NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 13, 2024

3:20 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: In the absence of clergy, let us have a moment of silence to honor the memory of Angie Gigliotti, who many of us knew, who worked at Prime in the Concourse for many years and was really a symbol of the force and the strength of this Albany capital that we reside in.

(Whereupon, the assemblage respected a moment of silence.)

ACTING PRESIDENT MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, May 12, 2024, the Senate met pursuant to adjournment. The Journal of Saturday, May 11, 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.

By agreement, I wish to call up the following bills, which were recalled from the Assembly and are now at the desk: Senate 3283 and Senate 1198.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 166, Senate Print 3283, by Senator Rivera, an act to amend the Public Health Law.

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

SENATOR GIANARIS: Move to reconsider the vote by which these bills were

passed.

ACTING PRESIDENT MAYER: The Secretary will call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT MAYER: The bills are restored to their place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT MAYER: The amendments are received.

SENATOR GIANARIS: Amendments are offered to the following Third Reading Calendar bills:

By Senator Brouk, on page 14, Calendar Number 146, Senate Print 4667;

Senator Ramos, page 15, Calendar Number 211, Senate Print 4924;

Senator Salazar, page 39, Calendar Number 683, Senate Print 7607A;

Senator Ryan, page 40, Calendar Number 713, Senate Print 139B;

Senator Breslin, page 51, Calendar Number 879, Senate Print 5242;

And Senator Skoufis, page 55, Calendar Number 920, Senate Print 5536A.

ACTING PRESIDENT MAYER: The amendments are received, and the bills will retain their place on the Third Reading Calendar.

Senator Gianaris.

SENATOR GIANARIS: Madam President, we have a very special guest with us today, especially for those of us who are not Yankees fans.

(Laughter.)

SENATOR GIANARIS: Please call up previously adopted Resolution 2353, by Senator Sepúlveda, read its title and recognize Senator Sepúlveda.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 2353, by Senator Sepúlveda, honoring David Ortiz, "Big Papi," for his contributions to baseball, in conjunction with the 20th Anniversary of the 2004 World Series.

ACTING PRESIDENT MAYER: Senator Sepúlveda on the resolution.

SENATOR SEPÚLVEDA: Thank you,

Madam President, for allowing me to present this resolution.

For those of you who are Yankee fans, like me, bear with me. You can forgive me later on. But "Big Papi" is a name, David Ortiz is a name that is internationally known for his works besides baseball, some of the great things that he's doing since his retirement.

Today we honor this figure, David Ortiz, universally known as "Big Papi." Our resolution celebrates his monumental contributions to baseball, his profound philanthropic efforts, and the 20th anniversary of the 2004 World Series.

Beyond his iconic sports career, David's unwavering dedication is evident through his work with the David Ortiz, Jr., Children's Fund, partnering with CEDIMAT Hospital in the Dominican Republic, and provides lifesaving cardiac care to children, highlighting his commitment to health and well-being across our borders.

David's impact extends deeply into our community through his participation in numerous charity events enhancing the lives of

kids here in New York. His final tour at Yankee Stadium, met with heartfelt respect and admiration, solidified his status not only as a sports icon but as a beloved humanitarian and a distinguished member of the Hall of Fame.

His efforts have inspired countless individuals and have had a tangible positive impact on the lives of children both in New York, in Boston, and in the Dominican Republic.

In celebrating David today, we recognize not just a sports hero but a man whose Hall of Fame legacy of compassion and dedication will resonate for generations.

Thank you, "Big Papi," for your indelible mark on our hearts and our communities.

{Remarks repeated in Spanish as follows: Señora Presidenta, distinguidos colegas e invitados de honor, hoy honramos a una figura legendaria, el señor David Ortiz, conocido universalmente como "Big Papi."

La Resolución del Senado No. 2353 celebra sus monumentales contribuciones al béisbol, sus profundos esfuerzos filantrópicos y el 20th aniversario de la Serie Mundial de 2004.

Más allá de su ¡cónica carrera

deportiva, la dedicación inquebrantable de David es evidente a través de su trabajo con el Fondo Infantil David Ortiz, asociándose con el Hospital CEDIMAT en la República Dominicana para proporcionar atención cardíaca vital a niños, destacando su compromiso con la salud y el bienestar más allá de las fronteras.

El impacto de David se extiende profundamente en nuestra comunidad a través de su participación en numerosos eventos benéficos, mejorando las vidas de los jóvenes de Nueva York. Su última gira en el Yankee Stadium, recibida con un respeto y una admiración sinceros, consolidó su estatus no solo como un icono deportivo, sino también como un querido humanitario y un distinguido miembro del Salón de la Fama del Béisbol.

Sus esfuerzos han inspirado a innumerables individuos y han tenido un impacto positivo y tangible en la vida de los niños tanto en Nueva York como en la República Dominicana.

Al celebrar a David Ortiz hoy, reconocemos no solo a un héroe deportivo, sino a un hombre cuyo legado del Salón de la Fama de compasión y dedicación resonará por generaciones.

Gracias, Big Papi, por tu huella indeleble en nuestros corazones y nuestras comunidades.)

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Sepúlveda.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

I am not a Yankee fan, although I am from the Bronx. I am a New York Mets fan. And so in 2004 I was able to observe the World Series as a baseball fan, not rooting for one side or another. And I was able to watch the magic happen, the magic happen by that band of what they called themselves -- not my words, they called themselves idiots.

(Laughter.)

SENATOR BAILEY: But they weren't idiots. They were, quite frankly, one of the greatest teams that we've seen, if we're being objective about it -- Yankee fans, I'm sorry -- one of the greatest teams that we've seen win a World Series, because they were the essence of what a team was.

You had good pitching that rose to the level of greatness. You had great hitting that rose to the level of stupendous. And you had the glue, which is David Ortiz, "Big Papi." The only guy that you could ever in the hood call "Big Papi" is David Ortiz.

(Laughter.)

SENATOR BAILEY: And it shows you that in sports, much like life, being a team sport, you need to have certain people that galvanize your clubhouse and also your community.

And so the 63 of us -- 62 now that Tim's not here -- 62 of us now in this chamber, we are all galvanizing forces for our communities, so we can understand when we see one in our chamber. And that is David Ortiz, who from what you've -- what's been read off and what you've seen, is a better person than he was a Hall of Fame baseball player. And I will say that the Minnesota Twins fumbled the bag when they let him go.

(Laughter.)

SENATOR BAILEY: I'm a baseball fan, right? So like I've watched his career. And to be in the midst of a Hall of Famer, a true

legend on and off the field, is a true honor for me.

Thank you, David Ortiz, for all the work that you do.

Thank you -- I vote aye, Madam President. Thank you, Senator Sepúlveda, for the resolution.

ACTING PRESIDENT MAYER: Thank you, Senator Bailey.

Senator May on the resolution.

SENATOR MAY: Thank you, Mr. President.

I grew up in Boston in the fifties, sixties and seventies, when World Series titles were painfully elusive to the Red Sox. And so it's been wonderful, even though I don't live there anymore, to see some of the amazing things that have happened with the Red Sox.

And you are such hero to all of us Red Sox fans. So thank you for being here, and for all the good work that you've done.

ACTING PRESIDENT MAYER: Thank you, Senator May.

To our guest, Mr. David "Big Papi" Ortiz --

(Laughter.)

ACTING PRESIDENT MAYER: -- 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 resolution was previously adopted on April 7th.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

Next up is previously adopted Resolution 2027, by Senator Tedisco. Please read its title and recognize Senator Tedisco.

ACTING PRESIDENT MAYER: The Secretary will read.

And can we try to have some quiet.

THE SECRETARY: Resolution 2027, by Senator Tedisco, congratulating the Stillwater High School Varsity Boys Basketball Team upon the occasion of capturing the New York State Public High School Athletic Association Boys Basketball Class B Championship on March 15, 2024.

ACTING PRESIDENT MAYER: Senator

Tedisco on the resolution.

SENATOR TEDISCO: Madam President, I guess this is "Outstanding Athletes Day" today in the New York Senate chambers.

I'm pleased to welcome the New York State Class B Boys Basketball Champions to the chamber today, the Warriors of Stillwater High School. Stillwater defeated Marcellus High School in a hard-fought 59-50 victory to win their second championship in program history on Friday, March 15, 2024, at the Cool Insuring Arena in Glens Falls, New York.

Prior to their success at that level, this outstanding -- these outstanding young men won the Waseran League with a 16-0 record and finished the season with an outstanding overall record of 27 wins and only one loss.

The Warriors were also recognized for their great academic achievements as a New York State Public High School Athletic Association Scholar Athlete Team, garnering an overall team grade point average of above 90 percent.

It is said that the success of any

team starts with leadership. And their coaches worked tirelessly to make this group collectively greater than the sum of its parts. And although they are not present today, the administration, board, and faculty of Stillwater School District are second to none and no doubt had a hand in this team's success.

Please welcome these members and their coaches: Members Lukas Lilac, Carter Wichelns, Thomas McDonough, Shea Brown, Kaelan Leak, Brody Burdo, Mason Wagner, Jack Stewart, Jay Gannon, Jacob Niznik, Jaxon Mueller, James Cocozzo, Landon Staie, and Matt Lutz; their Head Coach, Bruce Lilac; and Assistant Coaches Dave Cook, Craig Burdo and Pete D'Aloia.

Madam President, please extend a warm welcome to these outstanding student athletes and coaches and give them all the cordialities of this august chamber.

ACTING PRESIDENT MAYER: Thank you.

To our guests, the winning team from Stillwater High School and their coaches, 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 resolution was previously adopted on March 26th.

Senator Gianaris.

SENATOR GIANARIS: Next is previously adopted Resolution 1983, by Senator Thomas. Please read its title and recognize Senator Thomas.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 1983, by Senator Thomas, honoring Dr. Kishore Kuncham upon the occasion of his retirement after 30 years of distinguished service to the Freeport School District.

ACTING PRESIDENT MAYER: Senator Thomas on the resolution.

SENATOR THOMAS: Thank you, Madam President.

It's a bit hard to rise right after "Big Papi" from the Bronx, you know, who decided to come to our chambers today.

But we've got a "Big Papi" at the

Freeport School District here, Dr. Kishore Kuncham. He is here with us today after 30 years of distinguished service to the Freeport School District.

For the past three decades, Dr. Kuncham has served Freeport schools with integrity, compassion and unwavering dedication to his students. Under his guidance, Freeport schools have flourished and achieved unprecedented success in academics, arts, athletics and beyond.

His vision and innovation gave students unique opportunities for growth, exploration, and discovery with a "whole child" approach to learning policy. Dr. Kuncham empowered students of all ages to excel academically, but also focused on fostering their social, emotional and physical well-being. He made sure that every student had the tools they needed to succeed in an ever-changing world in unique ways.

As an advocate for more health and wellness in classrooms, he introduced the daily practice of mindfulness, yoga and guided breathing. And he brought his deep passion for

peace and humanitarianism to our community with the annual peace concerts, peace marches, and an unprecedented 131-mile Peace Walk hosted by the school district.

Dr. Kuncham's journey is not only one of professional achievement but is also a testament to the power of passion and perseverance. He will be remembered as a trailblazing spirit whose unwavering commitment to excellence can be felt for generations to come.

From humble beginnings to his ascent as a respected figure in education, his story resonates deeply with all of us, and especially with me. As the first Indian American State Senator, it is both an honor and privilege to have this opportunity to pay tribute to the remarkable career of Freeport schools' first Indian American school superintendent. His success demonstrates the resilience and determination of the Indian American community.

So thank you, Dr. Kuncham, for your service to our children, your unwavering leadership, and the profound impact you've had on the Freeport community. You will be deeply

missed, but your legacy will surely endure.

Congratulations and best wishes for a well-deserved retirement.

ACTING PRESIDENT MAYER: Thank you, Senator Thomas.

To our guest, Dr. Kishore Kuncham, 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 resolution was previously adopted on March 19th.

Senator Gianaris.

SENATOR GIANARIS: Next up is previously adopted Resolution 2352, by Senator Helming. Please read that resolution's title and recognize Senator Helming.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 2352, by Senator Helming, congratulating the Finger Lakes Community College Men's Volleyball Team upon the occasion of capturing the 2024 National Junior College Athletic Association Men's

Volleyball National Invitational Title.

ACTING PRESIDENT MAYER: Senator Helming on the resolution.

SENATOR HELMING: Thank you, Madam President.

I agree that we have many, many great people who have joined the chamber today. And it is truly an honor and privilege to welcome the Finger Lakes Community College Men's Volleyball Team to our chamber.

This team made history last month by claiming their second consecutive National Junior College Athletic Association Volleyball Championship. The Lakers secured the championship after a 3-1 defeat over the Monroe College Mustangs from New Rochelle.

This series was an exciting rematch of the Lakers and Mustangs inaugural 2023 national championship. As you can imagine, the Mustangs came out looking to strip the title from the Lakers. And during the first set, which the Mustangs won, it looked like they could possibly do just that.

But the Lakers, under the leadership of Coach Steven Verbridge, pulled together as a

team, winning the following three sets and returning the championship trophy to the Finger Lakes Community College campus.

This victory sealed the deal on a remarkable season for the Lakers, who finished with an impressive 33 and 3 record.

First-year Head Coach Steven Verbridge was named Men's Volleyball Coach of the Year, and Nick Ferris the Most Valuable Player.

During the season and the championship playoffs, Coach Verbridge and Assistant Coach Daina Marsh stressed teamwork, and they taught the team important lessons that can be applied not only on the court, but in life as well -- how to face adversity and channel challenges into the motivation necessary to achieve your goals.

To Dan, AJ, Bryce C., Ian, Nate, Devin, Sam, Evan, Bryce Nickson, Nehemiah, Aaron, Alex, Nick, Marc, Garyson and Jarett, congratulations. You have learned lessons from your experience that will help you, as I said, both on and off the court, and you have demonstrated to all of us that you have the commitment and dedication necessary to achieve

your goals.

Again, congratulations to you, congratulations to Coach Verbridge and Assistant Coach Marsh.

To the returning players, I sure hope to see you again next year. To the sophomores who are going on, we wish you all the best with your future endeavors.

Congratulations to all of you.

ACTING PRESIDENT MAYER: Thank you, Senator Helming.

To our guests, the winning Finger Lakes Community College Men's Volleyball Team, even though you defeated a team from my district --

(Laughter.)

ACTING PRESIDENT MAYER: -- we welcome you on behalf of the Senate. We extend to you cordialities of the house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: The resolution was previously adopted on May 7th.

Senator Gianaris.

SENATOR GIANARIS: And now

previously adopted Resolution 2301, by Senator Canzoneri-Fitzpatrick, read its title and recognize Senator Canzoneri-Fitzpatrick.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 2301, by Senator Canzoneri-Fitzpatrick, honoring Sir Dr. David Goldberg upon the occasion of being knighted by the renowned Parte Guelfa in Florence, Italy.

ACTING PRESIDENT MAYER: Senator Canzoneri-Fitzpatrick on the resolution.

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President.

Today it is my honor to recognize the accomplishments of one of my constituents of the Ninth Senate District, Dr. David Goldberg, or I should say Sir Dr. David Goldberg, who is visiting us from Long Beach, New York.

Dr. Goldberg was recently knighted by Parte Guelfa in Florence, Italy, which is a knighthood organization with nearly 800 years of unbroken history dating back to the 13th century, and which recognizes individuals who are making significant contributions to humanity.

Dr. Goldberg was knighted in recognition of his public service after being nominated by a friend who is also a knight, Malachi Halliday, of Dubai. He was included this past fall in a two-day ceremony with other inductees -- including a former prime minister of Lebanon, an ambassador, and a spiritual advisor to the pope -- in a ceremony that included a march through the streets of Florence and being recognized in the Palazzo di Parte Guelfa.

In addition to teaching social studies at Calhoun High School, Dr. Goldberg teaches Voices of the Past, a joint venture between the English and Social Studies departments, and he is also on the board of NGO Sustainability, a nonprofit organization that promotes sustainable development and renewable energy. And he also consults -- and this group also consults with the United Nations.

He is on the President's Leadership Council at Search for Common Ground, serves as a board vice president of Peace Education Initiative Rwanda, and is on the National Advisory Council at the Center for Civic Education.

Sir Dr. Goldberg, it is my distinct honor to congratulate you on this distinguished award and thank you for joining us today, and for your commitment to your responsibilities as a knight and to continue your efforts that make a difference in our society.

Madam President, I ask that you welcome Dr. David Goldberg and extend to him the privileges and courtesies of this house.

Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Canzoneri-Fitzpatrick.

To you, Sir Dr. David Goldberg, we welcome you to the Senate. We extend to you the privileges and courtesies of the house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: The resolution was previously adopted on May 7th.

Senator Gianaris.

SENATOR GIANARIS: Madam President, at the request of the sponsors, the resolutions are open for cosponsorship. And I expect the Yankee fans to all go to the desk and take their names off of the David Ortiz resolution.

(Laughter.)

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

Senator Gianaris.

SENATOR GIANARIS: Please take up the calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 269, Senate Print 3141A, by Senator Mannion, an act to amend the Private Housing Finance 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 300, Senate Print 509A, by Senator Thomas, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. 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: In relation to Calendar 300, those Senators voting in the negative are Senators Felder, Lanza and Oberacker. Also Senator O'Mara.

Ayes, 57. Nays, 4.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 622, Senate Print 609, by Senator Hoylman-Sigal, an act to amend the Election 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 630, Senate Print 6933A, by Senator Webb, an act to amend the Election 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 630, those Senators voting in the

negative are Senators Borrello, Canzoneri-Fitzpatrick, Martins and Rhoads.

Ayes, 57. Nays, 4.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 699, Senate Print 99A, by Senator Gounardes, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 60th 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 699, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Helming, Lanza, Martins, 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 761, Senate Print 4187, by Senator Lanza, an act to amend the Highway Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 8. 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 761, voting in the negative:

Senator Brisport.

Ayes, 60. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 826, Senate Print 7353A, by Senator Brisport, an act to amend the Education 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 Brisport to explain his vote.

SENATOR BRISPORT: Thank you, Madam President.

You know, education is one of the best tools we have to fight against recidivism of youth that end up caught up in the system, and one of the best tools we can give them to guarantee them a brighter future.

This bill makes it easier to make sure that they are guaranteed the right to education that they have even when they're when caught up in the system.

So I thank you, and I thank our Majority Leader for bringing it to the floor today. I vote aye.

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

Announce the results.

THE SECRETARY: In relation to

Calendar 826, voting in the negative:
Senator Martinez.
Ayes, 60. Nays, 1.
ACTING PRESIDENT MAYER: The bill is passed.
THE SECRETARY: Calendar Number 898, Senate Print 8708, by Senator Rhoads, an act in relation to authorizing the John Theissen Children Foundation, Inc., to receive retroactive real property tax exempt status.
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 898, voting in the negative:
Senator O'Mara.
Ayes, 60. Nays, 1.
ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 901, Senate Print 136, by Senator Krueger, an act to amend the Election 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 901, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Helming, Lanza, Murray, Oberacker, O'Mara, Ortt, Stec, Tedisco, Weber and Weik.

Ayes, 47. Nays, 14.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 902, Senate Print 224, by Senator Myrie, an act to amend the Tax 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 903, Senate Print 239E, by Senator May, an act in relation to enacting the New York Open Water Data Act.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 5. 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 903, voting in the negative are Senators Griffo, Oberacker and O'Mara.

Ayes, 58. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 904, Senate Print 543B, by Senator Gianaris, an act to amend the Tax Law and the Administrative Code of the City of New York.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 13. 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 Number 904, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 905, Senate Print 600, by Senator Salazar, an act to amend the Executive Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

THE SECRETARY: Calendar Number 906, Senate Print 611B, by Senator Mayer, an act to amend the Election 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 Number 906, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,

Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 42. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 907, Senate Print 887, by Senator Cleare, an act to amend the Elder Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Madam President.

There are over 400,000 New Yorkers living with Alzheimer's, and this number is sadly on the rise and expected to increase with each passing year.

Alzheimer's is a type of dementia that does not affect just an individual, but whole families and caregiver systems. There are over 540,000 individuals and caregivers who are actively taking care of those afflicted, many on a full-time basis.

We must do everything within our power to make sure that family members and caregivers have positive, proactive and empowering support to optimally care for their loved ones. Therefore, this bill requires a state-level centrally located database of successful dementia and Alzheimer's disease programs to be made available on the State Office for the Aging website.

In a state as vast as New York State, with the number of local community-centered approaches, it is wise to have all best practices collected in one place so they may be replicated. It is also essential to collect and centralize proven approaches so family members have a place to turn with confidence for strategies, ideas and interventions to improve everyone's collective quality of life.

I proudly vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris, that completes the reading of the calendar.

SENATOR GIANARIS: Let's now take up the controversial calendar, please.

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 905, Senate Print 600, by Senator Salazar, an act to amend the Executive Law.

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

SENATOR STEC: If the sponsor would yield for a few questions, please.

ACTING PRESIDENT MAYER: Will the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT MAYER: The

sponsor yields.

SENATOR STEC: All right, thank you.

Madam President, through you. Could the sponsor describe what kind of organization is the Correctional Association? Is it a government organization? Is it nonprofit? What are they?

SENATOR SALAZAR: Through you, Madam President. The Correctional Association is a not-for-profit organization. It is the only entity that is specifically in statute in New York State law, designated as an independent oversight body over state correctional facilities in current law.

SENATOR STEC: All right, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Senator Salazar, do you continue to yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

So you said correctional facilities, but these are residential juvenile homes.

They're not part of DOCCS, they're not correctional facilities. So would they still have this in-statute authority to also observe and oversight there?

SENATOR SALAZAR: Through you, Madam President, that is precisely the purpose of this bill.

Under existing law, the Correctional Association has this authority regarding oversight of DOCCS facilities. But what this bill would do is authorize the Correctional Association to monitor residential juvenile detention facilities -- that is, OCFS facilities -- as well.

SENATOR STEC: Thank you.

Madam President, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR STEC: Thank you.

What about the Prisoners' Legal Services of New York? What kind of organization

are they?

SENATOR SALAZAR: Through you, Madam President. Prisoners' Legal Services of New York has for more than 34 years represented and advocated for the humane treatment of individuals in correctional facilities in New York State.

They also have offices right now that are located in close proximity to OCFS facilities, and they have the infrastructure in place and the knowledge that is needed to address issues that might come up, legal issues that might come up in OCFS facilities as well.

While that is not what they do under current law, that is what this bill would seek to allow them to do.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR STEC: Aren't there other organizations already charged with this sort of

oversight, the Office of the Ombudsman, Council of Children and Families? I mean, there's already an existing hotline. Why would we create a second hotline and, you know, a second mechanism for all this oversight if we already have oversight in place?

SENATOR SALAZAR: Through you, Madam President. I think that there has been evidence that the existing oversight of OCFS facilities has not been adequate.

For example, there was a long investigation by the Department of Justice that uncovered abuses by staff in these facilities in which violence was used against young people. They sustained serious injuries, broken bones, concussions.

We have reason for concern about the well-being of young people in OCFS facilities, and I think that it would be beneficial for us to ensure that there is independent oversight over these facilities -- not only from within state government, but from entities that are external and can truly provide independent oversight.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR STEC: So if we have a broken system in the Office of Children and Family Services, the solution isn't to, as leaders, go in there and clean up our own organization that we have direct control over? Rather, the solution is to just create a parallel universe here with another outside entity coming in, doubling the work and increasing confidentiality and abuse and neglect in that process?

Why don't we just fix our own existing process? Isn't that our responsibility?

SENATOR SALAZAR: Through you, Madam President. I would argue that these could be complementary paths. It is important for us to do the work to reform OCFS when and where necessary to do that.

But I also see value in a truly independent nongovernment entity providing oversight as well.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR SALAZAR: Yes.

SENATOR STEC: How will the Correctional Association's unannounced visits affect the daily operation of the facilities?

SENATOR SALAZAR: Through you, Madam President. The Correctional Association has been doing this kind of work for over a hundred years in New York State, since it was established in 1844. And it has managed to do its work in DOCCS facilities, for example, secure facilities, without disrupting the operation of those facilities.

So I feel very confident that providing this oversight would not in any way negatively impact the operation of OCFS facilities.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR SALAZAR: Yes.

SENATOR STEC: How does the bill ensure that the rights of facility staff are protected during the inspection process conducted by the Correctional Association?

SENATOR SALAZAR: Through you, Madam President. I see no reason to think that providing this oversight support for young people who are held in these facilities, that that would in any way infringe upon the rights of staff in these facilities.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR SALAZAR: Yes.

SENATOR STEC: Can the sponsor provide any examples of similar legislation in other states, and their outcome relative to what's proposed in this bill?

SENATOR SALAZAR: Through you, Madam President. I am not aware of very similar legislation in other states.

SENATOR STEC: Will the sponsor continue to yield for a couple more questions?

ACTING PRESIDENT MAYER: Do you

continue to yield to a couple of questions?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT MAYER: Yes, the Senator yields.

SENATOR STEC: Was DOCCS or the Office of Children and Family Services consulted in the development of this legislation? And more importantly, do they offer an opinion in support or opposition to it?

SENATOR SALAZAR: Through you, Madam President, we did not receive opposition or support, an official opinion, from either DOCCS or OCFS regarding this legislation.

SENATOR STEC: But were they consulted, was the first part of my question.

SENATOR SALAZAR: Through you, Madam President. It wouldn't -- I don't think that it would be necessary to consult DOCCS regarding this legislation, as this legislation doesn't affect DOCCS.

But our office did seek to engage OCFS in conversation about it.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR SALAZAR: Yes.

SENATOR STEC: Is it true the Correctional Association has a stated legislative goal to see juvenile correctional facilities close? Are you aware of that?

SENATOR SALAZAR: Through you, Madam President. I just want to make sure that I understand Senator Stec's question that -- the question is if the Correctional Association has had any role in the closure of facilities or seeking to have them closed? Did I understand?

SENATOR STEC: A goal that they would like to see juvenile facilities closed.

SENATOR SALAZAR: Through you, Madam President, I -- as far as I know, that goal has never been expressed by the Correctional Association.

SENATOR STEC: On the bill.

ACTING PRESIDENT MAYER: Senator Stec on the bill.

SENATOR STEC: I thank the sponsor for her time on this.

Again, this seems very duplicative to me. As I stated in my questions, if we as

state government have an issue with how one of our agencies is conducting business or not conducting business appropriately, it's -- it would be our role to step in and do that and not farm it out to a third party, a third party perhaps with their own view of things and maybe their own agenda on things beyond just pure oversight.

We have staff that's capable of doing this. This is an additional cost. I'd be concerned about the impact to the facility. The reason why I asked the question if DOCCS was contacted is because DOCCS has direct experience with this organization. And again, we just did the Raise the Age, and supposedly offenders of 21 years or younger are being treated differently.

So why we would want to conform our Children and Family Service processes to be more like that of DOCCS, as opposed to what the stated goal was, which is to treat children very differently, young offenders -- again, it's a duplicative effort, it's going to be costly, it's unnecessary.

I'll be opposed.

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 4. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Salazar to explain her vote.

SENATOR SALAZAR: Thank you, Madam President.

As we just established, this bill would authorize the Correctional Association to monitor residential juvenile detention facilities.

Today's juvenile justice facilities have thankfully quite different conditions from adult prisons, but they continue to face similar challenges. As I mentioned, a DOJ investigation uncovered some shocking abuses that took place in

some OCFS facilities. And it really demonstrates a need for there to be additional oversight in these facilities.

The approach to addressing this problem through this bill is three-pronged: To authorize the Correctional Association, as was mentioned, to provide this oversight. Also for PLS to establish a juvenile justice unit to legally represent children in the state's residential juvenile detention facilities. That could include interviewing young people about their experiences, reviewing the records and investigating their complaints. This really is to ensure that the best interest of children in these facilities continues to be served.

And I believe that this bill will be an important step forward to reveal and remedy any violations of children's constitutional rights in OCFS facilities and make sure that we are fulfilling our responsibility to their safety, their health, and their well-being.

I vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 905, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martinez, Martins, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Stec, Tedisco and Weber. Also Senators Weik and Rolison.

Ayes, 41. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris, that completes the reading of the controversial calendar.

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Tuesday, May 14th, at 3:00 p.m.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Tuesday, May 14th, at 3:00 p.m.

(Whereupon, at 4:06 p.m., the Senate adjourned.)