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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

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

2 ACTING PRESIDENT MAYER: The Senate
3 will come to order.

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

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

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

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

13 ACTING PRESIDENT MAYER: The
14 reading of the Journal.

15 THE SECRETARY: In Senate, Tuesday,
16 January 30, 2024, the Senate met pursuant to
17 adjournment. The Journal of Monday, January 29,
18 2024, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Rivera

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

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

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

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

17 Senator Mannion moves to discharge,
18 from the Committee on Rules, Assembly Bill
19 Number 8546 and substitute it for the identical
20 Senate Bill Number 8032, Third Reading Calendar
21 180.

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

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

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

10 ACTING PRESIDENT MAYER: So
11 ordered.

12 Messages from the Governor.

13 Reports of standing committees.

14 Reports of select committees.

15 Communications and reports from
16 state officers.

17 Motions and resolutions.

18 Senator Serrano.

19 SENATOR SERRANO: Thank you,
20 Madam President.

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

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

4 Senator Serrano.

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

10 ACTING PRESIDENT MAYER: The
11 Secretary will read.

12 THE SECRETARY: Senate Resolution
13 1742, by Senator Webb, memorializing
14 Governor Kathy Hochul to proclaim January 2024 as
15 Slavery and Human Trafficking Prevention Month in
16 the State of New York.

17 ACTING PRESIDENT MAYER: Senator
18 Webb on the resolution.

19 SENATOR WEBB: Thank you,
20 Madam President.

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

1 State of New York.

2 This was first declared as Slavery
3 and Human Trafficking Prevention Month back in
4 2010, and January has been a time to acknowledge
5 those experiencing, still in this day,
6 enslavement, and those who have escaped.

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

12 Human trafficking is a global
13 phenomenon that generates \$150 billion in annual
14 profits. And in the year 2021, an estimated
15 25 million people were trafficked all over the
16 world.

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

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

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

5 The statistics are
6 disproportionately worse for BIPOC community
7 members nationwide, and here in New York is no
8 exception. According to data from the National
9 Crime Information Center, of the more than
10 250,000 women and girls that were reported
11 missing across the country in the year 2020,
12 40 percent were BIPOC, and with Black women and
13 girls making up 30 percent of those numbers.

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

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

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

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

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

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

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

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

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

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

10 Thank you so much.

11 ACTING PRESIDENT MAYER: Thank you,
12 Senator Webb.

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

17 Please stand and be recognized.

18 (Standing ovation.)

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

22 Senator Serrano.

23 SENATOR SERRANO: Thank you,
24 Madam President.

25 At the request of the sponsor, the

1 resolution is open for cosponsorship.

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

6 Senator Serrano.

7 SENATOR SERRANO: Thank you.

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

10 ACTING PRESIDENT MAYER: The
11 Secretary will read.

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

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: In relation to

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

4 Ayes, 49. Nays, 3.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

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

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: Ayes, 52.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 172, Senate Print Number 8017, by
2 Senator Stavisky, an act to amend a chapter of
3 the Laws of 2023.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

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

16 Ayes, 51. Nays, 1.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 177, Assembly Bill Number 8550, by
21 Assemblymember Rajkumar, an act to amend the
22 Executive Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: Ayes, 52.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 178, Assembly Bill Number 8563, by
12 Assemblymember Bichotte Hermelyn, an act to amend
13 the Executive Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 52.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 179, Senate Print Number 8031, by
4 Senator Hoylman-Sigal, an act to amend the
5 Environmental Conservation Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Senator
15 Borrello to explain his vote.

16 SENATOR BORRELLO: Thank you,
17 Madam President.

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

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

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

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

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

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

1 So I'll be voting no. Thank you.

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

4 Announce the results.

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

10 Ayes, 41. Nays, 11.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 180, Assembly Bill Number 8546, by
15 Assemblymember Burdick, an act to amend the
16 State Technology Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: Ayes, 52.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 181, Assembly Bill Number 8527, by
7 Assemblymember O'Donnell, an act to amend the
8 Parks, Recreation and Historic Preservation Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: Ayes, 52.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 182, Assembly Bill Number 8570, by
24 Assemblymember Lee, an act to amend the
25 General Business Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

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

16 Ayes, 41. Nays, 11.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 186, Assembly Bill Number 8497, by
21 Assemblymember Paulin, an act to amend the
22 Public Health Law and a chapter of the Laws of
23 2023.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: Ayes, 52.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

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

14 SENATOR SERRANO: Thank you.

15 Is there any further business at the
16 desk?

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

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

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

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