NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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3:29 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: 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 MAYER: Archbishop Elpidophoros, of the Greek Orthodox Archdiocese of America in New York, New York, will deliver today's invocation.

ARCHBISHOP ELPIDOPHOROS: May we bow our heads in prayer.

In the name of God, the Creator and Sustainer of the universe, and of all that is contained therein: Amen.

We offer thanks and praise, O God, for gathering us together today in the Senate of the great State of New York, that we may appeal to Your righteousness and goodness to bless all the representatives of the people with Your mercy and Your grace.

Grant unto them to fulfill their duties, their responsibilities and obligations to the people with honor, with integrity, and with

unalloyed allegiance to the Constitution.

Bless them to love liberty -- the freedom that we commemorate today, recognizing March 25th, the Day of Greek Independence, and the freedom enshrined in these United States of America.

Hold all these lawgivers fast in Your loving care, that they may ever serve with the dignity of their high office and thus render glory, reverence and honor to You, the fountainhead of all law and justice.

Amen.

(Response of "Amen.")

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Monday, March 25, 2024, the Senate met pursuant to adjournment. The Journal of Sunday, March 24, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

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 move to adopt the Resolution Calendar, with the exception of Resolutions 2023, 2029, and 2055 and also 2056.
ACTING PRESIDENT MAYER: All those in favor of adopting the Resolution Calendar, with the exceptions of Resolutions 2023, 2029, 2055 and 2056, please signify by saying aye.
(Response of "Aye.")
ACTING PRESIDENT MAYER: Opposed, nay.
(No response.)
ACTING PRESIDENT MAYER: The Resolution Calendar is adopted.
Senator Gianaris.
SENATOR GIANARIS: Can we now begin by taking up Resolutions 2029 and 2055 together, read their titles, and recognize me on the

resolutions, please.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 2029, by Senator Gianaris, memorializing Governor Kathy Hochul to proclaim March 2024 as Greek History Month in the State of New York, in conjunction with the commemoration of the 203rd Anniversary of Greek Independence.

Resolution 2055, by Senator Gianaris, recognizing the Federation of Cypriot American Organizations in conjunction with its commemoration of the 50th Anniversary of the Turkish invasion and occupation of Northern Cyprus.

ACTING PRESIDENT MAYER: Senator Gianaris on the resolutions.

SENATOR GIANARIS: Thank you, Madam President.

This is the time of year when Senator Gounardes, Senator Skoufis and myself come before you to remind our colleagues how much they have to be thankful for that the Greeks exist and have given you so much --

(Laughter.)

SENATOR GIANARIS: -- of how we live. Whether it's mathematics, medicine, science, democracy -- you name it, you know the Greeks are behind it.

And so you're all very welcome --

(Laughter.)

SENATOR GIANARIS: -- for the contributions our ancestors have made to Western civilization.

But in all seriousness, this also is -- as we celebrate 203 years of Greek independence, it's also a solemn anniversary of a less celebratory nature. This is 50 years since the island nation of Cyprus was invaded and has been divided illegally, according to the United Nations. And New York happens to be home to a very large population of the Greek Cypriot diaspora who are refugees from their own homes.

I have traveled to Cyprus. I have crossed the -- what is the last divided capital in the world, of Nicosia, and seen the occupied territory. I have visited the homes of friends who are now New Yorkers who are -- those homes are now occupied by settlers who have just taken over their homes, and it was pointed out to me:

"Here's where I grew up, here was my bedroom," and there are now strangers to them living in those homes.

It is a tragedy that doesn't get a lot of attention because it's not a very large population, to be honest. But it is one nonetheless that has gone on for too long. And as we sit here and experience the 50th anniversary of an invasion and occupation that has been recognized the world over as improper, it still persists.

And so as part of our celebration of Greek independence today, we also thought it was a good idea to commemorate the fact that not all people of Greek descent are celebrating -- there are people who are Cypriots who continue to suffer, who continue to be refugees from their own homes half a century later -- and recommit ourselves to solving this problem on their behalf.

So Madam President, these resolutions together speak to both the good and the bad of what is happening in the Greek population today, in 2024. And so I appreciate my colleagues' indulgence in letting

us speak about both of them as one today.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Gianaris.

Senator Skoufis on the resolutions.

SENATOR SKOUFIS: Thank you very much, Madam President.

I first want to thank the sponsor of these resolutions, the Deputy Majority Leader.

And I also want to thank Senator Gounardes, who I know will speak next, for really taking the lead in organizing a lot of today's activities, including bringing up, as he has a number of times, His Eminence. It's always a privilege to be in his presence.

And I hope my colleagues realize, you know, this is not someone who is just, you know, sort of in charge of the church here in New York or even in the region. This is for the entire country. And it's really a blessing to be in his presence.

You know, today, it's not just -- you know, obviously there are three members of the so-called Greek Caucus here in the Senate, but today we're all honorary Greeks. And add

"opolis" to all of your last names -- Lanzopolis, Thomasopolis.

(Laughter.)

SENATOR SKOUFIS: And, you know, it's a wonderful day because we all appreciate everything that Greece and ancient Greece has afforded us. Senator Gianaris named a few of the present-day things that we take for granted that were established, invented in ancient Greece -- democracy, science, math, astronomy, medicine, the list goes on and on.

And really the most important thing that certainly I cherish and that the three of us cherish is the people, the values that the people bring. Whether you're in the diaspora here in America or still in Greece, the heritage, the values, the traditions, the goodness of the Greek people.

And I certainly think of my own family, which is emblematic of I think the larger diaspora when I think of that goodness. And my family's story is much like many families' stories who eventually come here to the United States, and especially here to New York, where so many emigrated to.

My father came here as a teenager. My grandfather was the first to come here. He left his family for a short time to come here in New York -- his first and only job in New York for decades was as a server at the Nathan's Coney Island hot dog stand -- and came here with little more than the proverbial shirt on his back when he emigrated from Greece, from a tiny mountainous village in Western New York {sic} -- which, to this day, still no paved roads, only recently got electricity, very much a rural, rural area of Greece -- and to come to the biggest city in the United States.

And soon thereafter the rest of my family came, worked our way into the middle class. And to this day my father, in Bay Ridge, owns a small business, a Greek deli on 5th Avenue in Senator Gounardes's district.

My grandfather, sadly, passed away a few years ago. My grandmother, my yiayia, passed away a couple of months ago. And they're part of the greatest generation, in my opinion, of Greeks. We all have -- certainly in America we refer to those who lived through World War II as the Greatest Generation, but that extends beyond

our borders here in America.

And, you know, my grandmother in particular lived through an extremely difficult time during World War II. The Nazi forces, as many of us know, occupied Greece, despite the incredible resistance that they put up. And as part of that occupation, many people don't know that there was a great famine in Greece that was subsequent to that invasion, and hundreds of thousands of Greeks died of starvation within literally just several weeks. My grandmother was orphaned because the Nazis literally stole the food from this agricultural farming community, small village that they were from.

And so they lived an extremely difficult early life, but came here to America for a better life, one that they sought and one that they got, and one that they were able to pass along to myself and the rest of the family.

And so, you know, those values are real. We live them. We appreciate them. And we are the beneficiaries of all that Greece -- despite 203 years of independence and modern Greece as we know it today, certainly we know that thousands of years of that richness, that

fullness, that goodness lives with us in the year 2024.

So I'm proud to be a Greek American, part of the diaspora, thankful for everyone that came before me. And I express my gratitude again to my two colleagues for bringing this resolution.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Skoufis.

Senator Gounardes on the resolutions.

SENATOR GOUNARDES: Thank you, Madam President.

And thank you, Senator Gianaris, for bringing these resolutions forward.

We think and feel differently because of what a little Greek town did during a century or two 2400 years ago. That's how esteemed classicist Edith Hamilton described the impact that Greece and the Greek people have had on the world for two and a half millennia.

I'll spare you all the litany of ways in which Greeks have shaped our world today, as Senator Gianaris alluded to, but Professor Hamilton's statement is 100 percent correct.

That's why I'm incredibly proud, as a fourth-generation Greek American, to stand here today and recognize March as Greek Heritage Month.

But it's not just what happened in the days of Socrates and Pericles that inspires us to celebrate Greek heritage. Indeed, it's the vast span of history over the last 2500 years and the collective impact that that history has had on our world today that gives Greeks and Philhellenes the world over a swell of pride and jubilee.

The rich glory of the Byzantines that lasted for a thousand years. The tenacious resilience that survived through 400 years of Ottoman occupation and oppression. The fierce courageousness of the war for independence that sparked revolutionary change across Europe. The determined resistance that stymied Nazi occupiers and bought enough time for Allied forces to shift the balance of war along the Eastern Front of World War II. And the soaring heights of success that Greeks in the diaspora have achieved throughout the world today. These are all reasons why Greeks and people of Greek heritage

have such enormous pride in who they are.

Yesterday we celebrated 203 years of Greece's independence. On March 25, 1821, revolutionary fighters gathered together with Metropolitan Germanos in the monastery of Agia Lavra in the village of Kalavryta -- which is where I believe Senator Gianaris's family is from -- and declared independence against Ottoman occupation.

The war was hard-fought, resulting in countless acts of devastation and atrocities, as war so often brings, including the Massacre of Chios, the island that my family is from, where nearly 100,000 people were either killed or expelled from the island.

And much like our own Revolutionary War here in America, seven years after declaring independence the people of Greece -- the farmers, the sailors, the merchants, the shepherds, the people who lived in the towns and the villages and throughout the countryside -- won their war and formed the Hellenic Republic.

Today we are also recognizing the diaspora of Greek Cypriots, as the people of

Cyprus prepare to solemnly commemorate 50 years since their nation was illegally invaded by Turkey, resulting in the forced expulsion of tens of thousands of Cypriots from their homes, the abandonment of towns and cities, and the still-current division of the country as well as the capital, making it the only divided national capital in the world.

Many of the refugees who were forced to flee Cyprus after their homes were taken from them settled right here in New York, making our state one of the largest Greek Cypriot communities in the world.

In fact, for those of you that don't know, one of our colleagues across the building, Assemblymember Michael Tannousis's family was among those refugees.

Today the relationship between our country, Greek and Cyprus is as strong as it's ever been. Anchored in the shared values of democratic governance, these three nations are joined together through mutual economic, political and security issues. Souda Bay, in Crete, is the home to the U.S. Navy's base of operations in the entire Eastern Mediterranean.

And the passing of the Eastern Mediterranean Security and Energy Partnership Act in the U.S. Congress has positioned Greece and Cyprus to play leading roles in securing energy independence for the entire European continent.

The relationship between our countries would not be possible but for the persistent and engaged advocacy of the Greek and Cypriot American communities that can be found in each and every one of our districts.

It is with this spirit that I'm particularly proud today that we're joined by the Supreme President of the American Hellenic Educational Progressive Association, better known as AHEPA, the largest Greek American civic organization in the country. I also believe that Senator Breslin is an honorary member of AHEPA from his own local chapter.

We're also joined by His Eminence Archbishop Elpidophoros of America, the spiritual leader of the Greek Orthodox Church in the United States.

For the Greek-American community, the church has often served as the focal institution that serves not just our spiritual

needs but our ethnic and community needs as well.

For my colleagues who might not know this history, the Greek Orthodox Church in America has long played an active role in the advancement of civil, political and human rights in our country.

It was our own Archbishop Iakovos who joined Dr. King in Selma, attended the funeral of Reverend James Reeb, and marched across the Edmund Pettus Bridge in the fight for equality for Black Americans.

And during the protest for racial justice after the murder of George Floyd, it was our own Archbishop Elpidophoros who was out in the streets, just as many of us were, marching to support the Movement for Black Lives.

So, Madam President, it is for all these reasons -- and with great pride -- that I celebrate Greek Heritage Month in the State of New York and proudly vote aye.

Zíto! Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Gounardes.

The question is on the resolutions. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The resolutions are adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, just to put a coda on those resos, while this discussion was going on, Senator Scarcella-Spanton texted me her DNA breakdown. Turns out she's 14 percent Greek --

(Laughter.)

SENATOR GIANARIS: -- including 2 percent Cypriot.

So when we say we have a three-member caucus, it's really 3.14, which of course --

(Laughter.)

SENATOR GIANARIS: -- which of course is pi, which is a Greek letter --

(Laughter.)

SENATOR GIANARIS: -- of great importance.

Can we now move on to previously

adopted Resolution 1895, by Senator Helming, read its title and recognize Senator Helming.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 1895, by Senator Helming, honoring Gary Baxter upon the occasion of his retirement after 15 years of distinguished public service to Ontario County, New York.

ACTING PRESIDENT MAYER: Senator Helming on the resolution.

SENATOR HELMING: Madam President, it is my honor to welcome Gary Baxter; his wife, Donna; daughter-in-law Stacey; grandsons Carson and Hugh; and wonderful friends Owen and Orion Johnston to the chamber.

Today we recognize Gary for 50 years of public service. This service included roles in the Geneva Police Department, the Ontario County Sheriff's Office, and finally as a dedicated Ontario County Treasurer.

Gary's passion for public service and commitment to fiscal responsibility is unmatched. During his tenure as county treasurer, Gary served as president of the

New York State Treasurers and Finance Officers Association. In that role he has rendered faithful, conscientious and valuable service to the citizens of this state.

In a true demonstration of compassion and care for others, Gary helped many families and residents under his jurisdiction save their homes by personally contacting every landowner whose property was at stake of reaching the auction rolls.

I've known Gary for many, many years. He has always had the best interests of constituents in mind, and that's why in our community he is affectionately known as "the people's treasurer."

Gary's unwavering support and dedication are a driving force behind Ontario County's success. His guidance and financial management helped the county to grow and prosper during his tenure. In fact, during Gary's service, Ontario County has bucked state trends, gaining more residents, attracting technology and innovators and new businesses.

But beyond the balance sheets, Gary is a respected public servant. I thank him for

his many, many years of unwavering leadership and service to the Hydrant Hose Fire Department, the Ontario County Volunteer Firemen's Association, the Geneva Boys and Girls Club, the Seneca Waterways Boy Scout Council, and especially, Gary, to our veteran community.

Gary, thank you for making our community, our state, and our county a better place for years to come. I hope you enjoy your retirement. Congratulations.

Madam President, I am honored to support this reso.

ACTING PRESIDENT MAYER: Thank you, Senator Helming.

To our guests, Mr. Baxter and your family and friends, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: The resolution was previously adopted on March 5th.

Senator Gianaris.

SENATOR GIANARIS: Next up, Madam President, we will take up previously

adopted Resolution 1987, by Senator Parker and Senator Brouk, read its title and recognize Senator Brouk to speak on the resolution.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 1987, by Senator Parker, memorializing Governor Kathy Hochul to proclaim March 2024 as Endometriosis Awareness Month in the State of New York.

ACTING PRESIDENT MAYER: Senator Brouk on the resolution.

SENATOR BROUK: Thank you, Madam President, for the opportunity to talk about this resolution for Endometriosis Awareness Month.

Oftentimes I stand in front of my colleagues and anyone watching and talk about maternal health and some of the challenges that both birthing people and people with uteruses face, and oftentimes I'm spreading awareness around some of those issues that many of us aren't as familiar with.

Endometriosis is a progressive systemic inflammatory disorder characterized by the presence of endometrial-like tissue or

lesions outside the uterus. Though this condition does very much impact reproductive health and is a leading cause of infertility, it's important to note that endometriosis is not simply a uterine disease. It's a systemic condition that impacts the entire body and can be found in virtually every and any organ.

And like so many, as I mentioned, women's health conditions, there's often a lack of education and awareness. But the fact is that it's estimated that one in 10 women and girls are living with endometriosis. And those who receive a diagnosis, nearly 80 percent of them are misdiagnosed before they ever get the correct diagnosis.

I want to recognize and thank a constituent of mine, Aria Zyas, who brought this to my attention. And I'll share a little bit about her story to really illustrate what this can mean for a young woman and a young girl.

She experienced pain so severe that she fainted in the middle of a science exam in high school. Although she presented with textbook endometriosis symptoms, she was told she was just having period cramps, take some with

Advil, sleep it off. It took nearly 10 years, six doctors, a dozen emergency visits and two hospitalizations before Aria received the correct diagnosis.

And sadly, this is not a unique experience. Hundreds of thousands of young women and girls are facing similar discreditations of their pain and misdiagnoses along the way.

As leaders, we truly have an obligation to make our state and our communities safer, healthier and more equitable, and that starts by the simple measure of recognizing and spreading awareness for some of the pain and suffering that our young folks and women across the state are dealing with.

For those reasons, I thank this body for bringing this resolution, and I proudly vote aye.

ACTING PRESIDENT MAYER: Thank you.

The resolution was previously adopted on March 19th.

To our guests, we welcome you on behalf of the Senate. Thank you for your advocacy. Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Next up is Resolution 2023, by Senator Sanders. Please read that resolution's title and call on Senator Cleare to speak on that resolution.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 2023, by Senator Sanders, memorializing Governor Kathy Hochul to proclaim October 17, 2024, as Credit Union Day in the State of New York.

ACTING PRESIDENT MAYER: Senator Cleare on the resolution.

SENATOR CLEARE: Thank you, Madam President.

As a member of the New York State Standing Committee on Banks, and on behalf of our chair, Senator James Sanders, I rise to lift up the work of credit unions in New York State. Credit unions are not-for-profit member-driven institutions that exist to serve everyday New Yorkers, including some of us right here in this chamber.

They have a long history of

empowering underserved and unbanked and underbanked communities, as well as being willing to extend credit in the form of loans and mortgages to those with lower incomes.

Given the current market share of 100 million members in the United States -- over 7 million of which are here in New York State, spread out over 300 individual credit unions doing business in our state at the community level -- it is clear that credit unions have made their mark and are a valuable source of support and resources for our communities.

I myself am a long-time card-carrying member of a municipal credit union and very proud of my affiliation with them.

I'm blessed to have this opportunity to celebrate Credit Union Day in the State of New York again, and I thank Senator James Sanders and wish all of our New York credit unions and their members the very best.

ACTING PRESIDENT MAYER: Thank you, Senator Cleare.

Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Madam President.

I'd also like to thank Chairman Sanders for presenting this resolution on credit unions.

My first car loan was through our local credit union. And thank God, because when you're a young person, sometimes your credit's not sparkling. And that's really what credit unions are about; they're about making local decisions to ensure that those folks who can have the opportunity do get the opportunity.

As we see across rural areas of New York State like those I represent, often credit unions are opening new branches even in areas where banks are closing them. So we appreciate their service in our rural areas.

They're also about financial literacy. They're in our schools, teaching our children about responsible ways to handle money. They're teaching adults who maybe for the first time are experiencing issues, how they can better manage their finances.

So the services they provide as not-for-profits to our communities is immeasurable, and I am very proud to support this resolution. I vote aye.

Thank you.

ACTING PRESIDENT MAYER: Senator Cleare, do you want to introduce your guests?

SENATOR CLEARE: I just wanted us to recognize we have some credit union leaders up here in the gallery that came to be with us today. I didn't know they were there, I'm sorry, when I first spoke.

But we welcome you, and we thank you for coming to say hello to us.

ACTING PRESIDENT MAYER: To our guests, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of the house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Next up, Resolution 2056, by Senator Ramos. Please read its title and recognize Senator Ramos.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 2056, by Senator Ramos, commemorating the 113th Anniversary of the Triangle Shirtwaist Factory Fire on March 25, 2024.

ACTING PRESIDENT PERSAUD: Senator Ramos on the resolution.

SENATOR RAMOS: Thank you, Madam President. Good to see you.

You've heard me tell this story before. On March 25, 1911, a deadly fire spread through the Triangle Shirtwaist Factory in Lower Manhattan, where NYU is today. One hundred forty-five workers, mostly young immigrant women, burned to death in a padlocked factory.

We retell this story every year because so much change was born of their poverty and pain. Bosses really had the upper hand at the time. In fact, the day before the Triangle Shirtwaist Factory fire, the New York Court of

Appeals overturned the state's first workers' compensation law in the United States.

Crystal Eastman was its principal author, and she led the revolutionary step that protected ill and injured workers and required employers to share in the responsibility caused by dangerous conditions in their workplace.

Despite the law being overturned, the Triangle Shirtwaist Factory fire drastically shifted public opinion. New York State amended its Constitution in response and fully implemented a workers' compensation safety net two years later.

Now, in the arc of American labor history, the New York State Legislature has always set the tone. With the passing of this resolution, I ask that we recommit ourselves to continuing Eastman's work.

This year the Senate Labor Committee has moved a significant package of workers' compensation reforms. We're updating temporary disability insurance, championing the injured worker's right to a hearing and transforming the process to make it easier for an injured worker to get the treatment and the relief they need.

As we welcome the latest round of migrants to our state, we run the risk of facilitating a labor market that again treats workers as disposable. So I hope we rise to meet this moment and protect New York's working families before another disaster strikes.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Madam President.

And thank you to Senator Ramos for bringing this important resolution to the floor.

And I urge my colleagues to read the resolution, which has the names of the young, largely women, mostly Jewish and Italian, who died at that terrible fire. Some were 13, 14, 15, 18.

Today I had the honor of reading the New York Times coverage the following day of the fire. And it is really something worth remembering how terrible it was. These women -- largely women -- were locked inside this factory which caught fire. They had no way to get out.

They jumped out. And it led to this transformative change in New York's labor laws, for which we are so grateful.

But we cannot forget these women, most of whom were like so many of the others in our communities today -- young immigrants, many of them did not speak English, many had just arrived in this country, taking the only jobs they could get, which was sewing in the factory.

So today, in their honor, and remembering them as individuals who died and to make something of their memory -- which is a change in our labor laws and an outstanding, long-lasting commitment to improving the lives of working people, including our immigrant brothers and sisters -- today I am thankful for the opportunity to speak, to remember this fire, to remember the individuals, and to recommit ourselves to making change in our country.

That is our job here. Today we are remembering that is our duty.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Stavisky on the resolution.

SENATOR STAVISKY: Thank you, Madam Chair.

Over the years we have done resolutions describing the Triangle Shirtwaist Factory. And in the past one of my Queens colleagues on the other side of the aisle would get up and talk about it in very personal terms because he lost a relative -- I don't remember who the relative was -- in that fire.

And in his honor, I thank him for keeping the memory in the past over the years. His name was Senator -- is Senator Maltese, and he each year reminded us of our history.

So I thank my colleagues for reintroducing it, and I proudly vote aye.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The

resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Let's take up the calendar at this time, Madam President.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 105, Senate Print 1634B, by Senator Kavanagh, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 105, those Senators voting in the negative are Senators Borrello, Oberacker, Palumbo and Stec. Also Senator Tedisco.

Ayes, 56. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 123, Senate Print 1748, by Senator Sanders, an act to amend the Banking Law.

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT MAYER: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 141, Senate Print 5414, by Senator Hoylman-Sigal, Concurrent Resolution of the Senate and Assembly proposing amendments to Article 6 of the Constitution.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 141, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco, Weber and Weik.

Ayes, 45. Nays, 16.

ACTING PRESIDENT MAYER: The concurrent resolution is adopted.

THE SECRETARY: Calendar Number 145, Senate Print 7883, by Senator Gianaris, an act to amend the Legislative Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 267, Senate Print 2675, by Senator Fernandez, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Fernandez to explain her vote.

SENATOR FERNANDEZ: Thank you, Madam President.

This bill would designate August 31st in New York Overdose Awareness Day.

Why August 31st? Because in Australia, in 2001, that's when it first got established, and August 31st was picked because it marks the end of winter and the start of spring -- the start of people's recovery journey, the start of a new day, the start of their new life.

And for many that are lucky enough to survive an overdose, the next day is the start of your new life.

And this day for New York will serve to not just be a day of remembrance -- because every day when we lose somebody, and every day we are losing someone to the preventable death of overdose -- it's a call to action. And this bill would acknowledge the profound grief that families and loved ones who have been affected by overdose have to feel every day.

And it sends a clear message to those suffering from substance use disorder and people in recovery that they are loved and they are valued and they are remembered.

Every community in our state has been affected by the overdose crisis. Last year in the United States over 100,000 deaths happened because of an overdose. And in New York City,

3,000 deaths happened in 2022 -- or '23.

The rates right now are the highest that it's ever been -- and the highest since we've been recording 25 years ago. Overdoses affect everyone, whether you're a parent, a spouse, a friend, a sibling, a healthcare professional or a first responder.

Overdose Awareness Day is more than just a day. As I said, it's a call to action -- to invest in state resources to bolster access to services and supports that we know save lives. Making sure everybody is trained on how to use life-saving naloxone. Expanding overdose prevention centers and strengthening the state's substance use disorder prevention programs like harm reduction, treatment, recovery services, to ensure that those that are seeking it can help find a supportive, stigma-free environment in their own community.

If you overdose and you die, you cannot start your path to recovery. We have to keep people alive. New Yorkers that are suffering -- our neighbors, our friends and our loved ones -- should be treated with compassion, understanding and respect.

Declaring August 31st as Overdose Awareness Day is the signal for people of New York that we are united in the fight against overdose deaths.

Thank you, and I proudly vote aye.

ACTING PRESIDENT MAYER: Thank you, Senator Fernandez.

Senator Jessica Scarcella-Spanton on the bill.

SENATOR SCARCELLA-SPANTON: Thank you, Madam President.

And thank you, Senator Fernandez, for your work in designating August 31st as Overdose Awareness Day.

As we mark Overdose Awareness Day, I would be remiss if I did not acknowledge the ongoing challenge of overdose deaths in my district. In recent years Staten Island has been particularly hard hit by this crisis, with a disproportionately high rate of overdose deaths compared to other areas of our state.

These statistics are not just numbers. They represent so many lives tragically cut short, families grappling with unimaginable grief, and a community deeply affected by the

pain that comes with addiction.

Personally, I have lost numerous friends to this tragedy over the years, including over 10 people that I grew up with.

To spare their privacy, I will just read some of the names of the friends I've lost over the last decade: Peter, Brandon, Anastasia, Michael, Julie, Matt, Robert, Matthew, Tommy, Steven, and of course my dear sweet friend Joey Fellini.

I talk to their families all the time. I always do this in their memory and in their honor. It's a devastating loss. It's horrible to see the families left behind.

And today New York State reaffirms its commitment to overdose awareness and prevention. This day will serve as a reminder of those lives lost and the devastating impact of substance abuse.

And I always think of what Luke Nasta from Camelot -- which Senator Fernandez has been doing a tremendous job; she came to visit in our district. But he said every generation has something that marks their tragedy, and this is ours, our generation, this

overdose crisis that we're in. You would be hard-pressed not to knock on a door on Staten Island and find someone who knows someone who has overdosed.

So thank you, and I proudly vote aye.

ACTING PRESIDENT MAYER: Thank you, Senator.

Senator Murray on the resolution.

SENATOR MURRAY: Thank you, Madam President.

I rise to also thank Senator Fernandez and all of the cosponsors that have joined us and everyone that will hopefully be voting yes on this bill today.

Because as we designate August 31st as Overdose Awareness Day, it's unfortunate that every single day is an awareness day of this problem. We hear about it with the tragic stories in the news that we lost another loved one, that someone else has passed. We hear about it with the fentanyl crisis and xylazine and all of these other new drugs that are hitting the streets, and the dealers that are pushing this poison, taking our loved ones, our children.

We're hearing it. We're aware of the problem. We hear about it. But by passing this bill, by setting one day, hopefully -- see, earlier this year we had a lot of people coming up to Albany and rallying for action. They want us to do something about it. And we are. We are taking action, and this is a step.

But we need to do more. And hopefully on this day, a little later this year, August 31st, it won't just be an awareness day, it will be a day that we celebrate all of the action that we did take and the lives that we will be saving by that action we take.

So thank you to everyone who is continuing to push this and drive the awareness of what still needs to be done.

And I gladly and proudly vote aye. Thank you.

ACTING PRESIDENT MAYER: Senator Rolison to explain his vote.

SENATOR ROLISON: Thank you, Madam President.

And I want to thank my colleague Senator Fernandez, who I'm very thankful to serve with on the Alcoholism and Substance Use Disorder

Committee.

While I am certainly supportive of this day, I support it very solemnly because of the Doyle family in Poughkeepsie. Tim Doyle and I grew up together, became firefighters together in 1976. And I saw Tim raise a family, a businessman in the City of Poughkeepsie. And he lost his son Sean to this addiction.

Sean -- Seanny, they called him, Seanny Doyle, was in recovery. It was exciting to hear about that because his struggles certainly were tough. And Sean ultimately lost his life to an overdose death. And what I saw from that tragedy, in losing such a devoted son who was part of his father's business, was change, both in Sean's brother Ryan and his father Tim -- a change that has never gone away.

But in that tragedy of losing Seanny, they created hope for others in the Sean Doyle Foundation. And the commitment that that family and others -- Sean had so many friends who have helped with this foundation -- to help individuals in addiction -- because as we know, you can win a battle, but you can still lose that war.

That is very difficult to overcome. And for far too many in this country and in this state and in Poughkeepsie, they do not overcome it.

So the action we're taking today -- and as my colleague Senator Murray said, every day is awareness day. And every day is a remembrance day for individuals who have lost a loved one or a friend. And as Senator Scarcella-Spanton said, listing the names of everyone that we know that has lost their lives to addiction.

So what we do in this chamber matters. It matters in awareness. It also matters in action. And I know that this chamber has acted and will continue to act to do every single thing that we can in this body to save lives.

And I proudly vote aye.

ACTING PRESIDENT MAYER: Thank you, Senator.

Senator Oberacker to explain his vote.

SENATOR OBERACKER: Thank you, Madam President.

And thank you to my colleague and chair for Alcoholism and Substance Use Disorder. As ranker on the committee, I can't think of a more prouder committee to serve on.

And, you know, this morning when I left to come to this body my wife said to me, she goes -- and she says this every morning to me. She says "Make something right."

Well, I can go home today, tonight, and I can tell her that we made something right.

And I proudly, proudly vote aye.

Thank you, Senator.

ACTING PRESIDENT MAYER: Thank you.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 305, Senate Print 2773B, by Senator Krueger, an act to amend the Administrative Code of the City of New York.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number

339, Senate Print 1552, by Senator Addabbo, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 339, those Senators voting in the negative are Senators Brisport, Griffo, Lanza, Ortt and Salazar.

Ayes, 56. Nays, 5.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 396, Senate Print 2418, by Senator Comrie, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of January.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 396, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Oberacker, O'Mara, Ortt, Palumbo, Stec and Tedisco.

Ayes, 51. Nays, 10.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 418, Senate Print 2143A, by Senator Persaud, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of April.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 418, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Stec, Tedisco, Weber and Weik.

Ayes, 47. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 448, Senate Print 2867, by Senator Rivera, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

455, Senate Print 1672, by Senator Addabbo, an act to amend the Highway Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 480, Senate Print 2747, by Senator Bailey, an act to amend the Executive Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 480, those Senators voting in the negative are Senators Oberacker, Ortt, Stec and Weik.

Ayes, 57. Nays, 4.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 535, Senate Print 3116A, by Senator Mannion, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill

is passed.

THE SECRETARY: Calendar Number 612, Senate Print 2573A, by Senator Gounardes, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 612, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Lanza, Rhoads, Tedisco and Weik.

Ayes, 55. Nays, 6.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 646, Senate Print 2301, by Senator Mayer, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 646, voting in the negative are Senators Brisport and Salazar.

Ayes, 59. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR GIANARIS: Let's move on to the controversial calendar, please.

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 145, Senate Print 7883, by Senator Gianaris, an act to amend the Legislative Law.

(Pause.)

ACTING PRESIDENT MAYER: Sorry. Sorry. Senator Palumbo, why do you rise?

SENATOR PALUMBO: Thank you, Madam President. Would the sponsor yield for a few questions, please.

ACTING PRESIDENT MAYER: Senator Gianaris, do you yield?

SENATOR GIANARIS: Yes, I will.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator. Good afternoon.

I just have a few questions about this bill. I know that we've -- I've actually previously voted yes on this bill. But last year there was a version of this that was retroactive. The Governor vetoed it. Are there any changes made to this bill?

SENATOR GIANARIS: Yes.

SENATOR PALUMBO: Would the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The

Senator yields.

SENATOR PALUMBO: What are they?

(Laughter.)

SENATOR GIANARIS: The bill is no longer retroactive. It would be prospective only.

SENATOR PALUMBO: Great, thank you.

Would the sponsor yield, please.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you.

And again, the timing of this bill -- I know last year when it was submitted it was shortly after a few of our confirmation hearings with respect to judges on the Court of Appeals. And of course this bill would now expand lobbying rules and disclosure rules to groups that lobby on behalf of nominees.

And so I guess this was called -- is the La Salle bill, in light of that confirmation that was somewhat controversial, of course.

So in that regard, can you tell me

why this bill came after that particular nomination and not regarding the prior nomination of Judge Singas, which was, I would say, just as controversial.

SENATOR GIANARIS: First of all, the title of this bill does not reflect what you have chosen the name is. So you can call it what you will, but it's my bill and that is not the name that's on it.

The answer is because it has been documented publicly that there was substantial amounts of money spent in favor of and opposed to that nomination, which in my experience here of many years was the first time that's happened as it related to a nomination and exposed the loophole in the lobbying laws.

SENATOR PALUMBO: Will the sponsor yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator.

And -- well, in that regard there was one group in particular lobbying against Judge La Salle, the Center for Community Alternatives and Peter Martin. Are you familiar with that group and that individual?

SENATOR GIANARIS: I am.

SENATOR PALUMBO: Will the sponsor yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator.

And that same group was quite vocal, along with some others, with respect to the Madeline Singas nomination. Isn't that also accurate?

SENATOR GIANARIS: If memory serves, I think that's right, yes.

SENATOR PALUMBO: If memory serves -- I'm sorry?

SENATOR GIANARIS: I believe that's accurate, yes. Yes.

SENATOR PALUMBO: Will the sponsor yield.

ACTING PRESIDENT MAYER: Will you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: And in fact the Center for Community Alternatives is a non-for-profit, to my knowledge. Do you know if that's accurate as well?

SENATOR GIANARIS: I do not know.

ACTING PRESIDENT MAYER: Will the sponsor yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Well, if I were to tell you that I've been able to just get some information regarding the Center for Community Alternatives, that they are in fact a nonprofit, do you recall that -- those individuals having several conversations with members of the

Majority regarding both the Singas nomination as well as the La Salle nomination?

SENATOR GIANARIS: Mr. President, I'll indulge my colleague because I like talking with him, and it's interesting. But the activity on previous nominations has, as you pointed out at the beginning of this conversation, nothing to do with this bill, which is simply prospective.

And so we could talk about those two nominations, we can go back in time and talk about a nomination from 20 years ago, but they would all have the same relevance to this proposal.

SENATOR PALUMBO: Thank you, Senator Gianaris.

On the bill, please.

ACTING PRESIDENT MAYER: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you, Madam President.

So instead of us going around and around in a circle, I think I'll just kind of lay it out for my colleagues. And the reason why -- even though I've previously been a yes on this bill, this is a political bill that is cloaked in

transparency, for a number of reasons. I'll go through it now.

So the Center for Community Alternatives is a 501(c)(3). They're a nonprofit. And pursuant to the IRS Code -- and I'll read directly from the IRS website: In general, no organization may qualify for Section 501(c)(3) treatment if a substantial part of its activities is attempting to influence legislation, commonly known as lobbying. A 501(c)(3) organization may engage in some lobbying, but too much lobbying activity risks loss of tax-exempt status. And that includes legislation, it includes action by Congress, any state legislature, any local council or similar governing body with respect to acts, bills, resolutions or similar items, such as legislative confirmation of appointive office or by the public in referendum ballot initiative.

So when I started thinking about this -- and this was on the committee just recently, and I started looking through the bill of course, which, Madam President, is always somewhat of a dangerous thing when I do that. But with that in mind, I saw that the Center for

Community Alternatives, with respect to the Court of Appeals nomination for Chief Judge, spoke with -- and I don't want to embarrass any of my friends, but they know who they are, of course -- one, two, three, four, five, six, seven, eight, nine, 10, 11, 12, 13, 14 -- it looks like every -- and I couldn't find someone that was omitted. Every Majority member, no Republicans; staff members for most of those individuals. In the Assembly, staff for the Speaker, staff for an overwhelming number of individuals in the Assembly, for some reason.

And so this group is lobbying in violation of their charter and in violation of their 501(c)(3) status.

And when I think about the text of this bill, that now it wants disclosure -- when a bunch of -- when the Center for Community Alternatives is lobbying hard against Judge Singas, which they were, with other groups -- we all recall, we were here. I was here, many of us were standing in this room and saw that nobody had a problem with it. But when a bunch of Latinos organize and come strong against a position, a progressive position of the Majority,

all of a sudden we need to have transparency. All of a sudden we need to know who these people are.

So the more I think about this, this is pretty tricky, quite frankly, when you think about what this bill is going to accomplish. Because we have essentially the ability to find out who's who and retaliate against those groups or individuals.

And so when I think this through -- I mean, we had the opportunity to make history in this body with the nomination of Judge Hector La Salle. And sadly, we did make history and, for the first time in the history of this state, rejected a governor's pick for chief judge.

So although I had previously voted for this, this is a political cudgel. This is a weapon, is what this is. Because what do you need -- why would we need to know who's actually advocating for or on behalf of a nominee? What's the difference? I mean, they're -- clearly, they were lobbying --

SENATOR GIANARIS: Madam President.

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Will Senator Palumbo answer a question?

ACTING PRESIDENT MAYER: Do you yield for a question?

SENATOR PALUMBO: Certainly.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR GIANARIS: I'm curious what Senator Palumbo would think would be the argument for knowing who is spending money advocating for or against the legislation that we vote on every single day, and whether he thinks that's a good idea.

SENATOR PALUMBO: Well, in that regard -- and I'll comment on the bill and I'll answer that question for you as well.

That obviously we want to know who is lobbying, who is not lobbying. It's just the timing of this particular bill, Madam President, is awfully curious. Because this is not a new idea that we have disclosure laws with respect to lobbying activity. Confirmations were always at one point -- until now, of course -- they were excluded for reasons that are really unbeknownst to me.

So I -- and that's the reason why, Senator Gianaris -- through you, Madam President -- that's the reason why I was voting for this, because I think this is always a good idea. But now, when I really thought this through, this is more political than anything, in my opinion.

So for those reasons and the others that I've mentioned, Madam President, I will be voting in the negative.

Thank you.

ACTING PRESIDENT MAYER: Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Gianaris to explain his vote.

SENATOR GIANARIS: Thank you,

Madam President.

I found the arguments by my colleague very curious and disingenuous, specifically because this bill doesn't apply to anything that's already happened. If you wanted to make the argument this could be used against someone that did something, he could have made that argument last time when he voted for the bill.

But here we are, talking about a simple situation where if you think it's a good idea to disclose lobbying on legislation, why would you want it hidden who's spending money for nominees for or against? By the way, whatever group he was talking about, they would have to disclose just as well.

And so I also am thinking more and more, the way Senator Palumbo was thinking. I'm like, I wonder why, what's going on? Senator Palumbo, as we all know, sued this body during the course of that legislation. I don't know who funded that suit. Perhaps -- perhaps someone funded that suit and he doesn't want it known who's spending money advocating against what we were doing here in the Senate.

I don't know. That's as crazy an aspersion as the ones you were just casting, Senator Palumbo.

So the bottom line is this is a bill that applies from the day it's enacted forward. There might be groups on the left supporting or opposing a nominee; they would have to disclose. There might be groups on the right doing the same thing, and they would have to disclose the same way everybody who lobbies on legislation has to disclose their activities.

It's a simple idea. If Senator Palumbo wants to vote no and tell the people of New York he'd rather lobbying on nominations be conducted in secret, that's certainly his right as a member of this body.

But I, for one, will be voting yes.

ACTING PRESIDENT MAYER: Senator Gianaris to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 145, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Mattera, Murray, Oberacker, O'Mara, Ortt,

Palumbo, Rhoads, Stec, Tedisco, Weber and Weik.

Ayes, 44. Nays, 17.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 305, Senate Print 2773B, by Senator Krueger, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT MAYER: 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 to be heard on that amendment.

ACTING PRESIDENT MAYER: 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 to be heard on the appeal.

ACTING PRESIDENT MAYER: The appeal has been made and recognized, and Senator Lanza, you may be heard.

SENATOR LANZA: Thank you, Madam President.

Madam President, I appeal the ruling of the chair. The proposed amendment is germane to the bill at hand because the bill at hand deals with preventing certain motor vehicles from being ridden in New York City and, beyond that, even being sold in New York City.

And of course the amendment, Madam President, deals with the repeal of congestion pricing, which is another law, policy here in the State of New York, specifically in the City of New York, which charges a tax or a fee to vehicles that enter a certain area of New York City -- specifically, the so-called business district, that portion of Manhattan south of 60th Street.

What is congestion pricing, Madam President, and why is it germane to this legislation? Congestion pricing says that if you are a resident of New York City or a resident anywhere and you decide, especially if you're in New York City, a Staten Islander or a Brooklynite, someone from Queens, from the Bronx, even from the northern portion of Manhattan -- if

you have the gall to decide to get in your vehicle and drive within your own city for whatever reason, to live your life, you are going to be charged a tax. If you are in a car, you're going to be charged $15. If you're a local business in a small truck, it goes up to $25, $26. If it's a larger truck, it will be $35.

Madam President, I can't think of a worse policy, especially at this time when people are really suffering in the State of New York trying to make ends meet, trying to put food on the table. Just about everything that people need to do in the State of New York, the City of New York, is more expensive than it was even a couple of years ago. And now, Madam President, with congestion pricing about to come into effect, there will be one more or many more things that will cost more in the State of New York.

I've talked to businesses on Staten Island, I've met with the Staten Island Chamber of Commerce, and what they tell me is this is going to be a death blow to many local businesses -- who will then have to pass the costs on to New Yorkers, whether in New York City

or outside of New York.

And yet again, Madam President, thanks to congestion pricing, things are just going to cost more.

How much of a tax is this going to be, congestion pricing, Madam President, you might ask. Well, according to the MTA, it's a $1 billion tax. That's their estimate. A billion-dollar tax that's going to be shouldered by and the people of New York are going to be burdened by.

Which is curious -- I think that's the word of the moment -- it's curious because if the goal -- now, the goals keep changing, Madam President, if you listen to the MTA and those who support it -- Governor Hochul, for instance. If the goal is to reduce congestion, well, how are you going to get a billion dollars out of this? Well, that must mean, according to my math, that still millions of vehicles are going to drive into the business district. You can't have it any other way. You're either going to make a billion dollars or the cars aren't going to drive there.

So it's not doing much there, but

then, according to the MTA, whichever vehicles or how many vehicles you prevent from coming into the business district -- you know, that very elite section of New York City who can't be bothered with the rest of those of us who don't live there, from the outer boroughs especially, there's going to be, according to the MTA, more traffic and congestion in Staten Island and in Brooklyn and in the Bronx and in Queens. The MTA tells us that.

So really, at the end of the day, what is congestion pricing, Madam President? It's a bailout of the mismanaged MTA, which has failed this city and this state miserably and continues to fail it more and more as the months and years go by.

We see crime that they only recently told us was only a perception of crime -- stop fearmongering, Senator Lanza, the subways are fine. And we just see that the statistics have come out, and violent assaults -- those are assaults where someone is seriously injured -- are up more than 53 percent. Hundreds of New Yorkers are being violently assaulted on our subways. They're filthier than ever. There are

more breakdowns than ever.

(Tinkly cellphone music; laughter.)

SENATOR LANZA: I thought it might be my colleague Senator Gianaris, but it's not.

So the MTA is failing at every turn. They don't provide -- they don't live up to their mission of providing safe, efficient transportation for the people of the City of New York and the rest of the state. And so they need a bailout, Madam President. And that's what this is.

And they're so desperate, they're so desperate that just recently, because they are afraid -- they listen to what happens here on the floor, evidently. They listen to comments that are made by members of the Senate and the Assembly. And they see that support might be softening for congestion pricing. I hope that's the case. We're where we always were here on the Republican side; we oppose it, we voted against it.

So they just started -- my colleague from Staten Island can attest -- to running digital ads on buses. There is a digital ad that the MTA is paying for that is running on

Staten Island buses right now. You have to hear this to believe it. They are asking Staten Islanders to support congestion pricing because -- get this -- according to them and their inference, congestion pricing is going to kill Staten Islanders.

You heard me. I'm not misspeaking. That's what the ad in essence says. I don't know who came up with this over there in the MTA. Maybe the Bud Light marketing department is hiring.

(Laughter.)

SENATOR LANZA: They're saying that -- and this is the elitist, arrogant, really disgusting leadership we have at the MTA -- they're saying in this ad that congestion pricing now is about something else. It's this wonderful idea that's going to reduce traffic in this one area of Manhattan, and as a result ambulances are not going to be blocked in traffic, and so lives are going to be saved.

And yet they say, the MTA, traffic will increase in Staten Island, Queens, the Bronx and Brooklyn. Which means that more ambulances are going to be stuck in traffic in

the outer boroughs. That's what it's come to.

Why do we have congestion pricing, you might ask, Madam President. It's not because of something that someone may or may not have said 14 years ago taken out of context. We have it because -- Han Solo, I'll get to you -- we have it, Madam President, because the Assembly Democrat Majority voted it in place. We have it, congestion pricing, Madam President, because the Senate Democrat Conference voted it in place.

I have a list of all the members of the Democrat Senate who voted for it and now seem to be opposing it. Some have even made comments on this floor as recently as last week expressing their opposition. I have that list.

One of my Senate colleagues recently said that congestion pricing is a slap in the face of his constituents. And he voted for it. I agree with my colleague: It is a slap in the face of his constituents and every New Yorker.

Now I'm not going to necessarily personalize this issue and read the names on this list. I have a better idea, Madam President. I have a feeling in a few moments you are going to remind the house that the vote before us is on

the rules and procedures of this house. I want to remind my colleagues that there is another rule and procedure, and it's very simple.

It says that if the majority of the members in this house at this time vote in favor of this amendment coming to the floor, we'll have a vote on it. And if a majority of the members in this house at this moment vote in favor of that amendment, the Senate will have voted to repeal congestion pricing.

The amendment is very simple. It's about the simplest straightforward amendment I've ever seen in my years here. It simply says "Repeal congestion pricing." We can do it. Senator Gianaris reminds me all the time about the supermajority. You don't need the Governor. She seems to be the last elected official in New York State anyway who seems to support congestion pricing. You don't need her.

This house votes, I promise you every Republican vote. From the sound of what I hear from districts across the aisle and from some of my colleagues across the aisle, it sounds like there are a majority on your side of the aisle as well. You pass it here, Assembly

Democrats seem not to support congestion pricing, you get it passed over there, you override the veto. And guess what? Relief for New York. Something people back home really want.

And we can do it. We can do it, Madam President. All we need to do is, together, rule this amendment germane, and we will have begun the process of repealing congestion pricing.

So to my colleagues, don't just tell your constituents you don't like congestion pricing. Don't just tell and look into every camera that comes your way that you think it's a slap in the face. Stop telling the voters you're against it if you don't mean it. And if you mean it, vote. Join me and my colleagues and let's vote together, bipartisan, let's vote this amendment germane, let's get it on the floor and let's have a vote on the repeal of congestion pricing.

For these reasons, Madam President, I strongly urge you to reconsider your ruling.

ACTING PRESIDENT MAYER: Thank you, Senator Lanza.

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 MAYER: A show of hands has been requested and so ordered.

THE SECRETARY: Ayes, 20.

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

Senator Borrello, why do you rise?

SENATOR BORRELLO: Madam President, would the sponsor yield for some questions.

ACTING PRESIDENT MAYER: Senator Krueger, will you yield for a question, questions?

SENATOR KRUEGER: On congestion pricing or the actual bill?

SENATOR BORRELLO: The actual bill.

SENATOR KRUEGER: The actual bill? I'd be happy to, Madam President.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: Thank you. Through you, Madam President.

Could you start off by saying what problem this bill looks to solve?

SENATOR KRUEGER: Ah. Thank you. So I happen to represent Manhattan -- a piece of Manhattan Island referenced by Senator Lanza where we don't apparently like anyone.

(Laughter.)

SENATOR KRUEGER: But we really don't like young people driving across bridges onto Manhattan Island to race ATVs and other off-highway motorcycles that are not legally allowed on our streets. And yet they're there all the time, sometimes 50 to 75 of them at a time. The police can't even stop them when they know they're doing racing and rallying up and down our avenues, not following motor vehicle laws, not stopping for lights, not stopping for pedestrians, and sometimes involved with robbing people as they speed along.

It's not legal to ride these vehicles in New York City. That's already established in our motor vehicle law. But it's allowed to sell them in New York City. Well,

that makes no sense.

I'm not telling you that all of them are going to disappear tomorrow if we don't let them be sold in New York City. I guess you could travel upstate, buy them and bring them back with you. But I think it will make it harder for everyone to seemingly be able to get them and drive them illegally on our streets.

That is the problem we are trying to solve with this bill.

SENATOR BORRELLO: Thank you.

Madam President, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So are you going to outlaw the possession of an ATV for someone in the Borough of Manhattan or anywhere in New York City? Does this bill outlaw possession of an ATV or something -- or an off-road vehicle?

SENATOR KRUEGER: It prohibits the sale, Madam President. I don't believe it

actually prohibits having it in your possession. But you can't drive it in New York City.

So I guess you could have it in a garage and maybe drive it in and out of the city if you want to go upstate and use it. But you wouldn't be able to buy it in the city and you wouldn't be able to use it in the city.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So does this bill increase any penalties for the illegal operation of these vehicles in New York City?

SENATOR KRUEGER: No. There are already penalties for illegal operation in the City of New York. It creates a penalty for people to sell them in the City of New York.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So I realize that there are probably a few retailers that are selling them and this would disallow retailers from selling them. But what about a private transaction between two people? You know, somebody finds something on Facebook Marketplace or eBay, would that be outlawed with this bill?

SENATOR KRUEGER: It says the bill provides that any corporation, partnership, firm, sole proprietorship or other entity or person who violates this section of law will be liable for a civil penalty.

So I guess a person would be an individual selling said item in the City of New York, yes.

SENATOR BORRELLO: Madam President, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So a private transaction between two people, they could potentially face this penalty even though it wasn't a retail sale, is that correct?

SENATOR KRUEGER: I think that's a fair analysis, yes.

SENATOR BORRELLO: Okay.

SENATOR KRUEGER: Yes, Madam President.

SENATOR BORRELLO: All right.

Madam President, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Oh, of course, I'm sorry.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR BORRELLO: So I was recently in New York City, and I had someone on an e-bike almost run me right over, and gave me the F word on the way by.

So what about those e-bikes? That seems to be a bigger problem than ATVs. Would they be -- would those sales of e-bikes, which

also spontaneously burst into flames, would those be restricted by this?

SENATOR KRUEGER: This bill does not apply to e-bikes. But I have several others that I could pull out to put on the agenda very soon. And I believe Senator Hoylman-Sigal also has, and there are several of us who have a number of bills to try to limit the sale of the kinds of e-bikes that actually are not being handled correctly. And of course also the lithium batteries that are blowing up and killing people in my city.

SENATOR BORRELLO: Correct.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Krueger, for the questions, the debates.

So there is a movie from 1986 called Maximum Overdrive. It's based on a Stephen King novel. Anybody that's seen that movie will agree with me when I say there's two hours of my life that I'll never get back. But it serves as a good example, because what the movie is about is machines coming to life and killing people.

That's what the movie's about.

It's relevant to this bill because this bill is basically saying we are going to stop the sale of those machines because we believe the machines themselves are evil. But it's not the machines. It's the people operating the machines.

This is the problem with my colleagues on the other side of the aisle. We are not holding criminals accountable for actions like this. Instead, we're going to say, We're not going to allow you to sell this. You can still possess it, you can still drive it. And you're still not going to have accountability for the people that are creating these in some cases deadly acts with ATVs off-roads, so on and so forth.

This is the problem, folks. It's not about the machine. It's about the people. And until we actually want to enforce laws and have real penalties for people that are operating these things illegally, this isn't going to get better. They'll find something else. They'll find some way else.

We've got thousands of illegal pot

shops all over New York City too, but that's not legal. What are we doing? We're padlocking doors, we're assessing some fines, maybe we're going to, you know, confiscate some. But it's not solving the problem. Thousands of them still operating in New York City. We have to hold criminals accountable. That's the only way you're going to fix this problem. Instead of restricting the legal, law-abiding citizens from actually owning it, selling it, trading it, whatever they do -- which is what this bill does.

So even though I understand the problem -- and I wish that it wasn't a problem -- this bill doesn't solve it. It only stops people from legally engaging in a sale of an item that they probably, you know, make a profit on. Which is also something my colleagues tend not to like, is people making a profit.

So with that being said, I'll be a no on this bill. And I would encourage a real bill that actually increases criminal penalties for people that do these things.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you.

Are there any other Senators wishing

to be heard?

Senator Rolison, why do you rise?

SENATOR ROLISON: Through you, Madam President, would the sponsor yield for a couple of questions?

ACTING PRESIDENT MAYER: Senator Krueger, do you yield?

SENATOR KRUEGER: Yes, absolutely.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR ROLISON: Thanks, Senator. It's just going to be one question. Through you, Madam President.

So with the enforcement powers that are granted, it says, to various agencies within the confines of New York City, one being the New York City Police Department that would be tasked with investigating the sale and the point of sale of these off-road and ATVs, if there isn't a bill of sale that accompanies these individuals, how would they be able to deem legally where the point of sale came from and be able to hold that person accountable?

SENATOR KRUEGER: Through you, Madam President. My understanding is that under

the current system, they are definitely selling them through stores with bills of sale. Hence, you can show where the vehicle was purchased and you can hold the entity selling with a bill of sale, hold them responsible under this new law to not sell in New York City.

I suppose under a private transfer, as the previous questioner raised, Person A decides to sell to Person B, there might not be a bill of sale. And I would agree that would probably be harder to track for holding someone responsible and penalizing them.

But I actually think the vast, vast majority of these are actually being sold at stores that sell other kinds of vehicles.

Again, the point is it's illegal for these to be driven in New York City on any of our streets, roads or public spaces. Hence why we don't want them sold in New York City by stores.

SENATOR ROLISON: Thank you, Senator Krueger.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Rolison on the bill.

SENATOR ROLISON: So as mayor of

the City of Poughkeepsie for seven years, we have the same issue that New York City has, except New York City's issues are in the thousands of unregistered ATVs and off-road vehicles that are taking over city streets and causing mayhem and injuring people, as you said, Senator.

And what we did in the city is enacted an ordinance that would give the police department the ability to seize those off-road vehicles in an encounter or a traffic stop or if they were abandoned on a street, and they would be impounded. And then the way it was structured was that within, say, 30 or 60 days the legal owner of that vehicle would be able to come to the impound yard and get it back with a bill of sale.

And I can tell you that maybe on one occasion somebody had a bill of sale. And those vehicles would sit there, and then there could be a period of time that they could be sold and/or destroyed. And I think New York City does something very similar to that too.

But when I got involved in this topic, and certainly looking at what other cities did, we actually had a meeting, a virtual meeting

with the Governor's Traffic Safety Council, looked at best practices that other cities within the State of New York were doing to try to stop this urban phenomenon. It's very difficult to do that.

I would say -- and again, you know, to my colleagues from New York City, you know more about this than I do when it comes to where they're being sold. But I would daresay that the majority of these ATVs and off-road vehicles are either being sold or passed around. That they're probably not being purchased through the normal way of a retail establishment. I don't know how many of those actually exist in the five boroughs.

And so to me -- to my colleague Senator Borrello, I'm glad that you said this, is that I actually have a bill that increases the penalties for reckless driving with off-road vehicles. And that's Senate Bill S7717A, which would increase the penalties of those absolute marauders who are putting the public safety at risk of other riders, people driving in motor vehicles, people walking on the street. We've seen the tragedies that have happened

throughout the State of New York.

And I would just -- I would end with this. Until we hold accountable these knuckleheads that are on these bikes and ATVs all over this state, it's an epidemic. And it is maddening, the fact that we can't do something about it because these individuals, even if you take their machine, they're going to get on another one. You have to increase the penalties for reckless driving. It makes all the sense in the world.

And for that reason, Madam President, I'm going to vote no on this bill.

ACTING PRESIDENT MAYER: Senator Tedisco, why do you rise?

SENATOR TEDISCO: Would the sponsor yield for a question or two?

ACTING PRESIDENT MAYER: Senator Krueger, do you yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR TEDISCO: Yes, in light of Senator Rolison and what he was discussing about

the sale and where these vehicles come from -- because in my district they're a problem also. Probably a problem in everybody's district. What kind of research was done to find out how many small businesses actually sell these two products in the area you're talking about?

SENATOR KRUEGER: Through you, Madam President, we looked up on the internet for stores in the City of New York that were selling these and advertising them, and we found that it was quite ubiquitous, that you could find these fairly easily.

Did I do an exhaustive search? No. Although hearing from my colleagues that the same problems are in other parts of the state, I am certainly open to supporting my own bill and getting us started in New York City, but supporting my colleagues if they want to do something parallel in their districts. Or even as Senator Rhoads {sic} suggested, increase the penalties for the people caught riding them.

And also, just an answer that yes, the New York City Police Department does collect these up, take them, impound them. And if people can't come and prove that they are the rightful

owners and that they didn't drive them in our city, they usually get destroyed. But they're reproducing a lot faster than we can destroy them.

So I think if my colleagues are suggesting we should go further, I'm not opposed at all.

SENATOR TEDISCO: Would the good Senator yield for another question.

ACTING PRESIDENT MAYER: Senator Krueger, do you yield?

SENATOR KRUEGER: I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR TEDISCO: So we don't know the businesses exactly. We know there's businesses that sell them. So apparently you don't know, either -- or I'll ask you this. How many have been sold, let's say over the last year, by certified small businesses of these two products? How many have been sold?

SENATOR KRUEGER: It's an excellent question. They are supposed to be registered, but it turns out that with these vehicles and also disproportionately with mopeds, at least in

the City of New York, nobody is actually registering them.

So you can't get a good count. Although I think it would be hard for me to count up how many stores are selling legal vehicles also, because I just don't know that there's a giant directory of every store selling every item.

I don't know why that impacts the value of this legislation, Madam President.

SENATOR TEDISCO: Will the Senator yield for another question.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR TEDISCO: So I imagine, like the vehicle I buy, my car, I pay a sales tax on my vehicle in New York State. I would imagine that those legalized businesses that are certified to sell these, right now have licenses, have to receive a sales tax -- or charge a sales tax along with the sale of these.

First of all, is there a sales tax

on these? When a certified small business sells one of these and they pay, do they have to pay a sales tax on these?

SENATOR KRUEGER: Currently I'm sure there is if they're a legal business. Because, again, they're not illegal to sell in New York City. That's the change that I hope to make.

And so yes, I hope that the stores are in fact paying their sales tax to the State of New York. But I don't believe when we collect sales tax we ask them to name every item specifically that they're selling, but rather the value of what they are selling, and hence the tax they owe us I believe on a quarterly basis.

SENATOR TEDISCO: Would the Senator yield for another question.

ACTING PRESIDENT MAYER: Do you yield for another question?

SENATOR KRUEGER: I do.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR TEDISCO: So Senator Lanza was talking about you need a billion dollars in the city, congestion pricing. The mayor says

we're going bankrupt, it has something to do with asylum and illegal people being there. But you want to shut down small businesses who sell these products who charge sales tax we give to the city to give them revenue.

Is there any other businesses you want to shut down products from that will take revenue so maybe it's $2 billion they need to earn to pay for some of the products and the subways and the other things in New York City?

In other words, you don't know the revenue that's being lost by your community because you've taken away these products to be sold in the area. Which really is not the product itself getting up and getting in the way of people, it's what Senator Rolison said -- he made a great point -- it's the people who utilize them improperly.

So apparently you -- I'll ask the question. You really have no idea of how much sales tax is being lost if this bill goes through and they no longer sell them, or how many businesses rely on these, are on the limits, very close, they need these products to sell, or they will not be in existence anymore and the jobs

won't be there. You don't know how much revenue the city is going to lose, I believe. Or do you?

SENATOR KRUEGER: Well, I know that it can't possibly be anywhere near the $1 billion number that was discussed.

I do think that people who are selling illegal products in the City of New York probably shouldn't be allowed to continue even if they pay sales tax.

I distinctly remember Al Capone finally got caught for his criminal activities because he forgot to pay his taxes. I still think we should have gone after Al Capone whether or not he paid his taxes, and would have been perfectly happy to give up that tax money to not have him and his criminal endeavors continue.

So we are trying to protect the people of the City of New York from these dangerous vehicles on our streets. And yes, the people who are violating the law who are knowingly driving them, driving them in violation of motor vehicle law, driving them without having registered them, and possibly buying them from people who are not good businesspeople paying their sales tax -- I don't know. I certainly

don't know on this topic or any other topic whether there is X percentage of people not paying their sales tax. We certainly want them all to pay it.

But no, I am not at all concerned that this would do damage to legitimate businesses.

I also know that the City of New York is spending a significant amount of money trying to chase these people down and take the vehicles away, and that's a real cost to our budget. I know that they are disproportionately being used by the police -- excuse me. From the police, I know that they are being disproportionately used in robberies and as escape vehicles from robberies. So I think it's a plus to get them off the street.

And I believe that all in all, even if there's some sales tax that would be lost because you can't sell these, that all in all it is a societal good and an economic good to get these illegal vehicles off of our streets.

SENATOR TEDISCO: Thank you to the Senator.

And thank you to Madam President for

allowing me to ask those questions.

ACTING PRESIDENT MAYER: Thank you.

Now, are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of January.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar 305, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Scarcella-Spanton, Stec, Tedisco and Weik.

Ayes, 42. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris, that completes the

reading of the controversial calendar.

SENATOR GIANARIS: Thank you, Madam President.

Please recognize Senator Ashby for a quick introduction.

ACTING PRESIDENT MAYER: Senator Ashby for an introduction.

SENATOR ASHBY: Thank you, Madam President, for allowing me to introduce the Catholic Central Girls Basketball Team from Latham, New York, and congratulate them on their recent Class A state championship.

It was a 64-62 victory over Walter Panas after free throws from freshman point guard El'Dior Dobere and a steal from Gabrielle DiBacco.

The winning team includes players Amia Rodriguez, El'Dior Dobere, Tanavia Turpin, Meghan Paul, Kristen Foglia, Meaghan Finn, Gabriella DiBacco, Akarri Gaddy, Ava Oeffler, Brooklyn Moore, Kelise Campbell, Emma Sagendorf, and Coach Audra DiBacco.

Please offer them all the privileges and courtesies of the house.

ACTING PRESIDENT MAYER: Thank you,

Senator Ashby.

To our guests from Catholic Central, the girls winning team, please rise and be recognized. Let us give you the privileges and courtesies of the house.

(Standing ovation.)

SENATOR ASHBY: Thank you for sticking around.

(Laughter.)

ACTING PRESIDENT MAYER: Thank you, girls, for sticking around and hearing the work of the Senate.

Senator Gianaris.

SENATOR GIANARIS: Madam President, if I can briefly return to motions and resolutions, I neglected earlier to open up the resolutions we took up today for cosponsorship.

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

Senator Gianaris.

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

ACTING PRESIDENT MAYER: There is

no further business at the desk.

SENATOR GIANARIS: Move to adjourn until tomorrow, Wednesday, March 27th, at 3:00 p.m.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Wednesday, March 27th, at 3:00 p.m.

(Whereupon, at 5:10 p.m., the Senate adjourned.)