NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 8, 2024

3:08 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 present to please rise and recite the Pledge of Allegiance.

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

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

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

ACTING PRESIDENT BAILEY: The reading of the Journal.

THE SECRETARY: In Senate, Sunday, January 7, 2024, the Senate met pursuant to adjournment. The Journal of Saturday, January 6, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

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: Mr. President, there will be an immediate meeting of the Rules Committee in Room 332.

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

SENATOR GIANARIS: The Senate stands at ease.

ACTING PRESIDENT BAILEY: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:09 p.m.)

(Whereupon, the Senate reconvened at 3:29 p.m.)

ACTING PRESIDENT BAILEY: The Senate will return to order.

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 1460, by Senator Krueger, Concurrent Resolution of the Senate and Assembly concerning the rescission of all previous requests by the New York State Legislature;

Senate Print 242, by Senator May, an act to amend the Election Law;

Senate Print 263, by Senator Stewart-Cousins, an act to amend the Election Law;

Senate Print 371, by Senator Gianaris, an act to amend the Election Law;

Senate Print 610, by Senator Hoylman-Sigal, an act to amend the Election Law;

Senate Print 616, by Senator Myrie, an act to amend the Election Law;

Senate Print 657A, by Senator Myrie, an act to amend the Election Law;

Senate Print 5943, by Senator Skoufis, an act to amend the Election Law;

Senate Print 6173B, by Senator Skoufis, an act to amend the Election Law and the Vehicle and Traffic Law;

Senate Print 6675, by Senator Breslin, an act to amend the Election Law;

Senate Print 8001, by Senator Stewart-Cousins, an act to amend the Village Law;

Senate Print 8002, by Senator Thomas, an act to amend the Public Health Law;

Senate Print 8003, by Senator Cleare, an act to amend the Public Health Law;

Senate Print 8004, by Senator Skoufis, an act to amend the Insurance Law;

Senate Print 8005, by Senator Mayer, an act to amend the Public Health Law;

Senate Print 8006, by Senator Hoylman-Sigal, an act to amend the

Executive Law;

Senate Print 8007, by Senator Skoufis, an act to amend the Village Law;

Senate Print 8008, by Senator Hoylman-Sigal, an act to amend the Penal Law;

Senate Print 8009, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 8010, by Senator Brisport, an act to amend the Family Court Act;

Senate Print 8011, by Senator Kavanagh, an act to amend the Administrative Code of the City of New York;

Senate Print 8012, by Senator Hinchey, an act to amend the Public Service Law;

Senate Print 8013, by Senator Thomas, an act to amend the Public Health Law and the General Business Law;

Senate Print 8014, by Senator May, an act to amend the Real Property Actions and Proceedings Law;

Senate Print 8015, by Senator May,

an act to amend the Environmental Conservation Law;

Senate Print 8016, by Senator Hoylman-Sigal, an act to amend the Public Health Law;

Senate Print 8019, by Senator Breslin, an act to amend the Insurance Law;

Senate Print 8024, by Senator Webb, an act to amend the Education Law;

Senate Print 8025, by Senator Bailey, an act to amend the General Business Law;

Senate Print 8026, by Senator Webb, an act to amend a chapter of the Laws of 2023;

Senate Print 8028, by Senator Stewart-Cousins, an act to amend the Executive Law;

Senate Print 8029, by Senator Gounardes, an act to amend the Civil Service Law;

Senate Print 8030, by Senator Skoufis, an act to amend the Insurance Law;

Senate Print 8033, by

Senator Rivera, an act to amend the Public Health Law;

Senate Print 8034, by Senator Mayer, an act to amend the Public Service Law;

Senate Print 8035, by Senator Mayer, an act to amend the Multiple Residence Law and the Multiple Dwelling Law;

Senate Print 8036, by Senator Thomas, an act to amend the General Business Law;

Senate Print 8037, by Senator Persaud, an act to amend the Public Authorities Law;

Senate Print 8038, by Senator Breslin, an act to amend the Insurance Law and the Public Health Law;

Senate Print 8039, by Senator Gounardes, an act to amend the General Business Law;

Senate Print 8040, by Senator Persaud, an act to amend the Insurance Law and the Social Services Law;

Senate Print 8044, by Senator Myrie, an act to amend the Executive Law;

Senate Print 8050, by Senator Liu,

an act to amend the General Business Law and the Social Services Law;

Senate Print 8053, by Senator Webb, an act to amend the Vehicle and Traffic Law;

Senate Print 8054, by Senator Mannion, an act to amend the Private Housing Finance Law;

Senate Print 8055, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 8057, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 8059, by Senator Hoylman-Sigal, an act to amend the Limited Liability Company Law;

Senate Print 8060, by Senator Harckham, an act to amend the Environmental Conservation Law;

Senate Print 8061, by Senator Harckham, an act to amend the Public Health Law;

Senate Print 8062, by Senator Cleare, an act to amend the State Technology Law;

Senate Print 8064, by Senator Scarcella-Spanton, an act to amend the General Business Law;

Senate Print 8065, by Senator Hinchey, an act to amend the Tax Law;

Senate Print 8066, by Senator Hinchey, an act to amend the Agriculture and Markets Law;

Senate Print 8068, by Senator Skoufis, an act to amend the Alcoholic Beverage Control Law;

Senate Print 8069, by Senator Webb, an act to amend the Alcoholic Beverage Control Law;

Senate Print 8070, by Senator Gianaris, an act to amend the Tax Law;

Senate Print 8073, by Senator Jackson, an act to amend the Civil Service Law;

Senate Print 8075, by Senator Comrie, an act to amend the Not-For-Profit Corporation Law;

Senate Print 8076, by Senator Parker, an act to amend the Mental Hygiene Law;

Senate Print 8078, by Senator Sanders, an act to amend the Environmental Conservation Law;

Senate Print 8079, by Senator Jackson, an act to amend the Civil Service Law;

Senate Print 8080, by Senator Brouk, an act to amend the Social Services Law;

Senate Print 8081, by Senator O'Mara, an act to amend a chapter of the Laws of 2023;

Senate Print 8082, by Senator Sanders, an act to amend the New York City Charter;

Senate Print 8085, by Senator Addabbo, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law;

Senate Print 8086, by Senator Addabbo, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law;

Senate Print 8087, by Senator Gounardes, an act to amend the General Business Law;

Senate Print 8088, by Senator Gounardes, an act to amend the

Real Property Tax Law;

Senate Print 8089, by Senator Hoylman-Sigal, an act to amend a chapter of the Laws of 2023;

Senate Print 8090, by Senator Cleare, an act to amend the State Technology Law;

Senate Print 8092, by Senator Chu, an act to amend the Public Health Law;

Senate Print 8093, by Senator Mayer, an act to amend the Executive Law and the Civil Practice Law and Rules;

Senate Print 8094, by Senator Sanders, an act to amend the Banking Law;

Senate Print 8095, by Senator Martins, an act to amend a chapter of the Laws of 2023;

Senate Print 8096, by Senator Stavisky, an act to amend a chapter of the Laws of 2023.

All bills reported direct to third reading.

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

ACTING PRESIDENT BAILEY: All those

in favor of accepting the report of the Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(No response.)

ACTING PRESIDENT BAILEY: The report is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, there's a privileged resolution at the desk. Can we please take that up, read it in its entirety, and recognize Leader Stewart-Cousins.

ACTING PRESIDENT BAILEY: There is a privileged resolution at the desk.

The Secretary will read.

THE SECRETARY: Senate Resolution 1466, by Senator Stewart-Cousins, mourning the death of Dr. John Louis Flateau, devoted family man, dedicated professor, and distinguished member of his community.

"WHEREAS, There are certain outstanding members of our community who, through their selfless commitment and dedication, have served to better the quality of life in our

community and have had a measurable positive impact on the lives of its residents; Dr. John Louis Flateau was one such individual; and

"WHEREAS, It is with profound sorrow and deep regret that this Legislative Body records the passing of Dr. John Louis Flateau, noting the significance of his purposeful life and accomplishments; and

"WHEREAS, Dr. John Louis Flateau of Brooklyn, New York, died on December 30, 2023, at the age of 73; and

"WHEREAS, A lifelong public servant, community activist, political strategist, and a dedicated mentor throughout his decades-long career at Medgar Evers College, Dr. John Louis Flateau served as a beloved professor and chair of the Department of Public Administration at Medgar Evers College, while also serving as the director of the Dubois Bunche Center for Public Policy; he was also the former dean for both Medgar Evers College's School of Business and Office of External Relations; and

"WHEREAS, Dr. John Louis Flateau was also a lifelong learner who led by example when it came to his students, earning a Ph.D. in

political science, public policy and American politics from CUNY, while also obtaining master's degrees in philosophy, in political science, public administration and political science, urban policy; he secured his Bachelor of Arts degree in English literature from New York University's Washington Square College; and

"WHEREAS, A true community pillar, Dr. John Louis Flateau's resume was impeccable, showing his servant's heart from a young age and prior to joining Medgar Evers College in 1994; he served as the Summer Youth Program director of the Brooklyn Catholic Diocese from 1968-'72, Harlem Youth Worker for the New York State Division for Youth from 1978-'79, District Council 37 AFSCME Education Department from 1971-'74, executive director of the New York State Black and Puerto Rican Legislative Caucus from 1975-1982, senior vice president and chief diversity officer for the New York State Empire State Development Corporation from 1983-1990, chief of staff to Mayor David N. Dinkins from 1991-'93, and as deputy secretary for intergovernmental relations for the New York State Senate from 2009-'10; and

"WHEREAS, Beyond his professional accomplishments, Dr. John Louis Flateau became well-known for his public service, where he took on a number of key roles, including member, New York State Legislative Task Force on Demographic Research and Reapportionment; commissioner, New York City Districting Commission; member, Redistricting Advisory Group, New York City Board of Education; chairman, U.S. Census Advisory Committee on the African American Population; National Steering Committee, Census Information Centers; co-chair, New York City Black Advisory Committee, Census 2000; and chairman, Board of Trustees, Community School Board 16, Brooklyn; he was also appointed to the Independent Redistricting Commission by Senate Majority Leader Andrea Stewart-Cousins; and

"WHEREAS, An intellectual giant, acclaimed educator and dedicated public servant, Dr. John Louis Flateau was instrumental in shaping the lives of countless students, and his work in both the city and state government helped advance justice and equity for communities across New York; and

"WHEREAS, Dr. John Louis Flateau's public service was only overshadowed by his dedication to community service, where he was involved with a plethora of organizations, including the American Society for Public Administration; American Political Science Association; American Association of Political Consultants; Population Association of America; National Forum for Black Public Administrators; NAACP Brooklyn Branch; Community Board 3, Brooklyn; Citizens Union, Board of Directors; chairman of the board, Achievement First Endeavor Charter School; Vannguard Urban Improvement Association; Bridge Street Development Corporation; DELBAC Inc., Board of Directors, Delta Sigma Theta Sorority, Brooklyn Alumnae Chapter; Senior Board Of Stewards, Bridge St. AWME Church; Thurgood Marshall Scholarship Fund, Inc., Academic Advisory Board; chairman, Medgar Evers College Community Council; NY Voting Rights Consortium; and the Majority Coalition of Redistricting Professionals; and

"WHEREAS, A tremendous leader who uplifted and inspired his community, Dr. John Louis Flateau and his enormous contributions

will have a lasting impact for many years to come; he is survived by his wife, Lorraine; two sons, Marcus and Jonathan, and their families; and four siblings, Anne, Alice, Adele, and Richard; and

"WHEREAS, Dr. John Louis Flateau's infinite selflessness and benevolence will shine on through his family's vivid and happy memories; his insight and strength will forever serve as a beacon of love, light and hope to the countless lives he touched; and

"WHEREAS, Armed with a humanistic spirit and imbued with a sense of compassion, Dr. John Louis Flateau leaves behind a legacy which will long endure the passage of time and will remain as a comforting memory to all who were privileged to have known and loved such an amazing man; he will be deeply missed and truly merits the grateful tribute of this Legislative Body; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to mourn the death of Dr. John Louis Flateau, and to express its deepest condolences to his family; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of Dr. John Louis Flateau."

ACTING PRESIDENT BAILEY: Majority Leader Andrea Stewart-Cousins on the resolution.

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

And I rise to certainly give my condolences to Dr. Flateau's family and all the all those who benefited from the great work that he did throughout our state.

I was just thinking about what normally happens in January the first time that -- besides the welcome address, the first time we really talk and I really pay tribute to someone in January is to Reverend Dr. Martin Luther King, Jr. And the fact that we are paying tribute to Dr. John Louis Flateau is certainly sad but appropriate, because he was a giant in civil rights, in voting rights -- everything that Dr. King stood for nationally, Dr. Flateau stood for not only in his community but beyond.

The second thing that I want to say is that after the Governor signed the Reparations Commission legislation, I got a call from

Dr. Flateau. I wasn't available, it was on December 20th, and it went into voicemail. So he took the time to text, and the text was saying that he appreciated not only what was done, but sharing the story of my family and the story of their history and our history on that day.

And I look back at that text, and I'm just so happy that the fulfillment of something that he worked for so long in so many ways happened before he transitioned.

I also want to say that nothing is guaranteed. And the fact that I missed his call -- I'm sorry, I responded to his text, but little did I know when I woke up on December 30th that I would have the news that he was no longer with us.

So again, I just want to pay tribute to all that he's done for us, certainly as a member of our Independent Redistricting Commission. I want to remind people that this is fleeting. I know we all know this, we're all grownups. But take that time to answer that call or answer that text.

And lastly, at the press conference this morning, someone said, "Are you going to

replace Dr. Flateau?" And my answer then was my answer: I'm certainly looking at his replacement. None of us are irreplaceable, but Dr. Flateau will not easily be replaced. He was a giant, iconic, and his legacy will live on in this state and beyond forever.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Madam Leader.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you. Thank you, Mr. President.

I want to thank the resolution being brought forth by Majority Leader Stewart-Cousins to mourn the passing of a person that was ever so humble, ever so talented, a person that was greatly respected by so many of us: Dr. John Flateau.

Dr. Flateau was a man of rare intelligence who looked at a period marked by injustice and black disempowerment and saw a way out for us.

I was fortunate enough to know him back in my early days, learning in my political life from my former mentor, Councilmember Archie

Spigner, who got me involved in politics on a citywide level back when they were moving from 35 members of the City Council to 51. And I saw what he was doing, how he worked to work the numbers, how he worked to inform people and be able to relate to people, how he could teach from a scientific level, a theoretical level, a personal level, and a level that anyone could understand.

Even though he had the ability to speak to every level, he understood how to speak to the individual that he was encountering, how to talk to people on a level that they could appreciate; how to respect people in a way that they could understand it. While he knew what he was talking about, he wanted you to be part of that. He wanted you to be empowered. He wanted you to understand his passion, and he figured out a way to get it straight to you.

Dr. Flateau learned from some of the great leaders that have passed, including the late Al Vann and Mayor Dinkins. And as you've heard, he's done so many different things. Among the first, he was the first director for the Black, Latino, Hispanic and Asian Caucus.

But I could go on and on about his history, but the resolution was so wonderfully written about his achievements, about his -- the things that he had done, about the many roles that he played to try to make sure that Medgar Evers became a Black think-tank location, to make sure that -- he was also the executive director, first director of the Dubois Bunche Center for Public Policy. And he authored many books, but his first one, Black Brooklyn: The Politics of Ethnicity, Class and Gender.

He worked on so many campaigns. He helped map strategy for so many people, including the legendary operative Bill Lynch, leading to the election of David Dinkins, our first Black mayor.

Our state owes a debt to John Flateau, because he made his time, he made his focus on making sure that there was fairness and equity, that people could understand that there were opportunities by making sure that he taught other people how to do numbers, how to understand how to make numbers work to empower people, and how to make sure that he was able to pass his passion on to so many others.

As the leader said, it's hard to say anyone's irreplaceable, but he truly was a mountain of a man and a humble spirit and a giving spirit.

So I want to thank -- in closing, I want to thank our leader for pausing our deliberations to honor Dr. Flateau's legacy here today. I wish his family, his friends, and all who knew and loved him condolences, and peace, and we can continue to honor him over time.

Thank you very much.

ACTING PRESIDENT BAILEY: Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Mr. President.

It truly is an honor to get up and speak about Dr. John Flateau. When you look back at his years of service -- 55 years, starting from the Summer Youth Program director of Brooklyn Catholic Diocese, until his death in 2023 -- all of which were devoted to public service and particularly to fighting for equity and justice, and a particular attention to the African-American community. And don't forget how difficult it was in those days to be the smartest

and the most diligent person on these issues.

I had the honor of working with him and knowing him twice during his tenure in state government: When he worked for the EDC, when Governor Mario Cuomo was the governor, and he was the leader on attention to the use of state funds and ensuring they went to qualified WMBE contractors. Nobody else was paying attention to it. Dr. John Flateau started the movement of attention by the state's dollars being paid equitably to contractors.

And then in 2009 to 2010, when he was deputy secretary for intergovernmental relations for the State Senate, and the Democrats were in the minority, and I was honored to be the counsel to the Senate Minority. Dr. John Flateau theoretically worked for me, and I really worked for him. He was the boss of all the information that nobody else knew about elections and redistricting, these technical things that my colleague Senator Comrie referenced.

He was truly the greatest expert we ever had here on these issues. I was honored to work with him and really for him. His legacy will live on. And it's our obligation to make

sure that we continue the work that he started and not lose focus on what he was so focused on.

May his memory be a blessing.

ACTING PRESIDENT BAILEY: Senator Myrie on the resolution.

SENATOR MYRIE: Thank you, Mr. President.

I would not be standing here today if not for Dr. Flateau. He paved a way for many of us, but particularly for people that look like me, that look like Kevin, and particularly for young Black men in Brooklyn. Because we didn't have too many examples of brothers who were smart, sharp, politically active, and who cared about the community as well. And Dr. Flateau was all of that and much more.

We have a personal connection to him in Brooklyn because he taught at Medgar, amongst many other things. And I of course have the honor of representing Medgar Evers College now. But it's even more personal because there's so many amongst us that were students of his, both literal and figurative. I was a figurative student of Dr. Flateau; my wife was an actual student of Dr. Flateau.

And what he cared about and fought for aren't just the things that we care about or that had any partisan leaning. Dr. Flateau was a perfecter of democracy. In this country's history we have said we care about democracy; we've even passed laws that say we care about democracy. But it took the struggle particularly of Black Americans to perfect our democracy, to hold us to that highest standard. And Dr. Flateau was such a perfecter. Because he didn't just know about the grand and big ideas, he knew the minutiae. And he knew that the minutiae was where the momentum actually was, and that that's how they had kept people down for a long time, in the details. He knew the details, better than anyone else.

And so I find it appropriate that today not only are we honoring him with this resolution, but we are naming a bill after him to create an elections and voting academic center here in this state. Because the details matter. We can only perfect our democracy with people who care deeply about those it affects the most. And Dr. Flateau was such a person.

So we honor him today, but it's just

the beginning. We will honor him always for what he meant to every single New Yorker in this state.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Mr. President.

I thank you, Madam Leader, for putting this resolution forward.

I got to know Dr. Flateau through his family. I went to school with his sister, who was getting one of her numerous degrees. This is a very elite family. This is a very noble family. And I got to know him then and started working with him a little later.

What can we say of this author, this master of demographics, this administrator? You've heard my colleagues speak of him earlier. I started working with him on a disparity study when we were at the City Council of New York, where several of my colleagues in here were working with us.

And I found a person who was the master of details, who loved the small points,

really rejoiced in matters that most of us would brush past. But he would stop you and say no, no, no, this will lead to this and this will lead to that. Of course we didn't understand how until later on it did, and then we said, Oh, yeah, we knew it all the time.

(Laughter.)

SENATOR SANDERS: Or at least I did.

So I really saw him and struggled -- in fact, it was done so well that this disparity study was never challenged. And this is an area of law that everyone challenges. This was never challenged. We did it back in 2005 or something of that nature. It's still the law of the land in New York City to this day and has withstood all challenges. And if you know me, you will know that Dr. Flateau's hand was very firmly on it.

He was indeed very passionate in his own way. He was not one of these flamboyant, in-your-face kind of guys. He was passionate about the idea of truth and democracy and things of that nature. And he really believed in this. This was not something that was nice words that

he would say. This guy was prepared to die over these words. And he lived over it.

He was well-reasoned, strategic. If you know anything about him, he was a strategic thinker. I regret that I never played him in chess -- not because I would have beat him, but because it would have been a joy watching him demolish me.

(Laughter.)

SENATOR SANDERS: He probably would be that good.

But if you really want to know him, you've got to understand the idea of humility. This was one humble guy who could sit down and he wouldn't throw all of his degrees in your face. He would really work with you and he would take you from wherever you are to where you need to be if you were disciplined enough.

It was an honor to have worked with him. And yes, he absolutely had his hands in these reparations and figuring and trying to make sure that we wouldn't mess it up or whatever.

We will miss him. He -- may we have -- may we have really listened to his guidance. We're going to need it in the days to

come. And if there is a way, let him send some now; we need it.

Thank you very much, and thank you for this resolution.

ACTING PRESIDENT BAILEY: Senator Martins on the resolution.

SENATOR MARTINS: Thank you, Mr. President.

I too rise to remember my time with Dr. Flateau. I first want to thank Leader Stewart-Cousins for bringing forth this resolution.

I had the opportunity to serve on the Independent Redistricting Commission with John. A gentleman, a scholar, a person of strong convictions -- fierce convictions -- but someone I've never heard raise his voice, not once. A person who can convince a room that he was right without ever raising his voice.

A scholar. Obviously a person who was passionate about democracy -- for all, regardless of who they were, regardless of where they lived, in New York City or New York State, be they from Long Island or Western New York or the five boroughs. He was passionate about

making sure that everyone had a seat at the table.

So I did not know that John was ill. I had no idea until this resolution hit the floor. But I will miss him. And I will miss the opportunities we had and I had to learn from him because of the influence he had not only on us on the commission, but certainly on New York State and on New York City. And I think that influence -- and we've heard it here on the floor today -- that influence will continue well beyond his years.

My condolences to the family and to all who knew him.

Mr. President, thank you for the opportunity.

ACTING PRESIDENT BAILEY: Senator Parker on the resolution.

SENATOR PARKER: Thank you, Mr. President.

And I rise to add my voice to those who are celebrating the life of Dr. John Flateau, somebody who's a believer, a member of Bridge Street AME Church, who would really be embarrassed by what's happening here today. He

would be just like, Why are you all making such a fuss. He'd say, Surely you have other things to be doing than talking about me.

But I wanted to thank the leader for her leadership and in saying that this is in fact the right moment.

This is the part of the session where everything has been said but everybody just hasn't said it yet.

But Dr. Flateau was very, very much a personal mentor to me. And his passing and this conversation today and the reading of the resolution made me think through my career, because my career has been absolutely directly shaped by Dr. Flateau. He was somebody who was about black political empowerment, period. Right? And particularly in Brooklyn.

And for a lot of you, you should really read his book, because, you know, we kind of take it for granted now that Brooklyn is the center of the political universe. But John was someone who came in at a time -- and particularly the Black political universe, right? There was a time when everybody used to run to Harlem -- I don't want to call it or everybody will get

mad --

(Laughter.)

SENATOR PARKER: But everybody used to run to Harlem to get everything done. And we kept saying, Why everybody running to Harlem when all the people live in Brooklyn? Right?

(Laughter.)

SENATOR PARKER: We still have the largest concentration of people of African descent in the Western Hemisphere outside of Bahia, Brazil. Right?

And it was really Al Vann and people like John Flateau who really fought to create a Black political power base that demanded people come to Brooklyn and do things in Brooklyn.

He was somebody -- but also saw himself connected to the larger Black community. So John -- and so we all stand on the shoulders of people who have come before us. And I certainly stand on Dr. John Flateau's shoulders. But he stood on the shoulders of Bill Lynch. Right? And, you know, if people don't know who Bill Lynch is, you should look him up. Right? Like he was -- he was David Dinkins' campaign manager, which might have been not even the

biggest thing he did, when you look at it. He was Nelson Mandela's campaign manager. People -- you know, people forget that. Right?

And John Liu's campaign manager, right. Right?

(Laughter.)

SENATOR PARKER: I mean -- I mean, Bill Lynch is -- is -- you know, was somebody who we all kind of worked with, and John learned very closely from him.

So in the David Dinkins second election, I went to work for John, right, and worked on that campaign, which was one of many that he literally like held my hand and showed me how to do politics, showed me how to win elections.

And, you know, he was -- you know, I worked at what used to be the Urban Development Corporation, which is now the Empire State Development Corporation. As Shelley mentioned, he used to run the MWBE program there, right? And now we just all like talk about MWBE kind of flippantly -- we all know what it means. At the time, he actually was the first person to help create that program at the Urban Development

Corporation, and was the first vice president of the MWBE program before anybody talked about, you know, disparity studies and MWBEs and how do you in fact turn political power into economic power and how you use that to fortify communities.

He was at the forefront of every single both electoral and empowerment strategy conversation that we had in the day. He was one of the people who helped create an organization that we used to have, the Council on Black Democrats. Right? We really don't talk about it anymore. But -- right? You remember that, Leroy, right? I mean, he was one of the shapers of that organization that helped many people, you know, get elected and create the power that you see in Black communities now.

I had a second time to work for him, because when he created the Dubois Bunche Center at Medgar Evers College, he hired two people, Gregorio Mayers and me. And I was at the bottom of the totem pole, according to Greg (laughing). And so it's been a long journey.

And I was actually in the Ph.D. program along with Gustavo Rivera when he came to the CUNY Grad Center to get his Ph.D. -- me and

Gustavo were still working for a living, and he's Dr. Flateau. So you know how that -- how that went.

But he just, as everyone said, was a master of the information -- and more importantly than anything else, was never stingy with it. You know, he would call you and tell you, Hey, you should be paying attention to this, you should be doing this, this is the thing that was going on. And he lifted -- he lifted as he climbed. Right? Not just, you know, helping, you know, people who are state senators and, you know, the leaders of the Senate, but students. Right?

You know, my -- my chief of staff was -- started with me as an intern, and I still remember the call, when John called me. It was like, Yo, I got this kid, you need to bring him over and like put him in your operation. And like literally I think 12 years later, 15 years later, he's still working for me. Right? I mean, maybe that means he just can't find another job. But I'm just saying --

(Laughter.)

SENATOR PARKER: -- it's been --

it's been great for me.

But it was oftentimes John who connected you with the information, with the people, with the resources, with the next thing that was happening that you needed to pay attention to.

And so it's appropriate that we remember him, because he's had so much impact on -- on where we are and -- and who we are -- and who we are today. Not just, you know, coming out of Bill Lynch, but the work with Al Vann, connected to people like Esmeralda Simmons and Judge Paul Wooten. Letitia James came, you know, right after, another mentee in that -- in that -- in that string of people who were coming out of Brooklyn looking to empower our communities and make this -- this state and our city as great as it possibly can be.

And so as I take my seat, I just want to say thank you, John, for not seeing it {unintelligible} to pour into a young man who knew nothing about government, just knew that he wanted to run for office one day and help his community. And for teaching him what he needed to know in order to be successful, and never

letting him go even when he made mistakes, even when things didn't go the way you told him to do things -- never forgetting and never letting go of my hand during that whole process.

We miss you, we love you, and we're going to continue to work towards living up to your legacy.

Thank you, Mr. President.

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

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed?

(No response.)

ACTING PRESIDENT BAILEY: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, Leader Stewart-Cousins would like to open this resolution for cosponsorship.

ACTING PRESIDENT BAILEY: The resolution is open for cosponsorship. Should you choose not to be a cosponsor, please notify the desk.

Senator Gianaris.

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

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 1, Senate Print 242, by Senator May, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 2, Senate Print 263, by Senator Stewart-Cousins, an act to amend the Election 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: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 3, Senate Print 371, by Senator Gianaris, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 6. 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 3, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Helming, Martins, Mattera, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 48. Nays, 14.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 4, Senate Print 610, by Senator Hoylman-Sigal, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 5, Senate Print 616, by Senator Myrie, 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: Announce the results.

THE SECRETARY: In relation to Calendar 5, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 6,

Senate Print 657A, by Senator Myrie, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 11. This act shall take effect April 11, 2026.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 6, 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 BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 7, Senate Print 5943, by Senator Skoufis, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 8, Senate Print 6173B, by Senator Skoufis, an act to amend the Election Law and the Vehicle and Traffic Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 9, Senate Print 6675, by Senator Breslin, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: 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 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.

(Pause.)

ACTING PRESIDENT BAILEY: That completes the reading of today's calendar.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, I believe there's also a concurrent resolution at the desk. Can we take that up as well.

ACTING PRESIDENT BAILEY: The Secretary will read the resolution.

ACTING PRESIDENT BAILEY: Senate Resolution 1460, 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: Call the roll on the resolution.

(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: Can we now take up the controversial calendar.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1, Senate Print 242, by Senator May, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Mr. President, let's take up the bills that will have hostile amendments first. And can we begin with Calendar Number 7.

THE SECRETARY: Calendar Number 7, Senate Print 5943, by Senator Skoufis, an act to amend the Election Law.

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

SENATOR LANZA: Good afternoon, Mr. President.

Mr. President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize

Senator Walczyk to be heard.

ACTING PRESIDENT BAILEY: Thank you, Senator Lanza.

Upon review of the amendment, in accordance with Rule 6, Section 4B, I rule it nongermane and out of order at this time.

SENATOR LANZA: Accordingly, Mr. President, I appeal the ruling of the chair and ask that you recognize Senator Walczyk.

ACTING PRESIDENT BAILEY: The appeal has been made and recognized, and Senator Walczyk may be heard.

SENATOR WALCZYK: Mr. President, I rise to appeal your ruling. The proposed amendment is germane to the bill at hand because the bill at hand moves judges, and others, on a place on the ballot. And I have offered up this very helpful amendment.

So Section 1 of this amends Section 80 of the Town Law to restore local elections to odd-numbered years. Section 2 amends subdivision 4 of Section 17-1703A of the Village Law to restore local elections to odd-numbered years. And Sections 3, 4 and 5 offer technical repealing language.

Moving local elections from odd years to even years is terrible policy for New York. It directly circumvents home rule powers afforded to counties, towns and villages under state law. New changes are not going to make new elections more cost-effective. Instead, they will increase the length of ballots and push voters to choose from as many as 25 candidates in a single cycle.

Focus on local issues will diminish, which is not good for governments closest to the people.

And lastly, new changes have bipartisan disapproval.

This bill that -- this amendment that I'm offering rectifies the hyperpartisan changes that will hurt New York's republic for years to come. And I say "republic" because the first thing that we did in this chamber today and when we opened this session last week is we all looked at the flag of the United States and pledged allegiance to it and the republic for which it stands.

So I offer up these amendments.

ACTING PRESIDENT BAILEY: Thank

you, Senator Walczyk.

I want to remind the house that the vote is on the procedures of the house and the ruling of the chair.

Those in favor of overruling the chair, signify by saying aye.

(Response of "Aye.")

SENATOR LANZA: Request a show of hands.

ACTING PRESIDENT BAILEY: A show of hands has been requested and so ordered.

Announce the results.

THE SECRETARY: Ayes, 21.

ACTING PRESIDENT BAILEY: The ruling of the chair stands, and the bill-in-chief is before the house.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Walczyk to explain his vote.

SENATOR WALCZYK: Mr. President, I

was actually -- could I lay this bill aside and ask some questions? Would the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: Since -- Senator Walczyk, Senator Skoufis has agreed to yield.

SENATOR WALCZYK: Thank you, Mr. President. Sorry about that. Kicking some of the rust off here.

Appreciate you yielding for some questions.

This bill will move judges to the back of the ballot. Am I understanding that correctly?

(Pause.)

SENATOR SKOUFIS: Through you, Mr. President, I apologize; getting some clarification.

So I understood and I understand that judicial offices are moved further down the ballot. I was clarifying as to whether they're moved, as you describe it, to the complete back of the ballot or not.

What this bill does is it standardizes the ballot order, which currently

has no standardization in state statute. And judicial offices are moved towards the end of the ballot, yes, after member of Congress, member of the State Senate, member of the Assembly -- which, as I'm sure you know, are currently subsequent to judicial offices on the ballot.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor continue to yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Isn't the current standard based on the size of district or the number of people that you represent?

SENATOR SKOUFIS: Through you, Mr. President, that's my understanding.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: I just wanted to clarify that, because you said that there was currently no standard and that's what we're looking to remedy here. But if the standard exists and has been in practice, Board of Elections writes them on the ballot based on the number of people that they represent. I just, for the record, wanted to button that up.

So if you would continue to yield.

Reaching out to the judiciary -- obviously, if you're moving judges to a new place on the ballot, I'm sure the judicial branch had something to say about that. What did the Office of Court Administration or judges that you spoke with have to say about this proposal?

SENATOR SKOUFIS: Through you, Mr. President, I'm not aware of the Office of Court Administration weighing in on changes to the Election Law.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: I know you're aware the Board of Elections is a bipartisan body and -- have they -- have they said anything about this legislation? Do they -- do they support it, as they often will issue memos of support and opposition on things?

SENATOR SKOUFIS: Through you, Mr. President, it's -- it's common for -- I'll speak for my office -- to reach out to the State Board of Elections for technical input, and we may well have done that on this bill.

This bill has been around for several years. I believe Senator Kaminsky carried it prior to my taking over the sponsorship.

But I'm not aware of the State Board of Elections issuing -- if this is what you're asking -- a memo of support or opposition, no. I don't think they do that.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to

yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Where did the idea for this legislation come from?

SENATOR SKOUFIS: Through you, Mr. President. As I just said literally 15 seconds ago, one of our former colleagues carried the bill before I did. Senator Kaminsky.

SENATOR WALCZYK: Thank you.

Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Walczyk on the bill.

SENATOR WALCZYK: Our constitutional republic is better served when citizens educate themselves, obviously, about the candidates that are on the ballot. When you lump local elections in with federal elections, you're eroding the decentralized principles of the very founding of this country.

This bill purports to literally prioritize politicians based on nothing -- their

position on the ballot based on nothing more than political expedience and political rank as some see it. The judiciary deserves your respect as a coequal branch, and frankly so do the voters.

People aren't frustrated because Supreme Court candidates are in a spot on the ballot that is representative of how many people are within their Supreme Court district. People are frustrated, they're angry because bills like this continue to degrade the very importance of the local elections, the local governments that should be the closest to them and representing their needs the best.

In high school we learned about checks and balances, but bills like this show that politics sometimes creeps its way into this body, and that those principles unfortunately govern policies like this more than respecting a coequal branch of government.

And for those reasons and many others, Mr. President, I vote no.

ACTING PRESIDENT BAILEY: Announce the results.

Call the roll.

THE SECRETARY: Section 2. This

act shall take effect on the first of January.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Again, announce the results.

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

Senator Gallivan is actually in the affirmative.

Ayes, 45. Nays, 17.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, I had read with interest that Senator Walczyk was being deployed, but I guess that hasn't happened yet. So --

(Laughter.)

SENATOR GIANARIS: -- thank you for your service, Senator Walczyk.

(Laughter.)

SENATOR GIANARIS: Can we move on to Calendar Number 8, please.

ACTING PRESIDENT BAILEY: Yes. Thank you, Senator Gianaris.

As we're shaking the rust off, let us be reminded of the proper order of calling these things.

The Secretary will read.

THE SECRETARY: Calendar Number 8, Senate Print 6173B, by Senator Skoufis, an act to amend the Election Law and the Vehicle and Traffic Law.

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

SENATOR LANZA: Mr. President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize Senator Walczyk to be heard.

ACTING PRESIDENT BAILEY: Thank you, Senator Lanza.

Upon review of the amendment, in accordance with Rule 6, Section 4B, it is nongermane and out of order at this time.

SENATOR LANZA: Mr. President,

accordingly, I appeal the ruling of the chair and ask that you recognize Senator Walczyk.

ACTING PRESIDENT BAILEY: The appeal has been made and recognized, and Senator Walczyk may be heard.

SENATOR WALCZYK: Mr. President, I rise with a helpful amendment because I'm not done yet. We call them hostile amendments in this body, but I really am attempting to address some of the challenges that you're attempting to address in the bill-in-chief.

So I have a bill here that requires a -- a helpful amendment that requires that someone voting in person present a valid government-issued photo identification. It defines what is included in a valid and current government-issued photo identification -- most of them are in your pockets or purses -- and provides that someone who does not possess a valid and current government-issued photo identification shall be allowed to cast an affidavit ballot which the local Board of Elections shall be responsible for determining the validity of.

It's great to make sure that people

are who they claim to be while ensuring that a voting experience is easy for citizens. But also, you can pay all of the consultants, multistate groups, create new programs at SUNY and CUNY and do all of the elections law changes that you're doing right now, come up with all of these new schemes, but you're really tying the hand behind the back of anyone who is trying to clean up the voter rolls, because your bill would be so much more successful if we had voter I.D. in the State of New York.

You can't buy cough syrup or visit a school without identification. It's no inconvenience to voters, who are the most powerful tools in validating their own voter information. Rather than paying all of those groups and consultants to do it for us, enlist the voters who show up to the polls once a year and have that constant contact with their government.

Your bill needs this helpful amendment, and that's why I offer it up. And for those reasons, Mr. President, I strongly urge you to consider -- reconsider your ruling.

ACTING PRESIDENT BAILEY: Thank

you, Senator Walczyk.

I want to remind the house that this vote is on the procedures of the house and the ruling of the chair.

Those in favor of overruling the chair, signify by saying aye.

(Response of "Aye.")

SENATOR LANZA: Request a show of hands.

ACTING PRESIDENT BAILEY: A show of hands has been requested and so ordered.

Announce the results.

THE SECRETARY: Ayes, 21.

ACTING PRESIDENT BAILEY: The ruling of the chair stands, and the bill-in-chief is before the house.

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: Ayes, 62.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Next up is Calendar Number 1, please.

THE SECRETARY: Calendar Number 1, Senate Print 242, by Senator May, an act to amend the Election Law.

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

SENATOR BORRELLO: Mr. President, hello.

ACTING PRESIDENT BAILEY: Good to see you, George.

SENATOR BORRELLO: Good to see you as well.

Will the sponsor yield for a question?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I'd be glad to.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President. So at our Elections meeting

earlier today, I heard you say that, Well, this isn't really -- you know, this is something so you don't have to have a polling place for the entire early voting period, that if they wanted it to be -- the Board of Elections would like to do it for just three days -- I'm paraphrasing -- for just three days.

But previously when we've debated this bill -- I think this is the third time you and I have debated this bill -- I've brought up the analogy of a -- like a Board of Elections food truck, and you said yeah. You know, it could have wheels, it could be moving around. But today it sounded like it could be just something stationary, like you could throw up a card table at Walmart and have people vote there.

So I guess my first question is, what will this look like?

SENATOR MAY: Through you, Mr. President. Thank you for debating this three times. It makes me feel like this bill is really important.

I will say we don't know exactly what it will look like, because it will be up to the boards of elections to decide that. The bill

says it has to exist for a minimum of three days. It could be a mobile van of some kind that is capable of printing ballots and having the security necessary. It could be a library or the kinds of places we recognize as ordinary polling places, whatever the two elections commissioners from that county agree is a suitable place.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President.

So we really haven't defined what this looks like. It could be any number of things. But yet we do have standards, and we want -- you know, part of being -- having a secure election is to ensure that we are meeting certain standards. And you say security very vaguely, in the sense that we ought to make sure it has security.

So what oversight is going to occur

to ensure that this isn't just a card table with a box and people come up and, you know, fill out the ballot and drop it in the box? What are we doing to secure these -- you know, these portable voting stations?

SENATOR MAY: As the bill states, these polling sites will be subject to the exact same requirements as the nine-day early voting sites or the one-day Election Day sites. They will have the exact same requirements.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President. You'd said last year that you could have these portable stations sent to a -- you know, a high-traffic area where lots of people are. I think your exact words were, you know, that, you know, you can predict that there will be a lot of people there, and that's a good place to set up a polling station.

So, you know, who's determining, you know, what the -- that would be considered and where they're going to go? I mean, you know, are we going to -- where are they going to be set up? How will that be determined if we're following certain guidelines?

SENATOR MAY: Through you, Mr. President. It will be determined by the two elections commissioners from any given county that chooses to use this -- this option.

We have examples from other states. In Boise, Idaho, they put some portable polling sites in rural areas where it was very hard for people to get to the full 10-day or whatever the length of time is in Idaho the -- they couldn't get to the polling sites, so they would put them in places where they believed that people otherwise did not have ready access to early voting.

I imagine there are large employers in some districts -- when Micron opens its facility in -- north of Syracuse, there will be thousands of people working in that facility. That might be a place where, during the weekdays, it would be appropriate to have a site set up.

If you had a county fair with a lot of people expected to be there over a few-day period, that might be a good place for a board of elections to set something up.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President. I don't expect you to necessarily know the answer to this question, but you brought up Boise, Idaho, as an example of getting rural -- getting some rural voters access. Do you know, do they have early voting like we have here in New York State, 10 days of voting when you include early voting, in Idaho?

SENATOR MAY: Through you, Mr. President, I don't honestly know the exact situation in Idaho.

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

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR MAY: I will.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So you brought up the -- Micron and the fact that, you know, you have a large employer there that would somehow be set up and be giving some kind of preferential treatment. Yet usually we try to, you know, keep these things a little more neutral. We're not giving a preference to -- to, you know, to one employer over another or to one group over another.

So what kind of oversight will there be for those local boards of elections to ensure that these portable polling places are being fairly distributed?

SENATOR MAY: Mr. President, once again, it would be decided by the two elections commissioners, who are from different parties, who would be making that consideration.

I would hasten to say that it wouldn't be about preferential treatment to Micron, but about making sure the largest number of voters have access to the polls.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MAY: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: I just want to go back to the Micron example. I think we all would agree that this would not have happened without heavy, heavy, heavy subsidy from New York State government, from our Governor, and so forth.

Do you think it's fair that we would set up a portable polling site in front of a place that's employing thousands of people that are benefiting from one particular, you know, elected official's generosity with our taxpayer funds?

SENATOR MAY: Through you, Mr. President. I will say it one more time. We're talking about two elections commissioners from opposing parties who would be jointly making this decision together, and not expecting or seeking any kind of favor from the voters

themselves because they are not elected by the voters themselves.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you once again, Senator May, for the indulgence with that debate.

You know, we've heard this now three times, three years in a row, and just can't get a clear answer as to what this looks like. And I know the fallback is that we have this board of elections were we have a Republican and a Democrat and they are going to work together to make sure it's fair.

Well, we have that in a lot of situations, but yet it doesn't stop New York State government from, you know, having -- lording over those situations with a lot of rules to ensure that, you know, things are being done above board.

But all of a sudden now, we're going to let the local election -- board of elections folks decide for themselves how this is going to

look. And I do have faith in our local boards of elections and the bipartisan manner. However, we've also at the same time been pushing to, quote, unquote, professionalize our boards of elections.

So how much longer will we have a Republican and a Democrat in every municipality, every county in upstate New York, that are able to have that bipartisan discussion and debate? The answer is maybe not for much longer. So something like this could all of a sudden become under the purview of someone who is not having the best interests in a bipartisan manner.

But let's just go back to the fact that we really don't know what this is going to look like. A couple of years ago it was a food truck; now it's just a temporary location. We're really not sure. We're not sure how it's going to look. And now we've decided that our local boards of elections are going to be experts at being able to produce something that actually no one has ever seen in New York State.

This has got a lot of problems. It continues to have a lot of problems. And as I've said many times before, the most important thing

is to ensure that the people of New York State believe that our elections are secure and that their vote counts. And this is just one more step in the wrong direction, as are many of the other bills we've voted on today, that will undermine the confidence in our elections here in New York State.

So I'll be 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.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

When I first thought about running for office in 2018, a big part of the reason was

that it was hard to vote in New York State and I was frustrated that our elections system was so difficult compared to that in other states. And early voting was one of the first things we passed when we gained the majority, one of the very first votes I took in this chamber.

Increasingly, New Yorkers are making use of early voting, and I am proud that we are passing this bill to offer yet another bit of flexibility for voters to make use of that early voting and for boards of elections to bring the voting to where the people are.

I do want to say this term "portable polling places," while they can be portable, the reality is that on Election Day we have one-day voting sites. These will be three-day voting sites. So to imagine that they are somehow more flighty or difficult to imagine is really, I think, taking out of context what we're trying to do here, which is creating flexibility, bringing the ballot box to the people where they are, and making sure that the most people possible who are eligible to vote can exercise the franchise in New York.

I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 42. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Last but not least, Mr. President, Calendar Number 4.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 4, Senate Print 610, by Senator Hoylman-Sigal, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Senator Walczyk, why do you rise?

SENATOR WALCZYK: I rise because I'm hoping the sponsor will be willing to yield

for some questions.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Thank you.

Through you, Mr. President. What is the goal of this bill?

SENATOR HOYLMAN-SIGAL: I'm sorry?

SENATOR WALCZYK: The bill's goal.

SENATOR HOYLMAN-SIGAL: The bill's goal. Well, ultimately, as you've heard today -- through you, Mr. President -- the goal of all of these bills is to increase voter turnout, to extend the franchise as widely as possible to get as many New Yorkers to pursue their right to vote and fulfill that solemn responsibility.

Specifically, the goal of this bill is to permanently authorize the use of absentee ballot drop boxes in the state as a means to return absentee ballots. This bill is permissive in nature, Mr. President, and gives counties the authority to use drop boxes if they so see fit. The Board of Elections would be authorized and

directed to promulgate related rules and rules and regulations, including emergency regulations if needed.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Now, last year we funded postage for absentee ballot applications and for absentee ballots. Is there a concern that the United States Postal Service will not be able to deliver those ballots effectively?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. Look, we've all placed letters in our post boxes, and I was reading recently that one took a hundred years to be delivered to the recipient. That was in the United Kingdom. But nevertheless, we know that the post office can be irregular.

But this is not about the post office. This is about creating another

opportunity, another mechanism for voters to return their absentee ballots. In fact, 25 states, Mr. President, use ballot drop boxes, and they've done so with very few incidents.

And we understand that there is concern around ballot drop boxes, but it is completely unfounded. It is based mostly on a 2021 documentary called 2000 Mules by a right-wing conspiracy theorist named Dinesh D'Souza, who claims there were 2,000 people -- or mules, as he calls them -- who were hired by unnamed nonprofits dubbed "stash houses" to conduct ballot trafficking, stuffing numerous drop boxes with potentially fake absentee ballots.

Now, that is a conspiracy theorist who's working with the 45th President of the United States, an election denier, and someone who wants to restrict New Yorkers' right to vote, not expand it.

SENATOR WALCZYK: Through you, Mr. President, if the sponsor would yield for another question about the United States Postal Service.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR HOYLMAN-SIGAL: I'm not an expert, but yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: To your -- to your knowledge, has the United States Postal Service lost any ballots that were mailed in the State of New York?

SENATOR HOYLMAN-SIGAL: It's possible. I have no -- I have no evidence of that.

SENATOR WALCZYK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: To your knowledge, has the United States Postal Service ever committed fraud with a ballot or failed to postmark a ballot when it was dropped off at the proper time?

SENATOR HOYLMAN-SIGAL: Not to my knowledge, Mr. President.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: How long would the drop boxes that you're proposing be available to the public? Would they be available on Election Day?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President, yes, they would be available.

But as our -- as our bill sets forward, the actual regulations would be determined by the New York State Board of Elections.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So while New Yorkers would have poll sites to visit, these would be working in -- adjacent to poll sites to also -- you would also have drop boxes on Election Day, the voters could either choose to take an absentee ballot to a drop box or go to a poll site and vote with the other voters that are voting on Election Day?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President, yes, but it -- that is the operating theory. But it would be up to the New York State Board of Elections to draw up those specific regulations.

The idea is that folks wouldn't have to stand in line for hours -- working-class New Yorkers who have kids and jobs and who are -- obviously have a lot to do, could take advantage of a repository, a secure drop box where they could, at their convenience, during specified times as set forward by the New York State Board of Elections, drop their absentee ballot off.

SENATOR WALCZYK: And through you,

Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: What time of day would the drop boxes close?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. Not specified in the bill. It would be up to the New York State Board of Elections to draw up those regulations.

And they would close, according to this section, when the polls close on Election Day.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So these drop

boxes would be available at 2 a.m. prior to Election Day, but on Election Day they would close at 9 p.m., am I understanding that right, or when the polls close?

SENATOR HOYLMAN-SIGAL: Again, it would be up -- through you, Mr. President, it would be up to the -- to the State Board of Elections to draw up those specific hours and days.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Clearly a polling site closes the door and shuts down at 9 p.m. You know, if you show up at 9:05, sorry, you missed it. Hopefully you mailed your absentee ballot, or we'll catch you next year, maybe you should apply for absentee, would be the message to the -- to the voters.

What is the mechanism of shutting

down a drop box that's placed somewhere in the community at 9 p.m. on Election Night?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. Well, 25 other states have and are doing this.

By the way, there's again a whole movement to restrict absentee ballot drop boxes by some state legislatures, led by parties other than mine.

But the -- the way it works in other states is that the drop boxes are closed when the appointed hour passes for -- on Election Day. But again, that would be up to the New York State Board of Elections to determine specific rules and regulations.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Will ballot drop boxes be uniform? The size, the color, will that

be up to the local board of elections? What are the options in your proposal here?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. Again, specifics about design, size, weight, look and feel would be decided by the New York State Board of Elections.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: This bill that you're proposing which would have more drop boxes for absentee ballot receipt on Election Day up until the time that polls close, what security will be in place to prevent noncitizens from putting ballots into those boxes?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. Through you, Mr. President. I think, you know, the first question would be how a noncitizen acquired a ballot in the first place to cast.

But that said, any ballot that is placed in an absentee ballot drop box would have to be verified, just like an absentee ballot that is sent through the mail has to be verified.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: You know, that brings up a good question. Will there be a difference between the look or any identification -- sometimes the Board of Elections is able to code different applications. Will there be a difference in the way that an absentee ballot that goes into a drop box looks versus one that is sent in the mail and postmarked by the United States Postal Service?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. No, it would just be your standard New York State absentee ballot.

SENATOR WALCZYK: And through you,

Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Would that absentee ballot that goes into the drop box up until the polls close on Election Night -- what kind of marking does that receive to show that it was properly cast so that the Board of Elections could look at it?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. Again, the specifics of how a ballot, absentee ballot that's dropped into an absentee ballot drop box is marked would be up to the New York State Board of Elections to determine as soon as we pass this bill.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Would the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: With -- with drop -- I mean, clearly you can walk into a poll site with a number of ballots or request a number of ballots at the desk and say, Yeah, I'd like three or four to submit and send them in, and you get the beautiful "Your ballot was cast successfully," and you could just feed a few through. Obviously there's a whole staff of board of elections at a polling site to make sure that everyone only gets one vote.

What security measures are there with drop boxes to ensure that someone isn't putting more than one ballot in one of these drop boxes?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. It would be the same as any other receipt of an absentee ballot. You're entitled to one, and to cast one.

But any specific additional provisions regarding the safety of -- and security of absentee ballot drop box voting would be determined by the Board of Elections.

And let's -- and let's understand

very clearly: Again, 25 states utilize absentee ballot drop boxes, and they do it successfully without any controversies. Notwithstanding the election deniers -- which I assume you are not one -- who claim that the 2020 election was stolen and who have fueled this conspiracy theory on social media and elsewhere. There is not a scintilla, not a scintilla of evidence that absentee ballot drop boxes lead to less voter security and election integrity.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: To those that are familiar with how a board of elections runs, with a Democrat and a Republican commissioner to offset each other, they share keys to certain rooms where ballots can only be accessed if both of them or a representative is present, and we've got a bunch of Election Law that guarantees that.

So the -- with your drop box proposal that we're about to vote on here, what surveillance or what sort of basic security measures are there to ensure that those ballots are protected at the drop box? Will there be a video surveillance on each one of these drop boxes? Is that written into your legislation here?

SENATOR HOYLMAN-SIGAL: Through you -- through you, Mr. President. Again, issues around chain of custody would be determined by the New York State Board of Elections.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Not just chain of custody. But if Board of Elections just wanted to make sure that no one was tampering with the box or -- you know, obviously if you've got ballots in there, that's something that they

would want to keep secure. They have vaults for that purpose at a lot of boards of elections.

What basic security measures are written in with your proposed change here?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. Again, I don't mean to sound like a broken record, but it would be up to the New York State Board of Elections to draw up rules and regulations regarding the security and integrity of these ballot drop boxes.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: And the bearing of costs for the -- for the drop boxes, where does that sit?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. Let's understand that this is not a mandate. It's up to counties to determine whether they want to use ballot drop

boxes and increase the franchise, which we've seen in other jurisdictions. There in fact was a study that showed that voter opportunity was able to be increased close to -- close to 1 percent, depending -- depending on the proximity to the voter.

So the local boards would make that determination. We have provided, in our last budget, an additional $15 million for our local boards of elections that they potentially could use in part for this purpose.

SENATOR WALCZYK: Thanks very much.

Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Walczyk on the bill.

SENATOR WALCZYK: And I appreciate your answers.

It's 2024. We just opened this session. It's a presidential election year, nationwide. The first action and the first bills that this body took up today was to change a bunch of election law and then put drop boxes all over the place.

I -- this bill will allow someone to drop as many ballots as they would like to or

they have access to, up until the polls close on Election Night, without any surveillance, while the polls are still open, and there's no way to separate those ballots by identification from any other ballots that have been cast.

So you talk about disenfranchisement and the faith in our election; you can see how voters may be a little frustrated, if they're one that goes to the poll site and they're very concerned that others are offsetting their -- their vote.

Faith in our electoral process is the bedrock of this constitutional republic. And proposals like this erode confidence and endanger the simple security of our elections.

For the sake of our republic, I will be voting no and I encourage my colleagues to do the same. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

Senator Rhoads.

SENATOR RHOADS: I -- not to ask any -- not to ask any questions --

ACTING PRESIDENT BAILEY: Senator Rhoads, are you on the bill? Or are you going to explain your vote later?

SENATOR RHOADS: Explain the vote.

ACTING PRESIDENT BAILEY: Okay. Thank you.

Senator Canzoneri-Fitzpatrick?

SENATOR CANZONERI-FITZPATRICK: I'll just explain my vote.

ACTING PRESIDENT BAILEY: To explain your vote.

So debate is closed.

The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Mr. President.

You know, this -- this has nothing to do with -- with election denying. It has to

do everything with common sense. And I agree with Senator Walczyk. The issue here is the fact that there is no security behind these ballot boxes.

It would make perfect sense to me if these ballot boxes were going to be placed at polling sites so that there would be supervision from employees of the Board of Elections so that they can guarantee that everything is being done the way it's supposed to be done.

It would make sense -- I mean, even if you put a ballot box at a post office, virtually every town in the State of New York has a post office. The post offices are open, there's monitoring. It would be secure. So even if they don't want to pay for a stamp and actually put it in the mailbox at the post office, there could be a drop box in the lobby of a post office -- many have 24-hour access, right -- where there would be some level of security.

Here, this bill provides no instruction whatsoever as to what these ballot boxes are supposed to look like, how these ballot boxes are supposed to be secured, how the ballots

that go into those boxes are going to be secured.

So literally, if the Board of Elections were to say, Hey, you know what, I've got a Hammermill Paper box and I'm going to cut a slit in the top of it, and it's secure because I'm wrapping it in duct tape, that is going to pass under this legislation. But we all know that that's not secure.

I think this bill is a mistake. I am all for giving voters more opportunities to be able to participate in the process, but we have to do it in a way that keeps the integrity of the ballots and the integrity of the process secure. This does not do it.

My vote is in the negative.

Thank you, Mr. President.

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

Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Mr. President.

The sponsor did make some points about wanting to make sure that every vote is counted. And while it's been intimated that this

side of the aisle is afraid of people voting that don't have the right to, the other issue that we have to be concerned about is that ballots are going into a box -- and in my head it's envisioning what is very similar to be a FedEx box.

And on Long Island, in my business in Nassau County, we use FedEx boxes all the time to get legal documents back and forth. And I've unfortunately had multiple occasions where boxes have been broken into, documents never arrive, checks are lost, original documents, delayed closings.

So I -- I fear that a person who took the time to fill out a ballot, which in Nassau County will probably have more than 30, 30-plus electoral -- candidates that they're voting for, that that ballot's going to disappear potentially if somebody breaks into that box.

We have no surveillance. We have no way of counting how many ballots went into that box. We have no way of determining which residents, which constituents voted. And I daresay that -- I know that there are people sitting in this chamber that won by less than

20 votes. So one box being compromised has the risk of changing what our electorate want. And that's dangerous.

As my colleague Senator Walczyk pointed out, there are so many issues with the security of these precious ballots that -- it is our basic constitutional right to vote, and we have a duty to safeguard that. And I don't think that this bill is doing that.

For those reasons, I'll be voting in the negative. Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Canzoneri-Fitzpatrick to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 4, 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: Is there any further business at the desk?

ACTING PRESIDENT BAILEY: There is no further business at the desk.

SENATOR GIANARIS: Move to adjourn until tomorrow, Tuesday, January 9th, at 11:00 a.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Tuesday, January 9th, at 11:00 a.m.

(Whereupon, at 5:00 p.m., the Senate adjourned.)