NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:11 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

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

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

ACTING PRESIDENT MAYER: Today's invocation will be delivered by Tadodaho Sid Hill, President of the Six Nations Confederacy.

TADODAHO SID HILL: You can all be seated when we do this.

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

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

as far as Oneida, Wisconsin.

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

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

(Laughter.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you.

(Standing ovation.)

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday,

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

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

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

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

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

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

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

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

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

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

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

Senator Webb moves to discharge,

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

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

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

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

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

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

the identical Senate Bill 5744, Third Reading Calendar 1506.

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

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

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

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

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

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

Senate Bill 6897, Third Reading Calendar 1535.

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

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

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

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

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

Senator Persaud moves to discharge,

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

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

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

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

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

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

Senator Rivera moves to discharge,

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

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

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

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

ACTING PRESIDENT MAYER: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Madam President.

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

ACTING PRESIDENT MAYER: The Secretary will read.

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

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

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

SENATOR GIANARIS: I offer the following amendments.

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

Senator Gianaris.

SENATOR GIANARIS: Please recognize Senator Lanza.

ACTING PRESIDENT MAYER: Senator Lanza.

SENATOR LANZA: Thank you, Senator Gianaris.

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

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

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

Senator Gianaris.

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

resolution.

ACTING PRESIDENT MAYER: The Secretary will read.

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

ACTING PRESIDENT MAYER: Senator Cleare on the resolution.

SENATOR CLEARE: Thank you, Madam President.

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

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

Harry Belafonte shares a special

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

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

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

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

Belafonte's relentless commitment to

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

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

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

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

ACTING PRESIDENT MAYER: Thank you, Senator Cleare.

Senator Ramos on the resolution.

SENATOR RAMOS: Thank you, Madam President.

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

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

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

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

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

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

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

I vote aye on the resolution.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Ramos.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

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

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

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

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

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

So I just want to say, to the

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

I vote aye, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Bailey.

Senator Serrano on the resolution.

SENATOR SERRANO: Thank you very much, Madam President.

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

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

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

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

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

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

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Serrano.

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

Please rise and be recognized.

(Standing ovation.)

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

Senator Gianaris.

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

ACTING PRESIDENT MAYER: The Secretary will read.

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

ACTING PRESIDENT MAYER: Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you, Madam President.

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

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

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

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

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

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

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

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

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

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

And that extended, again, through

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

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

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

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

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

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

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

Thank you so much, and I proudly vote aye.

ACTING PRESIDENT MAYER: Thank you, Senator Fernandez.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I vote aye, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Bailey.

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

Please rise and be recognized.

(Standing ovation.)

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

Senator Gianaris.

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

ACTING PRESIDENT MAYER: The Secretary will read.

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

ACTING PRESIDENT MAYER: Senator Palumbo on the resolution.

SENATOR PALUMBO: Thank you, Madam President.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

And their co-advisors, Christine

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

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

ACTING PRESIDENT MAYER: Thank you, Senator Palumbo.

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

Please rise and be recognized.

(Standing ovation.)

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

Senator Gianaris.

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

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

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

Senator Gianaris.

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

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

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

The Secretary will read.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Thomas to explain his vote.

SENATOR THOMAS: Thank you, Madam President.

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

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

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

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

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

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

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

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

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

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

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

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

I vote in the affirmative.

Thank you.

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

Senator Murray to explain his vote.

SENATOR MURRAY: Thank you, Madam President.

First let me start by thanking my

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you.

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The bill is passed.

(Standing ovation.)

ACTING PRESIDENT MAYER: The Secretary will read.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 50. Nays, 12.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The

resolution is adopted.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR SERRANO: Lay it aside for the day.

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

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 42. Nays, 17.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 843, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Griffo, Lanza, Oberacker, Rhoads, Tedisco, Walczyk and Weik.

Ayes, 50. Nays, 9.

ACTING PRESIDENT MAYER: The bill is passed.

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

Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Addabbo to explain his vote.

SENATOR ADDABBO: Thank you, Madam President.

Good afternoon, everyone.

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

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

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

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

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

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

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

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

Announce the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 50. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Madam President.

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

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

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

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

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

Thank you.

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

Announce the results.

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

Ayes, 40. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 52. Nays, 9.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Scarcella-Spanton, Skoufis and Webb.

Ayes, 52. Nays, 9.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 41. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 40. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 59. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Madam President.

I'm very proud to carry this

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

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

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

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

wildlife for no substantive reason.

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

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

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

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

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

Senator Oberacker to explain his vote.

SENATOR OBERACKER: Thank you, Madam President.

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

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

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

such organizations.

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

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

So thank you.

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

Announce the results.

THE SECRETARY: In relation to

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

Ayes, 46. Nays, 15.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 57. Nays, 4.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1171, voting in the negative: Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1175, voting in the negative: Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill

is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

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

Ayes, 40. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

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

Ayes, 50. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Serrano.

SENATOR SERRANO: Thank you,

Madam President.

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

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

SENATOR SERRANO: And we can continue with the calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

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

Ayes, 60. Nays, 1.

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

The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 51. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1442, voting in the negative: Senator Palumbo.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1445, Senate Print 7453, by Senator Addabbo, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1446, Assembly Bill Number 7380, by Assemblymember Thiele, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

act to amend the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 58. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 50. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

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

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Mannion to explain his vote.

SENATOR MANNION: Thank you, Madam President.

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

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

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

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

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

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

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

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

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

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

I proudly vote aye.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

SENATOR GIANARIS: The bill is passed.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 1539, voting in the negative: Senator Walczyk.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 45. Nays, 16.

ACTING PRESIDENT MAYER: The bill

is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Madam President.

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

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

revitalization.

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

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

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

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

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1543, Assembly Bill Number 7368A, by Assemblymember Magnarelli, an act enacting the Syracuse Regional Airport Authority Design-Build Act.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1543, voting in the negative: Senator Walczyk.

Ayes, 60. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 1544, Assembly Bill Number 7292, by Assemblymember Stirpe, an act to amend the Economic Development Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill

is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1548, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Lanza, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 45. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to

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

Ayes, 41. Nays, 20.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 1552, Assembly Bill Number 3381A, by Assemblymember Woerner, an act to amend the Real Property Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1557, Assembly Bill Number 7661, by Assemblymember Wallace, an act to amend Chapter 363 of the Laws of 2010.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1557, voting in the negative: Senator Lanza.

Ayes, 60. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

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

Ayes, 53. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1559, those Senators voting in the negative are Senators Ashby, Borrello, Griffo, Helming, Ortt, Stec, Tedisco, Walczyk and --

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

Ayes, 50. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

act to amend the Cannabis Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

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

Ayes, 59. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR GIANARIS: Thank you.

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

ACTING PRESIDENT PERSAUD: The Secretary will read.

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

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

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

Senate Print 1931B, by

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Public Authorities Law;

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

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

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

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

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

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

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

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

of Transportation to conduct a traffic and planning study;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Senate Print 7081, by

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

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

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

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

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

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

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

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

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

Education Law;

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

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

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

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

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

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

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

Senate Print 7454, by

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

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

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

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

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

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

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

Senate Print 7541, by

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

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

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

Senator Gianaris.

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

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

ACTING PRESIDENT PERSAUD: The Secretary will read.

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

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

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

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

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

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

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

Calendar 1686.

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

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

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

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

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

Senator Kavanagh moves to discharge,

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

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

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

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

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

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

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

ACTING PRESIDENT PERSAUD: So ordered.

Senator Gianaris.

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

ACTING PRESIDENT PERSAUD: The Secretary will read.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1621, those Senators voting in the

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

Ayes, 41. Nays, 20.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1628, Senate Print 1078A, by Senator Gounardes, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1628, voting in the negative: Senator Walczyk.

Ayes, 60. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 1663, Senate Print 1931B, by Senator Bailey, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

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

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

I vote aye, Madam President.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1664, those Senators voting in the negative are Senators Ashby, Borrello,

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

Ayes, 41. Nays, 20.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

THE SECRETARY: Calendar Number 1666, Senate Print 2314, by Senator Skoufis, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

Calendar 1667 is high and will be

laid aside for the day.

THE SECRETARY: Calendar Number 1668, Assembly Bill Number 2307A, by Assemblymember Lupardo, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1669, Senate Print 2695B, by Senator Harckham, an act to amend the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1669, voting in the negative: Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1670, those Senators voting in the

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

Ayes, 43. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Hinchey to explain her vote.

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

ACTING PRESIDENT PERSAUD: Oh, sorry.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1675, Assembly Bill Number 6806, by Assemblymember Pheffer Amato, an act to amend the Civil Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill

is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1677, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Oberacker, Rhoads, Tedisco and Walczyk.

Ayes, 53. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1678, Assembly Bill Number 6941, by Assemblymember Bronson, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1678, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Griffo, Martinez, Oberacker, Persaud, Tedisco, Walczyk and Weik.

Ayes, 53. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1679, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Rhoads and Walczyk.

Ayes, 57. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 1681, Assembly Bill Number 5781, by Assemblymember Magnarelli, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

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

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

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

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

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

With that, I vote aye. Thank you.

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

Senator Rolison to explain his vote.

SENATOR ROLISON: Thank you, Madam President.

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

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

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

And Cheryl actually came to an event

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

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

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

devastating to the victims that are left behind --

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

SENATOR ROLISON: Yes, Madam President.

Again, I want to thank you all.

ACTING PRESIDENT PERSAUD: How do you vote?

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

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

ACTING PRESIDENT PERSAUD: Thank you, Senator Rolison.

Senator Rolison to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

for its powers and duties.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: In relation to Calendar Number 1686, voting in the negative: Senator Martins.

Ayes, 60. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

Alcoholic Beverage Control Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

Vehicle and Traffic Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

SENATOR LANZA: Lay it aside.

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

ACTING PRESIDENT PERSAUD: Calendar Number 1691.

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

ACTING PRESIDENT PERSAUD: Please restore Calendar 1691.

The Secretary will read.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to --

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Senator Gianaris.

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

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

ACTING PRESIDENT PERSAUD: Yes.

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

ACTING PRESIDENT PERSAUD: The Secretary will read Calendar 1691.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1691, those Senators voting in the negative are Senators Borrello and Palumbo.

Ayes, 59. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Oh, and Senator Martinez.

Ayes, 58. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

SENATOR LANZA: Lay it aside.

(Laughter.)

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

THE SECRETARY: Calendar Number 1693, Assembly Bill Number 7007A, by Assemblymember Bichotte Hermelyn, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

THE SECRETARY: Calendar Number 1700, Assembly Bill Number 7274, by Assemblymember Blumencranz, an act to amend the Village Law and the Public Officers Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

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

Ayes, 59. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1703, Assembly Bill Number 5969, by Assemblymember Williams, an act to amend the Real Property Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 71.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Sixty-one, excuse me.

(Laughter.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1704, Senate Print 7038, by Senator Harckham, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1704, voting in the negative: Senator Griffo.

Ayes, 60. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1710, Senate Print 7295A, by Senator Hinchey, an act to amend the Cannabis Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

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

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

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

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

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

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

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

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

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

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

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

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

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

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

This has been an embarrassment

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

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

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

Thank you.

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

Right, Senator Borrello, affirmative?

SENATOR BORRELLO: Yes, Madam President.

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 53. Nays, 8.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill

is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1718, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1721, Senate Print 7454, by Senator Martinez, an act to repeal Title 16 of Article 8 of the Public Authorities Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect December 31, 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1722, Assembly Bill Number 6996, by Assemblymember Wallace, an act to amend the

Education Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 41. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

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

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

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

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

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

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

SENATOR HOYLMAN-SIGAL: Yes, Madam President.

ACTING PRESIDENT MAYER: The

sponsor yields.

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

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

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

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

And the reason is because there is

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

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

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

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

Do you know why those crops are

grown in New York State?

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

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

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

planting, as well as protecting human health.

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: I think if we go back to the years before these seeds were used, you'll find that pesticides were present in a lot of -- unfortunately, in a lot of folks because of the heavy use.

And farmers don't want to use pesticides. That's why these seeds are so important.

But I still didn't get an answer to my question. You said that there's no loss in crop yields without the use of neonicotinoids. What would we have to use instead of neonicotinoids, according to what data you have, to ensure that there is no crop loss?

SENATOR HOYLMAN-SIGAL: We have a

number of safe harbors -- through you, Madam President, a number of safe harbors built into this bill. In fact, we worked closely with advocates on a new version of this bill. I wish it were called the B print, but it's just an A print.

(Laughter.)

SENATOR HOYLMAN-SIGAL: That said, the A print of this bill allows -- well, actually directs the DEC and -- the DEC, in consultation with Ag & Markets, to determine whether viable alternatives exist. And we know that there is one called diamides, which is being used in the jurisdictions that I mentioned earlier.

We think -- not just diamides, but we think that New York, taking this step forward with this legislation, will encourage other development of insecticides, in addition to diamides. But let's just put diamides on the table as an alternative now that, pursuant to this legislation, DEC and Ag & Markets will be directed to study.

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

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: So you're saying that that particular pesticide will replace neonicotinoids. Do we have anything to prove that? Or is this something unproven which ultimately means that DEC is going to have to study it?

And in fact there is a study going on right now, there is a study going on that's in the second year of its three-year run in Central New York that has not been completed.

So as a result, since you really don't have I think a firm answer to that, don't you think we should complete this three-year study, which is only in its second year of three years?

SENATOR HOYLMAN-SIGAL: Through you, Madam President, our A print of this bill allows time for that study, which we expect to be completed in two years.

This bill does not take effect, in full force, until 2027.

And I'll add that in Canada, neonicotinoid use as an insecticide by farmers has been reduced down to less than 5 percent -- and 2 percent, in most cases -- and they have moved to diamides. And we, again, believe with New York taking this step forward, other alternatives will be produced and studied pursuant to the bill.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: So you're saying diamides has been moved -- Canada has gone to it. We have a lot of other states, the Midwest, everywhere else, that are heavy in corn and soybean and wheat. You know, obviously Canada is further north, and that means that certainly changes the climate with which certain things can be grown.

I'm not sure exactly, but I'm going to assume that they don't have the production --

I know for a fact that they don't have the production that we have here in the United States.

So why have no other states, then, gone to diamides if it's such a cure-all?

SENATOR HOYLMAN-SIGAL: Through you, Madam President, I think it is partially due to market forces and availability. Which we're trying to disrupt with this legislation, because we know about the dangers of this insecticide to both our pollinators and human health.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: So you talk about the danger to our pollinators. Has there been any reported incidents of bee kills in New York that are finding neonicotinoids as the culprit? I mean, do we have any hive studies, anything that can point to that as being an issue? Do we have any evidence?

SENATOR HOYLMAN-SIGAL: Through you, Madam President. Well, I mean, I welcome you to peruse the 431-page study by Cornell University, "Neonicotinoid Insecticides in New York State: Economic Benefits and Risks to Pollinators," which both shows the impact on bee colonies -- which, by the way, last year was the second-worst year recorded on -- for bees. Some call it an insect apocalypse.

And I've just been informed by my trusty colleague that Canada and the UK, in their studies, have made a direct link between neonicotinoid insecticides and bee colony collapse.

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

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: Do you continue to yield?

The sponsor yields.

SENATOR BORRELLO: Yeah, I understand the UK and Canada, but I asked about New York. And I didn't get an answer there, so I'm going to assume that means there aren't any studies or any evidence to suggest that there's

been any loss.

But you referenced this study from Cornell, it's a very thick file there. Was that a peer-reviewed study?

SENATOR HOYLMAN-SIGAL: Through you, Madam President. If I could just go back to your original question, I'm swimming in studies over here, Senator. So come to my library and we can review them together.

But I just wanted to go back to your point about are there any U.S. studies. And I remember that question a couple of years ago by one of your colleagues, who urged us to wait until the EPA competed its study on neonicotinoids. Which we ended up doing -- not by choice, but of course we didn't pass the bill two years ago.

But since then, the EPA has in fact published that study that our colleague was requesting, and it shows the negative impact on 200 endangered species, establishing the link that we're talking about here between neonicotinoids and its harm to living organisms: Birds, bees, who are pollinators -- which are pollinators, animals, endangered species, and

humans.

Now, your question was specifically about the peer review by the Cornell study. Well, you know, I think Cornell University and its Department of Agricultural Studies is one of the foremost in the country. So I don't know if anyone here would want to question Cornell, especially it being a -- such an outstanding academic institution.

But this is a review of peer-reviewed studies.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: Are you familiar with Dr. Elson Shields of Cornell?

SENATOR HOYLMAN-SIGAL: Yes. And I believe that is a non-peer-reviewed study.

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

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

SENATOR BORRELLO: Well, the one that you just pointed to is not a peer-reviewed study either.

More importantly, what he has said is that -- and again, Cornell, as you said, you know, the undisputed authority on all things agriculture in New York State, Dr. Shields said that the -- according to him, the feed corn maggot is one of the biggest pests that will infect corn and others, and that's going to lead to anywhere from a 40 to 50 percent loss in crop yields as a result of not using neonicotinoids.

On top of that, you know, the suggested damage is going to cost a lot of money to try to overcome with our farmers. And it could be in some cases, you know, really devastating financially for our farmers.

So, you know, Dr. Shields says -- what he says, there's actually a study that he conducted here in New York State. So what do we -- what are we going to do to ensure that this seed corn maggot isn't going to be a problem for our farmers here in New York State, according to

Dr. Shields?

SENATOR HOYLMAN-SIGAL: I've been called worse, by the way.

(Laughter.)

SENATOR HOYLMAN-SIGAL: But the -- through you, Madam President. My response is that's one study. I think it's an outlier. We have dozens of others pointing to the dangers of neonicotinoid use.

And that said, the DEC commissioner, in consultation with Ag & Markets, will release its own review over the next two years. And I'm sure they'll speak to this researcher and hopefully draw the conclusion that we are advocating for, which is that these insecticides are dangerous and need to be curbed in our agricultural industry.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Hoylman-Sigal, for that.

You know, it's always funny, to represent thousands of farmers, for me to have a

debate with someone from Manhattan about what we should do for farmers.

That notwithstanding, I do believe you're sincere in your concerns. So thank you. But they are misguided.

There's a number of things here. The study that Senator Hoylman-Sigal continues to reference was in 2020. It actually says that neonicotinoid insecticides in New York State -- it finds the alternatives for the control of pests to be less effective, more hazardous and more costly than neonicotinoids.

The answer I couldn't get from my colleague was the fact that the alternative, if we're going to maintain these yields, is to dump hundreds and hundreds and thousands of gallons of pesticides, like we used to do in the old days, on top of corn and soybeans and everything else, in order to ensure that we can get those same crop yields. And that's not good for -- it's not good for the environment. It's certainly not good for our pollinators. And it's not good for human health.

So we're going to go backwards in so many ways if we do this. And I think what's

missing here is the understanding that our farmers are good stewards of the land and their crops. It's good business for them to be as judicious as possible in what they use. And if we take this tool away from them, they're going to have to resort back to methods that we used decades ago that are hazardous, that we know that they're hazardous.

But beyond that, there is -- this is not just affecting farmers. This is also going to impact other areas, other industries. I've heard from folks that, you know, maintain golf courses that these neonics are going to be banned somehow by this bill, and they're very concerned about that.

We have championship golf courses in New York State. The PGA is at Oak Hill in Rochester. Next year it's coming down to Bethpage on Long Island. And I've been told by the folks that represent all of those golf courses that they fear that they will not be able to maintain, you know, that championship-quality-level golf course without that.

But on top of that, what we're really concerned about here is trying to really

control something and make the solution worse than the disease, so to speak.

We are going to tell our farmers that you're going to dump thousands more gallons, which is not good for the environment, certainly not good for climate change, all those other things, in order to mitigate a seed that is micro-coated with a very tiny amount of pesticide. Which has proven time and time again to be effective.

And quite frankly, this study, this Cornell study, is just a lot of Google searches about other studies from other states and other countries. It's not an actual, real peer-reviewed study.

One of the studies is currently underway, as I referenced earlier, here in Central New York. It's the second year of three years. Now, I realize that there is some time here. But the bottom line is this is going to go into place regardless of what this study finds, unless some kind of action to reverse it were to take place. And that's unlikely to happen, I think we all know that. Because the forces at work here, the people that really don't want this

method to be used, are people that quite frankly they really don't care about our agriculture industry here in New York State. They don't care about those impacts. They are very focused on their special interests here.

I think we all understand and appreciate what our farmers need to do to protect those pollinators. Those pollinators are critically important to their business, to their lifestyle, their life, their farms. They do not want to hurt those pollinators. And there are many other things that are impacting them that have nothing to do with manmade things like neonicotinoids. It has everything to do, you know, with predators and diseases and other things that are actually taking the lives of our pollinators.

So this is the idea of we're going to try and find -- do something, and doing something is better than doing nothing to solve a problem. But this isn't going to do it. We're missing the target here, and it's going to harm, greatly harm agriculture.

And I would strongly encourage all of my colleagues to vote no on this one.

Thank you.

ACTING PRESIDENT MAYER: Senator Palumbo, why do you rise?

SENATOR PALUMBO: Thank you, Madam President.

Would the sponsor yield for just a couple of quick questions, please, following up.

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: Senator Hoylman-Sigal, do you rise -- do you rise? Do you --

SENATOR HOYLMAN-SIGAL: I both rise and say yes.

ACTING PRESIDENT MAYER: Do you stand for a question.

The Senator agrees.

SENATOR PALUMBO: Thank you, Senator.

As I'm looking through the bill, I saw that the commissioner has a -- has the ability to -- I just want to find the exact section. But the commissioner has the ability to override in the event there's an environmental emergency, is that correct?

SENATOR HOYLMAN-SIGAL: Through

you, Madam President. The commissioner can override the emergency for turf and ornamentals, and he can suspend the ban for, say, seeds if there is -- basically if there's not adequate supply.

SENATOR PALUMBO: If there's not -- I'm sorry, if there's nothing -- what's not applied?

SENATOR HOYLMAN-SIGAL: An adequate supply of seeds.

SENATOR PALUMBO: Oh, I see.

SENATOR HOYLMAN-SIGAL: Or economic hardship for the farmer.

SENATOR PALUMBO: Thank you. Would you yield for another question, please.

ACTING PRESIDENT MAYER: Does the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator. And through you, Madam President. Because I see -- and this is the only reason why I wanted to clarify this, because the dinotefuran, if I'm saying it correctly, it's my

understanding that that chemical is virtually the most effective and one of the very few that can control the spotted lantern fly.

And in my district, that's an environmental emergency. Our wineries are getting destroyed. It's a voracious invasive fly that is terrorizing and causing literally millions of dollars in damage.

So in the event that the commissioner agrees with my assessment that it's an environmental emergency, it certainly could suspend the effects of this statute for the purposes of that farming industry so that they don't lose all of their crops.

Is that accurate?

SENATOR HOYLMAN-SIGAL: Through you, Madam President. Just to be clear, this bill before us does not apply to anything but wheat, corn and soybean seeds. It would not have any impact on wineries in your district.

SENATOR PALUMBO: Thank you, Chairman.

On the bill, Madam President.

ACTING PRESIDENT MAYER: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you, Madam President.

And I do appreciate the clarification, because that's very important to my district. Many people don't realize Suffolk County I believe is still number one in ag production in this state. They don't realize how rural it is out by me.

And these are the types of things that we need to make sure that it's understood clearly that these types of -- this particular ban is narrow in scope. The commissioner does have some discretion in the event it adversely affects some of our farming industries.

So this is a close call for me, Madam President, and I will be voting in the affirmative. But thank you.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Mannion to explain his vote.

SENATOR MANNION: Thank you, Madam President. And thank you to Senator Hoylman-Sigal and Senator Harckham and all those that have participated in this process in trying to make sure we get to our best place as it relates to this bill in agriculture.

In New York State we're very blessed -- in this country we're very blessed because we have the ability to grow our food, get it to market in an affordable manner.

On behalf of the farmers, they are pro-pollinator. They are scientists. And farming is challenging work. And there are multiple variables along the way that can throw our crop yields out of normalcy. It's not just financial hardship that would fall on farmers, it's literally our food supply. And a word we use in this chamber frequently is resiliency. We need resiliency for our food supply.

As a former science teacher, as an

AP biology teacher who taught at the college level, who taught at the cellular level based in biochemistry, who taught ecology and plant reproduction and enzyme and protein inhibitors, using that science background, I must say when we talk about what our farmers need to do to make sure that we have a resilient food source, neonics are a part of that.

They have perfected this process over time. There's a minimal amount of coating on the seed, and the exhaust is expelled in the ground. And the alternatives, as was stated before, can be more negatively environmentally impactful. And those environmental emergencies will occur, and we will need to go down that road.

I do appreciate our work in this. When we hear the stories of a decreasing bee population, none of us want that. Senator Hoylman-Sigal does not want that, and that's why this is his mission to move forward.

But I cannot emphasize enough that farmers are pro-pollinators. There is no other way to create a soybean if you eliminate the bee from the equation. The plant organ, the sexual

organ of the plant is the flower, and the flower becomes the fruit, which is the soybean. And also the blackberry.

I vote nay.

ACTING PRESIDENT MAYER: Senator Mannion to be recorded in the negative.

Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you very much, Madam President.

First I want to thank Senator Hoylman-Sigal for his excellent work on this. And I want to thank him for his willingness to compromise on this bill and work with several members of this chamber.

You know, in a lot of circles, both on the left and the right, compromise has become a dirty word. I think that's what we're paid to do, is to compromise, to build consensus and find the best way forward. I want to thank you and many of the colleagues from this chamber.

I agree with Senator Borrello, I agree with my friend Senator Mannion that farmers are indeed the best stewards of the land. And this legislation is no indictment of our farmers.

But throughout our history, industry creates products that are supposed to be the next great elixir, and then years down the road we find there are issues. And this is one of those products.

And I agree with Senator Hoylman-Sigal that this -- I think we really did a disservice with the name Birds and Bees. This is greatly about human health. Neonics, there is an extensive body of research that shows this chemical is harmful to human health -- aside from the fact there's a direct nexus to the bee population decline and the bird population decline.

We've lost 25 percent of bird species throughout the world in the last decade -- that's billions of birds -- in large part because they're eating pesticide-coated seeds.

The last thing I want to touch on are some of the carve-outs, because those are where the compromises came in. There is discretion. And if we look at the history in Canada, they had no drop-off in yields. Less than 2 percent of the farmers applied for waivers

because of drop-off in yield. So it is very possible that this can work and will work.

And as far as the supply, we also heard that concern. New York is a $100 million seed market. So the manufacturers and the distributors of seed are not going away. That void will be filled with different seeds here in New York.

But again, we've got a ramp-up time. Senator Hoylman-Sigal has built in off-ramps and safe harbors and discretion for the commissioner. This is a much better bill than it was last year.

And finally, I just want to say that we speak about farmers as a large group who march in lockstep. We've had many farmers come into our office personally and say that they support this bill, that this is a right bill to do. We know there's a larger voice in the Farm Bureau and other folks doing their job. They do it well. But I don't want to leave here with the impression that every single farmer in New York State opposes this bill.

So thank you, everyone, for your great work. I'm proud to vote aye.

ACTING PRESIDENT MAYER: Senator

Harckham to be recorded in the affirmative.

Senator Helming to explain her vote.

SENATOR HELMING: Thank you, Madam President.

I rise to explain my vote on this bill, known as the Birds and Bees Protection Act.

Protecting the environment is a very important priority for me. It's one of the reasons why I entered public service. But I really, truly believe -- I believed it when I read the bill, but I believe it even more after listening to the debate and some of the comments that have just been offered, that the bill before us really does nothing to protect our environment.

The bill language itself states that if there are no seed alternatives ready to market, then the commissioner of the DEC, in consultation with the commissioner of Ag & Markets can essentially put the provisions aside indefinitely. They can be put aside forever.

Farmers have told us again and again that there are no seed alternatives currently available. And you know what? It's not just the farmers who are saying this. The study that the

bill's sponsor mentioned during his debate goes on to acknowledge this same fact.

As far as the report that the DEC will be issuing, I certainly support that research and I look forward to the results. The DEC, in consultation with Ag & Markets and industry experts, needs to identify practical and feasible alternatives. I feel that we are very lucky in this state to have an incredible research facility like the Cornell Center of Excellence to help facilitate this.

But in the meantime, I have to ask everyone, haven't we put our farmers through enough? Haven't they been through enough? To me, it's irresponsible to jeopardize our crops and dairy feed and to jeopardize the operations and viability of one of our state's most vital industries, one of our state's largest employers.

In my district, agriculture is the backbone of our economy. I have over 200 family dairy farms in my district. We all know, we just celebrated a couple of days ago June is Dairy Month. We heard so many nice platitudes about farmers. But yet when it's time -- when the rubber hits the road and it's time to make a

decision whether to support them or not, we try and put forward bills like this that do nothing to help them, only hurt them.

Farmers have told me this bill puts their businesses, their crops and their animals in danger, and I certainly believe that they know better than we do, and we should be listening to them.

I will be voting no, Madam President.

ACTING PRESIDENT MAYER: Senator Helming to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1135, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, Mannion, Oberacker, O'Mara, Ortt, Rolison, Stec, Walczyk and Weber. Also Senator Tedisco.

Ayes, 47. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Also Senators Stec and Ashby.

Ayes, 45. Nays, 16.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Senator Oberacker, why do you rise?

SENATOR OBERACKER: Thank you, Madam President. I was wondering if the bill sponsor would answer a couple of questions, please.

ACTING PRESIDENT MAYER: Senator Ryan, will you yield?

SENATOR RYAN: Yes, I will.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR OBERACKER: Thank you, Madam President.

And my apologies to my colleague that his view of my debate will be less than formidable. So my apologies there.

But through you, Madam President. Senator, could you just give me kind of a brief of what this bill is intended to accomplish?

SENATOR RYAN: Through you,

Madam President, yes.

We've seen a proliferation of noncompete agreements in New York State over the last two decades. It's reckoned that over 20 percent of New York State employees are currently under some sort of noncompete. And what a noncompete does, it restricts your ability to work somewhere else in the economy once you leave the field.

So this bill will stop an employer from restraining an employee after they leave their employment.

SENATOR OBERACKER: Through you, Madam President, would the bill sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Ryan, do you yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you.

Senator, would you agree that proprietary information is an asset of a business that is worth protecting?

SENATOR RYAN: Yes. Through you, Madam President, it's a hundred percent something we should protect.

And that's why this bill specifically states that, you know, trade secrets, intellectual property law, non-solicitation agreements, are all preserved by this and not touched by the noncompete.

SENATOR OBERACKER: Through you, Madam President, would the bill sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Ryan, do you yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you.

Would you also agree that then employees are an asset worth protecting for a company?

SENATOR RYAN: Yes, they are.

SENATOR OBERACKER: Through you, Madam President, would the bill sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes, I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Thank you.

Senator, does this bill affect new agreements that are already in effect? Or would this affect just -- would this affect agreements that are already in effect, or would it affect new agreements from this point forward?

SENATOR RYAN: The bill is not retroactive. It will only affect new agreements that are entered into after the effective date of this bill. So there's no backwards look at it.

The only thing that could come close to a backwards look, Senator Oberacker, if you have a multiyear noncompete that expires during the course of employment, then that would be covered by this piece of legislation.

SENATOR OBERACKER: Through you, Madam President, would the bill sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RYAN: Yes, Madam President.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR OBERACKER: Just as a point of reference, I guess, for me an education. I have a staff that I have asked for a nondisclosure agreement when they work. Do you as well have a nondisclosure agreement with some of your staff, Senator?

SENATOR RYAN: No, I don't have -- I'm sorry. Through you, Madam President, I don't have any personal or nondisclosure agreements with any of my staff.

SENATOR OBERACKER: Thank you.

On the bill, Madam President.

ACTING PRESIDENT MAYER: Senator Oberacker on the bill.

SENATOR OBERACKER: Thank you, Senator, for your answers to the questions. I appreciate that.

You know, as a businessman -- and our business that we do is research and development, product development for food companies. I think that came out a little bit

last night, my focus on food. And the interesting part of a nondisclosure, it's extremely valuable to myself and to my company.

And I'll use the analogy, if you're familiar with Kentucky Fried Chicken. Their original recipe is actually in a safe.

Well, I want to kind of throw out a visual here. My virtual safe is my nondisclosure with employees who would be subjected to a lot of my procedures, my formulas, and my end product.

There's a cost to train these individuals. There's a cost involved as a business owner that I believe this will have a negative effect on. I as a businessperson would be somewhat apprehensive in potentially training to certain levels employees, because if they have the ability to -- which goes to my next point. The term that we would use is poaching in the industry, where an outside company is going to come in and try to steal one of my employees that carries the knowledge and the experiences that they've had with me.

So a noncompete does two things. It allows me to invest more into my employees. It also gives me a little bit of protection from

poaching from another potential company. That directly comes into income and wages. I would be remiss if I didn't say those that I have under a noncompete actually are more valuable. Therefore, they are highly compensated within my company.

Without a noncompete, I believe we're going to see lawsuits to -- when it comes to the proprietary information. And we all know that the courts are backed up enough. Hence, carrying out expensive and time-consuming processes there.

And lastly, I'll leave you with this. You know, we as legislators, we have to wait two years once we leave our service here in Albany to be considered for any type of a lobby. If that's not a noncompete, then I don't know what is.

I therefore have to, with all good conscience, vote no for this piece of legislation. Again, I think it was brought up with some intent to safeguard, but in all honesty, for a businessman such as myself, this is nothing but a negative.

I vote no, and I encourage all of my

colleagues to consider and vote no as well.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Ryan to explain his vote.

SENATOR RYAN: Thank you, Madam President.

You know, I want to thank the leader; the Labor chair, Senator Ramos, for holding a hearing with me; Senate Counsel Amanda Godkin and my counsel, Sara Lesser, for the work that they've done to get this bill to the floor.

Before I tell you, Madam Leader, what noncompetes do, let me just be clear, be

unequivocal about what they don't do.

They don't affect nondisclosure. They don't affect trade secrets. They don't affect client information. Those are all safe. They're all protected by other areas of the law.

But what they do do is allow an employee freedom to go from job to job. You know, after all, that's where most raises occur in America, is you ask for a raise, your boss says no, you go looking somewhere else.

But under the noncompete, it prevents you for looking for another job. Many times people are presented a noncompete agreement as part of their on-boarding process. They sign a lot of paperwork, they don't even know they have a noncompete until they leave.

But they can cover so many things -- geographic radius. We had a hearing and we found out from a tattoo artist that she signed a noncompete that said she can't be a tattoo artist within 20 miles of her current shop. Puts you really out of the jurisdiction.

We found out that noncompetes are applicable to people who are terminated from their position. Talked to a chiropractor from

Watertown, New York, who was terminated from her position only to find out she couldn't be a chiropractor under a noncompete within 30 miles of Watertown.

They're just not good for the economy. They create a clog. We want people to move back and forth. And we want employers to be able to hire people freely without threat of lawsuit or, once again, getting clogged up into a fight with another company about whether you can hire an employee.

As I said before, noncompetes are proliferating. They're at every level of our economy, from high-tech workers to Jimmy John Sub Shops to Avis Car Rental. They're everywhere.

But you might ask, well, is this going to affect our business? You know, is it going to make it harder for proprietary other information? California, home of Silicon Valley, has limited noncompete agreements since 1872, and I daresay their innovative economy has not suffered because of that.

So today we take a significant step forward in joining other states in the union that have banned noncompete agreements. I'm honored

to carry this extremely significant piece of legislation that I know will have a lasting impact on our state's economy and our job market.

And I proudly vote aye, Madam Speaker.

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

Senator Ramos to explain her vote.

SENATOR RAMOS: Thank you, Madam President.

I rise once again as the proud chair of the Labor Committee here in our body. This last week of session we're passing some really great labor bills. You know, my job is largely to identify any loophole and any way that unscrupulous employers put workers at a disadvantage, and then hopefully eliminate those loopholes.

And my work with Senator Ryan I think this session speaks for itself. Noncompetes, as was demonstrated in our hours-long hearing, really does do just that. It deprives workers of the freedom to leverage their talent, to seek opportunity, and to be able to provide for themselves and for their families.

I'm actually a little surprised that that these Republicans are not voting for the bill today. I mean, as true capitalists, right, you know, capitalists shouldn't just enjoy capitalism when it works for them. It's supposed to work for everyone. That's what the spirit of competition is.

So I give credit to Senator Ryan, truly, because he heard every worker who had been limited and harmed by noncompetes out. And our economy really needs workers to be able to respond in this economy as we're trying to recover since the pandemic.

Noncompetes are used to keep bad employers in business by forcing employees to stay in abusive environments and limiting their options within their industry and certainly their geographic location.

So I am proud to be voting in the affirmative for Senator Ryan's legislation.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to

Calendar 1335, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Senator Walczyk, why do you rise?

SENATOR WALCZYK: I rise, Madam President, because I'm hopeful that the sponsor would yield for a few questions this evening.

ACTING PRESIDENT MAYER: Senator Hinchey, do you yield?

SENATOR HINCHEY: I do, Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: Thanks. Through

you, Madam President.

So currently Public Service Law says utilities have six months of lookback period, they have six months to make good for a ratepayer. And you're looking to change the law to two months or 60 days, is that correct?

SENATOR HINCHEY: Through you, Madam President, yes, that's correct.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: So that with monthly billing, that would provide a grace period for the utility for an additional 30 days to that month. Am I understanding that correctly?

SENATOR HINCHEY: Through you, Madam President, yes. A utility can back-bill -- can bill two months should they not -- they should be billing every month, but if they don't,

they're able to bill two.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: The Public Service Law doesn't, however, cover nonresidential customers in the same way. But this bill is adding nonresidential customers, is that correct?

SENATOR HINCHEY: Through you, Madam President, yes we are looking to protect residents -- regular customers and businesses as well.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT MAYER: The

sponsor yields.

SENATOR WALCZYK: Why add nonresidential customers or businesses, corporations, why add them to the same section?

SENATOR HINCHEY: Through you, Madam President. These recommendations actually come from the PSC based on an audit they did of Central Hudson in my district and across much of our state. And specifically on billing issues that Central Hudson was having both with residential customers and businesses.

And so especially our small businesses, many of them are struggling, as we talk about often in this chamber, we want to support our small businesses. They also shouldn't be penalized if a utility company hasn't billed them for six months and then they get slammed with one large bill. They too should have protections to make sure that they can manage their cash flow accordingly.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: I understand the -- and you mentioned the Public Service Commission made recommendations. They've made rulings that the appropriate timeline is four months. Am I understanding that correctly?

SENATOR HINCHEY: Through you, Madam President, through the report on April 20th, they suggested two months.

SENATOR WALCZYK: Okay. And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: Would this, in addition to utility companies, also apply to municipal utilities, municipal electric companies?

SENATOR HINCHEY: Through you, Madam President, yes, it would.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: Is there any scale to that, or would it apply to every municipal electric company in the state?

SENATOR HINCHEY: Through you, Madam President, it is across the board.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: Recognizing that you've got that local issue within the Hudson Valley, how many New York State companies have made claims for late billing practices? Do

you have a general sense?

SENATOR HINCHEY: Through you, Madam President, we don't know.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: Sure.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: That's my fault, I asked a question that I didn't already know the answer to, which I know we're not supposed to do. And I was hoping you would have one, as the sponsor of this.

There is a section here where you talk about the onus being mostly on the utility company for failure to send those bills out. But there is a line about the corporation being culpable -- or conduct of the customer. Can you explain what the responsibility of the customer, ratepayer, consumer would be in that? Is it about notice of billing addresses? Or what's the -- what's the purpose of that language?

SENATOR HINCHEY: Through you, Madam President, that was already existing statute. But what that part means is if you as a customer put in your wrong address, as you cited, and the company can't contact you because you've put in the wrong information, then that is your issue.

But if the utility company is not billing, then that is not the fault of the customer. But that's already existing statute.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: And in this sort of look-back period for billing that we're changing from six months back to two months back -- an additional 30 days, really, in your billing cycle -- if those bills are large, who's going to eat the cost of that large bill?

Say you have a large energy bill

that was three or four months out, under current statute, who would eat the cost for that?

ACTING PRESIDENT MAYER: Through you, Madam President, if the lack of billing is at the fault of the utility or the corporation, no one is eating that cost.

If the fault of the back bill is based on the customer, then the customer will pay that -- what they owe. And there's also a payment plan should there need to be.

SENATOR WALCZYK: Through you, Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: Sure.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: Is there any scale to the size of customer? So could it be a large manufacturer that's leasing a space in a new space, or a large warehouse that's, you know, a cooler and very energy-intensive? Is there any scale mentioned in this legislation or in Public Service Law that I'm missing that this

would impact?

SENATOR HINCHEY: Through you, Madam President, no, there is no scale.

I mean, we're being consistent. We believe that no matter who you are, if the utility company is -- the utility has a requirement and an expectation to be billing people appropriately and accordingly every month. If they are not billing people every month, that's on them. And so regardless of if it's a business or a residential user, the -- there is no scale.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: In the final section of this legislation you incorporate something else, it's a transparency or more information included in billing, to include providing a graph and written form for the prior

two years of the customer, prior customers at the same address.

Why a look-back of two years over energy usage at any particular resident or nonresident, commercial space? Why was two years selected?

SENATOR HINCHEY: Through you, Madam President, this is actually a practice that many utility companies are already doing, but not all of them.

What we've seen is that people, especially in my district, but across our state, people have been getting inaccurate bills from their utility companies. And when they try to figure out what that bill -- they're sometimes not getting bills, and then they're getting a large lump sum and they can't figure out why they owe so much money.

There's also times when they're getting bills and it's not seemingly based on their actual usage, but they can't figure it out.

And so having historical data to be able to compare back to is an important part of this equation, so that people know why their bills are what they are. And if they're wrong,

they can dispute it.

SENATOR WALCZYK: Through you, Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: Just so that I'm understanding this right, if I buy a new home and start new service, I'll see the past two years of someone else's service in electric and gas usage, their utility usage, I'll see the prior owner's usage for the last two years. And the same question I think would apply here. If I leased a new commercial space and started a new business in the space, despite what business was in there and what they used it for prior, I would see a two-year look-back on what that business used in utilities as well? Am I understanding that correctly?

SENATOR HINCHEY: Through you, Madam President, yes. And that's actually an important piece of what we're talking about.

We've seen -- I have many constituents -- and again, people across our state have received bills that were actually based on previous owners' usage. And when they're using limited electricity but they've gotten bills, whether they were estimated bills or just inaccurate bills, based on past usage.

So to be able to see -- there's no personal information. But to be able to see what was there historically, you can be able to have a more accurate bill going forward, or dispute it should your bill, you believe, be inaccurate.

SENATOR WALCZYK: Through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: Yes, Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: So the same -- and I know I've looked at -- I've seen some utility companies in the State of New York -- and actually the state's got some good resources for

understanding your electricity bill. And many have taken to charting out some history that, I think you're right, is helpful to the consumer at times.

If we're requiring additional transparency and information to inform the consumer, will that graph or written information include electric service charges which are the charge for electric that you would use, just the straight rate for electricity?

SENATOR HINCHEY: Through you, Madam President, yes, it does include the charges.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: Will it give the basic service charge, which is the fixed cost for utilities to deliver?

SENATOR HINCHEY: Through you,

Madam President, it gives the monthly charge. Not necessarily broken out, that detail, but the total charge.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR HINCHEY: Sure.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: And if it's not broken out -- I might just save us some time and list these -- will it include the delivery charge, which is the cost from the supplier to you, the incremental state assessment, which is the state's surcharge, the system's benefit charge and the renewable portfolio standard, the tariff surcharge, the legacy transition charge, the sales tax, depending on the area of the state that you're in, the revenue decoupling mechanism, and the transmission revenue adjustment, all additional charges that we've added through legislation in these bodies. Will it include a breakdown of those so that people know how their

bill is impacted?

SENATOR HINCHEY: Through you, Madam President, I thank my colleague for not asking all of those individually as questions.

But it is the total charge, it's the total unit charge. They're not individually broken out, although, however, the person getting the bill has all those same types of charges. But it is -- they're getting -- they will see the full monthly unit charge for usage.

SENATOR WALCZYK: Madam President, on the bill. Thank you.

ACTING PRESIDENT MAYER: Senator Walczyk on the bill.

SENATOR WALCZYK: So I know the answer to a couple more questions that I have, because if we're not going to be detailing the breakdown of how much the government has forced your electric bill to go up, then you're probably not in the future going to see how much the CLCPA is costing you every single time you're charged in your utility bill, or the BPRA, the Build Public Renewables, or the HEAT act or the rate impact by decommissioning that this body continues to put forward.

I think the goals of being more transparent are laudable in allowing people to forecast their energy usage based on some history. I question, especially in commercial space, the utility in looking back two years on someone that was there prior to you that may have a completely different usage for the building than you have as a commercial tenant.

But nothing in this bill is going to save ratepayers in the State of New York any money. Nothing to address rising costs of energy. This bill really only points the finger at utilities and says they're not billing certain customers in certain instances quick enough. And if they don't do it quick enough, then they're going to have to eat the cost for not doing it quick enough.

And what that actually means is once again, if a utility has failed within 60 days, one month late -- and I get it, we expect utilities to be very responsive to customers and bill on time. But if there's nuance here and a company can get away with it, whether a warehouse or their new space or whatever happened with billing, and that can be a massive electric or

gas bill, depending on that tenant, that is going to go wholly on to the utility. That only means that that cost is displaced from a business onto ratepayers.

Currently in statute it's a six-month lookback. Which we would expect utilities to bill on time, every month. Of course we do. This is where the Public Service Commission's very important mission comes in. They need to make determinations on what's fair, on safe delivery of electric and gas in the State of New York that's fair for the ratepayers within the state, and protect them.

Our job is actually not to get involved in that relationship and do the PSC's job by micromanaging through legislation. Our job is to listen to the people of the State of New York. And what my constituents are telling me is that their energy bills are already too high and they're tremendously concerned about a lot of the legislation that's passing in this house and in the one across -- down the hall about what the future of their energy bills look like.

So I won't be supporting this one.

There's some goals in here that I think are laudable, but I won't be supporting this bill and I urge my colleagues to vote against it as well.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

I, like my colleague, believe that our job is to listen to the people of the State of New York and enact policies that will help their everyday lives. That's actually exactly what this bill does.

One of the biggest complaints that I hear in my district, and some of the most egregious constituent services that my district

office handles, is actually on horrible utility billing. That is the issue. That is the reason why the Public Service Commission put forward this audit of one of our local utilities, specifically on the mess of billing that they've created and the financial, emotional and mental harm that they've caused almost all of my constituents.

This bill is codifying what the PSC has actually suggested to do, and in many cases utility companies are already doing across the state. It makes sure that those that are not acting in the best interest of those that they serve now have to.

I also want to remind my colleague that we're talking about a public utility. This is not just a regular business, this is a public utility whose entire mission is to serve the people that they are tasked to help, providing electricity and energy to their homes.

This bill will make sure that people can actually pay their bills, pay what they owe and not pay more. And it will also help them manage their billing. Because what's happening now is people are getting very large bills that

they cannot afford at one time, through no fault of their own, because the utility company has set them up for failure.

There is a common-sense bill, and I thank my colleagues for voting for it. I thank the leader for bringing it forward. And I'm really proud to vote aye.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Hinchey to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1349, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Martins, Ortt, Palumbo, Stec, Walczyk and Weber. Also Senator Tedisco and Senator Weik.

Ayes, 48. Nays, 13.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Senator Rhoads, why do you rise?

SENATOR RHOADS: Thank you, Madam President. I'm hoping Senator Gounardes would be kind enough to yield to a few questions.

ACTING PRESIDENT MAYER: Senator Gounardes, do you yield?

SENATOR GOUNARDES: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: Thank you, Senator Gounardes.

Have you ever heard the phrase "you play like you practice"?

SENATOR GOUNARDES: Through you, Madam President, yes.

SENATOR RHOADS: And will the sponsor yield to another question.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GOUNARDES: Yes.

SENATOR RHOADS: What does that phrase mean to you? What do you understand that meaning to be?

SENATOR GOUNARDES: Through you, Madam President, I think it's, you know, pretty common, pretty obvious that we practice and we,

you know, prepare and train for moments, and then when the time is -- when the time comes, when we're playing in a game, when we're on the line, when things are real, we're able to execute on what we have practiced for.

SENATOR RHOADS: Will the Senator be kind enough to yield to another question.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GOUNARDES: Certainly.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: And we do -- as I've mentioned a couple of times in the chamber, I'm a volunteer firefighter. And volunteer firefighters, as do our police officers, as does the military, they will spend hundreds of hours practicing for the eventuality of there being a sudden emergency. So that when there's a time when we need to react and that sudden emergency occurs and that fear happens, we fall back on our training. And so we simply react, because we know what to do.

And would you agree that this particular legislation, and in fact Section 807

of the Education Law, is an opportunity for our kids to be able to practice when they're faced with a sudden emergency?

SENATOR GOUNARDES: Through you, Madam President, as a Boy Scout I appreciate the phrase "be prepared" and try to live that out throughout my daily life.

And I actually agree with Senator Rhoads that it's important that students and young people and everyone is prepared for whatever calamity they might face.

Which is why this bill -- and why I proposed this bill, because we know that the current standard and the current laws that we have in place for the last seven years are actually not doing the job that we intended them to do, that this chamber, that this body, that this Legislature intended when they put this mandate in place seven or eight years ago.

Which is why we are still requiring that every school still performs the requisite number of drills, whether it's a fire drill or a lockdown drill, and that those drills come with standards and with training and with guidance that is consistent across the state, so we can

actually take a system right now that is burdensome and ineffective, and actually help make it better. So that we can -- the fact that we have to say this, the United States of America, the only country that faces this uniquely -- unique American tragedy, to prepare students for the possibility they could be slaughtered in a classroom -- which is something that no other developed country or industrialized country in the world has to confront.

So I agree with you that we need to unfortunately train and prepare our children for this terrible, terrible possibility. And I'm proposing a better way to do it.

SENATOR RHOADS: Will the sponsor yield to another question.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GOUNARDES: Yes, Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Thank you, Senator Gounardes.

You mentioned two different types of

training. There's training for fire drills, which is encompassed within the Education Law, and there's also active shooter training drills in the eventual -- in the hopefully unlikely event that that would occur.

In your legislation, however, you're reducing the amount of that training. In fact, if I'm not mistaken, you're going from a number of 12 drills to eight. Is that correct, total?

SENATOR GOUNARDES: Through you, Madam President, that's incorrect.

What we are doing is going from -- right now current law is that there need to 12 drills a year, at least 12 drills a year, eight of which need to be fire or evacuation drills, and four of which need to be lockdown drills.

What we are proposing in this legislation is to reduce the mandate -- and by the way, New York has the highest lockdown drill mandate in the country, by mandating four of these drills. So a student entering public schools or schools today, throughout their entire school career will have to go through at least 60 lockdown drills throughout the totality of their

educational experience. That's 60 times that they're going to be simulating their potential death in a classroom, in a school, which is meant to be a safe place for students to learn, not a place to go and expect to be killed.

We are proposing instead to reduce that mandate of four to at least one, so that you have to go through at least one mandated drill, with requisite standards, with appropriate training, with trauma-informed guidance to families, with notice to parents, with accommodations made for students with special needs, special physical needs, developmental needs, emotional needs, trauma needs, et cetera.

And that school districts could, if they choose to, do more than that. But we are just saying that four is too much. At least one; maybe more, if a school or district decides to. So at the bare minimum, there would be at least nine total drills per year.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GOUNARDES: Yes,

Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: In terms of the total number of drills, however, you're reducing the total number of drills from 12 to eight. I'm reading lines 9 and 10 of your legislation.

SENATOR GOUNARDES: So through you, Madam President. Again, we are reducing it from 12 to nine. So we have the 12 drills, current law: Eight are fire and evacuation drills, four are lockdown drills to simulate students being slaughtered in a classroom.

We are saying instead, instead of the four simulated slaughters, we're going to do least one. Because we still think it's important, despite the fact that we should not be normalizing the fact that children should have to confront death in a classroom, we still think it's important that students have to at least go through the motions and learn what they should do in that eventuality.

So at least one lockdown drill. So you have the eight fire drills and evacuation drills, plus the one lockdown drill. So nine.

SENATOR RHOADS: Will the sponsor yield to another question.

SENATOR GOUNARDES: Of course.

SENATOR RHOADS: You've acknowledged, Senator Gounardes, that, again, we play as we practice. And I'm sure that you agree, the more that we practice, the better that we get, would you not?

SENATOR GOUNARDES: Through you, Madam President, that's a broad statement that I think is applicable in many areas of life. Unfortunately, in this case, in the circumstance of lockdown drills, the data does not bear that out to be true.

And we know this because there has been lots of data and lots of studies done from numerous organizations -- medical studies, psychological studies, social studies -- about the impact and effect of lockdown drills on students. And there is no data whatsoever to show that the more times you simulate being slaughtered in the classroom, the more prepared you are for that -- hopefully never -- eventuality.

What the data does show is that some

students learn they have to quickly turn off the light, they have to quickly lock a door. But other students say that they actually don't retain that information because these drills, mind you, are deeply traumatizing to these young people. Imagine being a five-year-old or an eight-year-old who has to be taught, four times a year, you have to stay quiet, you cannot sneeze, you can't giggle, you can't knock your water bottle. You can't go to the bathroom, you have to hold it in. You can't whisper. You can't do this.

Hearing that over and over again, the data shows, the science shows -- and this, by the way, is science that's confirmed by the American Academy of Pediatrics, which confirms all this, that most children, especially younger children, are not able to effectively retain that information. And so just by -- you know, we all learned cursive by doing it over and over and over again and drilling into our heads how to write in cursive.

That doesn't apply, that principle does not apply when it comes to lockdown drills. Which is again why we're not getting rid of them.

We're saying, don't overly burden these young people with this. Do one, and have it be up to the best standards possible.

Because right now there is no consistency, there are no standards whatsoever that apply in the State of New York. We've heard reports from some parents that the drills in their students' schools consist of no notice being given, children are told to be quiet, close the lights, and then someone will run up and down the halls, banging on doors, opening doors, trying to get into a building. No one knows what's going on.

So these kids now are sitting there trying to stifle in their tears, thinking that they might be killed. That is in no way, no way whatsoever, a way to help prepare kids for this eventuality.

Which is why we are proposing trauma-informed standards, uniform standards consulted with law enforcement, school resource officers, school psychologists, social workers, gun violence response experts. Have these standards be consistent, allow -- give parents notice in advance so that parents know what is

going on.

I was just talking with Senator Kennedy here and we were discussing this very issue -- not to put you as an example, Senator Kennedy. He said he got an email from his school saying in one week his students -- his children are going to have two drills in one week. That is not a way to prepare kids, to keep them safe.

We know there is a better way to keep kids safe, and this is not it. And by the way, this is not meant to disparage the intent by which this mandate was enacted seven years ago, because I think it's a very natural desire as parents, as people in public trust and public authority, to want to do whatever we can to keep kids safe, especially in an environment where they expect to be safe -- their schools, their classrooms.

But over time, what we have seen -- and this is actually acknowledged by the American Academy of Pediatrics in their support memo -- that the mandate that was passed in 2016 was prior to an understanding that the drills themselves induce trauma in students, and that

there is no proof that multiple drills per year create a safer, more protective environment for students or teachers.

So we're not saying get rid of them. We're saying do it at a bare minimum of once, and do it the right way. Don't scare the bejeezus out of kids so that they're crying in a classroom, they're sending text messages to their parents saying, Mom, something's going to happen, Mom, Dad, someone's in the school, I don't know what's happening, I love you.

What are we doing to our eight-year-olds? What are we doing to our five-year-olds? What are we doing to our 15- and 16-year-olds? This should not be it.

SENATOR RHOADS: Will the sponsor yield to another question.

SENATOR GOUNARDES: Absolutely, Madam President.

ACTING PRESIDENT MAYER: Will the sponsor yield?

Yes, the sponsor yields.

SENATOR RHOADS: Senator Gounardes, thank you. Somewhere in there was an answer to my question, so thank you very much. I

appreciate that.

No one is arguing, Senator Gounardes, that there cannot be some standards as to how these tests should be conducted. I mean, that makes perfect sense. My issue is with respect to the number.

And you're essentially arguing -- and this is a question, correct me if I'm wrong -- that a 25 percent reduction in the number of fire drills and a 75 percent reduction in the number of lockdown drills will somehow make kids safer in the event that there is a sudden emergency inside of a school.

SENATOR GOUNARDES: Through you, Madam President, that's incorrect.

We're not changing anything relating to fire drills or evacuation drills. Drills which, by the way, if I recall my fire drills -- I'm sure other folks can recall as well -- we didn't throw smoke bombs in hallways and teach kids how to leave school buildings with smoke bombs and simulated fires. Right? That was not how we conducted or how we conduct fire drills today in schools, or even when I was in school, and I'm sure for many of us.

Yet the reality is that many of these lockdown drills and active shooter drills oftentimes simulate actual shootings, actual people coming in, saying "Open the door, open the door," scaring kids. Sometimes even using live guns with plastic bullets, with fire and sound effects and things like that.

We're not touching the fire drills at all. So still, by law, eight fire and evacuation drills, which no one has issue with, because those are not traumatizing. And instead, on the lockdown drills, we're saying instead of saying every single student has to do this four times a year, you have to do it at least once. Either the school or the school district can decide, you know what, we think that with these new standards, we're going to do it twice a year. You have the authority, under what I'm proposing, under what's being discussed here, to do it twice a year.

What we're saying is that four times -- a mandate of four times is simply too many times.

And this issue, by the way, and this number and this reduction is not novel to

New York. Like I said, we have the highest mandate in the country. But states across the country are reconsidering their approach to lockdown drills. And a number of states, both red states and blue states, have taken on this issue, have changed their lockdown drill mandates, have reduced the number of drills, because there's no data anywhere to say "more drills equals more safety."

Not medical science, not public safety science, not any other science shows that the more number of drills you have, the safer kids are. In fact, it actually harms kids.

We have data from a national study that said that these drills report an increase, 39 percent increase in rates of depression, 42 percent increase in stress and anxiety, and 23 percent increase in overall psychological health problems faced by children who have to experience these drills, again, 60 times throughout the course of their educational experience here in the State of New York.

SENATOR RHOADS: I should ask, will the sponsor answer my question. Will the sponsor yield to another question.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GOUNARDES: I do.

And I answered your question, Senator. You asked whether we were reducing -- a 75 percent reduction in lockdown drills and 25 percent reduction in the fire drills. I said we're not touching the fire drills. And I said that the data shows that four drills is not proven to be effective. We are mandating at least one, with the option to do more.

So I do think I answered your question with some explanatory parenthetical information to help aid that answer.

SENATOR RHOADS: So to ask the question again, so I'm clear on your answer, with a 75 percent reduction -- your argument is the 75 percent reduction in the number of lockdown drills will make it safer.

SENATOR GOUNARDES: Through you, Madam President, my argument is that requiring at least one drill to be conducted -- at least one, with the option for more -- at least one to be conducted, with the appropriate standards and guidelines, is a more effective and safer way,

and smarter way, to keep kids safe than the current law, which is four drills without any standards, without any consistency, without any trauma-informed principles whatsoever.

So what this really boils down to is a matter of quality versus quantity. And so I'm proposing we have better-quality drills as opposed to more quantity of drills.

SENATOR RHOADS: Will the Senator continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GOUNARDES: Yes, Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Directing you to line 16 of your bill, which indicates that drills shall be conducted at different times of the school day, right -- if the drills are to be conducted at different times of the school day, yet there is only one drill, how are you supposed to accomplish that?

SENATOR GOUNARDES: Through you, Madam President -- or Mr. President, or whoever

is president right now --

(Laughter.)

SENATOR GOUNARDES: There's a coup. There's a coup.

(Laughter; overtalk.)

SENATOR GOUNARDES: No, I can't say that in here, sorry. Can't say that.

(Laughter.)

SENATOR GOUNARDES: Through you, Mr. President. We are actually not -- that's existing law. We are not changing any part of that law.

So that is how the law currently is, and that's how the law was written when it applied to the fire drills and evacuation drills. So that section of law applies to all of the drills that are mandated by Education Law -- fire drills, evacuation drills, and lockdown drills. And the totality of all those drills, they have to be done at different times and during different days to simulate different circumstances and environments.

SENATOR RHOADS: Will the sponsor yield to another question.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR GOUNARDES: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: Thank you, Mr. President.

You would agree that the fire drills and the lockdown drills are different. A fire drill, the goal is to get out of the building to a safe space. In a lockdown drill, the goal is quite the opposite. In many instances it may very well be to shelter in place, not to evacuate.

So you do acknowledge that there's a difference between those drills, right?

SENATOR GOUNARDES: Through you, Mr. President, you know, that's actually a complicated answer. Because there's different answers and different guidance on that, according to different experts.

And that's why one of the big problems we have here in New York is the lack of consistent standards that are applied universally throughout every single school setting; the lack of training that's provided to teachers and

administrators to be able to properly execute these drills.

Some people say that in a lockdown situation or an active shooter situation, students should hunker down, close the lights, lock the doors and hide. Other guidance says students should try to leave the building. Other guidance says in fact there is a book being promoted -- not here in New York, but in Texas, there is a Winnie the Pooh-themed book teaching children how to run, hide and fight in dangerous situations, including active shooter situations.

So the guidance all over this country and all over the place is wildly inconsistent. So I can't give you a straight answer because there is no straight answer that anyone is applying uniformly.

Which is again why, as part of this bill, we are requiring for the first time standards to be developed and written that are trauma-informed and that are consistent across the entire state. And then we can have better-quality drills, not better -- more quantity drills.

SENATOR RHOADS: Will the sponsor

yield to another question.

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR GOUNARDES: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: I think part of the issue, Senator, is that fire drills are generally conducted one way. There's one scenario: Try and safely exit the building unless there's a fire blocking your path, and then you would stay where you are and try and block any smoke from coming in to where you are, and fire coming in to where you are.

In an active shooter situation, I think the reason why there is different guidance is because --

ACTING PRESIDENT BAILEY: Senator Rhoads, are you on the bill or are you asking a question?

SENATOR RHOADS: I'm asking a question.

ACTING PRESIDENT BAILEY: Ask the question.

SENATOR RHOADS: There's different guidance because the answer may be different based upon the scenario you're facing. Would you acknowledge that?

SENATOR GOUNARDES: Through you, Mr. President, I will acknowledge that there are different circumstances that we face in an active shooter situation.

But I think that this points to the larger problem, how we can expect a five-year-old, a kindergartner, someone who is still using, you know, three-letter words and is just full of joy and love in their life, to expect to know what to do in all of these different situations. Well, if the shooter is here, we're going to have you do this. And don't sneeze or don't laugh or don't giggle or don't do this.

And then an eight-year-old, we're going to tell them what to do here, this, that.

There is no way that these young people are able to consistently -- and the data does show this. The data does show that students are not able to retain this information and to learn what to do. That is -- we have records of

that. We don't have records or any studies to show that the current system is working, which is why we are proposing this bill in the first place, because we think that there is a better way.

And that's what's so critical here. This is not meant to make it less safe, this is meant to actually help improve safety by doing it in a smarter way.

SENATOR RHOADS: Will the sponsor yield to another question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GOUNARDES: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: I know locally the School Board Association is opposed to this bill. And part of the reason they're opposed to it is your opt-out provision. Am I correct in my understanding that parents will have the ability to have their kids opt out of participating in any of this training?

SENATOR GOUNARDES: Through you,

Mr. President, we do have an opt-out provision in this bill, and that actually came from -- modeled on legislation that was first proposed by a Republican legislature in West Virginia in 2016, and the Republican legislature in Georgia, in their School Safety Act, which also includes opt-out provisions. As do, by the way, Connecticut, Maine, Minnesota and Illinois, which are, you know, Democrat-run governments.

So this is actually a bipartisan consensus on giving parents and empowering parents with the option to choose what is best for their children. Now, some children might not be able to withstand the trauma of going through a lockdown drill. Some children might come from -- in fact, we have a testimonial of a student who came from an abusive household and, when she experienced a lockdown drill and had to hunker down, had PTSD to when she was hunkering down and taking blows from her abusive father. And so she moved 2,000 miles away and then experienced a lockdown drill and automatically went back to that moment where she was getting beat by her father.

And the mother said, "I don't want

my daughter to have to experience that ever again. I want the right to have my daughter not have to experience that."

So this is actually in response to parents who are very concerned about the trauma that their children are being exposed to. And this just gives parents the option and empowers them to make the best decision for them, their families, and their children.

SENATOR RHOADS: Will the sponsor yield to another question?

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR GOUNARDES: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: I am all for parental rights. But let me ask, what happens if every parent opts out? Will there be no training?

SENATOR GOUNARDES: Through you, Mr. President, we don't anticipate that to be the case. Because again, we've also heard from parents that do want to see -- that do believe

that this is an important thing to teach children. But they want to see it done smartly and rightly.

So they want to see lockdown drills done in a way that actually helps teach their kids how to be safe, not to scare them into thinking that they might die in a classroom.

And so you ask a hundred parents, you'll get different responses to this. Which is why we crafted the bill in the way that we did: Reduce the mandate, but set a minimum standard; have uniform guidelines and trainings; include parental notice to empower parents with that information to make the best decision for their kids. Some parents want to have their kids learn, and they want to have them learn with the right types of standards.

Other parents, because of the example I gave and many others, don't want their kids to go through that. Maybe they want their kids to learn what to do in a lockdown, but not to have to simulate someone banging on their kid's door in a classroom, which can create an additional level of trauma.

So this really is responsive to I

think the concerns of many parents of all different backgrounds and all different concerns, and again it helps do this in a way that is smart and safe.

SENATOR RHOADS: Thank you, Senator Gounardes.

On the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Rhoads on the bill.

SENATOR RHOADS: Thank you, Senator. Thank you, Mr. President.

The answer to Senator Gounardes's question, in my opinion, kids learn through practice. Right? How does a five-year-old learn when there are different scenarios what to do? How does an eight-year-old learn in different scenarios what to do? By actually going through the motions and actually practicing.

And I am all for addressing mental health issues that may be caused by an incredibly traumatic experience just going through the training. I completely understand that. This is a scenario that we all hope never happens, but unfortunately we know all too well that it sometimes does.

But by reducing the number of trainings by 75 percent, by taking the training down to one, we are doing our kids a great disservice, because we're denying them the opportunity to be able to practice.

I know for folks that are my parents' age, they went through air raid drills in school. I know for myself, you know, and even some of the younger members that we have here, may have -- during the Cold War may have gone through fallout drills, right? If there were a nuclear attack, we were supposed to hide under our desks. That was the guidance that we received at the time.

I don't doubt that we can come out with better guidance on how these drills should be conducted. But I truly believe that the number of drills needs to stay where it is, because we need to reinforce the message that we're sending to those kids on how to react in that emergency situation. Just like firefighters do. Right? Just like our first responders do. So that in that moment when they are panic-stricken, that moment that hopefully will never happen, in that moment they simply fall

back on their training and know how to react. That's how I think we have the better opportunity to save lives.

There are some great parts of this bill. You know, there should be an after-drill sort of discussion, assessment, on the drill so that kids can understand exactly what's being taught. There should be a classroom equivalent to their training as well. Perhaps there can be some advance notice, certainly to parents. There can be advance notice of the fact that a drill may be taking place so that they can have a discussion at home. And perhaps even giving some information to parents about the drill so that that discussion can based upon -- reinforce the instructions that are given to the kids during the drill that's in school.

I just think by reducing the number of drills that we have to a single drill is a formula to make kids less safe. And I know that's not the intention. But it is a formula to make kids less safe. And I'd be more inclined to vote for the bill if we did not change the number and just changed the standards of the training.

So unfortunately I'll be voting no

on this bill. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Martins, why do you rise?

SENATOR MARTINS: Mr. President, I was wondering if the sponsor would yield for a couple of questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GOUNARDES: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: Thank you.

Just wondering if you could tell me if today, under today's system, without this bill being in law, if the decisions on how to conduct these lockdown drills are actually provided by the individual school districts.

SENATOR GOUNARDES: Through you, Mr. President, it depends on the school district. Some schools and some school districts do a better job than others. Some take it upon themselves to come up with guidance. Some leave it to the teachers to figure out.

There was an article from Chalk Beat

last year, which is a leading education publication about New York schools, New York City schools in particular. From last year, New York City teachers get little to no training on lockdown drills, quoting dozens of teachers being told to figure it out on their own.

So the answer to your question is it really depends on the school and on the school district. Which is why we are proposing creating a statewide standard that can be implemented consistently across the board.

SENATOR MARTINS: Mr. President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR GOUNARDES: Yes, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MARTINS: You know, I keep hearing about the statewide standard included in the bill, so I had to go back and just review it. And I noticed that this bill actually introduces a new Section 2-a to the section.

And Section 2-a is divided into two parts. And I believe the first part requires the school district and the board of education of each school district to come up with a plan for the students. And Part B requires the school district and the individual school district to come out with a plan with regard to training teachers. That's my understanding and reading of the bill that we have before us.

I don't see in this bill that there is a statewide standard. And I was hoping that the sponsor could perhaps clarify what he means by a statewide standard, because I don't see it in the bill that's being proposed.

SENATOR GOUNARDES: Through you, Mr. President, yes, we are leaving it up to the school districts to create their training, as they do other trainings for their schools, their teachers, their staff, et cetera, with certain minimum standards in place, minimum requirements about what they have to include in those standards. Which is why the bill lines out in Section 2-a a bunch of those different provisions and standards.

And then parallel to this effort,

I'll also say that there have been discussions about providing model guidance statewide from the State Education Department. That's not going to be mandated upon the districts, but is a way to help. Because this is a conversation that is happening with or without us taking action today. This is a conversation that's already shifting the way we think about school safety.

And so SED has already started thinking about and talking to stakeholders about what model guidance can look like. And then each school district will then adopt the guidance and guidelines and training that fits their schools and their communities. And it's the expectation that a lot of that will be shaped and informed by not just the minimum standards we put in place here, but eventually what model guidelines come out that could be influential statewide.

SENATOR MARTINS: I thank the sponsor for his answers.

Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Martins on the bill.

Hi, Giada and Carina.

SENATOR MARTINS: Thank you.

You know, I appreciate the -- the -- frankly, the purpose behind this bill. And frankly, if it did include a statewide standard that would give criteria for school districts to follow, I would understand it.

I also would love to see -- and I like the fact that there's training for teachers and for professionals and professional staff at the school district. But I don't see it being inconsistent that we have training and that we have a statewide standard, although that's not included in this bill. I wish it were.

But to the extent that we're going to allow each school district to make those decisions for themselves -- whether it's people rapping on doors, whether it's all of the other things we heard about during this last debate -- that's still going to be there. Because this bill doesn't include a statewide standard. This bill does not include a requirement for the State Education Department to actually come up with standards that would provide guidance for our local school districts. All it does is reduce the number from four to one, which is arbitrary. And certainly each school district can make their

decision for themselves as to how many is appropriate for their school district.

But simply moving from four to one and still allowing the very same school districts that used and developed the methodology that we're complaining about and referencing here today just doesn't seem to make sense.

Now, again, if this bill was a statewide standard, if it included standards for training teachers and personnel in the schools, if there were methods there to train students, it would be a different bill. Because it's not the bill that we're being asked to vote on today.

So although I do appreciate the idea, I do happen to think that, Mr. President, with all of the incidents that have happened across this country over the course of the last few years that have affected school districts and students -- I have heard from parents in my district who have asked me, What are we doing to protect our kids in schools? What are we doing as a state to protect our kids in schools? Can we do more? Should we do more?

And some of our school districts and some of our counties and some of our police

departments are actually coordinating on that. There are panic buttons in our schools, there are lockdown drills in our schools, there are schools that are reinforcing the school building itself and the infrastructure and the doorways and security in order to protect our students. Each school district is doing that.

And so I tell those parents that there are things in place. But part of that has to include, include the students themselves, the ability to make sure that the kids are prepared. And I'm not going to say it's the same thing as a fire drill. Fire drills, you line up, you go to the nearest exit, and you get out. But there is sense to having students in a proper way -- in a proper way -- being trained in how to react in the event that there is a need for a lockdown.

So again, if this bill included standards and asked our State Education Department to impose those standards, it would be a different bill. But it's not the bill we're being asked to vote on today.

So, Mr. President, I'll be voting no.

ACTING PRESIDENT BAILEY: Are there

any other Senators wishing to be heard?

Senator Gounardes on the bill.

SENATOR GOUNARDES: Thank you, Mr. President.

I thank my colleagues for the debate.

I'm going to take a few more minutes than the two allotted to me for my vote because I want to respond to some of what we heard here and really explain the intent here.

First, we do have standards. We do put -- no trauma-informed standard that anyone would devise would allow for or include some of the things that our students and our young people are currently experiencing in their lockdown drills right now. None whatsoever. They would not simulate with live guns and with, you know, sound grenades and sound noises and, you know, banging on doors. That is not a trauma-informed standard.

So we actually do put the minimum standards in this bill.

And you know what, we are trying to do a lot. Everyone here wants to try to keep kids safe in a school building. And we heard a

lot of examples, you know, about what schools are doing. They're doing drills, they're having panic buttons, they're training teachers, they're having conversations.

I didn't hear one thing about the thing that is killing our kids in our classrooms, and that's the guns. I didn't hear one thing on the other side about what is causing this carnage. In only the United States of America, it's the guns. I didn't hear a word from the other side about how we're going to get guns out of the hands of people who are slaughtering kids.

And we're going to sit here and say that instead of tackling that problem, we are instead going to normalize the reality that our kids have to sit here and practice dying time and time again.

What kind of -- what are we doing? What are we doing? How many times do you want to have to think about your own children simulating their own death in a classroom? How many minutes is okay for you?

I have two children, as you all know. They're not school-age yet. I cannot fathom for a minute letting them think about the

possibility that they can go to a safe place like a classroom, where they should be learning about reading, writing and arithmetic, and instead learn to duck and cover. That's not the future I want for my children. And I don't think it's the future that any of us want for our children.

But instead of actually proposing solutions or ideas or getting behind the answers that we know will help us solve this, instead we say lock down the schools, lock down the classrooms. Arm the teachers. Arm the guards. Put panic buttons everywhere. Everything but the thing that's going to solve this problem and keep kids safe.

So it's a little disingenuous to say we all want to keep kids safe but we're not going to do the one thing we know that can actually solve this problem once and for all.

You know, as we were researching this bill and talking to parents and talking to advocates, there's a whole industry out there about what kids can experience in these lockdown drills. There are books. I referenced a Winnie the Pooh-themed book about lockdown drills. There's a book called Lockdown Drills at

Superhero School. That's a way to help kids think that it's fun and safe and this is just a fun little activity. There are coloring books and workbooks.

What are we doing to these kids? There's actually -- they teach this in some schools, there's actually a nursery rhyme song. I can never think of "Twinkle, Twinkle, Little Star" again when I sing it to my two-year-old or my month-old baby now, when I think about the words "Lockdown, lockdown, lock the door, shut the lights off, say no more. Go behind the desk and hide. Wait until it's safe inside. Lockdown, lockdown, it's all done. Now it's time to have some fun."

Some fun. Now it's time to have some fun. Faking your death is over, now you can go back to playing blocks and playing with dolls and learning about ABCs.

That's not the future that I want for my children. I don't think it's the future that any of my colleagues want for their children. We know there is a better, smarter way to do this. We know that there is zero data to show that four drills or five drills or 10 drills

or 30 drills will actually keep kids safe. Which is why we're not getting rid of the drills, we're only saying make them better. Do at least one, and make it be the best drill you can make it.

Don't have kids go through this trauma over and over and over again. Don't saddle them with years of psychological trauma because we think it's going to make us feel better, because we can't do the thing that's required of us, which is actually get guns out of the hands of people who are killing our kids.

And by the way, there hasn't been a school shooting in New York in almost 20 years. And that's because in New York we've taken action to keep guns out of the hands of people who are going to do harm in our school buildings. We've banned people from owning assault weapons that are going to try to harm kids. We've done all the things we need to do. And we just need Congress to get its act together and do the right thing and get guns out of the hands of people who are doing harm to our kids.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Gounardes.

Senator Lanza, on the bill? Or are you going to ask the sponsor to yield?

SENATOR LANZA: No, on the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Lanza on the bill.

SENATOR LANZA: Mr. President, one thing I know for sure is something that won't solve the problem, and that's less safety preparation. And that's what this bill does.

I'm not going to stand here and listen to whether or not and what I -- when I worry about my children as a father. As a father I'm worried every time one of my children gets behind the wheel of a car. I'm worried if one of my children wants to get on a subway platform in New York City. I'm worried when they go about the community. Yes, that's true, a subway platform is a very dangerous place right now, as proven by the statistics. For any person, anywhere, period.

I'm worried all the time about my children. And yes, I'm worried about them when they are in school. And I want to say Senator Gounardes made a lot of -- and I think elucidated

the fact that there are many meritorious aspects to this legislation. And it's clear that he's really thought this through. And I commend him for that.

But if you want to talk about crime and you want to use that as the reason why we should vote for this, well, that's just absurd. And it's ridiculous. Crime is off the charts here in New York State. And a lot of us, including myself, would say it's because of bad policies and lack of leadership. And this climate that's been created here in New York that perhaps it's not just a such a bad thing to commit a crime, because you might pretty easily get away with it.

There are a lot of meritorious aspects to this legislation, Senator Gounardes. I agree with you. But for me, there are two simple reasons that prevent me for voting in favor of it.

Number one, yes, by your own admission, there's a danger out there. It needs to be addressed. We must solve it. We must work together and we figure it out. But it exists right now. And therefore, for me, fewer safety

drills is not a good idea.

Second, the ability to just without reason opt out means that anyone cannot opt out. And if everyone opts out, we'll have zero safety drills in our schools.

Those two reasons prevent me from voting for this bill.

And as to the trauma, I agree with you, there's a lot of stress and trauma associated with living. But I'll tell you what I believe would allow for greater trauma, and it's the trauma and the stress that I'm afraid of. The trauma we ought to be afraid of is perhaps when there are catastrophic consequences because our kids aren't prepared. And that's what I'm afraid of.

And I vote no, Mr. President.

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

SENATOR BORRELLO: On the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: I understand the passion in this bill. It's all very important.

But I really have to take Senator Gounardes to task on what he believes is, you know, our own willingness to take guns away from people.

Let's think about what happens in New York State when a career criminal is caught with an illegally possessed gun. You know what happens? They get an appearance ticket. What happens when that same career criminal is caught with another gun illegally possessed? They get another appearance ticket. And so on and so on and so on, until they commit a crime with that gun. Then all of a sudden, thanks to this Legislature, we can do something about it.

So you want to know where's the most dangerous place for our children to be? It's not in school. It's on the streets of our cities. It's standing on a subway platform. It's walking down the street and getting caught in crossfire and gang violence. That's the most dangerous place for our children.

This bill is about making sure our kids know what to do. It's not about practicing dying. That's ridiculous. It's about training to be prepared in the unlikely event that something were to happen. That's what this is

about.

But if we want to really do things to make our kids safe, we'll repeal bail reform, we'll start making actual punishment for people that have the possession of illegal weapons, and we'll start making New York safe again.

I vote no. Thank you.

ACTING PRESIDENT BAILEY: Senator Canzoneri-Fitzpatrick, why do you rise?

SENATOR CANZONERI-FITZPATRICK: I'd just like to address some of the comments and speak on the bill.

ACTING PRESIDENT BAILEY: You're going to speak on the bill, or do you want to explain your vote after?

SENATOR CANZONERI-FITZPATRICK: I'll explain my vote after. Thank you.

ACTING PRESIDENT BAILEY: Senator Canzoneri-Fitzpatrick will explain her vote.

Are there any other Senators wishing to be heard?

Senator Tedisco. On the bill?

SENATOR TEDISCO: On the bill, yeah.

ACTING PRESIDENT BAILEY: Senator

Tedisco on the bill.

SENATOR TEDISCO: I thank the sponsor for the piece of legislation. I think he really believes that may be the answer to some of the safety factors that relate to our schools. And all of us, I believe, to one extent or another, are concerned, are serious about the safety of our children in our schools. And I think we're concerned about the safety of ourselves here, and all the people that come to visit us here at the Capitol.

In the last two days I had two fourth-grade classes yesterday, two fourth-grade classes today, come and visit me at the Capitol. You know, sometimes we get up and speak, and when we get done we don't realize that we showed a little hypocrisy when we were speaking after we got done, and you begin to realize that.

All of those students here, with the security system we use to protect ourselves here, went through metal detectors to get in here. When they walked in here, they saw armored State Troopers holding large guns and small guns in the hallways. When they walked through the hallways, they saw cameras in the hallways in

some of the areas.

For someone to stand up and say, Why do we want to put resource officers in those schools with those guns to protect those kids? It's militarizing them, it's scaring them. But they want to protect their butts here to have a security system which provides for metal detectors for them and for everybody that comes to visit us, and men with big -- and women with big guns to protect you. Isn't that a little bit of a sense of hypocrisy?

Now, if it militarizes schools, it militarizes the seat of government, our representative democracy. Why aren't any of you standing up and saying, Get those men and women, our law enforcement with the big guns and the metal detectors and all the cameras around the school -- why don't you get rid of those? Because they're scaring the fourth-graders and fifth-graders that come in. And maybe I guess they're scaring you.

So I find a bit of hypocrisy of suggesting we don't need those resource officers, we don't need all this preparation, we don't need all this training, we don't need metal detectors,

we'll do fine without them. Why can't we do fine without them? We're adults, we're not children. But a lot of children do visit the Capitol, and I just told you about that.

So I need an explanation why we want to be guardians of ourselves with all this type of rigmarole that relates to our safety, but why we can't provide the same safety features for our schoolchildren.

I have a bill that's called Guardians for Schools. You know what it does? It provides funds to provide schoolkids with the same resources and the same security system we have at the Capitol. Explain to me why that is wrong, actually. And when you do, stand up and say, I want to remove that security system for ourselves.

So for that reason, it makes absolutely no sense and I'll be voting no on this.

ACTING PRESIDENT BAILEY: Are there any other Senator wishing to be heard?

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Chu to explain her vote.

SENATOR CHU: Thank you, Mr. President.

I would like to take this opportunity to explain my first impression when I saw this bill. As a public school mom, I paused a little bit because, yes, is it okay, it is enough to have lockdown drills once a year. Is it enough? That was a question to myself.

And then I found out that's a scary thought to have, because how can I normalize this drill? A drill is a thing to reflect our realities. So we're in a time in a society, we normalize mass shootings, school shootings to our kids. So we need to implement those drills.

So I would like to share a little story. My daughter, when she was five, the kindergarten, when -- she told me years after.

She was in a school when she was in kindergarten, the teacher closed the window, closed the door, shut down the lights, told everybody, "Squeeze in the closet." Told them, "Don't make a sound."

Then what happened? Someone tried to open the door, someone tried to unlock the door. She doesn't know what's going on. And she told that to me probably years after. She doesn't remember it until the drill comes back again, she remembered it, what happened that day.

I wish when she was five, in kindergarten, I had the notice, as a parent. I could have explained to her, Oh, honey, what's this? We tried to be a parent, to give her guidance so that they're not going to traumatize them.

Remember, what traumatizes our kids, our family, is not the drill, it's the reality we're facing about mass shootings, about school shootings. That's what traumatizes us, so we're reacting to it.

So -- and I'm very happy to hear from my colleague Senator Gounardes today to explain how we can actually put a standard to this one. Not just a guidance, not just a

notice. And those are two age-appropriate explanations. That is so necessary for our students.

And it's at least once, not just once.

So I'm very happy to vote yes.

Thank you, Mr. President.

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

Senator Mannion to explain his vote.

SENATOR MANNION: Thank you, Mr. President.

I spent 28 years in a classroom. That's about 5,000 school days. Participated in hundreds of drills. Started my career prior to Columbine, when all we did was fire drills. That changed. Now we have lockdown drills, stay-in-place drills, drills where we take students out of the facility, put them on a bus, and take them to a safe site.

I've participated in active shooter drills. I was a member of my district's safety committee and a countywide school safety task force and committee that was made up of superintendents, law enforcement, district

attorneys, school shooting experts.

I taught AP biology, as I said earlier today. I also taught 15-to-one living environment for students with IEPs. Regardless of what course those students take, they are always learning and they're making connections. And those connections are what they see on TV. And as they walk through the doors of that school, and when that lockdown drill is called, they connect those dots. So they're wondering not if it's real, it's when.

The mental health crisis that we have in this country and in this state, students do not have a safe space in one of the safest spaces that they should have. That connection is happening on a daily basis. And I charge any of you to talk to your teachers in your school districts and ask them if it has mental trauma on these children. And they will tell you it is now excessive. The teachers know what to do, the students know what to do, and all it does is perpetuate the trauma and embed in their learning the fact that when is the question that they should be asking.

I proudly vote aye. And the sponsor

is 100 percent correct.

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

Senator Ramos to explain her vote.

SENATOR RAMOS: Who here has an underage child that takes the subway by themselves? I do. Who has a fourth-grader? I do. Actually, Senator Chu, Senator Gounardes, Senator Scarcella-Spanton and I -- and I apologize if I miss others -- we actually are parents of young children.

We are supporting this bill precisely because we are mortified of the world that you and your guns have created. Because yes, it is the guns, stupid. It's not the lack of training, it's about the quality of the experience of the training that our children are supposed to receive. That there are qualified people who are actually speaking to them in an age-appropriate way about what can happen or what will inevitably happen, unfortunately, someday.

We haven't had a school shooting in New York in the past 20 years. My gosh. Thank God we have a Democratic Majority led by Andrea Stewart-Cousins that passed the red flag

laws. Wasn't it the other side of the aisle that just yesterday or earlier this week didn't want to vote to take away guns from perpetrators of domestic violence, arguing for due process then as you continue to vote against our mental health bills?

My gosh. How do you sleep at night? You have no idea what it's like to take a -- to have a child that takes the subway by themselves. None. You've never experienced it. You have no idea what you're taking about.

ACTING PRESIDENT BAILEY: Order, please. Order.

(Inaudible comments from members.)

SENATOR RAMOS: No. You were protecting the criminals earlier this week.

It's a shame. Senator Gounardes did an excellent job defending that bill and defending our Majority in ensuring that we do take action to protect our children.

I am proudly voting aye on this bill. Thank you, Mr. President.

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

Senator Canzoneri-Fitzpatrick to

explain her vote.

(Inaudible comments from members.)

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

ACTING PRESIDENT BAILEY: Senator Lanza.

SENATOR LANZA: Can we have some decorum in this chamber here? Just a modicum of decorum.

ACTING PRESIDENT BAILEY: Senator Lanza, this is a passionate issue. The members on both sides of the aisle have expressed themselves in a manner that has been -- excuse me?

Senator Murray, I don't think any of that is necessary when we're trying to speak about decorum. Your off-color comments, whatever they may be, are not necessary at this point. We're trying to have some consensus.

Senator Lanza stood up for a reason, so that we can calm the chamber down during a passionate time.

Is that not correct, Senator Lanza?

SENATOR LANZA: Yes, Mr. President.

ACTING PRESIDENT BAILEY: So I

think that we're going to continue to explain our vote and be collegial going forward. I would hope that would be the case. And we want to have side comments accordingly, Mr. --

SENATOR LANZA: Mr. President, I would just ask that we refrain from calling any of our colleagues "disgusting."

ACTING PRESIDENT BAILEY: I would agree. I would agree that invectives should not happen on either side of the aisle, Senator Lanza.

Senator Canzoneri-Fitzpatrick to explain her vote.

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

I'd like to believe that every person in this chamber does not want to see a school shooting, does not want to see our children being hurt, and is worried about all of our members in our family and all of our children.

And for anybody to suggest that anyone on this side of the aisle is not troubled by what goes on, and to call us stupid, is not fair and is not professional.

I applaud the sponsor for trying to do something to address this issue. My daughter is a freshman and just finished her first year at the University of Virginia, where there was a school shooting, where three football players died. For 20 hours she was locked in her room in the darkness. And I was talking to her through the night because she was all by herself. That is a scary situation. And unfortunately, my daughter just experienced it. Nobody wants their child to go through that.

I will say, though, until we address the mental health issue and the mental health crisis that we have in this country, we will never get this under control. I have advocated and spoken to many people about the fact that we need to speak about mental health as early as our children can tolerate it, to make sure that they know it's okay to ask if there is anxiety or depression or feelings of suicide, as early as possible, because every one of these shootings has a mentally ill person behind that gun.

If we cure the mental health issue, we will certainly get that under control. That is what we should all focus on in this chamber.

And that is one of the main things that caused me to be in this chamber, that I advocate very strongly for.

So I hope that we will all continue to strive for that mental wellness that we all need in our communities.

However, this bill in my opinion is lacking the guidance that school districts need to conduct these drills in an appropriate, safe manner. For that reason, I'll be voting in the negative.

Thank you.

ACTING PRESIDENT BAILEY: Senator Canzoneri-Fitzpatrick to be recorded in the negative.

Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

And I want to thank Senator Gounardes for this bill and for his righteous passion on behalf of our children.

I'm one of the people in the room who is old enough to remember fallout drills. And even at the age of six, it was pretty clear to me that if it came down to a confrontation

between my Formica desk and an atomic bomb, there wasn't much question who was going to win.

And I still feel the trauma of that. Sixty years later, I still feel the trauma of that. And they didn't try to do sound effects or make it realistic, they just, you know, had a siren.

So I can't even imagine what kids are going through when they go through these drills and how much trauma they take away from that. And when we talk about mental health, we just heard about how serious a problem that is. Well, this is actually making it worse.

So I think imagining a child cowering in a closet in a classroom and knowing what kinds of weapons could be used in a school shooting, and that they are designed to kill as many people as possible as quickly as possible, and with ammunition that can decapitate somebody with one bullet, I'm sure they're having the same kinds of thoughts I was having about atomic bombs.

So I am proud to vote for this bill and proud to protect our kids from the overuse of this kind of traumatic experience. I vote aye.

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

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you very much, Mr. President.

I want to applaud my colleague Senator Gounardes, not just for introducing this bill but for so articulately laying out why it's necessary.

And I hear my colleagues saying it's mental health, it's -- it's not guns. Well, as I think Senator Gounardes pointed out, we are adding to the mental health trauma of our children rather than addressing any of the real issues we need to be addressing.

And when I keep hearing, over and over again, it's not an issue of guns or violence, I just sit here and I read my Google statistics on Canada, our neighbor to the north -- who, granted, is having a few problems this week -- but doesn't have a problem with gun violence because they don't allow guns to be out there in the hands of people who are domestic violence perpetrators, people who have mental health issues, people who apparently don't have

respect for the lives of others.

And I keep wondering why we keep coming to the wrong answers on the exact same problems other countries have dealt with far, far better than we have. And then we get into these ridiculous arguments here that somehow this bill is intended to create harm and risk for our children, when it is just the opposite.

And even the statements being made tonight by people who are voting no reinforces to me that they should be voting yes.

So I proudly vote yes, and I want to applaud the sponsor for this bill. Thank you.

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

Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thanks very much, Mr. President.

This is obviously an emotional issue and was an emotional debate. And I will say the suggestion that anyone in this chamber doesn't care about the lives and the livelihood of children in New York is a stunning suggestion in the worst possible sense of the word.

But while this is an emotional

issue, we as policymakers do have to make policy based on facts and evidence. And I thank the sponsor, who I know has worked extremely hard in getting the bill to this point, in putting together an evidence-based approach to this issue.

This is about trauma, and it is also about keeping our children safe. And Senator Gounardes strikes that exact right balance. And so for that reason, I vote yes.

Thank you.

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

Senator Lanza to explain his vote.

SENATOR LANZA: To explain my vote, Mr. President.

I agree with Senator Skoufis. But, you know, the allegation that people didn't care about kids came from that side of the aisle.

And perhaps what we see here is part of the problem in American politics today, and maybe even American society, that we've come to a place and time when if you don't agree with me, you're evil. If you don't agree with me, I hate you and I despise you. And we see that here, we

see that in legislative houses all across America. You see it in society, you see it on social media.

And it really is -- certainly we talk about what needs to be done. I can tell you that that attitude that seems to persist not only doesn't help, but it's making it even more difficult to get to the real solutions for these real problems.

I do not hate. I don't mock. I don't make faces at Senator Gounardes. I don't hate him for doing what I know he's trying to do. He's trying to make life better for our kids. He wants them to be safer. He wants to eliminate some stress from their lives. I love Senator Gounardes for that.

We have a difference of opinion about what is the appropriate way to accomplish that. I believe that there are so many portions of this legislation that I support and I think are intelligent and well thought out and would make a difference. I said it before, Mr. President; I'll say it again. My concern is that fewer safety drills at this point in time -- because we can all acknowledge there is a

problem. We can accuse whomever we want for the cause of that problem.

But while we have the problem, I just believe that we should not be reducing the number of safety drills. I don't believe it's a good idea to opt out. And again, of course I'm talking about what I disagree with. I'm not going to list all the many parts of this legislation that I do agree with -- and I do.

And I will just end by saying that my fear here is that not being prepared for the emergency is -- will cause more trauma when that emergency occurs than preparing for it. And that is the essence, I believe, of my opposition. Yes, this causes undue perhaps even trauma. But I think the greatest trauma and stress would occur if our children were not adequately prepared when that emergency occurs.

So again, I'm voting no, and at the same time I'm thanking Senator Gounardes for trying to attack this problem.

Mr. President, I vote no.

ACTING PRESIDENT BAILEY: Senator Lanza to be recorded in the negative.

Senator Murray to explain his vote.

SENATOR MURRAY: Thank you, Mr. President.

Earlier today we had a debate and there was a Senator that said that we need to have more compromise and work together. And I couldn't agree more.

I have nothing but the utmost respect for Senator Gounardes and what he's doing and trying to accomplish with this. Again, the suggestion, the mere suggestion that anyone doesn't care about our children and doesn't want to keep them safe is crazy.

But it's just the approach. Maybe we disagree.

There are things in here I completely agree with. Like Senator Lanza, my concern is that we are reducing the number of drills. I do believe in the "practice makes perfect" kind of thing. And it is a shame that we have to do it. Just like the duck and cover drills when I was younger, it was a shame that we had to do it. But we did it to stay safe. And we want to keep our kids safe.

But the biggest concern I have is when I hear -- and I'm not going to say one side

or the other -- but when I hear other Senators saying that if you vote this way, it means that. No, it doesn't. It means what I'm saying it means. I'm voting no because I think we still need more of this training, but we can make it better. So that's when maybe we sit down and we use that word "compromise." We work together to make it better.

But for this reason, I just have some concerns. I want to keep our kids safe. But for this reason, I'll be voting no.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Murray to be recorded in the negative.

Senator Gounardes to explain his vote and close.

SENATOR GOUNARDES: Thank you, Mr. President --

SENATOR HELMING: (Inaudible.)

SENATOR GOUNARDES: Oh. I'll defer to Senator Helming.

ACTING PRESIDENT BAILEY: Senator Helming to explain her vote.

SENATOR HELMING: Thank you, Senator Gounardes.

So Mr. President, I rise to explain my vote.

I'm a grandmother, and this past fall I had the opportunity to take my granddaughter to the first day of preschool. She's four years old. And I have to say that experience was so much different than when I took my own kids to kindergarten 20-plus years ago. It wasn't like 20 years ago, when I walked around, I was checking out the classroom, the cute decorations, getting to know the teacher, et cetera. This time when I took my granddaughter, I was looking for safety and security things: Were there multiple exits, was somebody monitoring those entrances and exits, et cetera. The experience was just so different. And it made me so sad. And more importantly, so, so scared for her safety and the safety of all those kids.

So I take exception when somebody in this chamber suggests that I don't care about the safety and security of children. I take that to heart, because there is nothing further from the truth. There is nothing harder I work for every single day of the year.

Preventing shootings, protecting our children, it's something that this side of the aisle values just as much as the other side of the aisle. We all want to protect our kids.

I heard the comment that the problem is violence. I agree with that. And it's violent people. It's horrendous, disgusting, despicable people who hurt our innocent children and other innocent victims. And the problem is that they are not held accountable. They're not held accountable.

This side of the aisle has put forward dozens and dozens and dozens of bills, whether it's on mental health issues, whether it's on hardening our schools, whether it's funding for resource officers, whether it is on increasing penalties for the disgusting people who commit these crimes. They're ignored, they're not brought to this floor.

I just wanted to comment too that there was a comment made that we voted against a bill that would protect victims of domestic violence. Wrong. I voted against that bill because it took away the ability of a victim of domestic violence to protect herself or himself.

Now, this may --

ACTING PRESIDENT BAILEY: Senator Helming, you are approaching two minutes --

SENATOR HELMING: -- surprise you, Mr. President --

ACTING PRESIDENT BAILEY: Senator Helming, you're approaching two minutes and 40 seconds. How do you vote?

SENATOR O'MARA: I am explaining my vote right now.

ACTING PRESIDENT BAILEY: Senator Helming, you -- we have given you the courtesy. You have approached 2 minutes and 40 seconds, and I would ask you to kindly --

SENATOR HELMING: Okay, quit interrupting me and I will explain my vote.

ACTING PRESIDENT BAILEY: Could you kindly wind down and explain your vote.

SENATOR HELMING: So this may shock you, but the way I read this bill is that it continues to --

ACTING PRESIDENT BAILEY: Senator Helming how do you vote?

SENATOR HELMING: -- allow schools to --

ACTING PRESIDENT BAILEY: How do you vote, Senator Helming?

SENATOR HELMING: -- make their own decision on how many bills --

ACTING PRESIDENT BAILEY: Senator Helming, how do you vote?

SENATOR HELMING: -- and it allows parents to make decisions, so I will be voting --

ACTING PRESIDENT BAILEY: Senator Helming, how do you vote? You're approaching three minutes. How do you vote?

SENATOR HELMING: Shock of the year: Yes.

ACTING PRESIDENT BAILEY: You're voting in the affirmative. Senator Helming to be recorded in the affirmative.

Senator Tedisco to explain his vote.

SENATOR TEDISCO: Thank you, Mr. President.

My colleagues, one of my first leadership roles in the New York State Legislature was chairman of a task force on child abduction and missing children. I traveled across the state. I had a whole series of hearings. I even interviewed abductors, stranger

abduction, runaways.

And make no mistake, when a child runs away, they are abducted. They're abducted by the community they have to be a part of. They're involved in prostitution, use and sale of drugs. An adult takes control of their life and forces them to commit crimes. So it's a serious problem.

When I got done, I got some pieces of legislation passed. You might know that now in an elementary school there's a list that the parents can put there so someone who is not on that list cannot come with a family abduction, noncustodial abduction. I got that bill passed when Stanley Fink was the speaker many years ago in the New York State Assembly.

But the one thing I realized was this. You had to give kids information. So I started talking to PTA groups, I started talking to parents groups. I talked to children's groups. One thing I learned, you had to get as much information as you could about a child that was missing as quickly as you could. Because you could be in another country in an hour or two.

But I also understood you did not

have to scare the children to get that information. Some of the things I talked, you should always be two arms'-lengths away from an adult that is a stranger. If someone walks up to you and tries to put their hands on you, yell: This is not my mommy! This is not my daddy! If somebody says, I've got a puppy here in my car, don't go with them in the car. So there's a whole series of things.

One day I was on the Thruway, I got a Thruway toll ticket, it said: "Buckle up your seat." It was recognizing the importance of buckling up. I said why can't we be the first state in the nation to use our transportation system to put the pictures of missing children from Syracuse to this area to Rochester to Buffalo. People travel the Thruway --

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

SENATOR TEDISCO: Let me just say one last thing. May I?

ACTING PRESIDENT PERSAUD: Your time is up, Senator Tedisco.

SENATOR TEDISCO: I got the Governor, Mario Cuomo, to --

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

SENATOR TEDISCO: -- come on the Thruway and actually do that process.

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

SENATOR TEDISCO: So there's a way to do this without --

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

SENATOR TEDISCO: I'm voting no, Madam President.

ACTING PRESIDENT PERSAUD: Senator Tedisco to be recorded in the negative.

SENATOR GIANARIS: If I may, I know tempers got hot here the last several minutes. The path back to decorum is to observe the rules of the chamber.

So please, we're trying to enforce the two-minute vote explanation rule, five minutes for the sponsor. And let's do that and try and get through the next bill, please.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Bailey to explain his vote.

SENATOR BAILEY: Being mindful of the time, I guess Serrano's not here to do it, so it had to be Senator Gianaris.

I know for a fact Andrew Lanza loves his kids. Unequivocally so. That doesn't mean that because he loves his kids he loves this bill. I know for a fact he loves his kids. Undoubtedly. I know you love your kids. I don't think that's where we're going with the fact that we don't think you love your kids.

I'm loath to speak for anybody, Madam President. I think we're talking about the bill.

What we should be talking about is why this is necessary. And why, when my daughters come home from school when they have one of these drills you see, Madam President, when you ask them about their day, what did you do in school? What did you do in after-school? The only thing that lingers in their mind on the day of these drills is the drill. That is it. None of the instruction, none of the incredible effort that our teachers like Senator Mannion have put into their lesson plans. None of that resonates with my daughters.

My daughters are incredibly intelligent young ladies, and any other day they can tell me and articulate the entire anthology of their day from the time they woke up. But not on the day of these drills. There is something about these drills, the repetitive nature of it, which traumatizes them, Madam President.

Senator Gounardes, you are a hundred percent on in terms of reducing the number of these things and trying to reduce as many adverse childhood experience as we can with our children.

So with that being said, Madam President, as I approach my two minutes -- because I know how Senator Roxanne Persaud does when I'm approaching two minutes -- I proudly vote aye and I thank Senator Gounardes for bringing this legislation, this parent-friendly legislation, to the chamber.

Thank you, Madam President.

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

And you did come in below your time.

Senator Gounardes to explain his vote and to close.

SENATOR GOUNARDES: Thank you,

Madam President.

I thank all my colleagues for this discussion. I think we've had a long day here, not so much excitement, so this really I think added some energy to our chamber. And I just -- I mean that, I want to thank everyone for their discussion, for their passion.

Senator Lanza, I have you quoted as saying you love Andrew Gounardes. I'm going to use that on a future piece of mail.

(Laughter.)

SENATOR GOUNARDES: Look, I -- you know, and I know we're joined here by Senator Ortt, who I know authored the original mandate bills eight years ago, seven years ago. And I know, as I said during our debate, it was well intentioned then, because we didn't know what to do in response to this uniquely American crisis. We thought that more drilling was the way to keep kids safe.

And the argument I hope I've made, I believe I've made, is that the data doesn't support that any longer.

Forty out of 50 states have some form of lockdown drill mandate. New York is the

only one that has four. Two states require three, and 38 other states require either one or two. So to all of my colleagues who are concerned about reducing the number, we are actually moving New York out of the anomaly column and into the company of the vast majority of states in this country, which all agree we need to train our kids and prepare our kids for this terrible eventuality, but we don't need to make it excessive.

And the lack of data to show more does not actually equal safety, that's what animates this bill. That's the purpose behind this bill. We're trying to right-size the effort that was made seven years ago, an effort that I fully acknowledge was made out of an abundance of deep caution, because we wanted -- as, as I said earlier, people of public trust and of public authority, we want to do what's right for our kids. We want to do what's right for everyone coming up behind us.

And over time, as we do oftentimes, we see the data doesn't support what we've done, so we course-correct. We're not throwing it out, we're just saying we can do it better. We took a

step in one direction, and now we're pivoting in a slightly different direction. So this is not meant to be dismissive of anyone's prior work here or anyone's prior intent here.

And I want to just say, as I close, you know, I thank my colleagues for indulging my passion in this debate. When I first started doing research on this and I learned about that "Twinkle, Twinkle, Little Star" lockdown rhyme, it broke me. It absolutely broke me. Because every single night I sing that song to my child -- to both my children now. And then I sing it in Greek as well, every single night.

In fact, once I vote here, I'm going to Face Time my children to go sing "Twinkle, Twinkle, Little Star" to them when they're going to sleep. And what I'm going to be thinking about is "Lockdown, lockdown, lock the door."

And that's not how I want to remember my time away from my children, or the fact that I'm up here in the hopes that I'm trying to create a better world for them and for all of our children, with those words in the back of my mind while I'm trying to sing my song to my son good night.

And so that's the passion that I brought to this debate. That's the pain that I tried to channel in this debate. And I thank my colleagues for indulging it, and I hope it was not taken as it was not intended to be.

I think this is the right policy. I think this is the right thing to do, Madam President.

And for that, I proudly vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1526, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT PERSAUD: The bill is passed.

The Secretary will ring the bell.

The Secretary will read.

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

ACTING PRESIDENT BAILEY: Senator Ashby, why do you rise?

SENATOR ASHBY: Thank you, Mr. President. Will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Oh, it's going to be a good one. Come on, let's go. I do so.

ACTING PRESIDENT BAILEY: Senator Rivera means another debate, another calm debate. Senator Rivera yields.

(Laughter.)

SENATOR ASHBY: Through you, Mr. President. The circumstances that led to the initial authorization that allowed DOH to sweep excess reserve funds from Medicaid, that occurred in 2018 with the sale of Fidelis Care, is that correct?

SENATOR RIVERA: Through you, Mr. President, yes.

SENATOR ASHBY: Why is it necessary

that we extend this? Through you, Mr. President.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR ASHBY: Why is this necessary that we extend this?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yeah.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR ASHBY: Through you, Mr. President, why is this necessary that we extend this?

SENATOR RIVERA: Through you, Mr. President. It is necessary -- basically we want to make sure that we leave this in law, Mr. President.

Because just to delve into it a little bit, this was a piece of legislation that was a very smart thing to do. You see, Mr. President, there was a company that most -- if you have a company, most of the money that flows through it is actually public money. And then that company is going to be sold for a profit. Well, it just comes to -- it is just

logical that we as a state should say, Wait a minute, if you're going to be selling it for profit, we should be able to get some of that money too.

As a matter of fact, Mr. President, some of this money has been used in past instances to make up some of the gaps in Medicaid funding for hospitals or for different health facilities around the state in years past. And so we want to make sure that we leave it there, so just in case we have to do this again, we have to take some of this money to reinvest it or to redeploy it, that we don't have to pass a law again.

SENATOR ASHBY: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes, I will, Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR ASHBY: Through you, Mr. President. So do you anticipate seeing a similar case with Fidelis Care, based off of that

response?

SENATOR RIVERA: Through you, Mr. President, not necessarily. But just in case.

One of the things actually -- through you, Mr. President -- that I've been informed by some of the folks that do deep legislative work, it is that it is actually difficult -- and this seems a little bit crazy to me, but it is a little difficult -- very difficult, actually -- to find legislation -- if we actually take a piece of legislation and we pass it here, it's signed into law and it takes a section of law that is just stricken from the record, then it is almost impossible to actually track down that legislation again. Meaning the language that was stricken from the record, that was taken out of state law, then it is that much more difficult to be able to track it down.

So we don't want to do that. If there is a situation in the future, Mr. President, that requires for us to be able to sweep this money, we just want to be able to do it. So we just want to leave this alone in case we ever need it in the future.

SENATOR ASHBY: Will the sponsor yield?

ACTING PRESIDENT BAILEY: will the sponsor continue to yield?

SENATOR RIVERA: Sure will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR ASHBY: Through you, Mr. President. Based off of that, it sounds like you don't think that this may happen again. Yet we want to continue these provisions. I'm not really sure why, based off that response.

But why -- why are we continuing or even extending the powers of the Governor through the Division of Budget to repurpose this money?

SENATOR RIVERA: Through you, Mr. President. Once again, for the -- see, it's getting spicy. I told you it was going to get spicy.

It is in case we need this money. In case there is a situation like that in the future. Now, do we think that there's going to be? There's no indication at this particular moment.

But again, it is much more difficult

to -- if we get rid of this section of law and then, say in a year or two years, or say five years down the line we need it again -- because we know that there is an asset that is going to be sold for profit that has a lot of public money that has been invested in it, and we want to make sure that we can actually benefit from the sale of that particular asset, we don't want to have to go back and figure out how to write the piece of legislation again and put it back into state law.

So once again, this is only an extender for the sake of having the ability, Mr. President, to be able to do this in the future should we need it.

SENATOR ASHBY: Will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR ASHBY: Through you, Mr. President. Is it true that the Governor has the ability to unilaterally move these funds and

utilize them for things outside of healthcare?

SENATOR RIVERA: Through you, Mr. President. The language that this -- this extender would leave the language as is. And the language currently actually has specific -- specific not instructions, I would say, but there's -- the language includes specific uses for this money. In particular -- as a matter of fact, I just want to make sure that I read it into the record.

Mr. President, while the staff identifies the particular line in the law, the bottom line is that there is a particular use that this money would have to be used for.

ACTING PRESIDENT BAILEY: Senator, are you waiting? Or you yield the floor back to Senator Ashby for a question?

SENATOR RIVERA: If you want to go to the next one. Through you, Mr. President, if --

ACTING PRESIDENT BAILEY: Senator Ashby.

SENATOR RIVERA: -- the questioner --

SENATOR ASHBY: I'll go on the

bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Ashby on the bill.

SENATOR RIVERA: Mr. President, if I may.

ACTING PRESIDENT BAILEY: Senator Rivera on the bill, prior to Senator Ashby being on the bill.

SENATOR RIVERA: Got it. For the sake of completeness, it is in subpart B, subsection 3 of subpart B, about halfway through, it reads: "The commissioner shall direct that such reserves be deposited to the Health Care Transformation Fund established pursuant to Section" -- blah, blah, blah, blah, blah, blah -- "of the State Finance Law, to be used for investment in the transformation of health care delivery, including for capital investment, debt retirement or restructuring, housing and other social determinants of health, or transitional operating support to health care providers, pursuant to a plan prepared by the commissioner and approved by the director of the Division of the Budget."

So the short version, Mr. President,

is that it includes specifics as to what that money should be used for.

ACTING PRESIDENT BAILEY: Thank you, Senator Rivera.

Senator Ashby, any more questions for the sponsor or are you still on the bill?

SENATOR ASHBY: Will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RIVERA: Sure will. Now it's going to get spicy.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR ASHBY: Through you, Mr. President, that response, although specific to subpart B, isn't specific in terms of what it could be used for. It seems pretty broad in terms of the context, in terms of the context of healthcare.

SENATOR RIVERA: Through you, Madam President, it is -- I guess -- I guess it's one of those categories that is both broad and specific. See, it is true that it has a whole bunch of subcategories. But if you notice --

through you, Madam President -- every single one of the purposes that was outlined had to do with healthcare. So it is both broad and specific.

SENATOR ASHBY: On the bill, Madam President.

ACTING PRESIDENT MAYER: Senator Ashby on the bill.

SENATOR ASHBY: I appreciate the candor of the sponsor and in taking the time to answer my questions.

But Madam President, this -- this bill, again, we're robbing Peter to pay Paul. And when we looked at the budget, the eFMAP funding, the Governor looking elsewhere to qualify and quantify excessive Medicaid spending, we're again finding it here, through a program that was ended in 2018. We are now extending it. And with little quality rationale, I might add.

And for those reasons, I'm voting no.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 2. this act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Madam President.

A little unfortunate that it didn't get spicier, but okay.

I thank my colleague for asking the questions. But I will just clarify, Madam President, it just -- what we're talking about here is authority that does -- that the Governor has, in particular circumstances where there is an asset that is sold that has public money that is flowed through it, for us to be able to capture some of that profit that would, if this language was not there, would go to some -- to whomever, whatever private party actually sold it.

So this is not about a program, it is about a set of authorities that the Executive

has if there's a situation like this in the future. So instead of just having to recreate the wheel, we just leave it in there. If there's a situation in the future, we'll make sure to have -- to have the power.

So I will vote in the affirmative.

ACTING PRESIDENT MAYER: Senator Rivera to be counted in the positive.

Announce the results.

THE SECRETARY: In relation to Calendar 1560, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1680, Assembly Bill Number 5606, by Assemblymember Magnarelli, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Senator Murray, why do you rise?

SENATOR MURRAY: Thank you, Madam President. Would the sponsor yield for a few questions, please.

ACTING PRESIDENT MAYER: Senator Kennedy, will you yield?

SENATOR KENNEDY: I certainly will.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MURRAY: Thank you.

Senator, when we had the red-light camera program set up -- and I know this is different, but the red-light camera program set up in Suffolk County, there were concerns about the violations and who was doing the billing for the violations.

And so when it comes to the work zone and the fines that are imposed there, how is that done? Is that in-state or out-of-state?

SENATOR KENNEDY: Well, first of all, Senator, thank you for that question.

Madam President, if I could just speak to this bill in an answer to your question. The bill at hand restructures the distribution of the fines associated with violations in work construction zones. Last year we put forward

the, in 2021, the underlying bill that would allow for speed-zone cameras in these work zones, 20 through the Department of Transportation, 10 through the Thruway Authority, in order to protect our workers that are out on the job. It's a dangerous job.

I just want to make a point how dangerous it is. Today a young man, 45 years old, out on a a job in Western New York, Brett Decker, lost his life. He was from Middleport. He was a site inspector. That unfortunate tragedy happened on the 90 between Pembroke and Batavia, in a work zone -- not by a speeding vehicle, but by a construction vehicle on the site.

It's a dangerous job. That's before you add in speeding cars, and there are many of them. In the first month of the implementation of this work-zone-speed camera system, there were over 3500 speeding violations where cars through work zones -- where there were active construction zones in these thoroughfares. Over 3500 violations through the Department of Transportation; over 400 in the Thruway Authority. One of them, one of those cars was

going 99 miles an hour. Dozens were going over 80 miles an hour. And each one of those incursions was caught. But for a grace period of 30 days, they would have gotten a violation.

That violation would go to the Work Zone Safety Fund and to the General Fund. It would also go to the local municipality that adjudicates that violation.

There's only two places in the State of New York where the municipalities don't have a traffic or parking enforcement agency, so to speak, on the local municipal level -- town, village, or city. And those are two counties, and that's Nassau and Suffolk. So in working with the State Comptroller, we crafted this legislation to make sure that the funds that are brought forward through those violations in Nassau and Suffolk actually make it to the communities where these evaluations are adjudicated.

I hope that answers your question.

SENATOR MURRAY: Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Kennedy, do you yield?

SENATOR KENNEDY: Yes. Yes.

ACTING PRESIDENT MAYER: Yes, the Senator yields.

SENATOR MURRAY: Thank you for that very detailed explanation of the bill. Unfortunately, I wasn't here last year to vote on it, but I very much understand the crux of the bill.

And I think -- and please correct me if I'm wrong -- with the answer to my question, the -- so when the person that was going 99, had there not been a grace period and they received a violation, would that violation come from a local company or an in-state company? Would it come from the traffic bureau? Or, as I said before, with the red-light camera program they used out-of-state companies to send the violations, so there was concern about whether you could actually argue the ticket if you got it.

So how exactly are the fines imposed here? Is it in-state, or are we using an out-of-state company?

SENATOR KENNEDY: The company that contracts is called Vera. This company works with these state agencies, the DOT and the

Thruway Authority. And again, any violation can be adjudicated and challenged at the municipal level.

SENATOR MURRAY: Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Kennedy, do you yield?

SENATOR KENNEDY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MURRAY: So in your explanation earlier you had mentioned that this bill, the split for the violation, the fines, would be 80/20, with I believe it says 80 percent going to the General Fund for New York State, and 20 percent going to the local -- in our case in Suffolk County, it would be the Traffic and Parking Violation Bureau. The 80 percent to the state, that's -- all of that goes to the General Fund?

SENATOR KENNEDY: Through you, Madam President, the 80/20 split, you're correct, the 20 percent goes to the local municipality where the violation occurred.

The 80 percent goes to the state.

Of that 80 percent, 60 percent of that goes to workforce safety initiatives, as defined within the law. The other 40 percent, after the payment to the contracting agency and, you know, whatever overage through that, the remaining goes to the General Fund.

SENATOR MURRAY: Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Senator Kennedy, do you yield?

SENATOR KENNEDY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MURRAY: Okay, thank you.

And one final question. Senator, thank you for this. Just wanted to confirm, when you -- of the 80 percent and the 60 percent that you said of that that goes for this, is that like a lockbox fund? Is that -- is that something that cannot be tapped into so it specifically must be used for traffic safety measures?

SENATOR KENNEDY: Yes. Through you, Madam President, that is exactly what it is. It's a specifically created fund as defined in the law that creates work zone safety projects

that include design, maintenance, traffic plans and markings, worker safety training, contractor outreach, enforcement efforts, radar speed display signs at these active work zones, police presence in major active work zones, among other things.

So it's a specifically designed fund where that percentage goes.

SENATOR MURRAY: Thank you, Madam President. On the bill.

ACTING PRESIDENT MAYER: Senator Murray on the bill.

SENATOR MURRAY: Thank you, Senator Kennedy. I appreciate that.

We -- when the program first got up and running a short time ago, we were inundated with emails, phone calls of concerns of the questions I was asking: How are the fines being imposed? Where is the money going? Is it going towards safety?

So I'm encouraged to hear that there are specific areas where this money will go, and most of it will be geared towards safety.

So I appreciate your answers, and I'll be voting yes. Thank you.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

Searing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Martins to explain his vote.

SENATOR MARTINS: Thank you.

Madam President, I'd like to thank the sponsor for this bill. You know, at a time when our local communities are struggling for revenue, the idea of sharing revenue with our local communities is a thoughtful one, and one that I do appreciate.

You know, my father was a construction worker. My family comes from construction. I've got dear friends of mine who work in roadway construction every day. And I understand the perils of working in roadway construction, so I appreciate the help that these

cameras will provide and do provide.

But the idea of sharing the revenue with our local communities is one that I can certainly appreciate and get behind. And certainly in a way that is thoughtful, given the fact that our local communities are not sharing in the expense of deploying these cameras but are simply receiving the revenue for having hosted the construction project and those cameras.

Madam President, I vote aye, and I thank the sponsor for the bill.

Thank you.

ACTING PRESIDENT MAYER: Senator Martins to be recorded in the affirmative.

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

I do also want to rise and thank the sponsor for this bill and the bill previously, which I also supported.

You know, the bottom line, this is about the safety of our workers. I have many friends and family that work on the Thruway and in DOT. In fact, my cousin Frank Borrello was

just recently involved in an incident with a construction issue, a construction accident, unfortunately.

So this is first and foremost about safety. It's about the safety of our workers, and that is our primary responsibility. And I'm happy that we're going to do this revenue share, but ultimately this is first and foremost about protecting those people that are out there every day working hard to make sure our roadways are usable and passable.

So I vote aye. Thank you.

ACTING PRESIDENT MAYER: Senator Borrello to be recorded in the affirmative.

Senator Kennedy to explain his vote.

SENATOR KENNEDY: Yeah, thank you.

Again, Madam President, I want to thank my colleagues for their questions, and I want to thank my colleagues for the support.

I want to recognize our Majority Leader, Andrea Stewart-Cousins, for bringing this bill to the floor.

I want to thank our Comptroller, Tom DiNapoli, and his team for working with myself and my office in crafting this legislation

to make sure that the municipalities that are adjudicating these work-zone speed violations are actually getting the revenue to help the community deal with worker safety.

And this is all about worker safety. This is about protecting those that are on the job, an already dangerous job, as recognized by the loss of a worker today, Brett Decker out in Western New York, a 45-year-old who was out doing his job, and he's not going home. Just in the last 24 hours. It's a sad day here in New York State. It's a reminder that the work that we're doing here is important and life-saving.

And these work-zone speed cameras on the Thruway and on DOT thoroughfares that have already found thousands of violations, just out of the gate, and the goal being to slow and calm traffic down through work zones, to keep our workers safe and to create new habits here in the State of New York. When you're coming upon a construction site, you've just got to slow down.

ACTING PRESIDENT MAYER: Can we have some order so we can hear the Senator, please.

SENATOR KENNEDY: Thank you,

Madam President.

When these speed cameras are catching drivers going 99 miles an hour, or dozens upon dozens going over 80 miles an hour, in work zones that you've got to figure are at the most 55, if not 45 or less, in active sites where men and women are out there trying to help our community, that's just wrong. It's wrong, and it needs to be dealt with.

We dealt with it with the cameras. It's working. I am proud that this legislation will help the communities continue to enhance worker safety through this initiative. And I proudly vote aye.

ACTING PRESIDENT MAYER: Senator Kennedy to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 1680, voting in the negative: Senator Weik.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

SENATOR GIANARIS: Madam President.

ACTING PRESIDENT MAYER: Senator

Gianaris.

SENATOR GIANARIS: Our colleagues across the aisle have been good enough to remove their lay-asides on Calendar Number 1692 and 1697. Can we restore those to the noncontroversial calendar and take them up, please.

ACTING PRESIDENT MAYER: The bills are restored to the noncontroversial calendar.

The Secretary will read.

THE SECRETARY: Calendar Number 1692, Senate Print 6649, by Senator Gianaris, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1692, those Senators voting in the

negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik. Also Senator O'Mara.

Ayes, 40. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 1697, Senate Print 6748, by Senator Gianaris, an act to amend the General Business Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 10. This act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 1697, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads,

Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 43. Nays, 18.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris, that completes the reading of today's supplemental calendar.

SENATOR GIANARIS: Is there any further business at the desk?

ACTING PRESIDENT MAYER: There is no further business at the desk.

SENATOR GIANARIS: Move to adjourn until tomorrow, Thursday, June 8th, at 1:00 p.m.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Thursday, June 8th, at 1:00 p.m.

(Whereupon, the Senate adjourned at 8:47 p.m.)