

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

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

2 ACTING PRESIDENT PERSAUD: 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 PERSAUD: 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 PERSAUD: Reading  
14 of the Journal.

15 THE SECRETARY: In Senate, Sunday,  
16 March 24, 2024, the Senate met pursuant to  
17 adjournment. The Journal of Saturday, March 23,  
18 2024, was read and approved. On motion, the  
19 Senate adjourned.

20 ACTING PRESIDENT PERSAUD: 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 Stavisky

1 moves to discharge, from the Committee on  
2 Higher Education, Assembly Bill Number 7716A and  
3 substitute it for the identical Senate Bill  
4 6112A, Third Reading Calendar 233.

5 ACTING PRESIDENT PERSAUD: So  
6 ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from  
11 state officers.

12 Motions and resolutions.

13 Senator Gianaris.

14 SENATOR GIANARIS: Good afternoon,  
15 Madam President.

16 I offer amendments to the following  
17 Third Reading Calendar bills:

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

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

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

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

1 retain their place on the Third Reading Calendar.

2 Senator Gianaris.

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

7 ACTING PRESIDENT PERSAUD: The  
8 Secretary will read.

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

15 ACTING PRESIDENT PERSAUD: Senator  
16 Thomas on the resolution.

17 SENATOR THOMAS: Thank you,  
18 Madam President.

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

1       Wortham.

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

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

13                      In 2013 she became the first locally  
14      elected superintendent for the Roosevelt Free  
15      School District after the state took it over in  
16      2002 because of low academic performance and  
17      financial distress.

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

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

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

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

22 Congratulations, and welcome to the  
23 chamber, Doctor.

24 ACTING PRESIDENT PERSAUD:

25 Dr. Wortham, on behalf of the Senate, I welcome

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

3 Please rise and be recognized.  
4 (Standing ovation.)

5 ACTING PRESIDENT PERSAUD: The  
6 resolution was adopted on March 19th.  
7 Senator Gianaris.

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

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

15 Senator Gianaris.

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

18 ACTING PRESIDENT PERSAUD: The  
19 Secretary will read.

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

23 ACTING PRESIDENT PERSAUD: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the  
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce  
6 the results.

7 THE SECRETARY: Ayes, 52.

8 ACTING PRESIDENT PERSAUD: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 233, Assembly Print Number 7716A, by  
12 Assemblymember Hyndman, an act to amend the  
13 Education Law.

14 ACTING PRESIDENT PERSAUD: Read the  
15 last section.

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

18 ACTING PRESIDENT PERSAUD: Call the  
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PERSAUD: Announce  
22 the results.

23 THE SECRETARY: Ayes, 52.

24 ACTING PRESIDENT PERSAUD: The bill  
25 is passed.

1                   THE SECRETARY:     Calendar Number  
2     260, Senate Print 1181, by Senator Harckham, an  
3     act to amend the Executive Law.

4                   ACTING PRESIDENT PERSAUD:     Read the  
5     last section.

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

8                   ACTING PRESIDENT PERSAUD:     Call the  
9     roll.

10                   (The Secretary called the roll.)

11                   ACTING PRESIDENT PERSAUD:     Announce  
12     the results.

13                   THE SECRETARY:     Ayes, 52.

14                   ACTING PRESIDENT PERSAUD:     The bill  
15     is passed.

16                   Senator Gianaris.

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

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

21                   THE SECRETARY:     Calendar Number  
22     351, Senate Print 7205, by Senator Comrie, an act  
23     to amend the Penal Law.

24                   ACTING PRESIDENT PERSAUD:     Read the  
25     last section.

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

3 SENATOR LANZA: Lay it aside.

4 ACTING PRESIDENT PERSAUD: Lay it  
5 aside.

6 THE SECRETARY: Calendar Number  
7 432, Senate Print 1087, by Senator Comrie, an act  
8 to amend the Public Authorities Law.

9 ACTING PRESIDENT PERSAUD: Read the  
10 last section.

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

14 ACTING PRESIDENT PERSAUD: Call the  
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PERSAUD: Announce  
18 the results.

19 THE SECRETARY: Ayes, 52.

20 ACTING PRESIDENT PERSAUD: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 555, Senate Print 1398, by Senator Liu, an act to  
24 amend the Administrative Code of the City of  
25 New York.

1                   ACTING PRESIDENT PERSAUD:    Read the  
2   last section.

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

5                   ACTING PRESIDENT PERSAUD:    Call the  
6   roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT PERSAUD:    Announce  
9   the results.

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

16                   Ayes, 35.  Nays, 17.

17                  ACTING PRESIDENT PERSAUD:    The bill  
18   is passed.

19                  THE SECRETARY:    Calendar Number  
20   571, Senate Print 1471, by Senator Breslin, an  
21   act to amend the Insurance Law and the  
22   Vehicle and Traffic Law.

23                  ACTING PRESIDENT PERSAUD:    Read the  
24   last section.

25                  THE SECRETARY:    Section 9.  This

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

3 ACTING PRESIDENT PERSAUD: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Announce  
7 the results.

8 THE SECRETARY: Ayes, 52.

9 ACTING PRESIDENT PERSAUD: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 591, Senate Print 1360, by Senator Kennedy, an  
13 act to amend the Vehicle and Traffic Law.

14 ACTING PRESIDENT PERSAUD: Read the  
15 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the  
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce  
23 the results.

24 THE SECRETARY: Ayes, 52.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 686, Senate Print 1198, by Senator Rivera, an act  
4 to amend the Public Health Law.

5 ACTING PRESIDENT PERSAUD: Read the  
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the  
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce  
13 the results.

14 THE SECRETARY: Ayes, 52.

15 ACTING PRESIDENT PERSAUD: The bill  
16 is passed.

17 Senator Gianaris.

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

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

22 The Secretary will read.

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

1 substitute it for the identical Senate Bill  
2 1480A, Third Reading Calendar 262.

3 ACTING PRESIDENT PERSAUD: The  
4 Secretary will read.

5 THE SECRETARY: Calendar Number  
6 262, Assembly Bill Number 6583A, by  
7 Assemblymember Shrestha, an act to amend the  
8 Executive Law.

9 ACTING PRESIDENT PERSAUD: Call the  
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce  
13 the results.

14 THE SECRETARY: Ayes, 52.

15 ACTING PRESIDENT PERSAUD: The bill  
16 is passed.

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

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

21 ACTING PRESIDENT PERSAUD: The  
22 Secretary will ring the bell.

23 The Secretary will read.

24 THE SECRETARY: Calendar Number  
25 351, Senate Print 7205, by Senator Comrie, an act

1 to amend the Penal Law.

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

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

9 ACTING PRESIDENT PERSAUD: Thank  
10 you, Senator Lanza.

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

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

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

21 Senator?

22 SENATOR CANZONERI-FITZPATRICK:  
23 Thank you, Madam President.

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

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

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

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

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

1 keep driving it under carjackers' rights.

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

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

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

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

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

23 Thank you.

24 ACTING PRESIDENT PERSAUD: Thank  
25 you, Senator.

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

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

6 (Response of "Aye.")

7 SENATOR LANZA: Show of hands.

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

10 Announce the results.

11 THE SECRETARY: Ayes, 20.

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

15 Senator Gianaris.

16 SENATOR GIANARIS: Thank you,  
17 Madam President.

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

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

22 Read the last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce  
4 the results.

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT PERSAUD: The bill  
7 is passed.

8 Senator Gianaris, that completes the  
9 reading of the calendar.

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

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

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

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

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

21

22

23

24

25