

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 April 16, 2024

11 3:58 p.m.

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14 REGULAR SESSION

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18 SENATOR ROXANNE J. PERSAUD, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT PERSAUD: Imam
9 Dr. Mohamed Elbar, of the Islamic Society of
10 Bay Ridge, in Brooklyn, New York, will deliver
11 today's invocation.

12 Imam.

13 IMAM DR. MOHAMED ELBAR: Asalamu
14 Alaikum.

15 (Response from gallery.)

16 IMAM DR. MOHAMED ELBAR: I'm
17 Mohamed Elbar, of the Islamic Society of
18 Bay Ridge, Brooklyn, New York.

19 (In Arabic.) Allah (in Arabic) said
20 in the Holy Quran, in Surah Ghafir 40:60: "Call
21 me and I will answer your prayers, and I respond
22 to you."

23 O Allah, bless all those present and
24 participating today. Bless all our communities.
25 May God bless our communities. May God bless the

1 people who live in the United States. God bless
2 all you. God bless America.

3 And amen, and amen.

4 Thank you. Asalamu Alaikum.

5 ACTING PRESIDENT PERSAUD: Reading
6 of the Journal.

7 THE SECRETARY: In Senate, Monday,
8 April 15, 2024, the Senate met pursuant to
9 adjournment. The Journal of Sunday, April 14,
10 2024, was read and approved. On motion, the
11 Senate adjourned.

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

14 Presentation of petitions.

15 Messages from the Assembly.

16 The Secretary will read.

17 THE SECRETARY: Senator May moves
18 to discharge, from the Committee on Housing,
19 Construction and Community Development,
20 Assembly Bill Number 5311 and substitute it for
21 the identical Senate Bill Number 1059,
22 Third Reading Calendar 395.

23 ACTING PRESIDENT PERSAUD: So
24 ordered.

25 Messages from the Governor.

1 Reports of standing committees.
2 Reports of select committees.
3 Communications and reports from
4 state officers.

5 Motions and resolutions.

6 Senator Gianaris.

7 SENATOR GIANARIS: Thank you,
8 Madam President. Good afternoon.

9 Can we please recognize
10 Senator Harckham for an introduction before we
11 begin.

12 ACTING PRESIDENT PERSAUD: Senator
13 Harckham for an introduction.

14 SENATOR HARCKHAM: Thank you very
15 much, Madam President.

16 I am truly honored to introduce one
17 of the giants in the environmental justice
18 movement, who is here in the gallery with us
19 today: Catherine Coleman Flowers. Her work is
20 among the best with seminal activists such as
21 Rachel Carson, Winona LaDuke and Robert Bullard.

22 She's currently the vice chair of
23 the White House Environmental Justice Advisory
24 Council. She in 2020 was awarded as a MacArthur
25 Genius Grant winner for her work on the failings

1 of sanitary sewage infrastructure and,
2 importantly, its impact on communities.

3 And while this work began in rural
4 Alabama, her work has discovered a disturbing
5 national trend all over the United States. And
6 therefore, because of the importance of her work,
7 she sits on the boards of the National Resource
8 Defense Council, the Center for Constitutional
9 Rights, the American Geophysical Union, and the
10 Climate Reality Project.

11 And at the center of her work, she
12 is the author of "Waste: One Woman's Fight
13 Against America's Dirty Secret," centered in
14 rural Alabama about the failings of the
15 communities to provide adequate infrastructure
16 for sanitary waste, and then those communities
17 find folks who could not afford to maintain those
18 septic systems and then arrested them instead of
19 going after the large corporate polluters. And
20 from that work was born her passion for
21 environmental justice work.

22 I should also say she is a veteran
23 of the Air Force and the Air National Guard.
24 She's a member of the Biden Unity Task Force on
25 Climate Change, the founding director for the

1 Center for Rural Enterprise and Environmental
2 Justice, and co-chair of the American Academy of
3 Arts and Sciences Commission on Accelerating
4 Climate Action.

5 I ask, Madam President, that you
6 welcome our guest and please extend her the
7 privileges of this chamber.

8 ACTING PRESIDENT PERSAUD: To our
9 guest, I welcome you on behalf of the Senate. We
10 extend to you the privileges and courtesies of
11 this house.

12 Please rise and be recognized.

13 (Standing ovation.)

14 ACTING PRESIDENT PERSAUD: Senator
15 Gianaris.

16 SENATOR GIANARIS: Now please
17 recognize Senator Gounardes for some
18 introductions.

19 ACTING PRESIDENT PERSAUD: Senator
20 Gounardes for an introduction.

21 SENATOR GOUNARDES: Thank you,
22 Madam President.

23 It was so great, when we kicked off
24 the session this afternoon, to have the
25 invocation delivered by Imam Mohamed Elbar from

1 the Bay Ridge Islamic Society, formerly in my
2 district but now in Senator Chu's district.

3 And the reason it's so special is
4 because this month, April, is Arab-American
5 Heritage Month. And I am incredibly proud that
6 in my district, in the entire Borough of
7 Brooklyn, there is a large and vibrant and
8 diverse Arab-American community, particularly in
9 Bay Ridge but all across Brooklyn and all across
10 the 26th District.

11 You can feel the community's
12 presence in beloved restaurants like Yemen Cafe
13 and Ayat, thriving local businesses like Balady,
14 Sahadi's, and Nablus Sweets, and active community
15 organizations like the An-Noor Social Center, the
16 Arab American Association of New York, and the
17 Bay Ridge Community Development Center and the
18 Women's Empowerment Center of New York City.

19 And we are joined today in the
20 gallery by representatives of those organizations
21 who have come here to the Senate today, not only
22 to hear Dr. Elbar give the invocation, but also
23 to pay tribute to Arab-American Heritage Month.

24 And so as one of the groups I'm here
25 to introduce, I'm so excited that they were able

1 to make the trip up here to join us today.

2 But of course, that's not all. We
3 also have, wearing my other hat -- as many of my
4 colleagues here in the chamber know, I am a proud
5 graduate of the City University of New York at
6 Hunter College. And we have, joining us today in
7 the gallery, a cohort of students from Hunter
8 College who are all participating in the
9 Eva Kastan Grove Fellowship Program at the
10 Roosevelt House at Hunter College.

11 The Roosevelt House is the public
12 policy institute at Hunter College. It is named
13 after the literal house that Franklin Roosevelt
14 lived in. It is the house where he drafted many
15 of the elements of the New Deal. And these
16 students here are participating in a
17 semester-long intensive public policy fellowship
18 where they are studying public policy problems
19 and then ways to address them at both the city,
20 state and national levels.

21 They came up to Albany today to get
22 a day in the life behind the curtains of what it
23 means to be a policymaker, an elected
24 policymaker. And I'm so excited they were able
25 to make the trip up here today to see how their

1 state government works.

2 And so, Madam President, I kindly
3 ask that you recognize both of our -- my guests
4 who have joined us here today and extend to them
5 the privileges of the house.

6 ACTING PRESIDENT PERSAUD: To our
7 guests, I welcome you on behalf of the Senate.
8 We extend to you the privileges and courtesies of
9 this house.

10 Please all rise and be recognized.
11 (Standing ovation.)

12 ACTING PRESIDENT PERSAUD: Senator
13 Gianaris.

14 SENATOR GIANARIS: Thank you,
15 Madam President.

16 Let's move on to previously adopted
17 Resolution 2194, by Senator Walczyk, read that
18 resolution's title. And as we all know,
19 Senator Walczyk is serving the nation right now,
20 so we will ask Senator Stec to speak on that
21 resolution.

22 ACTING PRESIDENT PERSAUD: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 2194, by Senator Walczyk, commending the

1 Hammond High School Girls Varsity Basketball Team
2 upon the occasion of capturing the New York State
3 Public High School Athletic Association
4 Basketball Class D Championship on March 17,
5 2024.

6 ACTING PRESIDENT PERSAUD: Senator
7 Stec on the resolution.

8 SENATOR STEC: Thank you,
9 Madam President. Thank you all.

10 It is an absolute pleasure for me to
11 speak on behalf of my colleague and my friend
12 Senator Walczyk. Ladies, the team here, this is
13 his seat. We get to sit next to each other. And
14 I think I get to speak on this because our two
15 gigantic districts touch each other. We share
16 St. Lawrence County, so I'm very familiar with
17 Hammond and where you're all coming down from.

18 Welcome to Albany.

19 Madam President, the Hammond High
20 School Girls Varsity Basketball Team captured the
21 Class D championship, state championship, on
22 March 17, defeating another 49th Senate District
23 team from Northville. And for those of you that
24 don't know, Northville and Hammond, you almost
25 can't get there from here. It's a big district.

1 But both of the state championship
2 teams were from Mark's district. And the
3 Hammond ladies, the Red Devils, they were
4 triumphant 54-34. So it was a pretty convincing
5 win.

6 They had a fantastic season, 23 and
7 3. So we're thrilled to congratulate -- anytime
8 we have student athletes come down here, it's
9 just wonderful to recognize your achievement in
10 this beautiful hall with all my colleagues.

11 And if I could, I would just like to
12 introduce the championship team of the Hammond
13 High School Girls Varsity Basketball Team: Shae
14 Rosenbarker, Josephine Hodgdon, Mikayla Jones,
15 Makia Greene, Addison Webster, Raelee Downs,
16 Jocelyn Bush, Isabelle Woodcock, Mia Tulley,
17 Ava Howie, Addison Graveline, and Landree Kenyon;
18 Manager Railyn Law; Assistant Coaches John
19 Arquitt and Katina Dillon, and Head Coach
20 Alyssa Crosby.

21 So again, wonderful achievement.
22 Congratulations, all. Finish the school year
23 strong. You're student athletes, the student
24 part comes first. But certainly, you know,
25 revel -- as you will and should -- in your

1 championship season. Congratulations on behalf
2 of all of us, and especially our colleague
3 Senator Mark Walczyk, who could not be here
4 today. He is deployed in the Middle East serving
5 on behalf of all of us.

6 But congratulations, ladies.

7 Thank you, Madam President.

8 ACTING PRESIDENT PERSAUD: Thank
9 you.

10 To the Hammond High School Girls
11 Team, I welcome you on behalf of the Senate. We
12 extend to you the privileges and courtesies of
13 this house.

14 Please rise and be recognized.

15 (Standing ovation.)

16 ACTING PRESIDENT PERSAUD: Senator
17 Gianaris.

18 SENATOR GIANARIS: Next up is
19 previously adopted Resolution 1625, by
20 Senator Thomas. Please read its title and
21 recognize Senator Thomas.

22 ACTING PRESIDENT PERSAUD: The
23 Secretary will read.

24 THE SECRETARY: Resolution 1625, by
25 Senator Thomas, memorializing Governor Kathy

1 Hochul to proclaim April 2024 as Sikh Awareness
2 Month in the State of New York.

3 ACTING PRESIDENT PERSAUD: Senator
4 Thomas on the resolution.

5 SENATOR THOMAS: Thank you,
6 Madam President.

7 It is with great pride that I stand
8 here today to introduce a resolution again
9 declaring April as Sikh Awareness Month here in
10 the State of New York.

11 This month provides an opportunity
12 for all of us to honor and acknowledge the rich
13 cultural heritage and profound contributions of
14 the Sikh community to our state and our nation.

15 Sikhism is a monotheistic religion
16 that emerged more than 500 years ago in the
17 Punjab region of India. Sikhs are
18 distinguishable by their long beards and turbans,
19 as you can see up in the chamber today.

20 The founder of Sikhism, Guru Nanak,
21 created a new faith based on the idea that all
22 people are equal and interconnected.

23 This remarkable journey of
24 Sikh community is intertwined with the story of
25 America. From the time of their arrival in the

1 late 1800s, Sikh men and women have been making
2 notable contributions to American society. Early
3 immigrants settled in the Western frontier, where
4 they played a major role in building America's
5 railroads. Sikh-Americans served in the U.S.
6 military during the World Wars. And the first
7 Asian-American Congressman was a Sikh-American
8 elected to office back in 1957.

9 An estimated 500,000 Sikhs live in
10 the U.S., with the largest communities here on
11 the East Coast and out there on the West Coast.

12 The Sikh community in New York is an
13 integral part of our diverse population. They
14 have contributed greatly to our state. We have
15 successful business leaders, doctors, lawyers,
16 professors, nurses, media personalities, and so
17 on. They all have a commitment to social justice
18 and community service.

19 The teachings of the Sikh gurus and
20 the valor of the Khalsa continue to inspire
21 individuals worldwide to strive for a more
22 equitable and compassionate society. That's why
23 I'm so proud to welcome some friends and
24 community leaders who are proud Sikhs.

25 We are joined by Harpreet Singh

1 Toor, Tej Pal Singh and Harjeet Singh Waraich,
2 and members of the community up in the gallery.
3 Thank you all for being here.

4 Even though the Sikh community has
5 done so much to make New York better and this
6 country better, Sikhs have also faced
7 discrimination and hate crimes in our country. I
8 stand in solidarity with our Sikh brothers and
9 sisters to denounce hate and bigotry and work
10 towards a more inclusive society.

11 And as we celebrate Sikh Awareness
12 Month, let us take the time to learn about the
13 Sikh religion, their values and its contributions
14 to our society.

15 Thank you.

16 ACTING PRESIDENT PERSAUD: Thank
17 you, Senator.

18 Senator Stavisky on the resolution.

19 SENATOR STAVISKY: Thank you,
20 Madam President.

21 And thank you, Senator Thomas, for
22 introducing this resolution.

23 I have some constituents in the
24 gallery, and I want to welcome you to Albany.

25 You heard -- to my colleagues, you

1 heard the description that Senator Thomas
2 provided. And to me, the aspect of social
3 justice and equality is what it's about. I have
4 visited the Sikh temple in Queens, several of
5 them.

6 But we also have an obligation on
7 our part to provide the same opportunities for
8 service that we provide everybody else. And they
9 should be treated and are being treated, I hope,
10 with dignity and friendship.

11 And we are delighted that you are
12 here, and we look forward to everybody
13 celebrating Sikh Awareness Month.

14 Thank you very much.

15 ACTING PRESIDENT PERSAUD: Thank
16 you, Senator.

17 Senator Addabbo on the resolution.

18 SENATOR ADDABBO: Thank you very
19 much, Madam President.

20 Good afternoon, everybody. And I
21 want to thank Senator Thomas for this resolution.

22 You know, we thank the Sikh
23 community certainly for their cultural and for
24 their -- what they bring to the community and
25 benefits our community.

1 I witnessed the Sikh community grow
2 in my district. Born and raised in Ozone Park,
3 parts of Ozone Park, South Ozone Park,
4 Richmond Hill, surrounding communities, I've
5 witnessed over the years the Sikh community
6 acclimate themselves into our communities, become
7 part of our community boards, become heads of
8 civics, become involved in our schools and our
9 classrooms as teachers and parents involved in
10 our schools. And involved in our businesses,
11 providing such vibrant, diverse businesses in our
12 community.

13 We're thankful. And we join you,
14 arm in arm, as we go forward into a brighter
15 future for the Sikh community in our communities,
16 as we fight against discrimination and hatred and
17 make sure that we do have a brighter future for
18 our children as they also get acclimated into the
19 community.

20 Again, I thank Senator Thomas, and I
21 proudly join in supporting this resolution.

22 Thank you so much.

23 ACTING PRESIDENT PERSAUD: To our
24 guest, I welcome you on behalf of the Senate. We
25 extend to you the privileges and courtesies of

1 this house.

2 Please rise and be recognized.

3 (Standing ovation.)

4 ACTING PRESIDENT PERSAUD: The
5 resolution was previously adopted on
6 January 17th.

7 Senator Gianaris.

8 SENATOR GIANARIS: Now, previously
9 adopted Resolution 1717, by Senator May. Please
10 read that resolution's title and recognize
11 Senator May.

12 ACTING PRESIDENT PERSAUD: The
13 Secretary will read.

14 THE SECRETARY: Resolution 1717, by
15 Senator May, commemorating the 100th Anniversary
16 of Syracuse University's Maxwell School of
17 Citizenship and Public Affairs on October 3,
18 2024.

19 ACTING PRESIDENT PERSAUD: Senator
20 May on the resolution.

21 SENATOR MAY: Thank you,
22 Madam President.

23 I rise today to honor the
24 100th anniversary of the Maxwell School of
25 Citizenship and Public Affairs at Syracuse

1 University.

2 And though I want to say some things
3 about Maxwell's illustrious history, let me start
4 by talking about its present.

5 Just last week U.S. News ranked
6 Maxwell as the nation's number-one school of
7 public affairs, as judged by deans, directors and
8 department chairs at hundreds of peer
9 institutions. Not only is Maxwell number one
10 this year, it has held that distinction every
11 year but one since the rankings began in 1995.

12 While Maxwell is renowned for
13 teaching future policymakers and government
14 officials, the first word in its title is
15 "citizenship" when you visit Maxwell, you will
16 see the Athenian Oath of Citizenship inscribed on
17 the wall, which reads, in part: "We will
18 unceasingly seek to quicken the sense of public
19 duty. We will revere and obey the city's laws.
20 We will transmit the city not less, but greater,
21 better and more beautiful than it was transmitted
22 to us."

23 For 100 years now, the Maxwell
24 School has pursued this vision. Named for
25 George Maxwell, a Syracuse University alum and

1 attorney, the school was initially founded to
2 train students to be informed citizens in
3 American democracy and provide professional
4 training for future government officials and
5 public servants.

6 The Maxwell School was the first
7 educational institution to offer a graduate
8 degree in public administration, and its MPA
9 program is the oldest continuously operating
10 university-based MPA program in the country.

11 President Herbert Hoover attended
12 the dedication on September 3, 1924, which is
13 appropriate because even though he wasn't the
14 best president ever, he was a gifted public
15 administrator who oversaw transformative
16 government reforms like standardizing weights and
17 measures to facilitate trade and manufacturing.

18 Over the past century countless
19 prominent public servants have come to the
20 Maxwell School as students, as faculty, and as
21 visitors. I've had the opportunity to attend
22 Maxwell dinners with the likes of Al Gore and
23 Liz Cheney. And I also have the great good
24 fortune to have two immensely talented and
25 knowledgeable Maxwell grads on my staff.

1 We are joined today by a number of
2 representatives from the Maxwell School and
3 Syracuse University, including Dean David
4 Van Slyke, Assistant Dean Elizabeth Armstrong,
5 Dan Nelson, Bethany Walawender, Jennifer Cole,
6 Cort Ruddy, Cydney Johnson, and Maria Ferrara.

7 I welcome all of you and thank you
8 for the important work you do and the Maxwell
9 School does to prepare young people for lives of
10 public service and to expand our understanding of
11 citizenship and government for the public good.

12 Thank you.

13 ACTING PRESIDENT PERSAUD: Thank
14 you, Senator.

15 Senator Stavisky on the resolution.

16 SENATOR STAVISKY: Yes, thank you,
17 Madam President and Senator May.

18 You prepared me for public service.
19 I am a proud graduate of Syracuse -- not the
20 Maxwell School, but I took classes there. And I
21 must tell you, to this day I remember some of the
22 professors. And I thank you for educating not
23 just my generation but the future generations.

24 The hardest problem I had -- one of
25 the hard problems -- was convincing the New York

1 City Board of Education when I got my high school
2 teaching license that citizenship was more than
3 it appeared. My first class in citizenship was
4 about -- we read from Plato to whoever the -- to
5 Marx and everybody in between.

6 So I thank you and congratulate you,
7 as chair of the Committee on Higher Education in
8 the Senate, for doing such a good job.

9 Thank you.

10 ACTING PRESIDENT PERSAUD: Thank
11 you.

12 To our guests, I welcome you on
13 behalf of the Senate. We extend to you the
14 privileges and courtesies of this house.

15 Please rise and be recognized.

16 (Standing ovation.)

17 ACTING PRESIDENT PERSAUD: The
18 resolution was adopted on January 23rd.

19 Senator Gianaris.

20 SENATOR GIANARIS: Now to
21 previously adopted Resolution 2008, by
22 Senator Sepúlveda. Please read its title and
23 recognize Senator Sepúlveda.

24 ACTING PRESIDENT PERSAUD: the
25 Secretary will read.

1 THE SECRETARY: Resolution 2008, by
2 Senator Sepúlveda, memorializing Governor Kathy
3 Hochul to proclaim April 2024 as Workplace
4 Violence Prevention Month in the State of
5 New York.

6 ACTING PRESIDENT PERSAUD: Senator
7 Sepúlveda on the resolution.

8 SENATOR SEPÚLVEDA: Thank you,
9 Madam President, for allowing me to speak on this
10 resolution.

11 Today I stand before you to discuss
12 a matter of utmost importance and urgency. I
13 have with us today several doctors, emergency
14 care doctors, healthcare providers, with us today
15 to discuss workplace safety.

16 I'm here to advocate for the
17 adoption of Senate Resolution 2008, which calls
18 upon Governor Kathy Hochul to officially proclaim
19 April 2024 as Workplace Violence Prevention Month
20 in our great State of New York.

21 Every day, hardworking New Yorkers
22 contribute tirelessly to the strength and
23 prosperity of our state. Yet despite their
24 dedication, many face the unacceptable risk of
25 violence in their places of work. This is

1 particularly true for our healthcare workers,
2 who, according to federal data, are five times,
3 five times more likely to encounter violence on
4 the job than their peers in other sectors.

5 Designating April as Workplace
6 Violence Prevention Month is not merely a
7 symbolic act. It is a clarion call to action.
8 It is an affirmation of our commitment to
9 safeguarding the dignity and safety of every
10 worker across all industries in New York. By
11 adopting this resolution we declare that violence
12 in the workplace is intolerable and that we must
13 stand united in an effort to foster environments
14 where safety and respect are paramount.

15 Let us join together to send a
16 powerful message across the state: New Yorkers
17 value the security and well-being of their
18 workplace. Let us ensure that no worker ever has
19 to fear for their safety while earning a living.

20 I urge all of you, my distinguished
21 colleagues, to support this resolution
22 wholeheartedly. Let us make April a month of
23 awareness, education and advocacy against
24 workplace violence. Let us honor our commitment
25 to the hardworking men and women of New York by

1 making our workplace safer for everyone.

2 Thank you, Madam President.

3 ACTING PRESIDENT PERSAUD: Thank
4 you.

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

8 Please rise and be recognized.

9 (Standing ovation.)

10 ACTING PRESIDENT PERSAUD: The
11 resolution was adopted on March 26th.

12 Senator Gianaris.

13 SENATOR GIANARIS: Now back to
14 Senator May for previously adopted
15 Resolution 2063. Please read that resolution's
16 title and recognize Senator May.

17 ACTING PRESIDENT PERSAUD: The
18 Secretary will read.

19 THE SECRETARY: Resolution 2063, by
20 Senator May, memorializing Governor Kathy Hochul
21 to proclaim April 2024 as Fair Housing Month in
22 the State of New York.

23 ACTING PRESIDENT PERSAUD: Senator
24 May on the resolution.

25 SENATOR MAY: Thank you,

1 Madam President.

2 In the United States, unlike most of
3 our peer nations, where you live has a huge
4 impact on almost every aspect of your life. Your
5 zip code is a strong predictor of how well
6 resourced and successful your public schools will
7 be, whether you have robust public services, how
8 safe your streets are, how healthy your air and
9 water are. Whether you have shady streets and
10 well-maintained parks. How often you face
11 traffic stops, parking tickets or other fines.
12 Even how many potholes there are in your roads.

13 For many of us, where we live is
14 largely a matter of choice. But for much of
15 American history, whole neighborhoods or even
16 towns were off-limits to people of color, to Jews
17 or other religious groups, to people of certain
18 national origins.

19 In 1968, President Johnson signed
20 the Fair Housing Act, which outlawed overt
21 housing discrimination, and we celebrate that
22 bold legislation with this resolution today.

23 But we also have to renew our
24 determination to work towards the promise of that
25 act, because there is still a long way to go.

1 In my city of Syracuse, as in many
2 of our upstate cities, we have the sad
3 distinction of being among the highest in the
4 nation for child poverty and racial segregation,
5 thanks to at least a century of discriminating
6 housing practices. Two children growing up just
7 half a mile apart on either side of our city line
8 might as well live in different countries.

9 As we fight to address our housing
10 crisis with safe, quality, affordable housing for
11 all, I hope we can also be fulfilling the goal of
12 the Fair Housing Act to reduce the extreme
13 inequality by zip code that we still see today.

14 I vote aye.

15 Thank you, Mr. President.

16 ACTING PRESIDENT COONEY: Thank
17 you, Senator May.

18 The resolution was adopted on
19 April 3rd.

20 Senator Gianaris.

21 SENATOR GIANARIS: Thank you,
22 Mr. President.

23 We're going to now take up two
24 resolutions simultaneously: Previously adopted
25 Resolution 1520 and previously adopted

1 Resolution 1544, both by Senator Persaud.

2 Please read their titles and
3 recognize Senator Persaud.

4 ACTING PRESIDENT COONEY: The
5 Secretary will read.

6 THE SECRETARY: Resolution 1520, by
7 Senator Persaud, memorializing Governor Kathy
8 Hochul to proclaim April 2024 as Sexual Assault
9 Awareness Month in the State of New York.

10 Resolution 1544, by Senator Persaud,
11 memorializing Governor Kathy Hochul to proclaim
12 April 24, 2024, as Denim Day in the State of
13 New York.

14 ACTING PRESIDENT COONEY: Senator
15 Persaud on the resolutions.

16 SENATOR PERSAUD: Thank you,
17 Mr. President.

18 Sexual Assault Awareness Month was
19 started in 2001 by the National Sexual Violence
20 Resource Center to both raise awareness and help
21 prevent sexual assault, harassment and abuse.
22 But the roots of the month can actually be traced
23 way back.

24 Sexual assault is a broad term and
25 can encompass many things: Rape, sexual

1 harassment, sexual abuse, unwanted sexual
2 contact, touching, sexual exploitation and
3 trafficking -- something that we've seen a rise
4 in -- exposing one's genitals or naked body to
5 another, and on and on.

6 But despite the progress we've made
7 to combat sexual assault, there's so much to be
8 done. Research has shown that most men and women
9 across all sexual identities who experience
10 contact sexual violence report that the person
11 who harmed them was someone they knew. It's not
12 a stranger.

13 Over 53 percent of women and
14 29 percent of men reported experiencing contact
15 sexual violence. One in five male victims
16 reported only male perpetrators; one in two had
17 only female perpetrators. And it goes on and on.

18 More than one in four non-Hispanic
19 Black women in the United States were raped in
20 their lifetime. Think of that staggering number.
21 One in three Hispanic women reported unwanted
22 sexual contact in their lifetime. And then four
23 out of five American Indian or Alaskan Native
24 women have experienced sexual violence in their
25 lifetime. This is something that we must end.

1 Sexual violence is unacceptable. As
2 a body, we must continue to fight to ensure that
3 no one suffers from sexual violence.

4 And then on April 24, there's
5 something that's called Denim Day. We recognize
6 Denim Day. Denim Day is a campaign in honor of
7 Sexual Assault Awareness Month. The campaign
8 began after a ruling by the Italian Supreme
9 Court -- and we can tell the court was made up of
10 I wouldn't say what gender. The campaign began
11 by the ruling by the Italian Supreme Court, where
12 a rape conviction was overturned because the
13 justices felt that since the victim, the victim
14 was wearing tight jeans, she must have consented,
15 because the person who raped her couldn't have
16 taken off her pants by himself. They would not
17 have been able to remove it. That's what the
18 court said.

19 The following day, the women in the
20 Italian Parliament came to work wearing jeans, in
21 solidarity with the victim.

22 Peace Over Violence developed the
23 Denim Day campaign in response to this case and
24 activism surrounding it. Since then, what
25 started as a local campaign to bring awareness to

1 victim blaming and destructive myths that
2 surround sexual violence have grown into a
3 movement.

4 Denim Day asks community members,
5 elected officials, businesses and students to
6 make a social statement with their fashion
7 statement by wearing jeans on this day. So I ask
8 all of you, wear jeans next Wednesday in
9 solidarity with people who have been raped.

10 The reality is this. Due to the
11 inequities in our criminal justice system, myths
12 that continue to pervade our society, and the
13 sheer rate of sexual assault that still occurs,
14 there are millions of people in the position
15 across this country and across the world right
16 now. Millions of women, millions of people in
17 general who have been raped, sexually assaulted,
18 and no one believes them because of the way they
19 were dressed, because of the way they looked,
20 because of the way they spoke.

21 Someone says, Oh, because they were
22 flirting, so they'd encouraged it. I want to
23 remind us all: Everyone has a right to dress the
24 way they want to dress. Everyone has a right to
25 behave in the way they see fit without someone

1 taking advantage of them.

2 So again, I encourage my colleagues,
3 stand in solidarity with those who are raped
4 because someone else thought they should not have
5 dressed or looked a certain way.

6 Mr. President, thank you. And I
7 vote aye.

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

10 Senator Fernandez on the
11 resolutions.

12 SENATOR FERNANDEZ: Thank you,
13 Mr. President.

14 And thank you, Senator Persaud, for
15 introducing this resolution.

16 Across New York State, sexual
17 assault is an unwanted reality in too many lives,
18 inflicting deep psychological and physical wounds
19 on survivors in every community -- our neighbors,
20 our friends, our colleagues, and as members of
21 our families.

22 Acknowledging April as Sexual
23 Assault Awareness Month expresses our active
24 commitment to recognize the experiences of
25 survivors to ensure that they are seen and heard,

1 and that they are not alone. It's a testament to
2 our shared values, where we not only listen but
3 also validate and honor the strengths of
4 survivors.

5 This month is also a call to
6 confront some uncomfortable truths. Over half of
7 women and a third of men in our country have
8 faced sexual violence, with these incidents
9 disproportionately impacting people of color.
10 These aren't just statistics. They represent the
11 loss of safety and peace of mind for survivors
12 who frequently battle anxiety, trauma,
13 depression, and PTSD.

14 We must acknowledge the need for
15 accountability, for bringing perpetrators to
16 justice, and the need to strengthen our legal
17 framework so that survivors are able to seek
18 justice unobstructed by doubt or dismissal.

19 I'm proud of this body for its
20 numerous bills that we've introduced to help
21 survivors and child survivors, including my bill
22 that would fix the voluntary intoxication
23 exclusion to include cases where the victim is
24 voluntarily intoxicated and unable to provide
25 consent under the definition of sexual assault.

1 And including other pieces of legislation that
2 would allow evidence of testimony of a victim's
3 outcry and disclosures in cases of sexual abuse
4 regardless of when the disclosure was made.

5 We must listen, and then we must
6 act. When a survivor reaches out, we must be
7 ready to hear them and respond with the support
8 and resources to aid in their healing and their
9 pursuit of justice, and we vow to redouble on
10 preventative efforts to create an environment
11 where fear of assault, abuse and harassment is
12 erased from the daily fabric of our lives.

13 Let this resolution be a catalyst
14 for real change. In standing with survivors, we
15 help move our state forward to a future free from
16 sexual assault.

17 I thank the leader for bringing this
18 resolution to the floor, to my colleague for
19 introducing this resolution, and to the brave
20 advocates and the survivors who are here today,
21 for their work and for their bravery.

22 I proudly vote aye.

23 ACTING PRESIDENT COONEY: Thank
24 you, Senator Fernandez.

25 The resolution was adopted on

1 January 9th.

2 Senator Gianaris.

3 SENATOR GIANARIS: Mr. President,
4 at the request of the various sponsors, all the
5 resolutions we took up today are open for
6 cosponsorship.

7 ACTING PRESIDENT COONEY: The
8 resolutions are open for cosponsorship. Should
9 you choose not to be a cosponsor, please notify
10 the desk.

11 Senator Gianaris.

12 SENATOR GIANARIS: Now I move to
13 adopt the Resolution Calendar.

14 ACTING PRESIDENT COONEY: All those
15 in favor of adopting the Resolution Calendar
16 please signify by saying aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT COONEY: Opposed,
19 nay.

20 (No response.)

21 ACTING PRESIDENT COONEY: The
22 Resolution Calendar is adopted.

23 Senator Gianaris.

24 SENATOR GIANARIS: I also have a
25 motion here.

1 On behalf of Senator Harckham, on
2 page 39 I offer the following amendments to
3 Calendar Number 726, Senate Bill 2994A, and ask
4 that said bill retain its place on the
5 Third Reading Calendar.

6 ACTING PRESIDENT COONEY: The
7 amendments are received, and the bill will retain
8 its place on the Third Reading Calendar.

9 Senator Gianaris.

10 SENATOR GIANARIS: Please take up
11 the calendar at this time.

12 ACTING PRESIDENT COONEY: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number 90,
15 Senate Print 450, by Senator Gianaris, an act to
16 amend the Insurance Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 130, Senate Print 2103B, by Senator Harckham, an
6 act to amend the Environmental Conservation Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: Ayes, 59.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 359, Senate Print 682, by Senator Comrie, an act
22 to amend the General Business Law.

23 SENATOR GIANARIS: Lay it aside for
24 the day.

25 ACTING PRESIDENT PERSAUD: The bill

1 will be laid aside for the day.

2 THE SECRETARY: Calendar Number
3 395, Assembly Bill Number 5311, by
4 Assemblymember Zebrowski, an act to amend the
5 Executive Law.

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

8 THE SECRETARY: Section 2. This
9 act shall take effect on the 60th day after it
10 shall have become a law.

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Announce
15 the results.

16 THE SECRETARY: Ayes, 59.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 439, Senate Print 6651, by Senator Ramos, an act
21 to amend the Workers' Compensation Law.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the 30th day after it

1 shall have become a law.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 439, those Senators voting in the
9 negative are Senators Lanza and Ortt.

10 Ayes, 57. Nays, 2.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 449, Senate Print 2995, by Senator Harckham, an
15 act to amend the Public Health Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

18 THE SECRETARY: Section 3. This
19 act shall take effect on the 120th day after it
20 shall have become a law.

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Announce
25 the results.

1 THE SECRETARY: Ayes, 59.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 474, Senate Print 688, by Senator May, an act to
6 amend the Executive Law.

7 SENATOR LANZA: Lay it aside.

8 SENATOR GIANARIS: Lay it aside for
9 the day.

10 ACTING PRESIDENT PERSAUD: The bill
11 will be laid aside for the day.

12 THE SECRETARY: Calendar Number
13 494, Senate Print 4644, by Senator Kennedy, an
14 act to amend the Executive Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Senator
23 Rhoads to explain his vote.

24 SENATOR RHOADS: Thank you,
25 Madam President.

1 I want to thank Senator Kennedy for
2 introducing the bill.

3 I'm voting in the negative, however,
4 because of the obligations or misplaced
5 obligations that this places on municipalities in
6 areas like in my district which are serviced by
7 private water companies.

8 By placing the obligations on
9 municipalities, particularly in circumstances
10 where our own fire departments, for example, have
11 to pay upwards of \$800, \$900 -- up to \$1,000 per
12 hydrant to a private water utility -- it's the
13 private water utility that should have to bear
14 the cost of actually inspecting and testing these
15 hydrants.

16 For that reason, I'm voting in the
17 negative, though I very much support the concept
18 of annual testing -- especially as a volunteer
19 firefighter myself for the last 31 years, very
20 much support the concept of this annual testing
21 to ensure that our hydrants are in working
22 fashion when we need them.

23 Thank you, Madam President.

24 ACTING PRESIDENT PERSAUD: Senator
25 Rhoads to be recorded in the negative.

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar 494, those Senators voting in the
4 negative are Senators Martins, O'Mara, Rhoads and
5 Weik.

6 Ayes, 55. Nays, 4.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 652, Senate Print 6162, by Senator May, an act to
11 amend the Executive Law.

12 SENATOR LANZA: Lay it aside.

13 ACTING PRESIDENT PERSAUD: Lay it
14 aside.

15 THE SECRETARY: Calendar Number
16 668, Senate Print 1811, by Senator Addabbo, an
17 act to amend the General Business Law.

18 ACTING PRESIDENT PERSAUD: Read the
19 last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect on the 60th day after it
22 shall have become a law.

23 ACTING PRESIDENT PERSAUD: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT PERSAUD: Announce
2 the results.

3 THE SECRETARY: Ayes, 59.

4 ACTING PRESIDENT PERSAUD: The bill
5 is passed.

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

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

10 ACTING PRESIDENT PERSAUD: The
11 Secretary will ring the bell.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number
14 652, Senate Print 6162, by Senator May, an act to
15 amend the Executive Law.

16 ACTING PRESIDENT PERSAUD: Senator
17 Oberacker, why do you rise?

18 SENATOR OBERACKER: Yes, thank you,
19 Madam President. I was wondering if the bill's
20 sponsor would yield for a couple of questions.

21 ACTING PRESIDENT PERSAUD: Senator
22 May, do you yield?

23 SENATOR MAY: I do.

24 ACTING PRESIDENT PERSAUD: The
25 sponsor yields.

1 SENATOR OBERACKER: Thank you.

2 Through you, Madam President. Senator, thank
3 you.

4 As someone who has this affliction
5 of color blindness, I was wondering, has there
6 been any thought or would there be any thought to
7 adding the ability to wear those -- wear glasses
8 that not only help -- it doesn't cure, but it
9 helps enhance the ability to perceive and look at
10 color, thereby not so much eliminating but
11 helping to potentially allow those that suffer
12 from color blindness to be cleared for service.

13 Is there any thought to that
14 process?

15 SENATOR MAY: Thank you. Through
16 you, Madam President, thank you for that
17 question.

18 I'm glad to know that you support
19 what's in here and just want more. That's always
20 nice to know.

21 The idea here is that the testing
22 for color blindness is so blunt at this point
23 that it just eliminates everybody who's got any
24 kind of color blindness. Whereas there are quite
25 a few gradations of color blindness that

1 shouldn't be disqualifying for a career in
2 law enforcement.

3 We want people to be able to see --
4 to tell a green light from a red light, for
5 example, where that would be important. But in
6 some other cases it's not -- it's not that
7 crucial that they tell, you know, teal from a
8 different shade of blue or something like that.

9 So -- so this simply would allow
10 them to -- once you had been screened out by that
11 blunt test to take a more nuanced test that would
12 allow them to qualify, potentially, if they had a
13 kind of color blindness that was -- that was, you
14 know, lesser in nature or not -- shouldn't be
15 disqualifying.

16 I don't see any reason why you
17 couldn't have a corrective option as well, but
18 that wasn't envisioned in our bill.

19 SENATOR OBERACKER: Thank you for
20 that, Senator.

21 Madam President, on the bill.

22 ACTING PRESIDENT PERSAUD: Senator
23 Oberacker on the bill.

24 SENATOR OBERACKER: I know this
25 comes as a shock that I only asked one question,

1 but I think the Senator answered it in the
2 affirmative.

3 As one who says, again, I'm color
4 blind, I have the red/green color blindness.
5 That is, I only perceive it in gray. There may
6 be a time that you've seen me walk these halls
7 and wonder, with my fashion sense, if there may
8 have been an issue. And I can honestly say that
9 if you have seen me in that condition, two things
10 probably did happen -- my wife was out of town,
11 and/or my chief of staff, both of which keep me
12 well -- well in the fashion sense, so to speak.

13 I think this is actually a great
14 bill. I am in support of it. I think it's long
15 been kind of almost misunderstood and not looked
16 upon, those of us that have this affliction.

17 So again, Madam President, if anyone
18 sees me looking a little disheveled, please reach
19 out. I will not take offense. And for that, I
20 will be voting in the affirmative.

21 Thank you.

22 ACTING PRESIDENT PERSAUD: Thank
23 you.

24 Are there any other Senators wishing
25 to be heard?

1 Seeing and hearing none, the debate
2 is closed.

3 Senator Gianaris.

4 SENATOR GIANARIS: Madam President,
5 we've agreed to restore this bill to the
6 noncontroversial calendar.

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

9 Read the last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Senator
16 May to explain her vote.

17 SENATOR MAY: Thank you,
18 Madam President.

19 Mostly I want to thank Liam Vaitkus,
20 who is here in the gallery, who was my session
21 assistant last year. And this bill was his idea,
22 as someone who has color blindness himself and
23 had dreamed of a career in law enforcement and
24 then discovered that it would be impossible
25 because of his color blindness.

1 So it was wonderful that he came up
2 with a solution and brought it to us and got the
3 major law enforcement associations in the state
4 to endorse this bill, and brought it all the way
5 to -- we got it all the way to pass on the floor
6 last year. And I'm thrilled that he's able to
7 come to be here today and see us do it again.

8 And this time we'll do what we can,
9 Liam, to get it through the Assembly. Thank you
10 so much for your hard work.

11 And I vote aye.

12 ACTING PRESIDENT PERSAUD: Senator
13 May to be recorded in the affirmative.

14 Announce the results.

15 THE SECRETARY: In relation to
16 Calendar 652, voting in the negative:
17 Senator Brisport.

18 Ayes, 58. Nays, 1.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 Senator Gianaris, that completes the
22 reading of the calendar.

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

25 ACTING PRESIDENT PERSAUD: There is

1 no further business at the desk.

2 SENATOR GIANARIS: Let me remind my
3 Majority colleagues we are returning back to
4 conference immediately upon conclusion of
5 session.

6 And I move to adjourn until
7 tomorrow, Wednesday, April 17th, at 11:00 a.m.

8 ACTING PRESIDENT PERSAUD: On
9 motion, the Senate stands adjourned until
10 Wednesday, April 17th, at 11:00 a.m.

11 (Whereupon, at 4:45 p.m., the Senate
12 adjourned.)

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