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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 15, 2024

3:34 p.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT BAILEY: In the
9 absence of clergy, let us bow our heads in a
10 moment of silent reflection or prayer.

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

13 ACTING PRESIDENT BAILEY: Reading
14 of the Journal.

15 THE SECRETARY: In Senate, Tuesday,
16 May 14, 2024, the Senate met pursuant to
17 adjournment. The Journal of Monday, May 13,
18 2024, was read and approved. On motion, the
19 Senate adjourned.

20 ACTING PRESIDENT BAILEY: Without
21 objection, the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Hinchey

1 moves to discharge, from the Committee on
2 Agriculture, Assembly Bill Number 1234 and
3 substitute it for the identical Senate Bill 1752,
4 Third Reading Calendar 230.

5 Senator Breslin moves to discharge,
6 from the Committee on Insurance, Assembly Bill
7 Number 9407A and substitute it for the identical
8 Senate Bill 9021A, Third Reading Calendar 801.

9 Senator Mayer moves to discharge,
10 from the Committee on Education, Assembly Bill
11 Number 9849 and substitute it for the identical
12 Senate Bill 9054, Third Reading Calendar 828.

13 Senator Martins moves to discharge,
14 from the Committee on Local Government,
15 Assembly Bill Number 7041A and substitute it for
16 the identical Senate Bill 6797A, Third Reading
17 Calendar 892.

18 ACTING PRESIDENT BAILEY: So
19 ordered.

20 Messages from the Governor.

21 Reports of standing committees.

22 Reports of select committees.

23 Communications and reports from
24 state officers.

25 Motions and resolutions.

1 Senator Gianaris.

2 SENATOR GIANARIS: Good afternoon,
3 Mr. President.

4 I wish to call up the following
5 bills which were recalled from the Assembly and
6 are now at the desk: Senate Bills 1267 and 1610.

7 ACTING PRESIDENT BAILEY: The
8 Secretary will read.

9 THE SECRETARY: Calendar Number 92,
10 Senate Print 1267, by Senator Breslin, an act to
11 amend the Insurance Law and the Public Health
12 Law.

13 Calendar Number 423, Senate Print
14 1610, by Senator Hoylman-Sigal, an act to amend
15 the Real Property Law.

16 SENATOR GIANARIS: I move to
17 reconsider the vote by which these bills were
18 passed.

19 ACTING PRESIDENT BAILEY: The
20 Secretary will call the roll on reconsideration.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 54.

23 ACTING PRESIDENT BAILEY: The bills
24 are restored to their place on the Third Reading
25 Calendar.

1 SENATOR GIANARIS: I offer the
2 following amendments.

3 ACTING PRESIDENT BAILEY: The
4 amendments are received.

5 SENATOR GIANARIS: I also offer
6 amendments to the following Third Reading
7 Calendar bills:

8 By Senator Hoylman-Sigal, page 45,
9 Calendar 711, Senate Print 8484;

10 Senator Bailey, page 49,
11 Calendar 789, Senate Print 8688;

12 Senator Stavisky, page 51,
13 Calendar 877, Senate Print 2063;

14 Senator Hoylman-Sigal, page 59,
15 Calendar 929, Senate Print 8724;

16 Senator Krueger, page 66,
17 Calendar 1000, Senate Print 9067;

18 Senator Scarcella-Spanton, page 49,
19 Calendar 787, Senate Print 7739;

20 And Senator Krueger, page 49,
21 Calendar 781, Senate Print 8705.

22 ACTING PRESIDENT BAILEY: The
23 amendments are received, and those bills will
24 retain their place on the Third Reading Calendar.

25 Senator Gianaris.

1 SENATOR GIANARIS: On to
2 resolutions.

3 Let's begin by taking up previously
4 adopted Resolution 2122, by Senator Hinchey.
5 Please read that resolution's title and recognize
6 Senator Hinchey.

7 ACTING PRESIDENT BAILEY: The
8 Secretary will read.

9 THE SECRETARY: Resolution 2122, by
10 Senator Hinchey, memorializing Governor Kathy
11 Hochul to proclaim September 22-29, 2024, as
12 Frontotemporal Degeneration Awareness Week in the
13 State of New York.

14 ACTING PRESIDENT BAILEY: Senator
15 Hinchey on the resolution.

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

18 Today I rise proudly as the sponsor
19 of the resolution proclaiming the week of
20 September 22-29, 2024, as Frontotemporal
21 Degeneration, or FTD, Awareness Week in the State
22 of New York.

23 FTD is an often misdiagnosed
24 disease, one that causes extreme hardship, many
25 challenges, and deep grief for families who are

1 impacted. I know that because it's the disease
2 that my father passed from in 2017. And at that
3 time very few people knew what FTD even was, they
4 had never heard of FTD.

5 This is a disease -- it's a
6 neurodegenerative brain disease, a type of
7 dementia that often gets conflated with
8 Alzheimer's or other types of dementias.
9 However, we know that there are thousands of
10 people impacted not just across our state but
11 across the country and the world, many of whom
12 don't even know that they may have FTD.

13 Partially because many of our
14 medical professionals are not educated, they
15 don't know that FTD is a disease they should even
16 be looking for. It's one that impacts behavior
17 and language. And so often if someone goes in to
18 the doctor for a test, they may be tested by
19 their memory. And when they beat the memory
20 test, when they pass it with flying colors,
21 they're told they don't have dementia, maybe they
22 have a psychological disorder or a mental health
23 issue or a behavioral issue -- when in fact it's
24 FTD, frontotemporal degeneration.

25 I say this over and over again

1 because it's a disease that we need to normalize
2 and we need to uplift so we can bring a broader
3 collective consciousness to this disease so that
4 more people, when they are suffering, can get an
5 accurate diagnosis.

6 For many it takes four years before
7 they actually know what they have. And that is
8 an incredibly challenging situation for any
9 family to be in, not only because there are many
10 questions as to why a loved one may be behaving
11 in the way that they are, but there's no ability
12 for financial planning. There's no ability to
13 find the resources that one needs.

14 And so this resolution proclaiming
15 September 22-29th as FTD Awareness Week is a huge
16 step forward in bringing awareness to folks
17 across our state.

18 New York State was actually the
19 first state in the country to have an awareness
20 resolution for FTD. And because of our work in
21 this chamber and many advocates, that is now
22 starting to proliferate across the rest of the
23 country.

24 That work is happening because of an
25 incredible organization, the Association for

1 Frontotemporal Degeneration. We are here joined
2 in this chamber today by many advocates and
3 family members who are impacted, sadly, by FTD,
4 but advocates who work for AFTD as well,
5 including AFTD's CEO Susan Dickinson;
6 Senior Director of Programs Sharon Denny;
7 Director of Advocacy Meghan Buzby; and
8 Advocacy Manager Matt Sharp, who have now
9 dedicated their careers to really fighting
10 against frontotemporal degeneration.

11 Many of you in this room may also
12 have heard of this disease, it may sound familiar
13 to you, because just a number of months ago
14 Emma Heming Willis, Bruce Willis's wife, made the
15 courageous step forward in coming forward and
16 announcing that that is the disease that
17 afflicted her husband.

18 Taking that step to announce your
19 personal tragedy, your family's tragedy, is a
20 really difficult one. It's one that you do not
21 make lightly, and it's one that puts a spotlight
22 on your family at one of the hardest moments of
23 your life, when all you want to do is care for
24 your loved one and give them the best treatment
25 possible.

1 But it's because of Emma's bravery
2 and her commitment to trying to find a cure so
3 that no other family member has to go through
4 what we went through, what many others have gone
5 through and now, unfortunately, what they are
6 going through -- it's her bravery and commitment
7 that has shined a light on this disease, more
8 than anyone could do except for someone in that
9 position.

10 And I am so proud to be joined here
11 today in this chamber by Emma Heming Willis, in
12 just admiration for her courage and her advocacy.
13 And I'm proud that today we are passing this
14 resolution proclaiming FTD Awareness Week here in
15 the State of New York.

16 Thank you very much, Mr. President.

17 ACTING PRESIDENT BAILEY: Thank
18 you, Senator Hinchey.

19 Senator Gianaris on the resolution.

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

22 I just wanted to add my voice and
23 particularly to thank Senator Hinchey for using
24 her personal experience with her father as an
25 advocate for this important issue. I know it is

1 a very heartfelt issue that she's trying to get
2 the rest of us to focus on, and I think we
3 absolutely should.

4 I also want to thank the advocates
5 who are up here today -- of course, Emma Heming
6 Willis, who was making the rounds today pushing
7 very hard for the legislation that
8 Senator Hinchey has introduced around this issue,
9 and of course Susan Dickinson and all the
10 advocates and the families who have personal
11 experience with FTD in their families.

12 It is not easy to share one's
13 personal family experiences -- particularly those
14 who are not in public life, as we are -- and to
15 use that pain for a good outcome. And all of
16 these families are doing that. So I just wanted
17 to also add my support to what Senator Hinchey is
18 doing here and encourage all my colleagues to
19 learn about this issue and be as supportive as we
20 can to those who are dealing with the
21 consequences of it.

22 Thank you, Mr. President.

23 ACTING PRESIDENT BAILEY: Thank
24 you, Senator Gianaris.

25 To our guests, I welcome you on

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

3 Please rise and be recognized.

4 (Standing ovation.)

5 ACTING PRESIDENT BAILEY: The
6 resolution was previously adopted on April 9th.

7 Senator Gianaris.

8 SENATOR GIANARIS: Mr. President
9 let's move on to previously adopted
10 Resolution 2010, by Senator Stavisky, please
11 read that resolution's title and recognize
12 Senator Stavisky.

13 ACTING PRESIDENT BAILEY: The
14 Secretary will read.

15 THE SECRETARY: Resolution 2010, by
16 Senator Stavisky, commending Dr. Hari Krishna
17 Shukla upon the occasion of his designation as
18 recipient of a Liberty Medal, the highest honor
19 bestowed upon an individual by the New York
20 State Senate.

21 ACTING PRESIDENT BAILEY: Senator
22 Stavisky on the resolution.

23 SENATOR STAVISKY: Thank you,
24 Mr. President.

25 And welcome to Dr. and Mrs. Shukla.

1 Dr. Shukla came to the United States
2 initially on a Rotary International Scholar
3 Program. And fortunately he stayed and went to
4 medical school, residency. But during this early
5 period in his life he developed an interest in
6 pediatrics and became a -- not just a
7 pediatrician, but taking care of newborn babies
8 became his mission.

9 And over the years -- the World
10 Health Organization has stated that one in
11 10 babies are born prematurely. And early on,
12 every -- I think it was 40 seconds a baby died.
13 And Dr. Shukla said that's not acceptable, we've
14 got to figure out how we treat the premature
15 babies. And he developed a mathematical formula
16 to determine the best way to feed and to provide
17 medication for these tiny, tiny babies.

18 And in fact last night I took -- I
19 googled, just on a guess, "Shukla formula," and
20 the formula came up. And it has saved thousands
21 upon thousands of lives.

22 And Dr. Shukla not only worked as
23 a doctor, but also as an active member of the
24 community. He served on the Community Board 7 in
25 Queens. I've known him and his wife and family

1 for many years. And in fact, we used to spend
2 Christmas mornings together at Flushing Hospital
3 distributing toys for children. And that I think
4 demonstrates his commitment and his compassion
5 and his rapport with children and adults as well.

6 So I'm delighted to welcome
7 Dr. Shukla. And he is accompanied by his wife,
8 Kirti Shukla, on the floor.

9 And in the gallery we have Dr. Dilip
10 Nath, president and founder of the New American
11 Voters Association, and his wife, Mrs. Dipa Nath.

12 So we welcome the Nath family, the
13 Shukla family. And I am delighted -- if I can
14 get the paperclip off -- to present Dr. Shukla
15 with the Liberty Medal.

16 So again, before I present it to
17 him, I ask that all of the courtesies be extended
18 to the recipients.

19 ACTING PRESIDENT BAILEY: Thank
20 you, Senator Stavisky.

21 Senator Liu on the resolution.

22 SENATOR LIU: Thank you,
23 Mr. President.

24 I am very happy to join
25 Senator Stavisky in honoring an individual from

1 our hometown of Flushing, somebody who came here
2 with very little and, in his very long and
3 illustrious career as a physician, pioneered
4 something that, as Senator Stavisky said, saved
5 thousands and thousands of newborns and brought
6 joy to their families. And that is something
7 that's to be celebrated.

8 And Toby already -- Senator Stavisky
9 already said it all. Dr. Shukla is not only a
10 renowned physician, but he is a member of the
11 community. He for many years -- I don't know why
12 he did this, but for many years he attended
13 community board meetings until all hours of the
14 night and then continued back to the hospital and
15 his office, which is in downtown Flushing, to
16 tend to the needs of his patients and their
17 families.

18 And I also have spent not
19 necessarily joyfully, but spent Christmas
20 mornings with Dr. Shukla at the hospital
21 delivering toys to babies. Because that's what
22 Dr. Shukla is always about.

23 So Dr. Hari Krishna Shukla is a
24 person that's fully deserving of the honor today,
25 and even more so because Mrs. Kirti Shukla still

1 stands by him.

2 Thank you, Kirti. And thank you,
3 Dr. Shukla.

4 ACTING PRESIDENT BAILEY: Thank
5 you, Senator Liu.

6 Senator Comrie on the resolution.

7 SENATOR COMRIE: Thank you,
8 Mr. President.

9 I rise today to congratulate Senator
10 Stavisky on bringing forth this resolution and
11 the Liberty Medal for Dr. Shukla.

12 I didn't know him directly other
13 than his presence on the community board
14 meetings. I didn't know about his great history
15 with -- the ability to make sure that he came up
16 with an invention that saved thousands of lives.

17 But I do know him from his presence
18 on the community board and throughout the entire
19 community, giving in service. And I also know
20 the young man in the audience and his wonderful
21 wife, Dilip Nath, who I've been working with
22 since before I got elected to anything, who's
23 been also a great community servant.

24 So I just wanted to rise and
25 acknowledge -- thank you, Dr. Shukla, for your

1 efforts. Thank you, Senator Stavisky, for
2 bringing this presentation forward. And good to
3 see you in Albany, Dilip.

4 ACTING PRESIDENT BAILEY: Thank
5 you, Senator Comrie.

6 Senator Persaud on the resolution.

7 SENATOR PERSAUD: Thank you,
8 Mr. President.

9 I just wanted to thank
10 Senator Stavisky for honoring Dr. Shukla this
11 afternoon.

12 I met Dr. Shukla through NAVA many,
13 many years ago, and he -- the things that he has
14 done for the community, I think everybody should
15 just look him up and see what he has done,
16 because we want to commend you for everything
17 that you have done and continue to do. And I
18 thank you for your service to the community.

19 And to Dilip and Dipa, it's great to
20 see you. Welcome to Albany. And Mrs. Shukla,
21 great seeing you again.

22 Thank you.

23 ACTING PRESIDENT BAILEY: Thank
24 you, Senator Persaud.

25 To our guests, I welcome you on

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

3 Please rise and be recognized.

4 (Standing ovation.)

5 ACTING PRESIDENT BAILEY: The
6 resolution was previously adopted on March 26th.

7 Senator Gianaris.

8 SENATOR GIANARIS: Mr. President,
9 let's now move on to previously adopted
10 Resolution 1640, by Senator Gallivan, read its
11 title and recognize Senator Gallivan.

12 ACTING PRESIDENT BAILEY: The
13 Secretary will read.

14 THE SECRETARY: Resolution 1640, by
15 Senator Gallivan, memorializing Governor
16 Kathy Hochul to proclaim May 12-18, 2024, as
17 Police Week in the State of New York.

18 ACTING PRESIDENT BAILEY: Senator
19 Gallivan on the resolution.

20 SENATOR GALLIVAN: Thank you,
21 Mr. President.

22 I'm proud to stand today in support
23 of Police Week in New York State and across the
24 country, and also to welcome representatives of
25 the organizations that represent almost every

1 police officer in New York State.

2 This week is set aside nationally as
3 a time to recognize those law enforcement
4 officers who have lost their lives in the line of
5 duty. It's a reminder of the dangers these
6 dedicated public servants confront on a daily
7 basis. Just last week many of us gathered at the
8 Police Memorial in the Plaza as the names of
9 68 officers who gave their lives in service to
10 their fellow New Yorkers were added to the black
11 granite walls.

12 Across the country, an astonishing
13 number of 556 police officers made the ultimate
14 sacrifice last year. They did this while
15 protecting their fellow citizens. It's more than
16 double the lives lost the previous year.

17 As a nation, we should consider an
18 attack on a police officer as an attack on all of
19 us. It's an assault on the rule of law that
20 makes a civilized society possible.

21 As someone who has served in the
22 New York State Police and as sheriff of
23 Erie County, I have great respect and admiration
24 for police officers who work every day to keep
25 our families and our communities safe. I also

1 have respect and gratitude for the 228 young men
2 and women who just a few hours ago graduated from
3 the New York State Police Academy and entered
4 service as New York State Troopers.

5 We all know that a job in
6 law enforcement is dangerous and difficult.
7 We're fortunate that despite the risks and
8 challenges, hundreds of thousands of dedicated
9 officers are on the job every day across the
10 country, across the state, across all of our
11 communities, enforcing our laws and working to
12 keep us and our families safe.

13 I thank those who serve, and I honor
14 those who have fallen. And I ask all my
15 colleagues to join me in calling on the Governor
16 to proclaim this Police Week in the State of
17 New York.

18 Thank you, Mr. President.

19 ACTING PRESIDENT BAILEY: Thank
20 you, Senator Gallivan.

21 Senator Mayer on the resolution.

22 SENATOR MAYER: Thank you,
23 Mr. President.

24 And thank you, Senator Gallivan, for
25 your leadership on this important issue.

1 And to our friends in the gallery
2 who represent, as Senator Gallivan said, police
3 departments from throughout the state, when you
4 look back in 1962, when Congress passed the
5 resolution authorizing the President to declare
6 this week as Peace Officers Police Week, the
7 language is so fitting for our time, even though
8 so much time has passed.

9 And it says: "Whereas, the police
10 officers of America have worked devotedly and
11 selflessly on behalf of the people of this
12 nation, regardless of the peril or hazard to
13 themselves; and

14 "Whereas, these officers have
15 safeguarded the lives and property of their
16 fellow Americans; and" -- this is particularly
17 noteworthy to me --

18 "Whereas, by the enforcement of our
19 laws, these officers have given our country
20 internal freedom from the fear of violence and
21 civil disorder that is presently affecting other
22 nations."

23 And it goes on to call on the
24 President to declare this Police Week and honor
25 those who died in the line of service.

1 In these intervening years,
2 unfortunately, the fears of violence in other
3 nations has come to take place in our own
4 country. And we are incredibly dependent on
5 these officers from police departments around the
6 state to protect us here at home from violence --
7 from our neighbors, from those who are filled
8 with hate, from those who don't abide by the
9 rules of our country and the rules of law.

10 So I am honored to be part of this
11 resolution to express our collective support and
12 appreciation for these police departments, to
13 recognize how difficult their jobs are, and
14 particularly to acknowledge those who have passed
15 in the line of duty.

16 I've been honored to stand at the
17 Police Memorial each year when these individuals
18 are named and their families remember them. We
19 collectively remember them, we honor them, and
20 I'm very, very appreciative of the ability to
21 stand and support them today in a public and very
22 open way. That we stand with them, we honor
23 them, and we thank them for their service.

24 Thank you, Mr. President.

25 ACTING PRESIDENT BAILEY: Thank

1 you, Senator Mayer.

2 Senator Comrie on the resolution.

3 SENATOR COMRIE: Thank you,
4 Mr. President.

5 I rise to support this resolution
6 from Senator Gallivan. I'm thankful that this is
7 the first time I've had a chance to speak on this
8 resolution.

9 But it's important that we do
10 remember and respect our police officers that
11 serve our state every day, that respond to
12 emergency situations, that often have to go into
13 places without knowledge or information about
14 what's going on, have to figure it out and try to
15 come back with a resolution.

16 It's one of the toughest jobs in the
17 world. It needs to be respected and commemorated
18 more effectively, especially in these times where
19 so many people are confused about their roles,
20 confused about what they should do, unfortunately
21 being coerced into situations or responses that
22 are not positive.

23 And the only people that can try to
24 bridge that gap are police officers that are
25 moving into a situation without full knowledge or

1 without full understanding of what they're
2 walking into. But they're willing to take that
3 walk that most of us would not be willing to do.

4 So I just wanted to take this
5 opportunity to thank of the police officers that
6 serve this state. We know that it's a difficult
7 job. We know that they're under a lot of
8 pressure. We know that sometimes they don't have
9 the proper information in order to be able to do
10 what they need to do, but they know that they
11 need to try to ameliorate a situation or calm a
12 situation or resolve a situation because they've
13 desired to make sure that this state is a better
14 state for all of us.

15 So thank you, Senator Gallivan, for
16 bringing this resolution.

17 And I want to say thank you to all
18 of the police officers in our state. And we have
19 to encourage everyone to try to support the
20 police whenever possible and try to make their
21 jobs easier by being good citizens.

22 Thank you, Mr. President.

23 ACTING PRESIDENT BAILEY: Thank
24 you, Senator Comrie.

25 Senator Weber on the resolution.

1 SENATOR WEBER: Thank you,
2 Mr. President.

3 I want to thank Senator Gallivan for
4 bringing this very important resolution today.

5 You know, I grew up in the hamlet of
6 Pearl River -- I think I've mentioned that
7 before -- where most people are either related to
8 a cop, are a cop or a fireman. So my story is no
9 different. You know, I grew up as a son of a
10 New York City police officer. My father served
11 20 years and retired in 1986 as a lieutenant, was
12 president of the Rockland County Shields. My
13 older brother, Carl, was 26 years as -- and
14 retired as a lieutenant from PSA 8 in the Bronx,
15 as a lieutenant. And my younger stepbrother is a
16 sergeant now in the Bronx.

17 So, you know, we come from a long
18 line of police officers. I respect and honor all
19 the work that our officers do. The ones that are
20 here today, welcome here today.

21 You know, and one of the reasons why
22 I ran for office, as I think a lot of my
23 colleagues on this side of the aisle ran, is
24 because we saw the constant attack on the police
25 officers. We saw the Defund the Police movement

1 and all these other silly slogans and outrageous
2 comments made attacking our police officers.

3 So I ran for office to make sure
4 that they had a voice in this body. I'm proud to
5 be here and I'm proud to stand with the men and
6 women in blue. I wore my blue suit and my blue
7 shirt in honor of today.

8 Thank you for everyone being here,
9 and thank you for all our police officers who
10 protect us every day.

11 Thank you.

12 ACTING PRESIDENT BAILEY: Thank
13 you, Senator Weber.

14 Senator Rolison on the resolution.

15 SENATOR ROLISON: Thank you,
16 Mr. President.

17 I want to thank Senator Gallivan for
18 bringing forward this resolution.

19 And I also want to say to all my
20 colleagues, I appreciate all of your comments in
21 support of the men and women of law enforcement.

22 You know, I was thinking this
23 morning when I went to meet with members of the
24 State Police prior to the graduation, what it was
25 like for me in 1979, when I graduated from the

1 Police Academy. Then thinking about my son
2 Chris, who's currently on the job. And he
3 graduated from the Police Academy in 2012.

4 There's an excitement to it. You
5 are going into this profession because you want
6 to serve others, and you do so with a desire to
7 do good. And you do so not really worrying about
8 your own well-being or safety, because you are
9 there to stand between the good and the bad.

10 And people call you for a reason.
11 You go to serve others, and you go as someone who
12 doesn't know necessarily the background of that
13 individual, whether they're a Republican,
14 Democrat, whether they vote or not. You go to
15 help because that's what you're trained to do.

16 And as I was looking at the members
17 of the State Police today -- a proud organization
18 that serves the state so honorably. And then
19 leaving, I was greeted by a gal that I have known
20 for many, many years whose son was graduating
21 today from the State Police. And they live in my
22 district, but yet I didn't know that he actually
23 was in the Academy and was graduating. Known
24 this man, this now-Trooper, since he was a little
25 boy.

1 And how proud she was of her son,
2 Tyler. And as they were all standing there --
3 family members, neighbors, relatives standing in
4 line to get into the Egg to see this great
5 wonderful occasion for the new members of the
6 New York State Police -- it's joyous, but it's
7 also cautionary, because these family members
8 know that they are giving their loved one to the
9 people.

10 And these individuals who protect us
11 throughout this entire state and throughout this
12 nation, they do so knowing that it's a dangerous
13 job. But they do it anyway because that's what
14 they want to do.

15 And as Senator Weber said, who comes
16 from a long line of family members in the police
17 service, that's what we're supposed to do as
18 well, to support them and to make sure that they
19 have the tools to do the job.

20 But most importantly -- and I'll end
21 with this, Mr. President -- is that police
22 officers need to protect one another first so
23 they can protect the community. And on this
24 particular week, as we attend so many police
25 memorial services -- I'll be going to one

1 tomorrow in the Town of Poughkeepsie where I
2 worked for 26 years -- I will remember that
3 simple part of the job: Making sure that they
4 have the tools to do the job and they can protect
5 one another so they can protect us. And we will
6 do our job here in Albany to make sure we support
7 them.

8 Mr. President, I proudly vote aye.

9 ACTING PRESIDENT BAILEY: Thank
10 you, Senator Rolison.

11 Senator May on the resolution.

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

14 The greater Syracuse community is
15 still raw and grieving over two uniformed
16 officers who lost their lives in the line of duty
17 just a couple of weeks ago.

18 And I had the honor to attend the
19 funeral of Deputy Hoosock, which was held at the
20 State Fairgrounds because it was the only place
21 big enough to accommodate the crowd that wanted
22 to attend. There were thousands upon thousands
23 of uniformed officers who came from local police
24 forces, State Police, sheriff's offices, from all
25 over the state and outside the state.

1 And it was really a remarkable
2 occasion. And for me, it gave me such a deep
3 sense of the fellowship and solidarity and the
4 mutual support that uniformed officers give each
5 other no matter where they serve. And the widow
6 of the slain officer talked about the incredible
7 outpouring of support she had received.

8 So, you know, it's -- there's a lot
9 of love that is in that fellowship. And I just
10 wanted to say how powerful it was, how much it
11 taught me about what it means, I think, to people
12 to be in that fellowship. And I was grateful for
13 the opportunity to just be able to attend that.

14 And I want to thank the sponsor of
15 this resolution for bringing it forward.

16 And I vote aye.

17 ACTING PRESIDENT BAILEY: Thank
18 you, Senator May.

19 Senator Weik on the resolution.

20 SENATOR WEIK: Thank you,
21 Mr. President.

22 I want to thank Senator Gallivan for
23 bringing this to the floor today.

24 Police Week has always meant so much
25 to me. I always associate it -- it happens to

1 fall in the same week as my husband's birthday,
2 and so I always associate the two. Very fitting,
3 because he is a police officer. And I've been
4 married to law enforcement for 30 years now. I
5 don't just assimilate with it, it is me. It is
6 everything -- it's the reason I ran for the
7 Senate.

8 And so I hold this week very near
9 and dear to my heart. It has great meaning. And
10 I support all of our law enforcement. I thank
11 you all for being here with us today.

12 As I was at the Trooper graduation
13 today, lots of fond memories from when my son
14 graduated a short time ago. But to see that I
15 had about 20 constituents graduating from the
16 class today made me so proud.

17 This is just a very special week.
18 And it's a week that we should all take time to
19 not only support our law enforcement but to make
20 sure that we take the time to remember all of the
21 officers who lost their life doing what they
22 believed in. This year I lost Officer Diller
23 from NYPD in my district, a true tragedy and
24 something that, when I went to the funeral, my
25 heart just broke seeing this young family having

1 to move on without him.

2 This is the story of all of the
3 families who are suffering the loss of their
4 officer, their police officer this week. I hope
5 that everyone takes a moment to remember not just
6 the families but the officers who put their lives
7 on the line to defend and to protect us no matter
8 what.

9 Thank you.

10 ACTING PRESIDENT BAILEY: Thank
11 you, Senator Weik.

12 Senator Harckham on the resolution.

13 SENATOR HARCKHAM: Thank you very
14 much, Mr. President.

15 I want to thank Senator Gallivan for
16 bringing this resolution.

17 I want to thank Senator Gallivan and
18 Senator Rolison for your service in law
19 enforcement. Thank you both.

20 An important resolution, important
21 week that we are mindful of the service and the
22 sacrifice of law enforcement, as many have
23 mentioned, to keep us safe. And not only just to
24 deal with crime, but to deal with members of the
25 community at our weakest moment, at our lowest

1 moment, and the compassion that they display time
2 and time again.

3 And I would be remiss if I didn't
4 bring up that Putnam County that I represent is
5 reeling. We've lost three police officers from
6 Putnam County in the last couple of weeks -- two
7 by natural cause in the Brewster Police
8 Department, one by accident in Carmel, but was a
9 Westchester County officer.

10 And to what members were saying
11 about family, that the police service is a
12 family, and the family grieves together. And we
13 need to remember the families, because there are
14 so many holidays where the officer is not home
15 with the family, there are birthdays missed,
16 there are late nights that people are called out.
17 There are special family events that are missed
18 for public service, to keep us safe, and those
19 families sacrifice.

20 So I just want to be mindful of
21 that. I'll speak to the past officers at a
22 future meeting when those memorial resolutions
23 are ready. But we just want to say we don't
24 forget those officers. We don't forget their
25 families.

1 And I thank Senator Gallivan again.

2 Proud to vote aye.

3 ACTING PRESIDENT BAILEY: Thank
4 you, Senator Harckham.

5 Senator Mattera on the resolution.

6 SENATOR MATTERA: Thank you,
7 Mr. President.

8 You know, I want to thank
9 Senator Gallivan for this resolution to bring
10 forward this National Police Week. It's just so,
11 so important that we are there for all of our
12 law enforcement. I am wearing -- I know
13 everybody's saying they're wearing blue. I'm
14 wearing my gray today for all the cadets that
15 graduated here today.

16 And one of the cadets that -- was
17 one of my interns that was here, A.J. Tarquinio.
18 He was here interning, and he's from Smithtown.
19 And he has that good part about him; I'm looking
20 at this gentleman saying, Wow, he's always happy.
21 You know, came from a great town, St. James, like
22 a little Mayberry. And I'm looking at him today,
23 and how proud I was of his uniform. And all
24 those 228 cadets that are graduating today, and
25 six of them are from my district. And I'm just

1 like, please, protect yourself. Please be safe.

2 What's been happening over the years
3 is that we took the tools away from -- a lot of
4 the tools away from our law enforcement. And we
5 need to make sure we give those tools back to
6 them so they can do their job.

7 Right now we have the City of
8 New York that we even tell our children, try not
9 to go into there right now because our law
10 enforcement can't do their job. They're all
11 having a hard time to do their job because of the
12 laws that were put forward.

13 And thank God for our police
14 officers that are there to serve and protect,
15 that are there for us. Because guess what? If
16 something happens, what do we do? We call 911,
17 and they are there to respond, to protect us.

18 But again, we took those tools away
19 from our law enforcement, and we need to give
20 that back to them.

21 But I'm so proud to be here for
22 National Police Week. And all of us were outside
23 at the Memorial. We were there listening to
24 those names. And just listen to the one name
25 Officer Diller, that I actually was -- I attended

1 that wake. It was very, very difficult for all
2 of us to go to a wake like that, to sit there and
3 say, Wow, this could have been prevented, could
4 have been prevented in a lot of ways. We all
5 know that. I don't need to get into the details
6 here on this floor.

7 But guess what? Everybody in this
8 room needs to do their job so we can protect our
9 law enforcement so they can do their job and give
10 them back their tools.

11 So I thank you so much again,
12 Senator Gallivan, for this resolution.

13 Mr. President, I vote aye.

14 Thank you.

15 ACTING PRESIDENT BAILEY: Thank
16 you, Senator Mattera.

17 Senator Persaud to close.

18 SENATOR PERSAUD: Thank you,
19 Mr. President.

20 I would like to first thank
21 Senator Gallivan for bringing this resolution
22 here today.

23 I want to thank our police officers,
24 and not to -- to show our appreciation for them
25 and to remind them that despite what we may hear,

1 there are many of us in New York City who are
2 supportive of our police officers, many of us who
3 are fighting to ensure that they have the tools
4 necessary to do their jobs on a daily basis.

5 Many of us who are part of the
6 police family, and many of us who will stand up
7 for them no matter what.

8 I am a sister of a law enforcement
9 officer in another state. I always remind my
10 brother that he has it easy in the state that
11 he's in. He should come and try being a
12 police officer in the City of New York, and he
13 will know what real policing is. That's a
14 brother-sister joke. So -- and he tells me,
15 like, Really? I'm like, Yes. You don't know
16 what a police officer's role is until you've
17 tried being a police officer in New York City.

18 People talk about -- you know, tend
19 to put negative things about police officers. I
20 want to encourage people also -- in New York City
21 there's a class called the Citizens Police
22 Academy. Anyone who wants to know what a true
23 police officer goes through and understand the
24 training, just go and do that, participate in
25 that 15-week classroom training, and you will

1 understand what a police officer goes through.
2 So that when you're making comments about a
3 police officer, you have some facts to back it
4 up.

5 I just also want to say last Monday
6 a former intern of mine graduated from the NYPD
7 Academy. And he was very proud of it. He grew
8 up in the Canarsie area, and all he wanted to do
9 was join NYPD. And he did that, and graduated
10 last Monday. So to Officer Girard, I wish you
11 the very best.

12 And finally, I want to say thank you
13 to the number of precincts that are part of my
14 district, and I'm going to name them: NYPD
15 63rd Precinct; 67th Precinct; 69th Precinct;
16 73rd Precinct; 75th Precinct; PSA 1; PSA 2; and
17 Transit 33. Thank you for your service.

18 Thank you, Mr. President. I vote
19 aye.

20 ACTING PRESIDENT BAILEY: Thank
21 you, Senator Persaud.

22 To our guests, we thank you for your
23 bravery and for your service, and we welcome you
24 on behalf of the Senate. We extend to you all of
25 the privileges and the courtesies of this house.

1 Please rise and be recognized.

2 (Standing ovation.)

3 ACTING PRESIDENT BAILEY: The
4 resolution was previously adopted on
5 January 23rd.

6 Senator Gianaris.

7 SENATOR GIANARIS: Mr. President,
8 the sponsors of all the resolutions we took up
9 today would like to open them for cosponsorship.

10 ACTING PRESIDENT BAILEY: These
11 resolutions are open for cosponsorship. Should
12 you choose not to be a cosponsor, please notify
13 the desk.

14 Senator Gianaris.

15 SENATOR GIANARIS: Please recognize
16 Senator May for an introduction.

17 ACTING PRESIDENT BAILEY: Senator
18 May for the purposes of an introduction.

19 SENATOR MAY: Thank you,
20 Mr. President.

21 We are joined today by 43 members of
22 the Association of Clerks and County Legislative
23 Boards of New York State today. And I want to
24 welcome them; in particular Aaron Martin, the
25 clerk of the Broome County Legislature and

1 president of the association, and Jamie McNamara,
2 clerk of the Onondaga County Legislature and past
3 president of the association.

4 These clerks assist county
5 legislative bodies in carrying out all of their
6 duties. They provide services that span across
7 every county department and incorporate a wide
8 array of skills, including planning, programming,
9 communication, delegation, coordination,
10 scheduling, research and public outreach.

11 We in the State Legislature know how
12 lost we would be without the Secretary of the
13 Senate and Senate services staff who make it
14 possible for us to do our jobs.

15 These dedicated public servants
16 provide similarly crucial support to county
17 legislatures.

18 Mr. President, I ask that you
19 welcome these dedicated public servants to
20 Albany. Thank you.

21 ACTING PRESIDENT BAILEY: Thank
22 you, Senator May.

23 To our guests, we welcome you on
24 behalf of the Senate, and we extend to you all of
25 the privileges and courtesies of this house.

1 Please rise and be recognized.

2 (Standing ovation.)

3 ACTING PRESIDENT BAILEY: Senator
4 Gianaris.

5 SENATOR GIANARIS: Mr. President,
6 we're just going to pause for a moment while we
7 wait for some members to enter the chamber for
8 the next order of business.

9 ACTING PRESIDENT BAILEY: Senator
10 Gianaris.

11 SENATOR GIANARIS: As brief a pause
12 as it was.

13 There is a report of the
14 Finance Committee at the desk.

15 Please take that up.

16 ACTING PRESIDENT BAILEY: The
17 Secretary will read.

18 THE SECRETARY: Senator Krueger,
19 from the Committee on Finance, reports the
20 following nominations:

21 As commissioner of the Office of
22 Children and Family Services, DaMia
23 Harris-Madden;

24 As commissioner of the Office of
25 Temporary and Disability Assistance, Barbara C.

1 Guinn.

2 SENATOR GIANARIS: Move to accept
3 the report of the Finance Committee, and then
4 please recognize Senator Krueger.

5 ACTING PRESIDENT BAILEY: All those
6 in favor of accepting the report of the
7 Finance Committee signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT BAILEY: Opposed,
10 nay.

11 (No response.)

12 ACTING PRESIDENT BAILEY: The
13 report of the Finance Committee is accepted.

14 Senator Krueger on the nominations.

15 SENATOR KRUEGER: Thank you very
16 much.

17 So we have two nominees today that
18 the Governor has sent us, one to be the
19 commissioner of the Office of Children and
20 Family Services, Dr. DaMia Harris-Madden, and the
21 other the commissioner of the Office of Temporary
22 and Disability Assistance, Barbara Guinn.

23 They both moved through three
24 committees -- or I guess two committees each,
25 although we did it all jointly -- so the Children

1 and Families Committee, the Social Services
2 Committee, and the Finance Committee. And I'm
3 confident in saying about both of them that they
4 gained the respect of all the members of all the
5 committees in how they answered the questions.

6 Without going into detail about each
7 of them and their resumes, I will tell you these
8 are two of the toughest jobs in government.
9 You're dealing with children and families where
10 they are suffering from poverty, they may be
11 facing eviction and homelessness, they may not
12 have access to healthcare and childcare. There
13 may be cases of abuse and neglect overlapping
14 with mental health issues in a family, or
15 substance abuse issues in that family. Children
16 who have to be taken from their families and then
17 ending up in foster care, which has its own
18 series of problems.

19 And I just want to say how much I
20 respect people who want to do this work day in,
21 day out. Because it is very often thankless.
22 And very often people are angry. They're angry
23 at all of these things happening in our society,
24 and sometimes people think maybe it's the fault
25 of our government agencies because we failed.

1 And I admit, having done a lot of
2 work in these fields for my life before I became
3 a Senator, you often do feel like you're failing.
4 And you're trying hard. But if good people don't
5 want to work for the State of New York, if good
6 people aren't willing to want to do this work
7 every day and in fact set off every morning to
8 say we're going to do the best we possibly can
9 for the children and families of the State of
10 New York, then that's when we are really in
11 trouble.

12 So the fact that we have two
13 excellent nominees being confirmed hopefully this
14 afternoon gives me hope. And that's what I try
15 to approach my job with every day, that we will
16 fix the mistakes, that we will do our best, and
17 we will continue to fight the fights even when
18 sometimes at the end of the day we're not feeling
19 so great about what happened that day.

20 So thank you both very much for your
21 commitment and work.

22 And I hope my colleagues will join
23 me in supporting their nominations this
24 afternoon.

25 Thank you, Mr. President.

1 ACTING PRESIDENT COONEY: Thank
2 you, Senator Krueger.

3 Senate Majority Leader
4 Stewart-Cousins on the nominations.

5 SENATOR STEWART-COUSINS: Thank you
6 so much, Mr. President.

7 And I rise to congratulate both of
8 our great nominees and soon-to-be commissioners,
9 and thank you both for being advocates and people
10 who are absolutely dedicated to the betterment of
11 not only all New Yorkers, but those that you will
12 be specifically charged to take care of.

13 But I also wanted to take this
14 moment as a Westchester resident, as somebody who
15 knows Dr. DaMia Harris-Madden personally and has
16 known her for years, to say how pleased I am that
17 you have not only been tapped for this position,
18 but you accepted this position.

19 You will hear from all of us in
20 Westchester, so I will not hog the mike, how
21 excited we are, how we hope that the big shoes
22 that you leave to be filled in Westchester will
23 be filled by someone who models what you brought
24 since you became the head of the Westchester
25 County Youth Bureau in 2018.

1 From everything I've heard, not only
2 did you chart a path that could be followed, but
3 you mentored your staff so that when this day
4 came, they would be well prepared. And how did
5 you do that? You did it by keeping focused on
6 the youth of our county all over the county, you
7 met them where they were. And the focus was to
8 make sure that they would be residents of a
9 county that nurtured them, that they knew they
10 were respected and nurtured, and that they would
11 be able to lead and be role models.

12 You started a Children's Congress.
13 And from what I understand, all the resources
14 that were going into Invest in Kids, which is a
15 huge program, everyone felt that not only did you
16 create a structure for Invest in Kids, so that
17 the money got to the right places for the right
18 reasons, but you built an infrastructure so that,
19 again, every single organization, every single
20 community-based organization knew what they were
21 supposed to do and how they were supposed to do
22 it, so that we truly, truly invested in kids.

23 When I saw you -- I guess it was
24 probably about a year ago at yet another event
25 that you put together, I think it was helping

1 familiarize our kids with the various sciences
2 that would be available for them, and you were
3 talking about your own daughter and what she was
4 going to do -- and congratulations on her
5 acceptance to Spelman -- but you were really
6 worried about what you were going to do.

7 And I said to you then, I said, you
8 are an extraordinarily talented person and you've
9 never had to worry about what you were going to
10 do because you always did what you were given to
11 do so very, very well.

12 And I am happy to say I never
13 anticipated that the Governor would wisely find
14 you for this position, but I am happy that what I
15 told you that day is true and will continue to be
16 true because you, Dr. Harris-Madden, are an
17 exceptional person, an exceptional leader, and we
18 are very, very, very lucky to have you.

19 I know, again, everybody is going to
20 say something, but I believe that New York and
21 New York's Children and Family Services will be a
22 a better, better state-run organization and a
23 better model of how we do this for the rest of
24 the country with your leadership.

25 So congratulations.

1 ACTING PRESIDENT COONEY: Thank
2 you, Majority Leader.

3 Senator Bailey on the nominations.

4 SENATOR BAILEY: Thank you,
5 Mr. President.

6 As with everything, it's very
7 difficult to follow our incredible Majority
8 Leader. But I want to thank the Governor for
9 these incredible nominees, soon-to-be
10 Commissioner Guinn and soon-to-be Commissioner
11 Dr. Harris-Madden. And I'm going to echo our
12 leader's sentiments: Mount Vernon's loss was
13 Westchester's gain, and Westchester's loss is the
14 state's gain.

15 You can read her resume and you can
16 look at the programmatic activity and you can see
17 that in every single facet of somebody that you
18 would want to be the commissioner of OCFS,
19 Dr. Harris-Madden is qualified. But what you
20 don't see, what doesn't leap off the page are the
21 hours poured into the children and families that
22 she's surrounded by. See, it's not just a job,
23 it's not just a vocation, it's a calling for her.

24 And I think that the best people for
25 these positions are people that could be doing a

1 thousand other things, making a lot more money --
2 sorry -- and quite frankly maybe having it a
3 little easier. But when you're called to do
4 something, you answer the bell.

5 And when I was able to work with you
6 for the first couple of years in the City of
7 Mount Vernon, I was amazed -- lights on in the
8 Youth Bureau, reducing violence, reducing gun
9 violence, creating relationships between
10 communities, police and young people. Figuring
11 out how to actually communicate with young
12 people. Isn't that a novel concept? Talking to
13 them instead of at them. That is something that
14 our soon-to-be-commissioner knows how to do. She
15 speaks the language of our youth.

16 This is not going to be a
17 commissioner that's going to speak from on high.
18 She's going to visit, like she's done in
19 Mount Vernon, the least of those, as they say.
20 She's going to visit the greatest of those, as
21 they say. And she's going to figure out the best
22 path to chart forward for this great state.

23 Mount Vernon to the Westchester --
24 to the city -- to the entire County of
25 Westchester tells you a lot about different

1 groups of folks. She can relate to anybody,
2 anywhere, at any time. And so I'm excited to
3 have this level of leadership entering our state,
4 as a parent, as someone who takes children and
5 family very seriously, someone who takes
6 fatherhood very seriously. Dr. Harris-Madden was
7 instrumental in making sure that fatherhood
8 initiatives were not forgotten in Mount Vernon
9 and in Westchester County.

10 As someone who is an avid sports fan
11 and believes that youth sports are the key to
12 galvanizing the success, she was likely -- I
13 think she was the first in Westchester County to
14 make sure that the proper RFP was put out for the
15 youth sports grants.

16 This is someone who understands our
17 kids and our families, and New York State will be
18 better with her as commissioner.

19 Congratulations.

20 ACTING PRESIDENT COONEY: Thank
21 you, Senator Bailey.

22 Senator Persaud on the nominations.

23 SENATOR PERSAUD: Thank you,
24 Mr. President.

25 To Dr. Harris-Madden,

1 congratulations. I look forward to working with
2 you in your new role when confirmed.

3 But today I rise in support the
4 nomination of Barbara Guinn as commissioner of
5 the Office of Temporary and Disability
6 Assistance, otherwise known as OTDA, or O-ta-da,
7 whichever one you want to say.

8 Her resume demonstrates the reason
9 why she was selected by the Governor to be the
10 commissioner. She is committed to ensuring that
11 those most in need across New York State are
12 given what is needed. During the pandemic, the
13 most difficult time in the State of New York, the
14 most difficult time for any social service
15 agency, Ms. Guinn stepped up and did what was
16 necessary.

17 She ensured that the funds that were
18 coming into New York were going in the right
19 direction. She ensured that there were funds
20 there that people were remaining housed. She
21 ensured that there were funds there and getting
22 to folks that ensured that they were being fed.
23 She ensured everything that was needed in the
24 social services arena was being done. And she is
25 committed to continuing that.

1 My team and I have worked with her.
2 You know, we've had the difficult conversations
3 that we have to have. Many times there is this
4 misconception that social services is about
5 giving away things. But social services is about
6 giving people a hand up, and she understands
7 that.

8 And she has been willing to work
9 with us when asked the tough questions: How will
10 you do this? How will you give the people who
11 are most in need across the State of New York a
12 hand up so that they are no longer reliant on
13 government?

14 She understands what is needed. She
15 understands why we need to be working with those
16 families so that people are not looking down on
17 them. Again, too often when someone is receiving
18 social services, they are looked down on. We're
19 accused of giving away -- she understands that,
20 and she understands, again, what we must do.

21 We look forward to working with her.
22 I know my colleagues and I on the Social Services
23 Committee, we interviewed her, we spoke with her,
24 we asked the tough questions. In the committees'
25 meeting yesterday, the questions were asked of

1 her again. And we understood that she was not
2 just giving us the answer that we wanted to hear;
3 she was giving us the answer that she knows we
4 will hold her to.

5 She understands it's a tough job.
6 And based on her track record, I am confident
7 that she will do the best for the people across
8 the State of New York who are in need of social
9 services.

10 Mr. President, again, I am pleased
11 to vote for Ms. Guinn as the commissioner of
12 OTDA. Thank you.

13 ACTING PRESIDENT COONEY: Thank
14 you, Senator Persaud.

15 Senator Mayer on the nominations.

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

18 And I'm very pleased to stand before
19 you in support of both of these nominations, and
20 thank the Governor for sending us such stellar
21 people to lead these incredibly important
22 agencies.

23 But I have to add my voice as a
24 Westchester resident for my friend
25 Dr. Harris-Madden to be the commissioner of OCFS.

1 The secret is that the state has
2 stolen a star of Westchester. Dr. Harris-Madden
3 is uniformly respected and also sort of loved
4 because her work comes from the heart. It is not
5 about a job. It is not about a paycheck. It is
6 about a passion for the youth and the young
7 people of our community, and it shone through
8 every community that Westchester has, from
9 Mount Vernon and Yonkers and New Rochelle to
10 Pound Ridge and the northern parts of our
11 community, all of which are very different.

12 She has led with the kind of passion
13 and determination to change the lives of the
14 young people and to listen to them. And I've
15 seen it time and time again.

16 One thing that I'm so appreciative
17 of, for the first time in 30 years she created
18 three new youth bureaus in the cities of our
19 county that desperately needed them, including
20 mine in Port Chester, one in Yonkers. This sort
21 of was given up on over the years, and yet it's a
22 meaningful thing for these young people to have
23 the opportunity to get together and get a job and
24 get mentorship and get some money over the
25 summer.

1 This is the kind of creative,
2 thoughtful, energetic leadership that we so need
3 in this state from our agencies. And I just --
4 in my heart of hearts I know, as the leader said,
5 I always knew that you were a superstar who would
6 succeed. I'm so thrilled to see you in this
7 position. I look forward to working with you.

8 You will have strong proponents here
9 of things that they want for their communities,
10 and you will deal with them responsibly and
11 thoughtfully. And I have so much faith in your
12 leadership.

13 So I proudly vote aye on both
14 nominations.

15 ACTING PRESIDENT BAILEY: Senator
16 Brisport on the nominations.

17 SENATOR BRISPORT: Thank you,
18 Mr. President.

19 As the chair of the Committee on
20 Children and Families, I rise to celebrate the
21 nomination of Dr. Harris-Madden to commissioner
22 of OCFS -- a person who has decades of experience
23 serving children and families.

24 You know, not all of us in this body
25 were lucky enough to work with Dr. Harris-Madden

1 in Yonkers or Mount Vernon or Westchester, but we
2 are lucky now.

3 And we have someone here who has
4 done incredible work on the Childcare
5 Availability Task Force reports. We have an ally
6 in reaching universal childcare. We have an
7 individual and an incoming commissioner who
8 understands the Frederick Douglass quote "It is
9 easier to build strong children than to repair
10 broken men."

11 We have an incoming commissioner who
12 understands that strong families are the bedrock
13 of our present society, and strong children are
14 the bedrock of our future.

15 I have full confidence in
16 Dr. Harris-Madden, and I look forward to
17 confirming her nomination.

18 Thank you.

19 ACTING PRESIDENT BAILEY: The
20 question is on the resolution.

21 Call the roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce
24 the results.

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT BAILEY: The
2 nominees are confirmed.

3 Please rise and be recognized.
4 (Longhy standing ovation.)

5 ACTING PRESIDENT BAILEY: Senator
6 Gianaris.

7 SENATOR GIANARIS: Congratulations
8 to the -- not nominees, but the commissioners
9 now.

10 Let's please take up the reading of
11 the calendar.

12 ACTING PRESIDENT BAILEY: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 230, Assembly Bill Number 1234, by
16 Assemblymember Lupardo, an act to amend the
17 Agriculture and Markets Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 230, those Senators voting in the
4 negative are Senators Canzoneri-Fitzpatrick and
5 Rhoads.

6 Ayes, 58. Nays, 2.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 299, Senate Print 8372, by Senator Parker, an act
11 to amend the Public Service Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 3. This
15 act shall take effect on the 30th day after it
16 shall have become a law.

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 299, those Senators voting in the
24 negative are Senators Ashby, Borrello,
25 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,

1 Martinez, Mattera, Murray, Oberacker, O'Mara,
2 Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco,
3 Weber and Weik.

4 Ayes, 41. Nays, 19.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 361, Senate Print 8373A, by Senator Rivera, an
9 act to amend the General Business Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: In relation
20 Calendar 361, those Senators voting in the
21 negative are Senators Ashby, Borrello,
22 Canzoneri-Fitzpatrick, Gallivan, Griffio,
23 Oberacker, Stec and Weber.

24 Ayes, 52. Nays, 8.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 421, Senate Print 150, by Senator Gianaris, an
4 act to amend the Public Officers Law.

5 SENATOR GIANARIS: Lay it aside for
6 the day.

7 ACTING PRESIDENT BAILEY: The bill
8 will be laid aside for the day.

9 THE SECRETARY: Calendar Number
10 443, Senate Print 8344, by Senator Ramos, an act
11 to amend the Workers' Compensation Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 443, voting in the negative are
23 Senators Borrello and O'Mara.

24 Ayes, 58. Nays, 2.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 477, Senate Print 2237B, by Senator Rivera, an
4 act to amend the Social Services Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

7 SENATOR LANZA: Lay it aside.

8 ACTING PRESIDENT BAILEY: The bill
9 will be laid aside.

10 THE SECRETARY: Calendar Number
11 495, Senate Print 4967, by Senator Jackson, an
12 act to amend the Administrative Code of the City
13 of New York.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 495, those Senators voting in the
25 negative are Senators Ashby, Borrello,

1 Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo,
2 Helming, Lanza, Martins, Mattera, Murray,
3 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
4 Rolison, Stec, Tedisco, Weber and Weik.

5 Ayes, 39. Nays, 21.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 589, Senate Print 8136A, by Senator Sanders, an
10 act in relation to establishing the New York
11 State Cryptocurrency and Blockchain Study Task
12 Force.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

15 THE SECRETARY: Section 5. This
16 act shall take effect immediately.

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 687, Senate Print 8627, by Senator Mannion, an
2 act to amend the Mental Hygiene Law and the
3 State Finance Law.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

6 THE SECRETARY: Section 4. This
7 act shall take effect immediately.

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 753, Senate Print 881, by Senator Liu, an act to
18 amend the Penal Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 783, Senate Print 7532, by Senator Sanders, an
8 act to amend the Banking Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 783, those Senators voting in the
20 negative are Senators Ashby, Borrello,
21 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
22 Lanza, Martins, Mattera, Murray, Oberacker,
23 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
24 Tedisco, Weber and Weik.

25 Ayes, 40. Nays, 20.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 801, Assembly Bill Number 9407A, by
5 Assemblymember Weprin, an act to amend the
6 Insurance Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

9 THE SECRETARY: Section 2. This
10 act shall take effect the 180th day after it
11 shall have become a law.

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 808, Senate Print 8903, by Senator Martinez, an
22 act to amend the Real Property Tax Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 828, Assembly Bill Number 9849, by
12 Assemblymember Benedetto, an act to amend the
13 Education Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Senator
22 Mayer to explain her vote.

23 SENATOR MAYER: Thank you,
24 Mr. President.

25 I vote aye on this really important

1 bill. And this bill that we're taking up today
2 is the culmination of many months of good faith
3 engagement by every key education stakeholder in
4 the state.

5 I'm proud to say it reflects an
6 agreement about our teachers and school
7 communities about how to move forward with
8 teacher and principal evaluations in a way that
9 prioritizes growth and our students' well-being
10 and success.

11 I want to thank the many
12 stakeholders who negotiated with one another in
13 good faith to reach a consensus on what has been
14 a very contentious issue for many years:
15 Commissioner Betty Rosa and her team in the
16 State Education Department; NYSUT, the teacher's
17 union; the school administrators; the school
18 superintendents; the Conference of the Big Five;
19 the PTA; the school boards; and the school
20 business officials.

21 Over the next eight years this
22 legislation will require every district to
23 collectively bargain a new framework for teacher
24 and principal evaluations. Districts will be
25 able to design an evaluation process that makes

1 sense for the needs of their students and their
2 individual communities. The evaluations must be
3 holistic, including observations, and prioritize
4 helping teachers and administrators grow in their
5 roles. Teachers who receive lower ratings will
6 also receive a personalized professional
7 development plan to help them improve.

8 And finally, evaluations will be
9 decoupled from decisions about tenure. While
10 districts may consider evaluations in deciding
11 which teachers to permanently appoint, teachers
12 will no longer have to achieve a specific rating
13 during their probationary period, giving
14 districts greater flexibility and letting parents
15 know that teaching to the test will not be the
16 determination of their teacher's future.

17 Under this legislation, parents will
18 have a right to know their child's teacher and
19 building principal's most recent composite
20 evaluation score, providing transparency and
21 accountability.

22 This bill represents a thoughtful
23 approach to evaluating our teachers and
24 principals and to giving our parents the
25 authority they need. I am proud to vote aye and

1 thank them all for reaching a consensus in an
2 extremely difficult issue.

3 Thank you, Mr. President.

4 ACTING PRESIDENT BAILEY: Senator
5 Mayer to be recorded in the affirmative.

6 Senator Martinez to explain her
7 vote.

8 SENATOR MARTINEZ: Good afternoon.

9 Thank you, Mr. President.

10 And thank you to Senator Mayer for
11 bringing this bill forward.

12 As a former educator and school
13 administrator and one who observed teachers on a
14 regular basis, this is so needed. This bill,
15 which proposes an amendment to the Education Law,
16 establishes a new framework of reviews for not
17 only our teachers but our principals, and
18 addresses the deficiencies of a process that fell
19 short of its intended purposes.

20 For teachers, much of their
21 evaluations has been influenced by circumstances
22 well beyond the control that they have within
23 their classrooms, sometimes clouded by the
24 disposition of a child that extends far beyond a
25 classroom as well, whether there's something

1 going on personally in that child's life at home.
2 But teachers should not be held accountable for
3 something they cannot control, and to tie a test
4 to a teacher's performance is just not fair.

5 I was a teacher as well, and I know
6 that when those students were in my classroom
7 sometimes they did not have breakfast that day.
8 How do we expect a child to do well on a test
9 when they can't even have breakfast that day?

10 So this is a much-needed change to
11 the educational law, and I am proud to vote aye.

12 Thank you.

13 ACTING PRESIDENT BAILEY: Senator
14 Martinez to be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: Ayes, 60.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 892, Assembly Bill Number 7041A, by
21 Assemblymember Sillitti, an act in relation to
22 authorizing the Saddle Rock Minyan to file an
23 application for retroactive real property tax
24 exemption.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 892, voting in the negative:
11 Senator O'Mara.

12 Ayes, 59. Nays, 1.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 968, Senate Print 4876A, by Senator Stec, an act
17 to amend the Public Authorities Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 976, Senate Print 1818A, by Senator Stavisky, an
7 act to amend the Education Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 977, Senate Print 2049, by Senator Felder, an act
22 to amend the Education Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect on the first of April.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 982, Senate Print 5914B, by Senator Chu, an act
12 to amend the Education Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

15 THE SECRETARY: Section 3. This
16 act shall take effect on the 60th day after it
17 shall have become a law.

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: Ayes, 60.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 988, Senate Print 62, by Senator Harckham, an act
3 to amend the Public Health Law.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce
13 the results.

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 990, Senate Print 985, by Senator Rivera, an act
19 to amend the Public Health Law.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: Ayes, 60.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 Senator Gianaris, that completes the
8 reading of the noncontroversial calendar.

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

11 ACTING PRESIDENT BAILEY: The
12 Secretary will ring the bell.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 477, Senate Print 2237B, by Senator Rivera, an
16 act to amend the Social Services Law.

17 ACTING PRESIDENT BAILEY: Senator
18 Murray, why do you rise?

19 SENATOR MURRAY: Thank you,
20 Mr. President. Will the sponsor yield for a few
21 questions?

22 ACTING PRESIDENT BAILEY: Will the
23 sponsor yield?

24 SENATOR RIVERA: I do indeed.

25 ACTING PRESIDENT BAILEY: The

1 sponsor yields.

2 SENATOR MURRAY: Thank you.

3 Now, this bill proposes to authorize
4 the Commissioner of Health to modify the 1332
5 State Innovation Program to authorize coverage of
6 undocumented immigrants under the age of 65. Do
7 you have an estimate of how many individuals
8 would be covered under this proposal?

9 I know the sponsor's memo estimated
10 about 400,000, but that number wasn't updated
11 from last year. Do you have a more recent
12 number, or an idea?

13 (Pause.)

14 SENATOR RIVERA: Through you,
15 Mr. President. It is -- an undocumented
16 population is hard to count in exact numbers,
17 obviously, but we have pretty -- the numbers that
18 you have are about what we're talking about.
19 Between 370 and 400 grand is what we think.

20 SENATOR MURRAY: Would the sponsor
21 continue to yield?

22 ACTING PRESIDENT BAILEY: Will the
23 sponsor yield?

24 SENATOR RIVERA: Yes.

25 ACTING PRESIDENT BAILEY: The

1 sponsor yields.

2 SENATOR MURRAY: Thank you.

3 And Senator, last year we had
4 basically the same discussion, and you indicated
5 that this would not cost the state anything. Is
6 that correct? How would it be paid for?

7 SENATOR RIVERA: Through you,
8 Mr. President. To clarify, to actually take a
9 couple of steps back, what this bill would do is
10 it would expand the 1332 waiver language that
11 currently exists. It would say that the state
12 should seek from the federal government money
13 that then we would use to expand the Essential
14 Plan to undocumented folks.

15 And it is important to linger on
16 this, Mr. President, because currently -- just so
17 that we understand each other, in 2023 the most
18 recent numbers tell us that individuals who were
19 undocumented but because, as I've said on this
20 floor many times, they're still people, so they
21 will get sick and they will wind up, if they have
22 no insurance or no other way to get medical
23 coverage, they will wind up in emergency rooms.
24 And they do wind up in emergency rooms.

25 So although not every single person

1 that is -- that does not have insurance and winds
2 up in an emergency room is an undocumented
3 person, a whole bunch of them are.

4 And just last year, in 2023, the
5 numbers say that in state share alone, if we're
6 going to talk just about that, we're talking
7 about \$428 million of state expenditure.

8 So if we are to use federal money to
9 extend the Essential Plan, therefore providing
10 basic health coverage to undocumented folks --
11 the same individuals who would potentially maybe
12 wind up in an emergency room -- we would save
13 ourselves all of those dollars. So we're looking
14 at a savings, potentially, of up to \$428 million.

15 SENATOR MURRAY: Would the sponsor
16 continue to yield.

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR RIVERA: Indeed.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR MURRAY: And, Senator, this
23 proposal, if I remember correctly, was in the
24 Senate one-house budget proposal with a price tag
25 of about 175 million. Was that about right?

1 SENATOR RIVERA: Through you,
2 Mr. President. It was included in the one-house,
3 but I believe that the savings that we were
4 looking at in the one-house proposal was about
5 \$428 million.

6 SENATOR MURRAY: Would the sponsor
7 continue to yield.

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield?

10 SENATOR RIVERA: Yes.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR MURRAY: But to clarify, in
14 the one-house budget, there was 175 million
15 allocated in the one-house budget.

16 (Pause.)

17 SENATOR RIVERA: That is correct,
18 Mr. President. Through you, Mr. President, that
19 is correct because that refers to an
20 implementation date.

21 So we calculated -- even though the
22 overall cost, including federal share, would be
23 about 800 million total annually, based on the
24 date that it would potentially be implemented, we
25 had proposed 175 million to be appropriated in

1 that -- in the proposals that we put into the
2 one-house.

3 SENATOR MURRAY: Thank you,
4 Senator Rivera.

5 Mr. President, on the bill, please.

6 ACTING PRESIDENT BAILEY: Senator
7 Murray on the bill.

8 SENATOR MURRAY: Thank you.

9 So as we -- I said earlier we had
10 this discussion last year, kind of back and
11 forth. I understand where you're coming from.
12 But I want to point out a couple of things here.

13 First, that Washington State -- and
14 I brought this up last year as well -- Washington
15 State had secured a 1332 waiver permitting
16 undocumented immigrants to get the healthcare
17 coverage. However, federal law says they
18 couldn't use federal money to do it. So it ended
19 up that they ended up spending about 55 million
20 of state tax dollars on that proposal.

21 I just want to remind everyone of
22 one very, very important aspect here. You know,
23 we're throwing around numbers saying it's not
24 going to cost us, it's going to save us, it's
25 going to do this, it's going to do that.

1 First and foremost, we have to
2 remember this. Whether we're talking about
3 federal tax dollars through the 1332 waiver
4 program or whether we're talking about state tax
5 dollars, at the end of the day it is the
6 taxpayers' money we are spending here.

7 Now, this problem we're trying to
8 address is mostly a federal immigration problem
9 that needs to be fixed. With that said, though,
10 we continually hit the taxpayers over and over
11 again, as I said, whether it be federal -- on the
12 federal side or in this case it will be on the
13 state side as well.

14 And for that reason, I will be
15 voting no. Thank you.

16 ACTING PRESIDENT BAILEY: Senator
17 Rhoads, why do you rise?

18 SENATOR RHOADS: Thank you,
19 Mr. President. Will the sponsor yield to a few
20 questions.

21 ACTING PRESIDENT BAILEY: Will the
22 sponsor yield?

23 SENATOR RIVERA: Do it.

24 ACTING PRESIDENT BAILEY: The
25 sponsor yields.

1 SENATOR RHOADS: Thank you.

2 Through you, Mr. President.

3 Senator, do you have an estimate of
4 what the cost would be to the state without
5 federal financial participation? In other words,
6 we're extending this first and then hoping to be
7 reimbursed by the state -- by the federal
8 government.

9 SENATOR RIVERA: Through you,
10 Mr. President. I have to remind my colleagues,
11 they seem to forget, we are already spending this
12 money. The \$800 million that we're speaking
13 about, we're already spending it.

14 Unless the suggestion of any of my
15 colleagues -- and I don't think that it is. But
16 if the suggestion of any of my colleagues is that
17 if an undocumented person comes into an emergency
18 room and has no health coverage then they should
19 be left on the street to die, then we're going to
20 spend this money.

21 So this is what I want to make sure
22 that everybody that has voted no on this bill
23 before, and will probably do so again today --
24 remember, we are already spending this money.
25 We're already spending the state share. So as

1 opposed to that, we would ask the federal
2 government to give us -- yes, it is taxpayer
3 dollars at the federal level, but it is then to
4 extend the Essential Plan, which would at least
5 allow these individuals to not just rely on
6 emergency care, but potentially, Mr. President,
7 even perhaps get primary care so that they don't
8 have to go to the emergency room because they
9 have this pain in their stomach for the last
10 couple of months.

11 So ultimately what we're saying is
12 that we're already spending this money, over
13 \$800 million. And instead of doing that and then
14 putting it into our budget, we would say to the
15 feds -- which they already said they would do it
16 if we asked for it -- give us this money so we
17 can extend the Essential Plan to these folks and
18 provide them essential care.

19 SENATOR RHOADS: Will the sponsor
20 continue to yield?

21 ACTING PRESIDENT BAILEY: Will the
22 sponsor yield?

23 SENATOR RIVERA: Yes.

24 ACTING PRESIDENT BAILEY: The
25 sponsor yields.

1 SENATOR RHOADS: Through you,
2 Mr. President. That wasn't my question, unless
3 the suggestion is that the \$800 million that
4 we're currently spending would be entirely on
5 undocumented immigrants.

6 SENATOR RIVERA: Through you,
7 Mr. President. So the answer is no, the
8 Emergency Medicaid money that we spend on a
9 yearly basis is not totally for undocumented
10 folks. But a very big chunk of it is.

11 SENATOR RHOADS: Through you,
12 Mr. President, will the sponsor yield to another
13 question.

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR RIVERA: Yes.

17 ACTING PRESIDENT BAILEY: The
18 sponsor yields.

19 SENATOR RHOADS: So what is the
20 actual anticipated cost through this program if
21 the federal government does not grant the waiver?

22 SENATOR RIVERA: Through you,
23 Mr. President. What we are spending now, which
24 would be to the tune of 428 million state
25 dollars. Which is what we spent in 2023.

1 SENATOR RHOADS: Thank you. Will
2 the sponsor continue to yield.

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR RIVERA: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR RHOADS: Now, federal
9 administrations change. You've indicated that
10 you have gotten, I guess, preauthorization for a
11 waiver. Because to my knowledge we haven't
12 applied for the waiver as of yet, nor has the
13 waiver been granted to the state. Right?

14 Is there any concern that if there
15 is a change in administration, this agreement
16 that we seem to have with the federal government
17 might somehow change?

18 SENATOR RIVERA: Through you,
19 Mr. President. To be clear, we do not have an
20 agreement.

21 However, last year when we were
22 having the conversation about this issue during
23 the budget, we sent -- the Legislature -- I sent
24 a letter to -- well, the administration, the
25 Governor's office sent a letter to the federal

1 administration, as did I. And there was a
2 response that came both to them and to the letter
3 that I sent, stating very clearly that should --
4 that this is an authority that they would grant
5 if we asked for it.

6 And by the way, I should -- I should
7 say something to correct something that one of my
8 colleagues said earlier. Washington did get this
9 waiver. And Washington's waiver allowed the
10 state to expand eligibility for qualified health
11 plans, including dental coverage, to all state
12 residents regardless of immigration status, and
13 over 100,000 individuals within the state are
14 currently excluded from coverage because of their
15 immigration status, so that accounts for about 23
16 percent of the state's uninsured population. So
17 that program is estimated to generate over
18 \$11 million in savings to Washington State.

19 So unlike what my colleague said
20 earlier, they did get this waiver and they will
21 have the savings.

22 So again, in this case -- through
23 you, Mr. President -- this is -- the savings that
24 would come to us would be because we wouldn't be
25 spending state dollars for it, we'd be getting

1 federal money for it.

2 SENATOR RHOADS: I think I followed
3 that. Will the sponsor yield to another
4 question, Mr. President.

5 ACTING PRESIDENT BAILEY: Will the
6 sponsor yield?

7 SENATOR RIVERA: Yeah.

8 ACTING PRESIDENT BAILEY: The
9 sponsor yields.

10 SENATOR RHOADS: However, the money
11 that Washington State received -- the
12 authorization that Washington State received
13 specifically excluded the undocumented
14 population. So Washington State, as I understand
15 it, received no dollars for the same undocumented
16 population that we're seeking to cover here,
17 approximately 400,000 individuals. Is that not
18 correct?

19 SENATOR RIVERA: Through you,
20 Mr. President, that is not correct. They were
21 granted pass-through authority.

22 And by the way, just to be clear,
23 obviously the number that you're referring to as
24 far as between 370,000 and 400,000 individuals,
25 that would be the population that we -- that

1 refers to New York State. I'm pretty sure that
2 the Washington State population of undocumented
3 folks is way, way below that.

4 SENATOR RHOADS: I'm sure it is.
5 Will the sponsor yield to an
6 additional question.

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR RIVERA: Yes.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR RHOADS: But I am correct
13 in that we're estimating that it's between
14 370,000 and 400,000 people. We actually have no
15 idea how many undocumented immigrants are
16 actually here.

17 SENATOR RIVERA: Through you,
18 Mr. President. We do have an idea.

19 It is true that we do not have a
20 count of every single person -- much like, I
21 should add, Mr. President, we do not have
22 absolute certainty of every single citizen that
23 lives in the United States of America. Because
24 even people who are citizens or who have legal
25 status and are not undocumented don't all get

1 counted during the Census. So it's not a -- we
2 don't literally go into each house and county
3 every single -- we try to do that, but we don't
4 actually get everybody.

5 So yes, these are estimates, these
6 are educated estimates from folks who are far
7 smarter than me.

8 SENATOR RHOADS: Thank you,
9 Senator.

10 On the bill.

11 ACTING PRESIDENT BAILEY: Senator
12 Rhoads on the bill.

13 SENATOR RHOADS: Thank you,
14 Mr. President. I appreciate it.

15 There are -- we're not the only
16 state that has attempted to take this step.
17 We've spoken about Washington. Washington State
18 actually secured a 1332 waiver permitting
19 undocumented immigrants to enroll directly
20 through the ACA Marketplace, but the waiver does
21 not and cannot under federal law allow
22 undocumented residents to receive federal
23 Marketplace subsidies.

24 As a result, the State of Washington
25 is providing up to \$250 per month in premium

1 assistance for those with incomes up to
2 250 percent of the federal poverty level.

3 You look at Colorado Connect, the
4 state-run marketplace, another state that
5 attempted to do this, separate from the state's
6 ACA marketplace. In 2023, federal funding only
7 permitted 10,000 undocumented to enroll in a
8 plan. In 2024, subsidized enrollment reached the
9 11,000-person cap in just the first two days of
10 enrollment. Those that enrolled after that date
11 still receive coverage but had to pay full price
12 for a plan.

13 We're talking about attempting to
14 insure upwards of 370,000 to 400,000 individuals.

15 Illinois extended state-funded
16 coverage to low-income individuals age 65 and
17 over regardless of their immigration status
18 through its Health Benefits for Immigrant Seniors
19 program in December of 2020. Coverage was
20 extended to low-income immigrants age 42 to 64
21 regardless of immigration status through their
22 HBIA program in 2022. But as of March 2024, this
23 year, Illinois has paused enrollment for both the
24 HBIS and HBIA programs due to funding constraints
25 because the federal government did not follow

1 through with the dollars.

2 And so the concern here is that we
3 are making the same mistake that a number of
4 these states have already made, which is that
5 we're relying on promises -- and in this case I'm
6 not sure that we even have a promise; we have
7 correspondence that's gone back-and-forth without
8 a formal application ever having been made or a
9 formal response ever having been received -- we
10 are taking this leap of faith to provide coverage
11 to 400,000 undocumented immigrants without any
12 realistic hope that we will receive full funding
13 from the federal government.

14 At some point in time we have to be
15 respectful of taxpayer dollars. At some point in
16 time we have to realize that we have a million
17 New Yorkers who are paying taxes every single day
18 who do not have health coverage while they will
19 be paying to provide health coverage to 400,000
20 illegal immigrants who do not have status in this
21 country.

22 That is why, Mr. President, I will
23 again -- as I did last year, but this time with
24 further evidence of the fallacy of this
25 program -- I will be voting in the negative.

1 Thank you.

2 ACTING PRESIDENT BAILEY: Are there
3 any other Senators wishing to be heard?

4 Senator Rivera. On the bill, or to
5 explain your vote, Senator Rivera?

6 SENATOR RIVERA: I think I need
7 more than two minutes.

8 ACTING PRESIDENT BAILEY: Senator
9 Rivera on the bill.

10 SENATOR RIVERA: Yeah. Okay. So
11 I want -- there's a couple of things I want to
12 make sure that I clarify.

13 So first of all, let's remember --
14 and this is something that I want to make sure
15 that you do not forget -- we are already spending
16 this money. We are already spending this money.

17 What we're proposing here is, yes,
18 certainly a potential -- I mean, we don't know --
19 I don't know if I'm going to wake up tomorrow.
20 So certainly there's no guarantees in life.

21 So it is true that we don't have
22 like a rock-hard like completely, absolutely
23 1,000 percent security that we're going to get
24 this money. However, we have -- the fact that --
25 the way that this works, by the way, it refers to

1 the waiver actually provides us with money that
2 accrues over time. And the issue here is that we
3 need permission, we need special permission to be
4 able to use this money that accrues. And I've
5 been told by some of the folks here that in a
6 five-year period we're looking at maybe a
7 \$7 billion surplus. So this is money that we
8 would have available to us, but to be able to use
9 it in creative ways we have to get permission,
10 which is where the waiver comes from. So that's
11 number one.

12 Number two, there is authority that
13 is built into the bill that would give the
14 Department of Health and the Commissioner of
15 Health the ability to determine -- to limit how
16 many folks it would actually be available to. So
17 it doesn't -- so yes, there are, we think,
18 between 370,000 and 400,000 dollars -- I'm sorry,
19 370,000 and 400,000 individuals who are
20 undocumented who potentially could benefit from
21 this.

22 But there is no -- there is nothing
23 to say that every single one of those folks would
24 be covered. The Department of Health could make
25 determinations as the program proceeds that if

1 they make -- that they say that there's something
2 that we might need to be careful and we only need
3 to extend it to, say, 100,000 people, than that's
4 what they will do. They have the authority to do
5 so. So nothing says that they can't.

6 Furthermore, we have to remember
7 that ultimately what we're talking about here is
8 it is factual, yes, that there are many people
9 who are documented who don't have coverage. I
10 would encourage you, sir, that if you are truly,
11 truly concerned about this, that you join me in
12 making sure that we pass the New York Health Act,
13 which would guarantee coverage to every single
14 person, which would guarantee healthcare, period,
15 to every single New Yorker and finally bring this
16 state and hopefully the rest of the country
17 eventually out of this darkness that we live in,
18 in which we live in the grips of insurance
19 companies, which is what happens -- you know, I
20 won't go off on a tangent on that one.

21 As it refers to this in particular,
22 we're talking about individuals, hundreds of
23 thousands of them, who are undocumented, who are
24 winding up in emergency rooms because they're
25 human, because they get sick, because they don't

1 have insurance coverage so they can't go to a
2 dentist, they can't go to a primary care doctor.
3 If they did, if they had the money out of their
4 pocket -- but they don't. They hold on to it
5 until the very end. And when they're bleeding
6 out of some hole in their body, they wind up in
7 the emergency room, and we are already paying for
8 it.

9 So as opposed to that,
10 Mr. President, as opposed to having hundreds of
11 millions of state dollars go to that, the feds --
12 the federal government told us -- and again, not
13 a thousand percent certainty, but they told us as
14 much: You can actually ask us for authority to
15 use money that you already have left over to
16 actually provide -- to extend the Essential Plan
17 to these individuals.

18 And I believe that we should do
19 that. Even if we can save \$10 million, even if
20 the savings are that, that would be \$10 million
21 less in the enormous budget that we have in the
22 State of New York.

23 But I'm saying that I believe we can
24 save hundreds of millions of dollars. Why don't
25 we try it? So I'm saying not only to my

1 colleagues, but certainly to our Governor,
2 Governor Hochul -- I've said it many times -- you
3 have it in your hands to actually seek this out.
4 So let's pass this bill, let's pass it with my
5 colleagues in the Assembly, let's get it signed,
6 and let's go see how much we can get. Maybe we
7 can get only a couple of million dollars. I bet
8 you, though, that we can get far more than that
9 point.

10 And regardless, we will then put
11 less pressure on the state government's budget
12 and still provide the essential care. Because
13 right now they're just getting emergency care,
14 Mr. President. It's not anything like an
15 insurance plan. It's just the bare minimum to be
16 able to pay for it.

17 So how about we extend the Essential
18 Plan to these individuals? I believe we should
19 do it. And that's why I'll be voting in the
20 affirmative. Thank you.

21 ACTING PRESIDENT BAILEY: Are there
22 any other Senators wishing to be heard?

23 Senator Krueger, why do you rise?

24 SENATOR KRUEGER: Would the sponsor
25 please yield for a couple of questions.

1 ACTING PRESIDENT BAILEY: Will the
2 sponsor yield?

3 SENATOR RIVERA: I will.

4 SENATOR KRUEGER: Thank you.

5 ACTING PRESIDENT BAILEY: The
6 sponsor yields.

7 SENATOR KRUEGER: So as I
8 understand it, you're explaining to us we have
9 this money from the federal government, we can't
10 use it unless we pass this law. If we pass this
11 law, we still need them to give us a waiver. But
12 if they say yes -- and since we have letters
13 saying they would, that we would then be able to
14 use this money instead of other funds the state
15 is spending on more expensive emergency care for
16 people without documentation now.

17 Am I understanding you correctly?

18 SENATOR RIVERA: Through you,
19 Mr. President. And very much conceding that you
20 are a far smarter fiscal person than me, the
21 answer is yes.

22 SENATOR KRUEGER: Thank you.

23 And through you, Mr. President, if
24 the sponsor would continue to yield.

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR RIVERA: Yes.

3 ACTING PRESIDENT BAILEY: The
4 sponsor yields.

5 SENATOR KRUEGER: As I understand
6 it, if they didn't give us the waiver and we
7 couldn't draw down that money, there's nothing in
8 this bill that obligates the State Department of
9 Health to put all these people on state-paid-for
10 insurance plans, am I correct?

11 SENATOR RIVERA: Through you,
12 Mr. President, that is also correct.

13 SENATOR KRUEGER: Thank you.

14 Through you, Mr. President, if the
15 sponsor would continue to yield.

16 ACTING PRESIDENT BAILEY: Will the
17 sponsor yield?

18 SENATOR RIVERA: Yes.

19 ACTING PRESIDENT BAILEY: The
20 sponsor yields.

21 SENATOR KRUEGER: Are there -- it
22 was said on this floor that there are a million
23 New Yorkers without health insurance, I'm
24 assuming exclusive of undocumented. Is that
25 correct? I was quite surprised to hear that

1 number.

2 SENATOR RIVERA: Through you,
3 Mr. President, that is roughly a correct number,
4 yes.

5 SENATOR KRUEGER: That we still
6 have a million New Yorkers who don't have health
7 insurance policies but have legal status.

8 SENATOR RIVERA: Through you,
9 Mr. President, yes.

10 SENATOR KRUEGER: Okay, thank you.
11 So we have more work to do.

12 Through you, Mr. President, if the
13 sponsor would continue to yield for another
14 question.

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR RIVERA: Yes.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR KRUEGER: Do my
21 constituents who are legally here, living here,
22 face risk from people who don't get access to
23 medical care and have to go in on an emergency
24 basis after they've already been sick for a long
25 time?

1 SENATOR RIVERA: Through you,
2 Mr. President. The answer is absolutely yes.

3 The reality is that there's -- that
4 we're not just talking about certainly the cases
5 that I think about most immediately are, say, a
6 condition where someone, God forbid, breaks a
7 limb or has some sort of heart attack or what
8 have you.

9 But there are plenty of conditions
10 that could actually make everybody else's life
11 worse, plenty of conditions that are -- where
12 somebody might be contagious and situations that
13 they don't have the ability to do anything but
14 just wait until they can no longer withstand the
15 pain or the discomfort and then go to the
16 emergency room.

17 So yes, having people among us in
18 our society who are sick and don't have access to
19 any type of care not only makes their life worse,
20 it certainly makes the rest of our lives worse.

21 SENATOR KRUEGER: Through you,
22 Mr. President, on the bill.

23 ACTING PRESIDENT BAILEY: Senator
24 Krueger on the bill.

25 SENATOR KRUEGER: So we are sitting

1 on federal money we can't use for anything else
2 and they would likely take back at some point if
3 we don't use.

4 We could use it, with their
5 permission, to take care of people's health
6 concerns, which is a win for us because then we
7 won't be drawing down state money to take care of
8 them. But it won't require us to overspend,
9 because that's not what this bill does. It will
10 increase the public's health to have fewer sick
11 people, to have fewer people who have to go to
12 emergency care, the most expensive kind of care,
13 because we didn't provide them any kind of
14 preventive care or care that prevents other
15 illnesses from happening.

16 I see this as a total win for all of
17 our constituents and the State Budget and the
18 improvement in state public health with frankly
19 no risk. I can't imagine why somebody would vote
20 against this. I will certainly vote for it.

21 Thank you, Mr. President.

22 ACTING PRESIDENT BAILEY: Are there
23 any other Senators wishing to be heard?

24 Senator Borrello, why do you rise?

25 SENATOR BORRELLO: On the bill,

1 Mr. President.

2 ACTING PRESIDENT BAILEY: Senator
3 Borrello on the bill.

4 SENATOR BORRELLO: You know,
5 New York State unfortunately is bad at a lot of
6 things, but probably something that we are the
7 worst at is learning from other people's
8 mistakes.

9 And what we hear here is that
10 Washington, Illinois, other states did this, and
11 Illinois just said we had to pause the
12 enrollment.

13 At what point do we say there's an
14 issue here? The issue is we continue to draw
15 people from around the world to come to
16 New York State because we continue to make it
17 better and better for them to come here at the
18 expense of the taxpayers.

19 Now, the argument was brought up
20 that these people aren't going to go to the
21 emergency room if they have healthcare coverage.
22 Speak to any hospital, whether it's in New York
23 City or in my district, and they will tell you
24 that the biggest problem that they have is people
25 on Medicaid using the emergency room as if it's

1 their primary care physician. It blocks up, it
2 clogs up our emergency rooms, it costs a lot of
3 money. Because there is no constraint, they can
4 just walk in for the sniffles or a hangnail and
5 be treated. Because it's Medicaid. Because they
6 have no obligation to pay for it.

7 At some point we have to say we're
8 going to roll up the welcome mat. At some point
9 we have to say New York is not going to be the
10 landing spot for anyone in the world that wants
11 to come to the United States and live off the
12 taxpayers. That's what this bill will do, and
13 that's why we have to vote no.

14 Thank you.

15 ACTING PRESIDENT BAILEY: Are there
16 any other Senators wishing to be heard?

17 Seeing and hearing none, the debate
18 is closed.

19 The Secretary will ring the bell.

20 Senator Gianaris.

21 SENATOR GIANARIS: Mr. President,
22 we've agreed to restore this to the
23 noncontroversial calendar.

24 ACTING PRESIDENT BAILEY: Upon
25 consent, we've agreed to restore it to the

1 noncontroversial calendar.

2 Read the last section.

3 THE SECRETARY: Section 3. This
4 act shall take effect on the same date and in the
5 same manner as Section 3 of Part H of Chapter 57.

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar Number 477, those Senators voting in the
13 negative are Senators Ashby, Borrello,
14 Canzoneri-Fitzpatrick, Felder, Gallivan, Griffo,
15 Helming, Lanza, Martins, Mattera, Murray,
16 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
17 Rolison, Stec, Tedisco, Weber and Weik.

18 Ayes, 40. Nays, 21.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

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

23 SENATOR GIANARIS: Thank you.

24 Returning to motions for a moment,
25 on behalf of Senator Addabbo, on page 56 I offer

1 the following amendments to Calendar Number 886,
2 Senate 8553B, and ask that said bill retain its
3 place on the Third Reading Calendar.

4 ACTING PRESIDENT BAILEY: The
5 amendments are received, and the bill will retain
6 its place on the Third Reading.

7 Senator Gianaris.

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

10 ACTING PRESIDENT BAILEY: There is
11 no further business at the desk.

12 SENATOR GIANARIS: I move to
13 adjourn until tomorrow, Thursday, May 16th, at
14 11:00 a.m.

15 ACTING PRESIDENT BAILEY: On
16 motion, the Senate stands adjourned until
17 Thursday, May 16th, at 11:00 a.m.

18 (Whereupon, at 5:18 p.m., the Senate
19 adjourned.)

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