NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 16, 2024

11:10 a.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT PERSAUD: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, May 15, 2024, the Senate met pursuant to adjournment. The Journal of Tuesday, May 14, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator

Scarcella-Spanton moves to discharge, from the Committee on Cultural Affairs, Tourism, Parks and Recreation, Assembly Bill Number 8982A and substitute it for the identical Senate Bill Number 8469A, Third Reading Calendar 742.

Senator Martinez moves to discharge, from the Committee on Finance, Assembly Bill Number 8993 and substitute it for the identical Senate Bill 8473, Third Reading Calendar 924.

Senator Krueger moves to discharge, from the Committee on Finance, Assembly Bill Number 9711 and substitute it for the identical Senate Bill 8898, Third Reading Calendar 927.

Senator Mayer moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 9394 and substitute it for the identical Senate Bill Number 8800, Third Reading Calendar 1050.

ACTING PRESIDENT PERSAUD: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good morning, Madam President.

On behalf of Senator Parker, I wish to call up Senate Print 1200A, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 215, Senate Print 1200A, by Senator Parker, an act to amend the Public Service Law.

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT PERSAUD: The bill is restored to its place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT PERSAUD: The amendments are received.

SENATOR GIANARIS: I, also on behalf of Senator Parker, wish to offer the following amendments on page 29 to Calendar 445, Senate Print 8402, and ask that said bill retain its place on the Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: Please recognize Senator Lanza for a motion.

ACTING PRESIDENT PERSAUD: Senator Lanza.

SENATOR LANZA: Thank you, Senator Gianaris.

Madam President, on behalf of Senator Griffo, on page 46 I offer the following amendments to Calendar Number 769, Senate Print 8884, and ask that said bill retain its place on Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: Please take up

previously adopted Resolution 2092, by Senator Griffo, read its title and recognize Senator Griffo.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 2092, by Senator Griffo, congratulating the Utica-Notre Dame High School Girls Basketball Team upon the occasion of capturing the New York State Public High School Athletic Association Basketball Class B Championship on March 16, 2024.

ACTING PRESIDENT PERSAUD: Senator Griffo on the resolution.

SENATOR GRIFFO: Thank you, Madam President.

Before I do that, I also want to extend an acknowledgment -- and I know we've had the permission of the leader to acknowledge a young man and his mom. I have with us Ed Hollman and his mom Claire.

Ed is a middle-school student from Cazenovia, a 13-year-old who is very engaged in our process, and Senator Mayer would know that. He was concerned about cuts to education, so he circulated petitions in support of the efforts

that Senator Mayer led.

But I think this is an illustration of an industrious young man who really cares and was energized, paying attention and got involved.

So I want to acknowledge Eddie and his mom Claire today. I think they're in the chamber. So if Eddie and Claire are there, if they could just stand. There you go.

ACTING PRESIDENT PERSAUD: To our guests, Eddie and his mom, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please continue standing and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Griffo.

SENATOR GRIFFO: On the resolution, Madam President.

We are very fortunate to have with us a group of young ladies who probably, if anybody's ever seen Hoosiers, this would be an illustration of that -- and I'm glad to see Senator Breslin is with me right now -- because these young ladies had a very challenging year,

but they were worked hard under their coaching staff, and together.

And as a result of that, they were able to not only continue to move through the season but ultimately reach the state championship round, where they were -- they fought tenaciously and they were behind at halftime, but they were taking on the top seed Albany Academy.

And they took on a very significant opponent, and it was a significant challenge. But they continued with their 24-and-3 record this year to ultimately win that championship and to beat Albany Academy in the state finals.

So today we are joined in the chamber with these student athletes, their coaches -- many of their family members are with them also -- from Notre Dame High School in Utica, New York. And proud to have them there.

These young ladies, not only are they extraordinary athletes, but they're talented students too. And they were a great reflection of our community. They carried themselves respectfully, and they played hard. And I think and we all know that when we reach this type of a

championship and you win a state championship, you're making lasting friendships and you're having not only great memories, but you're going to take many of the things that you learned and applied during the season to help you throughout your life's journey. And I think that's the great thing here.

So we're very proud of the young ladies. We want to thank the coaching staff. I know we're here with Head Coach John Snyder, Assistant Coaches Tom Pederson and Gillian Keeler, along with families.

So, Madam President, I would ask that you recognize the Lady Jugglers, who are state champions, and that we extend the privileges of the house to them.

Thank you.

ACTING PRESIDENT PERSAUD: To our guests, the Utica-Notre Dame High School Girls Basketball Team and your entire coaching staff, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Serrano.

SENATOR SERRANO: Thank you, Madam President.

Let's take up previously adopted Resolution 2408, by Senator Helming, read that title only, and call on Senator Helming.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 2408, by Senator Helming, congratulating Braidon Woodward upon the occasion of capturing the 170-pound Division Wrestling Title at the New York State Public High School Athletic Association Boys Wrestling Championships on February 24, 2024.

ACTING PRESIDENT PERSAUD: Senator Helming on the resolution.

SENATOR HELMING: Thank you, Madam President.

I am very excited to welcome to the Senate chamber outstanding student athlete Braidon Woodward. Braidon is a senior at Palmyra-Macedon. He's joined today in the gallery with his parents, Mike and Hillary, his sister Allison, as well as Director of Athletics

Tom Schmandt and Assistant Wrestling Coach John Burgess.

In February, Braidon earned the title of State Champion during the New York State Public High School Athletic Association Wrestling Championships, which were held right here in Albany.

Braidon entered the tournament as a number-one overall seed in the 170-pound division. But Braidon's journey was not an easy one. This year, his senior year, was a year of challenges. He entered a new school district and joined a new team. But Braidon embraced these challenges and he really, really persevered.

He carries a strong academic average and he achieved, in his wrestling career, a 54-to-one overall record. The lone loss this year came early in the season, a loss that Braidon said inspired and motivated him. When asked about winning the championship title, Braidon simply said: "I'm just happy to be a Red Raider. It was an awesome season."

To Braidon's family, to the school leaders who are here, to his coaching staff, I want to thank you for your support of Braidon and

for giving him the encouragement that he needed to be successful. Coach Burgess, I want to thank you and Head Coach Ed Schafer, who was named Coach of the Year, for welcoming Braidon with open arms to his new group of teammates and to the new school district.

Braidon credits his ability to win to the work ethic instilled in him by his coaches. The lessons learned from this season, both on and off the mat, will serve Braidon and his teammates throughout their lifetime.

Braidon, please know that you've made our community and you've made this state very proud with all of your accomplishments. I'm really excited, we're all really excited to see where your journey goes from here. I look forward to watching your career at the University of Buffalo. And Senator Griffo pointed out to me that you're hoping to make it to MMA. So good luck with that, and we look forward to watching you.

Madam President, I'm proud to sponsor this resolution and to vote aye.

Thank you.

ACTING PRESIDENT PERSAUD: To our

guests, Braidon Woodward and your support team, we welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house. Please continue to rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Serrano.

SENATOR SERRANO: Madam President, please take up previously adopted Resolutions 2072, 2075, 2203, read them together, title only, and recognize Senator Ashby.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 2072, by Senator Ashby, congratulating the Columbia High School Girls Bowling Team upon the occasion of capturing the 2024 New York State Public High School Athletic Association Bowling Championship on March 10, 2024.

Resolution 2075, by Senator Ashby, congratulating Elle Hutton of Columbia High School upon the occasion of capturing the 2024 New York State Public High School Athletic Association Girls Wrestling Championship for the

185-pound weight class on January 26, 2024.

Resolution 2203, also by Senator Ashby, congratulating Ragan Retell upon the occasion of capturing of the 126-pound Section II New York State Public High School Athletic Association Girls Wrestling Invitational Championship on January 26, 2024.

ACTING PRESIDENT PERSAUD: Senator Ashby on the resolutions.

SENATOR ASHBY: Thank you, Madam President.

It's a real privilege today to be able to congratulate so many young champions from the 43rd Senate District.

Today I welcome the Columbia High School Girls Bowling Team, recent state champions; Ragan Retell from Tamarack High School, New York State wrestling champion; and Elle Hutton, Columbia High School wrestling champion.

And I had the opportunity to talk with them briefly before the proceedings today, and these are just outstanding young people from this district. And they do a fantastic job, and I know that it has a lot to do with the families

that may be here today joining them, and their coaches.

And I wish that you would present them all the cordialities of the house.

ACTING PRESIDENT PERSAUD: To our guests, the Columbia High School Girls Bowling Team, Columbia High School Girls Wrestling Team, and Ragan Retell, we welcome you on behalf of the Senate. We extend to you all the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Serrano.

SENATOR SERRANO: Thank you.

Let's please take up previously adopted Resolution 2258, by Senator Hoylman-Sigal, read that resolution title only, and call on Senator Hoylman-Sigal.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 2258, by Senator Hoylman-Sigal, mourning the death of Ava Conklin, beloved daughter and sister, bright student, and cherished friend to many.

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal on the resolution.

SENATOR HOYLMAN-SIGAL: Thank you, Madam President.

We are joined here today by a family under some somber circumstances, the loved ones of Ava Conklin, an exceptional young woman from my Senate district on the West Side of Manhattan, the heart of Hell's Kitchen, whose life was tragically cut short last June.

Ava was only 19 years old. Ava was a daughter, a sister, a friend, an incredibly bright student, and a beloved member of our community.

She was known to all as an eternally happy spirit with boundless generosity that manifested through her many relationships.

She loved the performing arts and theater and Broadway -- after all, she lived just steps from the Great White Way. She loved ice cream, travels, animals, the earth, music, especially the Beatles.

Ava was a student at Northern Vermont University, where she was pursuing a degree in psychology. She loved school and had a

real eagerness for learning. In her family's words, Madam President, Ava had an old soul but a child's heart.

The loss of Ava is felt not only by those who knew and loved her personally; it is a profound loss that is felt all throughout New York City, from Hell's Kitchen to the Rockaways, where she spent so much time.

And I want to recognize my dear colleague Assemblymember Pheffer Amato who is here with the family in the gallery.

But this is a loss for the entire State of New York. So today I'm so grateful that this legislative body will pause in our deliberation to remember and honor the life of Ava Conklin, whose bright light continues to shine and shares its warmth with all of us.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: To our guests, the family of Ava Conklin, our condolences to you.

I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Serrano.

SENATOR SERRANO: Please call on Senator Scarcella-Spanton for an introduction.

ACTING PRESIDENT PERSAUD: Senator Scarcella-Spanton for an introduction.

SENATOR SCARCELLA-SPANTON: Thank you.

I rise today to recognize an incredible woman, constituent, and someone I am lucky to call a friend, Lucy Mujica Díaz.

I have had the pleasure of knowing Lucy for many years now. And as her tenure as chair of Community Board 13 comes to an end, it is my privilege to have her join me here in Albany today.

Upon moving to Coney Island in 1990, Lucy became one of its fiercest advocates. And anybody who knows Lucy knows that is absolutely true. From local PTAs to the Coney Island Beautification Project to the 60 Community Precinct Council and, perhaps most famously, Community Board 13, Lucy has been serving her community for over 34 years. People from across

Coney Island and Brighton Beach know that they can always turn to Lucy for assistance, resources, and the latest news about what's happening in their own backyards.

Our communities are very lucky to have a fighter like her, and I would like to thank her for everything that she's done, continues to do. And thank you for always being a resource to me. It's always interesting, you know, representing two different boroughs, so you are my go-to in Brooklyn for all things Coney Island and Brighton Beach.

I appreciate you from the bottom of my heart, and welcome to Albany, Lucy. Please rise to be recognized.

ACTING PRESIDENT PERSAUD: To our guest, Lucy Mujica Díaz, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Serrano.

SENATOR SERRANO: Thank you.

Let's take up previously adopted

Resolution 2400, by Senator Mayer, please read that resolution title only and call on Senator Ramos.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 2400, by Senator Mayer, memorializing Governor Kathy Hochul to proclaim April 28, 2024, as Workers' Memorial Day in the State of New York.

ACTING PRESIDENT PERSAUD: Senator Ramos on the resolution.

SENATOR RAMOS: Thank you, Madam President.

I want to start by thanking Senator Mayor for introducing this very important resolution.

In the aftermath of the Tops shooting, surviving workers and other retail workers came to me with their demand for the law to take their safety seriously.

And we know all workers want that. Too many workers in New York get injured on the job or, worse, they never make it back home at the end of their shift.

Forty-four workers died on the job

in New York State in 2023. They were:

Jonathan Diller, an NYPD officer;

Sara McNally, bartender;

Juan Ildefonso;

Tamay Ganzi, construction worker;

Nazim Berry, a bodega worker;

Hilarion Joseph, an MTA worker, TWU Local 100;

Frederick Whiteside, FDNY EMT, AFSCME Local 2507;

Francisco Lumbreras, cement truck driver, Teamsters Local 282;

Krystnyna Naprawa, school crossing guard, DC-37 Local 372;

Dale West, handyman;

Bernardo Gonzalez Perez, a supermarket worker;

Bassam Khateeb, a deli owner;

Michael Rodriguez, NYC DEP;

Kevin Rawlings, a software engineer;

Olivia Mills, a postal service worker;

Andrés Santiago Goana, a delivery worker;

Endy Donaldo González Gómez, a

delivery worker;

Marco Antonio Betancurt, a delivery worker;

Cesar Linares Moralez, a delivery worker;

Juan Aguilar Rosas, a delivery worker;

Marcos Alcantara Hernandez, a delivery worker;

Alex Patricio Gualotuña Taco, a construction worker;

Peng Cheng Li, a delivery worker;

Salvatore Simone, an HVAC contractor;

Robert Larsen, a welder with Steamfitters Local 63;

Salimul Hoque, a construction worker;

Edwin Hermindo Cevantes Felipe, a construction worker;

Yong Chin Son, a construction worker with Laborers Local 78;

Victor Sohom, a construction worker;

Mairena Bismarck, a construction superintendent;

Juan Guzman Angamarca, a construction worker;

Zhen Zhi Cao, a construction worker;

Alexis Avelar Alvarado, a construction worker;

Kawan Edwards, a highway maintenance worker;

Tayron Masache Tandazo, a window washer;

Mario Garcia, a delivery worker;

Victor Manuel Genoa, a delivery worker;

Francisco Maria Cristobal, a delivery worker;

Maynor Alfredo Capir Velasquez, a delivery worker;

Mariano Victoriano, a delivery worker;

Juan Romero Vazquez, a delivery worker;

Juan Francisco Jeronimo, a delivery worker;

And an unidentified delivery worker.

In their honor, the labor movement continues to advocate for the passage of four

bills: TEMP, the Retail Workers Safety Act; Warehouse Worker Injury Reduction Act; and the Nail Salon Minimum Standards Council.

Madam President, we mourn the dead and we fight like hell for the living.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator Ramos.

Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Madam President.

And thank you, Senator Ramos, for making sure that we remember we are talking about individuals who have real lives in our communities who were lost from accidents at work.

And the point of this resolution is to draw attention to the need for a very strong response to ensure safety at work, particularly for our immigrant community, who are frequently at greatest risk, and to call on every element of the law enforcement community, our district attorneys, our Department of Labor, our Governor's office, and everyone else who has the authority to crack down on unsafe working conditions -- to do so and do so aggressively.

These are our neighbors. These are our friends. These are people that all of us depend on to do the essential work of our communities, and yet they are at such grave risk -- not only of injury but of death.

And so today and every day, we honor them. But Workers' Memorial Day is a tribute to their lives and a reminder that we have much more to do.

I vote aye.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The resolutions were previously adopted.

Senator Serrano.

SENATOR SERRANO: Thank you.

At the request of the sponsors, the resolutions are open for cosponsorship.

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

Senator Serrano.

SENATOR SERRANO: Now let's please take up the reading of the calendar.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 273, Senate Print 5286, by Senator Parker, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 273, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Griffo, Lanza, Oberacker, O'Mara, Rhoads, Stec, Tedisco and Weik.

Ayes, 46. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 468, Senate Print 2690, by Senator Breslin, an act to amend the General Municipal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 479, Senate Print 2515C, by Senator Ramos, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Ramos to explain her vote.

SENATOR RAMOS: Thank you.

There have been eight children killed by cars in the past five months in New York City. Three of them were in Queens.

Bayron Palomino Arroyo, just eight years old, was walking with his family on 100th Street and 31st Avenue in East Elmhurst. A driver with four previous arrests related to reckless driving didn't yield to the family while turning and hit and killed Bayron with his car.

Queens has had 18 fatalities so far in 2024, tied for its most dangerous year at this point in 2023.

Bayron was the 750th person killed in Queens since Vision Zero was launched in New York City 10 years ago. More than half of the children killed in the last two years were killed in Queens, and most were killed near their schools.

This is an emergency. Two hundred of my neighbors marched through our community with two demands of this body: Pass Sammy's Law and pass scramble crosswalks. I'm proud that our house has now been able to deliver on both of those demands. And now this bill is dedicated to

the children of my district and of all Queens.

Thank you. I vote aye.

ACTING PRESIDENT PERSAUD: Senator Ramos to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 500, Senate Print 1424A, by Senator Bailey, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 500, those Senators voting in the negative are Senators Borrello, Griffo, Helming, Murray, Oberacker, O'Mara, Ortt and Stec.

Ayes, 48. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 600, Senate Print 6926, by Senator Mannion, an act to amend the Transportation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 685, Senate Print 8173, by Senator Bailey, an act to amend the Correction Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

While I understand the goal of this bill, my concern comes from the fact that we are doing something for someone who has committed a crime, more than we would do for a law-abiding citizen.

So I'll be voting no. Thank you.

ACTING PRESIDENT PERSAUD: Senator Borrello to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 685, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Lanza, Oberacker, O'Mara, Ortt, Rhoads, Stec and Weik.

Ayes, 46. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 713, Senate Print 139C, by Senator Ryan, an act to amend the Uniform Justice Court Act.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of January.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Ryan to explain his vote.

SENATOR RYAN: Thank you, Madam President.

So there's a quirk in our justice system in New York State that's created a two-tier justice system. Everybody's under this perception that if you're a judge, why of course you're a lawyer. But that's really not true.

In OCA courts, Office of Court Administration, those judges are lawyers.

There's 1200 other courts in New York State. Through the town court justice system, courts have broad jurisdiction -- traffic, felony arraignments, small claims,

misdemeanors. But they're not lawyers.

And anyone who's a lawyer in the room would remember Gideon v. Wainwright, where the Supreme Court said in criminal proceedings the potential deprivation of liberty is so serious that you have to have a lawyer to be represented.

But I don't know if they ever paused to think that some of the people that the lawyer would be arguing in front of aren't even lawyers themselves.

So this bill would take the 100 busiest courts in New York State, under the town court system, and make it so those are lawyers. A pretty simple fix.

I often hear in response to this: Well, some of those areas don't have lawyers living in that jurisdiction. So we intentionally crafted it for only the 100 busiest courts. And if you look at a map of where those courts are, the busiest courts, and you overlay that with maps of localities with the highest concentration of attorneys, you would think you're looking at the same map.

So we're going to easily be able to

put attorneys in every one of those spots. New York is one of the only few states in the Union that allows non-attorney judges to sentence people to jail. So it's a commonsense solution to a problem that people who put this system in place back in the early 1700s -- it might have made sense then. It didn't make sense now.

So we've talked to people around the state about this, we've considered all the potential downsides, we've taken steps to alleviate those concerns. And it's about time that in New York State we don't have a two-tier justice system, we have a one-tier justice system where every defendant not only has a right to counsel but has a right to appear in front of a judge who is also a counsel.

I proudly vote aye.

ACTING PRESIDENT PERSAUD: Senator Ryan to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 713, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Murray, Oberacker, O'Mara, Ortt, Rhoads,

Stec, Tedisco, Weber and Weik.

Ayes, 42. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 723, Senate Print 8707, by Senator Bailey, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as Chapter 733 of the Laws of 2023.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 742, Assembly Print Number 8982A, by Assemblymember Fall, an act to amend the Navigation Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 867, Senate Print 4407, by Senator Fernandez, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 868, Senate Print 4999B, by Senator Helming, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 878, Senate Print 4863A, by Senator Cooney, an act to amend the Insurance Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 921, Senate Print 5853A, by Senator Krueger, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 921, those Senators voting in the negative are Senators Gallivan, Griffo, Murray, Ortt and Stec. Excuse me, Senator Stec in the affirmative.

Ayes, 53. Nays, 4.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 924, Assembly Bill Number 8993, by Assemblymember Thiele, an act to amend the County Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 927, Assembly Bill Number 9711, by Assemblymember Zebrowski, an act to amend the State Finance Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 933, Senate Print 3571, by Senator Skoufis, an act to amend the Labor Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 933, voting in the negative: Senator Oberacker.

Ayes, 56. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 957, Senate Print 8366, by Senator Ryan, an act to amend Chapter 560 of the Laws of 1998.

ACTING PRESIDENT PERSAUD: Read the last section.

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

shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 957, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martinez, Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 39. Nays, 18.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 963, Senate Print 314A, by Senator Salazar, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 963, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Krueger, Lanza, Martins, Murray, Oberacker, O'Mara, Ortt, Rhoads, Stec, Tedisco, Weber and Weik.

Ayes, 40. Nays, 17.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 979, Senate Print 3473A, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill

is passed.

THE SECRETARY: Calendar Number 1001, Senate Print 3348, by Senator Fernandez, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 1050, Assembly Bill Number 9394, by Assemblymember Burdick, an act to amend the Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 1050, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Chu, Harckham, Hinchey, Mannion, Martinez, Palumbo, Scarcella-Spanton, Skoufis, Webb and Weik.

Ayes, 46. Nays, 11.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR SERRANO: Can we please go to the reading of the controversial calendar.

ACTING PRESIDENT PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 927, Assembly Bill Number 9711, by Assemblymember Zebrowski, an act to amend the State Finance Law.

ACTING PRESIDENT PERSAUD: Senator O'Mara, why do you rise?

SENATOR O'MARA: Madam President, will the sponsor yield for some questions.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR KRUEGER: I'd be delighted to, Madam President.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: Good morning, Senator.

This bill has to do with the sourcing -- or avoiding the sourcing of tropical hardwoods. There are a variety of federal and even international legislation and agreements that deal with this, such as the Lacey Act and the CITES international agreement, the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Why do we need to exceed those agreements and federal laws with a separate program here in New York?

SENATOR KRUEGER: Thank you, Madam President. This bill is actually about far more than trees from tropical rainforests, even though it does have the catchy title "trees." I

do hope you like the new title of the bill.

SENATOR O'MARA: Very nice.

SENATOR KRUEGER: Thank you.

And in fact it is true that there are multiple national and international agreements, and there are even voluntary agreements by many of the largest corporations who say they're not going to source from tropical rainforests, and yet they keep doing it.

So the goal here with this bill is to clarify that the State of New York -- not private consumers, but the State of New York, when it contracts for products, will hold its suppliers accountable for tracing that they are not using products from tropical rainforests, whether it's hardwoods from the rainforests or other products often grown in the rainforests once they are destroyed.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Now, is this legislation, is it banning specific hardwoods? Or is it banning where they come from?

SENATOR KRUEGER: It lists out -- it's banning where they come from, but it actually helps by providing master lists of products that would be added to the existing banned hardwood list for New York State.

We actually do have a bill that bans hardwoods, but it's got too many loopholes in it for products that we didn't necessarily know about at the time it was passed. So it broadens the number of trees -- types that are covered and gives the Office of General Services the authority to continue to expand it.

Because sometimes -- I know it seems odd -- but if something is banned, somebody decides to change the name of the tree. So we want to make sure that you can't get around the laws we are trying to implement by just changing the name of the product.

SENATOR O'MARA: Okay. So through you, Madam President, if the Senator will

continue to yield.

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: So I guess I'm just asking for a little more clarification on whether it's the specific type of wood or whether it's grown in a certain region. And if it's a -- if it's the region, if it's the region, then what if the same type of wood is grown outside of that region? Can that be used?

SENATOR KRUEGER: Excuse me one second. (Pause.)

So it's actually -- I just wanted to double-check I got this right for you, Senator. It's both. It does provide a master list of specific hardwoods that I actually don't think we grow here in New York State that would be on the banned list. I'm sure they don't.

But it also bans products from products from areas defined as tropical rainforests and impacting deforestation of them. So both.

SENATOR O'MARA: Through you, Madam President, if the Senator will continue to yield.

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR O'MARA: What is the specific geographic region that is the subject of the ban of the source of these woods?

SENATOR KRUEGER: Let me find the definition section of the bill for you. (Pause.)

Big bill. Page 6, Section (ii)(c): "'Tropical forests' shall mean a natural ecosystem within the tropical regions, approximately bounded geographically by the tropics of Cancer and Capricorn, but possibly affected by other factors such as prevailing winds, containing native species composition, structure, and ecological function, with a tree canopy cover of more than 10 percent over an area of at least 0.5 hectares. 'Tropical forests' shall include all of the following: (i) human-managed tropical forests or partially degraded tropical forests that are regenerating; and (ii) tropical forests identified by

multi-objective conservation-based assessment methodologies, such as High Conservation Value (HCV) areas, as defined by the HCV Resource Network, or High Carbon Stock forests, as defined by the High Carbon Stock Approach, or by another methodology with equivalent or higher standards that includes primary forests and tropical peatlands of any depth. 'Tropical forests' shall not include tree plantations of any type."

And then since you were also asking about tropical hardwood: "'Tropical hardwood products' shall mean any wood products, wholesale or retail, in any form, including but not limited to plywood, veneer, furniture, cabinets, paneling, siding, moldings, doors, doorskins, joinery, flooring or sawnwood, which are composed, in whole or in part, of tropical hardwood" from these forests.

I can go on. It continues on, on peat and some other products.

So it's pages -- mostly pages 6, 7, 8, 9 of the bill.

SENATOR O'MARA: Through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: So it takes pages 6, 7, 8 and 9 of the bill to generally describe the regions where these woods come from, but they're still using words like "approximately." So there's no specific boundaries and borders that are included in this legislation as to where the wood specifically cannot come from.

SENATOR KRUEGER: Well, I do believe there are borders, although they're not saying like national borders of a country per se.

But there are standards that are being used by various entities around the world. And within, as pointed out by my colleague, other laws and treaties around the world.

So the fact that there's not, you know, this street in this county is not really applicable in this situation.

SENATOR O'MARA: Thank you.

Madam President, if the Senator will

continue to yield.

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Is there any other state in the United States of America that has such a law as this?

SENATOR KRUEGER: That goes as far as this? Madam President, no. I think we would proudly be the first state to try it.

Although the EU has passed a very parallel law for all the EU countries. Which is another reason I think it's so important for New York State to actually be the first state in our country to pass a parallel law.

Why? Because we have large numbers of small businesses in New York who absolutely want to do business with the EU countries. But if they don't meet the standards of the EU countries, they won't be able to sell our products to them.

So the fact that even though we're only applying this to contracts with the State of New York, it will actually signal and assist New York State's businesses to meet standards

that they would need to in order to sell abroad. And we certainly want to expand our export markets.

SENATOR O'MARA: Thank you, Senator.

Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: The Senator yields?

THE SECRETARY: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: Would this apply to the use of pulp from any of these hardwoods, and paper purchased by the state?

SENATOR KRUEGER: Through you, Madam President. Tropical hardwoods are way too expensive to be used for pulp for paper. I don't believe we do have any paper companies in New York State that use tropical hardwoods for their paper.

And in fact what has been pointed out to me, with our saying you cannot use tropical hardwoods for contracts with New York State, you're increasing the likelihood that

New York State forestry will be able to sell its products to New York. Because none of our forests have these tropical hardwoods. Therefore, the kinds of products that our companies sell for paper, for wood, for furniture, for other purposes, will be more competitive in contracting with the State of New York because they'll no longer be competing with other businesses around the world trying to sell us tropical hardwoods.

So I do believe that's a win/win for our forestry and wood product and paper companies.

SENATOR O'MARA: Through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: And I certainly agree with that, Senator Krueger, in limiting the use of these because of the impacts on the rainforests and importance of them to the climate

around the globe. My real concerns over this legislation is not that we should not be using these types of woods, because I agree that we shouldn't.

The real opposition to this has to do with how you specifically, you know, identify this and how a supplier can actually certify that it doesn't contain anything when it might be unknowing. In fact, we have a lot of memos in opposition from the various lumber dealers associations across New York State that are very concerned with this bill, that it mandates that they certify the source and contents of their products.

And they're often small, locally owned retailers that lack the resources to establish and maintain compliance offices necessary to track the global supply chain, especially for complex products like doors, windows and similar items comprising numerous materials from around the world.

I agree with their concerns, specifically with the general approximation of the geographic region where these woods cannot come from.

But this was passed last year, and the Governor vetoed it. And primarily in her veto message the Governor stated that the extensive certification requirements would impose significant burdens on businesses, especially small businesses, that want to do business with the state.

So what have you changed in this bill to deal with that? And have you alleviated the concerns of those suppliers? Because it doesn't appear so by the basis of their numerous memos in opposition.

SENATOR KRUEGER: Through you, Madam President. Thank you so much for that question. That's exactly what we did change in the bill since the Governor's veto.

And I don't know whose memos are still objecting. Perhaps they didn't see the newer version of the bill.

These requirements of the bill are achievable, they're affordable. The contractors are not required to be unimpeachably perfect. And they can of course get exemptions if it's impossible to find alternative products. Far more of the requirements are placed on OGS to

assist and approve, not reject, not to make more difficult.

These new statutes are traceable and transparent. The effective date is pushed back to 2027 to give everybody time to figure out any of the things they don't think they can figure out yet.

The leading companies are already using now widely available digital technologies to trace their supply chain. That's publicly available, so our smaller companies will be able to see the data right there produced by larger companies to help them make sure that they are also in compliance for their own supply chain.

Supply chain traceability and transparency does vary among commodities. But those covered by this bill are already well advanced.

The bill contains a 10 percent bidding preference for New York-based small and medium-sized businesses and MWBEs or contractors fulfilling their contracts. OGS is required to meet with stakeholders during the process of writing their regulations. We leave the regulations up to OGS. We don't mandate those in

the bill, so that OGS and the stakeholders can work together on regulations that actually will be addressable by our small businesses here in New York.

So we actually will have OGS clearly outlining the specific due diligence steps contractors are required to take: Create a list of products derived wholly or in part from tropical rainforest risk commodities that we should stay away from. Create a list of such products that are able to be procured in high volumes right here in New York State. Create a list of favored suppliers who we know are meeting the requirements to help our small businesses who need to go through multiple larger suppliers.

The bill creates a supply chain transparency assistance program to assist our small businesses through the Empire State Development Corporation.

So I really do appreciate the question, because we did a lot of work to hear from the stakeholders what their concerns were and to redesign the bill to make sure that it would not disadvantage businesses in New York State. We actually believe it will increase the

number of New York State products that are used and purchased and contracted with right here at home.

SENATOR O'MARA: Thank you, Senator.

Through you, Madam President, if the Senator will continue to yield.

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR O'MARA: I certainly appreciate the involvement and the input that OGS and other state entities are going to have here. But these lumber associations are still very concerned over knowing themselves where this comes from.

So since the state and OGS, they're the ones contracting for those products, why isn't it incumbent upon the state to verify the products? The contractor provides the products that they're supplying, and the state verifies that those are not in violation of the rainforest woods?

(Pause.)

SENATOR KRUEGER: Through you, Madam President. Again, I think perhaps the companies that the Senator has been speaking to perhaps don't quite understand the role and responsibility of OGS and the state to help make sure all of this is addressed correctly.

And again, specifically for people who are in the forestry and wood business here in New York State, none of this is tropical hardwoods. None of their business is tropical hardwoods. We don't grow tropical hardwoods in New York.

So it's not going to stop them from selling to the State of New York. It will actually probably increase the number of companies who source through New York forestry. Because if you're sourcing through New York forestry, there's very little you have to do to prove you're not using tropical rainforest wood. We don't grow that here in New York.

SENATOR O'MARA: Thank you, Senator.

On the bill, Madam President.

ACTING PRESIDENT PERSAUD: Senator

O'Mara on the bill.

SENATOR O'MARA: I'm certainly extremely supportive of banning and limiting to the extent possible the use of hardwoods from rainforests, and understand the importance of our rainforests to our global climate and environment.

I think this bill goes too far and it puts the onus on the wrong spot. If we're banning the use of these materials, then it should be the entity using those materials to certify for themselves that they're not coming from the sources that we don't want them to come from. And I think that should lie upon the state. And if the OGS is going to be as involved as the Senator says they're going to be, then there's just one more step they have to do. Because the lumber dealers and others in the state are very concerned with really unwittingly, unknowingly supplying a product that might contain some aspect of these woods because of the global supply chains that are involved with these products to be listed.

And that's kind of a trapdoor for these small businesses in many cases that do not

have the wherewithal to go through this whole review and certification process, despite their best intentions on this.

And if this is the big concern of the state, then they should be making sure -- make the suppliers and the contractors show the state where they purchase these things from, where they come from, and the state can do their due diligence on whether that's an acceptable product or not.

Because mistakes can be made. And, you know, with these remaining concerns here and on the hardwoods -- and, you know, I would note on this as well, not to get back into questioning again, but this very bill leaves out exceptions for the use of these types of woods for the Metropolitan Transportation Authority and the ferry services which would allow them to continue to purchase these types of products.

So this is not as cut and dried as we would like it to be. And really the onus here should be on the person, in this case the entity, the State of New York, that's going to be actually utilizing that product, on verifying for themselves that it's not being sourced through

that. Because of the very intricate global supply systems that there are, it can be very well unknown that there might be a component of a window, a door, what have you -- a fixture, desk, chair -- that might have some component that somehow came from this unspecifically defined rainforest area.

So based on that, I am encouraging a no vote on this. The onus should be on the state to verify this.

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

Senator Krueger on the bill.

SENATOR KRUEGER: I appreciate my colleague's questions. I wish he had asked many more, because there is so much I want to say about this bill.

But I'll just say, briefly, globally an estimated 18 million acres of tropical rainforest, an area more than half the size of New York State -- half the size of New York State -- are lost every year to deforestation in the world, with over one-half of the earth's tropical hardwoods already gone. At the current pace, the entirety of the earth's tropical

rainforests will be degraded or destroyed within the next hundred years. An estimated 20 percent of the world's greenhouse gas emissions come from deforestation and forest degradation.

So taking into account carbon sequestration, a potential stop in the loss of tropical forests, mangroves, other wetlands could provide over 20 percent of necessary climate mitigation by the year 2030, which is just around the corner. This loss of biodiversity is creating nightmares throughout the world.

In addition to tropical deforestation, in many countries it is closely associated with violations of the land rights of indigenous peoples and local communities and with the exploitation of workers, including forced labor and child labor. In many cases it is enabled by corruption, criminality, and violence against the conservationists and the land defenders.

The concerns my colleague has brought up we factored into this bill. Yes, we made an exception for the MTA and for the Staten Island Ferry for five years, to allow them to transition off of two specific hardwoods that

are uniquely suited for being in water all the time. But there are alternatives. And they have agreed that within five years they can figure it out.

This bill allows localities and government to have an exemption from the requirements if nobody's bidding because they can't figure out what to sell us. So we do give the state the ability to say, Okay, I get it, you need an exemption also. You need an alternative. We'll help you with that.

This bill is absolutely not designed to penalize people who are trying to sell to New York State, but rather to assist and put in place the details so that they can, as my colleague pointed out, have the information they need provided by government in most cases so that they don't have to worry about doing all that homework themselves.

Every time we talk about environmental bills on this chamber floor we get to some degree an argument "It's too much, we can't do all this." Well, here's the problem. We have to do this. Because the U.S. companies actually are responsible for like 50 percent of

the deforestation in the planet.

We'll pay the price for that, even though it's so far away, because tropical hardwoods are not being grown near here, the deforestation is not taking place here. The deforestation is destroying other countries around the world -- who, by the way, when their land is destroyed, when their environment is destroyed, when they have no alternative places to go, where are they going? They're coming here.

If you look at the deforestation in Venezuela, it's enormous. If you look at the damage that has been done to their economies, to their indigenous peoples, they have nowhere to survive in their own countries because of damage done because of our policies. And yet we object and wonder why they show up in the United States -- because we're helping to cause chaos in their home countries.

And so this isn't affecting private consumers. We're not going there. We're saying if you're going to do business with the State of New York, we've want to make sure you're not adding to this international crisis.

And guess what? If you look at a contract with OGS, who handles most of the contracting for the buying and selling of products by the State of New York, you can't believe the number of requirements we're putting on anybody who does business with New York -- pages and pages and pages of requirements.

This isn't even a particularly difficult one for our potential contractors to meet. And yet it's a critical one for the entire planet. So I urge my colleagues to consider not taking a no vote today and helping us address multiple problems all at once while ensuring more New York State products can be sold both to the State of New York and around the world, as the rest of the world is implementing these laws. I'm hoping for a yes vote from everyone.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Borrello.

SENATOR BORRELLO: On the bill, Madam President.

ACTING PRESIDENT PERSAUD: Senator Borrello on the bill.

SENATOR BORRELLO: I appreciate what Senator Krueger said. But unfortunately it's a bit disingenuous.

I would really encourage you to watch the movie Planet of the Humans, by Michael Moore -- not exactly a conservative -- where he describes in depth the destruction that's going on throughout the rainforest area for the production of solar panels and wind turbines, particularly for mining for rare earth metals, that's taking place with slave labor, child labor.

So when you drive that electric car, remember that those rare-earth metals inside that battery were actually mined by a child somewhere in the Congo. So this is just hypocrisy.

What's worse about it is that everything that we need to make solar panels and wind turbines can be produced here in the United States. The rare earth metals can be actually mined out in the Midwest and up in Canada with obviously union labor and everything else. But yet we continue to have these panels dumped in the United States after being made by slave labor in China by the Uyghurs, who are

enslaved by the Chinese government to make those solar panels.

So to sit here and listen to the fact that we're going to save the rainforest -- only when it comes to hardwood, not when it comes to everything else -- particularly because we have a viable alternative that would create good union jobs here in the United States. We're not doing that. We're actually -- in fact, right now in the City of Buffalo, at the billion-dollars boondoggle known as the Tesla plant, the solar panels on the roof, which were supposed to be produced by Tesla, are made in China. And they're actually installed on the roof of that billion-dollar boondoggle in Buffalo.

So spare me the hypocrisy. I'll be voting no.

ACTING PRESIDENT PERSAUD: Senator Krueger.

SENATOR KRUEGER: So I thank my colleague. I don't actually think his argument is against my bill; it's for an expansion of my bill to cover products that we didn't talk about today.

So my bill covers far more than

tropical hardwoods. We just seemed to get onto that theme. But if my colleague would like to talk about moving bills that protect other parts of the world from exploitation of children and their areas so that we can buy our products from U.S.-sourced goods that meet other standards, and we want to create a new bill to do that, I'm totally with him on that.

So thank you.

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

UNIDENTIFIED MEMBER: No.

ACTING PRESIDENT PERSAUD: Thank you.

(Laughter.)

ACTING PRESIDENT PERSAUD: Seeing and hearing none, the debate is closed.

Senator Serrano.

SENATOR SERRANO: Madam President, upon consent we've agreed to restore this bill to the noncontroversial calendar.

ACTING PRESIDENT PERSAUD: The bill will be restored to the noncontroversial calendar.

Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

I want to thank the bill's sponsor for this bill and for her eloquent defense of this bill. It is really important that New York State taxpayers are not subsidizing further degradation of the rainforests, which are the lungs of Planet Earth.

I'm also proud that we're doing this today on the day after the next largest state in the country, their governor signed into law expunging the term "climate change" from their laws and really moving backwards on green energy and the whole idea that we might want to take action on the climate crisis.

So I'm proud that we in New York are doing this. I'm grateful to my colleagues who

are voting in the affirmative. And I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 927, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 38. Nays, 20.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

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

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

SENATOR SERRANO: I move to adjourn until Monday, May 20th, at 3:00 p.m., with the intervening days being legislative days.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Monday,

May 20th, at 3:00 p.m., with intervening days being legislative days.

(Whereupon, at 12:21 p.m., the Senate adjourned.)