7 come to the floor this week, our final week here
8 in session, I have that mass card in my pocket.
9 I knew that this bill would come to the floor
10 because this bill was too important not to come
11 to the floor. Because this deficiency in order
12 of protections, it's almost -- I don't know why
13 that was there, but you know what, we all fixed
14 it, everybody in this chamber, from the
15 leadership to Senator Hinchey to all of you who I
16 hope will be voting in the affirmative today,
17 will fix this loophole.

18 And yes, it was there. And no, it
19 will not bring back Melanie to her family and
20 especially to her son. But it will demonstrate
21 the fact that we acted in the Assembly, acted on
22 something that needed to be done, because
23 violence against individuals can never be
24 tolerated. We know that. And in these incidents
25 of personal violence, which sometimes can be more

1 devastating to the victims that are left
2 behind --

3 ACTING PRESIDENT PERSAUD: Senator
4 Rolison, if you can wrap up, please.

5 SENATOR ROLISON: Yes,
6 Madam President.

7 Again, I want to thank you all.

8 ACTING PRESIDENT PERSAUD: How do
9 you vote?

10 SENATOR ROLISON: I want to thank
11 again my friend Senator Hinchey.

12 And I proudly vote aye,
13 Madam President. Thank you.

14 ACTING PRESIDENT PERSAUD: Thank
15 you, Senator Rolison.

16 Senator Rolison to be recorded in
17 the affirmative.

18 Announce the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1685, Senate Print 6289, by Senator Ashby, an act
24 to incorporate the Salem Volunteer Fire
25 Department Benevolent Association, and providing

1 for its powers and duties.

2 ACTING PRESIDENT PERSAUD: Read the
3 last section.

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

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, 61.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1686, Assembly Bill Number 6779A, by
16 Assemblymember McDonald, an act to amend the
17 Education Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

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 Number 1686, voting in the negative:
4 Senator Martins.

5 Ayes, 60. Nays, 1.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1687, Senate Print 6430, by Senator Cooney, an
10 act to amend the Social Services Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

13 THE SECRETARY: Section 2. 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, 61.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1688, Assembly Bill Number 6134, by
25 Assemblymember Clark, an act to amend the

1 Alcoholic Beverage Control Law.

2 ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Announce
11 the results.

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1689, Senate Print 6457, by Senator Breslin, an
17 act directing the Department of Transportation to
18 conduct a traffic and planning study.

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: Ayes, 61.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1690, Senate Print 6577, by Senator Kavanagh, an
8 act to amend the Real Property Actions and
9 Proceedings Law.

10 ACTING PRESIDENT PERSAUD: Read the
11 last section.

12 THE SECRETARY: Section 8. This
13 act shall take effect on the 30th day after it
14 shall have become a law.

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, 61.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1691, Assembly Bill Number 6686, by
25 Assemblymember Magnarelli, an act to amend the

1 Vehicle and Traffic Law.

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

4 Read the last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 SENATOR LANZA: Lay it aside.

12 SENATOR GIANARIS: Madam President,
13 which bill are we on?

14 ACTING PRESIDENT PERSAUD: Calendar
15 Number 1691.

16 SENATOR GIANARIS: I believe that
17 was not intended to be laid aside, so please
18 restore that.

19 ACTING PRESIDENT PERSAUD: Please
20 restore Calendar 1691.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 1691, Assembly Bill Number 6686, by
24 Assemblymember Magnarelli, an act to amend the
25 Vehicle and Traffic Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

3 THE SECRETARY: Section 4. This
4 act shall take effect immediately on the 30th day
5 after it 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: In relation to --

12 SENATOR LANZA: Lay it aside.

13 ACTING PRESIDENT PERSAUD: Lay it
14 aside.

15 THE SECRETARY: Calendar Number
16 1692, Senate Print 6649, by Senator Gianaris, an
17 act to amend the Penal Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

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

22 ACTING PRESIDENT PERSAUD: Senator
23 Gianaris.

24 SENATOR GIANARIS: Let's take a
25 step back. We're all confused here.

1 So 1691 was not intended to be laid
2 aside. Is that currently laid aside?

3 ACTING PRESIDENT PERSAUD: Yes.

4 SENATOR GIANARIS: Okay. Please
5 restore 1691 and take up that vote. It's 1692
6 that is intended to be laid aside.

7 ACTING PRESIDENT PERSAUD: The
8 Secretary will read Calendar 1691.

9 THE SECRETARY: Calendar Number
10 1691, Assembly Bill Number 6686, by
11 Assemblymember Magnarelli, an act to amend the
12 Vehicle and Traffic Law.

13 ACTING PRESIDENT PERSAUD: Read the
14 last section.

15 THE SECRETARY: Section 4. 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 1691, those Senators voting in the
24 negative are Senators Borrello and Palumbo.

25 Ayes, 59. Nays, 2.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Oh, and Senator
4 Martinez.

5 Ayes, 58. Nays, 3.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1692, Senate Print 6649, by Senator Gianaris, an
10 act to amend the Penal Law.

11 ACTING PRESIDENT PERSAUD: Senator
12 Lanza, why do you rise?

13 SENATOR LANZA: Lay it aside.
14 (Laughter.)

15 ACTING PRESIDENT PERSAUD: Lay it
16 aside. He's on the correct bill.

17 THE SECRETARY: Calendar Number
18 1693, Assembly Bill Number 7007A, by
19 Assemblymember Bichotte Hermelyn, an act to amend
20 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: Ayes, 61.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1694, Assembly Bill Number 7046, by
10 Assemblymember Santabarbara, an act to amend the
11 Public Officers Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 Calendar 1695 is high and will be
25 laid aside for the day.

1 THE SECRETARY: Calendar Number
2 1696, Senate Print 6743A, by Senator Harckham, an
3 act to authorize the Town of Yorktown, County of
4 Westchester, to discontinue as parklands and
5 lease certain lands.

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

8 Read the last section.

9 THE SECRETARY: Section 6. 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, 61.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1697, Senate Print 6748, by Senator Gianaris, an
21 act to amend the General Business Law.

22 SENATOR LANZA: Lay it aside.

23 ACTING PRESIDENT PERSAUD: Lay it
24 aside.

25 THE SECRETARY: Calendar Number

1 1698, Senate Print 6751, by Senator Kennedy, an
2 act to authorize the widow of Gerald J. Sullivan
3 to file an application with the New York State
4 and Local Police and Fire Retirement System.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

7 THE SECRETARY: Section 3. 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, 61.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 Calendar 1699 is high and will be
18 laid aside for the day.

19 THE SECRETARY: Calendar Number
20 1700, Assembly Bill Number 7274, by
21 Assemblymember Blumencranz, an act to amend the
22 Village Law and the Public Officers 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: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1701, Assembly Bill Number 7394, by
12 Assemblymember Glick, an act to amend the
13 Real Property Tax Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

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, 61.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1702, Senate Print 6996, by Senator Breslin, an
3 act to amend the Judiciary Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

6 THE SECRETARY: Section 2. 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: In relation to
14 Calendar 1702, those Senators voting in the
15 negative are Senators Griffo and Martins.

16 Ayes, 59. Nays, 2.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1703, Assembly Bill Number 5969, by
21 Assemblymember Williams, an act to amend the
22 Real Property Tax 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: Announce
6 the results.

7 THE SECRETARY: Ayes, 71.

8 ACTING PRESIDENT PERSAUD: The bill
9 is passed.

10 THE SECRETARY: Sixty-one, excuse
11 me.

12 (Laughter.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1704, Senate Print 7038, by Senator Harckham, an
20 act to amend the Public Health 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 1704, voting in the negative:
7 Senator Griffo.

8 Ayes, 60. Nays, 1.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1705, Senate Print 7081, by Senator Hinchey, an
13 act to amend the Agriculture and Markets Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

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, 61.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1706, Senate Print Number 7202, by
3 Senator Hoylman-Sigal, an act in relation to
4 ordering a study and report on improvements of
5 State Route 9A.

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, 61.

16 ACTING PRESIDENT PERSAUD: The bill
17 is passed.

18 Calendar Number 1707 is high and
19 will be laid aside for the day.

20 THE SECRETARY: Calendar Number
21 1708, Assembly Bill Number 7580, by
22 Assemblymember Hunter, an act to amend
23 Chapter 746 of the Laws of 1957.

24 ACTING PRESIDENT PERSAUD: Read the
25 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, 61.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1709, Senate Print 7285A, by Senator Skoufis, an
13 act in relation to enacting the "Village of
14 Washingtonville Deficit Financing Act."

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

17 Read the 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, 61.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1710, Senate Print 7295A, by Senator Hinchey, an
5 act to amend the Cannabis 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: Senator
14 Hinchey to explain her vote.

15 SENATOR HINCHEY: Thank you,
16 Madam President.

17 When we passed the MRTA in this
18 chamber, it was passed on the premise that we
19 were going to support New York businesses,
20 New York residents, and New York farmers.
21 Because of that, we put forward a conditional
22 cultivator license for hemp farmers to get into
23 early cultivation so that we could have
24 New York-grown product -- critically important
25 for the success of the holistic view of the MRTA.

1 On top of that, the reason we
2 started with hemp farmers was, one, they had the
3 skill to actually grow the crop, because hemp and
4 cannabis are derived from the same crop.

5 And, two, these farmers were
6 actually negatively impacted when we had first
7 legalized hemp and we had promised them a huge
8 boom. We had promised them that this would be
9 the next crop, this is what would bring you into
10 financial security -- and it didn't.

11 So we gave them this lifeline as
12 disadvantaged farmers. And here we are, a year
13 later -- through a slew of reasons -- without
14 retail stores or anywhere for these farmers to
15 sell their hundreds of thousands of pounds of
16 cannabis. We have to do something.

17 And so this bill is a simple
18 solution to be able to buy the crop that exists
19 today, one time, to be able to make partially
20 whole the farmers who invested their savings,
21 they invested their livelihoods, and they trusted
22 us to follow through on our promise that they
23 would be successful. We promised them.

24 We now need to make sure that
25 they're able to sell this, make some money back,

1 and be able to plant for the next season as we
2 are getting stores set up and the industry
3 actually solidified.

4 I want to thank tremendously the
5 leader for bringing this bill forward.

6 I want to thank our Assembly
7 counterpart, Assemblymember Lupardo, for being a
8 stalwart champion for our farmers and our hemp
9 and cannabis growers.

10 And I'm glad that we are able to do
11 something to right this wrong that we have caused
12 the farmers.

13 So with that, Madam President, I
14 happily vote aye. Thank you very much.

15 ACTING PRESIDENT PERSAUD: Senator
16 Hinchey to be recorded in the affirmative.

17 Senator Borrello to explain his
18 vote.

19 SENATOR BORRELLO: Thank you,
20 Madam President.

21 I agree with Senator Hinchey, and
22 I'm supporting this bill. But the reason we have
23 to have this bill is because of the abject
24 failure of the Office of Cannabis Management.

25 This has been an embarrassment

1 nationally to New York State. They have
2 accomplished literally nothing in the two and a
3 half years that they've been in existence. And
4 so now what's happened is we had people that
5 invest -- our farmers, some have committed
6 hundreds of thousands of dollars to a crop that's
7 now sitting that they can't sell. Why? Because
8 the people that are supposed to be in charge of
9 creating this legal market for recreational
10 marijuana have failed.

11 I'm calling on the Governor to clean
12 house in the Office of Cannabis Management, get
13 rid of these ineffective, six-figure people that
14 have done literally nothing except harm the
15 ability for our farmers and others within the
16 supply chain to actually do business.

17 This bill is necessary because of
18 the failure of the Office of Cannabis Management.

19 Thank you.

20 ACTING PRESIDENT MAYER: Senator
21 Borrello to be recorded in the affirmative.

22 Right, Senator Borrello,
23 affirmative?

24 SENATOR BORRELLO: Yes,
25 Madam President.

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 1710, those Senators voting in the
5 negative are Senators Canzoneri-Fitzpatrick,
6 Lanza, Martinez, Martins, Mattera, Murray, Rhoads
7 and Weik.

8 Ayes, 53. Nays, 8.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1711, Assembly Bill Number 7376, by
13 Assemblymember Weprin, an act to amend the
14 Banking Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1712, Senate Print 7387B, by Senator Parker, an
4 act to amend the New York City Charter.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

7 THE SECRETARY: Section 11. This
8 act shall take effect on the 180th day after it
9 shall have become a law.

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: Ayes, 61.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1713, Assembly Bill Number 7107B, by
20 Assemblymember Solages, an act to amend the
21 Education Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 Calendar Number 1714 has no home
10 rule. The bill will be laid aside for the day.

11 Calendar 1715 is high and will be
12 laid aside for the day.

13 THE SECRETARY: Calendar Number
14 1716, Senate Print 7418, by Senator Walczyk, an
15 act in relation to authorizing Brett W. Brewer to
16 take the competitive civil service examination.

17 ACTING PRESIDENT MAYER: There's a
18 home-rule message at the desk.

19 Read the last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1716, voting in the negative:
4 Senator Brisport.

5 Ayes, 60. Nays, 1.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1717, Senate Print 7419, by Senator Walczyk, an
10 act in relation to authorizing Isaac B. Bertos to
11 take the competitive Civil Service examination.

12 ACTING PRESIDENT MAYER: There's a
13 home-rule message at the desk.

14 Read the last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar Number 1717, voting in the negative:
24 Senator Brisport.

25 Ayes, 60. Nays, 1.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1718, Senate Print 7420, by Senator Krueger, an
5 act to amend the Financial Services Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

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 1718, 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, 40. Nays, 21.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1719, Senate Print 7439, by Senator Palumbo, an
2 act authorizing the Town of Southampton, County
3 of Suffolk, to alienate certain parklands.

4 ACTING PRESIDENT MAYER: There's a
5 home-rule message at the desk.

6 Read the last section.

7 THE SECRETARY: Section 7. 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: Announce
13 the results.

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1720, Senate Print 7440, by Senator Ryan, an act
19 to amend Chapter 430 of the Laws of 1963.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT MAYER: Announce
3 the results.
4 THE SECRETARY: Ayes, 61.
5 ACTING PRESIDENT MAYER: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 1721, Senate Print 7454, by Senator Martinez, an
9 act to repeal Title 16 of Article 8 of the
10 Public Authorities Law.
11 ACTING PRESIDENT MAYER: Read the
12 last section.
13 THE SECRETARY: Section 2. This
14 act shall take effect December 31, 2023.
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: Ayes, 61.
21 ACTING PRESIDENT MAYER: The bill
22 is passed.
23 THE SECRETARY: Calendar Number
24 1722, Assembly Bill Number 6996, by
25 Assemblymember Wallace, an act to amend the

1 Education Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1723, Senate Print 7496, by Senator Bailey, an
16 act to authorize the Office of Court
17 Administration to pay certain judicial
18 compensation.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1724, Senate Print 7500, by Senator Breslin, an
8 act directing the Department of Financial
9 Services, in consultation with the Office of
10 Employee Relations and the Department of
11 Civil Service, to conduct a comprehensive study
12 on how the Department of Financial Services may
13 create a compensation system.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1725, Senate Print 7511, by Senator Kavanaugh, an
3 act to amend the Alcoholic Beverage Control Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1726, Senate Print 7532, by Senator Sanders, an
18 act to amend the Banking Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 1726, those Senators voting in the
5 negative are Senators Ashby, Borrello,
6 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
7 Lanza, Martins, Mattera, Murray, Oberacker, Ortt,
8 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk,
9 Weber and Weik.

10 Ayes, 41. Nays, 20.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1727, Assembly Bill Number 6545, by
15 Assemblymember Davila, an act to amend the
16 Family Court Act.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

21 ACTING PRESIDENT MAYER: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: Announce
25 the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 Calendar Number 1728 is high and
5 will be laid aside for the day.

6 Senator Gianaris, that completes
7 reading of today's calendar.

8 SENATOR GIANARIS: Let's move right
9 into the controversial calendar, please.

10 ACTING PRESIDENT MAYER: The
11 Secretary will ring the bell.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 1135, Senate Print Number 1856A, by
15 Senator Hoylman-Sigal, an act to amend the
16 Environmental Conservation Law.

17 ACTING PRESIDENT MAYER: Senator
18 Borrello, why do you rise?

19 SENATOR BORRELLO: Madam President,
20 would the sponsor yield for a question.

21 ACTING PRESIDENT MAYER: Will the
22 sponsor yield for a question?

23 SENATOR HOYLMAN-SIGAL: Yes,
24 Madam President.

25 ACTING PRESIDENT MAYER: The

1 sponsor yields.

2 SENATOR BORRELLO: Through you,
3 Madam President. Senator Hoylman-Sigal, I
4 realize that you're aware, but for the purpose of
5 describing it to those that may be watching, this
6 bill will essentially eliminate seeds that have
7 insecticide treatments on them.

8 With that being said, can you tell,
9 for me, prior to this, what type of treatment was
10 actually used to control pests and what kind of
11 pesticides were used prior to these
12 neonicotinoid-treated seeds?

13 SENATOR HOYLMAN-SIGAL: Through
14 you, Madam President. And thank you to the --
15 our colleague for his question.

16 To clarify, this bill, called the
17 Birds and Bees Protection Act -- not the Birds
18 and the Bees Protection Act -- only applies to
19 seeds that are coated by the chemical known as
20 neonicotinoid, or we will use the parlance
21 "neonics" -- for three seeds, three types of
22 seeds: Corn, wheat and soybean. So it's much
23 more limited than I think your shorthand
24 description.

25 And the reason is because there is

1 growing evidence that our own Cornell University
2 identified, in a study a couple of years ago, the
3 harms of these chemicals that are linked to
4 neurological, metabolic, and reproductive issues
5 in humans and severe population declines in our
6 pollinators like birds and bees. Hence the name.

7 SENATOR BORRELLO: Madam President,
8 will the sponsor continue to yield?

9 ACTING PRESIDENT MAYER: Senator
10 Hoylman-Sigal, do you continue to yield?

11 SENATOR HOYLMAN-SIGAL: Yes.

12 ACTING PRESIDENT MAYER: The
13 Senator yields.

14 SENATOR BORRELLO: So I'll ask that
15 question again. Do you know what was used prior
16 to neonic seeds to control pests? What kind of
17 pesticides were used, and how were they used in
18 order to control them prior to neonic-coated
19 seeds?

20 SENATOR HOYLMAN-SIGAL: They were
21 different types of pesticides. They were not
22 seed coatings, to my knowledge. And of course in
23 many cases there were no seed coatings
24 whatsoever. This is a relatively recent
25 innovation in farming, to actually coat seeds.

1 Neonicotinoids have only been used as seed
2 coatings for the last 25, give or take, years.

3 SENATOR BORRELLO: Madam President,
4 will the sponsor continue to yield.

5 ACTING PRESIDENT MAYER: Do you
6 continue to yield?

7 SENATOR HOYLMAN-SIGAL: Yes.

8 ACTING PRESIDENT MAYER: The
9 sponsor yields.

10 SENATOR BORRELLO: All right. And
11 I appreciate the fact that you've given us a bit
12 of a background.

13 But the question is, prior to that,
14 what had to be done in order to ensure that pests
15 didn't destroy crops? How were pests managed
16 prior to neonic seeds?

17 SENATOR HOYLMAN-SIGAL: There are
18 different -- through you, Madam President. It is
19 my understanding that 30-plus years ago crops
20 were sprayed, rotations were used, and in some
21 cases no insecticides were used at all.

22 SENATOR BORRELLO: Madam President,
23 will the sponsor continue to yield.

24 ACTING PRESIDENT MAYER: Do you
25 continue to yield?

1 SENATOR HOYLMAN-SIGAL: Yes.

2 ACTING PRESIDENT MAYER: The
3 sponsor yields.

4 SENATOR BORRELLO: Yes, so you
5 brought up using pesticides. Gallons and gallons
6 of pesticides had to be used prior to this.

7 So do you have any idea why the
8 industry moved to these treated seeds instead of
9 gallons and gallons of pesticides? That's a
10 leading question.

11 SENATOR HOYLMAN-SIGAL: Through
12 you, Madam President. Yes, I do know.

13 SENATOR BORRELLO: All right.
14 Madam President, will the sponsor continue to
15 yield.

16 ACTING PRESIDENT MAYER: Do you
17 continue to yield?

18 SENATOR HOYLMAN-SIGAL: Yes.

19 ACTING PRESIDENT MAYER: The
20 sponsor yields.

21 SENATOR BORRELLO: So you mentioned
22 that this is corn and soybean as well as -- I
23 think I'm missing one. Corn and soybean -- and
24 wheat, thank you.

25 Do you know why those crops are

1 grown in New York State?

2 SENATOR HOYLMAN-SIGAL: Through
3 you, Madam President, yes.

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

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR HOYLMAN-SIGAL: Yes.

9 ACTING PRESIDENT MAYER: The
10 sponsor yields.

11 SENATOR BORRELLO: Would you mind
12 expounding on that answer? I know you know.
13 Would you mind telling me?

14 SENATOR HOYLMAN-SIGAL: Well, I
15 believe that these crops are integral to a lot of
16 farming and agribusiness that occurs in our
17 state.

18 It's a way of life for many
19 New Yorkers to farm these crops. I would -- I
20 would posit that there are generations of farmers
21 who have grown these crops, family after family,
22 and they contribute not just to our local and
23 state and northeastern economy, but to the food
24 supply, in New York and elsewhere. Which,
25 believe me, I'm aware of that, with food

1 insecurity being what it is in parts of my
2 district. The contributions farmers make cannot
3 be overstated.

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

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR HOYLMAN-SIGAL: Yes.

9 ACTING PRESIDENT MAYER: The
10 sponsor yields.

11 SENATOR BORRELLO: I appreciate
12 your answer. This wasn't a trick question. What
13 I was trying to get to, quite honestly, is that
14 these crops are grown to feed livestock.

15 And that's really important because
16 if you cannot grow and get the kind of yields
17 that these neonic seeds give, then that means
18 they're going to have to -- obviously they're --
19 grow and throw out a lot, which is not good for
20 the environment. But they're also going to have
21 to go back to the idea of using gallons and
22 gallons and gallons of pesticides, or buy this
23 from outside.

24 So the question is, what do you
25 think will be the impact on using neonic -- not

1 using these neonic-coated seeds and instead going
2 back to either no pesticides -- and no
3 pesticides, what would that actually result in,
4 do you happen to know, as far as the yield loss?

5 SENATOR HOYLMAN-SIGAL: Through
6 you, Madam President, we have study after study
7 that shows there will be no yield loss from the
8 abandonment of neonicotinoid pesticides, in
9 particular with the seed-coating procedure that
10 we're attempting to address through the Birds and
11 Bees Protection Act.

12 On the contrary, we are protecting
13 an important pollinator, a group of pollinators
14 that have seen rapid declines over the last
15 quarter-century directly linked, directly linked
16 to the use of neonicotinoids. That's why other
17 countries, such as Canada to our north -- another
18 important player in the agribusiness economy --
19 has banned and phased out neonicotinoids. That's
20 why several jurisdictions, such as New Jersey and
21 Maine and Nevada, are banning neonicotinoids.

22 And we certainly recognize that farm
23 production is central. But also important to
24 that is protecting pollinators and contributing
25 to the virtuous circle of pollination and

1 planting, as well as protecting human health.

2 Some say we should call this,
3 Madam President, the Birds, Bees and Babies
4 Protection Act, because there is growing evidence
5 that this insecticide -- pesticide, excuse me --
6 has had harmful effects on children. Increasing
7 neonic levels in New York among pregnant women
8 has been shown. A recent study of 171 pregnant
9 women across New York, four other states and
10 Puerto Rico, found that neonicotinoids are
11 present in 95 percent of the individuals
12 surveyed.

13 It reminds me of what Senator May
14 was discussing the other day about PFAS and the
15 fact that these chemicals reside in our bodies,
16 have harmful effects, and never leave.

17 These are the highest detection
18 rates in the country, and they're mostly found in
19 Hispanic women. And it also shows that
20 neonicotinoids move unimpeded from the mother to
21 the fetus, according to a November 2022 study.
22 And human studies on adults link neonicotinoid
23 exposure directly to reproductive harms,
24 including significantly decreased testosterone
25 levels and significant reductions in motility.

1 So my point is it's -- it is
2 important to the pollinators, but it's also
3 important to our children.

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

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR HOYLMAN-SIGAL: Yes.

9 ACTING PRESIDENT MAYER: The
10 sponsor yields.

11 SENATOR BORRELLO: I think if we go
12 back to the years before these seeds were used,
13 you'll find that pesticides were present in a lot
14 of -- unfortunately, in a lot of folks because of
15 the heavy use.

16 And farmers don't want to use
17 pesticides. That's why these seeds are so
18 important.

19 But I still didn't get an answer to
20 my question. You said that there's no loss in
21 crop yields without the use of neonicotinoids.
22 What would we have to use instead of
23 neonicotinoids, according to what data you have,
24 to ensure that there is no crop loss?

25 SENATOR HOYLMAN-SIGAL: We have a

1 number of safe harbors -- through you,
2 Madam President, a number of safe harbors built
3 into this bill. In fact, we worked closely with
4 advocates on a new version of this bill. I wish
5 it were called the B print, but it's just an
6 A print.

7 (Laughter.)

8 SENATOR HOYLMAN-SIGAL: That said,
9 the A print of this bill allows -- well, actually
10 directs the DEC and -- the DEC, in consultation
11 with Ag & Markets, to determine whether viable
12 alternatives exist. And we know that there is
13 one called diamides, which is being used in the
14 jurisdictions that I mentioned earlier.

15 We think -- not just diamides, but
16 we think that New York, taking this step forward
17 with this legislation, will encourage other
18 development of insecticides, in addition to
19 diamides. But let's just put diamides on the
20 table as an alternative now that, pursuant to
21 this legislation, DEC and Ag & Markets will be
22 directed to study.

23 SENATOR BORRELLO: Madam President,
24 will the sponsor continue to yield.

25 ACTING PRESIDENT MAYER: Do you

1 continue to yield?

2 SENATOR HOYLMAN-SIGAL: Yes.

3 ACTING PRESIDENT MAYER: The
4 sponsor yields.

5 SENATOR BORRELLO: So you're saying
6 that that particular pesticide will replace
7 neonicotinoids. Do we have anything to prove
8 that? Or is this something unproven which
9 ultimately means that DEC is going to have to
10 study it?

11 And in fact there is a study going
12 on right now, there is a study going on that's in
13 the second year of its three-year run in Central
14 New York that has not been completed.

15 So as a result, since you really
16 don't have I think a firm answer to that, don't
17 you think we should complete this three-year
18 study, which is only in its second year of three
19 years?

20 SENATOR HOYLMAN-SIGAL: Through
21 you, Madam President, our A print of this bill
22 allows time for that study, which we expect to be
23 completed in two years.

24 This bill does not take effect, in
25 full force, until 2027.

1 And I'll add that in Canada,
2 neonicotinoid use as an insecticide by farmers
3 has been reduced down to less than 5 percent --
4 and 2 percent, in most cases -- and they have
5 moved to diamides. And we, again, believe with
6 New York taking this step forward, other
7 alternatives will be produced and studied
8 pursuant to the bill.

9 SENATOR BORRELLO: Madam President,
10 will the sponsor continue to yield.

11 ACTING PRESIDENT MAYER: Do you
12 continue to yield?

13 SENATOR HOYLMAN-SIGAL: Yes.

14 ACTING PRESIDENT MAYER: The
15 sponsor yields.

16 SENATOR BORRELLO: So you're saying
17 diamides has been moved -- Canada has gone to it.
18 We have a lot of other states, the Midwest,
19 everywhere else, that are heavy in corn and
20 soybean and wheat. You know, obviously Canada is
21 further north, and that means that certainly
22 changes the climate with which certain things can
23 be grown.

24 I'm not sure exactly, but I'm going
25 to assume that they don't have the production --

1 I know for a fact that they don't have the
2 production that we have here in the
3 United States.

4 So why have no other states, then,
5 gone to diamides if it's such a cure-all?

6 SENATOR HOYLMAN-SIGAL: Through
7 you, Madam President, I think it is partially due
8 to market forces and availability. Which we're
9 trying to disrupt with this legislation, because
10 we know about the dangers of this insecticide to
11 both our pollinators and human health.

12 SENATOR BORRELLO: Madam President,
13 will the sponsor 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 BORRELLO: So you talk
20 about the danger to our pollinators. Has there
21 been any reported incidents of bee kills in
22 New York that are finding neonicotinoids as the
23 culprit? I mean, do we have any hive studies,
24 anything that can point to that as being an
25 issue? Do we have any evidence?

1 SENATOR HOYLMAN-SIGAL: Through
2 you, Madam President. Well, I mean, I welcome
3 you to peruse the 431-page study by
4 Cornell University, "Neonicotinoid Insecticides
5 in New York State: Economic Benefits and Risks
6 to Pollinators," which both shows the impact on
7 bee colonies -- which, by the way, last year was
8 the second-worst year recorded on -- for bees.
9 Some call it an insect apocalypse.

10 And I've just been informed by my
11 trusty colleague that Canada and the UK, in their
12 studies, have made a direct link between
13 neonicotinoid insecticides and bee colony
14 collapse.

15 SENATOR BORRELLO: Madam President,
16 will the sponsor continue to yield?

17 SENATOR HOYLMAN-SIGAL: Yes.

18 ACTING PRESIDENT MAYER: Do you
19 continue to yield?

20 The sponsor yields.

21 SENATOR BORRELLO: Yeah, I
22 understand the UK and Canada, but I asked about
23 New York. And I didn't get an answer there, so
24 I'm going to assume that means there aren't any
25 studies or any evidence to suggest that there's

1 been any loss.

2 But you referenced this study from
3 Cornell, it's a very thick file there. Was that
4 a peer-reviewed study?

5 SENATOR HOYLMAN-SIGAL: Through
6 you, Madam President. If I could just go back to
7 your original question, I'm swimming in studies
8 over here, Senator. So come to my library and we
9 can review them together.

10 But I just wanted to go back to your
11 point about are there any U.S. studies. And I
12 remember that question a couple of years ago by
13 one of your colleagues, who urged us to wait
14 until the EPA completed its study on
15 neonicotinoids. Which we ended up doing -- not
16 by choice, but of course we didn't pass the bill
17 two years ago.

18 But since then, the EPA has in fact
19 published that study that our colleague was
20 requesting, and it shows the negative impact on
21 200 endangered species, establishing the link
22 that we're talking about here between
23 neonicotinoids and its harm to living organisms:
24 Birds, bees, who are pollinators -- which are
25 pollinators, animals, endangered species, and

1 humans.

2 Now, your question was specifically
3 about the peer review by the Cornell study.
4 Well, you know, I think Cornell University and
5 its Department of Agricultural Studies is one of
6 the foremost in the country. So I don't know if
7 anyone here would want to question Cornell,
8 especially it being a -- such an outstanding
9 academic institution.

10 But this is a review of
11 peer-reviewed studies.

12 SENATOR BORRELLO: Madam President,
13 will the sponsor 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 BORRELLO: Are you familiar
20 with Dr. Elson Shields of Cornell?

21 SENATOR HOYLMAN-SIGAL: Yes. And I
22 believe that is a non-peer-reviewed study.

23 SENATOR BORRELLO: Madam President,
24 will the sponsor continue to yield?

25 ACTING PRESIDENT MAYER: Do you

1 continue to yield?

2 SENATOR HOYLMAN-SIGAL: Yes.

3 SENATOR BORRELLO: Well, the one
4 that you just pointed to is not a peer-reviewed
5 study either.

6 More importantly, what he has said
7 is that -- and again, Cornell, as you said, you
8 know, the undisputed authority on all things
9 agriculture in New York State, Dr. Shields said
10 that the -- according to him, the feed corn
11 maggot is one of the biggest pests that will
12 infect corn and others, and that's going to lead
13 to anywhere from a 40 to 50 percent loss in crop
14 yields as a result of not using neonicotinoids.

15 On top of that, you know, the
16 suggested damage is going to cost a lot of money
17 to try to overcome with our farmers. And it
18 could be in some cases, you know, really
19 devastating financially for our farmers.

20 So, you know, Dr. Shields says --
21 what he says, there's actually a study that he
22 conducted here in New York State. So what do
23 we -- what are we going to do to ensure that this
24 seed corn maggot isn't going to be a problem for
25 our farmers here in New York State, according to

1 Dr. Shields?

2 SENATOR HOYLMAN-SIGAL: I've been
3 called worse, by the way.

4 (Laughter.)

5 SENATOR HOYLMAN-SIGAL: But the --
6 through you, Madam President. My response is
7 that's one study. I think it's an outlier. We
8 have dozens of others pointing to the dangers of
9 neonicotinoid use.

10 And that said, the DEC commissioner,
11 in consultation with Ag & Markets, will release
12 its own review over the next two years. And I'm
13 sure they'll speak to this researcher and
14 hopefully draw the conclusion that we are
15 advocating for, which is that these insecticides
16 are dangerous and need to be curbed in our
17 agricultural industry.

18 SENATOR BORRELLO: Madam President,
19 on the bill.

20 ACTING PRESIDENT MAYER: Senator
21 Borrello on the bill.

22 SENATOR BORRELLO: Thank you,
23 Senator Hoylman-Sigal, for that.

24 You know, it's always funny, to
25 represent thousands of farmers, for me to have a

1 debate with someone from Manhattan about what we
2 should do for farmers.

3 That notwithstanding, I do believe
4 you're sincere in your concerns. So thank you.
5 But they are misguided.

6 There's a number of things here.
7 The study that Senator Hoylman-Sigal continues to
8 reference was in 2020. It actually says that
9 neonicotinoid insecticides in New York State --
10 it finds the alternatives for the control of
11 pests to be less effective, more hazardous and
12 more costly than neonicotinoids.

13 The answer I couldn't get from my
14 colleague was the fact that the alternative, if
15 we're going to maintain these yields, is to dump
16 hundreds and hundreds and thousands of gallons of
17 pesticides, like we used to do in the old days,
18 on top of corn and soybeans and everything else,
19 in order to ensure that we can get those same
20 crop yields. And that's not good for -- it's not
21 good for the environment. It's certainly not
22 good for our pollinators. And it's not good for
23 human health.

24 So we're going to go backwards in so
25 many ways if we do this. And I think what's

1 missing here is the understanding that our
2 farmers are good stewards of the land and their
3 crops. It's good business for them to be as
4 judicious as possible in what they use. And if
5 we take this tool away from them, they're going
6 to have to resort back to methods that we used
7 decades ago that are hazardous, that we know that
8 they're hazardous.

9 But beyond that, there is -- this is
10 not just affecting farmers. This is also going
11 to impact other areas, other industries. I've
12 heard from folks that, you know, maintain golf
13 courses that these neonics are going to be banned
14 somehow by this bill, and they're very concerned
15 about that.

16 We have championship golf courses in
17 New York State. The PGA is at Oak Hill in
18 Rochester. Next year it's coming down to
19 Bethpage on Long Island. And I've been told by
20 the folks that represent all of those golf
21 courses that they fear that they will not be able
22 to maintain, you know, that championship-quality-
23 level golf course without that.

24 But on top of that, what we're
25 really concerned about here is trying to really

1 control something and make the solution worse
2 than the disease, so to speak.

3 We are going to tell our farmers
4 that you're going to dump thousands more gallons,
5 which is not good for the environment, certainly
6 not good for climate change, all those other
7 things, in order to mitigate a seed that is
8 micro-coated with a very tiny amount of
9 pesticide. Which has proven time and time again
10 to be effective.

11 And quite frankly, this study, this
12 Cornell study, is just a lot of Google searches
13 about other studies from other states and other
14 countries. It's not an actual, real
15 peer-reviewed study.

16 One of the studies is currently
17 underway, as I referenced earlier, here in
18 Central New York. It's the second year of three
19 years. Now, I realize that there is some time
20 here. But the bottom line is this is going to go
21 into place regardless of what this study finds,
22 unless some kind of action to reverse it were to
23 take place. And that's unlikely to happen, I
24 think we all know that. Because the forces at
25 work here, the people that really don't want this

1 method to be used, are people that quite frankly
2 they really don't care about our agriculture
3 industry here in New York State. They don't care
4 about those impacts. They are very focused on
5 their special interests here.

6 I think we all understand and
7 appreciate what our farmers need to do to protect
8 those pollinators. Those pollinators are
9 critically important to their business, to their
10 lifestyle, their life, their farms. They do not
11 want to hurt those pollinators. And there are
12 many other things that are impacting them that
13 have nothing to do with manmade things like
14 neonicotinoids. It has everything to do, you
15 know, with predators and diseases and other
16 things that are actually taking the lives of our
17 pollinators.

18 So this is the idea of we're going
19 to try and find -- do something, and doing
20 something is better than doing nothing to solve a
21 problem. But this isn't going to do it. We're
22 missing the target here, and it's going to harm,
23 greatly harm agriculture.

24 And I would strongly encourage all
25 of my colleagues to vote no on this one.

1 Thank you.

2 ACTING PRESIDENT MAYER: Senator
3 Palumbo, why do you rise?

4 SENATOR PALUMBO: Thank you,
5 Madam President.

6 Would the sponsor yield for just a
7 couple of quick questions, please, following up.

8 SENATOR HOYLMAN-SIGAL: Yes.

9 ACTING PRESIDENT MAYER: Senator
10 Hoylman-Sigal, do you rise -- do you rise? Do
11 you --

12 SENATOR HOYLMAN-SIGAL: I both rise
13 and say yes.

14 ACTING PRESIDENT MAYER: Do you
15 stand for a question.

16 The Senator agrees.

17 SENATOR PALUMBO: Thank you,
18 Senator.

19 As I'm looking through the bill, I
20 saw that the commissioner has a -- has the
21 ability to -- I just want to find the exact
22 section. But the commissioner has the ability to
23 override in the event there's an environmental
24 emergency, is that correct?

25 SENATOR HOYLMAN-SIGAL: Through

1 you, Madam President. The commissioner can
2 override the emergency for turf and ornamentals,
3 and he can suspend the ban for, say, seeds if
4 there is -- basically if there's not adequate
5 supply.

6 SENATOR PALUMBO: If there's not --
7 I'm sorry, if there's nothing -- what's not
8 applied?

9 SENATOR HOYLMAN-SIGAL: An adequate
10 supply of seeds.

11 SENATOR PALUMBO: Oh, I see.

12 SENATOR HOYLMAN-SIGAL: Or economic
13 hardship for the farmer.

14 SENATOR PALUMBO: Thank you. Would
15 you yield for another question, please.

16 ACTING PRESIDENT MAYER: Does the
17 sponsor yield?

18 SENATOR HOYLMAN-SIGAL: Yes.

19 ACTING PRESIDENT MAYER: The
20 sponsor yields.

21 SENATOR PALUMBO: Thank you,
22 Senator. And through you, Madam President.
23 Because I see -- and this is the only reason why
24 I wanted to clarify this, because the
25 dinotefuran, if I'm saying it correctly, it's my

1 understanding that that chemical is virtually the
2 most effective and one of the very few that can
3 control the spotted lantern fly.

4 And in my district, that's an
5 environmental emergency. Our wineries are
6 getting destroyed. It's a voracious invasive fly
7 that is terrorizing and causing literally
8 millions of dollars in damage.

9 So in the event that the
10 commissioner agrees with my assessment that it's
11 an environmental emergency, it certainly could
12 suspend the effects of this statute for the
13 purposes of that farming industry so that they
14 don't lose all of their crops.

15 Is that accurate?

16 SENATOR HOYLMAN-SIGAL: Through
17 you, Madam President. Just to be clear, this
18 bill before us does not apply to anything but
19 wheat, corn and soybean seeds. It would not have
20 any impact on wineries in your district.

21 SENATOR PALUMBO: Thank you,
22 Chairman.

23 On the bill, Madam President.

24 ACTING PRESIDENT MAYER: Senator
25 Palumbo on the bill.

1 SENATOR PALUMBO: Thank you,
2 Madam President.

3 And I do appreciate the
4 clarification, because that's very important to
5 my district. Many people don't realize
6 Suffolk County I believe is still number one in
7 ag production in this state. They don't realize
8 how rural it is out by me.

9 And these are the types of things
10 that we need to make sure that it's understood
11 clearly that these types of -- this particular
12 ban is narrow in scope. The commissioner does
13 have some discretion in the event it adversely
14 affects some of our farming industries.

15 So this is a close call for me,
16 Madam President, and I will be voting in the
17 affirmative. But thank you.

18 ACTING PRESIDENT MAYER: Are there
19 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 4. This
24 act shall take effect on the 90th day after it
25 shall have become a law.

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Senator
5 Mannion to explain his vote.

6 SENATOR MANNION: Thank you,
7 Madam President. And thank you to
8 Senator Hoylman-Sigal and Senator Harckham and
9 all those that have participated in this process
10 in trying to make sure we get to our best place
11 as it relates to this bill in agriculture.

12 In New York State we're very
13 blessed -- in this country we're very blessed
14 because we have the ability to grow our food, get
15 it to market in an affordable manner.

16 On behalf of the farmers, they are
17 pro-pollinator. They are scientists. And
18 farming is challenging work. And there are
19 multiple variables along the way that can throw
20 our crop yields out of normalcy. It's not just
21 financial hardship that would fall on farmers,
22 it's literally our food supply. And a word we
23 use in this chamber frequently is resiliency. We
24 need resiliency for our food supply.

25 As a former science teacher, as an

1 AP biology teacher who taught at the college
2 level, who taught at the cellular level based in
3 biochemistry, who taught ecology and plant
4 reproduction and enzyme and protein inhibitors,
5 using that science background, I must say when we
6 talk about what our farmers need to do to make
7 sure that we have a resilient food source,
8 neonics are a part of that.

9 They have perfected this process
10 over time. There's a minimal amount of coating
11 on the seed, and the exhaust is expelled in the
12 ground. And the alternatives, as was stated
13 before, can be more negatively environmentally
14 impactful. And those environmental emergencies
15 will occur, and we will need to go down that
16 road.

17 I do appreciate our work in this.
18 When we hear the stories of a decreasing bee
19 population, none of us want that. Senator
20 Hoylman-Sigal does not want that, and that's why
21 this is his mission to move forward.

22 But I cannot emphasize enough that
23 farmers are pro-pollinators. There is no other
24 way to create a soybean if you eliminate the bee
25 from the equation. The plant organ, the sexual

1 organ of the plant is the flower, and the flower
2 becomes the fruit, which is the soybean. And
3 also the blackberry.

4 I vote nay.

5 ACTING PRESIDENT MAYER: Senator
6 Mannion to be recorded in the negative.

7 Senator Harckham to explain his
8 vote.

9 SENATOR HARCKHAM: Thank you very
10 much, Madam President.

11 First I want to thank
12 Senator Hoylman-Sigal for his excellent work on
13 this. And I want to thank him for his
14 willingness to compromise on this bill and work
15 with several members of this chamber.

16 You know, in a lot of circles, both
17 on the left and the right, compromise has become
18 a dirty word. I think that's what we're paid to
19 do, is to compromise, to build consensus and find
20 the best way forward. I want to thank you and
21 many of the colleagues from this chamber.

22 I agree with Senator Borrello, I
23 agree with my friend Senator Mannion that farmers
24 are indeed the best stewards of the land. And
25 this legislation is no indictment of our farmers.

1 But throughout our history, industry creates
2 products that are supposed to be the next great
3 elixir, and then years down the road we find
4 there are issues. And this is one of those
5 products.

6 And I agree with
7 Senator Hoylman-Sigal that this -- I think we
8 really did a disservice with the name Birds and
9 Bees. This is greatly about human health.
10 Neonics, there is an extensive body of research
11 that shows this chemical is harmful to human
12 health -- aside from the fact there's a direct
13 nexus to the bee population decline and the bird
14 population decline.

15 We've lost 25 percent of bird
16 species throughout the world in the last
17 decade -- that's billions of birds -- in large
18 part because they're eating pesticide-coated
19 seeds.

20 The last thing I want to touch on
21 are some of the carve-outs, because those are
22 where the compromises came in. There is
23 discretion. And if we look at the history in
24 Canada, they had no drop-off in yields. Less
25 than 2 percent of the farmers applied for waivers

1 because of drop-off in yield. So it is very
2 possible that this can work and will work.

3 And as far as the supply, we also
4 heard that concern. New York is a \$100 million
5 seed market. So the manufacturers and the
6 distributors of seed are not going away. That
7 void will be filled with different seeds here in
8 New York.

9 But again, we've got a ramp-up time.
10 Senator Hoylman-Sigal has built in off-ramps and
11 safe harbors and discretion for the commissioner.
12 This is a much better bill than it was last year.

13 And finally, I just want to say that
14 we speak about farmers as a large group who march
15 in lockstep. We've had many farmers come into
16 our office personally and say that they support
17 this bill, that this is a right bill to do. We
18 know there's a larger voice in the Farm Bureau
19 and other folks doing their job. They do it
20 well. But I don't want to leave here with the
21 impression that every single farmer in New York
22 State opposes this bill.

23 So thank you, everyone, for your
24 great work. I'm proud to vote aye.

25 ACTING PRESIDENT MAYER: Senator

1 Harckham to be recorded in the affirmative.

2 Senator Helming to explain her vote.

3 SENATOR HELMING: Thank you,
4 Madam President.

5 I rise to explain my vote on this
6 bill, known as the Birds and Bees Protection Act.

7 Protecting the environment is a very
8 important priority for me. It's one of the
9 reasons why I entered public service. But I
10 really, truly believe -- I believed it when I
11 read the bill, but I believe it even more
12 after listening to the debate and some of the
13 comments that have just been offered, that the
14 bill before us really does nothing to protect our
15 environment.

16 The bill language itself states that
17 if there are no seed alternatives ready to
18 market, then the commissioner of the DEC, in
19 consultation with the commissioner of Ag &
20 Markets can essentially put the provisions aside
21 indefinitely. They can be put aside forever.

22 Farmers have told us again and again
23 that there are no seed alternatives currently
24 available. And you know what? It's not just the
25 farmers who are saying this. The study that the

1 bill's sponsor mentioned during his debate goes
2 on to acknowledge this same fact.

3 As far as the report that the DEC
4 will be issuing, I certainly support that
5 research and I look forward to the results. The
6 DEC, in consultation with Ag & Markets and
7 industry experts, needs to identify practical and
8 feasible alternatives. I feel that we are very
9 lucky in this state to have an incredible
10 research facility like the Cornell Center of
11 Excellence to help facilitate this.

12 But in the meantime, I have to ask
13 everyone, haven't we put our farmers through
14 enough? Haven't they been through enough? To
15 me, it's irresponsible to jeopardize our crops
16 and dairy feed and to jeopardize the operations
17 and viability of one of our state's most vital
18 industries, one of our state's largest employers.

19 In my district, agriculture is the
20 backbone of our economy. I have over 200 family
21 dairy farms in my district. We all know, we just
22 celebrated a couple of days ago June is Dairy
23 Month. We heard so many nice platitudes about
24 farmers. But yet when it's time -- when the
25 rubber hits the road and it's time to make a

1 decision whether to support them or not, we try
2 and put forward bills like this that do nothing
3 to help them, only hurt them.

4 Farmers have told me this bill puts
5 their businesses, their crops and their animals
6 in danger, and I certainly believe that they know
7 better than we do, and we should be listening to
8 them.

9 I will be voting no,
10 Madam President.

11 ACTING PRESIDENT MAYER: Senator
12 Helming to be recorded in the negative.

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar 1135, those Senators voting in the
16 negative are Senators Borrello, Gallivan, Griffio,
17 Helming, Lanza, Mannion, Oberacker, O'Mara, Ortt,
18 Rolison, Stec, Walczyk and Weber. Also Senator
19 Tedisco.

20 Ayes, 47. Nays, 14.

21 ACTING PRESIDENT MAYER: The bill
22 is passed.

23 THE SECRETARY: Also Senators Stec
24 and Ashby.

25 Ayes, 45. Nays, 16.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1335, Senate Print 3100A, by Senator Ryan, an act
5 to amend the Labor Law.

6 ACTING PRESIDENT MAYER: Senator
7 Oberacker, why do you rise?

8 SENATOR OBERACKER: Thank you,
9 Madam President. I was wondering if the bill
10 sponsor would answer a couple of questions,
11 please.

12 ACTING PRESIDENT MAYER: Senator
13 Ryan, will you yield?

14 SENATOR RYAN: Yes, I will.

15 ACTING PRESIDENT MAYER: The
16 sponsor yields.

17 SENATOR OBERACKER: Thank you,
18 Madam President.

19 And my apologies to my colleague
20 that his view of my debate will be less than
21 formidable. So my apologies there.

22 But through you, Madam President.
23 Senator, could you just give me kind of a brief
24 of what this bill is intended to accomplish?

25 SENATOR RYAN: Through you,

1 Madam President, yes.

2 We've seen a proliferation of
3 noncompete agreements in New York State over the
4 last two decades. It's reckoned that over
5 20 percent of New York State employees are
6 currently under some sort of noncompete. And
7 what a noncompete does, it restricts your ability
8 to work somewhere else in the economy once you
9 leave the field.

10 So this bill will stop an employer
11 from restraining an employee after they leave
12 their employment.

13 SENATOR OBERACKER: Through you,
14 Madam President, would the bill sponsor continue
15 to yield.

16 ACTING PRESIDENT MAYER: Senator
17 Ryan, do you yield?

18 SENATOR RYAN: Yes,
19 Madam President.

20 ACTING PRESIDENT MAYER: The
21 Senator yields.

22 SENATOR OBERACKER: Thank you.

23 Senator, would you agree that
24 proprietary information is an asset of a business
25 that is worth protecting?

1 SENATOR RYAN: Yes. Through you,
2 Madam President, it's a hundred percent something
3 we should protect.

4 And that's why this bill
5 specifically states that, you know, trade
6 secrets, intellectual property law,
7 non-solicitation agreements, are all preserved by
8 this and not touched by the noncompete.

9 SENATOR OBERACKER: Through you,
10 Madam President, would the bill sponsor continue
11 to yield.

12 ACTING PRESIDENT MAYER: Senator
13 Ryan, do you yield?

14 SENATOR RYAN: Yes,
15 Madam President.

16 ACTING PRESIDENT MAYER: The
17 Senator yields.

18 SENATOR OBERACKER: Thank you.

19 Would you also agree that then
20 employees are an asset worth protecting for a
21 company?

22 SENATOR RYAN: Yes, they are.

23 SENATOR OBERACKER: Through you,
24 Madam President, would the bill sponsor continue
25 to yield.

1 ACTING PRESIDENT MAYER: Do you
2 continue to yield?

3 SENATOR RYAN: Yes, I do.

4 ACTING PRESIDENT MAYER: The
5 Senator yields.

6 SENATOR OBERACKER: Thank you.

7 Senator, does this bill affect new
8 agreements that are already in effect? Or would
9 this affect just -- would this affect agreements
10 that are already in effect, or would it affect
11 new agreements from this point forward?

12 SENATOR RYAN: The bill is not
13 retroactive. It will only affect new agreements
14 that are entered into after the effective date of
15 this bill. So there's no backwards look at it.

16 The only thing that could come close
17 to a backwards look, Senator Oberacker, if you
18 have a multiyear noncompete that expires during
19 the course of employment, then that would be
20 covered by this piece of legislation.

21 SENATOR OBERACKER: Through you,
22 Madam President, would the bill sponsor continue
23 to yield.

24 ACTING PRESIDENT MAYER: Do you
25 continue to yield?

1 SENATOR RYAN: Yes,
2 Madam President.

3 ACTING PRESIDENT MAYER: The
4 Senator yields.

5 SENATOR OBERACKER: Just as a point
6 of reference, I guess, for me an education. I
7 have a staff that I have asked for a
8 nondisclosure agreement when they work. Do you
9 as well have a nondisclosure agreement with some
10 of your staff, Senator?

11 SENATOR RYAN: No, I don't have --
12 I'm sorry. Through you, Madam President, I don't
13 have any personal or nondisclosure agreements
14 with any of my staff.

15 SENATOR OBERACKER: Thank you.
16 On the bill, Madam President.

17 ACTING PRESIDENT MAYER: Senator
18 Oberacker on the bill.

19 SENATOR OBERACKER: Thank you,
20 Senator, for your answers to the questions. I
21 appreciate that.

22 You know, as a businessman -- and
23 our business that we do is research and
24 development, product development for food
25 companies. I think that came out a little bit

1 last night, my focus on food. And the
2 interesting part of a nondisclosure, it's
3 extremely valuable to myself and to my company.

4 And I'll use the analogy, if you're
5 familiar with Kentucky Fried Chicken. Their
6 original recipe is actually in a safe.

7 Well, I want to kind of throw out a
8 visual here. My virtual safe is my nondisclosure
9 with employees who would be subjected to a lot of
10 my procedures, my formulas, and my end product.

11 There's a cost to train these
12 individuals. There's a cost involved as a
13 business owner that I believe this will have a
14 negative effect on. I as a businessperson would
15 be somewhat apprehensive in potentially training
16 to certain levels employees, because if they have
17 the ability to -- which goes to my next point.
18 The term that we would use is poaching in the
19 industry, where an outside company is going to
20 come in and try to steal one of my employees that
21 carries the knowledge and the experiences that
22 they've had with me.

23 So a noncompete does two things. It
24 allows me to invest more into my employees. It
25 also gives me a little bit of protection from

1 poaching from another potential company. That
2 directly comes into income and wages. I would be
3 remiss if I didn't say those that I have under a
4 noncompete actually are more valuable.
5 Therefore, they are highly compensated within my
6 company.

7 Without a noncompete, I believe
8 we're going to see lawsuits to -- when it comes
9 to the proprietary information. And we all know
10 that the courts are backed up enough. Hence,
11 carrying out expensive and time-consuming
12 processes there.

13 And lastly, I'll leave you with
14 this. You know, we as legislators, we have to
15 wait two years once we leave our service here in
16 Albany to be considered for any type of a lobby.
17 If that's not a noncompete, then I don't know
18 what is.

19 I therefore have to, with all good
20 conscience, vote no for this piece of
21 legislation. Again, I think it was brought up
22 with some intent to safeguard, but in all
23 honesty, for a businessman such as myself, this
24 is nothing but a negative.

25 I vote no, and I encourage all of my

1 colleagues to consider and vote no as well.

2 Thank you, Madam President.

3 ACTING PRESIDENT MAYER: Are there
4 any other Senators wishing 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 3. This
9 act shall take effect on the 30th day after it
10 shall have become a law.

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Senator
15 Ryan to explain his vote.

16 SENATOR RYAN: Thank you,
17 Madam President.

18 You know, I want to thank the
19 leader; the Labor chair, Senator Ramos, for
20 holding a hearing with me; Senate Counsel
21 Amanda Godkin and my counsel, Sara Lesser, for
22 the work that they've done to get this bill to
23 the floor.

24 Before I tell you, Madam Leader,
25 what noncompetes do, let me just be clear, be

1 unequivocal about what they don't do.

2 They don't affect nondisclosure.

3 They don't affect trade secrets. They don't
4 affect client information. Those are all safe.
5 They're all protected by other areas of the law.

6 But what they do do is allow an
7 employee freedom to go from job to job. You
8 know, after all, that's where most raises occur
9 in America, is you ask for a raise, your boss
10 says no, you go looking somewhere else.

11 But under the noncompete, it
12 prevents you for looking for another job. Many
13 times people are presented a noncompete agreement
14 as part of their on-boarding process. They sign
15 a lot of paperwork, they don't even know they
16 have a noncompete until they leave.

17 But they can cover so many things --
18 geographic radius. We had a hearing and we found
19 out from a tattoo artist that she signed a
20 noncompete that said she can't be a tattoo artist
21 within 20 miles of her current shop. Puts you
22 really out of the jurisdiction.

23 We found out that noncompetes are
24 applicable to people who are terminated from
25 their position. Talked to a chiropractor from

1 Watertown, New York, who was terminated from her
2 position only to find out she couldn't be a
3 chiropractor under a noncompete within 30 miles
4 of Watertown.

5 They're just not good for the
6 economy. They create a clog. We want people to
7 move back and forth. And we want employers to be
8 able to hire people freely without threat of
9 lawsuit or, once again, getting clogged up into a
10 fight with another company about whether you can
11 hire an employee.

12 As I said before, noncompetes are
13 proliferating. They're at every level of our
14 economy, from high-tech workers to Jimmy John Sub
15 Shops to Avis Car Rental. They're everywhere.

16 But you might ask, well, is this
17 going to affect our business? You know, is it
18 going to make it harder for proprietary other
19 information? California, home of Silicon Valley,
20 has limited noncompete agreements since 1872, and
21 I daresay their innovative economy has not
22 suffered because of that.

23 So today we take a significant step
24 forward in joining other states in the union that
25 have banned noncompete agreements. I'm honored

1 to carry this extremely significant piece of
2 legislation that I know will have a lasting
3 impact on our state's economy and our job market.

4 And I proudly vote aye,
5 Madam Speaker.

6 ACTING PRESIDENT MAYER: Senator
7 Ryan to be recorded in the affirmative.

8 Senator Ramos to explain her vote.

9 SENATOR RAMOS: Thank you,
10 Madam President.

11 I rise once again as the proud chair
12 of the Labor Committee here in our body. This
13 last week of session we're passing some really
14 great labor bills. You know, my job is largely
15 to identify any loophole and any way that
16 unscrupulous employers put workers at a
17 disadvantage, and then hopefully eliminate those
18 loopholes.

19 And my work with Senator Ryan I
20 think this session speaks for itself.
21 Noncompetes, as was demonstrated in our
22 hours-long hearing, really does do just that. It
23 deprives workers of the freedom to leverage their
24 talent, to seek opportunity, and to be able to
25 provide for themselves and for their families.

1 I'm actually a little surprised that
2 that these Republicans are not voting for the
3 bill today. I mean, as true capitalists, right,
4 you know, capitalists shouldn't just enjoy
5 capitalism when it works for them. It's supposed
6 to work for everyone. That's what the spirit of
7 competition is.

8 So I give credit to Senator Ryan,
9 truly, because he heard every worker who had been
10 limited and harmed by noncompetes out. And our
11 economy really needs workers to be able to
12 respond in this economy as we're trying to
13 recover since the pandemic.

14 Noncompetes are used to keep bad
15 employers in business by forcing employees to
16 stay in abusive environments and limiting their
17 options within their industry and certainly their
18 geographic location.

19 So I am proud to be voting in the
20 affirmative for Senator Ryan's legislation.

21 Thank you.

22 ACTING PRESIDENT MAYER: Senator
23 Ramos to be recorded in the affirmative.

24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar 1335, those Senators voting in the
2 negative are Senators Ashby, Borrello,
3 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
4 Lanza, Martins, Mattera, Murray, Oberacker,
5 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
6 Tedisco, Walczyk, Weber and Weik.

7 Ayes, 40. Nays, 21.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1349, Senate Print 4234A, by Senator Hinchey, an
12 act to amend the Public Service Law.

13 ACTING PRESIDENT MAYER: Senator
14 Walczyk, why do you rise?

15 SENATOR WALCZYK: I rise,
16 Madam President, because I'm hopeful that the
17 sponsor would yield for a few questions this
18 evening.

19 ACTING PRESIDENT MAYER: Senator
20 Hinchey, do you yield?

21 SENATOR HINCHEY: I do,
22 Madam President.

23 ACTING PRESIDENT MAYER: The
24 sponsor yields.

25 SENATOR WALCZYK: Thanks. Through

1 you, Madam President.

2 So currently Public Service Law says
3 utilities have six months of lookback period,
4 they have six months to make good for a
5 ratepayer. And you're looking to change the law
6 to two months or 60 days, is that correct?

7 SENATOR HINCHEY: Through you,
8 Madam President, yes, that's correct.

9 SENATOR WALCZYK: And through you,
10 Madam President, would the sponsor continue to
11 yield.

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield?

14 SENATOR HINCHEY: I do.

15 ACTING PRESIDENT MAYER: The
16 sponsor yields.

17 SENATOR WALCZYK: So that with
18 monthly billing, that would provide a grace
19 period for the utility for an additional 30 days
20 to that month. Am I understanding that
21 correctly?

22 SENATOR HINCHEY: Through you,
23 Madam President, yes. A utility can back-bill --
24 can bill two months should they not -- they
25 should be billing every month, but if they don't,

1 they're able to bill two.

2 SENATOR WALCZYK: Through you,
3 Madam President, would the sponsor continue to
4 yield.

5 ACTING PRESIDENT MAYER: Do you
6 continue to yield?

7 SENATOR HINCHEY: I do.

8 ACTING PRESIDENT MAYER: The
9 sponsor yields.

10 SENATOR WALCZYK: The Public
11 Service Law doesn't, however, cover
12 nonresidential customers in the same way. But
13 this bill is adding nonresidential customers, is
14 that correct?

15 SENATOR HINCHEY: Through you,
16 Madam President, yes we are looking to protect
17 residents -- regular customers and businesses as
18 well.

19 SENATOR WALCZYK: Through you,
20 Madam President, would the sponsor continue to
21 yield.

22 ACTING PRESIDENT MAYER: Do you
23 continue to yield?

24 SENATOR HINCHEY: I do.

25 ACTING PRESIDENT MAYER: The

1 sponsor yields.

2 SENATOR WALCZYK: Why add
3 nonresidential customers or businesses,
4 corporations, why add them to the same section?

5 SENATOR HINCHEY: Through you,
6 Madam President. These recommendations actually
7 come from the PSC based on an audit they did of
8 Central Hudson in my district and across much of
9 our state. And specifically on billing issues
10 that Central Hudson was having both with
11 residential customers and businesses.

12 And so especially our small
13 businesses, many of them are struggling, as we
14 talk about often in this chamber, we want to
15 support our small businesses. They also
16 shouldn't be penalized if a utility company
17 hasn't billed them for six months and then they
18 get slammed with one large bill. They too should
19 have protections to make sure that they can
20 manage their cash flow accordingly.

21 SENATOR WALCZYK: And through you,
22 Madam President, would the sponsor continue to
23 yield.

24 ACTING PRESIDENT MAYER: Do you
25 continue to yield?

1 SENATOR HINCHEY: I do.

2 ACTING PRESIDENT MAYER: The
3 sponsor yields.

4 SENATOR WALCZYK: I understand
5 the -- and you mentioned the Public Service
6 Commission made recommendations. They've made
7 rulings that the appropriate timeline is four
8 months. Am I understanding that correctly?

9 SENATOR HINCHEY: Through you,
10 Madam President, through the report on
11 April 20th, they suggested two months.

12 SENATOR WALCZYK: Okay. And
13 through you, Madam President, would the sponsor
14 continue to yield.

15 ACTING PRESIDENT MAYER: Do you
16 continue to yield?

17 SENATOR HINCHEY: I do.

18 ACTING PRESIDENT MAYER: The
19 sponsor yields.

20 SENATOR WALCZYK: Would this, in
21 addition to utility companies, also apply to
22 municipal utilities, municipal electric
23 companies?

24 SENATOR HINCHEY: Through you,
25 Madam President, yes, it would.

1 SENATOR WALCZYK: And through you,
2 Madam President, would the sponsor continue to
3 yield.

4 ACTING PRESIDENT MAYER: Do you
5 continue to yield?

6 SENATOR HINCHEY: I do.

7 ACTING PRESIDENT MAYER: The
8 sponsor yields.

9 SENATOR WALCZYK: Is there any
10 scale to that, or would it apply to every
11 municipal electric company in the state?

12 SENATOR HINCHEY: Through you,
13 Madam President, it is across the board.

14 SENATOR WALCZYK: And through you,
15 Madam President, would the sponsor continue to
16 yield.

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR HINCHEY: I do.

20 ACTING PRESIDENT MAYER: The
21 sponsor yields.

22 SENATOR WALCZYK: Recognizing that
23 you've got that local issue within the
24 Hudson Valley, how many New York State companies
25 have made claims for late billing practices? Do

1 you have a general sense?

2 SENATOR HINCHEY: Through you,
3 Madam President, we don't know.

4 SENATOR WALCZYK: Through you,
5 Madam President, would the sponsor continue to
6 yield.

7 ACTING PRESIDENT MAYER: Do you
8 continue to yield?

9 SENATOR HINCHEY: Sure.

10 ACTING PRESIDENT MAYER: The
11 sponsor yields.

12 SENATOR WALCZYK: That's my fault,
13 I asked a question that I didn't already know the
14 answer to, which I know we're not supposed to do.
15 And I was hoping you would have one, as the
16 sponsor of this.

17 There is a section here where you
18 talk about the onus being mostly on the utility
19 company for failure to send those bills out. But
20 there is a line about the corporation being
21 culpable -- or conduct of the customer. Can you
22 explain what the responsibility of the customer,
23 ratepayer, consumer would be in that? Is it
24 about notice of billing addresses? Or what's
25 the -- what's the purpose of that language?

1 SENATOR HINCHEY: Through you,
2 Madam President, that was already existing
3 statute. But what that part means is if you as a
4 customer put in your wrong address, as you cited,
5 and the company can't contact you because you've
6 put in the wrong information, then that is your
7 issue.

8 But if the utility company is not
9 billing, then that is not the fault of the
10 customer. But that's already existing statute.

11 SENATOR WALCZYK: And through you,
12 Madam President, would the sponsor continue to
13 yield.

14 ACTING PRESIDENT MAYER: Do you
15 continue to yield?

16 SENATOR HINCHEY: I do.

17 ACTING PRESIDENT MAYER: The
18 sponsor yields.

19 SENATOR WALCZYK: And in this sort
20 of look-back period for billing that we're
21 changing from six months back to two months
22 back -- an additional 30 days, really, in your
23 billing cycle -- if those bills are large, who's
24 going to eat the cost of that large bill?

25 Say you have a large energy bill

1 that was three or four months out, under current
2 statute, who would eat the cost for that?

3 ACTING PRESIDENT MAYER: Through
4 you, Madam President, if the lack of billing is
5 at the fault of the utility or the corporation,
6 no one is eating that cost.

7 If the fault of the back bill is
8 based on the customer, then the customer will pay
9 that -- what they owe. And there's also a
10 payment plan should there need to be.

11 SENATOR WALCZYK: Through you,
12 Madam President, will the sponsor continue to
13 yield.

14 ACTING PRESIDENT MAYER: Do you
15 continue to yield?

16 SENATOR HINCHEY: Sure.

17 ACTING PRESIDENT MAYER: The
18 sponsor yields.

19 SENATOR WALCZYK: Is there any
20 scale to the size of customer? So could it be a
21 large manufacturer that's leasing a space in a
22 new space, or a large warehouse that's, you know,
23 a cooler and very energy-intensive? Is there any
24 scale mentioned in this legislation or in
25 Public Service Law that I'm missing that this

1 would impact?

2 SENATOR HINCHEY: Through you,
3 Madam President, no, there is no scale.

4 I mean, we're being consistent. We
5 believe that no matter who you are, if the
6 utility company is -- the utility has a
7 requirement and an expectation to be billing
8 people appropriately and accordingly every month.
9 If they are not billing people every month,
10 that's on them. And so regardless of if it's a
11 business or a residential user, the -- there is
12 no scale.

13 SENATOR WALCZYK: Through you,
14 Madam President, would the sponsor continue to
15 yield.

16 ACTING PRESIDENT MAYER: Do you
17 continue to yield?

18 SENATOR HINCHEY: Yes.

19 ACTING PRESIDENT MAYER: The
20 sponsor yields.

21 SENATOR WALCZYK: In the final
22 section of this legislation you incorporate
23 something else, it's a transparency or more
24 information included in billing, to include
25 providing a graph and written form for the prior

1 two years of the customer, prior customers at the
2 same address.

3 Why a look-back of two years over
4 energy usage at any particular resident or
5 nonresident, commercial space? Why was two years
6 selected?

7 SENATOR HINCHEY: Through you,
8 Madam President, this is actually a practice that
9 many utility companies are already doing, but not
10 all of them.

11 What we've seen is that people,
12 especially in my district, but across our state,
13 people have been getting inaccurate bills from
14 their utility companies. And when they try to
15 figure out what that bill -- they're sometimes
16 not getting bills, and then they're getting a
17 large lump sum and they can't figure out why they
18 owe so much money.

19 There's also times when they're
20 getting bills and it's not seemingly based on
21 their actual usage, but they can't figure it out.

22 And so having historical data to be
23 able to compare back to is an important part of
24 this equation, so that people know why their
25 bills are what they are. And if they're wrong,

1 they can dispute it.

2 SENATOR WALCZYK: Through you,
3 Madam President, will the sponsor continue to
4 yield.

5 ACTING PRESIDENT MAYER: Do you
6 continue to yield?

7 SENATOR HINCHEY: Yes.

8 ACTING PRESIDENT MAYER: The
9 sponsor yields.

10 SENATOR WALCZYK: Just so that I'm
11 understanding this right, if I buy a new home and
12 start new service, I'll see the past two years of
13 someone else's service in electric and gas usage,
14 their utility usage, I'll see the prior owner's
15 usage for the last two years. And the same
16 question I think would apply here. If I leased a
17 new commercial space and started a new business
18 in the space, despite what business was in there
19 and what they used it for prior, I would see a
20 two-year look-back on what that business used in
21 utilities as well? Am I understanding that
22 correctly?

23 SENATOR HINCHEY: Through you,
24 Madam President, yes. And that's actually an
25 important piece of what we're talking about.

1 We've seen -- I have many
2 constituents -- and again, people across our
3 state have received bills that were actually
4 based on previous owners' usage. And when
5 they're using limited electricity but they've
6 gotten bills, whether they were estimated bills
7 or just inaccurate bills, based on past usage.

8 So to be able to see -- there's no
9 personal information. But to be able to see what
10 was there historically, you can be able to have a
11 more accurate bill going forward, or dispute it
12 should your bill, you believe, be inaccurate.

13 SENATOR WALCZYK: Through you,
14 Madam President, would the sponsor continue to
15 yield.

16 ACTING PRESIDENT MAYER: Do you
17 continue to yield?

18 SENATOR HINCHEY: Yes, Madam
19 President.

20 ACTING PRESIDENT MAYER: The
21 sponsor yields.

22 SENATOR WALCZYK: So the same --
23 and I know I've looked at -- I've seen some
24 utility companies in the State of New York -- and
25 actually the state's got some good resources for

1 understanding your electricity bill. And many
2 have taken to charting out some history that, I
3 think you're right, is helpful to the consumer at
4 times.

5 If we're requiring additional
6 transparency and information to inform the
7 consumer, will that graph or written information
8 include electric service charges which are the
9 charge for electric that you would use, just the
10 straight rate for electricity?

11 SENATOR HINCHEY: Through you,
12 Madam President, yes, it does include the
13 charges.

14 SENATOR WALCZYK: And through you,
15 Madam President, would the sponsor continue to
16 yield.

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR HINCHEY: Yes.

20 ACTING PRESIDENT MAYER: The
21 sponsor yields.

22 SENATOR WALCZYK: Will it give the
23 basic service charge, which is the fixed cost for
24 utilities to deliver?

25 SENATOR HINCHEY: Through you,

1 Madam President, it gives the monthly charge.
2 Not necessarily broken out, that detail, but the
3 total charge.

4 SENATOR WALCZYK: And through you,
5 Madam President, would the sponsor continue to
6 yield.

7 ACTING PRESIDENT MAYER: Do you
8 continue to yield?

9 SENATOR HINCHEY: Sure.

10 ACTING PRESIDENT MAYER: The
11 sponsor yields.

12 SENATOR WALCZYK: And if it's not
13 broken out -- I might just save us some time and
14 list these -- will it include the delivery
15 charge, which is the cost from the supplier to
16 you, the incremental state assessment, which is
17 the state's surcharge, the system's benefit
18 charge and the renewable portfolio standard, the
19 tariff surcharge, the legacy transition charge,
20 the sales tax, depending on the area of the state
21 that you're in, the revenue decoupling mechanism,
22 and the transmission revenue adjustment, all
23 additional charges that we've added through
24 legislation in these bodies. Will it include a
25 breakdown of those so that people know how their

1 bill is impacted?

2 SENATOR HINCHEY: Through you,
3 Madam President, I thank my colleague for not
4 asking all of those individually as questions.

5 But it is the total charge, it's the
6 total unit charge. They're not individually
7 broken out, although, however, the person getting
8 the bill has all those same types of charges.
9 But it is -- they're getting -- they will see the
10 full monthly unit charge for usage.

11 SENATOR WALCZYK: Madam President,
12 on the bill. Thank you.

13 ACTING PRESIDENT MAYER: Senator
14 Walczyk on the bill.

15 SENATOR WALCZYK: So I know the
16 answer to a couple more questions that I have,
17 because if we're not going to be detailing the
18 breakdown of how much the government has forced
19 your electric bill to go up, then you're probably
20 not in the future going to see how much the CLCPA
21 is costing you every single time you're charged
22 in your utility bill, or the BPRA, the Build
23 Public Renewables, or the HEAT act or the rate
24 impact by decommissioning that this body
25 continues to put forward.

1 I think the goals of being more
2 transparent are laudable in allowing people to
3 forecast their energy usage based on some
4 history. I question, especially in commercial
5 space, the utility in looking back two years on
6 someone that was there prior to you that may have
7 a completely different usage for the building
8 than you have as a commercial tenant.

9 But nothing in this bill is going to
10 save ratepayers in the State of New York any
11 money. Nothing to address rising costs of
12 energy. This bill really only points the finger
13 at utilities and says they're not billing certain
14 customers in certain instances quick enough. And
15 if they don't do it quick enough, then they're
16 going to have to eat the cost for not doing it
17 quick enough.

18 And what that actually means is once
19 again, if a utility has failed within 60 days,
20 one month late -- and I get it, we expect
21 utilities to be very responsive to customers and
22 bill on time. But if there's nuance here and a
23 company can get away with it, whether a warehouse
24 or their new space or whatever happened with
25 billing, and that can be a massive electric or

1 gas bill, depending on that tenant, that is going
2 to go wholly on to the utility. That only means
3 that that cost is displaced from a business onto
4 ratepayers.

5 Currently in statute it's a
6 six-month lookback. Which we would expect
7 utilities to bill on time, every month. Of
8 course we do. This is where the Public Service
9 Commission's very important mission comes in.
10 They need to make determinations on what's fair,
11 on safe delivery of electric and gas in the State
12 of New York that's fair for the ratepayers within
13 the state, and protect them.

14 Our job is actually not to get
15 involved in that relationship and do the PSC's
16 job by micromanaging through legislation. Our
17 job is to listen to the people of the State of
18 New York. And what my constituents are telling
19 me is that their energy bills are already too
20 high and they're tremendously concerned about a
21 lot of the legislation that's passing in this
22 house and in the one across -- down the hall
23 about what the future of their energy bills look
24 like.

25 So I won't be supporting this one.

1 There's some goals in here that I think are
2 laudable, but I won't be supporting this bill and
3 I urge my colleagues to vote against it as well.

4 ACTING PRESIDENT MAYER: Are there
5 any other Senators wishing 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 4. This
10 act shall take effect on the first of January.

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Senator
15 Hinchey to explain her vote.

16 SENATOR HINCHEY: Thank you,
17 Madam President.

18 I, like my colleague, believe that
19 our job is to listen to the people of the State
20 of New York and enact policies that will help
21 their everyday lives. That's actually exactly
22 what this bill does.

23 One of the biggest complaints that I
24 hear in my district, and some of the most
25 egregious constituent services that my district

1 office handles, is actually on horrible utility
2 billing. That is the issue. That is the reason
3 why the Public Service Commission put forward
4 this audit of one of our local utilities,
5 specifically on the mess of billing that they've
6 created and the financial, emotional and mental
7 harm that they've caused almost all of my
8 constituents.

9 This bill is codifying what the PSC
10 has actually suggested to do, and in many cases
11 utility companies are already doing across the
12 state. It makes sure that those that are not
13 acting in the best interest of those that they
14 serve now have to.

15 I also want to remind my colleague
16 that we're talking about a public utility. This
17 is not just a regular business, this is a public
18 utility whose entire mission is to serve the
19 people that they are tasked to help, providing
20 electricity and energy to their homes.

21 This bill will make sure that people
22 can actually pay their bills, pay what they owe
23 and not pay more. And it will also help them
24 manage their billing. Because what's happening
25 now is people are getting very large bills that

1 they cannot afford at one time, through no fault
2 of their own, because the utility company has set
3 them up for failure.

4 There is a common-sense bill, and I
5 thank my colleagues for voting for it. I thank
6 the leader for bringing it forward. And I'm
7 really proud to vote aye.

8 Thank you, Madam President.

9 ACTING PRESIDENT MAYER: Senator
10 Hinchey to be recorded in the affirmative.

11 Announce the results.

12 THE SECRETARY: In relation to
13 Calendar 1349, those Senators voting in the
14 negative are Senators Ashby, Borrello,
15 Canzoneri-Fitzpatrick, Gallivan, Griffio, Martins,
16 Ortt, Palumbo, Stec, Walczyk and Weber. Also
17 Senator Tedisco and Senator Weik.

18 Ayes, 48. Nays, 13.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1526, Senate Print 6537, by Senator Gounardes, an
23 act to amend the Education Law.

24 ACTING PRESIDENT MAYER: Senator
25 Rhoads, why do you rise?

1 SENATOR RHOADS: Thank you,
2 Madam President. I'm hoping Senator Gounardes
3 would be kind enough to yield to a few questions.

4 ACTING PRESIDENT MAYER: Senator
5 Gounardes, do you yield?

6 SENATOR GOUNARDES: Yes.

7 ACTING PRESIDENT MAYER: The
8 Senator yields.

9 SENATOR RHOADS: Thank you,
10 Senator Gounardes.

11 Have you ever heard the phrase "you
12 play like you practice"?

13 SENATOR GOUNARDES: Through you,
14 Madam President, yes.

15 SENATOR RHOADS: And will the
16 sponsor yield to another question.

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR GOUNARDES: Yes.

20 SENATOR RHOADS: What does that
21 phrase mean to you? What do you understand that
22 meaning to be?

23 SENATOR GOUNARDES: Through you,
24 Madam President, I think it's, you know, pretty
25 common, pretty obvious that we practice and we,

1 you know, prepare and train for moments, and then
2 when the time is -- when the time comes, when
3 we're playing in a game, when we're on the line,
4 when things are real, we're able to execute on
5 what we have practiced for.

6 SENATOR RHOADS: Will the Senator
7 be kind enough to yield to another question.

8 ACTING PRESIDENT MAYER: Do you
9 continue to yield?

10 SENATOR GOUNARDES: Certainly.

11 ACTING PRESIDENT MAYER: The
12 sponsor yields.

13 SENATOR RHOADS: And we do -- as
14 I've mentioned a couple of times in the chamber,
15 I'm a volunteer firefighter. And volunteer
16 firefighters, as do our police officers, as does
17 the military, they will spend hundreds of hours
18 practicing for the eventuality of there being a
19 sudden emergency. So that when there's a time
20 when we need to react and that sudden emergency
21 occurs and that fear happens, we fall back on our
22 training. And so we simply react, because we
23 know what to do.

24 And would you agree that this
25 particular legislation, and in fact Section 807

1 of the Education Law, is an opportunity for our
2 kids to be able to practice when they're faced
3 with a sudden emergency?

4 SENATOR GOUNARDES: Through you,
5 Madam President, as a Boy Scout I appreciate the
6 phrase "be prepared" and try to live that out
7 throughout my daily life.

8 And I actually agree with
9 Senator Rhoads that it's important that students
10 and young people and everyone is prepared for
11 whatever calamity they might face.

12 Which is why this bill -- and why I
13 proposed this bill, because we know that the
14 current standard and the current laws that we
15 have in place for the last seven years are
16 actually not doing the job that we intended them
17 to do, that this chamber, that this body, that
18 this Legislature intended when they put this
19 mandate in place seven or eight years ago.

20 Which is why we are still requiring
21 that every school still performs the requisite
22 number of drills, whether it's a fire drill or a
23 lockdown drill, and that those drills come with
24 standards and with training and with guidance
25 that is consistent across the state, so we can

1 actually take a system right now that is
2 burdensome and ineffective, and actually help
3 make it better. So that we can -- the fact that
4 we have to say this, the United States of
5 America, the only country that faces this
6 uniquely -- unique American tragedy, to prepare
7 students for the possibility they could be
8 slaughtered in a classroom -- which is something
9 that no other developed country or industrialized
10 country in the world has to confront.

11 So I agree with you that we need to
12 unfortunately train and prepare our children for
13 this terrible, terrible possibility. And I'm
14 proposing a better way to do it.

15 SENATOR RHOADS: Will the sponsor
16 yield to another question.

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR GOUNARDES: Yes,
20 Madam President.

21 ACTING PRESIDENT MAYER: The
22 sponsor yields.

23 SENATOR RHOADS: Thank you,
24 Senator Gounardes.

25 You mentioned two different types of

1 training. There's training for fire drills,
2 which is encompassed within the Education Law,
3 and there's also active shooter training drills
4 in the eventual -- in the hopefully unlikely
5 event that that would occur.

6 In your legislation, however, you're
7 reducing the amount of that training. In fact,
8 if I'm not mistaken, you're going from a number
9 of 12 drills to eight. Is that correct, total?

10 SENATOR GOUNARDES: Through you,
11 Madam President, that's incorrect.

12 What we are doing is going from --
13 right now current law is that there need to
14 12 drills a year, at least 12 drills a year,
15 eight of which need to be fire or evacuation
16 drills, and four of which need to be lockdown
17 drills.

18 What we are proposing in this
19 legislation is to reduce the mandate -- and by
20 the way, New York has the highest lockdown drill
21 mandate in the country, by mandating four of
22 these drills. So a student entering public
23 schools or schools today, throughout their entire
24 school career will have to go through at least 60
25 lockdown drills throughout the totality of their

1 educational experience. That's 60 times that
2 they're going to be simulating their potential
3 death in a classroom, in a school, which is meant
4 to be a safe place for students to learn, not a
5 place to go and expect to be killed.

6 We are proposing instead to reduce
7 that mandate of four to at least one, so that you
8 have to go through at least one mandated drill,
9 with requisite standards, with appropriate
10 training, with trauma-informed guidance to
11 families, with notice to parents, with
12 accommodations made for students with special
13 needs, special physical needs, developmental
14 needs, emotional needs, trauma needs, et cetera.

15 And that school districts could, if
16 they choose to, do more than that. But we are
17 just saying that four is too much. At least one;
18 maybe more, if a school or district decides to.
19 So at the bare minimum, there would be at least
20 nine total drills per year.

21 SENATOR RHOADS: Will the sponsor
22 continue to yield.

23 ACTING PRESIDENT MAYER: Do you
24 continue to yield?

25 SENATOR GOUNARDES: Yes,

1 Madam President.

2 ACTING PRESIDENT MAYER: The
3 sponsor yields.

4 SENATOR RHOADS: In terms of the
5 total number of drills, however, you're reducing
6 the total number of drills from 12 to eight. I'm
7 reading lines 9 and 10 of your legislation.

8 SENATOR GOUNARDES: So through you,
9 Madam President. Again, we are reducing it from
10 12 to nine. So we have the 12 drills, current
11 law: Eight are fire and evacuation drills, four
12 are lockdown drills to simulate students being
13 slaughtered in a classroom.

14 We are saying instead, instead of
15 the four simulated slaughters, we're going to do
16 least one. Because we still think it's
17 important, despite the fact that we should not be
18 normalizing the fact that children should have to
19 confront death in a classroom, we still think
20 it's important that students have to at least go
21 through the motions and learn what they should do
22 in that eventuality.

23 So at least one lockdown drill. So
24 you have the eight fire drills and evacuation
25 drills, plus the one lockdown drill. So nine.

1 SENATOR RHOADS: Will the sponsor
2 yield to another question.

3 SENATOR GOUNARDES: Of course.

4 SENATOR RHOADS: You've
5 acknowledged, Senator Gounardes, that, again, we
6 play as we practice. And I'm sure that you
7 agree, the more that we practice, the better that
8 we get, would you not?

9 SENATOR GOUNARDES: Through you,
10 Madam President, that's a broad statement that I
11 think is applicable in many areas of life.
12 Unfortunately, in this case, in the circumstance
13 of lockdown drills, the data does not bear that
14 out to be true.

15 And we know this because there has
16 been lots of data and lots of studies done from
17 numerous organizations -- medical studies,
18 psychological studies, social studies -- about
19 the impact and effect of lockdown drills on
20 students. And there is no data whatsoever to
21 show that the more times you simulate being
22 slaughtered in the classroom, the more prepared
23 you are for that -- hopefully never --
24 eventuality.

25 What the data does show is that some

1 students learn they have to quickly turn off the
2 light, they have to quickly lock a door. But
3 other students say that they actually don't
4 retain that information because these drills,
5 mind you, are deeply traumatizing to these young
6 people. Imagine being a five-year-old or an
7 eight-year-old who has to be taught, four times a
8 year, you have to stay quiet, you cannot sneeze,
9 you can't giggle, you can't knock your water
10 bottle. You can't go to the bathroom, you have
11 to hold it in. You can't whisper. You can't do
12 this.

13 Hearing that over and over again,
14 the data shows, the science shows -- and this, by
15 the way, is science that's confirmed by the
16 American Academy of Pediatrics, which confirms
17 all this, that most children, especially younger
18 children, are not able to effectively retain that
19 information. And so just by -- you know, we all
20 learned cursive by doing it over and over and
21 over again and drilling into our heads how to
22 write in cursive.

23 That doesn't apply, that principle
24 does not apply when it comes to lockdown drills.
25 Which is again why we're not getting rid of them.

1 We're saying, don't overly burden these young
2 people with this. Do one, and have it be up to
3 the best standards possible.

4 Because right now there is no
5 consistency, there are no standards whatsoever
6 that apply in the State of New York. We've heard
7 reports from some parents that the drills in
8 their students' schools consist of no notice
9 being given, children are told to be quiet, close
10 the lights, and then someone will run up and down
11 the halls, banging on doors, opening doors,
12 trying to get into a building. No one knows
13 what's going on.

14 So these kids now are sitting there
15 trying to stifle in their tears, thinking that
16 they might be killed. That is in no way, no way
17 whatsoever, a way to help prepare kids for this
18 eventuality.

19 Which is why we are proposing
20 trauma-informed standards, uniform standards
21 consulted with law enforcement, school resource
22 officers, school psychologists, social workers,
23 gun violence response experts. Have these
24 standards be consistent, allow -- give parents
25 notice in advance so that parents know what is

1 going on.

2 I was just talking with
3 Senator Kennedy here and we were discussing this
4 very issue -- not to put you as an example,
5 Senator Kennedy. He said he got an email from
6 his school saying in one week his students -- his
7 children are going to have two drills in one
8 week. That is not a way to prepare kids, to keep
9 them safe.

10 We know there is a better way to
11 keep kids safe, and this is not it. And by the
12 way, this is not meant to disparage the intent by
13 which this mandate was enacted seven years ago,
14 because I think it's a very natural desire as
15 parents, as people in public trust and public
16 authority, to want to do whatever we can to keep
17 kids safe, especially in an environment where
18 they expect to be safe -- their schools, their
19 classrooms.

20 But over time, what we have seen --
21 and this is actually acknowledged by the American
22 Academy of Pediatrics in their support memo --
23 that the mandate that was passed in 2016 was
24 prior to an understanding that the drills
25 themselves induce trauma in students, and that

1 there is no proof that multiple drills per year
2 create a safer, more protective environment for
3 students or teachers.

4 So we're not saying get rid of them.
5 We're saying do it at a bare minimum of once, and
6 do it the right way. Don't scare the bejeezus
7 out of kids so that they're crying in a
8 classroom, they're sending text messages to their
9 parents saying, Mom, something's going to happen,
10 Mom, Dad, someone's in the school, I don't know
11 what's happening, I love you.

12 What are we doing to our
13 eight-year-olds? What are we doing to our
14 five-year-olds? What are we doing to our 15- and
15 16-year-olds? This should not be it.

16 SENATOR RHOADS: Will the sponsor
17 yield to another question.

18 SENATOR GOUNARDES: Absolutely,
19 Madam President.

20 ACTING PRESIDENT MAYER: Will the
21 sponsor yield?

22 Yes, the sponsor yields.

23 SENATOR RHOADS: Senator Gounardes,
24 thank you. Somewhere in there was an answer to
25 my question, so thank you very much. I

1 appreciate that.

2 No one is arguing, Senator
3 Gounardes, that there cannot be some standards as
4 to how these tests should be conducted. I mean,
5 that makes perfect sense. My issue is with
6 respect to the number.

7 And you're essentially arguing --
8 and this is a question, correct me if I'm
9 wrong -- that a 25 percent reduction in the
10 number of fire drills and a 75 percent reduction
11 in the number of lockdown drills will somehow
12 make kids safer in the event that there is a
13 sudden emergency inside of a school.

14 SENATOR GOUNARDES: Through you,
15 Madam President, that's incorrect.

16 We're not changing anything relating
17 to fire drills or evacuation drills. Drills
18 which, by the way, if I recall my fire drills --
19 I'm sure other folks can recall as well -- we
20 didn't throw smoke bombs in hallways and teach
21 kids how to leave school buildings with smoke
22 bombs and simulated fires. Right? That was not
23 how we conducted or how we conduct fire drills
24 today in schools, or even when I was in school,
25 and I'm sure for many of us.

1 Yet the reality is that many of
2 these lockdown drills and active shooter drills
3 oftentimes simulate actual shootings, actual
4 people coming in, saying "Open the door, open the
5 door," scaring kids. Sometimes even using live
6 guns with plastic bullets, with fire and sound
7 effects and things like that.

8 We're not touching the fire drills
9 at all. So still, by law, eight fire and
10 evacuation drills, which no one has issue with,
11 because those are not traumatizing. And instead,
12 on the lockdown drills, we're saying instead of
13 saying every single student has to do this four
14 times a year, you have to do it at least once.
15 Either the school or the school district can
16 decide, you know what, we think that with these
17 new standards, we're going to do it twice a year.
18 You have the authority, under what I'm proposing,
19 under what's being discussed here, to do it twice
20 a year.

21 What we're saying is that four
22 times -- a mandate of four times is simply too
23 many times.

24 And this issue, by the way, and this
25 number and this reduction is not novel to

1 New York. Like I said, we have the highest
2 mandate in the country. But states across the
3 country are reconsidering their approach to
4 lockdown drills. And a number of states, both
5 red states and blue states, have taken on this
6 issue, have changed their lockdown drill
7 mandates, have reduced the number of drills,
8 because there's no data anywhere to say "more
9 drills equals more safety."

10 Not medical science, not public
11 safety science, not any other science shows that
12 the more number of drills you have, the safer
13 kids are. In fact, it actually harms kids.

14 We have data from a national study
15 that said that these drills report an increase,
16 39 percent increase in rates of depression,
17 42 percent increase in stress and anxiety, and
18 23 percent increase in overall psychological
19 health problems faced by children who have to
20 experience these drills, again, 60 times
21 throughout the course of their educational
22 experience here in the State of New York.

23 SENATOR RHOADS: I should ask, will
24 the sponsor answer my question. Will the sponsor
25 yield to another question.

1 ACTING PRESIDENT MAYER: Do you
2 continue to yield?

3 SENATOR GOUNARDES: I do.

4 And I answered your question,
5 Senator. You asked whether we were reducing -- a
6 75 percent reduction in lockdown drills and 25
7 percent reduction in the fire drills. I said
8 we're not touching the fire drills. And I said
9 that the data shows that four drills is not
10 proven to be effective. We are mandating at
11 least one, with the option to do more.

12 So I do think I answered your
13 question with some explanatory parenthetical
14 information to help aid that answer.

15 SENATOR RHOADS: So to ask the
16 question again, so I'm clear on your answer, with
17 a 75 percent reduction -- your argument is the
18 75 percent reduction in the number of lockdown
19 drills will make it safer.

20 SENATOR GOUNARDES: Through you,
21 Madam President, my argument is that requiring at
22 least one drill to be conducted -- at least one,
23 with the option for more -- at least one to be
24 conducted, with the appropriate standards and
25 guidelines, is a more effective and safer way,

1 and smarter way, to keep kids safe than the
2 current law, which is four drills without any
3 standards, without any consistency, without any
4 trauma-informed principles whatsoever.

5 So what this really boils down to is
6 a matter of quality versus quantity. And so I'm
7 proposing we have better-quality drills as
8 opposed to more quantity of drills.

9 SENATOR RHOADS: Will the Senator
10 continue to yield.

11 ACTING PRESIDENT MAYER: Do you
12 continue to yield?

13 SENATOR GOUNARDES: Yes,
14 Madam President.

15 ACTING PRESIDENT MAYER: The
16 sponsor yields.

17 SENATOR RHOADS: Directing you to
18 line 16 of your bill, which indicates that drills
19 shall be conducted at different times of the
20 school day, right -- if the drills are to be
21 conducted at different times of the school day,
22 yet there is only one drill, how are you supposed
23 to accomplish that?

24 SENATOR GOUNARDES: Through you,
25 Madam President -- or Mr. President, or whoever

1 is president right now --

2 (Laughter.)

3 SENATOR GOUNARDES: There's a coup.
4 There's a coup.

5 (Laughter; overtalk.)

6 SENATOR GOUNARDES: No, I can't say
7 that in here, sorry. Can't say that.

8 (Laughter.)

9 SENATOR GOUNARDES: Through you,
10 Mr. President. We are actually not -- that's
11 existing law. We are not changing any part of
12 that law.

13 So that is how the law currently is,
14 and that's how the law was written when it
15 applied to the fire drills and evacuation drills.
16 So that section of law applies to all of the
17 drills that are mandated by Education Law -- fire
18 drills, evacuation drills, and lockdown drills.
19 And the totality of all those drills, they have
20 to be done at different times and during
21 different days to simulate different
22 circumstances and environments.

23 SENATOR RHOADS: Will the sponsor
24 yield to another question.

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR GOUNARDES: Yes.

3 ACTING PRESIDENT BAILEY: The
4 sponsor yields.

5 SENATOR RHOADS: Thank you,
6 Mr. President.

7 You would agree that the fire drills
8 and the lockdown drills are different. A fire
9 drill, the goal is to get out of the building to
10 a safe space. In a lockdown drill, the goal is
11 quite the opposite. In many instances it may
12 very well be to shelter in place, not to
13 evacuate.

14 So you do acknowledge that there's a
15 difference between those drills, right?

16 SENATOR GOUNARDES: Through you,
17 Mr. President, you know, that's actually a
18 complicated answer. Because there's different
19 answers and different guidance on that, according
20 to different experts.

21 And that's why one of the big
22 problems we have here in New York is the lack of
23 consistent standards that are applied universally
24 throughout every single school setting; the lack
25 of training that's provided to teachers and

1 administrators to be able to properly execute
2 these drills.

3 Some people say that in a lockdown
4 situation or an active shooter situation,
5 students should hunker down, close the lights,
6 lock the doors and hide. Other guidance says
7 students should try to leave the building. Other
8 guidance says in fact there is a book being
9 promoted -- not here in New York, but in Texas,
10 there is a Winnie the Pooh-themed book teaching
11 children how to run, hide and fight in dangerous
12 situations, including active shooter situations.

13 So the guidance all over this
14 country and all over the place is wildly
15 inconsistent. So I can't give you a straight
16 answer because there is no straight answer that
17 anyone is applying uniformly.

18 Which is again why, as part of this
19 bill, we are requiring for the first time
20 standards to be developed and written that are
21 trauma-informed and that are consistent across
22 the entire state. And then we can have
23 better-quality drills, not better -- more
24 quantity drills.

25 SENATOR RHOADS: Will the sponsor

1 yield to another question.

2 ACTING PRESIDENT BAILEY: Will the
3 sponsor continue to yield?

4 SENATOR GOUNARDES: Yes,
5 Mr. President.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR RHOADS: I think part of
9 the issue, Senator, is that fire drills are
10 generally conducted one way. There's one
11 scenario: Try and safely exit the building
12 unless there's a fire blocking your path, and
13 then you would stay where you are and try and
14 block any smoke from coming in to where you are,
15 and fire coming in to where you are.

16 In an active shooter situation, I
17 think the reason why there is different guidance
18 is because --

19 ACTING PRESIDENT BAILEY: Senator
20 Rhoads, are you on the bill or are you asking a
21 question?

22 SENATOR RHOADS: I'm asking a
23 question.

24 ACTING PRESIDENT BAILEY: Ask the
25 question.

1 SENATOR RHOADS: There's different
2 guidance because the answer may be different
3 based upon the scenario you're facing. Would you
4 acknowledge that?

5 SENATOR GOUNARDES: Through you,
6 Mr. President, I will acknowledge that there are
7 different circumstances that we face in an active
8 shooter situation.

9 But I think that this points to the
10 larger problem, how we can expect a
11 five-year-old, a kindergartner, someone who is
12 still using, you know, three-letter words and is
13 just full of joy and love in their life, to
14 expect to know what to do in all of these
15 different situations. Well, if the shooter is
16 here, we're going to have you do this. And don't
17 sneeze or don't laugh or don't giggle or don't do
18 this.

19 And then an eight-year-old, we're
20 going to tell them what to do here, this, that.

21 There is no way that these young
22 people are able to consistently -- and the data
23 does show this. The data does show that students
24 are not able to retain this information and to
25 learn what to do. That is -- we have records of

1 that. We don't have records or any studies to
2 show that the current system is working, which is
3 why we are proposing this bill in the first
4 place, because we think that there is a better
5 way.

6 And that's what's so critical here.
7 This is not meant to make it less safe, this is
8 meant to actually help improve safety by doing it
9 in a smarter way.

10 SENATOR RHOADS: Will the sponsor
11 yield to another question.

12 ACTING PRESIDENT BAILEY: Will the
13 sponsor yield?

14 SENATOR GOUNARDES: Yes,
15 Mr. President.

16 ACTING PRESIDENT BAILEY: The
17 sponsor yields.

18 SENATOR RHOADS: I know locally the
19 School Board Association is opposed to this bill.
20 And part of the reason they're opposed to it is
21 your opt-out provision. Am I correct in my
22 understanding that parents will have the ability
23 to have their kids opt out of participating in
24 any of this training?

25 SENATOR GOUNARDES: Through you,

1 Mr. President, we do have an opt-out provision in
2 this bill, and that actually came from -- modeled
3 on legislation that was first proposed by a
4 Republican legislature in West Virginia in 2016,
5 and the Republican legislature in Georgia, in
6 their School Safety Act, which also includes
7 opt-out provisions. As do, by the way,
8 Connecticut, Maine, Minnesota and Illinois, which
9 are, you know, Democrat-run governments.

10 So this is actually a bipartisan
11 consensus on giving parents and empowering
12 parents with the option to choose what is best
13 for their children. Now, some children might not
14 be able to withstand the trauma of going through
15 a lockdown drill. Some children might come
16 from -- in fact, we have a testimonial of a
17 student who came from an abusive household and,
18 when she experienced a lockdown drill and had to
19 hunker down, had PTSD to when she was hunkering
20 down and taking blows from her abusive father.
21 And so she moved 2,000 miles away and then
22 experienced a lockdown drill and automatically
23 went back to that moment where she was getting
24 beat by her father.

25 And the mother said, "I don't want

1 my daughter to have to experience that ever
2 again. I want the right to have my daughter not
3 have to experience that."

4 So this is actually in response to
5 parents who are very concerned about the trauma
6 that their children are being exposed to. And
7 this just gives parents the option and empowers
8 them to make the best decision for them, their
9 families, and their children.

10 SENATOR RHOADS: Will the sponsor
11 yield to another question?

12 ACTING PRESIDENT BAILEY: Will the
13 sponsor continue to yield?

14 SENATOR GOUNARDES: Yes,
15 Mr. President.

16 ACTING PRESIDENT BAILEY: The
17 sponsor yields.

18 SENATOR RHOADS: I am all for
19 parental rights. But let me ask, what happens if
20 every parent opts out? Will there be no
21 training?

22 SENATOR GOUNARDES: Through you,
23 Mr. President, we don't anticipate that to be the
24 case. Because again, we've also heard from
25 parents that do want to see -- that do believe

1 that this is an important thing to teach
2 children. But they want to see it done smartly
3 and rightly.

4 So they want to see lockdown drills
5 done in a way that actually helps teach their
6 kids how to be safe, not to scare them into
7 thinking that they might die in a classroom.

8 And so you ask a hundred parents,
9 you'll get different responses to this. Which is
10 why we crafted the bill in the way that we did:
11 Reduce the mandate, but set a minimum standard;
12 have uniform guidelines and trainings; include
13 parental notice to empower parents with that
14 information to make the best decision for their
15 kids. Some parents want to have their kids
16 learn, and they want to have them learn with the
17 right types of standards.

18 Other parents, because of the
19 example I gave and many others, don't want their
20 kids to go through that. Maybe they want their
21 kids to learn what to do in a lockdown, but not
22 to have to simulate someone banging on their
23 kid's door in a classroom, which can create an
24 additional level of trauma.

25 So this really is responsive to I

1 think the concerns of many parents of all
2 different backgrounds and all different concerns,
3 and again it helps do this in a way that is smart
4 and safe.

5 SENATOR RHOADS: Thank you,
6 Senator Gounardes.

7 On the bill, Mr. President.

8 ACTING PRESIDENT BAILEY: Senator
9 Rhoads on the bill.

10 SENATOR RHOADS: Thank you,
11 Senator. Thank you, Mr. President.

12 The answer to Senator Gounardes's
13 question, in my opinion, kids learn through
14 practice. Right? How does a five-year-old learn
15 when there are different scenarios what to do?
16 How does an eight-year-old learn in different
17 scenarios what to do? By actually going through
18 the motions and actually practicing.

19 And I am all for addressing mental
20 health issues that may be caused by an incredibly
21 traumatic experience just going through the
22 training. I completely understand that. This is
23 a scenario that we all hope never happens, but
24 unfortunately we know all too well that it
25 sometimes does.

1 But by reducing the number of
2 trainings by 75 percent, by taking the training
3 down to one, we are doing our kids a great
4 disservice, because we're denying them the
5 opportunity to be able to practice.

6 I know for folks that are my
7 parents' age, they went through air raid drills
8 in school. I know for myself, you know, and even
9 some of the younger members that we have here,
10 may have -- during the Cold War may have gone
11 through fallout drills, right? If there were a
12 nuclear attack, we were supposed to hide under
13 our desks. That was the guidance that we
14 received at the time.

15 I don't doubt that we can come out
16 with better guidance on how these drills should
17 be conducted. But I truly believe that the
18 number of drills needs to stay where it is,
19 because we need to reinforce the message that
20 we're sending to those kids on how to react in
21 that emergency situation. Just like firefighters
22 do. Right? Just like our first responders do.
23 So that in that moment when they are
24 panic-stricken, that moment that hopefully will
25 never happen, in that moment they simply fall

1 back on their training and know how to react.
2 That's how I think we have the better opportunity
3 to save lives.

4 There are some great parts of this
5 bill. You know, there should be an after-drill
6 sort of discussion, assessment, on the drill so
7 that kids can understand exactly what's being
8 taught. There should be a classroom equivalent
9 to their training as well. Perhaps there can be
10 some advance notice, certainly to parents. There
11 can be advance notice of the fact that a drill
12 may be taking place so that they can have a
13 discussion at home. And perhaps even giving some
14 information to parents about the drill so that
15 that discussion can be based upon -- reinforce the
16 instructions that are given to the kids during
17 the drill that's in school.

18 I just think by reducing the number
19 of drills that we have to a single drill is a
20 formula to make kids less safe. And I know
21 that's not the intention. But it is a formula to
22 make kids less safe. And I'd be more inclined to
23 vote for the bill if we did not change the number
24 and just changed the standards of the training.

25 So unfortunately I'll be voting no

1 on this bill. Thank you, Mr. President.

2 ACTING PRESIDENT BAILEY: Senator
3 Martins, why do you rise?

4 SENATOR MARTINS: Mr. President, I
5 was wondering if the sponsor would yield for a
6 couple of questions.

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR GOUNARDES: Yes,
10 Mr. President.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR MARTINS: Thank you.

14 Just wondering if you could tell me
15 if today, under today's system, without this bill
16 being in law, if the decisions on how to conduct
17 these lockdown drills are actually provided by
18 the individual school districts.

19 SENATOR GOUNARDES: Through you,
20 Mr. President, it depends on the school district.
21 Some schools and some school districts do a
22 better job than others. Some take it upon
23 themselves to come up with guidance. Some leave
24 it to the teachers to figure out.

25 There was an article from Chalk Beat

1 last year, which is a leading education
2 publication about New York schools, New York City
3 schools in particular. From last year, New York
4 City teachers get little to no training on
5 lockdown drills, quoting dozens of teachers being
6 told to figure it out on their own.

7 So the answer to your question is it
8 really depends on the school and on the school
9 district. Which is why we are proposing creating
10 a statewide standard that can be implemented
11 consistently across the board.

12 SENATOR MARTINS: Mr. President,
13 through you, if the sponsor would continue to
14 yield.

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor continue to yield?

17 SENATOR GOUNARDES: Yes,
18 Mr. President.

19 ACTING PRESIDENT BAILEY: The
20 sponsor yields.

21 SENATOR MARTINS: You know, I keep
22 hearing about the statewide standard included in
23 the bill, so I had to go back and just review it.
24 And I noticed that this bill actually introduces
25 a new Section 2-a to the section.

1 And Section 2-a is divided into two
2 parts. And I believe the first part requires the
3 school district and the board of education of
4 each school district to come up with a plan for
5 the students. And Part B requires the school
6 district and the individual school district to
7 come out with a plan with regard to training
8 teachers. That's my understanding and reading of
9 the bill that we have before us.

10 I don't see in this bill that there
11 is a statewide standard. And I was hoping that
12 the sponsor could perhaps clarify what he means
13 by a statewide standard, because I don't see it
14 in the bill that's being proposed.

15 SENATOR GOUNARDES: Through you,
16 Mr. President, yes, we are leaving it up to the
17 school districts to create their training, as
18 they do other trainings for their schools, their
19 teachers, their staff, et cetera, with certain
20 minimum standards in place, minimum requirements
21 about what they have to include in those
22 standards. Which is why the bill lines out in
23 Section 2-a a bunch of those different provisions
24 and standards.

25 And then parallel to this effort,

1 I'll also say that there have been discussions
2 about providing model guidance statewide from the
3 State Education Department. That's not going to
4 be mandated upon the districts, but is a way to
5 help. Because this is a conversation that is
6 happening with or without us taking action today.
7 This is a conversation that's already shifting
8 the way we think about school safety.

9 And so SED has already started
10 thinking about and talking to stakeholders about
11 what model guidance can look like. And then each
12 school district will then adopt the guidance and
13 guidelines and training that fits their schools
14 and their communities. And it's the expectation
15 that a lot of that will be shaped and informed by
16 not just the minimum standards we put in place
17 here, but eventually what model guidelines come
18 out that could be influential statewide.

19 SENATOR MARTINS: I thank the
20 sponsor for his answers.

21 Mr. President, on the bill.

22 ACTING PRESIDENT BAILEY: Senator
23 Martins on the bill.

24 Hi, Giada and Carina.

25 SENATOR MARTINS: Thank you.

1 You know, I appreciate the -- the --
2 frankly, the purpose behind this bill. And
3 frankly, if it did include a statewide standard
4 that would give criteria for school districts to
5 follow, I would understand it.

6 I also would love to see -- and I
7 like the fact that there's training for teachers
8 and for professionals and professional staff at
9 the school district. But I don't see it being
10 inconsistent that we have training and that we
11 have a statewide standard, although that's not
12 included in this bill. I wish it were.

13 But to the extent that we're going
14 to allow each school district to make those
15 decisions for themselves -- whether it's people
16 rapping on doors, whether it's all of the other
17 things we heard about during this last debate --
18 that's still going to be there. Because this
19 bill doesn't include a statewide standard. This
20 bill does not include a requirement for the State
21 Education Department to actually come up with
22 standards that would provide guidance for our
23 local school districts. All it does is reduce
24 the number from four to one, which is arbitrary.
25 And certainly each school district can make their

1 decision for themselves as to how many is
2 appropriate for their school district.

3 But simply moving from four to one
4 and still allowing the very same school districts
5 that used and developed the methodology that
6 we're complaining about and referencing here
7 today just doesn't seem to make sense.

8 Now, again, if this bill was a
9 statewide standard, if it included standards for
10 training teachers and personnel in the schools,
11 if there were methods there to train students, it
12 would be a different bill. Because it's not the
13 bill that we're being asked to vote on today.

14 So although I do appreciate the
15 idea, I do happen to think that, Mr. President,
16 with all of the incidents that have happened
17 across this country over the course of the last
18 few years that have affected school districts and
19 students -- I have heard from parents in my
20 district who have asked me, What are we doing to
21 protect our kids in schools? What are we doing
22 as a state to protect our kids in schools? Can
23 we do more? Should we do more?

24 And some of our school districts and
25 some of our counties and some of our police

1 departments are actually coordinating on that.
2 There are panic buttons in our schools, there are
3 lockdown drills in our schools, there are schools
4 that are reinforcing the school building itself
5 and the infrastructure and the doorways and
6 security in order to protect our students. Each
7 school district is doing that.

8 And so I tell those parents that
9 there are things in place. But part of that has
10 to include, include the students themselves, the
11 ability to make sure that the kids are prepared.
12 And I'm not going to say it's the same thing as a
13 fire drill. Fire drills, you line up, you go to
14 the nearest exit, and you get out. But there is
15 sense to having students in a proper way -- in a
16 proper way -- being trained in how to react in
17 the event that there is a need for a lockdown.

18 So again, if this bill included
19 standards and asked our State Education
20 Department to impose those standards, it would be
21 a different bill. But it's not the bill we're
22 being asked to vote on today.

23 So, Mr. President, I'll be voting
24 no.

25 ACTING PRESIDENT BAILEY: Are there

1 any other Senators wishing to be heard?

2 Senator Gounardes on the bill.

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

5 I thank my colleagues for the
6 debate.

7 I'm going to take a few more minutes
8 than the two allotted to me for my vote because I
9 want to respond to some of what we heard here and
10 really explain the intent here.

11 First, we do have standards. We do
12 put -- no trauma-informed standard that anyone
13 would devise would allow for or include some of
14 the things that our students and our young people
15 are currently experiencing in their lockdown
16 drills right now. None whatsoever. They would
17 not simulate with live guns and with, you know,
18 sound grenades and sound noises and, you know,
19 banging on doors. That is not a trauma-informed
20 standard.

21 So we actually do put the minimum
22 standards in this bill.

23 And you know what, we are trying to
24 do a lot. Everyone here wants to try to keep
25 kids safe in a school building. And we heard a

1 lot of examples, you know, about what schools are
2 doing. They're doing drills, they're having
3 panic buttons, they're training teachers, they're
4 having conversations.

5 I didn't hear one thing about the
6 thing that is killing our kids in our classrooms,
7 and that's the guns. I didn't hear one thing on
8 the other side about what is causing this
9 carnage. In only the United States of America,
10 it's the guns. I didn't hear a word from the
11 other side about how we're going to get guns out
12 of the hands of people who are slaughtering kids.

13 And we're going to sit here and say
14 that instead of tackling that problem, we are
15 instead going to normalize the reality that our
16 kids have to sit here and practice dying time and
17 time again.

18 What kind of -- what are we doing?
19 What are we doing? How many times do you want to
20 have to think about your own children simulating
21 their own death in a classroom? How many minutes
22 is okay for you?

23 I have two children, as you all
24 know. They're not school-age yet. I cannot
25 fathom for a minute letting them think about the

1 possibility that they can go to a safe place like
2 a classroom, where they should be learning about
3 reading, writing and arithmetic, and instead
4 learn to duck and cover. That's not the future I
5 want for my children. And I don't think it's the
6 future that any of us want for our children.

7 But instead of actually proposing
8 solutions or ideas or getting behind the answers
9 that we know will help us solve this, instead we
10 say lock down the schools, lock down the
11 classrooms. Arm the teachers. Arm the guards.
12 Put panic buttons everywhere. Everything but the
13 thing that's going to solve this problem and keep
14 kids safe.

15 So it's a little disingenuous to say
16 we all want to keep kids safe but we're not going
17 to do the one thing we know that can actually
18 solve this problem once and for all.

19 You know, as we were researching
20 this bill and talking to parents and talking to
21 advocates, there's a whole industry out there
22 about what kids can experience in these lockdown
23 drills. There are books. I referenced a Winnie
24 the Pooh-themed book about lockdown drills.
25 There's a book called Lockdown Drills at

1 Superhero School. That's a way to help kids
2 think that it's fun and safe and this is just a
3 fun little activity. There are coloring books
4 and workbooks.

5 What are we doing to these kids?
6 There's actually -- they teach this in some
7 schools, there's actually a nursery rhyme song.
8 I can never think of "Twinkle, Twinkle, Little
9 Star" again when I sing it to my two-year-old or
10 my month-old baby now, when I think about the
11 words "Lockdown, lockdown, lock the door, shut
12 the lights off, say no more. Go behind the desk
13 and hide. Wait until it's safe inside.
14 Lockdown, lockdown, it's all done. Now it's time
15 to have some fun."

16 Some fun. Now it's time to have
17 some fun. Faking your death is over, now you can
18 go back to playing blocks and playing with dolls
19 and learning about ABCs.

20 That's not the future that I want
21 for my children. I don't think it's the future
22 that any of my colleagues want for their
23 children. We know there is a better, smarter way
24 to do this. We know that there is zero data to
25 show that four drills or five drills or 10 drills

1 or 30 drills will actually keep kids safe. Which
2 is why we're not getting rid of the drills, we're
3 only saying make them better. Do at least one,
4 and make it be the best drill you can make it.

5 Don't have kids go through this
6 trauma over and over and over again. Don't
7 saddle them with years of psychological trauma
8 because we think it's going to make us feel
9 better, because we can't do the thing that's
10 required of us, which is actually get guns out of
11 the hands of people who are killing our kids.

12 And by the way, there hasn't been a
13 school shooting in New York in almost 20 years.
14 And that's because in New York we've taken action
15 to keep guns out of the hands of people who are
16 going to do harm in our school buildings. We've
17 banned people from owning assault weapons that
18 are going to try to harm kids. We've done all
19 the things we need to do. And we just need
20 Congress to get its act together and do the right
21 thing and get guns out of the hands of people who
22 are doing harm to our kids.

23 Thank you, Mr. President.

24 ACTING PRESIDENT BAILEY: Thank
25 you, Senator Gounardes.

1 Senator Lanza, on the bill? Or are
2 you going to ask the sponsor to yield?

3 SENATOR LANZA: No, on the bill,
4 Mr. President.

5 ACTING PRESIDENT BAILEY: Senator
6 Lanza on the bill.

7 SENATOR LANZA: Mr. President, one
8 thing I know for sure is something that won't
9 solve the problem, and that's less safety
10 preparation. And that's what this bill does.

11 I'm not going to stand here and
12 listen to whether or not and what I -- when I
13 worry about my children as a father. As a father
14 I'm worried every time one of my children gets
15 behind the wheel of a car. I'm worried if one of
16 my children wants to get on a subway platform in
17 New York City. I'm worried when they go about
18 the community. Yes, that's true, a subway
19 platform is a very dangerous place right now, as
20 proven by the statistics. For any person,
21 anywhere, period.

22 I'm worried all the time about my
23 children. And yes, I'm worried about them when
24 they are in school. And I want to say Senator
25 Gounardes made a lot of -- and I think elucidated

1 the fact that there are many meritorious aspects
2 to this legislation. And it's clear that he's
3 really thought this through. And I commend him
4 for that.

5 But if you want to talk about crime
6 and you want to use that as the reason why we
7 should vote for this, well, that's just absurd.
8 And it's ridiculous. Crime is off the charts
9 here in New York State. And a lot of us,
10 including myself, would say it's because of bad
11 policies and lack of leadership. And this
12 climate that's been created here in New York that
13 perhaps it's not just a such a bad thing to
14 commit a crime, because you might pretty easily
15 get away with it.

16 There are a lot of meritorious
17 aspects to this legislation, Senator Gounardes.
18 I agree with you. But for me, there are two
19 simple reasons that prevent me for voting in
20 favor of it.

21 Number one, yes, by your own
22 admission, there's a danger out there. It needs
23 to be addressed. We must solve it. We must work
24 together and we figure it out. But it exists
25 right now. And therefore, for me, fewer safety

1 drills is not a good idea.

2 Second, the ability to just without
3 reason opt out means that anyone cannot opt out.
4 And if everyone opts out, we'll have zero safety
5 drills in our schools.

6 Those two reasons prevent me from
7 voting for this bill.

8 And as to the trauma, I agree with
9 you, there's a lot of stress and trauma
10 associated with living. But I'll tell you what I
11 believe would allow for greater trauma, and it's
12 the trauma and the stress that I'm afraid of.
13 The trauma we ought to be afraid of is perhaps
14 when there are catastrophic consequences because
15 our kids aren't prepared. And that's what I'm
16 afraid of.

17 And I vote no, Mr. President.

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

20 SENATOR BORRELLO: On the bill,
21 Mr. President.

22 ACTING PRESIDENT BAILEY: Senator
23 Borrello on the bill.

24 SENATOR BORRELLO: I understand the
25 passion in this bill. It's all very important.

1 But I really have to take Senator Gounardes to
2 task on what he believes is, you know, our own
3 willingness to take guns away from people.

4 Let's think about what happens in
5 New York State when a career criminal is caught
6 with an illegally possessed gun. You know what
7 happens? They get an appearance ticket. What
8 happens when that same career criminal is caught
9 with another gun illegally possessed? They get
10 another appearance ticket. And so on and so on
11 and so on, until they commit a crime with that
12 gun. Then all of a sudden, thanks to this
13 Legislature, we can do something about it.

14 So you want to know where's the most
15 dangerous place for our children to be? It's not
16 in school. It's on the streets of our cities.
17 It's standing on a subway platform. It's walking
18 down the street and getting caught in crossfire
19 and gang violence. That's the most dangerous
20 place for our children.

21 This bill is about making sure our
22 kids know what to do. It's not about practicing
23 dying. That's ridiculous. It's about training
24 to be prepared in the unlikely event that
25 something were to happen. That's what this is

1 about.

2 But if we want to really do things
3 to make our kids safe, we'll repeal bail reform,
4 we'll start making actual punishment for people
5 that have the possession of illegal weapons, and
6 we'll start making New York safe again.

7 I vote no. Thank you.

8 ACTING PRESIDENT BAILEY: Senator
9 Canzoneri-Fitzpatrick, why do you rise?

10 SENATOR CANZONERI-FITZPATRICK: I'd
11 just like to address some of the comments and
12 speak on the bill.

13 ACTING PRESIDENT BAILEY: You're
14 going to speak on the bill, or do you want to
15 explain your vote after?

16 SENATOR CANZONERI-FITZPATRICK:
17 I'll explain my vote after. Thank you.

18 ACTING PRESIDENT BAILEY: Senator
19 Canzoneri-Fitzpatrick will explain her vote.

20 Are there any other Senators wishing
21 to be heard?

22 Senator Tedisco. On the bill?

23 SENATOR TEDISCO: On the bill,
24 yeah.

25 ACTING PRESIDENT BAILEY: Senator

1 Tedisco on the bill.

2 SENATOR TEDISCO: I thank the
3 sponsor for the piece of legislation. I think he
4 really believes that may be the answer to some of
5 the safety factors that relate to our schools.
6 And all of us, I believe, to one extent or
7 another, are concerned, are serious about the
8 safety of our children in our schools. And I
9 think we're concerned about the safety of
10 ourselves here, and all the people that come to
11 visit us here at the Capitol.

12 In the last two days I had two
13 fourth-grade classes yesterday, two fourth-grade
14 classes today, come and visit me at the Capitol.
15 You know, sometimes we get up and speak, and when
16 we get done we don't realize that we showed a
17 little hypocrisy when we were speaking after we
18 got done, and you begin to realize that.

19 All of those students here, with the
20 security system we use to protect ourselves here,
21 went through metal detectors to get in here.
22 When they walked in here, they saw armored
23 State Troopers holding large guns and small guns
24 in the hallways. When they walked through the
25 hallways, they saw cameras in the hallways in

1 some of the areas.

2 For someone to stand up and say, Why
3 do we want to put resource officers in those
4 schools with those guns to protect those kids?
5 It's militarizing them, it's scaring them. But
6 they want to protect their butts here to have a
7 security system which provides for metal
8 detectors for them and for everybody that comes
9 to visit us, and men with big -- and women with
10 big guns to protect you. Isn't that a little bit
11 of a sense of hypocrisy?

12 Now, if it militarizes schools, it
13 militarizes the seat of government, our
14 representative democracy. Why aren't any of you
15 standing up and saying, Get those men and women,
16 our law enforcement with the big guns and the
17 metal detectors and all the cameras around the
18 school -- why don't you get rid of those?
19 Because they're scaring the fourth-graders and
20 fifth-graders that come in. And maybe I guess
21 they're scaring you.

22 So I find a bit of hypocrisy of
23 suggesting we don't need those resource officers,
24 we don't need all this preparation, we don't need
25 all this training, we don't need metal detectors,

1 we'll do fine without them. Why can't we do fine
2 without them? We're adults, we're not children.
3 But a lot of children do visit the Capitol, and I
4 just told you about that.

5 So I need an explanation why we want
6 to be guardians of ourselves with all this type
7 of rigmarole that relates to our safety, but why
8 we can't provide the same safety features for our
9 schoolchildren.

10 I have a bill that's called
11 Guardians for Schools. You know what it does?
12 It provides funds to provide schoolkids with the
13 same resources and the same security system we
14 have at the Capitol. Explain to me why that is
15 wrong, actually. And when you do, stand up and
16 say, I want to remove that security system for
17 ourselves.

18 So for that reason, it makes
19 absolutely no sense and I'll be voting no on
20 this.

21 ACTING PRESIDENT BAILEY: Are there
22 any other Senator wishing to be heard?

23 Seeing and hearing none, debate is
24 closed.

25 The Secretary will ring the bell.

1 Read the last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

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

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

11 I would like to take this
12 opportunity to explain my first impression when I
13 saw this bill. As a public school mom, I paused
14 a little bit because, yes, is it okay, it is
15 enough to have lockdown drills once a year. Is
16 it enough? That was a question to myself.

17 And then I found out that's a scary
18 thought to have, because how can I normalize this
19 drill? A drill is a thing to reflect our
20 realities. So we're in a time in a society, we
21 normalize mass shootings, school shootings to our
22 kids. So we need to implement those drills.

23 So I would like to share a little
24 story. My daughter, when she was five, the
25 kindergarten, when -- she told me years after.

1 She was in a school when she was in kindergarten,
2 the teacher closed the window, closed the door,
3 shut down the lights, told everybody, "Squeeze in
4 the closet." Told them, "Don't make a sound."

5 Then what happened? Someone tried
6 to open the door, someone tried to unlock the
7 door. She doesn't know what's going on. And she
8 told that to me probably years after. She
9 doesn't remember it until the drill comes back
10 again, she remembered it, what happened that day.

11 I wish when she was five, in
12 kindergarten, I had the notice, as a parent. I
13 could have explained to her, Oh, honey, what's
14 this? We tried to be a parent, to give her
15 guidance so that they're not going to traumatize
16 them.

17 Remember, what traumatizes our kids,
18 our family, is not the drill, it's the reality
19 we're facing about mass shootings, about school
20 shootings. That's what traumatizes us, so we're
21 reacting to it.

22 So -- and I'm very happy to hear
23 from my colleague Senator Gounardes today to
24 explain how we can actually put a standard to
25 this one. Not just a guidance, not just a

1 notice. And those are two age-appropriate
2 explanations. That is so necessary for our
3 students.

4 And it's at least once, not just
5 once.

6 So I'm very happy to vote yes.

7 Thank you, Mr. President.

8 ACTING PRESIDENT BAILEY: Senator
9 Chu to be recorded in the affirmative.

10 Senator Mannion to explain his vote.

11 SENATOR MANNION: Thank you,
12 Mr. President.

13 I spent 28 years in a classroom.
14 That's about 5,000 school days. Participated in
15 hundreds of drills. Started my career prior to
16 Columbine, when all we did was fire drills. That
17 changed. Now we have lockdown drills,
18 stay-in-place drills, drills where we take
19 students out of the facility, put them on a bus,
20 and take them to a safe site.

21 I've participated in active shooter
22 drills. I was a member of my district's safety
23 committee and a countywide school safety task
24 force and committee that was made up of
25 superintendents, law enforcement, district

1 attorneys, school shooting experts.

2 I taught AP biology, as I said
3 earlier today. I also taught 15-to-one living
4 environment for students with IEPs. Regardless
5 of what course those students take, they are
6 always learning and they're making connections.
7 And those connections are what they see on TV.
8 And as they walk through the doors of that
9 school, and when that lockdown drill is called,
10 they connect those dots. So they're wondering
11 not if it's real, it's when.

12 The mental health crisis that we
13 have in this country and in this state, students
14 do not have a safe space in one of the safest
15 spaces that they should have. That connection is
16 happening on a daily basis. And I charge any of
17 you to talk to your teachers in your school
18 districts and ask them if it has mental trauma on
19 these children. And they will tell you it is now
20 excessive. The teachers know what to do, the
21 students know what to do, and all it does is
22 perpetuate the trauma and embed in their learning
23 the fact that when is the question that they
24 should be asking.

25 I proudly vote aye. And the sponsor

1 is 100 percent correct.

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

4 Senator Ramos to explain her vote.

5 SENATOR RAMOS: Who here has an
6 underage child that takes the subway by
7 themselves? I do. Who has a fourth-grader? I
8 do. Actually, Senator Chu, Senator Gounardes,
9 Senator Scarcella-Spanton and I -- and I
10 apologize if I miss others -- we actually are
11 parents of young children.

12 We are supporting this bill
13 precisely because we are mortified of the world
14 that you and your guns have created. Because
15 yes, it is the guns, stupid. It's not the lack
16 of training, it's about the quality of the
17 experience of the training that our children are
18 supposed to receive. That there are qualified
19 people who are actually speaking to them in an
20 age-appropriate way about what can happen or what
21 will inevitably happen, unfortunately, someday.

22 We haven't had a school shooting in
23 New York in the past 20 years. My gosh. Thank
24 God we have a Democratic Majority led by
25 Andrea Stewart-Cousins that passed the red flag

1 laws. Wasn't it the other side of the aisle that
2 just yesterday or earlier this week didn't want
3 to vote to take away guns from perpetrators of
4 domestic violence, arguing for due process then
5 as you continue to vote against our mental health
6 bills?

7 My gosh. How do you sleep at night?
8 You have no idea what it's like to take a -- to
9 have a child that takes the subway by themselves.
10 None. You've never experienced it. You have no
11 idea what you're taking about.

12 ACTING PRESIDENT BAILEY: Order,
13 please. Order.

14 (Inaudible comments from members.)

15 SENATOR RAMOS: No. You were
16 protecting the criminals earlier this week.

17 It's a shame. Senator Gounardes did
18 an excellent job defending that bill and
19 defending our Majority in ensuring that we do
20 take action to protect our children.

21 I am proudly voting aye on this
22 bill. Thank you, Mr. President.

23 ACTING PRESIDENT BAILEY: Senator
24 Ramos to be recorded in the affirmative.

25 Senator Canzoneri-Fitzpatrick to

1 explain her vote.

2 (Inaudible comments from members.)

3 SENATOR CANZONERI-FITZPATRICK:

4 Thank you, Mr. President.

5 ACTING PRESIDENT BAILEY: Senator
6 Lanza.

7 SENATOR LANZA: Can we have some
8 decorum in this chamber here? Just a modicum of
9 decorum.

10 ACTING PRESIDENT BAILEY: Senator
11 Lanza, this is a passionate issue. The members
12 on both sides of the aisle have expressed
13 themselves in a manner that has been -- excuse
14 me?

15 Senator Murray, I don't think any of
16 that is necessary when we're trying to speak
17 about decorum. Your off-color comments, whatever
18 they may be, are not necessary at this point.
19 We're trying to have some consensus.

20 Senator Lanza stood up for a reason,
21 so that we can calm the chamber down during a
22 passionate time.

23 Is that not correct, Senator Lanza?

24 SENATOR LANZA: Yes, Mr. President.

25 ACTING PRESIDENT BAILEY: So I

1 think that we're going to continue to explain our
2 vote and be collegial going forward. I would
3 hope that would be the case. And we want to have
4 side comments accordingly, Mr. --

5 SENATOR LANZA: Mr. President, I
6 would just ask that we refrain from calling any
7 of our colleagues "disgusting."

8 ACTING PRESIDENT BAILEY: I would
9 agree. I would agree that invectives should not
10 happen on either side of the aisle,
11 Senator Lanza.

12 Senator Canzoneri-Fitzpatrick to
13 explain her vote.

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

16 I'd like to believe that every
17 person in this chamber does not want to see a
18 school shooting, does not want to see our
19 children being hurt, and is worried about all of
20 our members in our family and all of our
21 children.

22 And for anybody to suggest that
23 anyone on this side of the aisle is not troubled
24 by what goes on, and to call us stupid, is not
25 fair and is not professional.

1 I applaud the sponsor for trying to
2 do something to address this issue. My daughter
3 is a freshman and just finished her first year at
4 the University of Virginia, where there was a
5 school shooting, where three football players
6 died. For 20 hours she was locked in her room in
7 the darkness. And I was talking to her through
8 the night because she was all by herself. That
9 is a scary situation. And unfortunately, my
10 daughter just experienced it. Nobody wants their
11 child to go through that.

12 I will say, though, until we address
13 the mental health issue and the mental health
14 crisis that we have in this country, we will
15 never get this under control. I have advocated
16 and spoken to many people about the fact that we
17 need to speak about mental health as early as our
18 children can tolerate it, to make sure that they
19 know it's okay to ask if there is anxiety or
20 depression or feelings of suicide, as early as
21 possible, because every one of these shootings
22 has a mentally ill person behind that gun.

23 If we cure the mental health issue,
24 we will certainly get that under control. That
25 is what we should all focus on in this chamber.

1 And that is one of the main things that caused me
2 to be in this chamber, that I advocate very
3 strongly for.

4 So I hope that we will all continue
5 to strive for that mental wellness that we all
6 need in our communities.

7 However, this bill in my opinion is
8 lacking the guidance that school districts need
9 to conduct these drills in an appropriate, safe
10 manner. For that reason, I'll be voting in the
11 negative.

12 Thank you.

13 ACTING PRESIDENT BAILEY: Senator
14 Canzoneri-Fitzpatrick to be recorded in the
15 negative.

16 Senator May to explain her vote.

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

19 And I want to thank Senator
20 Gounardes for this bill and for his righteous
21 passion on behalf of our children.

22 I'm one of the people in the room
23 who is old enough to remember fallout drills.
24 And even at the age of six, it was pretty clear
25 to me that if it came down to a confrontation

1 between my Formica desk and an atomic bomb, there
2 wasn't much question who was going to win.

3 And I still feel the trauma of that.
4 Sixty years later, I still feel the trauma of
5 that. And they didn't try to do sound effects or
6 make it realistic, they just, you know, had a
7 siren.

8 So I can't even imagine what
9 kids are going through when they go through these
10 drills and how much trauma they take away from
11 that. And when we talk about mental health, we
12 just heard about how serious a problem that is.
13 Well, this is actually making it worse.

14 So I think imagining a child
15 cowering in a closet in a classroom and knowing
16 what kinds of weapons could be used in a school
17 shooting, and that they are designed to kill as
18 many people as possible as quickly as possible,
19 and with ammunition that can decapitate somebody
20 with one bullet, I'm sure they're having the same
21 kinds of thoughts I was having about atomic
22 bombs.

23 So I am proud to vote for this bill
24 and proud to protect our kids from the overuse of
25 this kind of traumatic experience. I vote aye.

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

3 Senator Krueger to explain her vote.

4 SENATOR KRUEGER: Thank you very
5 much, Mr. President.

6 I want to applaud my colleague
7 Senator Gounardes, not just for introducing this
8 bill but for so articulately laying out why it's
9 necessary.

10 And I hear my colleagues saying it's
11 mental health, it's -- it's not guns. Well, as I
12 think Senator Gounardes pointed out, we are
13 adding to the mental health trauma of our
14 children rather than addressing any of the real
15 issues we need to be addressing.

16 And when I keep hearing, over and
17 over again, it's not an issue of guns or
18 violence, I just sit here and I read my Google
19 statistics on Canada, our neighbor to the
20 north -- who, granted, is having a few problems
21 this week -- but doesn't have a problem with gun
22 violence because they don't allow guns to be out
23 there in the hands of people who are domestic
24 violence perpetrators, people who have mental
25 health issues, people who apparently don't have

1 respect for the lives of others.

2 And I keep wondering why we keep
3 coming to the wrong answers on the exact same
4 problems other countries have dealt with far, far
5 better than we have. And then we get into these
6 ridiculous arguments here that somehow this bill
7 is intended to create harm and risk for our
8 children, when it is just the opposite.

9 And even the statements being made
10 tonight by people who are voting no reinforces to
11 me that they should be voting yes.

12 So I proudly vote yes, and I want to
13 applaud the sponsor for this bill. Thank you.

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

16 Senator Skoufis to explain his vote.

17 SENATOR SKOUFIS: Thanks very much,
18 Mr. President.

19 This is obviously an emotional issue
20 and was an emotional debate. And I will say the
21 suggestion that anyone in this chamber doesn't
22 care about the lives and the livelihood of
23 children in New York is a stunning suggestion in
24 the worst possible sense of the word.

25 But while this is an emotional

1 issue, we as policymakers do have to make policy
2 based on facts and evidence. And I thank the
3 sponsor, who I know has worked extremely hard in
4 getting the bill to this point, in putting
5 together an evidence-based approach to this
6 issue.

7 This is about trauma, and it is also
8 about keeping our children safe. And
9 Senator Gounardes strikes that exact right
10 balance. And so for that reason, I vote yes.

11 Thank you.

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

14 Senator Lanza to explain his vote.

15 SENATOR LANZA: To explain my vote,
16 Mr. President.

17 I agree with Senator Skoufis. But,
18 you know, the allegation that people didn't care
19 about kids came from that side of the aisle.

20 And perhaps what we see here is part
21 of the problem in American politics today, and
22 maybe even American society, that we've come to a
23 place and time when if you don't agree with me,
24 you're evil. If you don't agree with me, I hate
25 you and I despise you. And we see that here, we

1 see that in legislative houses all across
2 America. You see it in society, you see it on
3 social media.

4 And it really is -- certainly we
5 talk about what needs to be done. I can tell you
6 that that attitude that seems to persist not only
7 doesn't help, but it's making it even more
8 difficult to get to the real solutions for these
9 real problems.

10 I do not hate. I don't mock. I
11 don't make faces at Senator Gounardes. I don't
12 hate him for doing what I know he's trying to do.
13 He's trying to make life better for our kids. He
14 wants them to be safer. He wants to eliminate
15 some stress from their lives. I love
16 Senator Gounardes for that.

17 We have a difference of opinion
18 about what is the appropriate way to accomplish
19 that. I believe that there are so many portions
20 of this legislation that I support and I think
21 are intelligent and well thought out and would
22 make a difference. I said it before,
23 Mr. President; I'll say it again. My concern is
24 that fewer safety drills at this point in time --
25 because we can all acknowledge there is a

1 problem. We can accuse whomever we want for the
2 cause of that problem.

3 But while we have the problem, I
4 just believe that we should not be reducing the
5 number of safety drills. I don't believe it's a
6 good idea to opt out. And again, of course I'm
7 talking about what I disagree with. I'm not
8 going to list all the many parts of this
9 legislation that I do agree with -- and I do.

10 And I will just end by saying that
11 my fear here is that not being prepared for the
12 emergency is -- will cause more trauma when that
13 emergency occurs than preparing for it. And that
14 is the essence, I believe, of my opposition.
15 Yes, this causes undue perhaps even trauma. But
16 I think the greatest trauma and stress would
17 occur if our children were not adequately
18 prepared when that emergency occurs.

19 So again, I'm voting no, and at the
20 same time I'm thanking Senator Gounardes for
21 trying to attack this problem.

22 Mr. President, I vote no.

23 ACTING PRESIDENT BAILEY: Senator
24 Lanza to be recorded in the negative.

25 Senator Murray to explain his vote.

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

3 Earlier today we had a debate and
4 there was a Senator that said that we need to
5 have more compromise and work together. And I
6 couldn't agree more.

7 I have nothing but the utmost
8 respect for Senator Gounardes and what he's doing
9 and trying to accomplish with this. Again, the
10 suggestion, the mere suggestion that anyone
11 doesn't care about our children and doesn't want
12 to keep them safe is crazy.

13 But it's just the approach. Maybe
14 we disagree.

15 There are things in here I
16 completely agree with. Like Senator Lanza, my
17 concern is that we are reducing the number of
18 drills. I do believe in the "practice makes
19 perfect" kind of thing. And it is a shame that
20 we have to do it. Just like the duck and cover
21 drills when I was younger, it was a shame that we
22 had to do it. But we did it to stay safe. And
23 we want to keep our kids safe.

24 But the biggest concern I have is
25 when I hear -- and I'm not going to say one side

1 or the other -- but when I hear other Senators
2 saying that if you vote this way, it means that.
3 No, it doesn't. It means what I'm saying it
4 means. I'm voting no because I think we still
5 need more of this training, but we can make it
6 better. So that's when maybe we sit down and we
7 use that word "compromise." We work together to
8 make it better.

9 But for this reason, I just have
10 some concerns. I want to keep our kids safe.
11 But for this reason, I'll be voting no.

12 Thank you, Mr. President.

13 ACTING PRESIDENT BAILEY: Senator
14 Murray to be recorded in the negative.

15 Senator Gounardes to explain his
16 vote and close.

17 SENATOR GOUNARDES: Thank you,
18 Mr. President --

19 SENATOR HELMING: (Inaudible.)

20 SENATOR GOUNARDES: Oh. I'll defer
21 to Senator Helming.

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

24 SENATOR HELMING: Thank you,
25 Senator Gounardes.

1 So Mr. President, I rise to explain
2 my vote.

3 I'm a grandmother, and this past
4 fall I had the opportunity to take my
5 granddaughter to the first day of preschool.
6 She's four years old. And I have to say that
7 experience was so much different than when I took
8 my own kids to kindergarten 20-plus years ago.
9 It wasn't like 20 years ago, when I walked
10 around, I was checking out the classroom, the
11 cute decorations, getting to know the teacher,
12 et cetera. This time when I took my
13 granddaughter, I was looking for safety and
14 security things: Were there multiple exits, was
15 somebody monitoring those entrances and exits,
16 et cetera. The experience was just so different.
17 And it made me so sad. And more importantly, so,
18 so scared for her safety and the safety of all
19 those kids.

20 So I take exception when somebody in
21 this chamber suggests that I don't care about the
22 safety and security of children. I take that to
23 heart, because there is nothing further from the
24 truth. There is nothing harder I work for every
25 single day of the year.

1 Preventing shootings, protecting our
2 children, it's something that this side of the
3 aisle values just as much as the other side of
4 the aisle. We all want to protect our kids.

5 I heard the comment that the problem
6 is violence. I agree with that. And it's
7 violent people. It's horrendous, disgusting,
8 despicable people who hurt our innocent children
9 and other innocent victims. And the problem is
10 that they are not held accountable. They're not
11 held accountable.

12 This side of the aisle has put
13 forward dozens and dozens and dozens of bills,
14 whether it's on mental health issues, whether
15 it's on hardening our schools, whether it's
16 funding for resource officers, whether it is on
17 increasing penalties for the disgusting people
18 who commit these crimes. They're ignored,
19 they're not brought to this floor.

20 I just wanted to comment too that
21 there was a comment made that we voted against a
22 bill that would protect victims of domestic
23 violence. Wrong. I voted against that bill
24 because it took away the ability of a victim of
25 domestic violence to protect herself or himself.

1 Now, this may --

2 ACTING PRESIDENT BAILEY: Senator

3 Helming, you are approaching two minutes --

4 SENATOR HELMING: -- surprise you,

5 Mr. President --

6 ACTING PRESIDENT BAILEY: Senator

7 Helming, you're approaching two minutes and

8 40 seconds. How do you vote?

9 SENATOR O'MARA: I am explaining my
10 vote right now.

11 ACTING PRESIDENT BAILEY: Senator

12 Helming, you -- we have given you the courtesy.

13 You have approached 2 minutes and 40 seconds, and

14 I would ask you to kindly --

15 SENATOR HELMING: Okay, quit
16 interrupting me and I will explain my vote.

17 ACTING PRESIDENT BAILEY: Could you
18 kindly wind down and explain your vote.

19 SENATOR HELMING: So this may shock
20 you, but the way I read this bill is that it
21 continues to --

22 ACTING PRESIDENT BAILEY: Senator

23 Helming how do you vote?

24 SENATOR HELMING: -- allow schools
25 to --

1 ACTING PRESIDENT BAILEY: How do
2 you vote, Senator Helming?

3 SENATOR HELMING: -- make their own
4 decision on how many bills --

5 ACTING PRESIDENT BAILEY: Senator
6 Helming, how do you vote?

7 SENATOR HELMING: -- and it allows
8 parents to make decisions, so I will be voting --

9 ACTING PRESIDENT BAILEY: Senator
10 Helming, how do you vote? You're approaching
11 three minutes. How do you vote?

12 SENATOR HELMING: Shock of the
13 year: Yes.

14 ACTING PRESIDENT BAILEY: You're
15 voting in the affirmative. Senator Helming to be
16 recorded in the affirmative.

17 Senator Tedisco to explain his vote.

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

20 My colleagues, one of my first
21 leadership roles in the New York State
22 Legislature was chairman of a task force on child
23 abduction and missing children. I traveled
24 across the state. I had a whole series of
25 hearings. I even interviewed abductors, stranger

1 abduction, runaways.

2 And make no mistake, when a child
3 runs away, they are abducted. They're abducted
4 by the community they have to be a part of.
5 They're involved in prostitution, use and sale of
6 drugs. An adult takes control of their life and
7 forces them to commit crimes. So it's a serious
8 problem.

9 When I got done, I got some pieces
10 of legislation passed. You might know that now
11 in an elementary school there's a list that the
12 parents can put there so someone who is not on
13 that list cannot come with a family abduction,
14 noncustodial abduction. I got that bill passed
15 when Stanley Fink was the speaker many years ago
16 in the New York State Assembly.

17 But the one thing I realized was
18 this. You had to give kids information. So I
19 started talking to PTA groups, I started talking
20 to parents groups. I talked to children's
21 groups. One thing I learned, you had to get as
22 much information as you could about a child that
23 was missing as quickly as you could. Because you
24 could be in another country in an hour or two.

25 But I also understood you did not

1 have to scare the children to get that
2 information. Some of the things I talked, you
3 should always be two arms'-lengths away from an
4 adult that is a stranger. If someone walks up to
5 you and tries to put their hands on you, yell:
6 This is not my mommy! This is not my daddy! If
7 somebody says, I've got a puppy here in my car,
8 don't go with them in the car. So there's a
9 whole series of things.

10 One day I was on the Thruway, I got
11 a Thruway toll ticket, it said: "Buckle up your
12 seat." It was recognizing the importance of
13 buckling up. I said why can't we be the first
14 state in the nation to use our transportation
15 system to put the pictures of missing children
16 from Syracuse to this area to Rochester to
17 Buffalo. People travel the Thruway --

18 ACTING PRESIDENT PERSAUD: Senator
19 Tedisco, how do you vote?

20 SENATOR TEDISCO: Let me just say
21 one last thing. May I?

22 ACTING PRESIDENT PERSAUD: Your
23 time is up, Senator Tedisco.

24 SENATOR TEDISCO: I got the
25 Governor, Mario Cuomo, to --

1 ACTING PRESIDENT PERSAUD: Senator
2 Tedisco, how do you vote?

3 SENATOR TEDISCO: -- come on the
4 Thruway and actually do that process.

5 ACTING PRESIDENT PERSAUD: Senator
6 Tedisco, how do you vote?

7 SENATOR TEDISCO: So there's a way
8 to do this without --

9 ACTING PRESIDENT PERSAUD: Senator
10 Tedisco, how do you vote?

11 SENATOR TEDISCO: I'm voting no,
12 Madam President.

13 ACTING PRESIDENT PERSAUD: Senator
14 Tedisco to be recorded in the negative.

15 SENATOR GIANARIS: If I may, I know
16 tempers got hot here the last several minutes.
17 The path back to decorum is to observe the rules
18 of the chamber.

19 So please, we're trying to enforce
20 the two-minute vote explanation rule, five
21 minutes for the sponsor. And let's do that and
22 try and get through the next bill, please.

23 Thank you.

24 ACTING PRESIDENT PERSAUD: Senator
25 Bailey to explain his vote.

1 SENATOR BAILEY: Being mindful of
2 the time, I guess Serrano's not here to do it, so
3 it had to be Senator Gianaris.

4 I know for a fact Andrew Lanza loves
5 his kids. Unequivocally so. That doesn't mean
6 that because he loves his kids he loves this
7 bill. I know for a fact he loves his kids.
8 Undoubtedly. I know you love your kids. I don't
9 think that's where we're going with the fact that
10 we don't think you love your kids.

11 I'm loath to speak for anybody,
12 Madam President. I think we're talking about the
13 bill.

14 What we should be talking about is
15 why this is necessary. And why, when my
16 daughters come home from school when they have
17 one of these drills you see, Madam President,
18 when you ask them about their day, what did you
19 do in school? What did you do in after-school?
20 The only thing that lingers in their mind on the
21 day of these drills is the drill. That is it.
22 None of the instruction, none of the incredible
23 effort that our teachers like Senator Mannion
24 have put into their lesson plans. None of that
25 resonates with my daughters.

1 My daughters are incredibly
2 intelligent young ladies, and any other day they
3 can tell me and articulate the entire anthology
4 of their day from the time they woke up. But not
5 on the day of these drills. There is something
6 about these drills, the repetitive nature of it,
7 which traumatizes them, Madam President.

8 Senator Gounardes, you are a hundred
9 percent on in terms of reducing the number of
10 these things and trying to reduce as many adverse
11 childhood experience as we can with our children.

12 So with that being said, Madam
13 President, as I approach my two minutes --
14 because I know how Senator Roxanne Persaud does
15 when I'm approaching two minutes -- I proudly
16 vote aye and I thank Senator Gounardes for
17 bringing this legislation, this parent-friendly
18 legislation, to the chamber.

19 Thank you, Madam President.

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

22 And you did come in below your time.

23 Senator Gounardes to explain his
24 vote and to close.

25 SENATOR GOUNARDES: Thank you,

1 Madam President.

2 I thank all my colleagues for this
3 discussion. I think we've had a long day here,
4 not so much excitement, so this really I think
5 added some energy to our chamber. And I just --
6 I mean that, I want to thank everyone for their
7 discussion, for their passion.

8 Senator Lanza, I have you quoted as
9 saying you love Andrew Gounardes. I'm going to
10 use that on a future piece of mail.

11 (Laughter.)

12 SENATOR GOUNARDES: Look, I -- you
13 know, and I know we're joined here by
14 Senator Ortt, who I know authored the original
15 mandate bills eight years ago, seven years ago.
16 And I know, as I said during our debate, it was
17 well intentioned then, because we didn't know
18 what to do in response to this uniquely American
19 crisis. We thought that more drilling was the
20 way to keep kids safe.

21 And the argument I hope I've made, I
22 believe I've made, is that the data doesn't
23 support that any longer.

24 Forty out of 50 states have some
25 form of lockdown drill mandate. New York is the

1 only one that has four. Two states require
2 three, and 38 other states require either one or
3 two. So to all of my colleagues who are
4 concerned about reducing the number, we are
5 actually moving New York out of the anomaly
6 column and into the company of the vast majority
7 of states in this country, which all agree we
8 need to train our kids and prepare our kids for
9 this terrible eventuality, but we don't need to
10 make it excessive.

11 And the lack of data to show more
12 does not actually equal safety, that's what
13 animates this bill. That's the purpose behind
14 this bill. We're trying to right-size the effort
15 that was made seven years ago, an effort that I
16 fully acknowledge was made out of an abundance of
17 deep caution, because we wanted -- as, as I said
18 earlier, people of public trust and of public
19 authority, we want to do what's right for our
20 kids. We want to do what's right for everyone
21 coming up behind us.

22 And over time, as we do oftentimes,
23 we see the data doesn't support what we've done,
24 so we course-correct. We're not throwing it out,
25 we're just saying we can do it better. We took a

1 step in one direction, and now we're pivoting in
2 a slightly different direction. So this is not
3 meant to be dismissive of anyone's prior work
4 here or anyone's prior intent here.

5 And I want to just say, as I close,
6 you know, I thank my colleagues for indulging my
7 passion in this debate. When I first started
8 doing research on this and I learned about that
9 "Twinkle, Twinkle, Little Star" lockdown rhyme,
10 it broke me. It absolutely broke me. Because
11 every single night I sing that song to my
12 child -- to both my children now. And then I
13 sing it in Greek as well, every single night.

14 In fact, once I vote here, I'm going
15 to Face Time my children to go sing "Twinkle,
16 Twinkle, Little Star" to them when they're going
17 to sleep. And what I'm going to be thinking
18 about is "Lockdown, lockdown, lock the door."

19 And that's not how I want to
20 remember my time away from my children, or the
21 fact that I'm up here in the hopes that I'm
22 trying to create a better world for them and for
23 all of our children, with those words in the back
24 of my mind while I'm trying to sing my song to my
25 son good night.

1 And so that's the passion that I
2 brought to this debate. That's the pain that I
3 tried to channel in this debate. And I thank my
4 colleagues for indulging it, and I hope it was
5 not taken as it was not intended to be.

6 I think this is the right policy. I
7 think this is the right thing to do,
8 Madam President.

9 And for that, I proudly vote aye.

10 Thank you.

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

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar 1526, those Senators voting in the
16 negative are Senators Ashby, Borrello,
17 Canzoneri-Fitzpatrick, Gallivan, Griffio, Lanza,
18 Martins, Mattera, Murray, Oberacker, O'Mara,
19 Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco,
20 Walczyk, Weber and Weik.

21 Ayes, 41. Nays, 20.

22 ACTING PRESIDENT PERSAUD: The bill
23 is passed.

24 The Secretary will ring the bell.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1560, Assembly Bill Number 7393, by
3 Assemblymember Darling, an act to amend Part FFF
4 of Chapter 59 of the Laws of 2018.

5 ACTING PRESIDENT BAILEY: Senator
6 Ashby, why do you rise?

7 SENATOR ASHBY: Thank you,
8 Mr. President. Will the sponsor yield?

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR RIVERA: Oh, it's going to
12 be a good one. Come on, let's go. I do so.

13 ACTING PRESIDENT BAILEY:
14 Senator Rivera means another debate, another calm
15 debate. Senator Rivera yields.

16 (Laughter.)

17 SENATOR ASHBY: Through you,
18 Mr. President. The circumstances that led to the
19 initial authorization that allowed DOH to sweep
20 excess reserve funds from Medicaid, that occurred
21 in 2018 with the sale of Fidelis Care, is that
22 correct?

23 SENATOR RIVERA: Through you,
24 Mr. President, yes.

25 SENATOR ASHBY: Why is it necessary

1 that we extend this? Through you, Mr. President.

2 ACTING PRESIDENT BAILEY: Will the
3 sponsor yield?

4 SENATOR ASHBY: Why is this
5 necessary that we extend this?

6 ACTING PRESIDENT BAILEY: Will the
7 sponsor yield?

8 SENATOR RIVERA: Yeah.

9 ACTING PRESIDENT BAILEY: The
10 sponsor yields.

11 SENATOR ASHBY: Through you,
12 Mr. President, why is this necessary that we
13 extend this?

14 SENATOR RIVERA: Through you,
15 Mr. President. It is necessary -- basically we
16 want to make sure that we leave this in law,
17 Mr. President.

18 Because just to delve into it a
19 little bit, this was a piece of legislation that
20 was a very smart thing to do. You see,
21 Mr. President, there was a company that most --
22 if you have a company, most of the money that
23 flows through it is actually public money. And
24 then that company is going to be sold for a
25 profit. Well, it just comes to -- it is just

1 logical that we as a state should say, Wait a
2 minute, if you're going to be selling it for
3 profit, we should be able to get some of that
4 money too.

5 As a matter of fact, Mr. President,
6 some of this money has been used in past
7 instances to make up some of the gaps in Medicaid
8 funding for hospitals or for different health
9 facilities around the state in years past. And
10 so we want to make sure that we leave it there,
11 so just in case we have to do this again, we have
12 to take some of this money to reinvest it or to
13 redeploy it, that we don't have to pass a law
14 again.

15 SENATOR ASHBY: Will the sponsor
16 continue to yield?

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR RIVERA: Yes, I will,
20 Mr. President.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR ASHBY: Through you,
24 Mr. President. So do you anticipate seeing a
25 similar case with Fidelis Care, based off of that

1 response?

2 SENATOR RIVERA: Through you,
3 Mr. President, not necessarily. But just in
4 case.

5 One of the things actually --
6 through you, Mr. President -- that I've been
7 informed by some of the folks that do deep
8 legislative work, it is that it is actually
9 difficult -- and this seems a little bit crazy to
10 me, but it is a little difficult -- very
11 difficult, actually -- to find legislation -- if
12 we actually take a piece of legislation and we
13 pass it here, it's signed into law and it takes a
14 section of law that is just stricken from the
15 record, then it is almost impossible to actually
16 track down that legislation again. Meaning the
17 language that was stricken from the record, that
18 was taken out of state law, then it is that much
19 more difficult to be able to track it down.

20 So we don't want to do that. If
21 there is a situation in the future,
22 Mr. President, that requires for us to be able to
23 sweep this money, we just want to be able to do
24 it. So we just want to leave this alone in case
25 we ever need it in the future.

1 SENATOR ASHBY: Will the sponsor
2 yield?

3 ACTING PRESIDENT BAILEY: will the
4 sponsor continue to yield?

5 SENATOR RIVERA: Sure will.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR ASHBY: Through you,
9 Mr. President. Based off of that, it sounds like
10 you don't think that this may happen again. Yet
11 we want to continue these provisions. I'm not
12 really sure why, based off that response.

13 But why -- why are we continuing or
14 even extending the powers of the Governor through
15 the Division of Budget to repurpose this money?

16 SENATOR RIVERA: Through you,
17 Mr. President. Once again, for the -- see, it's
18 getting spicy. I told you it was going to get
19 spicy.

20 It is in case we need this money.
21 In case there is a situation like that in the
22 future. Now, do we think that there's going to
23 be? There's no indication at this particular
24 moment.

25 But again, it is much more difficult

1 to -- if we get rid of this section of law and
2 then, say in a year or two years, or say five
3 years down the line we need it again -- because
4 we know that there is an asset that is going to
5 be sold for profit that has a lot of public money
6 that has been invested in it, and we want to make
7 sure that we can actually benefit from the sale
8 of that particular asset, we don't want to have
9 to go back and figure out how to write the piece
10 of legislation again and put it back into state
11 law.

12 So once again, this is only an
13 extender for the sake of having the ability,
14 Mr. President, to be able to do this in the
15 future should we need it.

16 SENATOR ASHBY: Will the sponsor
17 yield?

18 ACTING PRESIDENT BAILEY: Will the
19 sponsor yield?

20 SENATOR RIVERA: Yes, I will.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR ASHBY: Through you,
24 Mr. President. Is it true that the Governor has
25 the ability to unilaterally move these funds and

1 utilize them for things outside of healthcare?

2 SENATOR RIVERA: Through you,
3 Mr. President. The language that this -- this
4 extender would leave the language as is. And the
5 language currently actually has specific --
6 specific not instructions, I would say, but
7 there's -- the language includes specific uses
8 for this money. In particular -- as a matter of
9 fact, I just want to make sure that I read it
10 into the record.

11 Mr. President, while the staff
12 identifies the particular line in the law, the
13 bottom line is that there is a particular use
14 that this money would have to be used for.

15 ACTING PRESIDENT BAILEY: Senator,
16 are you waiting? Or you yield the floor back to
17 Senator Ashby for a question?

18 SENATOR RIVERA: If you want to go
19 to the next one. Through you, Mr. President,
20 if --

21 ACTING PRESIDENT BAILEY: Senator
22 Ashby.

23 SENATOR RIVERA: -- the
24 questioner --

25 SENATOR ASHBY: I'll go on the

1 bill, Mr. President.

2 ACTING PRESIDENT BAILEY: Senator
3 Ashby on the bill.

4 SENATOR RIVERA: Mr. President, if
5 I may.

6 ACTING PRESIDENT BAILEY: Senator
7 Rivera on the bill, prior to Senator Ashby being
8 on the bill.

9 SENATOR RIVERA: Got it. For the
10 sake of completeness, it is in subpart B,
11 subsection 3 of subpart B, about halfway through,
12 it reads: "The commissioner shall direct that
13 such reserves be deposited to the Health Care
14 Transformation Fund established pursuant to
15 Section" -- blah, blah, blah, blah, blah, blah --
16 "of the State Finance Law, to be used for
17 investment in the transformation of health care
18 delivery, including for capital investment, debt
19 retirement or restructuring, housing and other
20 social determinants of health, or transitional
21 operating support to health care providers,
22 pursuant to a plan prepared by the commissioner
23 and approved by the director of the Division of
24 the Budget."

25 So the short version, Mr. President,

1 is that it includes specifics as to what that
2 money should be used for.

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

5 Senator Ashby, any more questions
6 for the sponsor or are you still on the bill?

7 SENATOR ASHBY: Will the sponsor
8 yield?

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR RIVERA: Sure will. Now
12 it's going to get spicy.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR ASHBY: Through you,
16 Mr. President, that response, although specific
17 to subpart B, isn't specific in terms of what it
18 could be used for. It seems pretty broad in
19 terms of the context, in terms of the context of
20 healthcare.

21 SENATOR RIVERA: Through you,
22 Madam President, it is -- I guess -- I guess it's
23 one of those categories that is both broad and
24 specific. See, it is true that it has a whole
25 bunch of subcategories. But if you notice --

1 through you, Madam President -- every single one
2 of the purposes that was outlined had to do with
3 healthcare. So it is both broad and specific.

4 SENATOR ASHBY: On the bill,
5 Madam President.

6 ACTING PRESIDENT MAYER: Senator
7 Ashby on the bill.

8 SENATOR ASHBY: I appreciate the
9 candor of the sponsor and in taking the time to
10 answer my questions.

11 But Madam President, this -- this
12 bill, again, we're robbing Peter to pay Paul.
13 And when we looked at the budget, the eFMAP
14 funding, the Governor looking elsewhere to
15 qualify and quantify excessive Medicaid spending,
16 we're again finding it here, through a program
17 that was ended in 2018. We are now extending it.
18 And with little quality rationale, I might add.

19 And for those reasons, I'm voting
20 no.

21 ACTING PRESIDENT MAYER: Are there
22 any other Senators wishing to be heard?

23 Seeing and hearing none, debate is
24 closed.

25 The Secretary will ring the bell.

1 Read the last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Senator
8 Rivera to explain his vote.

9 SENATOR RIVERA: Thank you,
10 Madam President.

11 A little unfortunate that it didn't
12 get spicier, but okay.

13 I thank my colleague for asking the
14 questions. But I will just clarify,
15 Madam President, it just -- what we're talking
16 about here is authority that does -- that the
17 Governor has, in particular circumstances where
18 there is an asset that is sold that has public
19 money that is flowed through it, for us to be
20 able to capture some of that profit that would,
21 if this language was not there, would go to
22 some -- to whomever, whatever private party
23 actually sold it.

24 So this is not about a program, it
25 is about a set of authorities that the Executive

1 has if there's a situation like this in the
2 future. So instead of just having to recreate
3 the wheel, we just leave it in there. If there's
4 a situation in the future, we'll make sure to
5 have -- to have the power.

6 So I will vote in the affirmative.

7 ACTING PRESIDENT MAYER: Senator
8 Rivera to be counted in the positive.

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 1560, those Senators voting in the
12 negative are Senators Ashby, Borrello,
13 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
14 Lanza, Martins, Mattera, Murray, Oberacker,
15 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
16 Tedisco, Walczyk, Weber and Weik.

17 Ayes, 40. Nays, 21.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1680, Assembly Bill Number 5606, by
22 Assemblymember Magnarelli, an act to amend the
23 Vehicle and Traffic Law.

24 ACTING PRESIDENT MAYER: Senator
25 Murray, why do you rise?

1 SENATOR MURRAY: Thank you,
2 Madam President. Would the sponsor yield for a
3 few questions, please.

4 ACTING PRESIDENT MAYER: Senator
5 Kennedy, will you yield?

6 SENATOR KENNEDY: I certainly will.

7 ACTING PRESIDENT MAYER: The
8 Senator yields.

9 SENATOR MURRAY: Thank you.
10 Senator, when we had the red-light
11 camera program set up -- and I know this is
12 different, but the red-light camera program set
13 up in Suffolk County, there were concerns about
14 the violations and who was doing the billing for
15 the violations.

16 And so when it comes to the work
17 zone and the fines that are imposed there, how is
18 that done? Is that in-state or out-of-state?

19 SENATOR KENNEDY: Well, first of
20 all, Senator, thank you for that question.

21 Madam President, if I could just
22 speak to this bill in an answer to your question.
23 The bill at hand restructures the distribution of
24 the fines associated with violations in work
25 construction zones. Last year we put forward

1 the, in 2021, the underlying bill that would
2 allow for speed-zone cameras in these work zones,
3 20 through the Department of Transportation,
4 10 through the Thruway Authority, in order to
5 protect our workers that are out on the job.
6 It's a dangerous job.

7 I just want to make a point how
8 dangerous it is. Today a young man, 45 years
9 old, out on a a job in Western New York,
10 Brett Decker, lost his life. He was from
11 Middleport. He was a site inspector. That
12 unfortunate tragedy happened on the 90 between
13 Pembroke and Batavia, in a work zone -- not by a
14 speeding vehicle, but by a construction vehicle
15 on the site.

16 It's a dangerous job. That's before
17 you add in speeding cars, and there are many of
18 them. In the first month of the implementation
19 of this work-zone-speed camera system, there were
20 over 3500 speeding violations where cars through
21 work zones -- where there were active
22 construction zones in these thoroughfares. Over
23 3500 violations through the Department of
24 Transportation; over 400 in the Thruway
25 Authority. One of them, one of those cars was

1 going 99 miles an hour. Dozens were going over
2 80 miles an hour. And each one of those
3 incursions was caught. But for a grace period of
4 30 days, they would have gotten a violation.

5 That violation would go to the
6 Work Zone Safety Fund and to the General Fund.
7 It would also go to the local municipality that
8 adjudicates that violation.

9 There's only two places in the State
10 of New York where the municipalities don't have a
11 traffic or parking enforcement agency, so to
12 speak, on the local municipal level -- town,
13 village, or city. And those are two counties,
14 and that's Nassau and Suffolk. So in working
15 with the State Comptroller, we crafted this
16 legislation to make sure that the funds that are
17 brought forward through those violations in
18 Nassau and Suffolk actually make it to the
19 communities where these evaluations are
20 adjudicated.

21 I hope that answers your question.

22 SENATOR MURRAY: Madam President,
23 would the sponsor continue to yield.

24 ACTING PRESIDENT MAYER: Senator
25 Kennedy, do you yield?

1 SENATOR KENNEDY: Yes. Yes.

2 ACTING PRESIDENT MAYER: Yes, the
3 Senator yields.

4 SENATOR MURRAY: Thank you for that
5 very detailed explanation of the bill.
6 Unfortunately, I wasn't here last year to vote on
7 it, but I very much understand the crux of the
8 bill.

9 And I think -- and please correct me
10 if I'm wrong -- with the answer to my question,
11 the -- so when the person that was going 99, had
12 there not been a grace period and they received a
13 violation, would that violation come from a local
14 company or an in-state company? Would it come
15 from the traffic bureau? Or, as I said before,
16 with the red-light camera program they used
17 out-of-state companies to send the violations, so
18 there was concern about whether you could
19 actually argue the ticket if you got it.

20 So how exactly are the fines imposed
21 here? Is it in-state, or are we using an
22 out-of-state company?

23 SENATOR KENNEDY: The company that
24 contracts is called Vera. This company works
25 with these state agencies, the DOT and the

1 Thruway Authority. And again, any violation can
2 be adjudicated and challenged at the municipal
3 level.

4 SENATOR MURRAY: Madam President,
5 would the sponsor continue to yield.

6 ACTING PRESIDENT MAYER: Senator
7 Kennedy, do you yield?

8 SENATOR KENNEDY: Yes.

9 ACTING PRESIDENT MAYER: The
10 Senator yields.

11 SENATOR MURRAY: So in your
12 explanation earlier you had mentioned that this
13 bill, the split for the violation, the fines,
14 would be 80/20, with I believe it says 80 percent
15 going to the General Fund for New York State, and
16 20 percent going to the local -- in our case in
17 Suffolk County, it would be the Traffic and
18 Parking Violation Bureau. The 80 percent to the
19 state, that's -- all of that goes to the
20 General Fund?

21 SENATOR KENNEDY: Through you,
22 Madam President, the 80/20 split, you're correct,
23 the 20 percent goes to the local municipality
24 where the violation occurred.

25 The 80 percent goes to the state.

1 Of that 80 percent, 60 percent of that goes to
2 workforce safety initiatives, as defined within
3 the law. The other 40 percent, after the payment
4 to the contracting agency and, you know, whatever
5 overage through that, the remaining goes to the
6 General Fund.

7 SENATOR MURRAY: Madam President,
8 would the sponsor continue to yield.

9 ACTING PRESIDENT MAYER: Senator
10 Kennedy, do you yield?

11 SENATOR KENNEDY: Yes.

12 ACTING PRESIDENT MAYER: The
13 Senator yields.

14 SENATOR MURRAY: Okay, thank you.

15 And one final question. Senator,
16 thank you for this. Just wanted to confirm, when
17 you -- of the 80 percent and the 60 percent that
18 you said of that that goes for this, is that like
19 a lockbox fund? Is that -- is that something
20 that cannot be tapped into so it specifically
21 must be used for traffic safety measures?

22 SENATOR KENNEDY: Yes. Through
23 you, Madam President, that is exactly what it is.
24 It's a specifically created fund as defined in
25 the law that creates work zone safety projects

1 that include design, maintenance, traffic plans
2 and markings, worker safety training, contractor
3 outreach, enforcement efforts, radar speed
4 display signs at these active work zones, police
5 presence in major active work zones, among other
6 things.

7 So it's a specifically designed fund
8 where that percentage goes.

9 SENATOR MURRAY: Thank you,
10 Madam President. On the bill.

11 ACTING PRESIDENT MAYER: Senator
12 Murray on the bill.

13 SENATOR MURRAY: Thank you,
14 Senator Kennedy. I appreciate that.

15 We -- when the program first got up
16 and running a short time ago, we were inundated
17 with emails, phone calls of concerns of the
18 questions I was asking: How are the fines being
19 imposed? Where is the money going? Is it going
20 towards safety?

21 So I'm encouraged to hear that there
22 are specific areas where this money will go, and
23 most of it will be geared towards safety.

24 So I appreciate your answers, and
25 I'll be voting yes. Thank you.

1 ACTING PRESIDENT MAYER: Are there
2 any other Senators wishing to be heard?

3 Searing and hearing none, debate is
4 closed. The Secretary will ring the bell.

5 Read the last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Senator
12 Martins to explain his vote.

13 SENATOR MARTINS: Thank you.

14 Madam President, I'd like to thank
15 the sponsor for this bill. You know, at a time
16 when our local communities are struggling for
17 revenue, the idea of sharing revenue with our
18 local communities is a thoughtful one, and one
19 that I do appreciate.

20 You know, my father was a
21 construction worker. My family comes from
22 construction. I've got dear friends of mine who
23 work in roadway construction every day. And I
24 understand the perils of working in roadway
25 construction, so I appreciate the help that these

1 cameras will provide and do provide.

2 But the idea of sharing the revenue
3 with our local communities is one that I can
4 certainly appreciate and get behind. And
5 certainly in a way that is thoughtful, given the
6 fact that our local communities are not sharing
7 in the expense of deploying these cameras but are
8 simply receiving the revenue for having hosted
9 the construction project and those cameras.

10 Madam President, I vote aye, and I
11 thank the sponsor for the bill.

12 Thank you.

13 ACTING PRESIDENT MAYER: Senator
14 Martins to be recorded in the affirmative.

15 Senator Borrello to explain his
16 vote.

17 SENATOR BORRELLO: Thank you,
18 Madam President.

19 I do also want to rise and thank the
20 sponsor for this bill and the bill previously,
21 which I also supported.

22 You know, the bottom line, this is
23 about the safety of our workers. I have many
24 friends and family that work on the Thruway and
25 in DOT. In fact, my cousin Frank Borrello was

1 just recently involved in an incident with a
2 construction issue, a construction accident,
3 unfortunately.

4 So this is first and foremost about
5 safety. It's about the safety of our workers,
6 and that is our primary responsibility. And I'm
7 happy that we're going to do this revenue share,
8 but ultimately this is first and foremost about
9 protecting those people that are out there every
10 day working hard to make sure our roadways are
11 usable and passable.

12 So I vote aye. Thank you.

13 ACTING PRESIDENT MAYER: Senator
14 Borrello to be recorded in the affirmative.

15 Senator Kennedy to explain his vote.

16 SENATOR KENNEDY: Yeah, thank you.

17 Again, Madam President, I want to
18 thank my colleagues for their questions, and I
19 want to thank my colleagues for the support.

20 I want to recognize our
21 Majority Leader, Andrea Stewart-Cousins, for
22 bringing this bill to the floor.

23 I want to thank our Comptroller,
24 Tom DiNapoli, and his team for working with
25 myself and my office in crafting this legislation

1 to make sure that the municipalities that are
2 adjudicating these work-zone speed violations are
3 actually getting the revenue to help the
4 community deal with worker safety.

5 And this is all about worker safety.
6 This is about protecting those that are on the
7 job, an already dangerous job, as recognized by
8 the loss of a worker today, Brett Decker out in
9 Western New York, a 45-year-old who was out doing
10 his job, and he's not going home. Just in the
11 last 24 hours. It's a sad day here in New York
12 State. It's a reminder that the work that we're
13 doing here is important and life-saving.

14 And these work-zone speed cameras on
15 the Thruway and on DOT thoroughfares that have
16 already found thousands of violations, just out
17 of the gate, and the goal being to slow and calm
18 traffic down through work zones, to keep our
19 workers safe and to create new habits here in the
20 State of New York. When you're coming upon a
21 construction site, you've just got to slow down.

22 ACTING PRESIDENT MAYER: Can we
23 have some order so we can hear the Senator,
24 please.

25 SENATOR KENNEDY: Thank you,

1 Madam President.

2 When these speed cameras are
3 catching drivers going 99 miles an hour, or
4 dozens upon dozens going over 80 miles an hour,
5 in work zones that you've got to figure are at
6 the most 55, if not 45 or less, in active sites
7 where men and women are out there trying to help
8 our community, that's just wrong. It's wrong,
9 and it needs to be dealt with.

10 We dealt with it with the cameras.
11 It's working. I am proud that this legislation
12 will help the communities continue to enhance
13 worker safety through this initiative. And I
14 proudly vote aye.

15 ACTING PRESIDENT MAYER: Senator
16 Kennedy to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: In relation to
19 Calendar Number 1680, voting in the negative:
20 Senator Weik.

21 Ayes, 60. Nays, 1.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 SENATOR GIANARIS: Madam President.

25 ACTING PRESIDENT MAYER: Senator

1 Gianaris.

2 SENATOR GIANARIS: Our colleagues
3 across the aisle have been good enough to remove
4 their lay-asides on Calendar Number 1692 and
5 1697. Can we restore those to the
6 noncontroversial calendar and take them up,
7 please.

8 ACTING PRESIDENT MAYER: The bills
9 are restored to the noncontroversial calendar.

10 The Secretary will read.

11 THE SECRETARY: Calendar Number
12 1692, Senate Print 6649, by Senator Gianaris, an
13 act to amend the Penal Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 1692, those Senators voting in the

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

6 Ayes, 40. Nays, 21.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1697, Senate Print 6748, by Senator Gianaris, an
11 act to amend the General Business Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

14 THE SECRETARY: Section 10. 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: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1697, those Senators voting in the
23 negative are Senators Ashby, Borrello,
24 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
25 Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads,

1 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

2 Ayes, 43. Nays, 18.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 Senator Gianaris, that completes the
6 reading of today's supplemental calendar.

7 SENATOR GIANARIS: Is there any
8 further business at the desk?

9 ACTING PRESIDENT MAYER: There is
10 no further business at the desk.

11 SENATOR GIANARIS: Move to adjourn
12 until tomorrow, Thursday, June 8th, at 1:00 p.m.

13 ACTING PRESIDENT MAYER: On motion,
14 the Senate stands adjourned until Thursday,
15 June 8th, at 1:00 p.m.

16 (Whereupon, the Senate adjourned at
17 8:47 p.m.)

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