

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 6, 2024

11 12:27 p.m.

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14 REGULAR SESSION

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18 SENATOR JEREMY A. COONEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT COONEY: Today we
9 have Rabbi Elizabeth Zeller, of Temple Chaverim
10 in Plainview, New York, who will deliver today's
11 invocation.

12 Rabbi.

13 RABBI ZELLER: I'd like to express
14 my thanks to Senator Steve Rhoads and the entire
15 Senate for offering to have me here this
16 afternoon.

17 God of holiness, we adhere to the
18 prophetic message "Justice, justice you shall
19 pursue" as we consider the rights and freedoms
20 that we cherish, and the work that remains, in
21 our great State of New York.

22 May we be emboldened by our
23 responsibility as advocates for justice, and
24 compassionate to those who are in our care who
25 need our wise decision-making skills in their

1 lives. May the actions today reflect the needs
2 of all people.

3 We pray today for courage and
4 fortitude, for conscience and selfless devotion
5 to uphold our high values and moral standards.
6 May the citizens of our communities benefit from
7 our right actions.

8 May we remember that each one of us
9 was created B'tzelem Elohim -- in the image of
10 God -- and that we all hold that sacred beauty
11 deep within us. We call to mind the phrase that
12 comes from my Jewish textual tradition: Kol
13 Aravim Zeh b'zeh -- each one of us is responsible
14 for all who are within our community.

15 May we each be attuned to the sacred
16 call of living. May we be forever grateful for
17 the privilege and blessings of our lives. May we
18 never take for granted the responsibilities we
19 have to make the world a place filled with
20 justice, compassion and wholeness. And may we
21 serve with pride, with honor, and with integrity
22 to achieve all this and more.

23 May we each be attuned to the sacred
24 call of living, the sacred responsibility of our
25 lives and of others', as we cherish and uphold all

1 of the creations on this earth.

2 Amen.

3 (Response of "Amen.")

4 ACTING PRESIDENT COONEY: Reading
5 of the Journal.

6 THE SECRETARY: In Senate, Tuesday,
7 March 5, 2024, the Senate met pursuant to
8 adjournment. The Journal of Monday, March 4,
9 2024, was read and approved. On motion, the
10 Senate adjourned.

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

13 Presentation of petitions.

14 Messages from the Assembly.

15 The Secretary will read.

16 THE SECRETARY: Senator Serrano
17 moves to discharge, from the Committee on
18 Cultural Affairs, Tourism, Parks and Recreation,
19 Assembly Bill Number 4285 and substitute it for
20 the identical Senate Bill 722, Third Reading
21 Calendar 389.

22 ACTING PRESIDENT COONEY: So
23 ordered.

24 Messages from the Governor.

25 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 I want to begin today's session by
9 acknowledging the unfortunate passing of the son
10 of one of our colleagues in the Assembly.
11 Assemblymember Robert Smullen's son AJ passed
12 away after being struck by a car two weeks ago.

13 If we could begin session with a
14 moment of silence in his honor.

15 (Whereupon, the assemblage rose and
16 respected a moment of silence.)

17 SENATOR GIANARIS: Thank you.

18 Moving on to motions and
19 resolutions, Mr. President, please take up
20 previously adopted Resolution 1873, by
21 Senator Murray, read its title and recognize
22 Senator Murray.

23 ACTING PRESIDENT COONEY: The
24 Secretary will read.

25 THE SECRETARY: Resolution 1873, by

1 Senator Murray, memorializing Governor Kathy
2 Hochul to proclaim September 2024 as Dystonia
3 Awareness Month in the State of New York.

4 ACTING PRESIDENT COONEY: Senator
5 Murray.

6 SENATOR MURRAY: Thank you,
7 Mr. President.

8 It was 2015 when I was in the State
9 Assembly and two women came into my district
10 office and they wanted to educate me, they wanted
11 to teach me about and raise awareness about a
12 terrible, painful, debilitating muscular disorder
13 called dystonia.

14 Now, I'd never heard of it, had no
15 idea what it was. One of those ladies was Linda
16 Davis, of Medford, who over the years has become
17 a very good friend, but also such a strong,
18 powerful advocate. Their thought was if we can
19 raise awareness, then maybe we can find a cure,
20 maybe we can get more money, more research, and
21 help alleviate all the pain that those who suffer
22 are having.

23 Over the years it has grown and, by
24 us leading the way here in New York, other states
25 have joined on, and that awareness has grown and

1 grown. And again, it's through the efforts of
2 folks like Linda Davis who have made this
3 possible.

4 So I'm proud to support this
5 resolution in making September 2024 as Dystonia
6 Awareness Month in the State of New York, to join
7 with the effort nationally as well.

8 So thank you, Mr. President, and I
9 vote aye.

10 ACTING PRESIDENT COONEY: Thank
11 you, Senator Murray.

12 The resolution was adopted on
13 March 5th.

14 Senator Gianaris.

15 SENATOR GIANARIS: At the request
16 of the sponsor, please open that resolution for
17 cosponsorship.

18 ACTING PRESIDENT COONEY: The
19 resolution is open for cosponsorship. Should you
20 choose not to be a cosponsor of the resolution,
21 please notify the desk.

22 Senator Gianaris.

23 SENATOR GIANARIS: Please take up
24 the calendar.

25 ACTING PRESIDENT COONEY: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 115, Senate Print 760B, by Senator Liu, an act to
4 amend the Vehicle and Traffic Law.

5 ACTING PRESIDENT COONEY: Read the
6 last section.

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

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: In relation to
16 Calendar 115, voting in the negative are
17 Senators Canzoneri-Fitzpatrick and O'Mara.

18 Ayes, 53. Nays, 2.

19 ACTING PRESIDENT COONEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 362, Senate Print 126, by Senator Ryan, an act to
23 amend the Executive 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: In relation to
9 Calendar Number 362, voting in the negative:
10 Senator Brisport.

11 Ayes, 54. Nays, 1.

12 ACTING PRESIDENT COONEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 374, Senate Print 6223, by Senator May, an act to
16 amend the Education Law.

17 ACTING PRESIDENT COONEY: Read the
18 last section.

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

22 ACTING PRESIDENT COONEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT COONEY: Announce

1 the results.

2 THE SECRETARY: Ayes, 56.

3 ACTING PRESIDENT COONEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 375, Senate Print 6342, by Senator Stavisky, an
7 act to amend the Education Law.

8 ACTING PRESIDENT COONEY: Read the
9 last section.

10 THE SECRETARY: Section 2. 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 375, those Senators voting in the
19 negative are Senators Borrello,
20 Canzoneri-Fitzpatrick, O'Mara, Ortt, Palumbo,
21 Rhoads and Weik.

22 Ayes, 49. Nays, 7.

23 ACTING PRESIDENT COONEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 380, Senate Print 213B, by Senator Myrie, an act
2 to amend the Agriculture and Markets Law.

3 SENATOR GIANARIS: Lay it aside for
4 the day.

5 ACTING PRESIDENT COONEY: Lay it
6 aside for the day.

7 THE SECRETARY: Calendar Number
8 389, Assembly Print Number 4285, by
9 Assemblymember O'Donnell, an act to amend the
10 Parks, Recreation and Historic Preservation Law.

11 ACTING PRESIDENT COONEY: Read the
12 last section.

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

15 ACTING PRESIDENT COONEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT COONEY: Announce
19 the results.

20 THE SECRETARY: Ayes, 56.

21 ACTING PRESIDENT COONEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 392, Senate Print 4026, by Senator
25 Scarcella-Spanton, an act to amend the

1 Navigation Law.

2 ACTING PRESIDENT COONEY: Read the
3 last section.

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

6 ACTING PRESIDENT COONEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT COONEY: Senator
10 Scarcella-Spanton.

11 SENATOR SCARCELLA-SPANTON: Thank
12 you, Mr. President.

13 Our first responders need to be able
14 to get to an emergency as efficiently and as
15 swiftly as possible. The fact that our current
16 law does not account for first responders
17 traveling via waterways has been an oversight for
18 far too long. These exemptions already exist in
19 the New York State Vehicle and Traffic Law
20 concerning police and emergency vehicles. I am
21 glad that this legislation will correct this
22 oversight for first responder vessels.

23 Protecting our first responders that
24 command fire and law enforcement vessels should
25 always be a priority, and I am confident this

1 legislation will prioritize their safety moving
2 forward. I proudly vote aye.

3 ACTING PRESIDENT COONEY: Senator
4 Scarcella-Spanton to be recorded in the
5 affirmative.

6 Announce the results.

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT COONEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 401, Senate Print 6323B, by Senator Gonzalez, an
12 act to amend the General Business Law.

13 ACTING PRESIDENT COONEY: Read the
14 last section.

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

17 ACTING PRESIDENT COONEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT COONEY: Senator
21 Murray to explain his vote.

22 SENATOR MURRAY: Thank you,
23 Mr. President.

24 So you lose your identity, somebody
25 gets ahold of your account, you don't have access

1 to your cable account, your Verizon account, even
2 your bank account. How do you get it back?

3 Well, according to this bill, prove
4 your identity in person using a physical proof of
5 I.D. in the form of one of the following: A
6 valid passport issued by the United States
7 government or another country, or a valid
8 driver's license or a non-driver's I.D. card
9 issued by this or another state, the federal
10 government, any U.S. territory, commonwealth or
11 possession, or the District of Columbia, bearing
12 the consumer's name, photograph and date of
13 birth. Photograph. Because that's how you prove
14 who you are.

15 Yet every time we try to move
16 forward with a photo I.D. bill for voting, it
17 somehow is discrimination. Somehow people can't
18 get a photo I.D. But according to this bill,
19 that's not a problem. So which one is it?

20 So until we will move forward with a
21 photo I.D. bill for voting, I will be a no on
22 this bill.

23 Thank you, Mr. President.

24 ACTING PRESIDENT COONEY: Senator
25 Murray to be recorded in the negative.

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar 401, those Senators voting in the
4 negative are Senators Ashby, Borrello,
5 Canzoneri-Fitzpatrick, Griffo, Helming, Mattera,
6 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
7 Rolison, Stec, Tedisco, Weber and Weik.

8 Ayes, 43. Nays, 17.

9 ACTING PRESIDENT COONEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 463, Senate Print 6889, by Senator Martinez, an
13 act to amend the Vehicle and Traffic Law.

14 ACTING PRESIDENT COONEY: Read the
15 last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect on the first of November.

18 ACTING PRESIDENT COONEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT COONEY: Announce
22 the results.

23 THE SECRETARY: Ayes, 60.

24 ACTING PRESIDENT COONEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 532, Senate Print 8600, by Senator Ramos, an act
3 to amend Chapter 461 of the Laws of 2017.

4 ACTING PRESIDENT COONEY: Read the
5 last section.

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

8 ACTING PRESIDENT COONEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT COONEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT COONEY: The bill
15 is passed.

16 Senator Gianaris, that completes the
17 reading of today's calendar.

18 SENATOR GIANARIS: Is there any
19 further business at the desk?

20 ACTING PRESIDENT COONEY: There is
21 no further business at the desk.

22 SENATOR GIANARIS: Let me remind
23 Majority members that we are proceeding
24 immediately to conference upon the adjournment of
25 session.

1 And with that, I move to adjourn
2 until Monday, March 11th, at 3:00 p.m.,
3 intervening days being legislative days.

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

8 (Whereupon, at 12:40 p.m., the
9 Senate adjourned.)

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