NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 8, 2023

3:34 p.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The Senate will come to order.

I ask everyone -- thank you. 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 BAILEY: Head Priest Sridhar Bhatt, from the Hindu Temple in Albany, New York, will deliver today's invocation.

HEAD PRIEST SRIDHAR BHATT: (Singing/chanting in Sanskrit.)

May we hear auspicious words with our ears. May we see auspicious things with the eyes. May we stay healthy with steady limbs and organs. May we enjoy life that is beneficial for the heart. May the Lord of ancient fame be auspicious to us. May the supremely rich be favorable to us. May the destroyer of evil be favorable to us; may he bless and remove all the evilness in us. May prosperity ensure our wealth and knowledge.

And bless all the gods. Bless us to be faithful to the nation where we were born and where we reside. And bless us to put the first step forward in the path of peace, rather than praying for it. God bless you all.

Once again, I thank Mrs. Jessica Spanton for inviting me to deliver the invocation. And God bless you all. And God will give health, wealth and prosperity, and serve the nation with good heart. God bless you all.

Hari Om.

ACTING PRESIDENT BAILEY: The reading of the Journal.

THE SECRETARY: In Senate, Wednesday, June 7, 2023, the Senate met pursuant to adjournment. The Journal of Tuesday, June 6, 2023, was read and approved. On motion, the Senate adjourned.

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

Senator Gianaris.

SENATOR GIANARIS: Mr. President, before we continue with the usual course of business at the beginning of session, let's call a meeting of the Judiciary Committee right away

in Room 124.

ACTING PRESIDENT BAILEY: An immediate meeting of the Judiciary Committee will commence in Room 124.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Thomas moves to discharge, from the Committee on Rules, Assembly Bill Number 5994B and substitute it for the identical Senate Bill 536A, Third Reading Calendar 149.

Senator O'Mara moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 4106 and substitute it for the identical Senate Bill 3601, Third Reading Calendar 697.

Senator Webb moves to discharge, from the Committee on Budget and Revenue, Assembly Bill Number 1261 and substitute it for the identical Senate Bill 3603, Third Reading Calendar 733.

Senator Walczyk moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 6770

and substitute it for the identical Senate Bill Number 6405, Third Reading Calendar 770.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 6940 and substitute it for the identical Senate Bill 5806, Third Reading Calendar 786.

Senator Felder moves to discharge, from the Committee on Rules, Assembly Bill Number 5036 and substitute it for the identical Senate Bill 6225, Third Reading Calendar 846.

Senator Mannion moves to discharge, from the Committee on Rules, Assembly Bill Number 7366 and substitute it for the identical Senate Bill 6436A, Third Reading Calendar 861.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 5837A and substitute it for the identical Senate Bill 3346A, Third Reading Calendar 893.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 4038 and substitute it for the identical Senate Bill 4073, Third Reading Calendar 898.

Senator May moves to discharge, from the Committee on Rules, Assembly Bill Number 7286A and substitute it for the identical

Senate Bill 5735A, Third Reading Calendar 922.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 6258A and substitute it for the identical Senate Bill 5891A, Third Reading Calendar 928.

Senator Weber moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 5872A and substitute it for the identical Senate Bill Number 6029, Third Reading Calendar 931.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 6202A and substitute it for the identical Senate Bill 6190A, Third Reading Calendar 937.

Senator Mannion moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 6558 and substitute it for the identical Senate Bill Number 6507, Third Reading Calendar 960.

Senator Rolison moves to discharge, from the Committee on Rules, Assembly Bill Number 6556 and substitute it for the identical Senate Bill 6590, Third Reading Calendar 965.

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

Number 6555 and substitute it for the identical Senate Bill 6679, Third Reading Calendar 971.

Senator Stavisky moves to discharge, from the Committee on Transportation, Assembly Bill Number 6732 and substitute it for the identical Senate Bill 6462, Third Reading Calendar 1012.

Senator Harckham moves to discharge, from the Committee on Environmental Conservation, Assembly Bill Number 6949 and substitute it for the identical Senate Bill 6604, Third Reading Calendar 1149.

Senator Skoufis moves to discharge, from the Committee on Transportation, Assembly Bill Number 5673 and substitute it for the identical Senate Bill 5834, Third Reading Calendar 1173.

Senator Breslin moves to discharge, from the Committee on Insurance, Assembly Bill Number 7255 and substitute it for the identical Senate Bill 7057, Third Reading Calendar 1190.

Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 4720 and substitute it for the identical Senate Bill 5664, Third Reading Calendar 1198.

Senator Comrie moves to discharge, from the Committee on Procurement and Contracts, Assembly Bill Number 6791 and substitute it for the identical Senate Bill 6787, Third Reading Calendar 1200.

Senator Sanders moves to discharge, from the Committee on Internet and Technology, Assembly Bill Number 4969 and substitute it for the identical Senate Bill 6402, Third Reading Calendar 1206.

Senator Cooney moves to discharge, from the Committee on Rules, Assembly Bill Number 6724 and substitute it for the identical Senate Bill 6610A, Third Reading Calendar 1220.

Senator Sanders moves to discharge, from the Committee on Rules, Assembly Bill Number 6222A and substitute it for the identical Senate Bill 6647A, Third Reading Calendar 1251.

Senator Stewart-Cousins moves to discharge, from the Committee on Rules, Assembly Bill Number 6693 and substitute it for the identical Senate Bill 6599, Third Reading Calendar 1298.

Senator Kennedy moves to discharge, from the Committee on Finance, Assembly Bill

Number 2137 and substitute it for the identical Senate Bill 6292, Third Reading Calendar 1286.

Senator Salazar moves to discharge, from the Committee on Rules, Assembly Bill Number 6667 and substitute it for the identical Senate Bill 6726, Third Reading Calendar 1308.

Senator Rivera moves to discharge, from the Committee on Rules, Assembly Bill Number 6180A and substitute it for the identical Senate Bill 6815, Third Reading Calendar 1330.

Senator Mannion moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 3125A and substitute it for the identical Senate Bill Number 6694, Third Reading Calendar 1352.

Senator Harckham moves to discharge, from the Committee on Children and Families, Assembly Bill Number 6616 and substitute it for the identical Senate Bill 6538, Third Reading Calendar 1388.

Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 7043A and substitute it for the identical Senate Bill 6802A, Third Reading Calendar 1398.

Senator Stewart-Cousins moves to

discharge, from the Committee on Rules, Assembly Bill Number 7206B and substitute it for the identical Senate Bill 7026B, Third Reading Calendar 1408.

Senator Ramos moves to discharge, from the Committee on Rules, Assembly Bill Number 1120 and substitute it for the identical Senate Bill 1746, Third Reading Calendar 1454.

Senator Stec moves to discharge, from the Committee on Rules, Assembly Bill Number 2943 and substitute it for the identical Senate Bill 2904, Third Reading Calendar 1466.

Senator Stec moves to discharge, from the Committee on Rules, Assembly Bill Number 4033 and substitute it for the identical Senate Bill 2905, Third Reading Calendar 1467.

Senator Webb moves to discharge, from the Committee on Finance, Assembly Bill Number 5985A and substitute it for the identical Senate Bill 4401A, Third Reading Calendar 1477.

Senator Brisport moves to discharge, from the Committee on Social Services, Assembly Bill Number 2176 and substitute it for the identical Senate Bill 5897, Third Reading Calendar 1509.

Senator Mattera moves to discharge, from the Committee on Finance, Assembly Bill Number 7410 and substitute it for the identical Senate Bill 5971, Third Reading Calendar 1510.

Senator Jackson moves to discharge, from the Committee on Rules, Assembly Bill Number 6499 and substitute it for the identical Senate Bill 6216, Third Reading Calendar 1513.

Senator Gounardes moves to discharge, from the Committee on Rules, Assembly Bill Number 6571 and substitute it for the identical Senate Bill 6339, Third Reading Calendar 1521.

Senator Rolison moves to discharge, from the Committee on Rules, Assembly Bill Number 7477A and substitute it for the identical Senate Bill 7431A, Third Reading Calendar 1550.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 7427 and substitute it for the identical Senate Bill 7489, Third Reading Calendar 1566.

ACTING PRESIDENT PERSAUD: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Madam President, good afternoon.

Please recognize Senator Scarcella-Spanton for a quick introduction.

ACTING PRESIDENT PERSAUD: Senator Scarcella-Spanton for an introduction.

SENATOR SCARCELLA-SPANTON: Thank you, Madam Chair.

And I am so happy to welcome the South Brooklyn Youth Alliance, led by Coach Knight and Priscilla Santos, to Albany today.

The South Brooklyn Youth Alliance hails from Coney Island, Brooklyn, where it is part of the incredible Coney Island Sharks and Sharkettes program. They're up there, and they are always -- the Sharkettes are always performing at all of our local events. We're so excited to have them here with us today.

The Coney Island Sharks have been a

community-based organization for the past 33 years, providing a free youth program that not only includes sports like football, but life skills through mentoring, tutoring, youth counsel, arts and community service.

The South Brooklyn Youth Alliance program allows participants, young people ages 8 to 18, to voice their concerns on issues concerning their communities and lives. It also gives them a platform to advocate with government representatives and local businesses in an attempt to effectuate change. Which is why I'm so proud to have them up in Albany today.

And I said to them earlier, because I know they've been patiently waiting up there in the gallery for a long time, that they should run for office when they're older so they can start on time, unlike all of us.

(Laughter.)

SENATOR SCARCELLA-SPANTON: I'm so grateful to have you all here today. You guys are true leaders in your communities. To Coach Knight and to Priscilla Santos, thank you for leading this wonderful organization.

It's my honor to have you here

today, and I welcome you all to the State Senate.

Thank you.

(Applause from gallery.)

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Madam President, at this time I move to adopt the Resolution Calendar.

ACTING PRESIDENT PERSAUD: All those in favor of adopting the Resolution Calendar please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Can we now take

up previously adopted Resolution 475, by Senator Tedisco, read that resolution's title and recognize Senator Tedisco.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 475, by Senator Tedisco, congratulating Isabella Gretzinger of Shenendehowa High School upon the occasion of capturing the 2023 New York State Public High School Athletic Association Girls Wrestling Championship.

ACTING PRESIDENT PERSAUD: Senator Tedisco on the resolution.

SENATOR TEDISCO: Thank you so much, Madam President.

I am proud and honored today to welcome to the Senate chamber an outstanding young lady from the great school in the Shenendehowa School District. And as I tell about all her achievements, I want to let you know she's only a junior, so you can expect her to be back visiting us in the future to be honored probably over and over and over again.

Shenendehowa High School's Isabella Gretzinger captured the New York State Public

High School Athletic Association Girls Wrestling Championship. Girls wrestling championship. How about breaking that glass ceiling? With a 13 to 1 victory over Liverpool's Gabby Gonzalez at the SRC Arena and Event Center in Syracuse on Friday, January 27, 2023.

Isabella is the first New York State Girls Wrestling Champion from Shenendehowa High School and the very first title holder in New York State for the girls 152 weight class. She is a trailblazer for many more talented young women to follow.

Her title capped off a spectacular season with an overall record of 18-2, and she was named the Times Union's Girls Athlete of the Week for January 23-29, 2023.

Now, the two matches she had before she went to that championship contest, she defeated the first one in a pin in 26 seconds. The second one was in two minutes and about 30 seconds.

So I pointed out to her if she could give us that weaponry to do an on-time budget every year, we would be very excited about it. Because she was very expeditious and so talented,

she did that in an excellent fashion. And that's unbelievable for a wrestler to be that quick in two successive tournaments.

And I told her, as my colleague suggested upstairs to the individuals she introduced -- and I mean this -- she's going to have some great successes in the future. And I want her to know that if she chose to run for office at any level, I would be certainly happy to support her, except if she decided the 44th Senatorial District was the one she wanted to run in. Then I'd have to be her campaign manager, I think.

But along with this unbelievable champion is her mom and her dad. So with us is her dad, long-time former WNYT news anchor Jerry Gretzinger, and they're up in the corner here. And her mom, Paula Fidalgo.

And I want you to know this -- and many of you know who have been involved in athletics, in any sport -- no one succeeds without the mentorship and guidance of great coaching. And we have a team of great coaches here who helped Isabella achieve her goals.

So I would also ask you to welcome

the coaches: Antonio Lomascolo, Robert Weeks, Chris Capezzuti, Daniel Palmerino, and Frank Popolizio.

Madam President, I wish you would welcome and thank and congratulate this outstanding champion and provide her all the cordialities of this august body today.

ACTING PRESIDENT PERSAUD: Thank you.

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

Please all rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Madam President, I wish to call up the following bills, which were recalled from the Assembly and are now at the desk: Senate Bills 6349 and 1051.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 823, Senate Print 6349, by Senator Breslin, an

act to amend the Executive Law.

Calendar Number 1073, Senate Print 1051, by Senator Cooney, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT PERSAUD: The bills are restored to their place on the Third Reading Calendar.

SENATOR GIANARIS: Madam President, I believe the motion was to reconsider the vote by which those bills were passed.

And now they're restored to the Third Reading Calendar, and I offer the following amendments.

ACTING PRESIDENT PERSAUD: The amendments are received.

SENATOR GIANARIS: Thank you.

Can we proceed to call an immediate meeting of the Rules Committee in Room 332, and take up the calendar.

ACTING PRESIDENT PERSAUD: There will be an immediate meeting of the

Rules Committee in Room 332.

The Secretary will read.

THE SECRETARY: Calendar Number 129, Senate Print 1303B, by Senator Parker, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Walczyk to explain his vote.

SENATOR WALCZYK: Thank you, Madam President.

The utility rate design is carefully crafted by the PSC to achieve a balanced approach which provides fundamental fairness for all customers, and this bill would undo that balance and that charge by the PSC.

I'm therefore voting no. Thank you.

ACTING PRESIDENT PERSAUD: Senator Walczyk in the negative?

SENATOR WALCZYK: Yes.

ACTING PRESIDENT PERSAUD: Thank you. Senator Walczyk to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 129, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Lanza, Oberacker, O'Mara, Ortt, Rhoads, Tedisco, Walczyk and Weik.

Ayes, 47. Nays, 12.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 149, Assembly Bill Number 5994B, by Assemblymember Darling, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 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 149, those Senators voting in the negative are Senators Borrello, Oberacker and Ortt.

Ayes, 56. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 237, Senate Print 2935C, by Senator Parker, an act enacting the Just Energy Transition 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 237, 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, 41. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 258, Senate Print 2175, by Senator Kennedy, an act to amend the Workers' Compensation Law.

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: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 346, Senate Print 2330B, by Senator Mayer, an act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. 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 346, those Senators voting in the negative are Senators Gallivan, Griffo, Oberacker, O'Mara, Ortt, Palumbo, Tedisco, Walczyk and Weber.

Ayes, 53. Nays, 9.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 416, Senate Print 1027A, by Senator Gounardes, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 429, Senate Print 158B, by Senator Krueger, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Madam President.

I am very pleased that this bill is moving today. I think it's probably one of the first in the country that will establish your right to privacy for healthcare-related activity and participation with a doctor in a legally provided medical service, and even limit private corporations' ability to track you based on your

use of medical care or your making appointments via internet or even at some level learning that maybe you're pregnant because you stopped using your app to schedule your period.

And so it is so important in this time, as technology expands and corporate ability to find out information about us without our permission becomes beyond ubiquitous, and some states continue to attempt to control our bodies and limit our rights to fundamental healthcare, that legislation like this moves not just in our state but in many others.

And happily I've been working with legislators in quite a few states, and attorney generals and others, to try to make sure we have the right laws on the books to protect all of our health privacy.

I proudly vote yes.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 429, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 487, Senate Print 4467B, by Senator Mayer, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 487, those Senators voting in the negative are Senators Ashby, Borrello, Griffo, Helming, O'Mara, Ortt, Palumbo, Stec, and Walczyk.

Ayes, 53. Nays, 9.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 600, Senate Print 5881A, by Senator Skoufis, an

act to amend the Real Property Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 600, those Senators voting in the negative are Senators Ashby, Borrello, Griffo, Helming, Rolison, Walczyk and Weik.

Ayes, 55. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 645, Senate Print Number 5107A, by Senator Hoylman-Sigal, an act to amend the Family Court Act.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 27. 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 645, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 656, Senate Print 154C, by Senator Krueger, 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 90th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 656, voting in the negative are Senators Oberacker and Walczyk.

Ayes, 60. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 697, Assembly Bill Number 4106, by Assemblymember Gallahan, 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, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 714, Senate Print 5830, by Senator Salazar, an act to amend the Correction Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect 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 714, those Senators voting in the negative are Senators Borrello, Gallivan, Helming, Murray, Oberacker, Ortt, Rhoads, Walczyk, Weber and Weik.

Ayes, 52. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 733, Assembly Bill Number 1261, by Assemblymember Kelles, an act to amend the Tax Law.

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

Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 733, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Harckham, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Skoufis, Stec and Tedisco.

Ayes, 44. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 744, Assembly Bill Number 3057, by Assemblymember Cruz, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 744, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 770, Assembly Bill Number 6770, by Assemblymember Miller, an act to amend the Public Officers Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 786, Assembly Bill Number 6940, by Assemblymember Simone, an act to amend the Not-For-Profit Corporation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 803, Senate Print 4544, by Senator Skoufis, 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: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 815, Senate Print 643D, by Senator Kavanagh, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 10. 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 815, those Senators voting in the negative are Senators Borrello and Walczyk.

Ayes, 60. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 817, Senate Print 3024A, by Senator Comrie, an act to amend the Environmental Conservation Law.

SENATOR WEIK: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 842, Senate Print 5207B, by Senator Skoufis, an act to amend the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 842, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Griffo, Helming, Martins, Oberacker, O'Mara, Ortt, Walczyk and Weik.

Ayes, 53. Nays, 9.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 846, Assembly Bill Number 5036, by Assemblymember Eichenstein, an act to authorize the City of New York to reduce the interest accrued on certain charges assessed on real property located at 1690 60th Street in Brooklyn.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 861, Assembly Bill Number 7366, by Assemblymember Hevesi, an act to amend the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 870, Senate Print 6238A, by Senator Myrie, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 871, Senate Print Number 6341B, by Senator Hoylman-Sigal, an act to amend the Penal 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, 62.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 879, Senate Print 5918B, by Senator Harckham, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 879, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 888, Senate Print 6691A, by Senator Cleare, an act to amend the Emergency Tenant Protection Act of 1974.

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: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Madam President.

Over the past several decades, entire rent-stabilized buildings have been acquired by investors for the sole purpose of deregulation and extreme profiteering, as opposed to stewardship.

The legislation before us is necessary because the structure of LLCs can be made so complex that literally years can go by without any government agency like HCR or HPD, tenants' rights organizations or private citizens being able to uncover who the official owner of their building may be -- though the water may be out, the heat failing, the ceiling crumbling, and so forth.

The good actors in the housing space

have no problem telling us who they are. But as for others, we need to know. And being tied up in mystery serves no useful public purpose. This bill is about accountability and transparency, and it deserves everyone's support.

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

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

Senator Krueger to explain her vote.

SENATOR KRUEGER: I want to thank Senator Cleare for her excellent bill.

And as she pointed out, if you're not doing anything wrong, why should you worry that anybody knows who the owner of the business is. Frankly, we require that almost every other business in the State of New York has to announce who it is in some way or some shape, so that clients and customers know exactly who they're dealing with.

So that the fact that this LLC loophole has allowed certain entities to successfully hide from government, from complaints, and from the people who are dependent on knowing who their owner or landlords or

managers are, is crucial.

So it's way too long before we're finally getting to this, so I just really appreciate Cordell Cleare's commitment to this and getting this bill done today. I proudly vote yes.

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

Announce the results.

THE SECRETARY: In relation to Calendar 888, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 42. Nays, 20.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 893, Assembly Bill Number 5837A, by Assemblymember Brabenec, an act to amend the Tax Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 893, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, O'Mara, Palumbo, Rhoads, Scarcella-Spanton, Tedisco and Webb.

Ayes, 47. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 894, Senate Print 3444A, by Senator Helming, an act to amend the 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: In relation to Calendar 894, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Skoufis, Tedisco and Weber.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 898, Assembly Bill Number 4038, by Assemblymember Eachus, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 898, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Helming, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Tedisco and Webb.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 922, Assembly Bill Number 7286A, by Assemblymember Lemondes, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 922, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Helming, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Skoufis, Tedisco and Webb.

Ayes, 44. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 923, Senate Print 2736A, by Senator May, an act to amend the 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: In relation to

Calendar 923, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Helming, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Skoufis, Tedisco and Webb.

Ayes, 44. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 928, Assembly Bill Number 6258A, by Assemblymember Eachus, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 928, those Senators voting in the

negative are Senators Canzoneri-Fitzpatrick, Harckham, Helming, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Tedisco and Webb.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 931, Assembly Bill Number 5872A, by Assemblymember Brabenec, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 931, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick,

Harckham, Hinchey, Kennedy, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 52. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 937, Assembly Bill Number 6202A, by Assemblymember Maher, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 937, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Helming, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Tedisco and

Webb.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 960, Assembly Bill Number 6558, by Assemblymember Hunter, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 960, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Helming, Hinchey, Kennedy, Lanza, Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Skoufis, Tedisco and Webb.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 965, Assembly Bill Number 6556, by Assemblymember Jacobson, an act to amend the Tax Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 965, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Skoufis, Tedisco and Webb.

Ayes, 46. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 971, Assembly Bill Number 6555, by Assemblymember Jacobson, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 971, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Hinchey, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Skoufis, Tedisco and Webb.

Ayes, 46. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

984, Senate Print 4230, by Senator Kennedy, an act to establish the extreme weather preparedness task force.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 990, Senate Print 3313B, by Senator Skoufis, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1012, Assembly Bill Number 6732, by Assemblymember Aubry, an act to amend the Highway 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 1012, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1013, Senate Print 6580, by Senator Gallivan, an act to amend the Highway 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 1013, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1016, Senate Print 1292, by Senator Parker, an act to amend the Environmental Conservation 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 1016, those Senators voting in the negative are Senators Borrello, Brisport, Gallivan, Gonzalez, Griffo, Helming, Oberacker, Ortt, Salazar, Walczyk and Weik.

Ayes, 51. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1017, Senate Print 1453, by Senator Sanders, an act to amend the General Municipal Law.

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT PERSAUD: Lay it aside for the day.

THE SECRETARY: Calendar Number 1037, Senate Print 6357, by Senator Mannion, an act to amend the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1039, Senate Print 5516A, by Senator Brouk, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1046, Senate Print 1449, by Senator Sanders, an act to direct the City of New York to conduct an analysis of stormwater and groundwater issues in southeast Queens.

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 1046, voting in the negative: Senator Martinez.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1054, Senate Print 6668, by Senator Rivera, an act to amend the Social Services Law and the Correction Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1054, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1060, Senate Print Number 2477A, by Senator Hoylman-Sigal, an act to amend the Labor Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1060, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, Ortt, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1062, Senate Print 4982, by Senator Ramos, an act to amend the Labor 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 1062, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Oberacker, Rhoads and Walczyk.

Ayes, 53. Nays, 9.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to

Calendar 1085, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, Martinez, Oberacker, Ortt, Palumbo, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 47. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1098, Senate Print 5056A, by Senator Thomas, an act to amend the Financial 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: In relation to Calendar 1098, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Oberacker, Ortt, Palumbo, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 49. Nays, 13.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1112, Senate Print 6226A, by Senator Hinchey, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT PERSAUD: Lay it

aside for the day.

THE SECRETARY: Calendar Number 1134, Senate Print 6296, by Senator Mannion, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1147, Senate Print 5802, by Senator Mannion, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Oberacker to explain his vote.

SENATOR OBERACKER: Thank you, Madam President.

I would like to thank the bill's sponsor. As a recent arrival to the age of 60, I feel like I will be able to utilize this bill to the best of my ability, and I proudly vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1147, those Senators voting in the negative are Senators Brisport, Hoylman-Sigal and Martinez.

Ayes, 59. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1149, Assembly Bill Number 6949, by Assemblymember Glick, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you very much, Madam President.

Geothermal is one of the technologies that's going to help us with our transition to a clean energy future. Geothermal is a much more efficient form of heating and cooling than carbon-based systems. But it's not as accessible or affordable as it could have been because of a draconian regulation in New York that says that if you go down a geothermal bore hole more than 500 feet, it's considered an oil and gas well. And with that comes a host of reporting requirements, bonding requirements.

And it -- therefore the geothermal industry will use two and three and four wells, taking up more property and costing property

owners much more.

So by allowing them to go deeper than 500 feet, it becomes much more cost-effective. For property owners, it allows less space to be used, therefore we can bring geothermal to properties in our urban environments, our downtown, our commercial environments as well.

This bill has no fiscal cost to the state. It will be a win-win for opening the door to geothermal for many residential and commercial property owners as well as multifamily property owners.

I proudly vote aye.

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

Senator Mattera to explain his vote.

SENATOR MATTERA: Yes, and I thank the sponsor for this bill. This is a great bill.

Me being in the plumbing business, this is very, very important for our renewable energy and for our future because there was jobs that were going to be lost, especially with the renewable energy moving forward, and this will help the plumbing industry in a lot of ways.

But we need all sources of renewable energy. Wind and solar is not going to do the job with the CLCPA's mandates that are moving forward.

So, Senator Harckham, I thank you so much. Very important. We need other sources of the renewable energy, and this is a good way of moving forward. And green hydrogen is next.

Thank you very much.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1149, voting in the negative are Senators Griffo and Oberacker.

Ayes, 60. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1166, Senate Print 6879A, by Senator Walczyk, an act to amend the Public Housing Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1173, Assembly Bill Number 5673, by Assemblymember Eachus, an act to amend the Highway 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 1173, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1187, Senate Print 5764B, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1190, Assembly Bill Number 7255, by Assemblymember Anderson, an act to amend Chapter 673 of the Laws of 2005.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1194, Senate Print 1687, by Senator Hinchey, 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 first of July.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Murray to explain his vote.

SENATOR MURRAY: Thank you, Madam President.

I just rise to thank the sponsor for this. I know we've been working on this, and

she's taken the lead and really done a great job.

Because this -- this has been a problem, is getting the MWBEs recertified. Many have waited -- I mean in some cases years -- to find out if they were getting it and then were denied for no apparent reason when there was no change in their status.

So having this presumption will absolutely help all of the MWBEs but also speed up the process and make it -- make us able to accomplish the mission of why we have the MWBEs in the first place.

So I thank the sponsor. I proudly vote yes.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1198, Assembly Bill Number 4720, by Assemblymember McDonald, an act to amend the Infrastructure Investment 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: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1199, Senate Print 6609, by Senator Cooney, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1199, those Senators voting in

the negative are Senators Ashby, Canzoneri-Fitzpatrick, Helming, Martins, Murray, Ortt, Rhoads and Weber.

Ayes, 54. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1200, Assembly Bill Number 6791, by Assemblymember Bichotte Hermelyn, an act to amend Chapter 782 of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1206, Assembly Bill Number 4969, by Assemblymember Vanel, an act creating a temporary

state commission to study and investigate how to regulate artificial intelligence.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1207, Senate Print 6476A, by Senator Gonzalez, an act directing a state agency telework report.

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: In relation to Calendar 1207, those Senators voting in the negative are Senators Griffo, Martins, Oberacker, Ortt, Walczyk and Weber.

Ayes, 56. Nays, 6.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1220, Assembly Bill Number 6724, by Assemblymember Bronson, an act in relation to authorizing the City of Rochester to convey by appropriate instruments to the Rochester Pure Waters District, an easement in Genesee Valley Park.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1220, voting in the negative: Senator Lanza.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1221, Senate Print 6667, by Senator May, 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: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1225, Senate Print 5965A, by Senator Bailey, an act to amend the Correction Law.

SENATOR GIANARIS: Lay it aside for

the day.

ACTING PRESIDENT PERSAUD: Lay it aside for the day.

THE SECRETARY: Calendar Number 1227, Senate Print 260, by Senator Serrano, 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 1227, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1230, Senate Print 6980A, by Senator Mayer, 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 1230, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Oberacker, Ortt, Stec, Tedisco and Walczyk.

Ayes, 53. Nays, 9.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1238, Senate Print 6627A, by Senator Kennedy, an act in relation to authorizing and directing the New York State Power Authority to rename the Robert Moses Niagara Power Plant to the Shirley J. Hamilton Niagara Power Plant.

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 1238, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, Ortt, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1239, Senate Print Number 1610, by Senator Hoylman-Sigal, an act to amend the Real Property Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1239, 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, Skoufis, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 22.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1246, Senate Print Number 6676, by Senator Hoylman-Sigal, an act to amend the Uniform City Court Act.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1246, those Senators voting in the negative are Senators Ashby, Griffo, Oberacker, Ortt, Palumbo, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 51. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1251, Assembly Bill Number 6222A, by Assemblymember Anderson, an act to amend the Banking Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1254, Senate Print 6970, by Senator Sanders, an act to amend the Banking Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1264, Senate Print Number 6674, by Senator Hoylman-Sigal, an act to amend the Social Services Law and the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 5. 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: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1267, Senate Print 885B, by Senator Hinchey, an act to amend the Multiple Residence Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 1270, Senate Print Number 2481, by Senator Hoylman-Sigal, 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 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 1270, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Oberacker, Ortt and Stec.

Ayes, 56. Nays, 6.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1277, Senate Print 3381A, by Senator Kennedy, an act to amend the Executive 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: In relation to Calendar 1277, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Lanza,

Martins, Mattera, Murray, Oberacker, Ortt, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 46. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1286, Assembly Bill Number 2137, by Assemblymember Peoples-Stokes, an act to amend the Public Authorities Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1293, Senate Print 5554, by Senator Comrie, an act to amend the General Municipal 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 1293, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Mattera, Murray, Oberacker, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 49. Nays, 13.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1298, Assembly Bill Number 6693, by Assemblymember Shimsky, an act to authorize the assessor of Mount Pleasant to accept an application for exemption from real property taxes.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Jackson moves to discharge, from the Committee on Cities 1, Assembly Bill Number 6659 and substitute it for the identical Senate Bill 6171, Third Reading Calendar 1307.

ACTING PRESIDENT PERSAUD: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1307, Assembly Bill Number 6659, an act to amend Chapter 470 of the Laws of 2022.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1308, Assembly Bill Number 6667, by Assemblymember Walker, an act to amend Chapter 548 of the Laws of 2022.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1308, voting in the negative: Senator Oberacker.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1320, Senate Print 4557, by Senator Skoufis, an act in relation to permitting certain municipalities to receive reimbursement from the state for law enforcement activities.

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 1320, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 1330, Assembly Bill Number 6180A, by Assemblymember Braunstein, 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 1330, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1333, Senate Print 6956, by Senator Myrie, an act in relation to requiring the Commissioner of Health to develop a sustainability plan for the State University of New York Downstate Medical

Center.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1338, Senate Print 6551, by Senator Mayer, an act to amend the Labor Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce

the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1344, Senate Print 6675, by Senator Breslin, an act to amend the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1345, Senate Print 6933, by Senator Webb, an act to amend the Election 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 1345, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Martins and Rhoads.

Ayes, 58. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1352, Assembly Bill Number 3125A, by Assemblymember Magnarelli, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1355, Senate Print 6796, by Senator Addabbo, an act to amend the Agriculture and Markets 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: Senator Addabbo to explain his vote.

SENATOR ADDABBO: Thank you, Madam President. Good afternoon, everybody.

Yesterday when we passed Senate Bill 2163, it was actually a bill meant to make it illegal to slaughter any horse within the State of New York.

But when I spoke yesterday on the

floor I mentioned that it was done in order to address some of the issues we're having in terms of how do we implement or how do we address and actually carry out the laws of actually helping to protect against the slaughter of horses.

This bill today, 6796, takes another step. And now it basically says that in any place that a horse is sold or at auction, that there should be signage explaining that this is a law now in New York that we are now saving horses from slaughter. So at any site that has either an auction or a sale of a horse, signage will be presented or posted.

In addition to that, it also says that an agent of -- the Agriculture and Markets Department will have an agent at the sale or auction of a horse, to actually help the enforcement of these pieces of legislation that we are passing here in this house and hopefully in the other house.

Once again, I want to thank the horse advocates for working with my office. I want to thank our leader for getting this bill to the floor, and my colleagues as we take another positive step in saving horses, protecting them,

also improving after-care.

And again, I want to thank you all for your support, and I'll be voting aye.

Thank you, Madam President.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1355, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1357, Senate Print 6597A, by Senator Kavanagh, 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 30th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator

Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

I'm in the restaurant business, and I can tell you that it's a little annoying when I see that someone doesn't have a paper menu and you have to scan the app on the phone and see the menu on that tiny little screen.

But the bottom line is, this is not something that government needs to be involved in. If people don't like that and they can't get a paper menu, they can choose to go somewhere else. And quite frankly, it's a bad business practice, as far as I'm concerned. I would never do that. But I also believe that they have a right to do that. And if they choose not to provide a paper menu, the consumer, the guest, will decide for themselves whether or not they want to continue to patronize that.

So I'm going to vote no because this is just government overreach.

ACTING PRESIDENT PERSAUD: Senator Borrello to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to

Calendar 1357, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Lanza, Mattera, Murray, Oberacker, Palumbo, Rolison, Tedisco, Walczyk, Weber and Weik.

Ayes, 47. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1388, Assembly Bill Number 6616, by Assemblymember Zebrowski, an act to amend Chapter 329 of the Laws of 2009.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1390, Senate Print 6564, by Senator Kennedy, an act to amend the Local Finance Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1390, those Senators voting in the negative are Senators Ashby and Walczyk.

Ayes, 60. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1398, Assembly Bill Number 7043A, by Assemblymember Fahy, 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.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1398, those Senators voting in the negative are Senators Lanza and Griffo.

Ayes, 60. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1408, Assembly Bill Number 7206B, by Assemblymember Pretlow, 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 5. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1408, those Senators recorded in the negative are Senators Martinez and Palumbo.

Ayes, 60. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1448, Senate Print 7460, by Senator Palumbo, an act to amend Chapter 438 of the Laws of 2022.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1454, Assembly Bill Number 1120, by Assemblymember Joyner, an act to amend the Labor 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 1454, those Senators voting in the negative are Senators Borrello, Griffo, Helming, Oberacker and Weber. Also Senator Stec.

Ayes, 56. Nays, 6.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1466, Assembly Bill Number 2943, by Assemblymember Simpson, an act to amend the Highway 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 1466, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1467, Assembly Bill Number 4033, by Assemblymember Simpson, an act to amend the Highway 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 1467, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1477, Assembly Bill Number 5985A, by Assemblymember Rosenthal, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

1483, Senate Print 4707A, by Senator Walczyk, an act to amend the Highway Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1486, Senate Print 4897A, by Senator Rolison, an act to amend the Highway 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 1486, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1509, Assembly Bill Number 2176, by Assemblymember Epstein, 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: In relation to Calendar Number 1509, voting in the negative: Senator Oberacker.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 1510, Assembly Bill Number 7410, by Assemblymember Fitzpatrick, an act to amend the Highway Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 1510, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1511, Senate Print 6050, 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 90th day after it

shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Mattera to explain his vote.

SENATOR MATTERA: Thank you, Madam President.

And I want to thank Senator Mayer for this very, very important bill, project labor agreements for construction projects with SUNY and CUNY schools. This is so, so important.

Over the years that I've been a business agent with the trades, I've had a lot of unscrupulous contractors arrested with the district attorney's office because they cheat, and this bill will prevent that. This will protect the good general contractors, this will protect all the good contractors and all construction deals, and this is definitely going to protect all of the workers.

Just to give a little bit of a history, my dad -- may he rest in peace -- my father back in 1971 was working at the VA Hospital over in Northport, and my dad was not

getting paid the proper wage. And he found out from union reps that came up to him. His boss, yes, was not paying him correctly. And my dad went home and he went into the union. And thank God my dad did, because all these years my father was so proud to be a union member, making sure that he was getting paid the prevailing wage.

This is taxpayers' monies that are being paid. And when we have local jobs for local people, that's what this bill does. This bill generates revenue in the State of New York. We do not have out-of-state workers that are coming in, that are taking our jobs away and bringing the money back to their states, and their bosses aren't even paying them the right rate.

So you know what, this -- yes, we have our district attorneys. But with all the trades, with the electricians, the plumbers, the steamfitters, the laborers, the concrete, all the trades -- the HVAC workers -- all I get to say is this. The apprenticeship programs are so important. So when our contractors bid on the work, they're bidding on this prevailing wage work with apprentices. So that's how they're

very much competitive.

This is very important with our renewable energy. We have project labor agreements for all these projects. All these projects right now should be done -- Stony Brook. When Senator LaValle --

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

SENATOR MATTERA: Yes. And you know what, Madam President? I thank you. This is a great bill. I vote yes. Thank you.

ACTING PRESIDENT PERSAUD: Thank you. Senator Mattera to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 1511, voting in the negative: Senator Ortt.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1512, Senate Print 6097, by Senator Gounardes, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1513, Assembly Bill Number 6499, by Assemblymember Pheffer Amato, an act to amend the General Municipal Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1514, Senate Print 6246, by Senator Gounardes, 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 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 1514, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1515, Senate Print 6247, by Senator Myrie, an act to amend the Election 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, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1516, Senate Print 6253, by Senator Jackson, an act to amend the General Municipal Law.

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

Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1517, Senate Print 6254, by Senator Jackson, an act to amend the General Municipal Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1518, Senate Print 6293, by Senator Jackson, an act to amend the Retirement and Social Security Law.

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1519, Senate Print 6318A, by Senator Hinchey, an act to amend the Public Service 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: Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

If you travel anywhere across our state, it is likely that you will lose cellphone service. And in 2023, I just find that unacceptable. I think all of us would find that unacceptable.

Not only is it an economic development issue, but it's also a safety issue. And in the rural communities that I represent, there are many back roads, but if you're traveling at night and something happens, you are out of luck. Personally, for me, I can't leave my house and travel in any direction and complete a phone call.

As I said, it's 2023. We need to solve this situation imminently. And so I'm really proud for bringing this bill to the floor. This will help us create, for the first time, a statewide map of cellphone service coverage and actually set thresholds and standards, similar to

other states, so that we can ensure once and for all that we are actually investing in cellphone service coverage and building out that infrastructure so that everyone across our state can have reliable phone service, especially in a time when we are losing landlines and most people only have a cellphone.

I thank the Majority Leader for bringing this bill to the floor, and I'm really proud to vote aye.

Thank you, Madam President.

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

Senator Ashby to explain his vote.

SENATOR ASHBY: Thank you, Madam President. I want to thank the sponsor for bringing this bill to the floor and for the considered effort to make this improvement.

You know, we've seen these study bills come across the Legislature before, and unfortunately we haven't seen a lot of action. I'm hopeful that with this bill we will see action. It's imperative that we address this in this body, and with the companies that are out there, that we work together to make the

necessary improvements.

And I proudly vote aye.

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

Senator Stec to explain his vote.

SENATOR STEC: I too rise, Madam President, to support this legislation.

However, government is very good at studies and studies and studies. I've got a study that took two years, the Upstate Cellular Coverage Task Force. We spend a lot of money on this, two years to do. It's already over two years old, and the recommendations haven't been implemented. We need to get going. It's time to fish or cut bait.

So while I support this, and more data is always good and it's hard to argue against studying something, you know what? Studying isn't going to save lives when a car goes off the road in the Adirondacks and they can't make a phone call and somebody dies, they freeze to death because they didn't have a cell signal. And that happened in my district.

It's time to move forward. It's time to get this done. Everybody -- people have

gotten rid of their landlines, they're going purely to cell. I've talked to a lot of my sheriffs: 70, 75 percent of 911 calls are coming in on the cellular phone. People are getting -- and companies aren't investing in landlines anymore because the customers are getting rid of landlines.

It's time to make an investment, do whatever we've got to do. Studies are nice, but it's time to fish or cut bait.

I vote aye.

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

Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

And I want to thank Senator Hinchey for this bill and for all her work on trying to make sure that we have connectivity across the state.

As chair of the Commission on Rural Resources, I am grateful for this bill because this is a rural issue -- but also as chair of the committee on our smaller cities. In Syracuse, where I live, when I ran for office the

first time in 2008, I lived in a house that was less than a quarter-mile from Syracuse University. We had terrible cell service on our street. And I got a call the day after the election and I had to run two flights of stairs up to the attic in order to receive this call.

And I was all out of breath when I had to say, "Thank you, Governor Cuomo, nice to talk to you." I mean, the governor called to congratulate me, and I -- the only way I could receive that call was by running up to the third floor.

So I hope that this will help our people all over the state, in rural and urban areas, who are struggling to get the cell service they deserve. Thank you.

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

Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Madam President.

I just want to rise and extend my gratitude to the bill sponsor, Senator Hinchey, for putting this thoughtful piece of legislation together.

I think everyone here remembers when they got their first cellphone. We remember a time when cellphones didn't exist -- well, maybe everybody.

(Laughter.)

SENATOR KENNEDY: Maybe not -- you know. We're showing our age here, you know.

But, I mean I remember when I got mine. I was on my first job back in like 1999. You know, it was 24 years ago now. There are some in this chamber that were still in diapers. I'm not going to shout anybody out, but you know who you are.

Bottom line is now, you know, these cellphones, the only time that you see a phone attached to a cord these days, it seems, is when they're plugged in. And even that's becoming a thing of the past.

Cellular service is a part of our lives in each and every way. It is almost an attachment of our own self. We are dependent upon cellular service. So it's important that we study where service exists, where it still needs to be implemented to the level that we deserve across our state, and serve as a model for the

rest of the nation.

Again, I thank Senator Hinchey for putting this bill forward and the leader for bringing it to the floor.

With that, Madam President, I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1520, Senate Print 6335A, by Senator Mannion, an act to amend the Civil Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1521, Assembly Bill Number 6571, by Assemblymember Pheffer Amato, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1529, Senate Print 6584A, by Senator Gianaris, 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, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1550, Assembly Bill Number 7477A, by Assemblymember Jacobson, an act to amend Chapter 371 of the Laws of 2020.

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 1550, those Senators voting in the

negative are Senators Canzoneri-Fitzpatrick, Harckham, Hinchey, Kennedy, Lanza, Mannion, Martinez, Scarcella-Spanton, Skoufis and Webb.

Ayes, 52. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1566, Assembly Bill Number 7427, by Assemblymember Jackson, an act to amend Chapter 303 of the Laws of 1999.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

Calendar Number 1580 is high and will be laid aside for the day.

THE SECRETARY: Calendar Number

1665, Senate Print 2279C, by Senator Cleare, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1665, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Oberacker, Ortt, Rhoads and Stec.

Ayes, 55. Nays, 7.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1667, Senate Print 2379A, by Senator Persaud, 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 90th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1667, those Senators voting in the negative are Senators Griffo, Oberacker, Ortt and Walczyk.

Ayes, 58. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1683, Senate Print 6210A, by Senator Mayer, an act to amend the Judiciary Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1683, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Murray, Oberacker, Stec, Tedisco, Walczyk and Weik.

Ayes, 52. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1699, 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.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1707, Senate Print 7216A, by Senator Gonzalez, an act to amend the Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1707, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Kennedy, Lanza, Martinez, Martins, Mattera, Murray, Oberacker, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk, Webb, Weber and Weik.

Ayes, 40. Nays, 22.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1715, Senate Print 7411A, by Senator Ortt, an act to amend the State Finance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

(Laughter.)

ACTING PRESIDENT BAILEY: That completes the reading of the calendar, Senator Gianaris.

SENATOR GIANARIS: Mr. President, there's a report of the Rules Committee at the desk. Can we please take that up.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senator

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

Senate Print 365B, by Senator Thomas, an act to amend the General Business Law;

Senate Print 586A, by Senator Krueger, an act to amend the Civil Practice Law and Rules;

Senate Print 721, by Senator Serrano, an act to create a temporary state commission to study and make recommendations concerning the incidence of asthma in the Borough of the Bronx;

Senate Print 955, by Senator Cooney, an act to amend the Vehicle and Traffic Law;

Senate Print 1163A, by Senator Sanders, an act to acknowledge the fundamental injustice, cruelty, brutality and inhumanity of slavery in the City of New York;

Senate Print 1554B, by Senator Addabbo, an act in relation to creating a temporary commission to conduct a comprehensive study on the current utilization of paid family leave;

Senate Print 1723A, by

Senator Skoufis, an act to establish a youth development agriculture technology challenge;

Senate Print 1724A, by Senator Harckham, an act to amend the Vehicle and Traffic Law;

Senate Print 1780A, by Senator Bailey, an act to incentivize the purchase of local produce in supermarkets and grocery stores through the FreshConnect program;

Senate Print 2237A, by Senator Rivera, an act to amend the Social Services Law;

Senate Print 2328A, by Senator Mayer, an act to amend the General Municipal Law;

Senate Print 2407, by Senator Bailey, an act to amend the Agriculture and Markets Law;

Senate Print 3144D, by Senator Mannion, an act to amend the Retirement and Social Security Law;

Senate Print 4329A, by Senator Sepúlveda, an act in relation to authorizing the Commissioner of Motor Vehicles to enter into reciprocity agreements with other

states;

Senate Print 4546, by Senator Parker, an act to amend the Social Services Law;

Senate Print 4548, by Senator Parker, an act to amend the Social Services Law;

Senate Print 4561A, by Senator Gonzalez, an act to amend the Social Services Law;

Senate Print 4649, by Senator Kennedy, an act to amend the Tax Law;

Senate Print 4817A, by Senator Addabbo, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law;

Senate Print 4830C, by Senator Kennedy, an act to amend the Public Authorities Law;

Senate Print 5448A, by Senator Jackson, an act to amend the Executive Law;

Senate Print 5712, by Senator Comrie, an act in relation to directing the Department of Health to conduct a study relating to the opening of a public hospital in

southeast Queens;

Senate Print 5819, by Senator Mattera, an act to amend Chapter 431 of the Laws of 2018;

Senate Print 5909B, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 5963A, by Senator Liu, an act to amend the Education Law;

Senate Print 5980, by Senator Ryan, an act requiring a multi-agency study on the issues impacting the continuum of caregiving in the State of New York;

Senate Print 6093, by Senator Harckham, an act authorizing the Carmel Central School District to offer a separate referendum on the question of term limits for members of the Carmel Central School District board of education;

Senate Print 6130A, by Senator Parker, an act to amend the Election Law;

Senate Print 6303A, by Senator Kennedy, an act to amend the General Business Law;

Senate Print 6409A, by Senator Liu,

an act to amend the Real Property Tax Law;

Senate Print 6504A, by Senator Chu, an act to amend the Public Health Law;

Senate Print 6527A, by Senator Murray, an act authorizing the Grace Gospel Church of Suffolk to file an application for retroactive real property tax exemption;

Senate Print 6535, by Senator Canzoneri-Fitzpatrick, an act in relation to authorizing the Shulamith School for Girls to file with the County of Nassau assessor an application for a retroactive real property tax exemption;

Senate Print 6569A, by Senator Myrie, an act to amend the Criminal Procedure Law;

Senate Print 6617, by Senator Addabbo, an act to amend the Correction Law;

Senate Print 6622A, by Senator Hinchey, an act to allow Brian Laurange Jr. to be eligible to take the civil service exam;

Senate Print 6722A, by

Senator Canzoneri-Fitzpatrick, an act authorizing United Church of God Seventh Day to receive retroactive real property tax exempt status;

Senate Print 6807A, by Senator Hinchey, an act in relation to making eligible for provisional appointment and authorizing Paul Strobel to take the competitive civil service examination;

Senate Print 6814, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 6896, by Senator Hinchey, an act to amend the Tax Law;

Senate Print 6919A, by Senator Rolison, an act to amend the Tax Law;

Senate Print 7021, by Senator Kennedy, an act to amend the Public Authorities Law;

Senate Print 7070, by Senator Borrello, an act to amend the Highway Law;

Senate Print 7077A, by Senator Ortt, an act to amend Chapter 584 of the Laws of 1996;

Senate Print 7095A, by Senator Breslin, an act to amend the

Insurance Law;

Senate Print 7212, by Senator Krueger, an act to amend the Military Law;

Senate Print 7218, by Senator Hinchey, an act to amend the Public Officers Law;

Senate Print 7219, by Senator Hinchey, an act to amend the Not-For-Profit Corporation Law;

Senate Print 7251, by Senator Cooney, an act to amend the Executive Law;

Senate Print 7253A, by Senator Canzoneri-Fitzpatrick, an act in relation to establishing the Island Park LIPA power plant tax assessment reserve fund;

Senate Print 7273, by Senator Parker, an act to amend the Civil Service Law;

Senate Print 7274, by Senator Parker, an act to amend the Mental Hygiene Law;

Senate Print 7289A, by Senator Gounardes, an act to amend the

General Municipal Law;

Senate Print 7292A, by Senator Ryan, an act granting retroactive Tier 4 membership in the New York State and Local Employees' Retirement System;

Senate Print 7434A, by Senator Rolison, an act to amend the Public Officers Law;

Senate Print 7505, by Senator Bailey, an act to amend the Criminal Procedure Law;

Senate Print 7527, by Senator Chu, an act to amend the Education Law;

Senate Print 7531, by Senator Martinez, an act to amend the Highway Law;

Senate Print 7534, by Senator Hoylman-Sigal, an act to amend the Judiciary Law;

Senate Print 7537, by Senator Stewart-Cousins, an act to amend the Village Law;

Senate Print 7538, by Senator Skoufis, an act to amend the Village Law;

Senate Print 7539, by Senator Ramos,

an act to amend the Civil Practice Law and Rules;

Senate Print 7548, by Senator Myrie, an act to amend the Criminal Procedure Law;

Senate Print 7550, by Senator Stewart-Cousins, an act to amend the Election Law.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The Rules Committee report is accepted.

Senator Gianaris.

SENATOR GIANARIS: Can we please go back to messages from the Assembly.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senator Krueger

moves to discharge, from the Committee on Judiciary, Assembly Bill Number 6672A and substitute it for the identical Senate Bill 586A, Third Reading Calendar 1673.

Senator Addabbo moves to discharge, from the Committee on Labor, Assembly Bill Number 4676A and substitute it for the identical Senate Bill 1554B, Third Reading Calendar 1732.

Senator Skoufis moves to discharge, from the Committee on Finance, Assembly Bill Number 1528A and substitute it for the identical Senate Bill 1723A, Third Reading Calendar 1733.

Senator Mayer moves to discharge, from the Committee on Local Government, Assembly Bill Number 2793A and substitute it for the identical Senate Bill 2328A, Third Reading Calendar 1737.

Senator Parker moves to discharge, from the Committee on Rules, Assembly Bill Number 4956 and substitute it for the identical Senate Bill 4546, Third Reading Calendar 1741.

Senator Kennedy moves to discharge, from the Committee on Budget and Revenue, Assembly Bill Number 4868 and substitute it for the identical Senate Bill 4649, Third Reading

Calendar 1744.

Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 5052C and substitute it for the identical Senate Bill 4830C, Third Reading Calendar 1746.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 5970 and substitute it for the identical Senate Bill 5712, Third Reading Calendar 1748.

Senator Mattera moves to discharge, from the Committee on Local Government, Assembly Bill Number 5792 and substitute it for the identical Senate Bill 5819, Third Reading Calendar 1749.

Senator Ryan moves to discharge, from the Committee on Rules, Assembly Bill Number 4275 and substitute it for the identical Senate Bill 5980, Third Reading Calendar 1752.

Senator Kennedy moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 4796A and substitute it for the identical Senate Bill 6303A, Third Reading Calendar 1755.

Senator Rivera moves to discharge, from the Committee on Health, Assembly Bill

Number 5042 and substitute it for the identical Senate Bill 6814, Third Reading Calendar 1766.

Senator Hinchey moves to discharge, from the Committee on Rules, Assembly Bill Number 7200 and substitute it for the identical Senate Bill 6896, Third Reading Calendar 1767.

Senator Hinchey moves to discharge, from the Committee on Rules, Assembly Bill Number 6725 and substitute it for the identical Senate Bill 7218, Third Reading Calendar 1774.

Senator Cooney moves to discharge, from the Committee on Rules, Assembly Bill Number 5683 and substitute it for the identical Senate Bill 7251, Third Reading Calendar 1776.

Senator Canzoneri-Fitzpatrick moves to discharge, from the Committee on Rules, Assembly Bill Number 5142B and substitute it for the identical Senate Bill 7253A, Third Reading Calendar 1777.

Senator Parker moves to discharge, from the Committee on Mental Health and Developmental Disabilities, Assembly Bill Number 793 and substitute it for the identical Senate Bill 7274, Third Reading Calendar 1779.

Senator Rolison moves to discharge,

from the Committee on Rules, Assembly Bill Number 7478A and substitute it for the identical Senate Bill 7434A, Third Reading Calendar 1782.

Senator Hoylman-Sigal moves to discharge, from the Committee on Rules, Assembly Bill Number 7669 and substitute it for the identical Senate Bill 7534, Third Reading Calendar 1786.

ACTING PRESIDENT BAILEY: So ordered.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, let's take up the supplemental calendar, please.

ACTING PRESIDENT BAILEY: Thank you, Senator Gianaris.

Again, the bill sponsors will have five minutes to explain -- as Senator Gianaris explained yesterday, bill sponsors have five minutes and everybody else will have two minutes to explain their vote.

The Secretary will read.

THE SECRETARY: Calendar Number 1671, Senate Print 365B, by Senator Thomas, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Thomas to explain his vote.

SENATOR THOMAS: Thank you, Mr. President.

I will not take five minutes to do this.

I've been working on this bill for the past five years, and it's finally on the floor after many roundtables, hearings, negotiations from all sides to make this right, to make this work here in New York.

What does this bill do? This is the New York Privacy Act. This bill gives you the right to control what information you share and who can access it when you use the internet. It is important to protect privacy on the internet for everyone, because their personal information and data can be used to do anything possible. And that's the world that we live in.

And this bill, this bill creates consumer rights for us. All right? This phone that we have right here, it collects so much data on all of us. It's collected, it's shared, it's sold, it's used for so many different things -- to manipulate us, to direct us in one direction. And now we have rights that other states, other states in the continental United States have in protecting our data, the European Union has.

So let me just quickly go down the list of the rights that New Yorkers will have once this passes and is signed into law.

The right to notice. So if you get onto a website, a pop-up will show up asking you for different permissions as to what needs to be shared.

A right to opt out.

A right to opt in for sensitive information, like biometric information.

A right to portable data. For example, if you have pictures on Shutterfly and you want to move that data to another site, you now have the right to do that.

A right to access. Basically, a right to know what Google has on you, for

example.

A right to correct information, like a credit report. Because the things that the internet knows about you, it might be something that is not true.

And of course a right to deletion.

This is monumental. New Yorkers deserve data privacy, and I am so proud to vote in the affirmative.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1671, those Senators voting in the negative are Senators Ashby, Borrello, Brisport, Canzoneri-Fitzpatrick, Gallivan, Griffo, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rolison, Scarcella-Spanton, Stec, Tedisco, Weber and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1673, Assembly Bill Number 6672A, by

Assemblymember Epstein, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1729, Senate Print 721, by Senator Serrano, an act to create a temporary state commission to study and make recommendations concerning the incidence of asthma in the Borough of the Bronx in New York City.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1730, Senate Print 955, by Senator Cooney, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1731, Senate Print 1163A, by Senator Sanders, an act to acknowledge the fundamental injustice,

cruelty, brutality and inhumanity of slavery in the City of New York.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1732, Assembly Bill Number 4676A, by Assemblymember Woerner, an act in relation to creating a temporary commission to conduct a comprehensive study on the current utilization of paid family leave.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1733, Assembly Bill Number 1528A, by

Assemblymember Woerner, an act to establish a youth development agriculture technology challenge.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1733, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1734, Senate Print 1724A, by Senator Harckham, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1734, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Oberacker and Ortt.

Ayes, 57. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1735, Senate Print 1780A, by Senator Bailey, an act to incentivize the purchase of local produce in supermarkets and grocery stores through the FreshConnect program.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1736, Senate Print 2237A, by Senator Rivera, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay the bill aside.

THE SECRETARY: Calendar Number 1737, Assembly Bill Number 2793A, by Assemblymember Otis, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1738, Senate Print 2407, by Senator Bailey, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1738, voting in the negative: Senator Walczyk.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1740, Senate Print 3144D, by Senator Mannion, an

act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Mannion to explain his vote.

SENATOR MANNION: Thank you, Mr. President.

I rise today to speak, you know, in support of this bill. Retirees who worked in the public sector currently can make about 35 -- exactly up to $35,000 in additional income in working in a -- you know, a similar public-sector employment position. But as we know, there are great challenges across this state in workforce, particularly in law enforcement but also in the world of education, in transportation, and other sectors.

So the intent of this bill is to make sure that we can fill our workforce gaps

that are out there. And we need to continue to provide these services; the challenges that exist are even greater. And I proudly vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1740, voting in the negative: Senator Ortt.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1741, Assembly Bill Number 4956, by Assemblymember Solages, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1741, those Senators voting in the negative are Senators Borrello, Martins, Oberacker, Tedisco and Walczyk.

Ayes, 57. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1742, Senate Print 4548, by Senator Parker, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1743, Senate Print 4561A, by Senator Gonzalez, an act to amend the Social Services Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1744, Assembly Bill Number 4868, by Assemblymember Peoples-Stokes, an act to amend the Tax Law and the State Finance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1745, Senate Print 4817A, by Senator Addabbo, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1745, voting in the negative: Senator Skoufis.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: And also Senator Krueger.

Ayes, 60. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1746, Assembly Bill Number 5052C, by Assemblymember Woerner, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1746, voting in the negative are Senators O'Mara, Ortt and Walczyk.

Ayes, 59. Nays, 3.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1747, Senate Print 5448A, by Senator Jackson, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

My colleagues, I rise in support of my bill, S5448A, the use-of-force reporting bill, which will require the Division of Criminal Justice Services to report to the Federal Bureau of Investigation's national use-of-force data collection program.

In times like these, it is our responsibility as elected representatives to listen to the voices of our constituents and to take decisive action. The use-of-force reporting bill embodies the principles of transparency, accountability and equality that lie at the core of our democratic values. By requiring the reporting of use-of-force incidents we have taken a crucial step towards addressing the structural issues that have plagued our law enforcement agencies for far too long.

Transparency is the cornerstone of our accountable institutions, and our law enforcement agencies should be no exception. Without accurate and comprehensive data of

use-of-force incidents, we cannot fully understand the scope of the problem at hand. By centralizing this information in a national database, we create an invaluable resource for policymakers, researchers, and communities to analyze, identify patterns, and develop evidence-based solutions.

Critics may argue that this reporting requirement imposes an unnecessary burden on all law enforcement agencies. However, we must remember that this bill does not seek to vilify or denigrate the honorable work performed by the majority of our dedicated officers.

On the contrary, Mr. President, it provides an opportunity for us to identify the areas of improvement to ensure that our law enforcement agencies are equipped with the necessary tools, training and resources to protect and serve their communities effectively.

Moreover, by enforcing a culture of transparency, we can rebuild trust within law enforcement and the communities they serve. Accountability and trust go hand in hand, and the use-of-force reporting bill represents a vital step towards restoring faith in our justice

system.

Communities that have been marginalized and disproportionately affected by the excessive use of force deserve nothing less than our unwavering commitment to justice and equality.

In conclusion, Mr. President, I ask each and every one of my esteemed colleagues to vote aye on this piece of legislation. Let us demonstrate our commitment to fairness, transparency, and the pursuit of a more just society.

Thank you, Mr. President. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1747, 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, Tedisco, Walczyk, Weber and Weik.

Ayes, 42. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1748, Assembly Bill Number 5970, by Assemblymember Aubry, an act in relation to directing the Department of Health to conduct a study relating to the opening of a public hospital in southeast Queens.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1749, Assembly Bill Number 5792, by Assemblymember Stern, an act to amend Chapter 431 of the Laws of 2018.

ACTING PRESIDENT BAILEY: There is

a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1750, Senate Print 5909B, by Senator Rivera, an act to amend the Public Health Law and the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: In relation to Calendar 1750, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 43. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1751, Senate Print 5963A, by Senator Liu, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. 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 Liu to explain his vote.

SENATOR LIU: Mr. President, thank you very much.

I am very happy to support this particular bill, and I plan to vote yes for it. As we have all seen and read about these last few years, this global pandemic has seen a concurrent secondary virus, that of anti-Asian hate and bigotry. And many of us have proposed solutions to combat that hate and bigotry.

Of the many solutions, one long-term way to eradicate hate and bigotry is by educating people. The fact is that Asian-Americans are still largely invisible in our society here. We are seen as either the "Yellow Peril" on one extreme, to the model minority. And however terrible or good, no stereotype is ever benign and certainly not positive in any way.

The only way to really make our community less invisible in the coming years and generations is to start teaching our kids in our public schools that Asian-Americans have been part of this country, we helped build this country. We have had our struggles as well as successes. And that we are American like anybody else.

And for that reason, Mr. President, I encourage my colleagues to vote yes, and I

certainly do as well. Thank you.

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

Senator Chu to explain her vote.

SENATOR CHU: Thank you, Mr. President.

I rise to explain my vote and discuss the importance of including AAPI history into New York curricula.

As we have seen over the last three years, Asian-Americans throughout the state and our country have been the subject of intense anti-Asian hate and extreme violence and racist rhetoric. This is in part due to the lack of knowledge and understanding of Asian-American history, particularly in light of the COVID-19 pandemic.

We as a legislative body have the opportunity to combat this hate by including Asian-American, Native Hawaiian and Pacific Islanders history in our public schools curriculum. By including our history in schools, New York State can take charge in dispelling the intolerance and negative stereotypes surrounding Asian-Americas.

As I represent a large population of Asian-American families, protecting and reflecting the history of my constituents and my students is one of my high priorities.

I would like to thank Senator Liu for his strong advocacy on this issue, and I'm extremely proud to be a cosponsor of this legislation.

For all these reasons, I vote aye.

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

Senator Martins to explain his vote.

SENATOR MARTINS: Mr. President, I rise to support this bill.

I want to thank Senator Liu for proposing it and carrying it forward.

I too have large Asian-American communities in my district, strong communities with pride, and rightfully so.

Mr. President, we've said on this floor many times when discussing policy that there is no place for hate anywhere in New York State, certainly none when it's directed at any community, let alone the Asian community.

I want to take the opportunity to

recognize the need in our educational system that we take a moment to recognize not just the richness of the culture, the history -- that in many ways, frankly, dates back significantly before our European history -- but take the opportunity to recognize it, reinforce it in our education system. And I'm happy to vote aye.

Thank you, Mr. President.

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

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

First I want to thank my colleague Senator John Liu for putting forward this legislation. Obviously I think, in my opinion, our school system should communicate a wide range of people that are in our school system so that everyone knows.

And for myself, this is personal for me because John Liu and I, when we joined the City Council, we joked that we had one and a half Asians in the City Council. And so you say, Well, who is that half? Well, that's me. My father was Eddie York Chu, an Asian man that was

only about five foot tall and only weighed about 95 pounds soaking wet.

And let me just say this to you, that my dad -- no one messed with my father because if they messed with my father, they messed with me and my brothers and sisters. And no one wanted to mess with my dad when he was coming from Chinatown, taking the train, the No. 4 train up to Tremont Avenue in the Bronx.

So I wholeheartedly support this bill about including Asian-American history into our school system.

John, thank you for your bill.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1752, Assembly Bill Number 4275, by Assemblymember Barrett, an act requiring a multi-agency study on the issues impacting the continuum of caregiving in the State of New York.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1753, Senate Print 6093, by Senator Harckham, an act authorizing the Carmel Central School District to offer a separate referendum on the question of term limits for members of the Carmel Central School District board of education.

SENATOR LIU: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 1754, Senate Print 6130A, by Senator Parker, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1755, Assembly Bill Number 4796A, by Assemblymember Magnarelli, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1756, Senate Print 6409A, by Senator Liu, an act to amend the Real Property Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1757, Senate Print 6504A, by Senator Chu, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Chu to explain her vote.

SENATOR CHU: Mr. President, again I would like explain my vote on this important

legislation.

Currently over 30,000 older New Yorkers are diagnosed with dementia, and the number is expected to grow rapidly in the coming years. While research and best practices to best assist these individuals have become more available, there is a need for outreach and education amongst the public.

This bill will ensure that Alzheimer's and dementia diseases will be recognized under the state's healthcare and wellness education outreach program. This program will ensure that families have the adequate support to provide the best quality of life for their loved one with this disease.

For those reasons I vote aye, and I encourage all my colleagues to do so.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1758, Senate Print 6527A, by Senator Murray, an act authorizing the Grace Gospel Church of Suffolk to file an application for retroactive real property tax exemption.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1758, voting in the negative: Senator O'Mara.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1759, Senate Print Number 6535, by Senator Canzoneri-Fitzpatrick, an act in relation to authorizing the Shulamith School for Girls to file with the County of Nassau assessor an application for a retroactive real property tax

exemption.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1759, voting in the negative: Senator O'Mara.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1760, Senate Print 6569A, by Senator Myrie, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Myrie to explain his vote.

SENATOR MYRIE: Thank you, Mr. President.

Last October, along with the chair of the Housing Committee, Senator Kavanagh, we held a hearing on deed theft. And we heard harrowing, heartbreaking stories about individuals, in many cases our most vulnerable, being taken advantage of by entities stealing what little equity and wealth they had.

This is a problem that disproportionately affects Black homeowners, and even more so geographically in Southeast Queens and central and East Brooklyn. Along with the Attorney General and many other stakeholders, we listened to feedback, we spoke to victims, we spoke to law enforcement. And we determined that it was important for us to send a message to anybody going after our homeowners: Deed theft is unacceptable, and if you break the law you will be prosecuted.

Now, I take our ability to create

new crimes in this Legislature very seriously. I think any time we do that, it should be of sober mind and it should be informed by the data. And I believe that we have all of those elements present for us to make deed theft officially in this state a crime.

We should not allow people to steal wealth, and do it disproportionately against communities of color, without standing up to them. So I am proud to sponsor this bill.

I want to publicly thank Adriele Douglas, our counsel, for her work on this bill. I'd like to thank the Attorney General's office for their work as well.

And my hope is that our colleagues will support this and that we will get it across the finish line in the Assembly as well.

I proudly vote in the affirmative.

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

Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Mr. President.

And I want to thank Senator Myrie for bringing this important legislation forward.

And it had an impact on Harlem as well, and particularly for our seniors and older New Yorkers who were being taken advantage of.

And as chair of the Aging Committee, I'm greatly concerned, especially for people -- and Black people who worked so hard to have a home in the first place, to be able to maintain and keep it. And to have it stolen from them, and in their golden years, I think this is an especially despicable crime.

And I thank you for bringing this legislation forward. And I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1761, Senate Print 6617, by Senator Addabbo, an act to amend the Correction Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1761, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Griffo, Martins, Oberacker, Rhoads, Walczyk and Weber.

Ayes, 54. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1762, Senate Print 6622A, by Senator Hinchey, an act to allow Brian Laurange Jr. to be eligible to take the civil service examination.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1762, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1763, Senate Print 4329A, by Senator Sepúlveda, an act in relation to authorizing the Commissioner of Motor Vehicles to enter into reciprocity agreements with other states.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Sepúlveda to explain his vote.

SENATOR SEPÚLVEDA: Thank you, Mr. President, for allowing me to explain my vote.

This legislation enables New York State to enter driver's license reciprocity agreements with other states, countries, provinces or territories. Such agreements will allow for recognition and exchange of valid driver's licenses between jurisdictions, benefiting both New Yorkers residing abroad and foreign nationals residing in New York.

Importantly, the bill ensures that the licensing and skill requirements necessary to obtain a driver's license in each jurisdiction are comparable. This guarantees that license holders from any other jurisdiction will meet the same high standards and adhere to the same rules and regulations as New York driver's license holders, and maintain the security and confidentiality of the New York driver's license information system. The safety of our roads remain paramount.

This bill has the potential to foster economic growth, international cooperation, and the safety of our citizens. Let us embrace the opportunity to open our arms to the world and forge a new partnership that benefits New York residents here and abroad.

I want to extend my heartfelt thanks to the distinguished members of the New York State Assembly, Assemblyman Phil Ramos and Assemblyman Manny De Los Santos, and Congressman Adriano Espaillat, for their valuable contributions and support to advancing this bill. I'm grateful for their partnership in this endeavor.

Furthermore, I wish to acknowledge the collaborative efforts that have shaped this legislation, including the conversations with technicians from the Taiwan Embassy, led by the Honorable Ambassador James Lee. They've been instrumental in shaping the provisions of this bill.

Equally important are the discussions we had with technicians from the Dominican Republic, particularly Director Hugo Beras of INTRANT, which is the Dominican Republic version of the DMV. Their insights and expertise have been invaluable.

I would also like to express my deep gratitude to Senator John Liu for his leadership and unwavering support throughout the development of this bill. And I would also be remiss if I

did not thank Senator Tim Kennedy, chair of our Transportation Committee, for his support in advancing this bill to the floor.

Additionally, I want to extend my deepest appreciation to Leader Andrea Stewart-Cousins. As many of you know, I've brought many international visitors to this chamber, and she has always made them feel welcome and opened the door. Her leadership has been instrumental in working with the international community, fostering collaboration and ensuring that our great state remains a beacon of progress and inclusivity.

Thank you. I vote aye.

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

Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

I just want to take a moment, first of all, to thank our leadership, Andrea Stewart-Cousins, for bringing this bill to the floor, and to Senator Sepúlveda, who is a long-time champion of this initiative and a number of others.

We've worked for the last several years on this bill. We have seen consul general after consul general -- from Taiwan, the Dominican Republic, and other countries -- come here looking for the authorization, looking for that reciprocity for their driver's licenses, and having the bureaucracy of state government getting in the way.

This clears the way for the DMV to give that ability for reciprocity. And again, I want to thank the bill's sponsor for making this happen, and all of those supporters, long-time supporters, for their persistence and their efforts in getting this done.

With that, Mr. President, I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1763, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Palumbo, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Stec,

Tedisco, Walczyk, Weber and Weik.

Ayes, 42. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1764, Senate Print Number 6722A, by Senator Canzoneri-Fitzpatrick, an act authorizing United Church of God Seventh Day to receive retroactive real property tax exempt status.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1765, Senate Print 6807A, by Senator Hinchey, an act in relation to making eligible for provisional appointment and authorizing

Paul Strobel to take the competitive civil service examination.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1765, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1766, Assembly Bill Number 5042, by Assemblymember Hevesi, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1767, Assembly Bill Number 7200, by Assemblymember Shrestha, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1767, those Senators voting in the

negative are Senators Canzoneri-Fitzpatrick, Harckham, Helming, Kennedy, Lanza, Mannion, Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Skoufis, Tedisco and Webb.

Ayes, 45. Nays, 17.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1768, Senate Print 6919A, by Senator Rolison, an act to amend the Tax Law.

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

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1768, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Hinchey, Kennedy, Lanza, Mannion,

Martinez, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Skoufis and Webb.

Ayes, 46. Nays, 16.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1769, Senate Print 7021, by Senator Kennedy, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Kennedy to explain his vote.

SENATOR KENNEDY: Yeah, thank you, Mr. President.

This bill simply allows for individuals that utilize paratransit services on the MTA to get a recertification for their services provided by their physician.

Today they have to go through a long, arduous process of going out into the

community to a specific site, where they are evaluated and ultimately given that particular notation. What this will allow is by their own physician's letter, to continue the services that they are already being provided.

This is happening in the upstate agencies. This allows for parity in the downstate MTA region as well.

Appreciate our conference's support, and the leader for bringing this to the floor.

With that, Mr. President I vote aye.

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

Announce the results.

Senator Krueger to explain her vote, excuse me.

SENATOR KRUEGER: Thank you. Very briefly.

I rise to thank Senator Kennedy for bringing this bill to the floor and recognizing that in the MTA region we do have a procedure where you must go to a specific approved physician to get the evaluation done.

But the concept that you then have to go back to one of these locations just for

renewal has become a serious problem for my district. My borough is Manhattan. It has no offices that people can go to for this work. So you're asking people who you've already recognized as suffering from a disability that limits their ability to use mass transit, and telling them they may have to travel multiple boroughs away just to get reupped, so to speak, for a benefit they've already been evaluated for and approved for.

So I really appreciate this legislation.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1770, Senate Print 7070, by Senator Borrello, an act to amend the Highway Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1770, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1771, Senate Print 7077A, by Senator Ortt, an act to amend Chapter 584 of the Laws of 1996.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1772, Senate Print 7095A, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1772, voting in the negative: Senator Griffo.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1773, Senate Print 7212, by Senator Krueger, an act to amend the Military Law and the New York State Urban Development Corporation Act.

ACTING PRESIDENT BAILEY: Read the

last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1773, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1774, Assembly Bill Number 6725, by Assemblymember Tague, an act to amend the Public Officers Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1774, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1775, Senate Print 7219, by Senator Hinchey, an act to amend the Not-For-Profit Corporation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1775, voting in the negative: Senator Skoufis.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1776, Assembly Bill Number 5683, by Assemblymember Zebrowski, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1777, Assembly Bill Number 5142B, by Assemblymember Brown, an act relating to establishing the Island Park LIPA power plant tax assessment reserve fund.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1778, Senate Print 7273, by Senator Parker, an act to amend the Civil Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1778, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick,

Martins, Murray, Oberacker, Rhoads, Walczyk and Weik.

Ayes, 55. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1779, Assembly Bill Number 793, by Assemblymember Hunter, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1780, Senate Print 7289A, by Senator Gounardes, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: There is

no home-rule message at the desk.

Senator Liu.

SENATOR LIU: Lay it aside temporarily.

ACTING PRESIDENT BAILEY: The bill will be laid aside temporarily.

THE SECRETARY: Calendar Number 1781, Senate Print 7292A, by Senator Ryan, an act granting retroactive Tier 4 membership in the New York State and Local Employees' Retirement System.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1782, Assembly Bill Number 7478A, by

Assemblymember Levenberg, an act to amend the Public Officers Law and the Village Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1783, Senate Print 7505, by Senator Bailey, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: In relation to Calendar 1783, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martinez, Martins, Mattera, Murray, Oberacker, O'Mara, Rhoads, Tedisco, Walczyk, Weber and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1784, Senate Print 7527, by Senator Chu, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1785, Senate Print 7531, by Senator Martinez, an act to amend the Highway Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1785, voting in the negative: Senator Brisport.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1786, Assembly Bill Number 7669, by Assemblymember Bores, an act to amend the Judiciary Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1786, voting in the negative: Senator Oberacker.

Ayes, 61. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1787, Senate Print 7537, by Senator Stewart-Cousins, an act to amend the Village Law and the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 10. This act shall take effect January 1, 2024.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 1787, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 43. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1788, Senate Print 7538, by Senator Skoufis, an act to amend the Village Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thank you very much, Mr. President.

This bill seeks to address, as did

the last bill we just took up, serious shortcomings in the village incorporation law.

This section of law was developed and enacted in the 1800s, when we had far, far, far fewer people living in New York State. And 500 individuals, which is the current threshold in law that are required to form a village, was a much bigger deal than it is now in a state of about 20 million people.

And in fact what we've seen in some places, including in Orange County, an active situation in Orange County, is this section of law has been weaponized, and the intent of the village incorporation law has been twisted and perverted. In Orange County's case, there was an annexation that took place about eight or nine years ago, and one particular family -- that was a large landowner in the initial annexation application -- was, from their perspective, cut out of the final negotiated annexation that ultimately took place. And so they were left in the town.

This family, these landowners, instead of working in good faith with zoning boards, with planning boards, with the local town

municipality, they decided, because they didn't get the upzoning that they were looking for, to develop lots and lots more homes that they could sell for lots and lots more money. They decided, well, screw you to the village that they didn't get annexed into, and screw you to the town that they were left in, not getting the zoning from, we're going to just create our own village and thus control our own zoning.

This had nothing to do with local residents, as is traditionally the case, seeking better services. It's not about local residents who were looking for more responsive government. This was an aggrieved developer who used the current law to respond in a hostile manner to the town and to the community that did not give him what he was looking for.

And so these bills look to address those types of situations by raising the minimum population required to form a village to 2,000, up from 500; delete the section of law that allows a petitioning process by a landownership, as opposed to by the number of individuals, the percentage of the individuals needed to form a village; and, importantly, require a financial

analysis before there is a referendum.

You have far too many situations where voters walk into a voting booth and don't know the full implications of what creating a village will actually look like. And you don't have to look too far into the past -- out at Mastic Beach, on Long Island, we saw just this: A very tiny eventual village community decided to incorporate and then they realized, we can't handle this. We are not financially sustainable. And so just several years after incorporating, they decided to dissolve.

That's why we need this legislation as well as the legislation we just passed prior to this bill.

I want to sincerely thank the Majority Leader, who has worked with me on this issue for five sessions now. We started working on this in 2019. And I'm really grateful to her and staff for finally being able to navigate this very complicated set of issues with me.

And with that, I vote yes.

Thank you, Mr. President.

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

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

I rise to oppose this legislation. As I said, I'll be voting no. I have 44 villages in my district, Mr. President, probably more than any other Senator here in this body. Some of them have less than 2,000 residents. They've been around for decades. They're formed, operating well, providing services, but have less than the 2,000 that this bill would require as a threshold, as a minimum threshold.

Frankly, Mr. President, I don't know why sometimes we have things that happen in our individual districts that we're upset about, but then think that the solution is to provide a statewide change to the law that imposes a fix for everybody, especially in areas where you don't need a fix.

There are communities that we represent, they've been around for a long time, there's a process that has been there literally for over a hundred years, the sponsor is right. But it works. And I will trust the local communities and I will trust those people who are

on the ground, I will trust our villages, I will trust our towns and our town supervisors to make those decisions locally, because they understand not only the zoning but the topography on the ground, and the economics on the ground.

And the idea that we come back time and again and think that the solution is here in Albany and not in our local communities is a mistake. I'll be voting no.

ACTING PRESIDENT BAILEY: Senator Martins to be recorded in the negative.

Senator Lanza to explain his vote.

SENATOR LANZA: I'm voting no.

ACTING PRESIDENT BAILEY: Senator Lanza will not explain his vote.

(Laughter.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1788, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Gonzalez, Griffo, Helming, Lanza, Martins, Mattera, Murray -- (pause).

Sorry. Again, in relation to

Calendar 1788, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Gonzalez, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Salazar, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 23.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1789, Senate Print 7539, by Senator Ramos, an act to amend the Civil Practice Law and Rules.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1790, Senate Print 7548, by Senator Myrie, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Myrie to explain his vote.

SENATOR MYRIE: Thank you, Mr. President.

One of the greatest powers that we have as government is depriving someone of their liberty. And we have made a determination as a society that that deprivation only comes after a conviction.

The problem is we have a wrongful conviction issue here in the State of New York. In fact, New York has the third most wrongful convictions in the entire country. And this problem is compounded because 98 percent of our adjudications don't go to trial -- that's not how our criminal justice system works -- they are adjudicated by a guilty plea.

And the way that our laws are written now is that if you plead guilty, even if you are innocent, you have no mechanism to prove that innocence.

And this isn't just hypothetical. Most of us are familiar with the Exonerated 5,

formerly known as the Central Park 5, where five young men pled guilty to crimes they did not commit.

But it's not just the Exonerated 5. One of my constituents, a man named Roger Clark, was also wrongfully convicted. And three years ago he marched into my office and he said, "Senator, I have a bill for you. I left too many people inside who are innocent but had no mechanism to prove that innocence in our laws."

So the Challenging Wrongful Conviction Act, what we are about to vote on today, is about upholding the very core premise of our legal system. And that is if you are innocent, you should not be incarcerated.

That is not a radical proposition. That's not out of step with what most New Yorkers think. That's exactly how our legal system should work.

And if you are innocent, spending a single minute inside of a correctional facility is one minute too long.

So with the passage of this bill today, we are sending a strong signal to New Yorkers that we are going to, one, save

taxpayer money by not having innocent people in jail who shouldn't be there; but, two, we will now do the moral thing. We will say: If you did not do the crime, you should not be doing any time.

So I encourage all my colleagues to vote for this bill, and I look forward to sending this to the Governor's desk for her signature.

Mr. President, I'll be voting yes.

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

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Mr. President.

I wanted to speak on this bill because I've read over and over again stories about people, you know, pleading guilty to certain matters in order to basically survive for their families. With respect to, you know, the family depends on them in order to pay the rent and buy the food and all of the things necessary to live.

And I've read even as of yesterday, I think, in all of the papers in New York City -- the New York Times, the Post, the Daily News,

about our DA Alvin Bragg and his wrongful conviction unit are releasing approximately 200 people that were found guilty for several things that they may have been arrested for.

And part of that was that the police and/or detectives that were involved in this, was in my opinion, based on what I've read, they were dirty as can be as far as having substance abuse -- not substance abuse, having drugs and things like that. And as a result of all of the investigation that the DAs have, they basically released several hundred people out of correctional facilities.

So I wholeheartedly support this wrongful conviction bill. So many people are convicted wrongfully. And some you hear it say: No matter what, I'm innocent, and I'm just trying to prove my innocence. And they will live saying how innocent they are, and they will basically do their time rather than pleading guilty.

So I strongly support this bill, and I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1790, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 21.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1791, Senate Print Number 7550, by Senator Stewart-Cousins, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

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

SENATOR LIU: Mr. President, please go to the reading of the controversial calendar.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number

817, Senate Print 3024A, by Senator Comrie, an act to amend the Environmental Conservation Law.

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 for some questions?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR ASHBY: Through you, Mr. President. In my district we have approximately 55 state-regulated cemeteries, not including municipal and religious cemeteries. These cemeteries, and thousands of others like them in every district of the state, would now face competition from a new type of corporation outlined in this legislation. This new type of corporation would not have to follow the same laws and regs as existing cemeteries.

Understanding that, could you explain the purpose of creating a new type of land easement in New York State that a cemetery, in all other ways, doesn't have to adhere to the

same consumer protections and cemetery land protections as under current state law?

SENATOR COMRIE: I'm sorry, Senator Ashby, we have not done anything to change the current consumer protections or any limits or do anything to create an opportunity to impede the standards that have been already set.

This A print only requires that the Cemetery Board and the Division of Cemeteries within the Department of State approve the memorial lands facility permits issued by DEC. This is going to be done through the regular resources.

And this is only going to be done for nonprofit entities that are going to be solely for disposition of cremated remains. It is not going to allow for anyone be able to do cremation or to do any other type of disposition. This is only for the disposition of cremated remains.

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR ASHBY: Being that memorial land facilities are already in New York State and they're regulated cemeteries, by definition and operation, it's our understanding that more of these types of low-cost and natural burial locations are currently under development.

Why does this bill not assist in those efforts but rather change course to allow non-cemeteries to operate in competition with existing nonprofit cemeteries?

SENATOR COMRIE: Senator Ashby, we are not creating opportunities for people to become final disposition locations or to be able to start crematories or dispositions.

This is solely to allow for memorial land facilities that already exist to apply to DEC and get a permit under DOS so that they can handle the disposition of cremated remains solely.

This is not to create any other opportunities for people to be able to develop their own disposition opportunities. This is only for someone that is -- this is only to create for facilities that already exist, memorial lands or other locations that were

deemed acceptable that would have the -- to comply with all existing zoning laws that have all of the DEC, DOH and DOS additional regulations to be able to handle the disposition only of already cremated remains.

SENATOR ASHBY: Will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR ASHBY: It's my understanding that a for-profit company selling this concept of memorial forests recently went out of business in other states --

SENATOR COMRIE: Am I the only -- I'm having problems hearing, Senator. Is it just me or -- I'm sorry.

ACTING PRESIDENT BAILEY: Senator Ashby, could you -- if you could repeat the question so that Senator Comrie -- we had a little bit of difficulty hearing you.

SENATOR ASHBY: Will do, Mr. President.

ACTING PRESIDENT BAILEY: Thank you.

SENATOR ASHBY: It's my understanding that a for-profit company selling this concept of memorial forests recently went out of business in another state. And other states as well.

What would happen to the remains buried in these new types of burial locations that are being utilized as cemeteries but have none of the protections of regulated cemeteries if they went out of business?

SENATOR COMRIE: Again, Senator Ashby, this would be only for not-for-profit locations. They would be subject to the same conditions and protections of any other cemeteries.

As you know, we've been working hard, and I've been working hard since I've been chair, to work with the nonprofit cemeteries and all cemeteries to make sure that they can have opportunities to stay in business, to have alternate opportunities to raise funds, if that's an opportunity.

Also we put together a disposition

fund. These locations would come under all of those same opportunities if they went out of business.

But again, we're only doing nonprofit, not for-profit locations. So a for-profit location would not be eligible for this opportunity.

SENATOR ASHBY: Will the sponsor yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR ASHBY: An online advertisement for the burial services as permitted by this bill provides an offer of $4,900 per interment of human remains. My district cemeteries provide interment of cremated remains for many times lower than this price. This is clearly not a lower-cost option for consumers.

Is there a reason pricing is not being reviewed by existing state regulators?

SENATOR COMRIE: Senator Ashby,

you're looking at the older version. It's not in our A print.

Again, we are focusing on not allowing for-profit cemeteries. So that person that did that advertisement is doing it outside the scope of the law and is doing it illegally.

SENATOR ASHBY: Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Ashby.

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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Comrie to explain his vote.

SENATOR COMRIE: I want to thank Senator Ashby for raising those issues so that we can all remind the public that whatever you read

in the paper, whatever you might see as an advertisement, you need to check to make sure that those ads are -- and those advertisements are within the law.

When, you know, we're dealing with something as final disposition for loved ones, we need to make sure that we're going to do everything we can to protect the families, to protect the communities, and also working to protect those institutions that we've been working with, the cemeteries throughout the state, doing things necessary so that they can stay in business.

So I want to thank Senator Ashby for bringing this to the fore because, again, only nonprofits are eligible for this. They have to be subjected to all existing requirements for handling cremated remains. They must have a conservation easement. They must comply with all local zoning laws. And they must meet all regulations that are done by DEC, DOH and DOS.

And this is not, again, not to allow for for-profit opportunities.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator

Comrie to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 817, those Senators voting in the negative are Senators Ashby, Chu, Helming, Martinez, Mattera, Murray, Myrie, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Tedisco, Walczyk, Weber and Weik.

Ayes, 46. Nays, 16.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1267, Senate Print 885B, by Senator Hinchey, an act to amend the Multiple Residence Law.

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

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Thank you. Through you, Mr. President.

So many municipalities already have registries to deal with short-term rentals. This is certainly a hot topic across New York State. But how would those -- this bill impact those existing registries? And why is this bill necessary if they already have the ability to create these short-term rental laws anyway?

SENATOR HINCHEY: Through you, Mr. President, this bill does not impact the current registration systems by municipalities that they already have.

But in my district, across the 41st -- and across the state -- one of the biggest issues and complaints and asks for help that I receive from our municipalities is with the proliferation of short-term rentals. Many of them have their own registry but they can't enforce it. Many of them are actually spending taxpayer dollars on a third party to manage a registration system where, if there was a state registration system, they'd be able to use those tax dollars on almost anything else. And so -- and other municipalities don't want to be in the business of managing a registration system themselves.

And so what we're doing here with this bill is making it easier for municipalities to understand the proliferation of short-term rentals across their community. There will be a statewide registration system. If you are a municipality that has your own, you keep it. But if you don't want to have a registration system or you don't have one already, you can use the state's.

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

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Thank you for that answer.

But, you know, we have things like code enforcement, zoning. They're all different at the local level. What benefit is there to having a state database? What data are you going to collect then?

SENATOR HINCHEY: Through you, Mr. President. Something we talk about in this

chamber a lot is the housing crisis that we are facing. And I can speak to my district, but we know that this is happening across our state, especially in high-tourism areas, that housing that has typically been used for local homeownership or local renters for people to live in their communities is actually being turned into full-time vacation rentals. That's housing stock that exists today that is no longer housing stock for local community members.

So one of the points of this bill is just to provide some transparency at the state level to understand the growth of our short-term rental market and how many housing units have actually been taken off the market to become these vacation rentals, instead of being used by actual folks who will live full-time in the communities, have their kids in schools, have homes where they can live near where they work.

And it's also to help those municipalities, again, who may not want their own registration system.

We are not, in this bill, getting into caps. We're not getting into the details about what is best for each municipality. We

agree that's left up to the municipalities themselves. This is just helping, one, provide some transparency, helping provide the enforcement, and also providing some funding for those municipalities and some transparency.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So it's my understanding that if a municipality already has a registry, that they can opt out of the state system. And in fact the people that are using their homes for short-term rentals can decide do they want to be in the state system or the local system.

So how are you going to capture accurate data without having a consistent choice? In other words, if people can be in one, not the other, if a municipality can opt out, how are you going to collect any accurate data to address some of the issues you just brought up?

SENATOR HINCHEY: Through you, Mr. President. The registration system -- so basically we are actually encouraging folks, if there is a local registry, to register with their local municipality. That municipality quarterly will send their registration system to the state for that holistic view.

So there actually is -- you will be able to see it in the whole-state capture that will be sent quarterly. But they can choose which one they'd like.

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

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So they're going to send in information, but then therefore are you going to essentially set a standard that's going to be mandated for those local registries so that you have consistent data? Or are they going to send you data that's not consistent with the data that's being collected at the state

level?

SENATOR HINCHEY: Through you, Mr. President, that will be decided by the Department of State. Those regulations and rules will be promulgated. So the Department of State, as they're setting up the registry, will send to the municipalities the information that they need.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So how is the state going to implement this? You just brought this up that, you know, they're going to have rules promulgated, you may actually now -- you're going to allow them to potentially mandate changes to local registries. But there's no funding to provide -- provided with this, so there's, you know -- how are they going to manage this?

We've got, you know, dozens of

different registration systems across the state, many municipalities, and no funding for this. Is that correct?

SENATOR HINCHEY: Through you, Mr. President, I think there's a couple of different angles and questions in there. So I'll start with the first one.

So the Department of State we believe has funding to be able to start this system. Obviously there is a lead-up period, I believe it's 120 days before it kicks in. But additionally, there is a fee collected with every registration, so that is one level of funding.

We'll also be able, should this pass both houses, be able to, should the Department of State need it, provide funding in the budget. That will be a discussion that we have in this chamber and in the Legislature should it be needed.

But also, again, the municipalities, many of them, as you've said, are already doing this. And so actually what we could be doing is saving them funding if we're operating it from the state.

SENATOR BORRELLO: Mr. President,

will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So right now, subdivision 2 of Section 21 states that any short-term rental host shall be subject to Article 28 and 29 of the Tax Law.

So what taxes will be applicable? And how much, on average, would those taxes cost the owners of these properties?

SENATOR HINCHEY: Through you, Mr. President. First and foremost, the taxes are on the folks that are renting it, not on the owners.

But that's actually a really important component of the bill is the tax piece. Right now a municipality, a county, the only way that they can collect taxes is through entering into a direct agreement with a short-term-rental platform. There's no transparency into how much that county or that town is actually owed. It's all data that is proprietary from the

short-term-rental platform.

So what we're actually doing in this bill is creating transparency so that the municipalities and counties can actually get the money that we know that they're owed from short-term rentals.

Also, if you're a county that doesn't have an occupancy tax, you actually cannot collect any tax from the short-term rentals right now. I know I have a county -- there are many, especially in our smaller and rural counties, that don't have occupancy taxes. So they may be high-tourism markets, but since they don't have an occupancy tax, they're not actually getting any of the taxes because they can't opt into those agreements with the short-term-rental platforms.

So what this bill is doing is creating a sales tax component that's standard across the board that would be up to and consistent with the local sales tax, state and local sales tax for collection. Which will make sure that our municipalities are actually getting all of the money that they are owed for hosting and having these short-term rentals, and will be

a new type of revenue stream, actually, for these communities.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: Yes, I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So right now if you're a municipality that's chosen not to have any kind of a hotel/motel bed tax, occupancy tax, essentially this is going to force a new tax on a municipality where the -- you know, whether it be by permissive referendum, which is what happened in my county many years ago, or action of their legislature.

You're now saying: You're going to collect a new tax, whether you want to or not; is that correct?

SENATOR HINCHEY: Through you, Mr. President, you're only taxed on the hotel/motel tax if it already exists. We're not creating a new mandated occupancy tax for communities and municipalities that don't have

it. That's not happening.

The only thing we're creating in here is the standard sales tax across the board.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So this bill calls for homeowners to maintain an insurance policy for the value of the dwelling plus $300,000 in liability insurance. I mean, I think that's -- that sounds rather excessive. Keep in mind that a lot of these rental properties have been handed down, you know, for generations. They may not have a mortgage on it. And the value of, say, a cabin or something might be kind of low. But it might be sitting on very valuable property. So now you've got to have, you know, a home that's going to be insured for maybe, you know, a half a million dollars that isn't really worth that much, the structure itself, and now an additional $300,000, even if you only rent it

maybe a few times a year. Isn't that going to be excessive for those people?

SENATOR HINCHEY: Through you, Mr. President. The short-term rentals that exist, anyone renting their property already has to have insurance. So we're not actually imposing anything that folks already don't have to do.

And I also want to mention there are other states that have this type of regulation. There are other states that have this type of proposal. And we're actually being much more generous. For instance, in Massachusetts they require a million dollars' insurance. We're only requiring 300,000.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: You know, there are -- property taxes are high in New York State. And I know many, many people that live in their

house most of the time, but they rent it out a few times a year because they live in a vacation area. The place where I live, it's very common -- maybe four times a year or something like that.

So you're saying that those people are now going to have to have insurance on their home to the full value, which is what the law says, plus liability insurance of $300,000 just so they can rent it a few times a year?

SENATOR HINCHEY: Through you, Mr. President. Right now, regardless of how often you rent your home or a building or a home that you own, if it's on one of the short-term-rental platforms, you still have to have that insurance. That's why the short-term-rental platforms provide their own insurance.

So that would -- it doesn't matter what time or how often or how frequently you're renting it. You just have to do that now, and we don't change anything.

SENATOR BORRELLO: Mr. President, Will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: But this applies to people that aren't on those short-term-rental platforms, like Airbnb and VRBO. This would be anyone that's renting their home and is currently subject to, say, a bed tax. So, you know, those people don't have to currently.

In fact, I will tell you that in the community that I live in, many people own a cottage, they have a summer home, they rent it out. Very, very few use those because the demand is high and they don't need to.

So you're now saying to those folks that are not participating in a short-term-rental company are going to have to meet these standards and pay those additional costs, aren't we?

SENATOR HINCHEY: Through you, Mr. President. The vast majority of homeowner insurance does not cover what happens to your home should you be renting it. And so not having some type of insurance if you're renting it, whether it's one weekend for a fishing tournament

or a concert or, you know, multiple weeks a year in a vacation town -- or anywhere, for that matter -- you're taking the risk.

So actually requiring people to have insurance is both protecting the folks who are coming into the community that you're inviting into your home, and protecting the homeowner from something that may happen.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So the short answer is yes, we're going to require those folks that aren't currently doing that, even if they're not utilizing a platform like VRBO or Airbnb, to now carry those larger costs. Even if it's, you know -- we're mandating now an additional cost, an additional insurance that we didn't previously on someone's property.

SENATOR HINCHEY: Through you, Mr. President, we are requiring that people who

are bringing folks into the community or renting out their home have insurance. We think it's the safest thing to do.

And again, we're being actually much more generous than other states across our country have done in the same situation.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Senator Hinchey, thank you very much.

I understand we're trying to fill some gaps here. But, you know, what this bill really does, it goes well beyond just saying we're going to fill in those gaps.

And one of the last things that I did when I was county executive in Chautauqua County was to negotiate a deal with Airbnb because they weren't paying, and that wasn't fair. You have hotels, motels, you have people that rent their cottages and so forth that aren't going through one of these short-term-rental companies, you know, that are paying that tax. And the others, because they

went through VRBO or Airbnb or one of these others, weren't. So that wasn't fair.

But we negotiated with Airbnb and we got them to pay the tax so that it was a level playing field. That was a solution that most municipalities took as a way to level that playing field.

But what we're doing here now is we're essentially saying, you know, if you own a home and you live in it most of the time and rent it out for a fishing tournament or a golf tournament or you rent it out, you know, four times, five times a year in what we refer to as the shoulder season -- you know, like right now, where we are, most people don't have to use those short-term rentals because they have a long list of people that come back year after year after year, and they don't need to use them, they have a long list of clients.

But they do, in that shoulder season -- the early season, the late season -- they may want to use VRBO or an Airbnb. And now they're going to be subject to all of these additional costs.

So what that unintended consequence

to me is, they're just not going to register. They're not going to register because they're not going to want to pay maybe an extra couple thousand dollars a year in taxes, in insurance costs and taxes, to collect a couple thousand dollars in return. So I think this will drive people underground, essentially.

Now we're talking about enforcement, how we're going to need a bigger enforcement in order to do this. But then you talk about the idea that really the underlying issue here is we don't have enough affordable housing. Somehow -- what I heard from the sponsor was by making things like this I guess more difficult, that maybe people will just choose to do long-term rentals and not short-term rentals.

And I have a problem with that. People have a right to use their property as they wish. And if the goal here is to somehow encourage or penalize so we have long-term rentals and not short-term rentals, that's I don't think -- it's fundamentally unfair and is really a violation of their right to use their property as they wish.

So while I understand the intent and

I'm sure some good will come of this, there are a lot of unintended consequences. So I'll be voting no.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Borrello.

Senator Helming, why do you rise?

SENATOR HELMING: Mr. President, I rise to ask the sponsor of the bill a few questions.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HELMING: Thank you, Senator Hinchey.

I had the opportunity to ask a number of questions on this bill during our Housing Committee meeting. The intent of the bill is something that I support. Like you, I represent many rural communities, and the municipalities are looking for some direction and some help.

But as I stated during committee, I

have a number of questions about some of the bill language. It just doesn't make sense to me. It seems duplicative in many areas.

But I wanted to go back and ask you a question about the municipalities. I think what I heard you acknowledge is that there will be some expense to the municipalities. Can you expand upon that? What do you estimate the cost to be to a municipality?

SENATOR HINCHEY: Through you, Mr. President. There should be no expense to municipalities. If they're choosing to have their own registration system, which many of them are, that's an expense that they're taking on. We're not requiring them to do that.

We're creating a statewide registry, so actually with the intent to hopefully save them money so that they don't have to have their own registry should they not want to.

SENATOR HELMING: Thank you. Through you, Mr. President, if the sponsor will continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HELMING: So the way I understand it is that municipalities right now with their own registry, there's not a requirement that they have to report to the Department of State or any state agency. So with this bill, will that change?

SENATOR HINCHEY: Through you, Mr. President, yes. They don't have to report to the Department of State because this doesn't exist yet.

So what we're saying is, once a quarter, to send their registry so that we have the holistic view of the short-term-rental market across the state. But that is just in the form of an email. There's no -- that could be an email, right?

And those regulations will be promulgated by the Department of State, but there's not an additional cost associated.

I also want to add that this legislation is enthusiastically supported by NYSAC, NYCOM and the Association of Towns.

SENATOR HELMING: Through you,

Mr. President, if the sponsor will continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HELMING: So I would argue that there is a cost to the municipality to be able to generate that report.

And also did you say that it is possible that the Department of State will be promulgating rules or regulations or whatever and that the municipalities who have existing registries may have to now comply with the state format?

SENATOR HINCHEY: Through you, Mr. President, that was not the intention of what I said.

The regulations are just how they set up their system, so how the communication, how they'll work with municipalities. Although those communication streams already exist, just not necessarily with the sending of their registration list. But they -- our local

municipalities communicate with our state government all the time.

But they will not be promulgating rules on local registries -- that's very clearly written in the bill. If municipalities want to have their own registry, their own system, all of that stays with the local municipality.

SENATOR HELMING: Through you, Mr. President, if the sponsor will continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: Sure.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HELMING: Senator Hinchey, within this legislation is there any requirement for personal data to be collected by anyone, whether it's the host, the owner, any other platform? And if there is personal data that's required to be collected, can you explain exactly what that is?

SENATOR HINCHEY: (Conferring.) Through you, Mr. President, yes, we're collecting some information. I'm not entirely clear if

you're asking about the guests or the hosts.

But we are collecting some information. Any personal information like names and locations are sent to the state, but that is confidential. Should it ever be -- it's all redacted, or the private information is redacted.

But on the municipality side, it's important, especially for first responders, to know where there are short-term rentals or vacation homes. That's one of the things we hear the most, actually, from our municipalities.

But all of the private information is redacted.

SENATOR HELMING: Through you, Mr. President, if the sponsor will continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HINCHEY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HELMING: Senator Hinchey, you had mentioned the housing crisis, and I think I heard something about how this bill will help us address the crisis. Were you suggesting that

there's language in this bill that will create more housing opportunities for people other than the short-term stays?

SENATOR HINCHEY: Through you, Mr. President, no, of course not. This is a bill for a registry.

But what's happening in the communities that I represent and across the state is that housing that has typically been used for full-time residents is being bought by sometimes folks from the community, much more oftentimes folks from outside of the community, and turning them into lucrative rentals -- therefore, taking housing stock off of the market.

I also want to be clear. This is not an anti-short-term-rental bill at all. It's been incredibly important for our local economies, for tourism. It's how many of our small businesses and our Main Streets survived through the pandemic.

But because there is this shift, because there is a massive amount of traditionally normal local housing being taken off the market into vacation rentals, effectively hotels, we are losing a lot of housing stock.

And so one of the things that's incredibly important that this bill will do is provide that transparency so that we know what it looks like across the state, and it will actually be able to help our municipalities decide what they need to do, how much more housing they'll need to build to fix the crisis.

If they want to put on their own caps, which many of them are doing, they can, with this information of knowing how many short-term rentals are in their backyards.

We're actually seeing, across the state, many municipalities just blocking short-term rentals altogether because they don't have a handle on it. And before they can create their own registry or anything else, they're saying: Full stop, no more short-term rentals, we need to understand what's happening to our housing in our communities today.

This bill will help that by providing the information municipalities need.

SENATOR HELMING: Thank you.

Through you, Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator

Helming on the bill.

SENATOR HELMING: As I stated earlier, I think there are some really good components of this bill, but I think there's a lot that needs to be worked on.

What I hear from people in my district -- and I represent a district that tourists visit quite often -- and from the people who live there, is that they are concerned about environmental impacts of some of these short-term rentals, right, short-term rentals in our rural areas that are often on septic systems, and the rentals -- the number of people exceed what the septic system was designed to be able to handle.

So that's one of the concerns. But I don't see that addressed in this legislation anywhere.

And the other thing, when it comes to the housing crisis, I agree that we have a crisis. I have a number of bills to help address the housing crisis. But using short-term-rental data, mandating that people provide personal information when they're going out to rent a unit for a night or a couple of nights, I don't agree with that at all.

Like I said, it's tough. There are some good aspects of this bill. But I still think that it needs more work.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

Are there any other Senators wishing to be heard?

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

Read the last section.

THE SECRETARY: Section 12. 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: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you.

I rise to proudly support Senator Hinchey's bill. I've worked with her and the staff on this bill over multiple years, because I come from the City of New York where we've had an enormous amount of experience now

dealing with the short-term rental issues, many of which have caused serious problem for our communities and our residents.

And frankly I have spoken with people from not just around this country, but around the world at this point, comparing notes about different issues that arise based on the volume, the kind of community you're living in, whether you're living a hundred people in one building or whether you are living in private houses.

I think the real strength of this bill is the recognition that there are different communities with different issues throughout the State of New York, and this gives them -- again, it's their decisions -- the choice to participate in a model that will allow them to get their arms around what is happening, to set their own standards for their community, recognizing what they need.

But at least to have the information about what is happening. Because right now, you may not have any idea, if you're a local official, what is going on in your own community. I have gotten calls from upstate communities over

the years saying, "Somebody's rented out a house next door and is having parties for 500 people. What do I do about it?"

I'm like, "Well, call the local police." Well, they don't know what the rules are or why this is happening. They don't know anything about this.

There are cities throughout this country and whole states who have implemented laws. Some look like ours, some don't. New York City's implemented many layers now, at this point, to try to get our arms around this, and has also created our own registration system.

And while it may not be true that in most parts of the state large quantities of residential housing is being taken off the market by these providers -- who aren't actually members of the community themselves -- in New York City we estimate that up to 20,000 apartments are no longer available for the residents of New York City because they have been turned into permanent short-term rentals, in violation of the law.

And yes, we have a housing crisis in New York City. And yes, I want those 20,000 units back on the rental market so that people

who live in New York City and are having enormous trouble finding housing or staying in their housing can use that housing. But --

ACTING PRESIDENT PERSAUD: How do you vote, Senator Krueger?

SENATOR KRUEGER: But our bill is stricter for New York City, and I totally believe that this is absolutely the right decision for the rest of the state.

I vote aye, Madam President.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Krueger to be recorded in the affirmative.

Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thank you very much, Madam President.

And I first want to acknowledge I know just how much work and effort and energy the sponsor put into this legislation. I congratulate her on getting this bill to the floor today.

There are many elements of this bill that I support. The exception that I take is that my preference would be that we take a

holistic view on the home-sharing issue. Yes, there are legitimate, real challenges that exist to many neighbors, to some communities when the existing law is abused by unscrupulous hosts. No question about it.

However, there are some communities that severely overregulate home sharing to the point where it's impossible to even exist. And for many individuals, working-class, middle-class families, home sharing is a financial lifeline them. You might have a senior citizen or a couple who maybe will rent out their house for a week or two or three at a time in a given year, over the course of the entire year, to help pay the bills for the other 49, 50 weeks that they are living in that house.

And so while, yes, I support addressing the challenges that communities face in this hand, I also think at the same time, with the other hand, we have to address the legitimate challenges that this industry faces and the hosts face to ensure that this lifeline continues in a way in all communities, not just those communities that do not overregulate.

So for that reason, I'll be a no on

this bill. Thank you.

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

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

You know, I'm very fortunate to live in a rural area, a beautiful rural area that fortunately a lot of people like to come and visit. But it comes at a cost.

You know, I have many neighbors of mine, friends, who have a house on the beach that their grandfather bought 50, 60 years ago. And now, because of the increase in the value of that house, their property taxes have become so burdensome that the only way that they can continue to own that house is by renting that out a few weeks of the year in order to help cover that high cost of property taxes and insurance.

So now we're going to say to those folks who are just able to hang on to that house that's been in their family for in some cases generations: You're going to spend more money to have a full-value insurance on that house, even

though you don't really need it, and an additional $300,000 in liability insurance.

That's going to mean that some people will have to say, We're going to have to sell that house because I can no longer afford to do this, because the offset won't be enough. And I just think that's fundamentally unfair.

This was supposed to be about correcting the VRBO, Airbnb, you know, I guess issue that we had where they were going to not pay those hotel/motel taxes and unfairly compete with hotels and motels and people that are following the rules.

This bill just goes far beyond that, and it's going to have that type of consequence on people that are hanging on to those homes only because they can rent them out a few weeks a year. So I'll be a no.

Thank you.

SENATOR MURRAY: Senator Borrello to be recorded in the negative.

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Madam President.

Much as my colleagues

Senator Borrello and Senator Skoufis, there certainly are some good points to this bill, but it also does some harm. And I kind of think, you know, coming into this chamber, I think rule number one should be, just as physicians, do no harm. And then we can take it from there and try and do some good.

The concern that I have is that it's making it unaffordable for people to be able to engage in occasional rentals, simply because of the insurance requirements that are included in this bill. You are now requiring that they carry not just liability insurance, if there's an accident on their property involving a renter, but you're requiring that they carry full property damage insurance for the full value of their home. Right?

In many instances you have individuals who may be fortunate enough not to have a mortgage, they don't have a bank requiring that they carry a certain amount of coverage. They may only carry replacement cost, what it will cost to actually reconstruct their home if there's a fire, heaven forbid.

But now you're requiring the full

value of their home. So that's going to be a cost, particularly in the area where I live, of several thousand dollars a year that you're now imposing which offers no benefit to the person who's renting the home but is a tremendous cost -- no benefit to the person who's actually renting the home from the owner, but is a tremendous cost to the owner.

And so while the bill does some good, and I understand the reason, I'll be voting no because of the harm that it does. And I hope that we can revisit the issue if in fact this does pass.

ACTING PRESIDENT PERSAUD: Senator Rhoads to be recorded in the negative.

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Madam President.

You know, you've heard me say it before here in the chamber: Very rarely does the solution to our state's problems lie here in Albany. More often than not, we should trust our local communities to make decisions that they deem appropriate. If there is an issue in the local community, our mayors, our supervisors, our

local boards certainly are capable of handling that.

We are fortunate enough to live in a state, Madam President, where we have beautiful areas where people would like to visit. On Long Island we have great areas where people do have homes, sometimes they use those homes seasonally, and from time to time they may want to rent it, a weekend or a week at a time, as has been cited, frankly sometimes just to make ends meet and to pay the bills.

We're not talking about Airbnb or VRBO or any of the other organized platforms that are out there. We're talking about people in their own homes being able to make decisions for themselves. And because they want to rent the home for a few days and they have the option to do that today, the State of New York will once again require them to register, to provide information, to intrude into their lives. For the sole purpose of not only collecting a fee, but also collecting information and regulating the lives of every New Yorker in this state.

Madam President, when is enough enough? When do we say stop? Allow our local

communities to make those decisions for themselves, allow our local homeowners, who sometimes are just trying to make ends meet, allow them the opportunity to rent their homes even if it's for a couple of days.

We just had a PGA event in Rochester not too long ago. We'll have one next year in Bethpage on Long Island. And you know what they do there, those members of the community that live around the golf course? For that week during the PGA, they rent their homes for that week. And then they're going to be forced to register with the state just for the benefit of living in that same community.

ACTING PRESIDENT PERSAUD: How do you vote?

SENATOR MARTINS: Madam President, I vote no.

ACTING PRESIDENT PERSAUD: Thank you. Senator Martins to be recorded in the negative.

Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

Before my comments, I want to say a

huge thank you to Nayram Gasu, Brian Coffin on my team -- my entire team, for that matter -- Senator Krueger, Senator Kavanagh, and of course our wonderful Majority Leader for all of the work and commitment to this bill, for helping bring all of the stakeholders to the table so that we could really address an issue that is pervasive across our state.

To address a couple of points. On the comments about insurance, as someone who has actually rented my home to help pay my rent, I always opted into the insurance because I think it was important to protect my property.

In my community, one of -- some of the biggest issues we have with short-term rentals is that people come up often from the city, they have never used a fireplace, but to get to having that bucolic dream that you see in many Hallmark movies, when it's snowing, you come up for the winter, you build a beautiful roaring fire. Oftentimes you may not open the flu. And so houses that are rented for a weekend or a week and you think that you're providing someone a gift of visiting our community, you may lose everything.

And so I think the conversation about requiring insurance is an important one, because not only does it protect the people who are coming into our communities, but it protects the homeowners and their property.

As we talk about municipalities, I want to just read a couple of points of people who support this bill. As I said, NYCOM, the Association of Towns, and NYSAC. We also have the New York State Hospitality and Tourism Association, New York State Tourism Industry Association, Ski New York, This is Cooperstown, Sullivan County Visitors Association, Visit Schoharie County, Albany County Convention & Visitors Bureau/Discover Albany, the American Hotel and Lodging Association, the Regional Office of Sustainable Tourism, Saratoga Convention and Tourism Bureau, and many others. These are representative of across the state, from municipalities and our tourism industries.

This bill goes very far in making sure that there is ample space for municipalities to do whatever they deem appropriate or necessary for their communities. We are only providing support and help where they have asked us. We

are helping with enforcement. Many of them have their own local registries, but they cannot actually enforce it. We are helping. The state's role is to help our municipalities when they ask us to.

We're also making sure that they are receiving the funds that they are owed from hosting these short-term rentals.

And so I'm incredibly proud of this bill. As I said, I'm incredibly proud of the entire team who worked on this so diligently. And I said, we worked with everyone, including booking platforms, who came to the table to work with us on this and make sure it was a bill that worked for everyone.

So I am excited to pass this bill on the floor. I feel honored to carry it, and I thank my colleagues. Those of you who are voting in favor of it, thank you for voting for it.

And with that, Madam President, I vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to

Calendar Number 1267, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martinez, Martins, Mattera, Murray, Oberacker, Ortt, O'Mara, Palumbo, Rhoads, Rolison, Skoufis, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 23.

ACTING PRESIDENT PERSAUD: The bill is passed.

There's a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Sanders moves to discharge, from the Committee on Rules, Assembly Bill Number 7691 and substitute it for the identical Senate Bill 1163A, Third Reading Calendar 1731.

ACTING PRESIDENT PERSAUD: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1731, Assembly Bill Number 7691, by Assemblymember Solages, an act to acknowledge the fundamental injustice, cruelty, brutality and inhumanity of slavery in the City of New York.

ACTING PRESIDENT PERSAUD: Senator O'Mara, why do you rise?

SENATOR O'MARA: Yes, Madam President, will the sponsor yield for a few questions.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR SANDERS: Madam President, a point of personal privilege.

I certainly will, but first I had to thank God for the opportunity to have this conversation in here. As a child of a sharecropper and a domestic worker, one born in the Hammel Houses and a Senator, it says something good about New York and America.

We're about to have an American conversation, my friends. People feel strongly about justice on both sides. Both people want to see something great happen. There's nobody who is mean and evil. There's folk who are trying to get to someplace great, trying to make America a better place.

Having said that, absolutely I yield, Madam President.

ACTING PRESIDENT PERSAUD: Senator

O'Mara, the sponsor will yield.

SENATOR O'MARA: Yes, thank you, Senator Sanders. And I agree. This is going to delve into a very dark era of American history, for sure.

But the issue of reparations is one that's been discussed for many years now. And the State of California I believe is the only state that I think has moved in this direction that you're proposing in your bill here today.

Can you tell us how this bill follows what they did in California? Did you use California as a template? How does this follow the California -- or how does this differ from how California got into this process?

SENATOR SANDERS: Madam President, through you, California is a great state. However, we're in the Empire State. And while we may learn many things from California, we think that we can do things our own way here.

We're going to do a New York process, which is to take nothing from California. If California did well for the Californians, very good. But we're going to do something in an Empire way in this state, sir.

SENATOR O'MARA: Thank you, Senator.

Madam President, will the Senator continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Senator Sanders, in this bill to set up this commission, in Section 3, paragraph 2, the commission is directed to examine the extent to which the federal government, as well as state and local governments of New York, contributed to the issue at hand of slavery, of discrimination, of what part -- what role they played in that.

So is it the purpose of this commission to come back with findings on what the federal government's role was there and what they think the federal government should be responsible for?

And also picking out what local government's role was in that and identifying that specifically, whether it's at the county

level or the town level? Are they going to pick out specific local governments and explain? Because I'm sure all the local governments, going through the history and looking, handled this in a variety of different ways.

So what is the intent of this as far as what the impact would be -- really, I guess, the crux of my question is what's the ultimate impact of this on local governments.

SENATOR SANDERS: Through you, Madam President. While it may be interesting to delve into what the federal government is doing or should do, as New York State Senators we will confine our jurisdiction to where our jurisdiction is, and that is New York State.

The commission of course must examine the role and legacy of slavery, what it has done, and especially the lingering effects and what, if anything, should be done to ameliorate that, sir.

SENATOR O'MARA: Through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Well, I'll just follow up again on the local governments, I guess, because the bill in the section I read specifically states to examine the role of local governments in this.

But then -- so is it not intending this commission to come up with any remedies that we're going to put upon local governments for this? Or are the remedies going to be just the state's responsibility?

SENATOR SANDERS: Through you, Madam President. The commission must study the history of the entire process, sir, in New York State. The commission has to look at not simply local government, it will have to look at local businesses, it will have to look at individual acts, it will have to look at the history and the economics that have led us to this point.

And at that point the commission would try to decide how to fix it, if you wish. How to make sure that this part of the American experiment in New York State is made correct. A

more perfect union, you may add.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: I'm just having fun, Madam President. Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Senator, in Section 3, paragraph 8, it directs the commission to recommend appropriate remedies and reparations.

Does that mean that the committee is bound to find that there needs to be reparations? It's directing them to come up with them.

SENATOR SANDERS: Through you, Madam President. The short answer is no, sir.

A fair commission will have the ability to look at the situation and come up with what it believes is an appropriate answer. That answer may please many people or may not please people, but we should not handcuff a commission.

We should have a fair commission on this issue.

SENATOR O'MARA: Through you, Madam President, if the Senator will continue to yield.

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

The sponsor yields.

SENATOR O'MARA: I agree with that completely, Senator, except I don't think the language says that.

The language says the commission shall recommend appropriate remedies and reparations. It doesn't say if they find it's appropriate. It says they shall recommend appropriate remedies and reparations.

So I don't see how the commission has the ability, under this language, to come back and say no remedies, no reparations.

So what's the intent here?

SENATOR SANDERS: Through you, Madam President. May I draw your attention to that word "appropriate," sir. That word implies that there may be no -- none at all. The word "appropriate" should take in your -- your

consideration.

SENATOR O'MARA: Thank you, Senator.

Madam President, will the Senator continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: I appreciate that clarification on that. I still disagree with the technicality of the language and think this requires them to come back with findings in that order.

But further in Section 3, paragraph 8, it says that they will determine the amount of compensation and who shall be eligible for such compensation. Senator, is -- I don't see anywhere in this bill that says the commission can consider who should be excluding -- excluded from paying those reparations or -- or that didn't have involvement in the perpetuation of slavery in New York and the -- and the results that followed.

So why doesn't it -- why don't you include that they should be considering also who should be excluded from the costs of this?

SENATOR SANDERS: Through you, Madam President. I'll answer you two different ways, sir. The first way that I would say is to go back to that word "appropriate," because it may answer that.

But I'd answer you another way, and I would suggest to you that everyone has benefited from slavery. That any time a person has walked on a literal road, you have benefited from whoever built the road. Any time that you have crossed a bridge, you have benefited from whoever built the bridge. Any time you went to a court or hospital -- all of these things, everyone has benefited from it.

You may say you may not have benefited as much. That's a worthy conversation. But everyone has benefited from the labors of people that have gone before. You -- well, there may be an exception to what I just said. The people who built the road, the slaves in this sense, may be the ones who didn't benefit from all of these things. So -- but besides them, I

would argue that anyone who is here in New York has benefited from it regardless to what time you have come here. You may have gotten here 10 minutes ago. But if you walked down that road, you benefited.

So if your question was who benefited or who should, I trust that you'll take that into account.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Is it also in the purview of this commission, and your intent of this legislation, that the commission should take into consideration whether the person to receive compensation just got here 10 minutes ago? Not -- how long they've been in the state and been held back or suffered from that? Is the commission supposed to take that type of balance?

SENATOR SANDERS: Through you, Madam President. I certainly hope so, sir. I do believe that there -- just as I was saying, there are levels of benefit or harm, if you wish. And I trust that wise men and women who are on a commission will sit and work these things out, sir. But it's a good point that you raise.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: I absolutely yield.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Just a question on the -- on what might be the fiscal impact of this to the state -- and certainly that's not in this bill -- and whether the commission is going to come back with an overall figure or individual figure.

I don't see any requirement in here that the commission consider the fiscal ability

of the state to pay for whatever they might come up with. And we've certainly seen in California they came up with $5 million a person.

How should the commission take into account the fiscal ability of the state in making recommendations on this?

SENATOR SANDERS: Through you, Madam President. Again, California is a magnificent state. And if those who choose to live there live there, I -- I think that they've done a great job for California.

However, we will not tell the commission what their outcome is in advance. We have to have faith that if we find wise men and women and we put them in a place, that they will understand that they live in the real world, that money is not an unlimited thing. And we do things a little different in New York than other places, sir.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: You agree with me, then, that there is no language in here that would require the commission to actually consider the fiscal ability of the state to pay, or whatever recommendations there might be of a local government to pay.

SENATOR SANDERS: Through you, Madam President, I agree that we did not tell the commission what to do. That we agreed that the commission would be an independent body and would determine, based on its understanding, what should happen from there, sir.

SENATOR O'MARA: And through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Again, the report that comes out of this commission is not going to

be binding in any legislation that might follow this, is that accurate to say?

SENATOR SANDERS: Through you, Madam President. The report should have a moral background. It should have a reasonableness to it. But the job of the Legislature is to legislate. We are not taking -- just as we're not telling the commission what to do, we will not allow any commission to tell us what to do. We will act as legislators.

SENATOR O'MARA: Through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Well, I'm glad to hear that, Senator Sanders, because in recent years it's been, in my opinion, far too common where we have been delegating final determinations to an outside entity that's going to be appointed. Whether that's congestion pricing that's coming, whether that was the CLCPA

and the Climate Action Council plan that came out.

In other words, things that will automatically take effect on this commission's findings. That's not what's going to happen here. Everything's got to come back to us for legislation to be drafted on how we're going to respond to the recommendations of this commission.

SENATOR SANDERS: Through you, Madam President. Like yourself, sir, I did not sign up to throw the powers of the Senate or Legislature away. I signed up to be a representative of the people of New York State. And as such, we will -- I will not be part of anything that just throws that power away.

There are times when commissions should be given authority to make those decisions. But this one is going to be made by the Legislature.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the

sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Senator, just on I guess some of the specifics of the makeup of the committee and the required meetings. There's only appointments in here from the Governor, the Speaker of the Assembly, and the Temporary President of the Senate. So the majorities of the Legislature and the Governor, all of one party in this state.

There's no Minority Conference appointments to this.

And as this commission's findings, you know, potentially will impact local governments, including the City of New York, there's no appointments on here particularly in the interests of the local governments either, is that correct?

SENATOR SANDERS: No.

SENATOR O'MARA: And why not?

SENATOR SANDERS: Through you, Madam President. As you may know, I always favor to have minority parties involved. But this

legislation was drafted with two things in mind. The first, that our partners in the Assembly, of course, have their own way of doing things and we are not going to tell them what to do.

But we also were following the standards set by 40 years of Republican rule when the Republicans were in charge of the Senate. This is the way it was done for 40 years, and we are following the protocol that you guys set.

SENATOR O'MARA: Through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: There are many examples of commissions and committees that have been set up over the past 40 years, and during the reign of the Republican Party, that did have Minority Conference appointments to those and were a requirement. Yet you didn't require that here. So when the Republicans controlled this chamber there were -- yes, there were instances

where they weren't included. And that was wrong. And it should continue to be wrong today.

But we hear a lot from your side of the aisle "What you did was wrong." I can tell you, there's I think four of us over here that were here then, and we were not in leadership. So how long do two wrongs make a right in this chamber?

SENATOR SANDERS: Through you, Madam President. Two wrongs never make a right, sir.

My personal view of course is mine. I am bound by working with the Assembly and by working on protocol here. But I assure you every way that I can, I will always say we should have some representation.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: There's language in here after the appointments that the first meeting of the commission will take place 180 days after the effective date of this act, which takes effect immediately. So in 180 days from the passage and the signing of the Governor, whenever -- whenever that gets around -- that there will be hearings.

There's no end date in this as to what date the commission has to report by, is there?

SENATOR SANDERS: Through you, Madam President. First I'd like to draw your attention that the word is within 180 days, which means that they would of course -- or should or could start work immediately. If it was my will, they would start work from day one. I can't tell a commission what to do.

And there is a end date in it, sir. It is one year, I believe -- one year after the date of the first meeting, sir.

SENATOR O'MARA: Can you show me -- through you, Madam President, can you show me where that is? Because I certainly overlooked that.

SENATOR SANDERS: Paragraph C of Section 3. Oh, let's see. Where is this? The last sentence? Okay. It says on 32, if you can find it, sir. It says the -- and the Governor no later than one year after the date of the first meeting of the commission held pursuant to -- blah, blah, blah, blah, blah. We'll have somebody walk it to you in a moment or two, sir.

SENATOR O'MARA: All right. I just didn't see it in here, so -- within -- within a year.

Through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: This legislation requires the commission to conduct hearings and sessions as it's described, but it doesn't identify -- that I see here -- how many hearings there should be or where they should be throughout the State of New York.

SENATOR SANDERS: Through you,

Madam President. Since members of the commission must represent geographic areas of the state, I suspect that each area would want a hearing in their area.

On a personal level, I would love dozens of hearings, if I could. I would suggest that to them, and I'm sure that you will also, sir.

SENATOR O'MARA: Through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

The sponsor yields.

SENATOR O'MARA: The actual language about the geographic representation says "to the extent possible." So it's not required that these appointees be from geographically diverse areas of the state.

How can we assure that that's actually going to happen with these appointees?

SENATOR SANDERS: Through you, Madam President. It is a great desire to reflect the greatness of this great state by picking people from all over. However, there may be a

case where talent is needed, an economist of one type or another, that comes from the same place that some other talent comes from.

It is really up to the people who appoint -- the Governor, this Legislature and the Assembly -- to make sure that that happens, sir.

SENATOR O'MARA: Thank you.

Through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: The Senator yields.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: I think, Senator, that concludes the questions I have. I just want to thank you for answering some of the specifics I had on the makeup and responsibilities of this commission. So thank you.

SENATOR SANDERS: Madam President, will the -- you're not the sponsor. Will the questioner yield for a question?

ACTING PRESIDENT PERSAUD: Senator O'Mara, do you yield for a question?

SENATOR O'MARA: Sure.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR SANDERS: Sir, we here in New York State are suffering from a smog that has come from all over out of Canada, caused by some wildfires. I will -- I don't believe that you set that fire. I don't believe that you had anything to do with that fire. However, you are feeling the effects of that fire. That smog has drifted over and has poisoned the atmosphere.

I would suggest that you see slavery as such. That you didn't set the fire, you didn't do anything -- you weren't there when that fire was set. However, the smog of injustice, of Jim Crow, of genocide, of murder, of mayhem lingers in the air.

Now, some would say that, wait a minute, I have no responsibility here. I had nothing to do with it. I would say that we have -- and I'm sure you would agree that we have a responsibility as Americans to do something about these things. That smog that has drifted over and it clouds us is such that you can't say, well, I just got here 5 minutes ago and therefore

I will do nothing about the smog because I just got here 5 minutes ago.

I would suggest that every American has the right and the responsibility to do something to get the smog of injustice cleared up. And I'm hoping that everyone joins in and says, You know what, we may not have had a personal hand in it, but we refuse to let the lingering effect of this horror cloud the American experience. This thing is too sacred for this type of stuff. We all are going to do something about it, because we all are Americans.

We can't cherry-pick our history. We can't decide that I wasn't there so I had nothing to do it. I wasn't there, I had nothing to do with that. No, my friends, this is a package deal. Once you become an American, you take the history, the good, the bad and whatever else is there, and you say that we're going to do something about it if we are true Americans.

Now, if we want to be one of those part-time Americans, if you want to say I can pick this and pick that because I wasn't here, then that's a different story.

Thank you, Madam President for that.

I -- I --

SENATOR O'MARA: Thank you, Senator Sanders.

SENATOR SANDERS: I withdraw the question. I think it was a question -- I withdraw the question.

(Laughter.)

SENATOR O'MARA: I appreciate that. Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President.

I rise in support of S1163, a bill that holds tremendous significance in our pursuit of justice and equality. This bill, the New York State Community Commission on Reparations Remedies, serves as a crucial step towards acknowledging the grave injustices inflicted upon the African-American community throughout history.

Slavery, an institution stained with fundamental injustice, cruelty, brutality, inhumanity, has left an indelible mark on the City of New York and the State of New York. Acknowledging this dark chapter of our history is not an easy task, but it is a necessary one if we are to build a more equitable and just society. The impact of these forces are not confined to the past, but continue to reverberate through the lives of individuals and communities here today.

This bill provides an opportunity for us to examine these painful legacies, understand their present-day impact on individuals of African descent, and make determinations regarding compensation. The commission will play a vital role in assessing these impacts and making determinations regarding

compensation, seeking to address the persistent inequalities and injustices faced by people of African descent.

This bill is not about dwelling on past wrongs, it is about acknowledging them and taking decisive action to heal the wounds of history. Reparations are not a mere financial transaction. They represent a commitment to equality, justice, and the pursuit of a more equitable future.

Let us stand united in solidarity, recognizing our shared responsibilities to rectify the profound injustices inflicted upon African-American communities, and forge a more inclusive and just society for all.

And I thank Andrea Stewart-Cousins, our Majority Leader of the New York State Senate, Senator James Sanders Jr., and Senator Jabari Brisport. And as a member of the New York State Black, Puerto Rican, Latino and Asian Caucus and of the New York State Black Legislative Task Force, as a Black man, I proudly vote aye.

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

Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

Land of the free, home of the brave, built on labor that was not paid. July 4, 1827, was more than just Independence Day in New York State, it was a day that my people, Black people -- yes, my people, Black people, gained our independence here.

Now, some would say, as Senator Sanders so eloquently said about the smog of injustice and then not being at fault, I don't think we're laying the fault to anyone. But let's look at the vestiges of slavery that last to this day. Plessy versus Ferguson, separate but equal. When it wasn't separate but equal. Segregation. Black codes. Jim Crow Laws. Racially restrictive covenants. Redlining.

Let's dig a little bit deeper. Abject poverty. Lack of adequate funding. Lack of hope. Lack of respect. From the vestiges of slavery.

Freedom ain't free, we always say. But we love to talk about things that we got because of things that were free. Free labor from my people that came here through the

Middle Passage, taken to a land that they didn't intend to come from -- come to, but they made the best of it. We sure have in this 400-plus years. It's hard to get 400-plus years in two minutes, Madam President, so I'm going to speed it up.

But I think about my great-great-great-grandmother Sylvia Richardson Holder, who was born into slavery in Johnson County, North Carolina. And I saw a picture the other day that I had never seen before, of her showing her master's grandson the cabin she lived in. That's America. That's just -- that's not a theoretical person, that's my great-great-great-grandmother. In my bloodline.

The vestiges of slavery are very real, Madam President. And I'm so appreciative of New York State for finally taking a step forward to examine what I believe we already know, that it has affected us in a major way.

Two wrongs don't make a right. But I thank Senator Sanders and Leader Stewart-Cousins for continuing this fight.

I vote aye, Madam President.

ACTING PRESIDENT PERSAUD: Thank

you.

Senator Bailey to be recorded in the affirmative.

Senator Comrie to explain his vote.

I would just like to remind everyone that you have two minutes to explain your vote. The sponsor has five minutes.

SENATOR COMRIE: Am I the sponsor, Madam President?

(Laughter.)

ACTING PRESIDENT PERSAUD: Just for the record, Senator Sanders is the sponsor.

SENATOR COMRIE: The way you said it made me ask, so.

This is a proud moment in New York State, and I hope that everybody recognizes that. It's a time and an opportunity where we need to acknowledge that New York State had a key element and key role and responsibility in shaping how slavery happened throughout the country. It's time that we recognize as being done what has been done, and what is still being done, to discriminate people in New York State.

Reconciliation and recognition is key to the ability of a people, of a country, of

a nation, of a state to acknowledge all of its ills, all of its pluses, all of its minuses. I pray that this commission will look at this with open eyes, open hearts, and get feedback from every person that's interested in seeing this be done in a positive way.

This is an opportunity to bring our state to a better positive level, to create information and to share resources and to acknowledge history, to be able to face our future, to find dignity, and to bring relief. To bring an opportunity to acknowledge the realities of what's happening to people to this day, where we still have less than 2 percent of our Black children going to elite schools in this state. Where we still have people that are living in areas in this state that were designed and they were put in because they knew that those areas were either radioactive, high water tables, or negative areas.

This is an opportunity for the state to grow. I'm proud to vote for this. I want to thank Andrea Stewart-Cousins and all of the members of the Democratic Conference who embrace this bill.

I vote aye, Madam President.

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

Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

And I want to thank the sponsor and my colleagues for this really historic vote today.

In 1934 my grandparents bought a modest home. They had little income or credit, but they were able to get a mortgage because the federal government insured mortgages as part of a Depression-era effort to promote homeownership. This enabled them to participate in the greatest wealth-building opportunity of the 20th century. And 60 years later, they left their five grandchildren enough to make down payments on houses of our own.

If my grandparents had been Black, or even if they had had Black neighbors, they would have been denied this opportunity and the ability to build generational wealth.

Over recent decades we've seen policies that have amplified the inequality that

came from denying Black Americans the right to build wealth through homeownership. Capital gains taxes on home sales have been cut to the bone. Inheritance taxes have been cut to the bone.

I am proud of my grandparents and deeply grateful for what they left me and for my ability to buy a home. But I do not want my prosperity to be at the cost of people who have -- deserve every bit as much as I was given and every bit as much opportunity to participate in the American dream.

I am here to support this effort, and I hope that we can have a more level playing field moving forward.

I vote aye.

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

Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Madam President.

I proudly rise in support of this bill. I want to thank Senator Sanders, the conference, Senator Brisport, and everyone who poured into this to get to this day.

I'm a cosponsor. I have advocated for reparations or actions towards reparations since day one in office. Today gives me great pride. I'm proud of a lot of things we did in this chamber, but I'm especially proud of this.

Reparations or making amends are good for the heart, the soul, the body politic. Reparations are necessary to facilitate healing -- not only of those wronged, but for society in total.

Slavery is America's original sin. And there is something about an original sin that sticks around until the end of time, unless we make amends. The lasting legacy of slavery and of Jim Crow Laws, of redlining, voter suppression, and every other successor of slavery and racism only compound the reparations that are needed, warranted, and as a precondition of equality.

The plight faced by Black people in this country is painfully distinct from all others. Slavery may have officially ended in New York around July 4, 1827, but equality did not reign the next day.

This bill takes a very responsible

and judicious approach and will rely upon history, research, and facts to examine all of the interrelated issues with care. I often brag about part of the district I represent, Harlem. It is the mecca, to me, of the Black Diaspora.

This bill is needed and demanded by many in my Senate district who feel that amends must be made, reparations provided, before we do anything else as a public body. I wholeheartedly agree with them, and I stand with them.

ACTING PRESIDENT PERSAUD: Senator Cleare --

SENATOR CLEARE: I proudly vote aye on this, and I thank our leader, Senator Cousins, for bringing this to the floor. And thank you, thank you, thank you, Senator Sanders.

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

Senator Parker to explain his vote.

SENATOR PARKER: Madam President, let me add my voice to those who are congratulating our leader, Andrea Stewart-Cousins, and the sponsor of this legislation, my colleague James Sanders, and all these who have been toiling in the vineyards

around making sure that this bill happened.

This -- it seems like it's just something that might have come up for some people, but Senator Sanders indicated he's been working on this for 30 years. And there's been a number of members who have been working on this. This didn't begin with just the work on this bill, but there was a work towards getting a majority and getting a critical mass of people who would actually vote. And so to all those who are going to vote yes on this bill today, I thank you.

That this particular issue, the peculiar institution of the enslavement of African people must be addressed in this country. Must be. You can't call yourself a country of life, liberty and the pursuit of happiness and not look at the injustices that have happened to African-Americans in a way that has almost never happened in the history of the world.

That when we talk about the word "enslavement," like even in other countries, you know, there's been servitude, but it wasn't till you got to America that you had chattel slavery. Right? As an African-American studies professor

I always teach people that chattel, like cattle, equals property.

The notion that when you as a Black person try to look up your history, you can't even look in the census records. You have to go to the warehouses and the manufacturing records and the shipping records, because your people were brought here literally as pieces of property.

And we only begin in this moment to recognize that and take some assessment and hopefully the beginning of some accountability.

And so I vote aye on this bill because this commission will address issues not just in this state, but really a national problem that has become the underpinning of all the wealth and the glory and all the things that we think of when we think of how great America is, begins with the original sin of the enslavement of African people.

And so I vote aye. I thank my coalition for voting aye. I thank the sponsors. And I'm looking forward to seeing the results of this commission's work.

ACTING PRESIDENT PERSAUD: Senator

Parker to be recorded in the affirmative.

Senator Myrie to explain his vote.

SENATOR MYRIE: Thank you, Madam President.

I also join in thanking our Majority Leader. Thank you to Senator Brisport, who has been doing a lot of work in this area.

But a very special thanks to Senator Sanders, who as you just heard has been working on this issue for decades. And when he talks about American values, it's not an exercise in this chamber. This is a man that put on a uniform to defend this country. And this, what is he doing today, is also a defense of this country. Our true ideals, true equality.

And before we start mischaracterizing what reparations will be, and without predisposing the outcome of the commission, I want to make clear that reparations can include world-class hospitals for Black communities. Reparations can include world-class schools for Black communities. It should include world-class economic opportunity for Black communities.

This is about investment into what

was stolen. We want a share of that too, period.

I proudly vote in the affirmative.

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

Senator Webb to explain her vote.

SENATOR WEBB: Thank you, Madam President. I rise to explain my vote.

And I want to thank Senator Brisport for your efforts, and of course Senator Sanders.

You know, when we talk about the history of slavery and abolition in the United States, our narratives tend to preserve an imaginary geographical boundary between the North and the South, and the misconception that slavery was an institution practiced only in the American South. And while the abolition movement did grow in the North and many enslaved people traveled here in search of freedom, it is also the case that slavery and its aftermath are woven into the history of New York and still has present-day implications and impacts.

Madam President, enslaved people were forced to work in bondage in our state as early as the 1620s, when the Dutch colonial settlers built communities along the Hudson River

with the labor of enslaved Africans. New York did not abolish slavery until 1827. However, disenfranchisement, bigotry, discrimination and disparities persisted in the wake. Even when slavery was technically illegal, it was still common in many parts of our state, and Black New Yorkers lived with its after-effects, including but not limited to segregation, Jim Crow Laws, systemic racism, all of which impact our communities today.

In my own district where I represent, in District 52, there's a cultural intersection where in the City of Binghamton there's a step that -- there's a mark that signifies the Underground Railroad, and then right across the street you had the KKK that used to hold rallies there, that cultural clash.

And so as many of my colleagues have noted, the legacy of slavery and systemic racism in New York is experienced by Black people in many ways, whether it is through the ongoing effects of generational poverty, voter suppression, disproportionate rates of incarceration, Black maternal health outcomes, limited access to reproductive care, and the list

goes on.

By passing this legislation and establishing the New York State Community Commission on Reparation Remedies, we have the opportunity to acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the State of New York and begin to right the wrongs of history.

To take this integral step, Madam President, would be, as Dr. Maya Angelou said so eloquently, bringing the gifts that my ancestors gave --

ACTING PRESIDENT PERSAUD: Senator Webb?

SENATOR WEBB: I proudly vote aye.

As I close, Madam President, I'm the dream and the hope of the slave. I encourage us all to rise together and vote in favor of this legislation.

Again, thank you, Senator Brisport.

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

SENATOR WEBB: Thank you, Senator Sanders.

I proudly vote aye. Thank you.

ACTING PRESIDENT PERSAUD: Senator Brisport to explain his vote.

SENATOR BRISPORT: Thank you, Madam President.

In the U.S., slavery and its legacy are often talked about as though they are strictly a Southern issue. Senator Webb mentioned this earlier. This unfortunately could not be further from the truth. While communities in Africa were being destabilized by having members abducted, New York banks were profiting by selling those community members on Wall Street. While enslaved Black people throughout the Atlantic were having their labor stolen, New York-based companies like Domino Sugar were profiting off of it.

Given how much of New York's wealth was generated by the slave economy, how much New York perpetuated the slave economy, and that New York remains one of the most segregated and unequal states in the nation, it is only right that our state actively work to repair the damage it has done to the Black community.

Beyond reparations being a moral obligation, they are also necessary for any hope

of building an equitable future. For every $100 in accumulated white family wealth, Black families hold just $5.04. That massive wealth gap is the direct result of generations of stolen wealth and opportunity. And on a broad scale, it is virtually insurmountable without reparations.

This commission is an opportunity for New York to practice the kind of restorative justice that allows for real healing. It also represents decades of work by incredible community groups like the December 12th Movement, N'COBRA, and the Institute of the Black World. It's deeply unfortunate that these groups were removed from the commission at the 11th hour in this bill, despite their essential role in getting us to this point.

But I am very proud to have worked with them and former Assemblymember Charles Barron in fighting for this commission, and have seen through those efforts their extraordinary degree of collective expertise and wisdom on the subject of reparations.

If the state truly wishes to repair the harm it has caused, that effort must be guided not by the state that has caused the harm,

but by the community that it harmed. I will continue to advocate for the appointments to this commission to be drawn from the community groups that have led the fight on reparations when no one else would give it the time of day.

If done right, this commission can set a stage for a new era of racial equity.

I vote aye.

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

Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you, Madam President.

I'm going to thank Majority Leader Andrea Stewart-Cousins. I want to thank Senator Sanders, Senator Brisport, a number of people for their work.

As somebody who has no other marketable skills than the gift of gab, words are failing me at this time. But I felt it was important that I rise to support and say that I'll be voting for this measure, not only because this is about being on the right side of history, it's so central to all of the issues that we deal

with.

As Senator Myrie spoke of, the inequities in education, in healthcare, in housing, in employment, in wealth. And these were caused by decades of deliberate policies stemming back to slavery. And so this original sin, as Senator Sanders said, is at the essence of everything we do in this chamber.

And I want to close with a quick story to bring this to my district. Ten minutes from where I raised my daughters, New York State has a park, the John Jay Homestead. John Jay was central in the founding of our country and very much in New York State. He was a slave owner. He was a slave owner in Northern Westchester.

And so to my constituents -- and I think many of my constituents will applaud this. But to those who think this is some kind of woke experiment, I urge you to go learn our history in Northern Westchester, because we are part of that original sin, and we have the responsibility to rectify it.

I vote aye.

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

Senator Brouk to explain her vote.

SENATOR BROUK: Thank you, Madam President.

Being Black in America is to live every day through the legacy of slavery. We live it in our communities. I happen to represent one of the most segregated areas and neighborhoods in the United States. We live it in job interviews, where we are faced with both implicit and incredibly overt racism. We even live it, as I've said so many times, while giving birth in a country where it is more dangerous for Black women to give birth than it is for many other women.

Being Black in America means that you never get to forget the origins of this country, the racist origins of this country. And while there are other states and other legislative bodies who are working tirelessly to erase that history, to deny the work that Black bodies did to build this country, here in New York, and today in this state, we're doing the exact opposite.

New York will atone for the actions it took perpetuating slavery, and for the sin of

slavery. And with the work of this commission, we will finally take the action to repair the damage that has been done to Black people in this country and in this state. For those reasons, I vote aye.

And I'm grateful to our leader and my colleagues for bringing this forward.

Thank you.

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

Senator Mannion to explain his vote.

SENATOR MANNION: Thank you, Madam President.

My father lost his father at a young age. And he soon after that dropped out of school at the age of 16, got a job at New York Central Railroad, and got his GED. And that job that he was in for 42 years provided our family with a great basis to take an upward trajectory. And I sit in this chamber today largely as a result of that job.

One of the benefits of my father working for the railroad was that we could take the train at a reduced rate to Florida, which we would do on occasion. And another benefit was I

got to meet the engineer. I got to go to the caboose. I got to talk with the people that worked on the train. And my father opened a door one time and I walked into a room, and it was a room full of porters, Black men in the same room. And we had a nice conversation, I'm sure.

And I don't remember much from when I was 12, but I remember this. I said, "Dad, why are all the Black men together?" And he said, "That's the only job they could get."

That was 1980. I vote aye.

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

Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Madam President.

First I want to thank our Majority Leader, Andrea Stewart-Cousins, for bringing this bill to the floor today.

I want to thank my colleague Senator Sanders for carrying this historic piece of legislation, and all of my colleagues for supporting this important bill.

This is a historic occasion here in New York. We are once again leading the nation

on an issue where we need to lead. We are once again recognizing that our country was founded on systemic racism when people were stolen from their homelands, divided from their families, and sold to the highest bidder all across this country -- including here in New York, the Empire State.

What we're oftentimes clouded by history with is our role in preserving the Union, which was so magnificent in and of itself that we forget about our dark past, that for 50 years since the founding of this country, New York State played a pivotal role in the slave trade. Now we can play a pivotal role in recognizing that dark history in our country and righting the wrongs and the injustices that came with it and that still exist today because of it.

This opportunity we have to put forward a commission to right those wrongs and to help pave the way for action on a higher level, on a federal level -- once and for all, promoting an advancement of what's right, starting here in New York State.

Madam President, in honor of Zebulon Strong, my great-great-great-great-

grandfather-in-law -- I married up, everybody --

(Laughter.)

SENATOR KENNEDY: -- who was an abolitionist in College Hill on the Ohio River down outside of Cincinnati, I vote aye.

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

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Madam President.

I'm sure everyone has said this in some way during this debate. Those who don't read history, who don't remember history, are destined to repeat history. And that I believe is the most important part of the assignment from this bill.

But I was thinking about how this is such a universal issue, even though it's specific to reparations and the impact of slavery on Black Americans. And I was reminded of this poem that I think we all know.

"First they came for the socialists, and I did not speak out -- because I was not a socialist.

"Then they came for the trade

unionists, and I did not speak out -- because I was not a trade unionist.

"Then they came for the Jews, and I did not speak out -- because I was not a Jew.

"Then they came for me -- and there was no one left to speak for me."

I think today on the floor of this chamber we speak for everyone when we say we won't forget and we will do what we need to do as a country to heal ourselves on behalf of African-Americans.

So thank you, Madam President. I proudly vote yes.

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

Senator Gounardes to explain his vote.

SENATOR GOUNARDES: Thank you, Madam President.

I too rise to thank Senator Sanders and all my colleagues. And we've heard a lot more about legacy, the legacy of slavery, the terrible stain of slavery.

When you think about legacy, it's the lasting mark you make on the world, right?

It's a name that lasts forever, that lives forever. When we think about legacy in New York, think about all of the names that we give to our streets and our buildings. How many streets in New York have been named after famous men, famous people, and they had a great legacy. And we look back at them and say, wow, they were civic leaders, they were military leaders, they were famous people, they were important people. And they were also slavers.

General Richard Montgomery from Montgomery Place in Park Slope and Montgomery Street in Crown Heights -- documented slave owner.

John Chambers, the namesake of Chambers Street, where our Education Department is headquartered, played a role in the Slave Conspiracy Trials of 1741 -- documented slave owner.

Lee Avenue in Williamsburg, named after Richard Henry Lee and Francis Lightfoot Lee -- slave owners.

Berkeley Place in both Senator Myrie's and my district, named for a minister, a man of God, George Berkeley, who enslaved several

people to work on his plantation in Rhode Island.

William Furman, of Furman Street -- documented slave owner.

Delancey Street, named after Lieutenant Governor of New York James Delancey -- owned a slave named Othello, and he presided over the Slave Conspiracy Trials.

The Wyckoff family in Senator Salazar's district -- 128 slaves they owned.

So when you think about legacy and how we decide to remember people, we remember all these famous people and their families. We give them plaques, we give them street names, and we forget the role that they played in our nation's terrible dark stain, original sin, the dark side of that history which was their involvement in the slave trade.

So I'm thankful that we're having this discussion. I'm thankful that we're opening up this debate. And let's really look at the entire legacy of slavery and its connection to New York and the people we choose to honor and remember, and how we choose to remember and honor them.

And for that, I proudly vote aye.

Thank you.

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

Senator Liu to explain his vote.

SENATOR LIU: Thank you, Madam President.

I want to thank my old friend James Sanders, who has been fighting on this issue since he had a full head of hair, decades ago.

(Laughter.)

SENATOR LIU: And we have a new warrior, Jabari Brisport, who has really taken up the charge on this issue.

You've been fighting for this longer than Jabari's been alive.

(Laughter.)

SENATOR LIU: But it is so -- it's such a serious emphasis on why this issue is not going to go away. And none of us can pretend that it could ever go away, until it's properly addressed and redressed.

Jabari held an informational session a few weeks ago. One of the academics made a

very clear statement that nobody has been able to refute. The academic statement was Blacks will never be able to catch up unless there are reparations.

I'm not an academic, I'm not a scholar. But I could see it with my own eyes. I could see how Black people suffer economically.

You know, Madam President, in the interests of full disclosure, I'm not Black.

(Laughter.)

SENATOR LIU: But I could see it with my own eyes. I could see a fellow professional in Manhattan needing to spend more time and therefore more expense to get to the same business meeting that I'm trying to get to, because no cab will stop to pick him up.

I could see the additional expense that my African-American constituents have to bear to get the same medical care at the same hospital that other constituents don't have to bear.

So the economic disparity is not an academic concept. I could see it in real life. And so, Madam President, as I vote yes on this resolution, I will also -- you know, people have

said that this is a national issue. But again, in New York, this is where the basis of slavery was first founded.

And I will only add that the idea of reparations, while it may seem foreign, actually I would like to point out that slave reparations have already been paid and continue to be paid in modern times.

ACTING PRESIDENT PERSAUD: Senator Liu?

SENATOR LIU: Those reparations were paid to the slave owners, not the slaves themselves.

Thank you, Madam President. I vote yes.

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

Senator Hoylman-Sigal to explain his vote.

SENATOR HOYLMAN-SIGAL: Thank you, Madam President.

I rise in strong support of this bill and want to thank, along with my colleagues, Senator Sanders and Senator Brisport.

If anybody wants to know why

representation matters, it's on display this evening here in this Senate chamber. The voice that we are giving to the pain and suffering of centuries of despair for Black Americans can begin to be addressed through this commission that will be established by this legislation.

I have to think that Frederick Douglass, whose name is emblazoned on the walls of this Capitol, would be proud of his fellow New Yorkers for taking action tonight.

I proudly vote aye.

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

Senator Sanders to close.

SENATOR SANDERS: Thank you, Madam President.

Everyone has spoken well. They've spoken so well that I'll tell you a parable. Two runners started out running, and each one trained, one Black, one white. They trained well. They got to the starting line. Right before the bullet was fired, some folks grabbed the Black guy and put chains around him, made sure he was well bound shackled his legs. Fired the gun; the race starts. They go, the Black guy

hobbles, jumps, does all kinds of stuff, but he simply can't keep up. He's so far behind.

Other people saw the situation, white and Black. They said, Wait a minute, stop the race. They run out there and break the chains on the Black guy and say, Now the race can start.

The race begins again. The Black guy is so wounded, so many bruises and broken this and broken that. He tries incredibly, but is so far apart, it just can't happen.

My friends, the people who jumped out there during and tried to stop this, that was the Civil War. Fifty thousand New Yorkers died in the Civil War trying to end the horror that is slavery -- 50,000, most of them white. Got out there and fought and put their blood on the line. Four hundred thousand New Yorkers were wounded.

This is not simply a Black issue, this is an American issue. May I remind you of a Republican who had a feeling on this one. You may have heard of him. His name was Abraham Lincoln. He stood up on this one, and he said -- in one of the places he spoke, he said -- and that's the spirit that I'm hoping that we get

out of this one, my friends -- "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds."

I want to thank Andrea Stewart-Cousins, I want to thank Jabari, I want to thank everybody who has played a role, large and small, on this.

Mr. President, I -- Madam President, I would say that I was doing this simply for God and my ancestors. I'm in favor. But I'm going to do it a little different. I'm going to say that I'm voting not only for them, but I'm voting for those 50,000 Americans who died to end this madness that is slavery and would put their life on the line again to ensure that the stain, this horrible stain, this legacy that lingers on this nation -- they would put their lives on the line again to end it.

So I'm going to stop, in the spirit of that true Republican, Abraham Lincoln, who said -- well, thank you, Madam President. Thank you, everyone. God bless you, America. It's not finished. Let's do it right.

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

Announce the results.

THE SECRETARY: In relation to Calendar Number 1731, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 21.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

(Lengthy applause.)

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Madam President, we've been at it for several hours today, and we have several more to go, so I think this would be a good time just to take five minutes to stand at ease, let people stretch their legs, visit the lounge, do whatever they need to do, and come back recharged for the rest of the evening.

So can we stand at ease for five

minutes.

ACTING PRESIDENT PERSAUD: The Senate will stand at ease until 8:35.

(Whereupon, the Senate stood at ease at 8:25 p.m.)

(Whereupon, the Senate reconvened at 8:35 p.m.)

ACTING PRESIDENT MAYER: The Senate is back in session.

Senator Gianaris.

SENATOR GIANARIS: Okay, thank you, Madam President.

We're back at it. Let's move on to Calendar 1736, by Senator Rivera.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 1736, Senate Print 2237A, by Senator Rivera, an act to amend the Social Services Law.

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

SENATOR MURRAY: Thank you, Madam President. Would the sponsor yield for a few questions, please.

ACTING PRESIDENT MAYER: Senator

Rivera, do you yield?

SENATOR RIVERA: Yes, ma'am.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MURRAY: Thank you.

Senator Rivera, today we're taking up a bill regarding expanding healthcare insurance. Who will that expansion cover?

SENATOR RIVERA: Through you, Madam President. Indeed, Senator Murray, today we're actually taking an incredibly important step in the State of New York, one that has already been taken by a few states around the country, and hopefully one that will be taken by many other states.

The reality is, through you, Madam President, that there are hundreds of thousands of New Yorkers -- and these are New Yorkers. They might be undocumented folks, but they are New Yorkers. They are our neighbors, they are friends, they are coworkers, hundreds of thousand of them, who currently do not have a way to actually -- unless they can afford it out of their own pocket, they cannot afford to have health insurance.

And so this bill would actually ask the federal government, ask the state to go seek a federal waiver that will actually -- as I said earlier, Madam President, has already been granted to two states -- which would actually allow us to use federal money to extend the Essential Plan to undocumented New Yorkers.

And the important part here to understand, Madam President, is that this is a win/win/win all around. We have, again, hundreds of thousands of New Yorkers who right now, because they are humans, will get sick. And to the tune -- just in 2021, Madam President, we spend, in emergency Medicaid -- because these folks get sick, so they go to the emergency room. Just in 2021, we spent over a billion dollars in emergency Medicaid.

So we're saying, Madam President, that not only will these folks be able to get health coverage, they will be able to have the Essential Plan extended to them, but we will be able to save money. This will cost the state no money, it will cost the state no money, and will actually guarantee coverage for these individuals.

So it's a long answer, Senator Murray -- through you, Madam President -- but I believe it is important to kind of set the context. Those are the folks who will benefit from this.

SENATOR MURRAY: Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yes, Madam President.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MURRAY: Thank you.

Do you have an estimate as to how many new individuals will be covered?

SENATOR RIVERA: Through you, Madam President. The number of folks who live -- who reside in the State of New York, undocumented folks, is kind of a hard number to pin down. We're not exactly sure the -- there are different -- hold on one second. I know I had some -- we're talking about between -- depending on the -- depending on the -- on who's making the calculations, we're talking over 200,000 folks.

There's some calculations that put it up to 360,000 people.

But ultimately we're talking about hundreds of thousands of New Yorkers who currently don't have any type of coverage. And if we get -- if we seek this waiver and we get it from the federal government, as I will -- spoiler alert, they already told us they'd give us the waiver, but I'll get to that later -- we would actually be able to provide healthcare coverage for them.

SENATOR MURRAY: Thank you.

Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: I will.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MURRAY: Thank you. Thank you, Senator Rivera.

I remember a few weeks back, during the budget debate, I believe this issue came up. And I believe when we discussed it, there was a price tag put at about 1.7 billion. Would that

be accurate? To fully cover everyone. Would that be accurate?

SENATOR RIVERA: Through you, Madam President. It's actually the -- Senator Murray is correct, that there was a conversation about this during the budget. But the price tag is actually really interesting, and I want to underline this.

Doing this will cost the state no money. This might be crazy. You might think, is that possible? And indeed it is. You see, because of the Affordable Care Act that was passed a few years ago, back in 2015 there was something called the Basic Health Plan or the Essential Plan, depending on what state we're talking about. And what that does is that the federal government actually provides federal money to states to extend coverage to certain populations within that state.

And the waiver that we would seek, if this -- when this bill passes and the Governor signs it into law, the waiver that we would seek would be a way to ask the federal government, hey, can we use some of this Essential Plan money to actually extend coverage to undocumented

folks. So it actually would not cost us anything.

And in turn, we're talking within the next five years -- the waiver period is a five-year period, and we think that -- the estimates of how much money would come to the state would be between 53 and 54 billion dollars. That is what is projected to come to the state from the federal government.

And if we seek this waiver and we get it, as I hope that we will, every single cent of that would be -- could be used to cover undocumented folks. Not all of it would be, but it could be.

SENATOR MURRAY: Thank you.

Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yes, Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MURRAY: So I'm familiar -- and I'm going to use Washington State. That was

one of the states that has successfully done this. I'm going to use that as the example. Because my understanding is that every penny was not covered by the federal government. In fact, there were 105,000 undocumented individuals who did not qualify for the money from the federal government. Therefore, Washington State had to step in with $55 million out of their pocket per year. Well, that's the number so far.

So my understanding is that we may not get every single person covered by the federal funds. Can you speak to that, please?

SENATOR RIVERA: Through you, Madam President. We actually -- seeing that the situation might occur that there might be some parts of the population that are not -- that we would not be able to cover, the language in the bill actually allows the commissioner some flexibility, so that we would not be on the hook for those individuals.

SENATOR MURRAY: Through you, Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: I will.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MURRAY: So if the federal government does not cover everyone, are we leaving them without coverage? Or are we -- is the state stepping up to fill that void?

SENATOR RIVERA: Through you, Madam President, we already do. It's called Emergency Medicaid.

What we're trying to say here is that in the eventuality that there might be some of this population that is not covered, that -- for whom we could not extend the Essential Plan, if they wind up in an emergency room, they're still going to get taken care of, and we're still going to pick up the tab.

But hopefully what we're able to do here is to extend it to this entire population, or at least to a very big chunk of it, so that, again, it would not cost the state anything.

SENATOR MURRAY: Madam President, would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MURRAY: Thank you.

And you had mentioned earlier that it is a five-year approval process. As we know, it's the federal government and administrations change and things change, policies change. Are we prepared for the eventuality -- if in fact it changes to the point where, say, we get the approval but then things change and it's pulled back, are we prepared to foot the bill in that event?

SENATOR RIVERA: First of all, Madam President, the way that waivers work is that they're basically like a contract. So if we get the five-year waiver, it would actually go through the -- it would be -- basically it would be covered -- we would be -- there would be no issue within that five-year period.

If, God forbid, we have another administration on the national level, then we would have to seek another one after the five years.

SENATOR MURRAY: Madam President,

will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MURRAY: Thank you.

And under the waiver, is every New Yorker now going to be covered?

SENATOR RIVERA: Through you, Madam President, I believe that maybe Senator Murray is referring to the New York Health Act, which hopefully we will be discussing much like this one day. And that will indeed cover every single New Yorker.

The current proposal that we're talking about would have certain categories and limitations as far as age and other such categories. So unfortunately it would not cover everyone.

But through you, Madam President, I am indeed very focused -- this is a very important step, but I am very focused on securing healthcare coverage -- not insurance, but healthcare coverage to every single New Yorker

regardless of who they are.

SENATOR MURRAY: Through you, Madam President, will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MURRAY: I appreciate that.

I just wanted to confirm that the bill that we're talking about today is simply covering coverage for undocumented individuals. Correct?

SENATOR RIVERA: Through you, Madam President, that is the -- the bill that we're talking about today is to extend -- to seek a change to the waiver proposal from the federal government to include undocumented folks in the population, yes.

SENATOR MURRAY: Thank you.

Madam President, on the bill, please.

ACTING PRESIDENT MAYER: Senator Murray on the bill.

SENATOR MURRAY: Thank you, Senator Rivera, I appreciate that.

First let me say this. I also appreciate your efforts in this. You obviously -- you have a big heart. I know you care and you want to help everyone, and I appreciate that.

The problem is this. We do not have unlimited resources. As I said, we had just debated the budget a few weeks ago, and the budget was set at $229 billion, which I believe is a bit excessive myself. But many bills that come through here on the fiscal note have those three famous letters behind them: TBD, to be determined.

But we don't have that behind our budget. Why? Because we do not have an infinite amount of resources. We have a finite amount. How do I know this also? Because during the budget process we fought to make sure that schoolchildren who are hungry would be fed in school. We knew the amount we needed, but we didn't get there. We made a choice, a tough choice, but we made a choice that about 80 percent will get fed. But there's 20 percent

that won't.

So again, when you have finite resources, you have to make tough choices. I personally would have chosen to make sure every child got fed. But I digress.

When you have these finite resources, you have to make tough choices. As we've discussed, even if this bill were to pass today, there would be New Yorkers who would not have coverage. They still wouldn't be covered. Legal, law-abiding, tax-paying citizens who would not have health coverage.

Now, we can get into the whole undocumented or illegal immigrant argument, but I'd like to go with this. The fact of the matter is we have a legal process for immigrants to come to this country. And if they don't do it that way legally, through that process, then they've broken the law.

When we continue to say, Well, you shouldn't have done it but we're going to give you this or give you that, I can't help but say we're encouraging more activity like this. Now, I know we have a legal process because, if I was not here last night, I was going to be at the

Middle Country Library at a new citizenship program, which is one of my favorite programs to attend.

It is amazing to greet new citizens and to welcome them. And by the way, not once did I say "Welcome, immigrant." I give them a hug and I say, "Welcome, my fellow American citizen, welcome." Because they've done it right. There is a legal process. And it may be long, it may be arduous and difficult and sometimes expensive, but there's a legal process to do it right, and they did it.

But there's also a process to do it wrong. And if we continue to spend our resources on those that haven't done it properly, then that means there are less for those that have done it properly.

And so while I understand if I could wave a magic wand and we had all the resources in the world, there'd be no one hungry, no one sick, we would take care of everyone. But as I said, we're here to make tough choices. And sometimes those choices mean, as we did in the budget with those kids -- regretful, but we had to make the choice.

And if I have to use these resources -- because again, as we went through the program and we discussed this, while it was pitched that the federal government will pick up every penny, actually they may not, as happened in Washington State. And the answer that Senator Rivera gave was that we would end up footing the bill just through the process we're doing, Emergency Medicaid. So we would pay at the emergency rooms or something. But it's the taxpayers that are paying bill.

And again, we do not have unlimited resources. So might I suggest we focus our intention on fixing -- and I know it's a federal process, I get that. I get that. But the money we're talking about is coming from the federal government. Perhaps if the federal government took that money and focused on fixing the broken immigration system to stop the flow of thousands -- of the thousands and thousands who are coming over not the right way -- maybe if we did that, fixed the system, maybe we could help those, everyone that are here doing it right day by day, abiding by our laws and doing it right.

So I have to make a choice. That's

who I'm here fighting for, the ones that are doing it right. And for that reason, I'll be voting no.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

SENATOR MARTINS: Yes, Madam President.

ACTING PRESIDENT MAYER: Yes, okay. There are other Senators wishing to be heard.

SENATOR MARTINS: Thank you.

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

ACTING PRESIDENT MAYER: Will you yield, Senator Rivera?

SENATOR RIVERA: Yes, ma'am.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MARTINS: Thank you.

Through you, Madam President. Would you tell us the population that would be covered by this bill?

SENATOR RIVERA: Through you, Madam President, I was pretty sure we discussed it thoroughly in the question and answer before.

But to answer again, the bill would

tell the state to seek a federal waiver which will allow for federal money to cover a population of undocumented folks in the State of New York. So these are New Yorkers who are undocumented folks -- who do not have a permanent status, I should say -- and they would then have the eligibility to have the Essential Plan be extended to them.

SENATOR MARTINS: Thank you.

Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Will do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: You used the term "New Yorkers" for undocumented workers. I was wondering if you could give me a definition of that and include whether, in your opinion -- or in your bill -- it includes a residency requirement, a period of time within which they would have to be here and how they would establish that for the satisfaction of being able to obtain these benefits.

SENATOR RIVERA: Through you, Madam President, I do use the term "New Yorkers." I do. These are undocumented folks in the State of New York.

I do not use, with all due respect to some of my colleagues who like to use the term "illegals" or things of that nature -- I do not use such terminology. Not only because I think that these folks are people first, but also because I think that if someone is a resident here, if someone is a worker here, if somebody is a neighbor here, even if they don't have documents, that they are New Yorkers.

Certainly thousands of people who I represent and who are our constituents as well, who live all across the state, who don't have documents, are New Yorkers.

Now, as it relates to the standards set in the bill, the -- it basically would establish that the Department of Health would be able to establish the criteria for who would be eligible.

Now, if somebody is an undocumented person, as it relates to how long they have been residing here -- if you would allow me one

second.

Through you, Madam President, it would be -- basically the regulations state that the Commissioner of Health would be able to establish the criteria of who is a resident of the State of New York. So there's no specific timeline as to what that entails, but the Department of Health and the Commissioner of Health would have the authority to be able to determine that.

SENATOR MARTINS: Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: Thank you. Madam President, through you.

I certainly didn't use any terms in describing, I just merely asked for a clarification on what it meant to be a New Yorker under this bill for purposes of the undocumented individual in New York.

My concern, and hopefully you can answer that question, is if we leave it up to an agency to make that determination, then it could be as little as 15 minutes or as long as 15 years or longer.

So I'm just questioning whether or not, in this bill, if there is going to be a required tie to the State of New York for someone to establish the ability to access funds for a program that I don't think many people are going to argue about other than who's going to be entitled to get it.

SENATOR RIVERA: Through you, Madam President. The fact is that this is what we do for everything.

The authority already rests in the agencies, in the executive agencies who have to establish a standard of residency. That already exists. The authority to determine how long it -- a person would be -- would have to live in the state to be considered a resident is already -- that authority already exists.

I remember back when I originally arrived in New York in 1998, I was an out-of-state -- and I went to CUNY, CUNY Graduate

Center, and I was -- and I had to pay an out-of-state tuition. After a year of residing in the State of New York, I was then able to pay in-state tuition, which was certainly a lot less. And that was a determination that at that time, at some point in the past, the authority existed for the City University of New York to make that determination.

So in a very similar way, authority already exists in state agencies to make determinations of residency.

SENATOR MARTINS: Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: I think you're referring to the residency requirement that we, as a state, require for being able to access lower tuition, through either CUNY or the SUNY system, which I believe is a year.

And that's precisely,

Madam President, what I'm asking, is if CUNY has a year as a predicate to establish residency in order to get the lower tuition, is there a requirement for a similar period in order to access benefits under this bill?

SENATOR RIVERA: Through you, Madam President. Bottom line is that the -- this exists by regulation, not legislation.

So in other words, the authority to determine what is a period that determines eligibility for what a resident -- for what a resident is, again, it already exists in state agencies.

So this would not be anything different than what we are currently doing, basically in every other program in the State of New York that requires residency to be able to be received.

SENATOR MARTINS: Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Will you continue to yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT MAYER: The

sponsor yields.

SENATOR MARTINS: Thank you.

So perhaps not being familiar with those residency requirements per se and, you know, how they would apply to this particular bill, perhaps the sponsor can give me some examples -- give us some examples of how those regulations are applied in other instances so at least we'd have an idea of how perhaps they'd be applied here.

SENATOR RIVERA: Through you, Madam President. The same -- the residency requirements, for example, that exist currently for the Essential Plan. This would be -- I think it's -- I'm trying to determine -- I mean, I think I know where the -- where Senator Martins is trying to go, in that it would be maybe, perhaps, the preference of my colleague to have a particular time period be already in the legislation. That certainly is a choice. Not one that we're going to make.

Because I believe that there already exists the -- there are, again, while I might not have a -- outside of the one that I just mentioned related to the Essential Plan, while I

might not have another example of -- I've never worked in a state agency, I've never worked managing how benefits are determined for X or Y program.

But again, the authority to determine the residency -- if there is a residency requirement for a particular program, it exists in the authority of those executive agencies. It does so already. This changes nothing.

And although certainly it might be the preference of my colleague to have a time period clocked into the bill, that is not something that this bill has and not something that we envision doing.

SENATOR MARTINS: I want to thank my colleague for that answer. I appreciate it.

Madam President, if the Senator would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: Thank you.

So, you know, in terms of determining perhaps the impact of a bill such as this, not having a time frame within which to categorize the group that would be impacted by it, are we -- would it be fair to say that we should assume that there is no residency requirement to access these benefits and, as a result, anyone who comes to New York and is here would have access to those benefits?

SENATOR RIVERA: Madam President, through you. No. You have to -- you have to have a place where you reside. You have to have a phone, you know, a bill for your cable. You have to show your address based on your lease, or who you send your check to every month for payment.

I mean, there's -- it -- I -- no. This is not something that -- it's -- these questions are confusing, Madam President, I must admit, because again, we're not trying to do anything different than what is already done in basically every program that requires residency. You come in, it's like, Hey, how you doing, Madam President? Oh, Shelley, Shelley's your name? Okay, Shelley, where do you live, Shelley?

Oh, let me see that. Oh, you got proof of where you live? Oh, there you go. Oh, Con Ed, okay, you pay Con Ed. Oh, you've got your bill there, you've got your phone bill there? Okay, you are a resident of the State of New York. Here's the evidence. We've determined it, and now you get to have access to X, Y or X. So ...

SENATOR MARTINS: Madam President, through you, if the sponsor would continue to yield for a few more questions.

ACTING PRESIDENT MAYER: Senator Rivera, do you continue to yield?

SENATOR RIVERA: Yes, ma'am.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MARTINS: So -- and I will ask questions about that, because I do want to make sure we all understand -- and perhaps I don't and so I'm hoping to get some clarity. I appreciate the sponsor's patience in answering these questions.

But if someone seeks help, and these benefits in particular, and does not have a place where they reside, doesn't have a lease, can't produce a lease, can't produce evidence of where

they reside, will they be denied benefits?

SENATOR RIVERA: Through you, Madam President, if the requirements that are established by the commissioner require such things, then the person would not be eligible.

SENATOR MARTINS: Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: I think we also talked about utility bills and things of the like.

Is there anything that you can tell us, as the sponsor of the bill, that would be a requirement for someone to be able to access these benefits? Because I don't know -- I don't know, and perhaps other people here in the room don't, but I'm hoping you can give me some answers on what is it that the Department of Health or anyone who's overseeing this program is going to require to establish residency?

SENATOR RIVERA: Madam President, through you. Once again, I am not the Commissioner of Health, nor will I be when this bill goes into effect.

The authority to determine requirements of residency are established at the agency level -- oh, please hold. How do I prove residency for Medicaid in New York? From our -- thank you, madam. From our New York State website. Examples of proof include pay stubs with addresses, lease covering the date of application, signed letter from a landlord, rent receipt or mortgage statement, tax statements/bills, current bill or other statements, school letter, report card, postmarked envelope, driver's license with current address, magazine -- (singing) and a partridge in a pear tree.

Bottom line, Madam President, there is all sorts of things that already exist. I'm not sure -- there's a phrase in Spanish {Spanish}, you're trying to get the fifth leg of the cat. The cat just has four legs.

(Laughter.)

SENATOR MARTINS: Madam President,

through you. I assure you, we're not trying to find a fifth leg on any cat.

But if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Sure.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: You know, the concern I have -- and I do appreciate that -- is if someone does not have, as I mentioned earlier, a lease, a report cart, a utility bill, a cable bill, a phone bill -- would we say no and that they're not able to access this coverage and they're not going to have access to healthcare through this bill?

SENATOR RIVERA: Through you, Madam President, if -- I share the concern that you have about not every New Yorker having access to healthcare, which is why I hope that you will become a cosponsor of the New York Health Act, which would actually resolve all of these issues, because we would just have to establish residency with any those, and then that person would be

eligible for coverage.

What we're saying is that in this particular instance, if a person -- if the series of requirements are created and established by the administration and that person does not meet them, then they would not have this access accessible to them.

They would then receive Emergency Medicaid. Which is, Madam President, I would remind you, what we already do, to the tune of over a billion dollars. In -- as a matter of fact, just in 2021, over $250 million of that is actually from the counties themselves.

So the answer is these folks would be -- if they don't have -- if they don't have this as a -- if they don't meet the eligibility requirements for this, then they would receive Emergency Medicaid. Which just means, hey, you're sick, you're in the hospital and you're gonna to die, so we're gonna take care of you.

SENATOR MARTINS: I want to thank the sponsor for that answer.

Madam President, through you, if the sponsor will continue to yield.

ACTING PRESIDENT MAYER: Senator

Rivera, do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MARTINS: I just -- I have to ask the question. I have to. You know, so if I am a New York resident and I don't have healthcare and I can't establish that I have a utility bill, a lease, a report card, a credit card bill, whatever it happens to be, can I make application through this program and receive healthcare benefits as a result?

SENATOR RIVERA: Through you, Madam President, it depends on the situation of the individual. If we're talking about you, as an example, if you are a citizen and you don't have -- and you meet certain requirements of criteria as far as income, you already are eligible for certain things.

There's -- so it just -- I don't think I understand the question, Madam President.

SENATOR MARTINS: Madam President, I will rephrase it if the sponsor would allow me to continue to ask.

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR RIVERA: Yes, ma'am.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: Thank you.

So if I am a New Yorker and I don't have healthcare coverage and I want to access coverage through this program, and I have proof of residency in the ways that we've described -- the lease, the utility bill, the cable bill, the report card, you know, the partridge in a pear tree I think the sponsor mentioned as well -- if I have those proofs as a resident of New York, regardless of immigration status, do I have access to the benefits of this bill?

SENATOR RIVERA: Through you, Madam President, currently in order to be eligible for the Essential Plan, the applicant must reside in New York State -- we already talked about residency. Number two, be age 19 to 64. Number three, not eligible for Medicaid or child health insurance plan. Number four, not eligible for minimum essential coverage or is eligible for an employer-sponsored plan that is not affordable. Or five, have a household income

at or below 250 percent federal poverty level -- a household of one is $36,450 and a household of four is 75,000 -- but above 138 percent of federal poverty level, household of one is $20,120 and household of four is $41,400.

SENATOR MARTINS: Thank you. I appreciate that.

Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: Thank you.

So if I am a resident of New York and I -- I am eligible for Medicaid, because I'm a resident of New York and I meet all of those income requirements and I check some of those boxes, is my eligibility for Medicaid on par with what you're recommending or what you're legislating through this bill? Is it more, less, the same?

What is the difference between a New Yorker who meets the requirements of all of

those elements you just mentioned and access to Medicaid, and someone who is here accessing benefits through this plan?

SENATOR RIVERA: Through you, Madam President. We would hope that as relates to coverage that that person receives, and the access that they have, that there would be no difference.

However, I must clarify that there is a difference between Medicaid and the Essential Plan. What we're talking about here is the extension of the Essential Plan, potentially, to a population that currently doesn't have access to anything.

As far as coverage, as far as what they have access to, again, I would hope that if you have two individuals, the only difference between them, both of them having, I don't know, cancer but -- or both of them having a broken leg or both of them being diabetic, but one of them being an undocumented person and the other one being just a citizen, that the coverage that we get to them is the same.

So I would hope that that is what we're trying to achieve. Which we would and we

will when we get the New York Health Act -- which again through you, Madam President, I hope Senator Martins becomes a cosponsor of.

SENATOR MARTINS: Thank you to the sponsor for that.

Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yuppers.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: So if I have a person who's here -- let's say they're here for a short period of time, they are able to meet the requirements of this coverage, but they are entitled, they're entitled to the same coverage as that which is going to be provided by this bill? Or would this bill provide less coverage to that undocumented worker who can -- resident who can provide the proofs that you mentioned earlier?

SENATOR RIVERA: I still think that there's -- through you, Madam President. I still think that there's a search for that fifth leg.

It ain't there, by the way.

There seems to be a suggestion -- and I'm trying to understand, because the answer to the question is simple. The coverage should be the same. What we're all trying to achieve, Madam President, is that everyone, regardless of who they are, have access to primary care, are able to get their shots, are able to be able to get checkups, are able to get their teeth looked at, et cetera, et cetera, et cetera. That's what we're trying to achieve.

It seems to -- the line of questioning seems to suggest that there's a concern -- which is a canard -- that extension of benefits will lead to, all of a sudden, people like raining on a particular state if there's a particular thing that is extended as far as -- as far as -- you know, as far as programs.

This has happened in the State of New York before. There have been conversations about, well, we don't want to expand Medicaid because if we do, all of a sudden we'll get all these people. And the amount of folks that have actually -- this has never been the case. It is, again, a canard. Now, I'm not sure if that is

what the line of questioning is going towards, but I would -- I think that that's where it's going. And again, it has never happened before and I do not envision that this will actually -- that this will actually occur when we achieve this.

But to go back to answer the question as was asked, the goal here is to provide the level of access to be the same -- not through the same program, because Medicaid and the Essential Plan are two different things -- but the same amount of care. That is the goal.

SENATOR MARTINS: Thank you.

And Madam President, that word "canard" is such a great word. We don't hear it as often as we should. So I want to thank the sponsor for using it not once but twice.

Through you, Madam President, if the sponsor would continue -- three times. If the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Senator Rivera, do you continue to yield?

SENATOR RIVERA: Indeed.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: There is a reference in the bill to the commissioner being required to enroll at least 240,000 individuals into this program. Can you speak to the purpose of that requirement, the timing for that requirement? Within which time frame would they have to or the commissioner have to enroll 240,000 people?

SENATOR RIVERA: Through you, Madam President. The number is there because of various -- we consider this kind of a middle ground in the -- as far as how many folks are here that are potentially eligible for this, as we talked about earlier, it's really hard to determine the exact number. And this is kind of like shooting kind of for the middle as far as the folks -- the amount of folks that -- and as far as the timing, there is no specifics on the timing.

And again, we don't necessarily believe that we will achieve that. There is a requirement for the commissioner to attempt this. But we're not even sure if we're going to get to that amount.

Madam President, I will point to the

fact that there is basically -- I don't think there's any social entitlement program that you can mention that has all of the folks who are eligible for it signing up for it. And in this case in particular, we are talking about a population which we feel is likely to feel that they don't -- they might not want to approach government. They might not want to make their presence known.

So the likelihood that we would hit that number is -- I mean, it would be nice if we did because that would mean 240,000 individuals that would have access to some sort of healthcare.

But again, the requirement in there is a goal for the administration and a goal for the commissioner. The timeline is not specified, and it's not necessarily going like -- it's not necessarily like there's going to be a penalty for the commissioner if they are not able to achieve it. But the goal is to actually shoot for that number since we believe that in between the -- you know, as I said earlier, figuring out how many folks exactly fit this category is kind of a broad stroke. This is kind of shooting for

the middle.

SENATOR MARTINS: Thank you.

Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: I will.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: Would it be a shock if there was actually a requirement in this bill that uses the word "shall," shall enroll 240,000 individuals? Would that shock anyone? Would that be a surprise? Not a target, not about we're going to try and get there, not something aspirational, but a direction in the bill that says that you -- that the commissioner shall enroll 240,000 people, nearly a quarter of a million people, into this program?

SENATOR RIVERA: Through you, Madam President. Was the question would it be --

SENATOR MARTINS: Would that shock you to know that in this bill it's not aspirational, it's actually a requirement, and it shall?

SENATOR RIVERA: Through you, Madam President, it does not shock me that the word "shall" is in there.

But I still insist the likelihood that we will reach that -- we would love to reach that. Matter of fact, it's -- part of it has to do with the fiscal. We believe that that is the sweet spot that would actually make -- that actually would make this -- {coughing}.

If somebody would get me a bottle of water, because this frigging smoke is still messing with me.

Through you, Madam President. So it would be -- it would make the fiscal work better if we were able to achieve that 240,000. But again, it does not -- we're talking about -- so it does not surprise me, is the answer to the question, that the word is in there.

SENATOR MARTINS: Thank you.

Madam President, through you, if the sponsor would continue to yield.

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: Senator Rivera, are you okay to continue?

(Off the record.)

SENATOR MARTINS: Madam President, we can take a quick break if --

ACTING PRESIDENT MAYER: No, it's all right.

Senator Rivera, do you yield?

SENATOR RIVERA: We're good. Keep going.

ACTING PRESIDENT MAYER: Do you yield?

SENATOR RIVERA: I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MARTINS: Thank you.

So there's a requirement -- whether it's a sweet spot or whatever, there is a requirement in this bill that the commissioner shall enroll 240,000 individuals. Can you tell me what the time frame is within which the commissioner is to enroll 240,000 people? I'm assuming it's not a week; I'm assuming it's not six months. I'm hoping it's more than a year.

But I don't -- can you tell me, in your sense, what and how long the commissioner has to enroll these 240,000 people in the program?

SENATOR RIVERA: Through you, Madam President, there is an earlier part of the bill -- and we could actually point to the paragraph, if you'd like, that actually refers to what would trigger this particular part of the bill.

We're saying that the commissioner -- through you, Madam President -- that the commissioner has to -- as we discussed earlier, has the ability to set the criteria for limitations as far as who is eligible for the program. And we're saying, and we'll get you the actual paragraph where there is stated, the part that you're referring to, on the "shall," does not trigger unless the requirements that are set by the commissioner actually make it so.

Give me one second.

On page 5, paragraph 9, subpart (a) -- I think that's the thing. Because I don't know about the subparts and the paragraphs and what have you. We're talking about page 5 -- okay? And "the Commissioner of Health may place limitations on enrollment to ensure that the costs associated with rendering services to this population do not exceed the revenues anticipated

to be transferred to the 1332 State Innovation Program Fund."

So in other words, it is clearly stated that the commissioner has the ability to say, Hold on, based on the calculations that we're making and the numbers of people that we're enrolling, we'd only be able to cover to this many people.

So the commissioner can actually set the parameters to limit, to cap, the number of people that would actually be eligible for it, to be able to hit that -- to be able to not exceed the amount of money that we would receive from the federal government to cover the population.

SENATOR MARTINS: Madam President, through you, if the commissioner -- if the sponsor would continue to yield.

SENATOR RIVERA: Madam President, through you. Not a commissioner, but as a Senator, I will indeed yield.

SENATOR MARTINS: And I want to thank Senator Krueger for coming to the rescue. Thank you.

(Laughter; inaudible exchange.)

SENATOR MARTINS: No, thank you.

And thank you, Senator Rivera.

But the very next sentence in that same paragraph, I think you may have stopped a little too early. It says that in establishing any limitations pursuant to the subdivision, which includes the line you just read, the Commissioner of Health shall enroll at least 240,000 individuals and -- and -- may enroll additional individuals as reasonably practicable while ensuring continual coverage for such additional individuals based on current and anticipated 1332 State Innovation Program Fund reserves.

So the way I read it -- and I'm going to ask you how you read it -- that sets a baseline of 240,000, which the commissioner can actually get more people if they have more funds, but not less than 240,000.

I don't think that that's what this says. Do you?

SENATOR RIVERA: I read it differently, Madam President. In determining eligibility, just to start the paragraph off -- and for those of you tuning in at home, did you think we were going to take this deeper dive?

Yes, we are. Reading Rainbow with you.

"In determining eligibility for residents of the state that are ineligible for the basic health programs under 42 U.S.C. Section 18051 on the basis of immigration status," right, "the Commissioner of Health may place limitations on enrollment." So that's the first part of the sentence. That's the operational part that says may limit "to ensure that the costs associated with rendering services to this population do not exceed the revenues anticipated." I read it earlier, right?

And you are correct, it goes on, "pursuant to Section 98-d of the State Finance Law. In establishing any limitations pursuant to this subdivision the Commissioner of Health shall enroll" -- so basically, based on the limitations that were set -- the first sentence is important because that one supersedes the second one. Yes, it does. Yes, it does.

And it says "may," "may" and "shall." The commissioner may establish limitations based on whether we can afford it or not. The power is right there. And if the limitations are such that if he believes that we

can actually achieve -- that we can actually afford it, 240,000 is the goal. And, further, if we can afford that too.

SENATOR MARTINS: Thank you.

Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MARTINS: You know, I have nothing but respect for the sponsor, and I appreciate that. But I -- in reading this, Madam President, I'm struck. Because the first line says "may" and sets certain criteria, and the next line says "in establishing those limitations," obviously referring to the previous line. So referring to the line that the sponsor referred to that also said "shall enroll at least 240,000."

So yes, we are acknowledging there's a limitation, but it then goes on to say, in establishing that limitation it's at least 240,000. And so the language is right there.

Can we at least agree that that's what this says?

SENATOR RIVERA: Through you, Madam President, we can agree that the sentence is right there.

And, kids, again, Section 9, page 5, right there. So yes, we can agree that that's what the sentence says.

Now, we are interpreting it differently, and that's perfectly fine. Again, Madam President, through you. That the -- my colleague might -- might choose to say that that -- that what that means is that there shall -- that -- that the commissioner has to do 240,000.

I will insist that because of the way that that is structured -- and I will point to the fact that the gentleman who wrote it, this knucklehead right here -- and you can put that on the record. Tony Kergaravat is a knucklehead. You can put that on there.

In the best way possible, this -- this will hold up to scrutiny. In all seriousness, we're talking about may set the criteria. Based on whether we can afford it or not. And if we can, then they shall go for the

240,000. And if we can afford more, we should go for more than that.

I believe that that's what it says. And I believe that that's how it would be interpreted.

SENATOR MARTINS: Thank you, Madam President. Through you, if the sponsor would continue to yield.

SENATOR RIVERA: Will do.

ACTING PRESIDENT MAYER: Excuse me, Senator Martins. Just to remind you, you are approaching your 30-minute cap on questions.

SENATOR MARTINS: Am I?

ACTING PRESIDENT MAYER: You are.

SENATOR MARTINS: Where did the time go, Madam President?

ACTING PRESIDENT MAYER: I am just reminding you, Senator Martins.

SENATOR MARTINS: Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Martins on the bill.

SENATOR MARTINS: Thank you.

First of all, I want to thank the sponsor for answering all of those questions and

your patience in doing so.

Madam President, in a state that has the luxury of having a $239 billion budget, comparatively, and as generous as we are as a state, as reflected in the policies that we accept here, through that budget process and otherwise, I find that our state is and our residents are quite generous in their approach not only to healthcare but to any number of items.

And I'm concerned that sometimes when we in our generosity open the front door, that we're not quite sure how many people are actually going to answer the call and show up. I think we have recent history where by the Mayor of New York City's estimate, 77,000 people showed up at our front door when we declared the state to be a sanctuary state and we declared the city to be a sanctuary city.

And so when we make decisions on policy, as well intentioned as they are, I think we have to think broader than the immediacy and those great and well intentions may actually turn out to be more than we can bear.

I found it especially discouraging

when the Mayor of New York City commented that the number of migrants that arrived in New York City would break the back of the City of New York, a city that has a budget of over $100 billion, and yet when 77,000 migrants showed up there, we were not able to actually afford the generosity that we have portrayed to the world.

And so when we look at bills such as this and we want to signal to the world just how generous we are in welcoming everyone here, I think it's laudable. But I also think that we need to be very careful as to where those limits are and how much that is going to cost the taxpayers of our great state. Because yes, we are a generous state. Our residents are extraordinarily generous. And there are people in this chamber who are more than willing to be very generous with the taxpayers' money in distributing it in ways that sometimes we can't afford.

So I appreciate and thank the sponsor for his answers. I have read the bill, and I am certainly concerned about what this is going to cost the taxpayers of our state and what it means for us going forward. So I will be

voting no.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you Senator Martins.

Senator Stec, why do you rise?

SENATOR STEC: Madam President, I've heard enough. Thank you.

(Laughter.)

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

SENATOR HELMING: Thank you, Madam President. If the sponsor will continue to yield to a couple of questions.

SENATOR RIVERA: Absolutely.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR HELMING: We're just getting warmed up, right? Through you, Madam President. Senator Rivera -- if the sponsor will yield --

ACTING PRESIDENT MAYER: Yes, he said he will yield.

SENATOR HELMING: All right.

Senator Rivera, I listened to the discussion back and forth about the whole "shall"

or "may," and it sounds to me like there is a cap based on the financial piece of this, right, to how many people can be enrolled.

Is that correct?

SENATOR RIVERA: Through you, Madam President. So a cap -- basically what the language of the bill says is that a cap is authorized.

There were earlier versions of the bill that did not have a cap attached to it. We thought that -- the current version of the bill does, because we thought that it would be important to kind of set -- that paragraph right there that we were reading back and forth did not exist in the earlier versions of the bill.

And it actually has -- again, it says make sure that we can afford it, but shoot for 240,000 and -- because we think that that is about the sweet number -- that's the sweet spot of the number of people that we can get.

But again, it is -- we're unsure that we can actually reach that number. We're not even sure that we're going to be able to get to that number. But yes.

SENATOR HELMING: Through you,

Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR HELMING: So I'm just wondering if there's a cap, a maximum, whatever you want to call it. Can you explain to me, then, how it works for continuous enrollment?

SENATOR RIVERA: Through you, Madam President, if -- if the -- I'm not sure I understand the question.

SENATOR HELMING: So through you, Madam President. The way I read the bill, it says that continuous enrollment for enrollees shall be allowed.

SENATOR RIVERA: Through you, Madam President. The language that you're referring to, that my colleague is referring to, just basically says that there is -- as opposed to being a period of enrollment, that there's a consistent -- that there's a continuous enrollment. So that's the -- so basically

somebody can enroll at different times of the year.

SENATOR HELMING: Thank you.

Through you, Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR HELMING: So this -- this is what I'm trying to figure out. And the hour's late, and maybe I'm just missing it. But basically there is some sort of cap. We're really hoping to enroll 240,000 people, potentially more. We're going to have an open enrollment, people can apply whenever they want.

But the bill also -- my understanding is it states that anyone who applies shall be -- payment shall be or they should be enrolled retroactive to the first day of the month in which the individual was determined eligible.

So if you reach that cap, if you reach that limit, what do you do with all these

people who have since enrolled and have been determined eligible?

SENATOR RIVERA: Through you, Madam President, the language that my colleague points out is language that exists basically in every type of program of this sort. It's just -- basically refers to the date of the actual person's enrollment having been the first of, month of the day that they are enrolling.

I'm not sure -- I don't -- I don't know what the -- it's normal language that's included in basically any program that does this in the state already.

SENATOR HELMING: Through you, Madam President. Again, I don't understand how you can say that. You're --

ACTING PRESIDENT MAYER: Senator Helming, are you asking if the sponsor would yield?

SENATOR HELMING: Yes.

ACTING PRESIDENT MAYER: Will you yield?

SENATOR RIVERA: Sure.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR HELMING: How you say that there is a cap, a maximum number based on -- the way I understand it is how much funding is available. But yet you're saying to people, hey, apply anytime you want, and you will be eligible from the date.

SENATOR RIVERA: Through you, Madam President, apologies. One of my colleagues thought that apparently we're going to be here for a while, so he brought me two more bottles. And I say that's fine, make it tea next time, sir.

To respond -- through you, Madam President -- I don't believe that this is -- if you have a -- if there is -- there is a goal, as we talked about before, of 240,000. We're basically saying that the commissioner establishes the parameters, makes sure that they calculate so that they don't --

ACTING PRESIDENT MAYER: Excuse me. Can we have some order?

Thank you.

Go ahead, Senator Rivera.

SENATOR RIVERA: Thank you, Madam President.

(Whispering.) Just waiting for them.

SENATOR HELMING: Senator Rivera, thank you.

SENATOR RIVERA: Ah, I was just about to --

ACTING PRESIDENT MAYER: Senator Rivera, do you want to complete the answer?

SENATOR RIVERA: Just -- so again, Madam President, just very quickly, I don't think that there's anything obscure or strange about that language. It is included basically in every other program.

And I don't believe that -- that it would -- that the way that it is written would mean that, you know, we close our eyes -- we open our eyes and we have 240,000; we close our eyes and open them up again and we have 10,000 more people enrolled. I don't think that that's what would happen here.

ACTING PRESIDENT MAYER: Are there any other Senators -- there are. There continue to be other Senators.

Senator Rhoads, why do you rise?

SENATOR RHOADS: Thank you,

Madam President. Will the sponsor yield to a few questions.

ACTING PRESIDENT MAYER: Senator Rivera, do you yield?

SENATOR RIVERA: Now that I have all these bottles, I sure will.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: Thank you very much, Madam President, Senator Rivera.

We just spoke about a monetary cap. Do you know the amount of the monetary cap, the funds that are actually available for the program?

SENATOR RIVERA: Through you, Madam President, the -- this is actually determined on a year-by-year basis depending upon how many people are actually enrolled.

The way that this works -- because again, I want to just make sure that we underline this. This is no state funding. We're talking strictly about federal money. And it's federal money that's available to every other state as well, that was established for the Affordable Care Act.

And we're basically saying that if you are -- if we are -- and the way that we've done it in the State of New York is because we are running our program effectively, then the plus, the surplus -- because there's almost $10 billion currently in a surplus that we have already.

Now, we're not going to use that money to cover the undocumented population. That has been clearly established. But going forward, in the next five years we envision that we will get between 53 and 54 billion dollars for the Essential Plan, and this could be used to cover this population.

SENATOR RHOADS: But we don't know -- will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: So, for example, in 2023, this year, do we know how much in federal funds is available?

SENATOR RIVERA: Through you,

Madam President, no, because this doesn't happen until 2024.

So we don't have -- regardless of what the surplus would be this year, it would not be available to us. It would only be available in a prospective manner once we get the waiver approved.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Thank you, Senator Rivera.

How is this surplus created?

SENATOR RIVERA: Through you, Madam President. Again, this is something that happens with the Affordable Care -- the Affordable Care Act went into effect particularly when the Basic Health Plan or the Essential Plan started working in April 2015. The arrangement was that a state gets federal money to make sure that you sign people up for the Essential Plan or

the Basic Health Plan. And you get either tax credits or, if you extend the Essential Plan, you actually -- basically you get money for the number of people that you are enrolling on a year-to-year basis.

Now, this happens -- every state has this deal available to them as far as federal money. So this money that has accrued -- $10 billion so far and we believe between 53 and 54 billion dollars in the next five years if the federal waiver is approved -- this money would accrue because of the number of people that we would enroll to the Essential Plan on a rolling basis between now and five years from now.

SENATOR RHOADS: Will he continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Earlier in this debate I believe you indicated that there are certainly tens of thousands if not more New Yorkers who currently do not have health

coverage who are here in the state legally. Is there a reason why, if there are surplus funds, there is not a greater effort to get them to enroll so that they can be provided health coverage?

SENATOR RIVERA: Through you, Madam President, that's actually quite interesting that you mention it, because the fact is that as the federal government -- because I haven't even gotten to talk about the federal letter, but I just will take the opportunity now.

We asked the federal government just a couple of months ago, during the conversation in the budget, the Governor sent -- because of the push of particularly the Leader, but certainly the Leader and the Speaker, to send a letter to the federal government saying, Hey, could you clarify how we could use this money?

We as a Legislature sent another follow-up letter, and the Department of Health -- I'm sorry, Health and Human Services of the federal government responded to us and told us that trust funds -- regarding your question, Section 1331 of the ACA limits the use of the Basic Health Plan trust funds to reducing the

premiums of cost sharing or providing additional benefits for eligible individuals enrolled in the BHP, standard health plan.

So in other words, the money that we currently have could potentially be used -- if those -- if the category of folks here, people that are here legally but don't have a status, right -- these are folks that you were mentioning that -- through you, Madam President, that my colleague was mentioning. If those folks are eligible now, we could actually extend to them -- we could use this, we could use this money to actually cover the premium or cost sharing or provide additional benefits for those eligible populations.

The population that we're talking about right now are folks that for -- that money would not -- they would not be eligible for, and it would be money coming in the future. And that money, then, as clarified in the rest of the letter, would be -- it would be available to us for this new -- for this other population, which is an undocumented group of folks.

SENATOR RHOADS: Through you, Madam President, will the sponsor yield to

another question.

Thank you for that answer, by the way.

ACTING PRESIDENT MAYER: Senator Rivera, do you continue to yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: If the existing surplus funds that we have can be used to provide coverage for New Yorkers that are here legally in the state, if you do get New Yorkers who are signing up legally in the state, will that not deplete future surpluses?

SENATOR RIVERA: Through you, Madam President. First of all, we have already used some of this money -- not enough, in my view. But in any event, we have used some of this money to extend services or additional benefits to eligible populations.

This would be future money that could be partly used to cover an undocumented population. And actually it's one of the things that happens -- we talk about this all the time -- through you, Madam President: Money is

fungible in our state.

So if we use the $10 billion, which again is just sitting there right now, if we use some of it to cover populations that are currently eligible and use the money that's coming in, the new money that's coming in to cover the undocumented populations that are currently not eligible for anything, we could actually balance it out and potentially not only cover the 240,000, but cover more.

SENATOR RHOADS: Thank you, Senator.

Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Please correct me if I'm -- if I'm wrong. My understanding is that the federal dollars cannot be used because the federal government has determined that coverage is not available to those who are undocumented, those that are here illegally. Is that correct?

SENATOR RIVERA: Through you,

Madam President, that is correct only as it refers to the surplus that we already have in the bank.

The waiver that we are seeking would be to make sure that money that comes in the future for surpluses can be used to serve this population.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: I sure will.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Thank you, Senator Rivera.

Have you received any assurance from the federal government, has the state received any assurance from the federal government that in fact those future funds can -- I can tell from the dance you have an answer -- that those future funds can be used in that manner?

SENATOR RIVERA: Funny you ask, Madam President. Through you, Madam President, funny that my colleague asks.

On June 6th of 2023, Chiquita Brooks-LaSure, who is the administrator for the Centers for Medicare & Medicaid Services in Washington, D.C., responded to a request to that -- for that -- to that question. And the answer, sir, is yes.

To give it to you in technicalese: "We note, however, that there is no prohibition on using Section 1332 waiver pass-through funding to fund state affordability programs (such as state subsidies) under the waiver plan for health insurance coverage for individuals not lawfully present, so long as the waiver plan meets the Section 1332 statutory guardrails."

In short -- through you, Madam President -- we indeed can. Right here, black and white.

SENATOR RHOADS: Will the sponsor yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Thank you,

Senator Rivera.

United States Code -- 42 U.S.C. Section 18051 specifically prohibits those funds from being used for those whose immigration status -- for those who do not have an immigration status within the country.

Under what authority did the commissioner indicate that we were permitted to violate that section of the United States Code?

SENATOR RIVERA: Through you, Madam President. This is not the commissioner. This is the feds. And the feds are saying that if we grant the waiver -- and they're saying if they do, you can use that money. There would be no law breaking. They're the ones that told us that we can use that money.

So this is not some conspiracy thing. We're talking about, in black and white, you can use that money. No laws will be broken. Here we go.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Who was the author of the letter?

SENATOR RIVERA: I'm going to -- could someone give me a bad boy. I'm going to walk it over to the gentleman right here.

This is from the Department of Health and Human Services. The person who signed it is Chiquita Brooks-LaSure, who is the administrator for the Centers for Medicare & Medicaid Services.

If you have a copy of the letter, could you walk it over to the Senator? Exhibit A. Through you, Madam President.

So that is the person who signed the letter. And this -- and I will -- and through you, Madam President, I will say that this letter is a response to two letters that were produced, one from the Governor and one from the Legislature.

This letter right here that has about 60 -- that is signed both by the sponsor of this bill in the Assembly as well as the chair of the Health Committee in the Assembly, and 60-plus

of my colleagues both in the Senate and the Assembly, went to the federal government back on May 19th.

So as a follow-up to the conversation that we had during the budget, the Governor's office sent a letter -- thank you, Madam Governor, for sending that letter. As a follow-up, the Legislature sent this one on May 19th. And on June 6th we got the response from the federal government saying, hey, we can.

Oh, and by the way, I should mention the State of Washington as well as Colorado have already received this permission from the waiver. So they're already doing it.

SENATOR RHOADS: Will the sponsor yield to another question.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: I will only yield to 17 more questions, Madam President.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: We'll start the clock (laughing).

Senator Rivera, this particular

letter from the Department of Health and Human Services -- and I note that this is not from the Health and Human Services Secretary himself -- does not cite any legal authority for why Health and Human Services is able to -- or why the state is able to circumvent 42 U.S.C. Section 18051.

Other than the letter from the Department of Health and Human Services, has the state sought any further explanation as to why the waiver and presumably the clear language of the United States Code are in disagreement?

SENATOR RIVERA: Through you, Madam President, that's how waivers work, bro.

The feds -- we ask permission from them on normal, on just -- Medicaid, as most of my colleagues know, is a program that works basically fifty-fifty through state funds and federal funds. State funds we can use in all sorts of ways. Federal funds we can only use in very specific ways. We have to ask for permission, we have to ask for a waiver: Hey, can we use this money for some other slightly different purpose? That's how waivers work.

So this is not a violation of any

law. It has actually, again, already been done by the State of Washington as well as Colorado.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: He's got 15 left, Madam President.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Thank you, Senator Rivera.

It's been some time since I took civics class in school. So is what we're saying that the way things work is that Congress can pass a law and the executive branch can simply disregard it?

SENATOR RIVERA: Madam President, no, that is not what we are saying.

What we are saying is that it is within the authority of the Executive -- in this case the federal government, the Department of Health and Human Services -- it is within their authority to say to a state, yes, you can use this money in this way.

Obviously it does not violate the federal -- whatever federal law you're stating, it does not violate it. It doesn't. It is already being done. It is already operational. It is not some pie-in-the-sky thing. It's actually already happening.

SENATOR RHOADS: Will the sponsor continue to yield.

SENATOR RIVERA: Fourteen questions, Madam President. Yes, I will.

ACTING PRESIDENT MAYER: Senator Rivera, you yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: Madam President, do I have -- since I already have pre-authority for 14 questions, do I have to go through the process of asking --

ACTING PRESIDENT MAYER: Yes, you have to ask. Sorry.

SENATOR RHOADS: Okay.

(Laughter.)

SENATOR RHOADS: Senator Rivera, I'll go back, then, really to my original

question. Which is, do we know how many New Yorkers that are here legally, how many do not have health coverage?

SENATOR RIVERA: Through you, Madam President, we're hunting that number down. There is a -- I don't know the exact number of people who are -- the particular slice that my colleague is asking about. But we will track down that number.

I'm sure there's a point that you want to make regardless of what the number is while we look for it. You can ask for permission, I'll grant it, and then you can ask the next one.

In 2019, over 1 million individuals throughout New York State did not have health insurance. The majority of these people fall between the ages of 19 and 64, are employed, and earn below 400 percent of the federal poverty level. Over half of these individuals reside in New York City.

And the -- and it is the -- there is a source attached there, but that's basically the answer.

SENATOR RHOADS: Will the sponsor

continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR RHOADS: Thank you, Senator Rivera.

So my understanding, based on the figures that you just told me, is that there are a million New Yorkers who do not have health coverage that are here in the state legally. Is that correct?

SENATOR RIVERA: No, Madam President. I'm saying that there are a million folks -- I believe that the population that we're talking about of undocumented folks would be included within that million. So I don't know exactly what the breakdown would be.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The

sponsor yields.

SENATOR RHOADS: If they're undocumented, how do we know how many there are?

SENATOR RIVERA: Madam President, as -- if we transport ourselves back in time to an hour ago, whenever we started this conversation, I said then that making an exact determination of how many undocumented folks are in the State of New York is a very, very difficult thing to do. There are different calculations from different folks.

I don't have an exact number of how many undocumented folks there are. The fact is that many of them don't want to identify themselves. We have to make some very educated guesses as to how much -- or how many of these folk are here.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Would it be fair

to assume, therefore, that out of the million -- which is the statistic that you just quoted -- we have no idea how many of the undocumented population are part of that million, if any?

SENATOR RIVERA: Through you, Madam President, we estimate that it's about a third of that.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: And is there any empirical evidence upon which that number is based, or are we just guessing?

SENATOR RIVERA: Through you, Madam President. It's -- it's -- bro, it's calculation. We cannot count -- if we -- the Census, which seeks to actually establish how many folks are in the state or around the country, right, that immense thing that happens every 10 years, even that immense thing can't establish every single person. We can't get to

every single person. Not everybody wants to answer a door, not everybody wants to actually get a questionnaire.

So unfortunately I cannot tell you -- I mean, if I was Professor X or something, I probably could. But since I'm not, I cannot tell you the exact number of undocumented folks that are here. We have calculations, we have estimates, et cetera.

Bottom line, we do know that currently over a billion dollars is being spent every year on Emergency Medicaid. So we know that these individuals come into the emergency rooms, have whatever happening with them, they get taken care of, and we pay for that. And that is a billion dollars.

And we take numbers based on that, and we make some calculations and some extrapolations, and that's how we come up with some of our numbers. But again, can't give you every single one of them.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: So I'm presuming that the answer to the question -- and I say this in depositions all the time to my client: "I don't know" is a perfectly acceptable answer if we don't know what the answer is. And that's kind of, I think, what we -- what we've just established.

But we do know, or at least approximate, that the coverage for 240,000 individuals that you've alluded to as part of this program as a target, is estimated to cost about a billion dollars. Am I correct in those figures?

SENATOR RIVERA: It would probably be a little bit higher than that as far as the overall cost. The cost of the Emergency Medicaid -- Emergency Medicaid is about a billion dollars back in 2021. We estimate that if we do hit the 240,000 number, it would be something -- overall, to the system, it would be about $1.7 billion.

SENATOR RHOADS: So almost -- will

the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Yup.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: So of the 1 million individuals that we have, New Yorkers who are here in New York legally, we have a total surplus of -- I believe you said 10 billion?

SENATOR RIVERA: Through you, Madam President. The numbers are starting to get confusing, obviously. I'll start again.

The question that was asked -- at some point the question was asked how many folks in the State of New York, period, don't have insurance. We believe that that is about a million.

Of that, we estimate -- we estimate -- estimate? Estimate. Estimate. We make an estimate -- ha, ha, there you go. We make an estimate that about a third of that is folks who are undocumented.

And we believe that if we do this right, as far as the implementation of this

program, about 240,000 of those folks we can actually identify, enroll and cover.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR RIVERA: Unless he asks me to do more math, the answer is yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Okay, thank you, Madam President.

The issue that I have is -- and perhaps you can reconcile this for me -- is that let's assume that the numbers that you're giving are accurate. There's a million who are not covered in New York, that that includes roughly one-third of that number being undocumented, being those that are here illegally. Again, we don't know the exact figures, but that's approximately what it is.

You believe that the cost of providing coverage per year for those that are here illegally will be approximately $1.7 billion. We know we have a $10 billion

surplus.

At some point in time if we provide coverage, are able to provide coverage for the other two-thirds, at roughly a cost of $3.5 billion, won't we eventually eat up the surplus and then have to make a choice between providing coverage to those who are here legally and those who are not?

SENATOR RIVERA: A couple of things, Madam President.

Number one, I thought that I was very clear that I was not going to be asked to do math. But I guess we're going to go in that direction anyway.

Number two. The fact is that as we stated clearly earlier, more than once, the surplus that we currently have we cannot dip into for the undocumented population. We can't. It says so -- remember the letter? Black and white, the letter.

So, hold on, then we're talking about the -- as far as choosing, because I -- because I understand that some of my colleagues might have this concern and be, like, we're forgetting about Americans and we're taking care

of these people. And I'm not saying you said this. I'm not saying you said this. But I can hear that there might be a concern there.

And what I'm trying to communicate here is that if people will -- is we are already spending over a billion dollars without giving any type of like regular care to these folks. So these folks are already here. They get sick. They get flus, they get -- you know, they get colds, they break legs, they have all these -- these things are already happening. We already have this -- this -- this expense that we're going into.

And what we're suggesting here is that we have a way to get federal money so it does not cost the state anything -- we actually start saving money for the state, and providing care to these folks. And giving them access to the Essential Plan might actually give them access to primary care, which means that they would be healthier and it would cost the overall system even less money.

So the concern here is, you know -- the math, again, was confusing, Madam President, because I'm just not a math guy. But the bottom

line here is we need to go with -- the reason we need to pass this and we need to do this is because these individuals are already living here. We are already spending a whole lot of money not to take care of them, but just to patch them up when they get messed up.

And as opposed to that, we're saying let's go get federal money, costing the state nothing, and provide them primary care.

ACTING PRESIDENT MAYER: (Inaudible.)

SENATOR RHOADS: Thank you, Senator Rivera.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

UNIDENTIFIED SENATOR: No.

ACTING PRESIDENT MAYER: Thank you.

(Laughter.)

ACTING PRESIDENT MAYER: 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 same date and in the same manner as Section 3 of Part H of Chapter 57

of the Laws of 2023.

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.

I want to thank all my colleagues engaging in this conversation. I want to take a couple of -- I'm not going to take, you know, a whole bunch of time, but I will take a little bit longer than the two minutes.

First of all, to thank all the staffers that are here. They were like -- you saw a good group of folks there. That's because each one of them is smarter than I am, so I'm glad to have them near me.

Certainly I don't know if my sponsor from the Assembly is here, Jessica Gonzalez-Rojas, to thank her as well.

But I want to just linger for a second on why this is so important and so essential. I started this whole conversation talking about who we consider to be New Yorkers.

I know that there's hundreds of thousands of people who I represent, people who I'll never meet, people who don't know who I am, and people who might be even scared to identify themselves to any person of authority in the neighborhoods that they live in, you know, right next to me.

They're New Yorkers because they're here, they are residents here, they work here.

By the way, to correct something that was said by one of my colleagues earlier, they pay taxes. Not only do undocumented people pay sales taxes, but many of these folks have EIN numbers. They pay state taxes, they pay federal taxes -- to the tune, in 2019, Madam President, of $3.6 billion. So these are folks who are already giving back to the state.

But they don't have access to many programs. They have access to basically no programs. And when it comes to healthcare, they have access to nothing except going to an emergency room when they find themselves with a pain in their stomach that they've had for the last couple of weeks. Or they break a leg. Or they've lost their voice for a week. Et cetera, et cetera, et cetera.

To this point, over a billion dollars is spent every year for Emergency Medicaid. This is something that we're already doing, colleagues.

And I would point to the fact that over $250 million of this right now goes to the counties. Should you be interested, I have a list of each one of the counties that each of you represents and amount of money that each one of your counties already puts into Emergency Medicaid today. Suffolk County alone, in 2021, almost $27 million of your taxpayer money right now going to cover Emergency Medicaid for individuals.

And I'm saying, let's figure out how we can ask the federal government for money that they're saying they're going to give us so that we can extend coverage to them.

There's so much win here, folks. There's so much win here. This is a win/win/win all around. Not only will these individuals have access to essential -- to the Essential Plan, which will give them access to primary care, but we will spend less money in the state.

And by extension, and this is the

reason why the New York Health Act, which I will not stop talking about until we get it frigging done, is so important. Because healthcare is a basic human right. We must seek that out. We cannot continue down the path of taking healthcare and making it a commodity where the poor and the working-class folks don't have access to what the wealthy have access to. We have to move away from a system that does that.

This moves us down that road. And it does so in an incredibly -- in a very important way. We have the opportunity in this state to not only be the third state in line to get this, but to be the one that does it the best. And I believe that we have to. I believe that we must.

And I'm incredibly proud of the fact that our conference continues to push the envelope when it comes to these issues. We have an opportunity -- and I would ask my colleagues in the Assembly, and I would ask my colleague on the second floor, to recognize the essential nature of this. It's called the Essential Plan for a reason, making sure that people have access to healthcare. In this case, just access to

insurance -- but we'll get past that eventually. For the moment, access to insurance, which they don't have access to now.

These are individuals who already live in your districts. They are your neighbors, they are your constituents, they are my constituents, they are my neighbors. They're our family members. And we want to make sure that we can give them access to healthcare. This takes us in that direction.

So let's get it done. I'm incredibly proud to vote in the affirmative.

Thank you, Madam President.

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

Senator Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam President.

And let me just thank Senator Gustavo Rivera for his knowledge and experience in dealing with this particular matter.

So I support S2237A, a crucial piece of legislation that represents an opportunity for us to address injustice and ensure that every

New Yorker, regardless of their immigration status, has access to affordable medical care.

The pandemic has taught us a valuable lesson. The strength and resilience of our communities and workforce rely on the well-being of every single member, particularly the most vulnerable among us. No one should be left behind with a life-threatening illness and insurmountable financial burdens simply because of a lack of access to healthcare.

Healthcare is a fundamental right. You've heard it, we've heard it. And access to affordable, high-quality care is a right that all New Yorkers deserve. It is disheartening to witness too many of our fellow New Yorkers being denied opportunity and coverage, left uninsured due to their immigration status. This is simply unacceptable.

Expanding eligibility for the Essential Plan, which Gustavo communicated about, to individuals facing barriers to healthcare coverage due to their immigration status is not only a moral imperative but also a practical step towards a healthier, more equitable society. By providing comprehensive health coverage to all

New Yorkers, regardless of their immigration status, we will not only improve the lives of individuals but also strengthen our entire community.

Let us seize this opportunity to ensure that everyone in our state can receive the life-savings health coverage they need to stay healthy and thrive. As a proud cosponsor of this bill, I urge all of my colleagues to join me in voting aye.

Thank you, Madam President.

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

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you very much.

I have to say some debates are more enjoyable than others. I applaud Senator Gustavo Rivera for having clearly some kind of cough and continually enlivening the debate as well as educating us by the debate.

And he said he's not a numbers guy, but he actually did an excellent job with the numbers. But I want to stick with that perception.

So even for my colleagues who think this doesn't seem right, to give people who don't have documented legal status here equal access to healthcare, I would argue it's actually in our best interests even if you don't think it's supposed to be in their best interest.

We live here. Public health is a crucial issue for all of us. And when some of us don't have healthcare, we are far more likely to be transferring the diseases we get to those others around us.

I don't want us to have more public health crises. I feel like we have more than we can handle now. So I want people to have access to healthcare and not get us sick.

And you know what? When we get these federal funds -- not state funds, as Gustavo pointed out over and over again -- that money is going into our health system and our hospital system. And everyone here will tell you their stories about how they need more money in their local hospitals, particularly if they are serving rural or poor or inner-city communities.

So here's an opportunity to get federal funds to help address the healthcare

crisis we have. Every day we're getting up saying, why isn't the federal government sending us more money that we need? Here's a way that they actually have to do it, for exactly what we need, so that we all benefit for an increased revenue stream into our state healthcare system, not just the individuals getting the insurance.

So it's a win for our public health. It's a win for all of our health. It's a win for our healthcare system. And yeah, it's also the right thing to do, to make sure that everyone here actually has access to the healthcare they need and deserve.

And let's not forget -- and I want to thank him for pointing that out -- these are tax-paying people. They may not have legal status, but they pay taxes. They often work for us for low wages. At least we can try to help them stay healthy.

I vote yes, Madam President.

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

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Madam President.

My point simply is before we go and take care of undocumented persons, we should first be taking care of our own citizens.

What we heard during the debate is that there are seven hundred -- assuming the numbers are correct; neither of us are math guys -- there are 700,000 New Yorkers who are here legally who do not have health coverage. That's simply a fact. We should be taking care of those individuals if we have surplus funds. If there are additional funds coming from the federal government, these are the individuals that we should be taking care of first before we extend that generosity to others.

Secondly, we continue to spend money as though it comes from nowhere. New York State does not produce anything. Every dollar that we spend is a dollar that comes from a business, it's a dollar that comes from a resident, it's a dollar that comes from someplace else here to Albany, hopefully to be responsibly spent.

The fact that the money's coming from the federal government doesn't mean that it's not coming out of taxpayer money. Because the federal government gets their money from the

same place. So whether there are surplus funds or not, it's still money that's coming out of the taxpayer's pocket. Different pocket, but the same pair of pants.

And lastly, because I know our time is limited, I do find it somewhat interesting that we're making the argument about wanting to help hospitals, wanting to help particularly our safety-net hospitals. We're -- not more than a month ago, we just took, in the case of Nassau County, we just took $7 million away from them of federal dollars that was being passed through the state. The state decided we were going to steal it. That's $7 million in 2023. That is $15 million in 2024, $30 million in 2025. And repeat that at every county across the state in Medicaid dollars that we have decided to steal and keep for the State of New York that should have been passed to our counties.

So for a variety of reasons, I will be voting no, Madam President. And if we are truly interested in making sure that we have help to our counties and help to our safety-net hospitals, let's actually provide them the direct assistance when we have the opportunity to, not

through providing coverage to others when we haven't taken care of our own.

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

Senator Webb to explain her vote.

SENATOR WEBB: Thank you, Madam President.

I want to thank Senator Rivera for bringing this important legislation to the floor, and of course the Majority Leader.

Passing this legislation, very simply, will improve health outcomes for all New Yorkers. It will save our state millions of dollars. This legislation uses surplus funds to expand our Essential Plan to provide coverage to New Yorkers whose income is below 250 percent of the poverty levels, and extend essential coverage to hundreds of thousands of uninsured New Yorkers.

And as has been said by Senator Rivera and other colleagues of mine, there are federal dollars to help cover the cost of this expansion.

For state and local governments, this legislation means a combined savings of

$400 million that is spent each year in Emergency Medicaid coverage for people who don't have healthcare coverage. Emergency Medicaid is a costly alternative for routine preventative care.

Since Emergency Medicaid is already supported under our current state budget, this legislation will support the delivery of more comprehensive and preventative services to avoid unnecessary and expensive hospitalizations. And this will also ensure that our commitment as a state to expanding and improving upon our healthcare system for all New Yorkers is actually fully actualized.

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

Thank you, Madam President.

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

Senator Chu to explain her vote.

SENATOR CHU: Thank you, Madam President.

I would like to share my personal experience. About 18 years ago, when I was an international student -- I came here as an

international student. That's my legal status. I did not have insurance. So one day I got flu. I was in my master's degree. I couldn't go see a doctor because I could not afford.

And two years after I graduated from my master's degree, I found a job, I have insurance, I got covered. And then at the time I was a newspaper reporter. And I remember in the very early stage I covered the news, a very sad story. An immigrant family, the father found out he was in the last stage of his cancer. And within three months that's all he has for his family, with two young kids.

That's the moment I realized in this country, without the legal status of your immigrant status, insurance to support your family is your security net.

So I really would like to thank my colleague Senator Rivera for bringing this legislation, it's so important for immigrant families. This is our security net to support our families so that they can feel safe, they can be healthier, they can support their family.

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

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

Senator Brisport to explain his vote.

SENATOR BRISPORT: Thank you, Madam President.

My father emigrated here from Guyana, in South America, in 1969 on a student visa and lived here undocumented for about 20 years.

Our undocumented neighbors make our communities stronger in each and every one of our districts. And it's a pleasure to pass legislation that can make their lives a little more simpler and a little better.

And yes, Senator Rivera, let's also pass the New York Health Act.

I proudly vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1736, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,

Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 21.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, just to give my colleagues a sense of what remains before us tonight, it is almost 10:15. We have more four debates.

We are then going to break for party conferences. We're then going to have a Rules Committee meeting. We're going to take up our Rules agenda on the floor. And then of course any debates that our colleagues want to have will be considered at that time.

So we can be here as long as we choose to be. Everyone of course is entitled to ask questions and take time within the rules. But efficiency would be great.

So with that, let's move on to the next bill, please.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 1743, Senate Print 4561A, by Senator Gonzalez, an act to amend the Social Services Law.

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

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

ACTING PRESIDENT MAYER: Senator Gonzalez, do you yield?

SENATOR GONZALEZ: I do, Madam President, thank you.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Through you, Madam President. Senator Gonzalez, this would require any temporary housing unit -- this would be obviously for people that have recently been released from prison or for a code blue or for any kind of a shelter, that those temporary housing units would have to provide high-speed broadband. Is that correct?

SENATOR GONZALEZ: Through you, Madam President. Yes, that's correct.

But I'd like to note that if the, you know, temporary housing shelter or runaway,

you know, program for youths, if they aren't able to provide it, there aren't punitive measures, because we do not want to discipline these shelters.

And there is a two-year window where they have a year to opt in, because it is a opt-in program, and a year to actually provide internet after that.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: It's my understanding that this -- that the ConnectALL program for broadband would provide the funding to do this in perpetuity. In other words, it would pay for the connection and for the service, is that correct?

SENATOR GONZALEZ: Through you, Madam President, yes, that is correct.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GONZALEZ: Yes, I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: So obviously, then, the taxpayers are going to pay for this.

But, you know, there are many hotels that act as temporary housing units. In fact, where I come from, that's most of the temporary housing. It's you know, local motels, hotels, even chain hotels, you know, branded hotels.

So that means, then, as long as they are acting as a temporary housing unit, that they would be able to apply for and get taxpayer funding to pay in perpetuity for their broadband service, is that correct.

SENATOR GONZALEZ: Through you, Madam President, that is correct.

And I would like to note that the ConnectALL program was allocated $1.2 billion. And while this program, you know, again, is opt-in, so we then are assuming every hotel is going to apply for reimbursement for this program, we know that the federal government has

continued to provide subsidies for broadband access, including recently another hundred million dollars this year.

So not only do we already have a rather large pot of money to pull from -- because this has been a priority for our state government -- but we are actively getting continuation in funding from the federal government to subsidize this.

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

ACTING PRESIDENT MAYER: Do you continue to yield, Senator Gonzalez?

SENATOR GONZALEZ: Yes, I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR BORRELLO: Well, that's great. But the bottom line is the ConnectALL program is to provide -- is to expand broadband. And in rural areas like mine, it's still a big problem. We still have huge gaps in broadband. It impacts the ability for businesses to operate, for people to work from home, for students to be able to learn.

But now we're saying we're going to

divert that funding so that a Holiday Inn Express that also acts as a temporary housing unit will now be able to have their broadband covered forever through the ConnectALL program. Is that correct?

SENATOR GONZALEZ: Through you, Madam President, I wouldn't say that's a completely accurate depiction of the program.

So for example, if that Holiday Inn provides free internet as it is, they would simply be required to also provide it for the temporarily housed residents.

I would also add that it is in our economic interest as a state to provide broadband access to all unhoused individuals because, as we know, internet is how folks not only seek jobs but seek access to opportunities, plan their way out and into a more stable environment.

And so actually studies show that when we allow the unhoused or anyone who is, for example, without work to have access to the internet, it actually supports their pathway out. So that we would not, in perpetuity, be supporting them.

I would also add that -- you know, I

echo my colleague's sentiments that we don't have broadband everywhere in New York State. And as chair of Internet and Technology, that's certainly a priority for our committee.

That said, if broadband is being expanded into rural areas in your district -- or my colleague's district and others, what this simply does is not only allow ConnectALL funding to subsidize internet for low-income residents in those rural areas, but then expand it to those who would have been left out who are in shelters or temporary housing.

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

ACTING PRESIDENT MAYER: Do you continue to yield? Senator Gonzalez.

SENATOR GONZALEZ: I yield for more questions, yes.

ACTING PRESIDENT MAYER: You continue to yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Through you, Madam President, thank you very much.

Now, you say, well, if they're providing free internet to their customers, then they can just have to provide it to the temporary -- the people that are being housed in temporary shelter. But the reality is it's not free, it costs money.

And the system, the infrastructure for commercial broadband is expensive. So they're now going to be able to say -- let's just say the Holiday Inn Express is paying $5,000 a month for broadband, high-speed broadband throughout their -- you know, throughout their facility. They are now going to be eligible to pull that $5,000 a month for their entire facility, because there's no way to really distinguish that, and have it paid for by the ConnectALL program.

Wouldn't that be correct?

SENATOR GONZALEZ: Through you, Mr. President. So just, again, a point of clarification. As mentioned before, this is just for temporarily housed residents. So it would not pay the entire internet bill for the hotel.

In addition, part of the ConnectALL $1.2 billion dollars allocated is digital equity.

So this is actually part of this already existing program.

So again, only the few temporarily housed residents would be who would be reimbursed.

Two, it's also part of an existing executive program.

And then, finally, I would just like to add that OTDA would, if the costs were, you know, out of the scope of what they deemed reasonable, have to approve these requests. So it is not an automatic approval. There is still a process to monitor how much this is costing.

SENATOR BORRELLO: Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Yes. So let's be clear about temporary housing. There are hotels, motels, there are privately owned properties that consistently always have someone in there. I guess it's somebody who was

originally released from prison, people who are -- need temporary shelter, you know, through social services. There are hotels who make in some cases the majority of their money by housing temporary.

So it's not like you're saying, well, you know what, it's cold tonight, bring somebody in for a couple of nights and then they're gone. We're talking about places that continually always have temporary housing clients in there.

Therefore, they will be able to apply to have their broadband paid for entirely through the ConnectALL program, wouldn't they?

SENATOR GONZALEZ: Through you, Mr. President. Yes, I would say that is exactly the point of this legislation. We know that we have a housing crisis. We know that there are hundreds of thousands unhoused.

And what I would also say is in New York City there's already a mandate to do this. And the reason there's a mandate to do this is because there was recently a -- or a couple of years back a case against Legal Aid, against New York City, because students, the

100,000 homeless students that exist in New York City, were not getting access to the internet during the pandemic and getting an equal access in education.

And what I am saying in this piece of legislation is that that same care that we're giving students and families and those unhoused in New York City already, should also be extended to the rest of the state. Because any student or child or family that is struggling should also have the right to internet, because we know that the internet is the key to lifting folks out of poverty. It's essential to finding work, essential to applying for jobs.

So yes, it is a hundred percent in the spirit of this program and in the economic long-term interest of this state.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Okay, so we've

established that yes, if a Comfort Inn or a motel is continually housing some temporary assistance folks, then they can have their entire broadband bill paid for courtesy of the taxpayers and the ConnectALL program. We've established that.

But there are many places where getting broadband is just not -- it's not available. And that -- let's just say you do own a facility that's housing temporary assistance, and currently there is no broadband access. You are now requiring them to have broadband access. If they can't get it, what happens?

SENATOR GONZALEZ: Through you, Mr. President. I would like to make a couple of, again, reiterations of previous points.

First, as many of us know from simply staying in hotels here, if you stay in a hotel or a motel and you are accessing their internet and it's paid, right, you are getting charged directly to your specific room. So there is a way to track who is accessing the internet and how much it costs on a daily basis.

In addition, there are oftentimes a free option. So for those hotels and motels that have the free option, there would be no cost to

the government.

What we are saying is not that we are going to cover the entire broadband bill for an entire hotel. What we are saying is for the specific rooms and specific unhoused individuals who are accessing -- which we know we can track -- that that hotel or motel will be able to apply for a reimbursement through OTDA and through the ConnectALL funding.

So again, it is not the overall bill. Yes, so I wanted to -- I wanted to establish that.

And to the second point, and I just want to -- I guess through you, Mr. President -- clarify, you are speaking about whether or not it's required for shelters in areas that currently do not have any broadband access. Is that correct?

SENATOR BORRELLO: Yes.

SENATOR GONZALEZ: Great. So for those areas, again, this is a mandate. But it does say that there are exceptions. And those exceptions would apply to those areas.

We are simultaneously, through ConnectALL, building out infrastructure to bring

broadband to areas, the 2 percent of New York State that is not yet covered -- well, honestly, more, because I don't think the numbers are representative of the reality that a lot of folks are living in.

And I would say that this is in the same spirit. Because as we apply the majority of that funding to continue to do that, what we are simply saying is we're not suddenly prioritizing shelters, we're saying it's everyone. Right? Once we bring internet there, then not only can low-income families receive it, but also those who are unhoused in those areas.

Again, there is no punitive measure in here that says if there isn't broadband access that suddenly the shelter would be fined or charged or not in compliance, because there are exceptions.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do, Mr. President.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR BORRELLO: So there's not going to be any fines or any -- so if they don't do it, then there's really no consequences, is that what you're saying?

SENATOR GONZALEZ: Through you, Mr. President, there aren't.

Because we don't want to -- while we certainly want to make this opportunity available to everyone, we don't want to harm shelters that are already struggling.

And so no, we thought that it would be inappropriate to have any such enforcement measure.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Okay, so what we're saying, then, is that there isn't really any consequence. But there is opportunity for them to get that broadband service provided,

again, through the ConnectALL program.

So would the -- what I mentioned before about broadband not being everywhere, there are certain situations where it's just cost-prohibitive. So let's say you own a facility that doesn't have access to broadband, high-speed internet broadband. But for a million dollars, we can get that buildout done from the closest access point to that shelter.

Would they then be eligible to apply and receive a million dollars from the ConnectALL program to ensure that that broadband can be delivered so they can fulfill the mandate of this program?

SENATOR GONZALEZ: Through you, Mr. President. Well, certainly, as I mentioned before, there is a review process to make sure that it is within reason in terms of cost. I certainly do not foresee a situation where it would cost something close to a million dollars.

What we're talking about is, yes, it will cost millions to bring broadband access to areas that don't have that infrastructure at all. But that's exactly what ConnectALL funding is for and why it was funded through the Executive and

why it's continuing to be funded by the federal government.

And so yes, while in an entirely new area you would have millions, it would not cost millions to then, once established infrastructure is there and internet is available, to then bring that -- connect that internet to that specific shelter.

Instead, what they would need is, for example, a modem and a router. Right? That -- those are specific things that do cost money, as well as of course the monthly cost to continue to access the internet for those unhoused individuals.

That being said, you know, this bill is really nowhere close to, you know, for -- per shelter. And, based on what we saw in New York City, it would not be anywhere close to simply -- to a million dollars to simply connect one shelter to internet in that area.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: Yes,

Mr. President.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So I didn't say 10 million, but a million dollars is actually quite realistic when you look at areas where infrastructure has to be built out and you'd have to, you know, run cable, access to poles.

I mean, some of the utility companies are charging as much as $10,000 just to connect, you know, fiber optic cable to their existing utility poles. So it's not unreasonable to think that it could cost you a million dollars to have to run some fiber optic infrastructure a couple of miles from the closest access point to where this shelter is.

But again, I -- I'm -- if we're going to mandate it, why wouldn't -- you know, why would the program be denied if they -- if they need to require -- if this is a basic right, as you describe it, to complete that infrastructure to ensure that that shelter can get that broadband access? Why would they deny it?

SENATOR GONZALEZ: Through you,

Mr. President. I again would like to reiterate that because we have a ConnectALL program, this bill is not -- is separate from that already allocated money to pay for the buildout.

So you're mentioning phone poles in this case. In some cases it will be laying fiber optic, right. In other cases it may be satellite access. Right? That is already being subsidized by our government. This bill is simply carving out a bit of that funding so that the shelters in the area can benefit from the buildouts that are already happening.

There would not -- I think -- I just want to make sure that we're not getting the two necessarily conflated. But I do hear my colleague in that, yes, it will cost thousands to continue to provide internet. But again, internet is a right. Internet is needed for the most marginalized and unhoused folks in our state -- in order to access telehealth, in order to access job opportunities, education, and more.

So because we've made this commitment in New York City, I would like to see us do the same for every person in the state.

SENATOR BORRELLO: Mr. President,

on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Senator Gonzalez, thank you very much. Appreciate it.

You know, broadband is a problem, it truly is, in New York State. My colleague mentioned the 98 percent number, which is just false. It's false. It was something that our previous governor parroted because they used census tracts to determine whether or not people have access. So if one house in a census tract has internet access, the entire census tract counted. That's how they got to 98 percent.

But if you actually talk to broadband providers and companies like Microsoft, the real number of New Yorkers that are actually covered by high-speed internet is about 65 percent. So still about one in three New Yorkers do not have access to high-speed internet.

The ConnectALL program, Broadband for All -- you name it, we have all these great programs. The problem is that, you know, they're just not -- the funds are difficult

to access at times. It's slow. And we have problems like all of these barriers that New York State puts in place, like the Department of Transportation's requirements to have to resurvey poles. And all these other fees, taxes, and requirements that have really made the rollout of broadband throughout New York State slow and painful and expensive.

So now we're saying we're going to provide this program. You know what? It sounds like a great idea. I agree, people should have access to the internet. I don't believe it's a right. I think we have a lot of things we consider to be a right. I don't -- I wouldn't say it's that, but it certainly should be an opportunity to provide that.

But now we're saying that, you know, a Clarion Inn, a Motel 6, Holiday Inn Express is going to be able to access those funds, which are supposed to go to roll out broadband to areas of this state that don't get it -- they're now going to be able to take that and subsidize the entire cost of their broadband service because they happen to take temporary housing folks in.

We're going to say that we're going

to use some of that infrastructure money to maybe make sure that somebody who owns the facility that doesn't have broadband access can provide -- can get funding so they can get that access to their facility. And again, taking money away from the infrastructure buildout.

So I understand this is well-meaning, but there's just not enough guardrails here, in my opinion, to ensure that we're only providing funding to ensure that those folks that need that internet access are getting it. And the reality is there's no way to distinguish that. There's no way to distinguish it.

And since most temporary housing in my district is provided by hotels, motels, et cetera, this is just going to be another taxpayer subsidy and not really getting to the heart of what we need to do, which is to provide internal access to as many New Yorkers as possible.

So I'll be voting no, and I'll encourage my colleagues to do the same.

Thank you.

ACTING PRESIDENT BAILEY: 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 immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Parker to explain his vote.

SENATOR PARKER: Thank you, Mr. President. Just to explain my vote on this bill.

First, let me thank Senator Gonzalez for joining the fight for what everybody needs. Right? I mean, like right now we're in a place -- there used to be a time in this state where we would never put anybody in any kind of housing without electricity, right, without gas, without water. Well, broadband has become as essential as those other -- as those other utilities.

And so this bill says, let's look at the least of those in our communities and let's

make sure that they have at least the essentials. And this is not an either-or proposition, Mr. President. That we in fact need to do more for everyone. There's parts of this state that have fought to get built out and still have not gotten built out. We have done a lot more to move into that direction since the Democratic Party has taken over the Majority in this house. We're not quite there yet, but we're still working on it.

And I rise to vote aye on this bill and to encourage all my colleagues to vote aye, because this is the right thing to do at the right time. And there's more to be done in coming sessions.

So thank you very much.

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

Senator Martins to explain his vote.

SENATOR MARTINS: The right thing to do at the right time for the right reason. It's a great sentiment.

Mr. President, we have tens of thousands, if not hundreds of thousands, if not millions of families in New York State who just

don't have the means to pay to maintain utilities, access to the internet. So if we're going to, in the largesse that is the generous State of New York, if we're going to provide resources, let's provide it to everybody. Let's make sure everyone has access -- every child, every family. Let's accept policies that are going to help everyone across the board.

You know, it was mentioned earlier that we had the opportunity during this last budget to make sure that every child in New York State in school had access to lunch, to a meal. And we got to 80 percent. I don't know whether that's because of any partisan majorities. I know we got to 80 percent and we could have gotten to a hundred. But the choice was made to stop at 80 and not to go to a hundred.

Mr. President, I think we can do better. I'll be voting no.

ACTING PRESIDENT BAILEY: Senator Martins to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 1743, those Senators voting in the negative are Senators Ashby, Borrello,

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

Ayes, 44. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1754, Senate Print 6130A, by Senator Parker, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Senator Walczyk, why do you rise?

SENATOR WALCZYK: I rise in hopes that the sponsor would be willing to yield for some questions.

ACTING PRESIDENT BAILEY: Senator Parker, do you yield?

SENATOR PARKER: I do yield.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President. Who requested this legislation?

SENATOR PARKER: Through you, Mr. President, no one requested this legislation.

This legislation came out of my office in an attempt to start addressing some of

the issues that we have around securing our elections and making sure that they are properly staffed and operating effectively and efficiently.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: The individuals that can currently serve as a poll watcher, they're qualified voters in a city or a county, is that correct?

SENATOR PARKER: Through you, Mr. President, yes.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: I do.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR WALCZYK: And those are qualified voters in the city or the county in which the election is happening, is that correct?

SENATOR PARKER: Yes.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Why would we expand to -- why would we expand to attorneys statewide?

SENATOR PARKER: So we want to protect the right of voters. And the law, the election law is the same throughout the state. And so having someone who can serve in one county and knows what to do in one county actually wouldn't be different than what happened in another county.

And it's particular -- in the case

of this particular bill, we're now talking about specifically attorneys, right, and bringing their legal expertise more online to help voters.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Do the attorneys that are allowed in this bill have to be from the city or the county in which the election is happening in order to watch the polls there?

SENATOR PARKER: In the bill, they don't.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR WALCZYK: Does this bill have anything to do with the hotly contested congressional races on Long Island and in the Hudson Valley in the last cycle?

SENATOR PARKER: Through you, Mr. President, no. This has nothing to do with that. In fact, this legislation predates that incident by years, by six or seven years.

SENATOR WALCZYK: I noticed that it hadn't passed in either house and is now on the calendar --

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

SENATOR WALCZYK: I am, Mr. President.

ACTING PRESIDENT BAILEY: Would the sponsor yield?

SENATOR PARKER: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Would an attorney from New York City be able to go to a polling place on, say, Long Island or in the North Country if this bill that you're proposing

today becomes law?

SENATOR PARKER: Yes, they could. But also an attorney from upstate could come down and serve as a poll watcher in the city as well.

SENATOR WALCZYK: And through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: I did note your statement earlier saying that the State Election Law is the same all the way across New York State. Is that true even for New York City? There's no special election laws for New York City, any attorney in upstate New York would automatically know how New York City elections are run?

SENATOR PARKER: There are for some New York City local elections, but not for state elections.

SENATOR PARKER: And through you,

Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: If poll workers, our local poll workers, believe that an attorney is intimidating to voters, what would the process be for the local poll workers to have that attorney that's from somewhere else in New York State and in their polling place, what would the process be to have them removed from the polling site?

SENATOR PARKER: The same process as it would be for any other person who was serving as a poll worker and was -- felt like -- if that person felt like they were being intimidated, they could -- they could report the person to the Board of Elections. They can find a local law enforcement officer. There's several different means that they could turn to.

SENATOR WALCZYK: And through you,

Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Is it the local board of elections that would certify a poll watcher, or is it a political committee that would be certifying the poll watchers statewide to be able to travel to any polling location in the state?

SENATOR PARKER: Through you, Mr. President. It could be either a political organization or it can be a nonpartisan organization that sponsors a poll watcher.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: What experience in election law will the attorneys that are able to go statewide and watch polls across the state -- what special experience in election law will they have to demonstrate under this law?

SENATOR PARKER: Through you, Mr. President, they wouldn't have to demonstrate any special knowledge of election law.

SENATOR WALCZYK: And through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor does yield.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So an attorney that's done, for example, a career in real estate or wills would have the same ability as a local poll watcher, they would be able to go to any polling site and look over the shoulder to make sure that anything's kosher in any location in

New York State?

SENATOR PARKER: So through you, Mr. President, right now anybody who serves as a poll watcher doesn't have to show any demonstration of knowledge of election law.

And so it -- so it wouldn't be any different than any other person who's serving as a poll watcher.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: Yes, I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: How many poll watchers are currently allowed in each polling site?

SENATOR PARKER: Through you -- through you, Mr. President, it's either two or three per party.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Yeah, that's my understanding, three per candidate and one actually in -- in the polling site, what they call within the guardrails of the polling site.

What is the role of a poll watcher?

SENATOR PARKER: Through you, Mr. President, the role of a poll watcher is to observe what's happening at the poll sites to ensure that nothing nefarious is going on, that things are operating smoothly, that people are getting access to the polls.

And that -- you know, oftentimes they're there, especially at the end of the night, just to collect the numbers and kind of know what's happening with the candidates.

But by and large, it's just to kind of make sure there's a fair operation of the polls.

SENATOR WALCZYK: And through you,

Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Yeah, I largely -- largely agree with that principle. Would you agree that their job is also to report on those observations that they make to inspectors, to the police, and to the Board of Elections?

SENATOR PARKER: Through you, Mr. President, I agree with that.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So if this bill is enacted and out-of-town lawyers are able to go to any polling site in the State of New York within the guardrails and look over the shoulders of voters and elections workers, will they have the right to look over the shoulder of a voter who is actively signing their name?

SENATOR PARKER: Through you, Mr. President. Poll watchers are not allowed to watch -- to stand over people as they are casting their votes. Right? There's a privacy -- in fact, in the places I've been around the state -- and I've worked in a lot of poll sites across the state -- most places have privacy booths now, particularly. And so no one is allowed to physically look over the shoulder of someone as they're in fact watching.

They're there -- poll watchers generally watch the operation. They're looking for irregularities, but they're not necessarily micromanaging what individual voters are doing.

SENATOR WALCZYK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the

sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: One of the stated tasks of a poll watcher is actually to challenge signatures. Would the out-of-town attorneys that would be enabled by this legislation be able to watch a voter while they're performing their signature, was my question.

SENATOR PARKER: Through you, Mr. President. Poll watching -- poll watchers and their ability to challenge is typically not an on-the-spot -- like it's not the job of a poll watcher to be like, aha, that's not your signature, or you're not the person who -- like that's -- they oftentimes watch things and they can be witnesses in maybe a court case later on. But their movement is not there to like micromanage and be involved in that. Right?

And so if you have -- if you have people who are attorneys, right, who have a certain level of training and a certain level of understanding of the law -- but also more

importantly, part of the reason why we're designating attorneys is that attorneys are officers of the court and have taken certain oaths in this state, and are trusted to handle money, information. Right? So on and so forth.

That we also believe that we can trust them to go someplace and be honest about what they're observing in the context of the operation of a particular election. Right?

And so that's kind of the role that we are envisioning in the context of this legislation, not one in which attorneys are looking over voters' shoulders to see whether it's the right signature or it's the right person, and engaged in that kind of work.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: One of the stated

tasks by Board of Elections of a poll watcher is to challenge -- or to give the poll watcher the ability to challenge a signature if it doesn't match.

But I -- would they also be able to challenge someone on their residency if they're one of these out-of-town attorneys that shows up to a polling place? Within the guardrails of the State of New York, could they ask the poll workers or the voter themselves about where they live, what their residency is, and whether that matches the information from the Board of Elections?

SENATOR PARKER: Through you, Mr. President. The abilities of poll watchers, whether they're in a county, whether they're in the county that they reside in or are registered in, or whether in a different county, doesn't change. Whether they're an attorney or whether they are a layperson as a poll watcher, their roles and responsibilities don't change.

So even if we don't pass this bill, the ability for a poll watcher to challenge the signature or the residency of a voter -- again, which does not happen on the site at the polls.

That's like -- that's not a thing, right? That ability doesn't change. Right? Like they can still do that.

And whether we allow attorneys through this legislation to have that ability outside of the county in which they're registered, that's not going to change within the context of the responsibilities of a poll watcher.

SENATOR WALCZYK: Appreciate the clarification.

Would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Will attorneys that are from any location in New York State and showing up to any polling site in New York State -- not necessarily one that they reside in or vote in, or even within their county -- will they wear anything to signify that they are a poll watcher from out of town, out of a different

area of the state, but they're an official poll watcher? Will they be wearing suits like most attorneys do?

SENATOR PARKER: Through you, Mr. President. If we had an attorney who traveled from Watertown, New York, for instance and traveled to Brooklyn to observe and be a poll watcher at a Brooklyn site, they would be there and have the same credentials that any other poll watcher would have at that time. And there would be no special markings or indication, no scarlet letter. They would just be there in whatever capacity they were brought on for, for a candidate or for a nonpartisan organization that might be monitoring polls.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor does yield.

SENATOR WALCZYK: So there is a

significant change in the precedent, not just by, you know, allowing attorneys to be poll watchers -- who currently, if they reside in the city or in the county where that site is, they currently could be a poll watcher if they're so designated and go through the process -- but we're opening it up to attorneys that can travel the state.

Do you -- what do you think the impact of having someone who voters and poll workers are unfamiliar with? Polling sites can be a pretty familiar place, if you get -- I know that I've gone to the same polling place. Year after year I see the same poll workers at every election. They get kind of used to the faces.

What impact do you think having a lawyer looking over the shoulders of them from an area different from -- a different area of the state, what impact will have that have on how voters feel in their polling site?

SENATOR PARKER: Through you, Mr. President. Having been involved in electoral politics for about 30 years, I'm not clear that voters generally know even what a poll watcher is, let alone being able to identify one when

they walk into the polls.

And that may in fact be the experience in the North Country, and I understand that these communities are more intimate.

In a place like Brooklyn, which is the third-largest city in the country, even at the polls that you go to -- outside of people knowing me because they've cast a vote for me -- like they don't really know everybody in the poll site. Right? And so somebody who shows up from even across the county, they might not know. Right?

And so what we expect with the implementation of this legislation is that more people's rights will be protected because we now have people who are officers of the court, people who have pledged themselves to do -- to do good things in this state, now paying more attention to what happens in poll sites across the state.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR PARKER: The sponsor yields.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: I'm sure the sponsor is aware that New York State has the highest number of lawyers per capita, 185,000 lawyers in New York State. So I'm sure there will be no shortage of attorneys to be able to send out to poll sites all over New York State.

Is there a cap on how much political committees can pay them, or do they have to volunteer their time to be a poll watcher under this legislation?

SENATOR PARKER: Through you, Mr. President. There is no cap. There is no provision under this legislation for that.

SENATOR WALCZYK: Thank you, Mr. President.

Thank you for answering my questions.

SENATOR PARKER: Thank you.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Walczyk to explain his vote.

SENATOR WALCZYK: Thank you, Mr. President.

We hear often a lot of rhetoric in this chamber -- and I think it's great consideration when we think about things like voter intimidation and voter suppression. I hear a lot of rhetoric about it. This is the first bill that I've actually seen that could actually have the impact of intimidating voters and disenfranchising voters.

The presence of three suits, attorneys looking lawyerly and looking over every -- oh, is that your signature? This is the first bill that I've seen that could actually intimidate a voter in a polling site.

I have great experiences at my poll site. I know the men and women; I get to see

them at each election at work. On both sides of the aisle I've gotten to know the poll workers because I see them at least a couple of times a year. It's a nice experience.

I can imagine how intimidating it may be for some voters to walk into that same polling site, especially if they're not as familiar, and have a lawyer looking over their shoulder to look at their signature and say, "Well, I'm not sure that this matches up, I'm going to report this to the Board of Elections." And "Where did you say that you live?" And "Actually, you can't be wearing that shirt in here, that's considered electioneering, don't you know, young man."

This is the first time I've seen an attempt to put lawyers from any area in the state and stick them at any polling site in New York State to look over the shoulders of our locals at boards of elections, who do a great job at securing our elections and making voters actually feel welcome in the polling place.

So for those reasons, and for many more, I'll be voting no. Thank you.

ACTING PRESIDENT BAILEY: Senator

Walczyk to be recorded in the negative.

Senator Parker to explain his vote.

SENATOR PARKER: Thank you, Mr. President.

I rise to vote aye and encourage my colleagues to vote aye as well on this commonsense legislation that in fact does a better job at actually expanding the people who can help us make sure that elections are free, fair and secure.

They're called poll watchers, not voter interrupters. Poll watchers are not literally allowed to interact with voters. It's literally not -- they're not allowed to do that. So a poll watcher, all they're allowed to do is watch. If they see something that's irregular, it is their job to report it to somebody who works at the polls or to the board of elections or even maybe law enforcement. But they are not allowed to confront voters.

So this notion that you have, you know, people interrupting voters while they're in the midst of signing their name, or challenging their address, just, again, simply is not a thing. It's just not what happens, it's not what

would happen.

This simply allows us to get more qualified people into our poll sites, examining what's happening, making sure that they're fair, free and secure.

And I want to thank my colleagues for understanding this bill and not -- and not just how it works, but understanding the spirit of what we're trying to get done here.

Thank you.

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

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Mr. President.

You know, this debate kind of reminds me of the Warren Zevon song, "Send Lawyers, Guns and Money." Because, you know what, poll watching is supposed to be a grassroots effort of local people that are going to the polls to ensure that they have confidence that whatever they're there for is being done properly.

Now we're talking about sending

lawyers from other parts of the state to descend upon polling places. They're not going to do this for free, okay? Lawyers are for hire. So that means somebody somewhere is going to pay an attorney that doesn't live in the community, that doesn't know the people there, to come in and watch -- and poll watch.

That disturbs me a great deal. This is not the idea of grassroots local election campaign integrity. This is about paying lawyers to come in because the you-know-what has hit the fan.

So I'll be voting no. Thank you.

ACTING PRESIDENT BAILEY: Senator Borrello to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1754, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 21.

ACTING PRESIDENT BAILEY: The bill

is passed.

ACTING PRESIDENT BAILEY: Calendar Number 1789, Senate Print 7539, by Senator Ramos, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT BAILEY: Senator Palumbo, why do you rise?

SENATOR PALUMBO: Thank you, Mr. President. Will the sponsor yield for a few questions, please.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RAMOS: Good evening, Mr. President. Absolutely.

ACTING PRESIDENT BAILEY: The sponsor yields. Good evening.

SENATOR PALUMBO: Thank you, Mr. President.

And through you, this particular bill makes some amendments to the CPLR, the Business Corporation Law, and the Limited Liability Company Law. And really the crux of the first part here is that it adds a new subsection to Section 6201 of the Civil Practice Law and Rules regarding attachments.

Can the sponsor tell us why this is

necessary to include this new provision?

SENATOR RAMOS: Absolutely. Through you, Mr. President. Wage theft is actually one of the biggest crimes that we don't talk about often enough. And it's quite rampant here in New York State. In fact, in 2022 alone, $25 million in stolen wages were recovered in the State of New York for 18,000 workers.

And so what we're seeking to do here with this bill is create a rightful course of action for workers to be able to recover their lost wages, especially when settlements aren't paid.

SENATOR PALUMBO: Will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RAMOS: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you. And through you, Mr. President.

So -- and we all certainly agree, wage theft is a terrible thing. It's a crime. It's a larceny. I know we've done a lot in

New York to address that.

But this 6201, in attachment -- and just in the interests of brevity, I'll just kind of summarize it, and please correct me if the sponsor thinks differently. That it's essentially seizing property with a lien, putting a court order on someone's property before you receive a judgment. It's in advance of actually winning your case.

It places this attachment on property because you have a likelihood of succeeding. And upon ultimately executing a judgment, if you win, then you can obviously seize that property. For example, like a house. You can put a lis pendens on it, an order of attachment. The court holds that property in abeyance prior to resolution.

However, there's something called an undertaking as well in an attachment, where you basically put up a bond to ensure that if you lose, that person will be made whole.

So my question to the sponsor is, under 6201, this is simply because you have pled a claim. You have not had your day in court. You have not been able to exercise your due

process rights. That if a cause of action is based on wage claims, then you can in fact attach property. Is that accurate?

SENATOR RAMOS: Well, we are amending 6201 and adding an additional reason for grounds for attachment, indeed.

And the claimant would have to actually file a civil complaint for wage theft, and that must be served in order to have the authority secure a potential judgment.

SENATOR PALUMBO: Will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RAMOS: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you. Through you, Mr. President.

So then the logic behind that, though, is -- of course it's just an accusation. But this undertaking is an assurance that you're not filing a frivolous claim. And further down in the bill now, in Section 2, it actually strikes an attachment -- it creates an exception

under this new subsection 6, that when you look at -- it's actually page 2, line 46, "Undertaking": "Except where an order of attachment is sought on the grounds specified in subdivision 6 of Section 6201."

You had to file an undertaking of at least $500 through the court. And then it later on changes it, it strikes that exception section and says no more than $500 to the court.

So can you tell me why we are actually making an exception for this new subsection so that if, God forbid, this person is filing a claim that is not successful -- or even a frivolous claim -- there's no way for the person who the attachment is being affixed against to be made whole.

SENATOR RAMOS: Through you, Mr. President. My understanding is this side of the aisle likes judicial discretion.

And actually here the judge would be able to determine whether the worker pays $500, pays less, or a payment isn't necessary. But it's up to the judge to decide, based on the merits of the case.

SENATOR PALUMBO: Will the sponsor

continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RAMOS: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you. Through you, Mr. President. They actually cannot require any undertaking at all, isn't that accurate, under this bill?

SENATOR RAMOS: Through you, Mr. President, no, they cannot. They can waive it.

SENATOR PALUMBO: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RAMOS: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: And it indicates that this attachment order, in the event you have a wage theft claim, can be against the top 10 owners in a company, if it's an S corp or so, under the Business Corporation Law, if it's a

limited liability company. So whether it's a corporation, a company, those entities -- you immediately pierce the corporate veil and you can go after the top 10 owners' personal assets, is that accurate as well?

SENATOR RAMOS: Through you, Mr. President, that is actually the current law.

SENATOR PALUMBO: Will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RAMOS: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator Ramos.

So in that regard, then, are these 10 so-called targets that are now personally liable, despite the fact that they did it under the corporate shell, does it have anything to do with whether or not they fit those veil-piercing categories, like they're underfunded, they're undercapitalized or it was an intentional act?

Or is it just the current -- under the current law, this is just adding this new

subsection where they can just go after them regardless of whether or not that particular partner or member of the LLC was engaged in the wage theft themselves?

SENATOR RAMOS: No, it's -- through you, Mr. President, it's current law. So they can't avoid accountability. That's the point.

SENATOR PALUMBO: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR RAMOS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: So just so I'm clear, to rephrase that a little bit. So if there are -- if one of the owners is taking, say, medical payments that should have been made, taking a portion of someone's paycheck, that's a crime, and they're charged with a crime. But the other nine know nothing about it, had nothing to do with it.

Under this bill, isn't it true that the potential plaintiff, instead of just suing

the company and ultimately satisfying a judgment that way, they could arbitrarily pick one of those remaining nine and attach their home, their car, their property, their bank account prior to even having a judgment in their favor? Isn't that accurate?

SENATOR RAMOS: Through you, Mr. President, that is accurate under the current law. I don't know if there will be a question about the bill.

SENATOR PALUMBO: Will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR RAMOS: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: And although you did make some amendments and make some exemptions under this bill to current law, there are no exceptions to that law that you just described under this bill regarding this new subsection, correct?

SENATOR RAMOS: That's correct.

SENATOR PALUMBO: Okay. Thank you.

Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you, Mr. President.

Now, I -- as I indicated to some of our colleagues earlier, I debated this bill for years, the underlying law, because I think it's a really terrible idea for businesses.

Where I understand if you'd wanted to do something like this incrementally and say, well, if you can't execute a judgment under -- against the company or the corporation in the event you're successful, then there are issues and there is a body of law -- that's why we have companies -- with respect to fraud, undercapitalization, and what's called piercing the corporate veil.

What this does is completely circumvents the law -- and look, we agree, wage theft is a bad thing, but this is even prior to entry of a judgment. In a nutshell, or in a vacuum, if you were to take someone who already has a judgment and allow them to do this, it would make more sense. But this is merely an

accusation, no undertaking.

You can sue all 10 of the company owners even if you just -- you know, like I say, you know, sometimes I used to play a lawyer on TV, you know, have a law degree, as do you, Mr. President. We could say, you know what, I can't stand that employer, I'm going to sue them all.

I'm not even sure -- I may not even have a claim. You can file lis pendens, you can jam up the title. It's a lien, is what the attachment is, to their property, to their car, to their bank account -- without any recourse -- for the years and years and years it may take to litigate your claim.

And if you're successful, then shame on them. You were right. But you're not even forced to try and execute against the company. Particularly if you have a company with 10 or more members, it's probably got some assets. And typically you would seek to satisfy a judgment with the company and then, if that's not successful, as I said earlier, then maybe you could go after them for some personal liability. Or if it's an intentional act, you'd be able to

sue them personally anyway.

So it's a little bit nuanced, but this is just -- it's creating -- it would -- it will create such a chilling effect on businesses. And it's just broadcasting to the world, sadly -- like unfortunately I believe this body has been doing for many, many years -- that why bother running a business or investing in New York. You can't even have your day in court, and your assets will be frozen, under this bill, by simply stating the claim.

You swear it out in a complaint, you add that as a cause of action, and you can then start attaching individuals' personal property. And you get to pick and choose the ones you don't like; the ones that you're friendly with, you don't have to. But we're really going to really stick it to this person who's trying to refinance their house and now can't because there's an order of attachment on it.

So I understand, it's a laudable goal. We certainly want victims of wage theft to get their judgments, to get paid and to execute those judgments. I think we're all in agreement, because wage theft is wrong.

However, this is not the way to do it. So as such, Mr. President, I'll be voting in the negative and I urge my colleagues to do the same.

ACTING PRESIDENT BAILEY: 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 11. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Ramos to explain her vote.

SENATOR RAMOS: Thank you, Mr. President.

You know, the only businesses that should feel a chilling effect with hopefully this new law are those businesses who are bad actors. What we're seeking to do is actually level the playing field for honest businesses that are actually right now subsidizing those bad

businesses.

And by the way, taxpayers are also subsidizing these bad businesses because these workers who aren't able to recover their lost wages end up needing to depend on many of the programs and services that we discuss here in this chamber.

So quite frankly I'm very proud that today here in the Senate we are sending a very clear message that no human being should work for free. It's been a big theme today, tonight. And I'm very proud that this chamber is actually taking action today in order to protect workers and give them a rightful course of action so that they can get every single dime that they are owed for the work that they have performed.

And I have to say, for those who may be watching at home at this -- at this late hour, wage theft is really rampant. Whether you have unpaid hours, overtime that hasn't been paid, you're being paid less than the minimum wage, you are being asked to perform work off the clock, whether your employer is taking your tips or your employer is not allowing you to take a meal or a rest break. All of these are different forms of

wage theft. And any worker who is experiencing any of this should file a wage-theft claim with the Department of Labor and start their process so they can get their money.

Thank you, Mr. President.

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

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Mr. President.

There's no question that -- and I hate to disagree with my -- with my colleague. And I know that the bill is well-intentioned. Wage theft is a serious problem. But you're creating an even worse problem by altering the balance in litigation.

What you've essentially done -- and look, you know, I'm a plaintiff's attorney. As a plaintiff's attorney, we know sometimes it's possible -- not as much as we would -- you know, we hope not much. It's possible that you have frivolous claims. It's possible that you can bring an action simply out of revenge when there's no legitimate cause of action that's behind it.

And the idea of litigation being one of balance, where there's consequences on both sides -- yes, you can have some bad actors on the other side. You can also have some bad actors on the plaintiff side.

And so if you have a dispute with your employer and you decide that the way to get back at them is to file a claim, a wage theft claim, you now have the ability to do that with no consequences to you. You not only have the ability to do that, but you have the ability to attach the assets before you've proven your case. You have the ability to attach the assets of 10 partners, up to 10 partners in that firm with no consequences. And you could tie it up for years in litigation.

So to Senator Palumbo's point, you could have a partner, a 1 percent partner who is now jointly and severally liable for any judgment that may occur. Or if no judgment occurs, their assets have been tied up for years in litigation for no reason, without any consequence to the plaintiff.

So yes, it's an important problem, but this solution unfortunately goes too far, and

I have to vote no.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1789, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Fernandez, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1791, Senate Print 7550, by Senator Stewart-Cousins, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Senator Walczyk, why do you rise?

SENATOR WALCZYK: Through you, Mr. President, I'm wondering if someone will be willing to answer some questions.

SENATOR GIANARIS: That's me, Mr. President.

ACTING PRESIDENT BAILEY: Senator Gianaris yields?

SENATOR GIANARIS: Yes.

SENATOR WALCZYK: This bill moves the presidential primary date from June 2024 to April 2, 2024. Is that correct?

SENATOR GIANARIS: Yes.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the Senator yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: What will that do to the New York State Assembly, Senate, Congressional local elections that are happening next year?

SENATOR GIANARIS: Nothing.

SENATOR WALCZYK: And through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.
ACTING PRESIDENT BAILEY: The sponsor yields.
SENATOR WALCZYK: What will that do to the timeline for the petitioning process for those local elections next year? Or state elections next year.
SENATOR GIANARIS: Nothing.
SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.
ACTING PRESIDENT BAILEY: Will the sponsor yield?
SENATOR GIANARIS: Yes.
ACTING PRESIDENT BAILEY: The sponsor yields.
SENATOR WALCZYK: So next year could we anticipate that the petitioning period will be somewhere from the end of February to somewhere to the end of March, beginning of April, with turn-in for petitions being at the end of March, beginning of April for those State Assembly, Senate, Congressional races?
SENATOR GIANARIS: Roughly speaking, correct.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: How will that impact local boards of elections? If the presidential primary election is happening on April 2nd, at the same time local boards of elections will be certifying that presidential election, how will they be able to manage the workload of also being able to qualify all of those candidates for the ballots while petitions are coming in?

SENATOR GIANARIS: Hopefully very effectively.

SENATOR WALCZYK: I would agree.

Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Now, on this -- on this bill that is largely comprised of a deal to move the presidential primary and how that primary process is going to be going next year, why is there included a piece about curing absentee ballots?

Why is that appropriate in next year's presidential primary conversation?

SENATOR GIANARIS: Because this is a bill that relates to election laws. And so long as we were amending our election laws, we included additional provisions that were -- seemed like good ideas to fix some aspects of our laws that needed improvement. That we have made a lot of changes in the last four-plus years to our election laws, and we always try and learn from the experiences that we see and make things better. And those provisions came from those experiences.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: One thing that I've enjoyed about the Senate's process here is that we have committees -- I happen to be the ranker on the Elections Committee. There's a committee process. And I would have expected to see something about curing absentee ballots come through as a stand-alone bill in the Elections Committee so that we could discuss it in a bipartisan way and decide how to move forward and possibly even put a bill onto this floor.

Current law does not allow the board of elections to accept a ballot that comes in a week after the election, is that right?

SENATOR GIANARIS: I believe that's not right. I think absentee ballots can be received up to seven days after the election.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: This bill will allow that seven days after the election, if the board of elections receives an absentee ballot with no postmark, they'll still be able to accept that. Is that correct?

SENATOR GIANARIS: Yes. Because oftentimes what we have learned is that the postal service neglects to postmark an envelope and just delivers it. And we certainly don't want someone's vote not to be counted because of an error from the U.S. Postal Service.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: The United States Postal Service, as I understand your answer, is failing to postmark absentee ballots that are

mailed on or before Election Day, and those are delivered sometimes a week after the election? Am I understanding that right?

SENATOR GIANARIS: Yes, you are.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Do the unpostmarked absentee ballots that are coming into boards of elections sometimes a week after the election, does that happen in great frequency? How many absentee ballots are we receiving in the State of New York that are not postmarked?

SENATOR GIANARIS: No, I don't believe it happens with great frequency. In fact, since we changed the law, most absentee ballots are counted on Election Night. There's very few that come in in that seven-day period in general.

But I think, you know, if you're the voter whose vote gets thrown in the trash because somebody forgot to put a stamp on it at the postal service, you'd still want your vote to be counted.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So the -- in curing, the board of elections would have to mail that absentee ballot that is not postmarked back to the voter, call them three times, then mail them an attestation. Is that correct?

SENATOR GIANARIS: Yes. Although the three times aspect of that is only if they don't respond initially, of course.

SENATOR WALCZYK: Thank you. And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: And with that attestation, the person receiving that would swear that they sent the absentee ballot on or before Election Day, is that correct?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Would that be true even if the voter had mailed in or stuck in the mailbox that absentee ballot that did not receive a postmark after the polls had closed?

SENATOR GIANARIS: I'm trying to understand the question. You mean they mailed the ballot after the polls closed? Or it didn't receive the postmark after the polls closed?

SENATOR WALCZYK: Through you, Mr. President, I'll clarify the question if he'd continue to yield.

ACTING PRESIDENT BAILEY: You may clarify, Senator Walczyk.

SENATOR WALCZYK: Yeah, what I'm asking is the attestation, will that require the voter to swear that they mailed it on Election Day or mailed it on Election Day before the polls were closed?

SENATOR GIANARIS: Before the polls closed.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: I would reference page 11, lines 16 through 20. Provided, however -- and this is the change in statute. Provided however that further defect described in paragraph that would be 7 of paragraph B of this

subdivision, such affirmation shall also include an attestation that the voter mailed the ballot envelope on or before the day of the election.

This doesn't seem -- maybe I'm missing it somewhere else in the bill. This doesn't seem to include a time when the polls are open at all. Is there one that I'm missing?

SENATOR GIANARIS: If I could ask Senator Walczyk to repeat the question, please.

ACTING PRESIDENT BAILEY: Senator Walczyk, could you clarify the question? Repeat the question, please.

SENATOR WALCZYK: Yeah, the question is basically this. Should boards of elections be accepting mail-in absentee ballots that are not postmarked and even the voter themselves says, Yes, I mailed it on Election Day, but it may have been after the polls were closed, it may not have been, it's irrelevant based on the new law that is proposed this evening.

SENATOR GIANARIS: If I'm not mistaken, this is within the cure process we're talking about. So the board of elections has already received the application -- or received

the ballot, and there was something defective ministerially in that process. So the board has already received this ballot in a timely manner and is now asking the voter to correct that.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Yeah, by current law and this bill, boards of elections would receive that absentee ballot at some point after Election Day, up to seven days after Election Day. It doesn't have a postmark on it, so they can't tell when it was mailed. They have to mail that back to the voter, and then the voter has to swear by an attestation back to the board of elections that they mailed it on Election Day.

What I'm asking is that -- am I missing something in this law? Or when they swear that do they have to also swear that they

mailed it while the polls were actually open? Or could they have mailed after the polls were closed on Election Day?

SENATOR GIANARIS: The answer is no, it doesn't require that. But I suppose you are asking about a voter who somehow gets a ballot not postmarked that he sent between 9 p.m. and midnight on an Election Day, sent to the board of election. That's some pretty wacky election conspiracy theory you're spinning, Senator Walczyk.

SENATOR WALCZYK: On the bill.

SENATOR GIANARIS: If somebody -- if somebody had wanted to cheat in an election, there's easier ways to do it than hoard your ballots between 9 p.m. and midnight and try and send it without a postmark, hope the postal service doesn't stamp it, so then when it has to be cured you can sneak in the attestation that doesn't mention the hours to get an extra vote in. My opinion.

ACTING PRESIDENT BAILEY: Senator Walczyk on the bill.

SENATOR WALCZYK: Thank you, Mr. President.

Yeah, I mean you could call it a wacky conspiracy theory, but it's our job to ensure that there's trust in our elections, and I've even heard some rhetoric this evening talking about securing election sites and making sure that people have the full faith in the process.

So when a bill that's about moving presidential primary dates includes a piece about curing errors in absentee ballots that were mailed with no postmark up to midnight of Election Day, by swearing of one voter, I get a little curious. You could call it a conspiracy theory, but what we should do -- if you wanted to do this properly, if you wanted to say, okay, well, we don't want to disenfranchise voters; the United States Postal Service sometimes makes the mistake and doesn't postmark a ballot and the board of elections receives it sometimes a week after Election Day. And if they do, then they're going to send that ballot back to the voter and that voter is going to swear to the board of elections that they did indeed vote on Election Day -- that should also include them swearing that they voted while the polls were open. It's

that simple.

This isn't just an error. I mean, it's one of the reasons that I'm going to be voting against this bill, but it's not just an error that is a little clerical. It's an error that tells people if you stick a ballot into a mailbox, it doesn't matter whether it gets postmarked and it doesn't matter whether you did it after the polls were closed, we're going to make sure that that vote counts.

It shouldn't count. When the polls are closed, the polls are closed. And we shouldn't allow somebody to swear that they sent it in at 11:59, after the polls were closed, and the results were already reported on the local news, but their ballot still counts. That doesn't make sense.

And it's not a conspiracy theory. That's the law that we're voting on tonight.

So I'd urge my colleagues to vote no. Thank you, Mr. President.

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

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

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Stewart-Cousins moves to discharge, from the Committee on Rules, Assembly Bill Number 7690 and substitute it for the identical Senate Bill 7550, Third Reading Calendar 1791.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 1791, Assembly Bill Number 7690, by Assemblymember Heastie, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you, Mr. President.

I appreciate the questions. Senator

Walczyk, as usual, is very thorough in his questioning.

But I do want to say another word about his last round of questioning, because the notion that somebody -- I'm not even sure what advantage -- a potential voter in that scenario would have to wait to see the results and run out of their house at 10 o'clock at night to throw a ballot in the mailbox and hope the postal service doesn't stamp it so that they can then later defraud the board of elections by attesting to something they didn't do.

Like why wouldn't that person just vote during Election Day? What would be the value of waiting to that last two-or-three-hour window just to cheat the law?

But, you know, like I said, it's great -- their job is to try and poke holes in our proposals. This proposal has no holes. And so I encourage all my colleagues to vote for this bill. Which, by the way, half of it was sanctioned by the RNC as well as the DNC.

And so I encourage everyone to vote yes so we can have our presidential primary at a time where we can maximize our delegate influence

in the process next year.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1791, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 21.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris, that completes the reading of the controversial calendar.

SENATOR GIANARIS: Mr. President, if we could return to Calendar 1780, which was laid aside temporarily several hours ago. I believe we have received the home rule we were waiting for. And can we take that up, please.

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

The Secretary will read.

THE SECRETARY: Calendar Number 1780, Senate Print 7289A, by Senator Gounardes, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

(Pause; discussion off the record.)

ACTING PRESIDENT BAILEY: The bill is on the supplemental calendar, Calendar Number 1780.

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

SENATOR GIANARIS: At this time, Mr. President, we're going to break for brief party conferences to conference the upcoming Rules agenda. It is just before 11:30. We will call a meeting of the Rules Committee for 11:59.

(Laughter.)

ACTING PRESIDENT BAILEY: The respective party conferences will break for a conference, and a Rules Committee meeting will be called at 11:59 p.m.

SENATOR GIANARIS: The Senate stands at ease.

ACTING PRESIDENT BAILEY: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 11:30 p.m.)

(Whereupon, the Senate reconvened at 11:57 p.m.)

ACTING PRESIDENT BAILEY: The Senate will come to order.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, pursuant to Senate Rules, I move that we stay in session past the hour of midnight.

ACTING PRESIDENT BAILEY: So ordered.

SENATOR GIANARIS: The Senate will stand back at ease.

ACTING PRESIDENT BAILEY: The Senate will stand back at ease.

(Whereupon, the Senate stood at ease at 11:58 p.m.)

(Whereupon, the Senate reconvened at 2:15 a.m.)

ACTING PRESIDENT BAILEY: The Senate will return to order.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

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

Senate Print 266A, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 288C, by Senator May, an act to amend the Environmental Conservation Law;

Senate Print 513B, by Senator Thomas, an act to amend the Education Law;

Senate Print 961, by Senator Bailey,

an act to amend the Criminal Procedure Law;

Senate Print 1039A, by Senator Jackson, an act to amend the Civil Service Law;

Senate Print 1045, by Senator Cooney, an act to amend the General Municipal Law;

Senate Print 1082, by Senator Comrie, an act to amend Chapter 696 of the Laws of 1887;

Senate Print 1139, by Senator Ortt, an act to amend Chapter 20 of the Laws of 1985;

Senate Print 1580, by Senator Ortt, an act to amend Chapter 363 of the Laws of 1982;

Senate Print 1581, by Senator Ortt, an act to amend Chapter 19 of the Laws of 1985;

Senate Print 2985C, by Senator Kavanagh, an act to amend the General Municipal Law and the Local Finance Law;

Senate Print 3505B, by Senator Skoufis, an act to amend the Town Law;

Senate Print 5372A, by Senator Harckham, an act to amend the Military Law;

Senate Print 5394A, by

Senator Harckham, an act to amend the Military Law;

Senate Print 5400, by Senator Hoylman-Sigal, an act to amend the Real Property Law;

Senate Print 5653, by Senator Jackson, an act to amend the Retirement and Social Security Law;

Senate Print 5678, by Senator Gounardes, an act to amend the Administrative Code of the City of New York;

Senate Print 5814A, by Senator Weik, an act to authorize the Town of Islip, County of Suffolk, to discontinue as parklands and lease certain lands;

Senate Print 5849, by Senator Jackson, an act to amend the Retirement and Social Security Law;

Senate Print 6027, by Senator Weber, an act to amend the Highway Law;

Senate Print 6169A, by Senator Cleare, an act to amend the Election Law;

Senate Print 6309A, by Senator Martins, an act in relation to authorizing the County of Nassau assessor to

accept an application for real property tax exemption;

Senate Print 6500, by Senator Kennedy, an act to amend the Criminal Procedure Law;

Senate Print 6598, by Senator Jackson, an act to amend the Retirement and Social Security Law;

Senate Print 6681, by Senator Canzoneri-Fitzpatrick, an act to amend the Alcoholic Beverage Control Law;

Senate Print 6706, by Senator Rhoads, an act to amend the Highway Law;

Senate Print 6714B, by Senator Thomas, an act in relation to establishing the New York State Organized Retail Crime Task Force;

Senate Print 6877, by Senator Gounardes, an act to amend the Administrative Code of the City of New York;

Senate Print 6993A, by Senator Ryan, an act to amend the Alcoholic Beverage Control Law;

Senate Print 7356, by Senator Stavisky, an act to amend the

Education Law;

Senate Print 7362A, by Senator Cooney, an act to amend the General Municipal Law;

Senate Print 7395C, by Senator Weber, an act in relation to authorizing the assessor of the Town of Ramapo, County of Rockland, to accept an application for a real property tax exemption;

Senate Print 7493, by Senator May, an act to amend the Tax Law;

Senate Print 7533A, by Senator Hinchey, an act to amend the Agriculture and Markets Law;

Senate Print 7549A, by Senator Thomas, an act relating to a temporary in rem foreclosure moratorium;

Senate Print 7551A, by Senator Myrie, an act to amend the Criminal Procedure Law;

Senate Print 7552, by Senator Addabbo, an act to amend the Education Law;

Senate Print 7553, by Senator Thomas, an act to amend the

General Business Law;

Senate Print 7559, by Senator Scarcella-Spanton, an act to amend the Retirement and Social Security Law;

Senate Print 7561, by Senator Hoylman-Sigal, an act to amend the Executive Law;

Senate Print 7562, by Senator Gianaris, an act to amend Part D of Chapter 59 of the Laws of 2023;

Senate Print 7563, by Senator Sanders, an act to amend the New York State Charter;

Senate Print 7564, by Senator Myrie, an act to amend the Election Law;

Senate Print 7575, by Senator Jackson, an act implementing an agreement between the state and an employee organization;

Senate Print 7576, by Senator Jackson, an act to amend the Civil Service Law;

Senate Print 7579, by Senator Kennedy, an act to amend the Executive Law;

Senate Print 1991, by

Senator Jackson, an act to amend the Retirement and Social Security Law;

Senate Print 6361, by Senator Brouk, an act to amend the Education Law and the Retirement and Social Security Law.

All bills reported direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The Rules Committee report is accepted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at this time we're going to take up a Concurrent Resolution that was on one of the earlier calendars. I believe it's at the desk.

Please take that up.

ACTING PRESIDENT BAILEY: The

Secretary will read.

THE SECRETARY: Resolution 477, by Senator Krueger, Concurrent Resolution of the Senate and Assembly concerning the rescission of all previous requests by the New York State Legislature or either house thereof for a convention under Article V of the United States Constitution.

ACTING PRESIDENT BAILEY: The question is on the resolution.

The Secretary will call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 41. Nays, 21.

ACTING PRESIDENT BAILEY: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, is there any further business at the desk?

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

SENATOR GIANARIS: I move to adjourn until Friday, June 9th, at 11:00 a.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Friday, June 9th, at 11:00 a.m.

(Whereupon, at 2:20 a.m., the Senate adjourned.)