NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 31, 2024

12:24 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT MAYER: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, January 30, 2024, the Senate met pursuant to adjournment. The Journal of Monday, January 29, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Rivera

moves to discharge, from the Committee on Rules, Assembly Bill Number 8523 and substitute it for the identical Senate Bill 8055, Third Reading Calendar 45.

Senator Sanders moves to discharge, from the Committee on Rules, Assembly Bill Number 8537 and substitute it for the identical Senate Bill 8094, Third Reading Calendar 73.

Senator Cooney moves to discharge, from the Committee on Rules, Assembly Bill Number 8550 and substitute it for the identical Senate Bill 8023, Third Reading Calendar 177.

Senator Webb moves to discharge, from the Committee on Rules, Assembly Bill Number 8563 and substitute it for the identical Senate Bill 8027, Third Reading Calendar 178.

Senator Mannion moves to discharge, from the Committee on Rules, Assembly Bill Number 8546 and substitute it for the identical Senate Bill Number 8032, Third Reading Calendar 180.

Senator Serrano moves to discharge, from the Committee on Rules, Assembly Bill Number 8527 and substitute it for the identical Senate Bill 8041, Third Reading Calendar 181.

Senator Hoylman-Sigal moves to discharge, from the Committee on Rules, Assembly Bill Number 8570 and substitute it for the identical Senate Bill 8042, Third Reading Calendar 182.

Senator Rivera moves to discharge, from the Committee on Rules, Assembly Bill Number 8497 and substitute it for the identical Senate Bill 8047, Third Reading Calendar 186.

ACTING PRESIDENT MAYER: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Serrano.

SENATOR SERRANO: Thank you, Madam President.

On page 16 I offer the following amendments to Calendar Number 113, Senate Print Number 7783A, by Senator Gianaris, and I ask that that bill retain its place on the Third Reading Calendar.

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

Senator Serrano.

SENATOR SERRANO: On motions and resolutions, Madam President, please take up previously adopted Resolution 1742, by Senator Webb, read the resolution title only, and recognize Senator Webb.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 1742, by Senator Webb, memorializing Governor Kathy Hochul to proclaim January 2024 as Slavery and Human Trafficking Prevention Month in the State of New York.

ACTING PRESIDENT MAYER: Senator Webb on the resolution.

SENATOR WEBB: Thank you, Madam President.

I rise to thank my colleagues here in the Senate for supporting this resolution memorializing Governor Kathy Hochul's proclamation to declare January 2024 as Slavery and Human Trafficking Prevention Month in the

State of New York.

This was first declared as Slavery and Human Trafficking Prevention Month back in 2010, and January has been a time to acknowledge those experiencing, still in this day, enslavement, and those who have escaped.

Although slavery is commonly thought to be a thing of the past, human traffickers continue to trap millions of people in horrific situations around the world and can target our communities.

Human trafficking is a global phenomenon that generates $150 billion in annual profits. And in the year 2021, an estimated 25 million people were trafficked all over the world.

There is a strong relationship between human trafficking and missing and murdered Black and Indigenous women and girls of color, an issue we have recently addressed here in New York with my legislation, the New York State BIPOC Task Force, which is now a law, which was recently signed.

And this task force will work in tandem with the Interagency Task Force on

Human Trafficking to develop policy changes with the New York State government agencies to address the lack of care and concern for trafficking victims of color.

The statistics are disproportionately worse for BIPOC community members nationwide, and here in New York is no exception. According to data from the National Crime Information Center, of the more than 250,000 women and girls that were reported missing across the country in the year 2020, 40 percent were BIPOC, and with Black women and girls making up 30 percent of those numbers.

Slavery and Human Trafficking Prevention Month was implemented to raise public awareness about this serious issue, one which we in this legislative body have taken significant actions to combat. And I want to thank my colleagues for continuing to do the good work on this.

Additionally, Madam President, on the occasion of this resolution I would like to welcome a distinguished guest to our chamber.

Dawn Rowe is the president and founder of Girl Vow, Incorporated, a nonprofit

organization dedicated to lifting up the voices of Black women and girls and brown women and girls.

Under Dawn's leadership, Girl Vow performs critical work fighting for justice for the staggering number of missing and murdered women and girls of color here in New York and across the nation -- women and girls who are often victims of human trafficking.

Dawn's presence in our chamber today is a testament to her tireless work as an advocate for missing and murdered BIPOC women and girls. I am humbled and proud to call Dawn not only a friend but an unwavering advocate. And I am inspired by her work to help families and communities across our state and nationally to find missing loved ones so that they can heal.

She inspires me and many others with her service. She works tirelessly, especially to support marginalized women who, as we know, do not get the same care and concern when they go missing.

Earlier today we celebrated the signing of the task force legislation -- which is now law -- to address this epidemic of missing

and murdered BIPOC girls and women here in New York. I want to thank Dawn and Girl Vow for their partnership and for their continued work to make New York a safe and secure place for every girl and every woman.

And with that, Madam President, I ask that you welcome Dawn to our chamber, and I ask my colleagues to vote in favor of this resolution by saying aye.

Thank you so much.

ACTING PRESIDENT MAYER: Thank you, Senator Webb.

To our guest, Ms. Dawn Rowe, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of the house.

Please stand and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: The resolution was previously adopted on January 30th.

Senator Serrano.

SENATOR SERRANO: Thank you, Madam President.

At the request of the sponsor, the

resolution is open for cosponsorship.

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

Senator Serrano.

SENATOR SERRANO: Thank you.

Let's please take up the reading of the calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 45, Assembly Print 8523, by Assemblymember Paulin, an act to amend the Public Health Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to

Calendar 45, those Senators voting in the negative are Senators Borrello, Gallivan and Oberacker.

Ayes, 49. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 73, Assembly Bill Number 8537, by Assemblymember Hunter, an act to amend the Banking Law and the New York State Urban Development Corporation Act.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

172, Senate Print Number 8017, by Senator Stavisky, an act to amend a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 172, voting in the negative: Senator Lanza.

Ayes, 51. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 177, Assembly Bill Number 8550, by Assemblymember Rajkumar, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 178, Assembly Bill Number 8563, by Assemblymember Bichotte Hermelyn, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 179, Senate Print Number 8031, by Senator Hoylman-Sigal, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

I realize that this chapter amendment undoes some of the more damaging parts of the Birds and Bees Act, but I still can't in good conscience vote in favor of this bill.

We once again, as a body, as a State Legislature and a state government, have cut open a huge, gaping wound in our agricultural industry, and now we've handed them a Band-Aid

and we expect them to say thank you. And that's what this is.

So I understand the Governor negotiated, after signing the bill, some of these changes. That was certainly a leap of faith on her part. But again, she's been the arsonist firefighter once again -- created a problem for our agriculture industry and now wants a thank-you for making it less bad, we'll say.

The bottom line is this, folks. We have taken huge, huge chunks out of our agricultural industry here in New York State. And I thought, after the pandemic, we saw the impact of a weak food supply chain on our state. And once again, we are not going to eliminate these coated seeds from the food supply chain, not here in New York State. Instead, we're going to rely on other countries and other states for our agricultural needs, for our food, the things that we need every day to feed our families.

So we can stand here and pat ourselves on the back that we've done something, but in the end we've done nothing except for put another nail in the coffin of our agriculture industry.

So I'll be voting no. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 179, those Senators voting in the negative are Senators Borrello, Gallivan, Lanza, Mannion, Oberacker, O'Mara, Ortt, Rolison, Stec and Weber. Also Senator Tedisco.

Ayes, 41. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 180, Assembly Bill Number 8546, by Assemblymember Burdick, an act to amend the State Technology Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 181, Assembly Bill Number 8527, by Assemblymember O'Donnell, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 182, Assembly Bill Number 8570, by Assemblymember Lee, an act to amend the General Business Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 182, those Senators voting in the negative are Senators Gallivan, Griffo, Helming, Lanza, Murray, Oberacker, O'Mara, Ortt, Palumbo, Stec and Tedisco.

Ayes, 41. Nays, 11.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 186, Assembly Bill Number 8497, by Assemblymember Paulin, an act to amend the Public Health Law and a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2023.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR SERRANO: Thank you.

Is there any further business at the desk?

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

SENATOR SERRANO: I move to adjourn until Monday, February 5th, at 3:00 p.m., with the intervening days being legislative days.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Monday, February 5th, at 3:00 p.m, with the intervening days being legislative days.

(Whereupon, at 12:38 p.m., the Senate adjourned.)