NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 25, 2024

3:49 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: The Senate will come to order.

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

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

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, March 24, 2024, the Senate met pursuant to adjournment. The Journal of Saturday, March 23, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Stavisky

moves to discharge, from the Committee on Higher Education, Assembly Bill Number 7716A and substitute it for the identical Senate Bill 6112A, Third Reading Calendar 233.

ACTING PRESIDENT PERSAUD: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Madam President.

I offer amendments to the following Third Reading Calendar bills:

By Senator Rivera, page 9, Calendar 234, Senate Print 7872;

By Senator Harckham, page 30, Calendar 538, Senate Print 5331;

And also by Senator Harckham, page 40, Calendar 657, Senate Print 6752.

ACTING PRESIDENT PERSAUD: The amendments are received, and the bills will

retain their place on the Third Reading Calendar.

Senator Gianaris.

SENATOR GIANARIS: Can we now take up previously adopted Resolution 1982, by Senator Thomas, read its title, and recognize Senator Thomas.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1982, by Senator Thomas, congratulating Dr. Deborah L. Wortham upon the occasion of receiving the Superintendent Award at the National Conference of the American Association of School Administrators.

ACTING PRESIDENT PERSAUD: Senator Thomas on the resolution.

SENATOR THOMAS: Thank you, Madam President.

I know in all our districts there are some extraordinary teachers, principals and superintendents who are putting everything they've got into making sure our kids are getting a great education. But today I have with us the Superintendent of the Year, from Roosevelt School District in my neck of the woods, Dr. Deborah

Wortham.

It's not just me calling her the best, but the National Conference of the American Association of School Administrators. They actually do that.

Dr. Wortham joins us in the chambers today with her husband, after being recognized with the highest honor a superintendent can receive at the 2024 National Conference. This honor exemplifies all that Roosevelt has achieved and continues to achieve when guided by strong leadership, support, and community.

In 2013 she became the first locally elected superintendent for the Roosevelt Free School District after the state took it over in 2002 because of low academic performance and financial distress.

Her strong leadership helped the Roosevelt School District reach new academic heights, including significant increases in standardized test scores, an all-time-high graduation rate, and bringing all three of the district's elementary schools' designations from "state takeover" to "good standing" by the New York State Education Department.

I've gotten to know Dr. Wortham firsthand over the last few years, and it's clear that her visionary leadership as superintendent of the Roosevelt School District has enriched the lives of countless students, educators and community members. She understands the power of education and has successfully implemented policies to make sure students get the best education possible and skills they can take for their future.

Dr. Wortham, your compassion, integrity, and visionary leadership serve as an inspiration to us all, reminding us of the profound difference that one individual can make in the lives of many.

I am so proud to represent this amazing school district and of course gloat to all of you today how I have the best superintendent as well. We extend our deepest gratitude and congratulations on this well-deserved honor.

Congratulations, and welcome to the chamber, Doctor.

ACTING PRESIDENT PERSAUD: Dr. Wortham, on behalf of the Senate, I welcome

you to the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: The resolution was adopted on March 19th.

Senator Gianaris.

SENATOR GIANARIS: Madam President, Senator Thomas would like to open that resolution for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Please take up the reading of the calendar.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 213, Senate Print 7830A, by Senator Persaud, an act establishing a fiscal cliff task force.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 233, Assembly Print Number 7716A, by Assemblymember Hyndman, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 260, Senate Print 1181, by Senator Harckham, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, please temporarily lay aside this next bill.

ACTING PRESIDENT PERSAUD: The bill will be temporarily laid aside.

THE SECRETARY: Calendar Number 351, Senate Print 7205, by Senator Comrie, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 432, Senate Print 1087, by Senator Comrie, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 555, Senate Print 1398, by Senator Liu, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 555, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 35. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 571, Senate Print 1471, by Senator Breslin, an act to amend the Insurance Law and the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 9. This

act shall take effect on the 270th day after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 591, Senate Print 1360, by Senator Kennedy, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 686, Senate Print 1198, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Can we now remove the temporary lay-aside on Calendar 262.

ACTING PRESIDENT PERSAUD: There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Hinchey moves to discharge, from the Committee on Finance, Assembly Bill Number 6583A and

substitute it for the identical Senate Bill 1480A, Third Reading Calendar 262.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 262, Assembly Bill Number 6583A, by Assemblymember Shrestha, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR GIANARIS: Can we now move to the controversial calendar, please.

ACTING PRESIDENT PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 351, Senate Print 7205, by Senator Comrie, an act

to amend the Penal Law.

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

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

ACTING PRESIDENT PERSAUD: Thank you, Senator Lanza.

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

SENATOR LANZA: Accordingly, Madam President, I appeal the ruling of the chair and ask that Senator Canzoneri-Fitzpatrick be heard on that appeal.

ACTING PRESIDENT PERSAUD: The appeal has been made and recognized, and Senator Canzoneri-Fitzpatrick may be heard.

Senator?

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President.

I rise to appeal the ruling of the chair. The proposed amendment is germane to the

bill at hand because the bill at hand creates penalties for theft and my amendment will amend the penal code to address the growing theft of property by squatters taking over people's homes.

There have been several high-profile reports of squatters recently, particularly on Long Island and New York City, including the horrific case where two suspected squatters were arrested for beating a woman to death inside a New York City apartment and then stuffing her body into a duffel bag.

Particularly in a state like New York that offers some of the most tenant-friendly laws in the nation, it is entirely illogical to offer similar protections to squatters. The mere notion of so-called squatters' rights is nonsensical and is having devastating effects on property owners who are forced to continue paying real estate taxes, possibly a mortgage, and other expenses while a squatter wrongly occupies their property.

If someone steals your credit card information, they don't get to keep using your credit card under credit card scammers' rights. If someone steals your car, they don't get to

keep driving it under carjackers' rights.

Why is New York State allowing people to remain in homes they have no right to occupy in the first place? Why are we rewarding wrongdoers with legal rights?

These laws that favor criminals have given rise to online forums that encourage people to take over properties by squatting, even going so far as to provide squatting how-to guides online.

My amendment would make it clear that squatters and those who occupy property without permission from the owners are not treated as tenants and have no right to remain on the property.

Until our policies stop favoring criminal behavior, cases such as these will only continue to get worse.

For these reasons, Madam President, I strongly urge you to reconsider your ruling and for all of my colleagues to support adopting this commonsense amendment.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

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

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

(Response of "Aye.")

SENATOR LANZA: Show of hands.

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

Announce the results.

THE SECRETARY: Ayes, 20.

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

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

We've agreed to restore this bill to the noncontroversial calendar.

ACTING PRESIDENT PERSAUD: The bill restored to the noncontroversial calendar.

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris, that completes the reading of the calendar.

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

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Tuesday, March 26th, at 3:00 p.m.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Tuesday, March 26th, at 3:00 p.m.

(Whereupon, at 4:03 p.m., the Senate adjourned.)