

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 February 28, 2024

11 1:58 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JEREMY A. COONEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT COONEY: 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 COONEY: 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 COONEY: Reading
of the Journal.

THE SECRETARY: In Senate, Tuesday,
February 27, 2024, the Senate met pursuant to
adjournment. The Journal of Monday, February 26,
2024, was read and approved. On motion, the
Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

6 SENATOR GIANARIS: Good afternoon,
7 Mr. President.

8 On behalf of Senator Stavisky, on
9 page 22 I offer the following amendments to
10 Calendar 233, Senate Print 6112, and ask that
11 said bill retain its place on Third Reading
12 Calendar.

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

16 Senator Gianaris.

17 SENATOR GIANARIS: Mr. President,
18 at this time we're going to simultaneously call
19 an immediate meeting of the Rules Committee in
20 Room 332 and then proceed with resolutions.

21 Beginning with previously adopted
22 Resolution 1586, by Senator Tedisco, read that
23 resolution's title and recognize Senator Tedisco.

24 ACTING PRESIDENT COONEY: There
25 will be an immediate meeting of the

1 Rules Committee in Room 332.

2 The Secretary will read.

3 THE SECRETARY: Resolution 1586, by
4 Senator Tedisco, congratulating the
5 Waterford-Halfmoon Girls Soccer Team and
6 Head Coach Meghan Reynolds upon the occasion of
7 winning the New York State Class C Girls Soccer
8 Championship.

9 ACTING PRESIDENT COONEY: Senator
10 Tedisco.

11 SENATOR TEDISCO: Thank you,
12 Mr. President.

13 And let me apologize for the delay.
14 You shouldn't delay and make champions wait.

15 But we're proud to have them here
16 today. And I'm pleased to welcome the
17 back-to-back New York State Class C soccer
18 champions to the chamber today. They are the
19 Waterford-Halfmoon Fordians.

20 The Waterford-Halfmoon High School
21 Girls Soccer Team and Head Coach Meghan Reynolds
22 played to a 2-2 double-overtime tie with
23 Mount Academy to secure their share of a second
24 consecutive New York State Class C Girls Soccer
25 Championship on Sunday, November 12, 2023, at

1 Homer High School in Homer, New York.

2 Prior to their success at the state
3 level, these outstanding young ladies won the
4 Waseran League Section 2 and Regional
5 Championships, compiling an outstanding overall
6 record of 19, 1 and 3.

7 The Fordians are also a New York
8 State Public High School Athletic Association
9 scholar-athlete team, as they garnered an overall
10 team grade point average of 95.9.

11 I want to welcome the team members
12 to you. They are Maddalyn Atwood, Bayly
13 Beauregard, Imani Bloomfield, Rylan Charbonneau,
14 Alondra Collet Cruz, Emily Costello, Emily
15 Fanniff, Addyson Galuski, Payton Galuski,
16 Zoe Grennon, Cassidy McClement, Piper Morris,
17 Riley Noto, Mia O'Brien, Alexandra Phelps,
18 Isabella Ramundo, Samara Roberts, Katie Stallmer,
19 and Isabella Vecchio.

20 And of course, as I said, they don't
21 get this far only with their great athletic
22 talent and great educational achievements,
23 without great leadership. And the head coach is
24 here, Head Coach Meghan Reynolds, and Assistant
25 Coach Courtney Trembley.

1 Mr. President, I would ask you to
2 welcome them, congratulate them, and offer them
3 all the cordialities of this august body.

4 ACTING PRESIDENT COONEY: Thank
5 you, Senator Tedisco.

6 To our, I welcome you on behalf of
7 the Senate. We extend to you the privileges and
8 courtesies of the house.

9 Please rise and be recognized.

10 (Standing ovation.)

11 ACTING PRESIDENT COONEY: The
12 resolution was adopted on January 9th.

13 Senator Serrano.

14 SENATOR SERRANO: Thank you,
15 Mr. President.

16 Let's please take up previously
17 adopted Resolution 1572, by Senator Persaud, read
18 that resolution title only, and recognize
19 Senator Persaud.

20 ACTING PRESIDENT COONEY: The
21 Secretary will read.

22 THE SECRETARY: Senate Resolution
23 1572, by Senator Persaud, memorializing
24 Governor Kathy Hochul to proclaim February 29,
25 2024, as Rare Disease Day in the State of

1 New York.

2 ACTING PRESIDENT COONEY: Senator
3 Persaud.

4 SENATOR PERSAUD: Thank you,
5 Mr. President.

6 February 29, 2024, is designated as
7 Rare Disease Day, a rare day indeed. This day is
8 usually recognized on the last day of February,
9 but here we are, a leap year, and so it's fitting
10 that we're saying it's Rare Disease Day on the
11 29th.

12 A rare disease is defined by the
13 Orphan Drug Act of 1983 as a condition that
14 affects fewer than 200,000 people in the
15 United States. Over 7,000 of these diseases have
16 been identified, the more common of which include
17 Huntington's disease, spina bifida, Fragile X
18 syndrome, Guillain-Barré syndrome, Crohn's
19 disease, and cystic fibrosis.

20 Collectively there are 7,000
21 diseases that are considered rare diseases, and
22 they affect up to 30 million Americans.

23 According to the CDC, among the rare
24 diseases it is common to find diseases
25 misdiagnosed and delayed. The definitions for

1 civilians are usually lacking, international
2 classification of diseases codes for
3 recordkeeping are poorly defined, and the list
4 goes on and on.

5 Most rare diseases begin in
6 childhood and can have devastating health
7 consequences, including premature death, severely
8 affecting the lives of caregivers, the
9 substantial economic impact on patients, their
10 families and society.

11 Although rare diseases are a common
12 cause of neurological and intellectual
13 disabilities, and many have no cure, some can be
14 prevented or controlled, and the life span of
15 patients can be extended into adulthood. For
16 instance, the life expectancy of cystic fibrosis
17 patients has increased from under 10 years to
18 over 40 years.

19 The prevalence of Tay-Sachs has been
20 drastically reduced among the Ashkenazi Jewish
21 population, through population screening and
22 strategies such as prenatal diagnosis for carrier
23 couples and marriage avoidance between carriers.

24 For these reasons, Rare Diseases Day
25 was established in 2008 and was first celebrated

1 on that February 29th day -- the last day, again,
2 of the month. It is to raise awareness of the
3 aforementioned struggles of millions of Americans
4 who are considered to have rare diseases.

5 Again, we have over 7,000 rare
6 diseases that are diagnosed. Many athletes you've
7 heard, you know, suddenly they're diagnosed with
8 something that you've never heard of, and they
9 say, you know, they're one in a million that will
10 have this disease.

11 So today we acknowledge all of the
12 persons, those 30 million Americans who are
13 considered to have a rare disease, and the
14 struggles that they continue to endure.

15 So today, please, if you know anyone
16 who's suffering from a rare disease, tell them
17 today we acknowledge them and we understand their
18 plight and we will continue to fight until these
19 cures are found.

20 So thank you, Mr. President.

21 ACTING PRESIDENT COONEY: Thank
22 you, Senator Persaud.

23 Senator Mayer.

24 SENATOR MAYER: Thank you,
25 Mr. President.

1 I want to thank my colleague
2 Senator Persaud for making sure that we not only
3 acknowledge this day as Rare Disease Day but
4 recognize the personal challenges of the families
5 of those with rare diseases.

6 I want to mention three that I know
7 in my district and in my life, two of whom passed
8 away.

9 Jacqueline Baker, a wonderful
10 friend, a teacher, a member of the teachers
11 union. She was the parent of two children with
12 sickle cell disease who faced many challenges.
13 Within our community she was a leader on behalf
14 of sickle cell, fighting for funds and research
15 and treatment. Her leadership has led to marked
16 changes in our community -- along with, as
17 Senator Persaud said, we need money, we need
18 research, and we need the state to pay attention
19 to these diseases, one by one, that affect our
20 constituents.

21 The next is our very good friend,
22 for myself and the Majority Leader, a true hero,
23 Pat Quinn, an ALS advocate. He was the cofounder
24 of the ALS Ice Bucket Challenge, which became a
25 worldwide effort. Pat Quinn was a Yonkers

1 native, a brilliant person, a most articulate
2 leader who turned a life-changing diagnosis into
3 steadfast commitment and advocacy.

4 He died at 37 years old. And
5 together with the Majority Leader, we have been
6 fighting for funding for ALS in the state
7 budget -- for research, advocacy, treatment --
8 for so long. And we were fortunate that the
9 Governor put some ALS funding into the budget
10 this year. It is long overdue.

11 And third, Brigid Brennan, who's a
12 trustee in the Village of Larchmont, in my
13 district, whose son has Friedreich's ataxia, a
14 debilitating, life-shortening, degenerative
15 neuromuscular disease.

16 Brigid reached out immediately when
17 she saw the Governor's proposal and said, "Please
18 make sure that other rare diseases are included
19 in this effort."

20 So today we acknowledge the personal
21 struggles and challenges of those with rare
22 diseases; their families, particularly their
23 parents, who so often take care of them. And we
24 press collectively that it is our responsibility
25 to do better as a state in terms of research,

1 funding and treatment. As the resolution said,
2 more must be done.

3 So again, I thank my colleague
4 Senator Persaud for making sure not only that we
5 talk about it, but we walk the walk of what needs
6 to be done for rare diseases in our state.

7 And thank you, I proudly vote aye.

8 ACTING PRESIDENT COONEY: Thank
9 you, Senator Mayer.

10 The resolution was adopted on
11 January 9th.

12 Senator Gianaris.

13 SENATOR GIANARIS: At the request
14 of the sponsors, the resolutions are open for
15 cosponsorship.

16 ACTING PRESIDENT COONEY: The
17 resolutions are open for cosponsorship. Should
18 you choose not to be a cosponsor on the
19 resolutions, please notify the desk.

20 Senator Gianaris.

21 SENATOR GIANARIS: Please take up
22 the calendar.

23 ACTING PRESIDENT COONEY: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 127, Senate Print 1413, by Senator Hinchey, an
2 act to amend the Environmental Conservation Law.

3 ACTING PRESIDENT COONEY: Read the
4 last section.

5 THE SECRETARY: Section 3. This
6 act shall take effect on the first of April.

7 ACTING PRESIDENT COONEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT COONEY: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 127, those Senators voting in the
14 negative are Senators Martins, Rhoads, Weber and
15 Weik.

16 Ayes, 57. Nays, 4.

17 ACTING PRESIDENT COONEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 135, Senate Print 345, by Senator Gounardes, an
21 act to amend the Civil Practice Law and Rules.

22 ACTING PRESIDENT COONEY: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect on the 60th day after it

1 shall have become a law.

2 ACTING PRESIDENT COONEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT COONEY: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 135, those Senators voting in the
9 negative are Senators Borrello, Helming, Lanza,
10 Martins, Ortt, Rhoads and Weik.

11 Ayes, 54. Nays, 7.

12 ACTING PRESIDENT COONEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 138, Senate Print 2389, by Senator Myrie, an act
16 to amend the Real Property Actions and
17 Proceedings Law.

18 ACTING PRESIDENT COONEY: Read the
19 last section.

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

23 ACTING PRESIDENT COONEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT COONEY: Senator
2 Borrello to explain his vote.

3 SENATOR BORRELLO: Thank you,
4 Mr. President.

5 You know, I understand the intention
6 here with this. I spent 10 years in county
7 government, and I know the blight that we often
8 have as a result. My concern here is how this
9 will impact the ability for people to be able to
10 get mortgages, for the number of lenders that
11 will be in that space here in New York State.

12 You know, we have a housing
13 crisis -- that's probably one of the things we
14 can all agree on. And reducing the number of
15 lenders, increasing their costs, which ultimately
16 are going to be borne by the folks that are
17 getting those loans, is a problem. And this will
18 exacerbate that problem. It's going to increase
19 costs, reduce choice.

20 At the end of the day, I think we
21 all agree, owning a home, which is usually the
22 largest asset any family ever has, which creates
23 generational wealth, particularly for people in
24 lower income ranges -- this is important that we
25 continue to have access and that banks, mortgage

1 lenders are able to do business here and do it
2 affordably, so that in turn it is affordable for
3 those folks that want to achieve that American
4 dream of owning their own home.

5 So I will be voting no on this one.
6 Thank you.

7 ACTING PRESIDENT COONEY: Senator
8 Borrello to be recorded in the negative.

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 138, those Senators voting in the
12 negative are Senators Ashby, Borrello,
13 Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo,
14 Helming, Lanza, Martins, Mattera, Murray,
15 Oberacker, Ortt, Palumbo, Rhoads, Rolison, Stec,
16 Tedisco, Weber and Weik.

17 Ayes, 41. Nays, 20.

18 ACTING PRESIDENT COONEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 202, Senate Print 717, by Senator Cleare, an act
22 to amend the Real Property Tax Law.

23 ACTING PRESIDENT COONEY: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT COONEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT COONEY: Senator
6 Cleare to explain her vote.

7 SENATOR CLEARE: Thank you,
8 Mr. President.

9 The Senior Citizens Rent Increase
10 Exemption program, SCRIE, is one of the most
11 important tools that we have to freeze rents for
12 older New Yorkers, who are often on very fixed
13 incomes but wish and deserve to age in the
14 communities that they have lived in all their
15 lives.

16 In New York City it applies to well
17 over 100,000 households -- but, like so many
18 benefits, has hard caps and cliffs that lock
19 people out.

20 This bill will expand the population
21 eligible to take advantage of SCRIE by excluding
22 all medical and prescription drug expenses not
23 reimbursed or paid for by insurance, from the
24 definition of income for the purpose of
25 determining eligibility for the program.

1 By allowing these essential costs to
2 be deducted, fewer individuals will exceed the
3 income cap and thus will remain or become
4 eligible for the SCRIE program and its many
5 benefits.

6 I wish to thank my beloved seniors
7 from the A. Phillip Randolph Center for their
8 advocacy and hard work on this bill, and for
9 lobbying me to pass it, and I proudly vote aye.

10 ACTING PRESIDENT COONEY: Senator
11 Cleare to be recorded in the affirmative.

12 Announce the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT COONEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 225, Senate Print 1747, by Senator Ramos, an act
18 to amend the Labor Law.

19 ACTING PRESIDENT COONEY: Read the
20 last section.

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

23 ACTING PRESIDENT COONEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT COONEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT COONEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 236, Senate Print 1180, by Senator Harckham, an
8 act to amend Chapter 668 of the Laws of 1977.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

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

13 ACTING PRESIDENT COONEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT COONEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT COONEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 239, Senate Print 4544, by Senator Skoufis, an
23 act to amend the General Municipal Law.

24 ACTING PRESIDENT COONEY: Read the
25 last section.

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

3 ACTING PRESIDENT COONEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT COONEY: Announce
7 the results.

8 THE SECRETARY: Ayes, 62.

9 ACTING PRESIDENT COONEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 280, Senate Print 2297, by Senator Mayer, an act
13 to amend the General Municipal Law.

14 ACTING PRESIDENT COONEY: Read the
15 last section.

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

19 ACTING PRESIDENT COONEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT COONEY: Announce
23 the results.

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT COONEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 416, Senate Print 8440, by Senator Addabbo, an
4 act to amend the Racing, Pari-Mutuel Wagering and
5 Breeding Law.

6 ACTING PRESIDENT COONEY: Read the
7 last section.

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

10 ACTING PRESIDENT COONEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT COONEY: Announce
14 the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT COONEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 417, Senate Print 8441, by Senator Addabbo, an
20 act to amend Chapter 473 of the Laws of 2010.

21 ACTING PRESIDENT COONEY: Read the
22 last section.

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

25 ACTING PRESIDENT COONEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT COONEY: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 417, those Senators voting in the
7 negative are Senators Brisport, Martinez and May.
8 Ayes, 59. Nays, 3.

9 ACTING PRESIDENT COONEY: The bill
10 is passed.

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

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

16 ACTING PRESIDENT COONEY: The
17 Secretary will read.

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

21 Senate Print 8653A, by
22 Senator Gianaris, an act to amend the State Law;
23 Senate Print 8664, by Senator Myrie,
24 an act to amend the Election Law.

25 Both bills reported direct to third

1 reading.

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

4 ACTING PRESIDENT COONEY: All those
5 in favor of accepting the report of the
6 Rules Committee signify by saying aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT COONEY: Opposed,
9 nay.

10 (Response of "Nay.")

11 ACTING PRESIDENT COONEY: The
12 report of the Rules Committee is accepted.

13 Senator Gianaris.

14 SENATOR GIANARIS: Please take up
15 the supplemental calendar.

16 ACTING PRESIDENT COONEY: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 565, Senate Print 8653A, by Senator Gianaris, an
20 act to amend the State Law.

21 SENATOR GIANARIS: Is there a
22 message of necessity at the desk?

23 ACTING PRESIDENT COONEY: There is
24 a message of necessity at the desk.

25 SENATOR GIANARIS: Move to accept

1 the message of necessity.

2 ACTING PRESIDENT COONEY: All those
3 in favor of accepting the message please signify
4 by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT COONEY: Opposed,
7 nay.

8 (Response of "Nay.")

9 ACTING PRESIDENT COONEY: The
10 message is accepted, and the bill is before the
11 house.

12 SENATOR LANZA: Lay it aside.

13 ACTING PRESIDENT COONEY: Lay it
14 aside.

15 THE SECRETARY: Calendar Number
16 566, Senate Print 8664, by Senator Myrie, an act
17 to amend the Election Law.

18 SENATOR GIANARIS: Is there a
19 message of necessity at the desk?

20 ACTING PRESIDENT COONEY: There is
21 a message of necessity at the desk.

22 SENATOR GIANARIS: Move to accept
23 the message of necessity.

24 ACTING PRESIDENT COONEY: All those
25 in favor of accepting the message please signify

1 by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT COONEY: Opposed,
4 nay.

5 (Response of "Nay.")

6 ACTING PRESIDENT COONEY: The
7 message is accepted, and the bill is before the
8 house.

9 Read the last section.

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

12 ACTING PRESIDENT COONEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT COONEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT COONEY: The bill
19 is passed.

20 That completes the reading of the
21 supplemental calendar.

22 SENATOR GIANARIS: Please go to the
23 controversial calendar.

24 ACTING PRESIDENT COONEY: The
25 Secretary will ring the bell.

1 The Secretary will read.

2 THE SECRETARY: Calendar Number
3 565, Senate Print 8653A, by Senator Gianaris, an
4 act to amend the State Law.

5 ACTING PRESIDENT COONEY: Senator
6 Palumbo, why do you rise?

7 SENATOR PALUMBO: Thank you,
8 Mr. President. Would the sponsor yield for a few
9 questions, please.

10 ACTING PRESIDENT COONEY: Will the
11 sponsor yield?

12 SENATOR GIANARIS: I will.

13 ACTING PRESIDENT COONEY: The
14 sponsor yields.

15 SENATOR PALUMBO: Very good. Thank
16 you, Mike. Good afternoon. How are you?

17 Just generally, I guess, as a
18 reminder to our colleagues and for our folks not
19 paying attention at home, this bill would create
20 congressional district lines for the 26
21 congressional districts in New York State.

22 And on Monday there was a map of
23 districts submitted by the Independent
24 Redistricting Commission. So my first question
25 is, does this map in any way alter the lines from

1 the map that was voted on on Monday?

2 SENATOR GIANARIS: Well, yes.

3 Otherwise we would have accepted the map on
4 Monday.

5 SENATOR PALUMBO: Will the sponsor
6 yield.

7 ACTING PRESIDENT COONEY: Will the
8 sponsor yield?

9 SENATOR GIANARIS: Yes.

10 ACTING PRESIDENT COONEY: The
11 sponsor yields.

12 SENATOR PALUMBO: So in that
13 regard, with respect to any changes, who chooses
14 or selected the changes that are within the
15 current map that's before the floor today?

16 SENATOR GIANARIS: I'm just trying
17 to make sure I understand your question
18 correctly. Who --

19 SENATOR PALUMBO: Certainly, I'll
20 rephrase it. So let me -- I'll even make it --
21 kind of break it down a little bit.

22 So after the original map was
23 rejected, we now have new districts that are
24 described by metes and bounds, with specific
25 geographical locations. Who chose these new

1 lines?

2 SENATOR GIANARIS: That was a
3 collaborative effort between the Senate and
4 Assembly. Like most legislation that appears
5 before us.

6 SENATOR PALUMBO: And that was by
7 the Senate -- I'm sorry, could you say that a
8 little --

9 SENATOR GIANARIS: And the
10 Assembly.

11 SENATOR PALUMBO: And the Assembly?

12 SENATOR GIANARIS: Yes.

13 SENATOR PALUMBO: Okay. And would
14 you yield for another question, please.

15 ACTING PRESIDENT COONEY: Does the
16 sponsor yield?

17 SENATOR GIANARIS: Yes.

18 ACTING PRESIDENT COONEY: The
19 sponsor yields.

20 SENATOR PALUMBO: And was there any
21 collaboration by the Democratic Minority
22 Conference in the United States Congress?

23 SENATOR GIANARIS: Would the
24 Senator repeat that, please.

25 SENATOR PALUMBO: Sure. Hakeem

1 Jeffries is the Democrat Minority Leader in the
2 United States House of Representatives. Was he
3 consulted at all with respect to these districts?

4 SENATOR GIANARIS: No. I would not
5 say he was consulted, no.

6 SENATOR PALUMBO: Would the sponsor
7 yield for another question.

8 ACTING PRESIDENT COONEY: Does the
9 sponsor yield?

10 SENATOR GIANARIS: Yes.

11 ACTING PRESIDENT COONEY: The
12 sponsor yields.

13 SENATOR PALUMBO: So with respect
14 to the collaboration between the Senate and
15 Assembly, who specifically -- which specific
16 members -- for example, did you have any say with
17 respect to the changes in these lines? You
18 specifically, Senator.

19 SENATOR GIANARIS: Well, as you can
20 see on the paper in front of you, I am the prime
21 sponsor of the bill. So my name is attached to
22 the legislation before you, and I had to agree to
23 submit the legislation. So in that respect, yes,
24 I did. And Assemblymember Zebrowski I believe is
25 the sponsor in the Assembly.

1 SENATOR PALUMBO: Would the sponsor
2 yield for another question.

3 ACTING PRESIDENT COONEY: Does the
4 sponsor yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT COONEY: The
7 sponsor yields.

8 SENATOR PALUMBO: Thank you.

9 And of course through you,
10 Mr. President, certainly sometimes we ask
11 questions that we know the answer to in this
12 situation. So Senator Gianaris, other than
13 yourself as the prime sponsor of this bill, did
14 the sponsor consult with any other Senate members
15 regarding the outline of these specific
16 districts?

17 SENATOR GIANARIS: Oh, certainly.

18 SENATOR PALUMBO: I'm sorry?

19 SENATOR GIANARIS: Certainly.

20 SENATOR PALUMBO: Certainly. Thank
21 you.

22 Would the sponsor yield for another
23 question.

24 ACTING PRESIDENT COONEY: Does the
25 sponsor yield?

1 SENATOR GIANARIS: Yes.

2 ACTING PRESIDENT COONEY: The
3 sponsor yields.

4 SENATOR PALUMBO: And then again,
5 with respect to members of the Assembly, I'm
6 assuming that they certainly have a sponsor over
7 there in the event that this is on the floor.

8 So do you -- did you consult at all
9 with any specific members of the Assembly?

10 SENATOR GIANARIS: Yes. We
11 consulted with numerous members of the Assembly.

12 SENATOR PALUMBO: Will the sponsor
13 yield for another question.

14 ACTING PRESIDENT COONEY: Does the
15 sponsor yield?

16 SENATOR GIANARIS: Yes.

17 ACTING PRESIDENT COONEY: The
18 sponsor yields.

19 SENATOR PALUMBO: Can you just tell
20 us generally what specific issues are involved
21 regarding the collaboration and drafting of
22 congressional districts? I know there was some
23 talk about communities of interest, splitting
24 towns and counties. Is there anything that I'm
25 missing?

1 SENATOR GIANARIS: Well, as you
2 know, Senator Palumbo, the Constitution
3 prescribes guidelines for what should govern
4 these maps. And those criteria were evaluated as
5 it related to the Independent Commission's map.
6 And then certainly we attempted, as best we
7 could, to draw a map that was better in that
8 regard than the map that we rejected on Monday.

9 SENATOR PALUMBO: Will the sponsor
10 yield?

11 ACTING PRESIDENT COONEY: Does the
12 sponsor yield?

13 SENATOR GIANARIS: Yes.

14 ACTING PRESIDENT COONEY: The
15 sponsor yields.

16 SENATOR PALUMBO: Thank you,
17 Senator. And through you, Mr. President.

18 With regard to those considerations,
19 do any of those factors weigh more heavily than
20 the other when reviewing this criteria? For
21 example, would keeping a community of interest
22 together weigh more heavily than splitting
23 counties or splitting towns or something else,
24 another aspect of that criteria?

25 SENATOR GIANARIS: It's a good

1 question.

2 And the Constitution does not assign
3 priority to its various factors, so we did our
4 best to come up with a product that complied as
5 best holistically with all of them as we could.

6 SENATOR PALUMBO: Will the sponsor
7 yield.

8 ACTING PRESIDENT COONEY: Will the
9 sponsor yield?

10 SENATOR GIANARIS: Yes.

11 ACTING PRESIDENT COONEY: The
12 sponsor yields.

13 SENATOR PALUMBO: So in that
14 regard, are there also additional factors that
15 are prescribed by statute that are not
16 necessarily in the Constitution regarding the
17 adjustment or changes to a map submitted by the
18 Independent Redistricting Commission with respect
19 to the changes from that map to a new map?

20 SENATOR GIANARIS: Is that a
21 statement or a question?

22 SENATOR PALUMBO: I started kind of
23 "are there any."

24 But yes, are there any other
25 statutes or laws that would be -- would have --

1 would be considered with respect to the drawing
2 of a new map that may be altered or may be
3 different than the IRC map?

4 SENATOR GIANARIS: Senator Palumbo,
5 I feel like you're beating around the bush. Are
6 you asking about the 2 percent statutory rule?

7 SENATOR PALUMBO: And yes, I'll
8 yield to answer that. Exactly. That's where I
9 was going.

10 Will the sponsor yield for another
11 question?

12 SENATOR GIANARIS: Yes, that rule
13 is in the statute. Except that this bill
14 supersedes it.

15 SENATOR PALUMBO: Would the sponsor
16 yield.

17 ACTING PRESIDENT COONEY: Does the
18 sponsor yield?

19 SENATOR GIANARIS: Yes.

20 ACTING PRESIDENT COONEY: The
21 sponsor yields.

22 SENATOR PALUMBO: Thank you.

23 And now you've indicated that this
24 bill supersedes it. So in that regard, regarding
25 that 2 percent specifically, I have here some

1 changes between the IRC map and this map that's
2 before us today. In Congressional District 1,
3 6.2 percent. Congressional District 2, 6.2. CD
4 3, 6.2. CD 14, 5.7. CD 15, 5.9. CD 16, 5.9.
5 Eighteen, 3.9. Nineteen, 7.7. Twenty, 3.6. And
6 in CD 21, 7.4.

7 So my question is, under what
8 authority can you deviate in excess of 2 percent
9 in light of the fact that there is a law on the
10 books that is currently a chapter from 2012 that
11 would require us to stay within the 2 percent
12 limit?

13 SENATOR GIANARIS: I appreciate
14 Senator Palumbo listing out select districts, but
15 I want to complete the list for him.

16 Congressional District 4 is zero
17 percent. Congressional District 5, zero percent.
18 Congressional District 6, zero percent.
19 Congressional District 7, zero percent.
20 Congressional District 8, zero percent.
21 Congressional District 9, zero percent.
22 Congressional District 10, zero percent.
23 Congressional District 11, zero percent.
24 Congressional District 12, zero percent.
25 Congressional District 13, zero percent.

1 Congressional District 17, zero percent.
2 Congressional District 22, zero percent.
3 Congressional District 23, zero percent.
4 Congressional District 24, zero percent.
5 Congressional District 25, zero percent. And
6 Congressional District 26, zero percent.

7 Now, it bears noting that the amount
8 of change for the whole state is approximately
9 2 percent. Even though we not withstood this
10 statute and said it is superseded, we did our
11 best to attempt to minimize the deviation that
12 was required to correct the flaws in the map sent
13 by the IRC.

14 And so I think -- to answer your
15 question -- by minimizing the deviation to as
16 small a number as we saw fit to improve upon the
17 map from Monday, and in doing so to comply with
18 the constitutional flaws of the map, as
19 opposed -- which clearly I think we could all
20 agree supersede, from a legal perspective, any
21 statutory rules -- we kept the deviations you
22 just listed to a minimum.

23 SENATOR PALUMBO: Will the sponsor
24 yield?

25 ACTING PRESIDENT COONEY: Does the

1 sponsor yield?

2 SENATOR GIANARIS: Yes.

3 ACTING PRESIDENT COONEY: The
4 sponsor yields.

5 SENATOR PALUMBO: Thank you,
6 Senator.

7 And with regard to the changes that
8 were made -- and I'll just -- just -- the area
9 I'll discuss of course is where I am on, down on
10 Long Island. That there were additional counties
11 split, towns split. For example, newly elected
12 Congressman Suozzi's district now splits
13 Huntington in half. Congressional District 3
14 went from two counties to three counties. CD 2
15 went from just Suffolk County to now Suffolk and
16 Nassau.

17 So can you tell me the reasons for
18 that split? Because there was some discussion on
19 Monday that there weren't communities of interest
20 kept together, there were splitting counties,
21 that the IRC map was flawed in such a way that it
22 continued to supposedly split counties and towns
23 in contravention to the Constitution.

24 So why is that appropriate,
25 particularly, just for example, on Long Island?

1 And how does that also comply?

2 SENATOR GIANARIS: Let me correct
3 the record first. District 2 had already been
4 crossing into Suffolk County. That was not a new
5 crossing that occurred there.

6 And to answer your question about
7 District 3, we returned this configuration to
8 that that had existed at least over the last
9 10 years -- I think perhaps longer than that --
10 where the Third District was a North Shore
11 district. Clearly, we believe, a community of
12 interest on the North Shore of Long Island.

13 And it also bears noting that this
14 configuration is very similar to the
15 configuration that the -- so many lawsuits, I'm
16 trying to get it right -- the petitioners in the
17 original lawsuit against the maps we drew
18 suggested for this district. So -- and that was
19 you all or your surrogates or whoever it was that
20 brought the original suit that suggested a
21 district very similar to this.

22 SENATOR PALUMBO: Thank you,
23 Senator Gianaris.

24 On the bill, please.

25 ACTING PRESIDENT COONEY: Senator

1 Palumbo on the bill.

2 SENATOR PALUMBO: Thank you,
3 Mr. President.

4 And I do appreciate some of these
5 comments with regard to why these changes were
6 allegedly needed.

7 But I think the bottom line is this,
8 that we created an Independent Redistricting
9 Commission in this body and down the hall. It
10 passed on the floor of the Senate and the
11 Assembly. It passed a second time on the floor
12 of the Senate and the floor of the Assembly. And
13 then the concept of that commission was put to
14 the voter, and the voters of New York State chose
15 to draft districts in a particular fashion, in a
16 bipartisan, equal fashion.

17 Because again, we always talk about
18 you're not supposed to be selecting, as elected
19 officials, the voter. The voter selects you.
20 That's the idea behind gerrymandering, that you
21 don't pick and choose your communities. You
22 should have the communities' interests at heart,
23 not your own. And the voters passed this.

24 And then we have a map come to the
25 floor that was passed nine to one. So we have

1 not just a simple majority of a bipartisan
2 commission that was constitutionally created, we
3 have a nine-to-one -- 90 percent thought that was
4 the fair and reasonable map.

5 Let's not forget how we got here
6 with these maps in the beginning. There was a
7 gerrymandering, an obviously constitutionally
8 violative gerrymandering of congressional
9 districts. We had a special master from out of
10 state who was simply a facts person, data. They
11 selected districts. And the IRC map came out
12 pretty close, because that criteria was
13 considered again by actually political people.
14 They came to that decision, and it was passed
15 nine to one.

16 And then we have, unfortunately,
17 politics injects itself. And then we have a
18 rejection of that map, and this map here.

19 So regardless of the outcome -- and
20 we always know that these numbers, some districts
21 improve for one party, they improved a little for
22 the other. This favors incumbents, in my
23 opinion. And this ultimately is more about or
24 only about the process. The voters chose a
25 commission to make this decision. That's not

1 what we have here.

2 For those reasons I'll be voting no.

3 Thank you.

4 ACTING PRESIDENT COONEY: Are there
5 any other Senators wishing to be heard?

6 Senator Lanza, why do you rise?

7 SENATOR LANZA: Mr. President,
8 would the sponsor yield for just a very few
9 questions.

10 ACTING PRESIDENT COONEY: Will the
11 sponsor yield?

12 SENATOR GIANARIS: Yes.

13 ACTING PRESIDENT COONEY: The
14 sponsor yields.

15 SENATOR LANZA: Through you,
16 Mr. President. Can the sponsor can tell us when
17 the map that is before us today was drawn?

18 SENATOR GIANARIS: Well, it was
19 introduced very late on Monday evening.

20 SENATOR LANZA: Will the sponsor
21 yield?

22 ACTING PRESIDENT COONEY: Will the
23 sponsor yield?

24 SENATOR GIANARIS: Yes.

25 ACTING PRESIDENT COONEY: The

1 sponsor yields.

2 SENATOR LANZA: Through you,
3 Mr. President. I understand when it was
4 introduced. The question I have is, when was it
5 actually drawn?

6 SENATOR GIANARIS: The legislation
7 was introduced late Monday evening. I'm not sure
8 I understand the question beyond that.

9 This map that we are looking at --
10 well, it's in text form in the bill -- was not in
11 a form that you might consider drawn or completed
12 till it was introduced very late on Monday
13 evening.

14 SENATOR LANZA: Will the sponsor
15 yield?

16 ACTING PRESIDENT COONEY: Will the
17 sponsor yield?

18 SENATOR GIANARIS: Yes.

19 ACTING PRESIDENT COONEY: The
20 sponsor yields.

21 SENATOR LANZA: Through you,
22 Mr. President. The data that was inserted into
23 the legislation through that introduction, did it
24 not exist in any form on any computer bank or on
25 paper before it was introduced and made part of

1 that legislation?

2 SENATOR GIANARIS: We're back to
3 the computers, Mr. President.

4 The data, the census data and the
5 demographic data of all these districts in
6 current form, in the form submitted by the IRC,
7 or just the maps in general, exists in the entity
8 known as LATFOR, our Legislative Task Force on
9 Reapportionment. It was not compiled into the
10 product we are voting on today until very late on
11 Monday.

12 SENATOR LANZA: Would the sponsor
13 yield?

14 ACTING PRESIDENT COONEY: Does the
15 sponsor yield?

16 SENATOR GIANARIS: Yes.

17 ACTING PRESIDENT COONEY: The
18 sponsor yields.

19 SENATOR LANZA: Through you,
20 Mr. President. So we know how things work here.
21 And I know and we all know when this was
22 introduced. But the maps themselves did not just
23 come out of the ethos {sic}. They had to have
24 existed for someone to insert them into the
25 legislation.

1 And so my question remains, when
2 were they, quote, unquote, drawn? When were
3 these congressional districts decided to look the
4 way they are today in this map?

5 SENATOR GIANARIS: Monday night.

6 SENATOR LANZA: Will the sponsor
7 yield?

8 ACTING PRESIDENT COONEY: Does the
9 sponsor yield?

10 SENATOR GIANARIS: Yes.

11 ACTING PRESIDENT COONEY: The
12 sponsor yields.

13 SENATOR LANZA: Through you,
14 Mr. President. So prior to Monday night there
15 were no computer hard drives, there are no pieces
16 of paper that have these or any other maps,
17 besides the IRC maps, either entered or drawn
18 upon them?

19 SENATOR GIANARIS: I think you
20 should make your question a little more specific.
21 You just asked me if there are computers that
22 have any maps on them of any kind.

23 SENATOR LANZA: I'm trying to avoid
24 the whole robot computer thing.

25 SENATOR GIANARIS: Yes, I

1 appreciate that.

2 SENATOR LANZA: I'm being drawn
3 inexorably ...

4 Would the sponsor yield?

5 ACTING PRESIDENT COONEY: Does the
6 sponsor yield?

7 SENATOR GIANARIS: Yes.

8 SENATOR LANZA: So let's start --
9 I'll dissect the question. So prior to Monday
10 night, is there any computer hard drive upon
11 which these maps are recorded?

12 SENATOR GIANARIS: No.

13 SENATOR LANZA: Would the sponsor
14 yield?

15 ACTING PRESIDENT COONEY: Will the
16 sponsor yield?

17 SENATOR GIANARIS: Yes.

18 ACTING PRESIDENT COONEY: The
19 sponsor yields.

20 SENATOR LANZA: Prior to Monday
21 night, are there any pieces of paper that have
22 these maps drawn upon them?

23 SENATOR GIANARIS: No.

24 SENATOR LANZA: Will the sponsor
25 yield?

1 ACTING PRESIDENT COONEY: Does the
2 sponsor yield?

3 SENATOR GIANARIS: Yes.

4 ACTING PRESIDENT COONEY: The
5 sponsor yields.

6 SENATOR LANZA: Through you,
7 Mr. President. Before -- before this legislation
8 was printed, someone had to enter the words and
9 the map lines into a computer. My first
10 question -- if I can ask two at once, through
11 you, Mr. President -- is who did that. And
12 second, when did that happen?

13 SENATOR GIANARIS: Well, the answer
14 to the second question is Monday night.

15 The first question is I believe it
16 was the Bill Drafting Commission, like they do
17 with every other piece of legislation that comes
18 before us.

19 SENATOR LANZA: Very good.

20 ACTING PRESIDENT COONEY: Would the
21 sponsor yield?

22 ACTING PRESIDENT COONEY: Does the
23 sponsor yield?

24 SENATOR GIANARIS: Yes.

25 ACTING PRESIDENT COONEY: The

1 sponsor yields.

2 SENATOR LANZA: I want to go back
3 to the "who." A human being or more than one
4 human being decided that this is what the maps
5 ought to look like. And I want to go through a
6 few.

7 Well, first I'll ask generally,
8 through you, Mr. President. Who are those
9 people?

10 SENATOR GIANARIS: I feel like my
11 memory is good enough to remember our debate two
12 years ago, Senator Lanza. And if you think I'm
13 going to sit here and identify staff for you to
14 harass, that's not going to happen.

15 So you could ask me about members,
16 you could ask about public officials that have
17 engaged in this process. It's my name on the
18 bill, so you can ask me about whatever is before
19 us, because I agreed to introduce the bill. But
20 I'm not going to sit here and list for you staff
21 members that have worked on this project.

22 SENATOR LANZA: Will the sponsor
23 yield?

24 ACTING PRESIDENT COONEY: Will the
25 sponsor yield?

1 SENATOR GIANARIS: Yes.

2 ACTING PRESIDENT COONEY: The
3 sponsor yields.

4 SENATOR LANZA: Senator Gianaris, I
5 have no intention of doing that. I asked you
6 who. You were free to tell me who those people
7 were. I'm not looking to harass staff members or
8 any member in this chamber, for that matter. I'm
9 looking to find out what happened here, why it
10 happened, and how it happened.

11 So I will be more specific, through
12 you, Mr. President. Were any -- are any of the
13 lines that form the borders of these
14 congressional districts, were they decided,
15 selected by Congressman Jeffries?

16 SENATOR GIANARIS: No.

17 SENATOR LANZA: Would the sponsor
18 yield?

19 ACTING PRESIDENT COONEY: Does the
20 sponsor yield?

21 SENATOR GIANARIS: Yes.

22 ACTING PRESIDENT COONEY: The
23 sponsor yields.

24 SENATOR LANZA: Through you,
25 Mr. President. Were any of the lines that form

1 these congressional districts chosen by the
2 Speaker of the Assembly?

3 SENATOR GIANARIS: I can't say who
4 on the Assembly side chose a line, but we
5 obviously negotiated with the Assembly to come
6 out with this legislation.

7 SENATOR LANZA: Will the sponsor
8 yield.

9 ACTING PRESIDENT COONEY: Does the
10 sponsor yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT COONEY: The
13 sponsor yields.

14 SENATOR LANZA: Through you,
15 Mr. President, I'm expecting a "Monday night"
16 response, but perhaps not.

17 When was the decision to move the
18 Third Congressional District into the Town of
19 Huntington made?

20 SENATOR GIANARIS: Monday night.

21 SENATOR LANZA: Would the sponsor
22 yield?

23 ACTING PRESIDENT COONEY: Will the
24 sponsor yield?

25 SENATOR GIANARIS: Yes.

1 ACTING PRESIDENT COONEY: The
2 sponsor yields.

3 SENATOR LANZA: Through you,
4 Mr. President. Who made that decision?

5 SENATOR GIANARIS: It was a joint
6 decision of the Senate and the Assembly.

7 SENATOR LANZA: Would the sponsor
8 yield?

9 ACTING PRESIDENT COONEY: Will the
10 sponsor yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT COONEY: The
13 sponsor yields.

14 SENATOR LANZA: Through you,
15 Mr. President. So neither Congressman Jeffries,
16 my friend the Speaker of the Assembly, my friend
17 the Majority Leader here --

18 SENATOR GIANARIS: Deputy Majority
19 Leader.

20 SENATOR LANZA: No, I'm speaking of
21 the Majority Leader.

22 SENATOR GIANARIS: Oh, yes.

23 SENATOR LANZA: I said "my friend."
24 (Laughter.)

25 SENATOR LANZA: -- my very good

1 friend Senator Gianaris, none of you -- none of
2 you actually selected any of the lines or the
3 borders that comprise these maps.

4 SENATOR GIANARIS: I didn't say
5 that at all.

6 SENATOR LANZA: Well, I'm asking.

7 SENATOR GIANARIS: You're asking if
8 any of us had something to do with it?

9 SENATOR LANZA: Through you,
10 Mr. President. I'm asking whether or not any of
11 you selected any of the borders that comprise
12 these congressional districts.

13 SENATOR GIANARIS: Well, certainly
14 myself and Assemblymember Zebrowski introduced
15 legislation that contained these borders. So
16 obviously he and I decided to propose these
17 borders.

18 SENATOR LANZA: Will the sponsor
19 yield?

20 ACTING PRESIDENT COONEY: Will the
21 sponsor yield?

22 SENATOR GIANARIS: Yes.

23 ACTING PRESIDENT COONEY: The
24 sponsor yields.

25 SENATOR LANZA: Senator Gianaris,

1 you mentioned both -- I think it was Monday and
2 also today, certainly, flaws in the IRC maps, the
3 Independent Redistricting Commission maps. Could
4 you tell us which of those flaws are corrected
5 here?

6 SENATOR GIANARIS: I'd be happy to,
7 Senator Lanza.

8 SENATOR LANZA: Thank you.

9 SENATOR GIANARIS: The IRC proposal
10 from Monday split counties six times. And we
11 repaired two of these splits in Orange County,
12 which we made whole, and in Rensselaer County,
13 which was split three times under their proposal.

14 The communities of interest that
15 were not reflected in the IRC proposal in the
16 North Bronx was repaired so that Co-Op City can
17 be attached to its traditional congressional
18 district.

19 And on Long Island, as we discussed
20 earlier with Senator Palumbo, where there now is
21 a North Shore district, as there has been for
22 many, many years on Long Island.

23 There was also, I believe, an effort
24 by the commission to draw lines -- it appears --
25 for the purpose of benefiting specific

1 incumbents, and we took steps to unravel that
2 improper map drawing.

3 SENATOR LANZA: Would the sponsor
4 yield for one last question.

5 ACTING PRESIDENT COONEY: Does the
6 sponsor yield?

7 SENATOR GIANARIS: Yes.

8 ACTING PRESIDENT COONEY: The
9 sponsor yields.

10 SENATOR LANZA: Through you,
11 Mr. President. I just -- one last attempt to
12 sort of get at the heart of this with respect to
13 the when, the how and the who.

14 Is the sponsor telling us that this
15 map was not drawn until after the Independent
16 Redistricting Commission maps were voted down on
17 this floor?

18 SENATOR GIANARIS: The maps we are
19 voting on today were not drawn until after that
20 time, that is correct.

21 SENATOR LANZA: Thank you,
22 Mr. President. Thank you, Senator Gianaris.

23 ACTING PRESIDENT COONEY: Are there
24 any other Senators wishing to be heard?

25 Seeing and hearing none, debate is

1 closed.

2 The Secretary will ring the bell.

3 (Pause.)

4 SENATOR GIANARIS: Mr. President,
5 just so the members understand, we're waiting for
6 one of my colleagues who is taking a potty break.

7 (Laughter.)

8 ACTING PRESIDENT COONEY: Read the
9 last section.

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

12 ACTING PRESIDENT COONEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT COONEY: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 565, those Senators voting in the
19 negative are Senators Ashby, Borrello,
20 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
21 Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt,
22 Palumbo, Rhoads, Rolison, Stec and Tedisco.

23 Ayes, 45. Nays, 17.

24 ACTING PRESIDENT COONEY: The bill
25 is passed.

1 Senator Gianaris, that completes the
2 reading of the controversial calendar.

3 SENATOR GIANARIS: Is there any
4 further business at the desk?

5 ACTING PRESIDENT COONEY: There is
6 no further business at the desk.

7 SENATOR GIANARIS: I move to
8 adjourn until Monday, March 4th, at 3:00 p.m.,
9 intervening days being legislative days.

10 ACTING PRESIDENT COONEY: On
11 motion, the Senate stands adjourned until Monday,
12 March 4th, at 3:00 p.m., with the intervening
13 days being legislative days.

14 (Whereupon, at 2:48 p.m., the Senate
15 adjourned.)