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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

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

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

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

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

8 ACTING PRESIDENT PERSAUD: 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 PERSAUD: Reading
14 of the Journal.

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

20 ACTING PRESIDENT PERSAUD: 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

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

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

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

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

19 ACTING PRESIDENT PERSAUD: So
20 ordered.

21 Messages from the Governor.

22 Reports of standing committees.

23 Reports of select committees.

24 Communications and reports from
25 state officers.

1 Motions and resolutions.

2 Senator Gianaris.

3 SENATOR GIANARIS: Good morning,
4 Madam President.

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

8 ACTING PRESIDENT PERSAUD: The
9 Secretary will read.

10 THE SECRETARY: Calendar Number
11 215, Senate Print 1200A, by Senator Parker, an
12 act to amend the Public Service Law.

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

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

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 55.

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

22 SENATOR GIANARIS: I offer the
23 following amendments.

24 ACTING PRESIDENT PERSAUD: The
25 amendments are received.

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

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

9 Senator Gianaris.

10 SENATOR GIANARIS: Please recognize
11 Senator Lanza for a motion.

12 ACTING PRESIDENT PERSAUD: Senator
13 Lanza.

14 SENATOR LANZA: Thank you,
15 Senator Gianaris.

16 Madam President, on behalf of
17 Senator Griffo, on page 46 I offer the following
18 amendments to Calendar Number 769, Senate Print
19 8884, and ask that said bill retain its place on
20 Third Reading Calendar.

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

24 Senator Gianaris.

25 SENATOR GIANARIS: Please take up

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

4 ACTING PRESIDENT PERSAUD: The
5 Secretary will read.

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

12 ACTING PRESIDENT PERSAUD: Senator
13 Griffo on the resolution.

14 SENATOR GRIFFO: Thank you,
15 Madam President.

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

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

1 that Senator Mayer led.

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

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

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

13 Please continue standing and be
14 recognized.

15 (Standing ovation.)

16 ACTING PRESIDENT PERSAUD: Senator
17 Griffo.

18 SENATOR GRIFFO: On the resolution,
19 Madam President.

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

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

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

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

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

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

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

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

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

17 Thank you.

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

24 Please rise and be recognized.

25 (Standing ovation.)

1 ACTING PRESIDENT PERSAUD: Senator
2 Serrano.

3 SENATOR SERRANO: Thank you,
4 Madam President.

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

8 ACTING PRESIDENT PERSAUD: The
9 Secretary will read.

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

16 ACTING PRESIDENT PERSAUD: Senator
17 Helming on the resolution.

18 SENATOR HELMING: Thank you,
19 Madam President.

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

1 Tom Schmandt and Assistant Wrestling Coach
2 John Burgess.

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

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

15 He carries a strong academic average
16 and he achieved, in his wrestling career, a
17 54-to-one overall record. The lone loss this
18 year came early in the season, a loss that
19 Braidon said inspired and motivated him. When
20 asked about winning the championship title,
21 Braidon simply said: "I'm just happy to be a
22 Red Raider. It was an awesome season."

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

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

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

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

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

24 Thank you.

25 ACTING PRESIDENT PERSAUD: To our

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

6 (Standing ovation.)

7 ACTING PRESIDENT PERSAUD: Senator
8 Serrano.

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

13 ACTING PRESIDENT PERSAUD: The
14 Secretary will read.

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

21 Resolution 2075, by Senator Ashby,
22 congratulating Elle Hutton of Columbia High
23 School upon the occasion of capturing the
24 2024 New York State Public High School Athletic
25 Association Girls Wrestling Championship for the

1 185-pound weight class on January 26, 2024.

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

8 ACTING PRESIDENT PERSAUD: Senator
9 Ashby on the resolutions.

10 SENATOR ASHBY: Thank you,
11 Madam President.

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

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

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

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

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

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

11 Please rise and be recognized.

12 (Standing ovation.)

13 ACTING PRESIDENT PERSAUD: Senator
14 Serrano.

15 SENATOR SERRANO: Thank you.

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

20 ACTING PRESIDENT PERSAUD: The
21 Secretary will read.

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

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

3 SENATOR HOYLMAN-SIGAL: Thank you,
4 Madam President.

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

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

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

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

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

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

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

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

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

18 Thank you, Madam President.

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

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

25 Please rise and be recognized.

1 (Standing ovation.)

2 ACTING PRESIDENT PERSAUD: Senator
3 Serrano.

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

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

8 SENATOR SCARCELLA-SPANTON: Thank
9 you.

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

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

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

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

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

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

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

20 Please rise and be recognized.

21 (Standing ovation.)

22 ACTING PRESIDENT PERSAUD: Senator
23 Serrano.

24 SENATOR SERRANO: Thank you.

25 Let's take up previously adopted

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

4 ACTING PRESIDENT PERSAUD: The
5 Secretary will read.

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

10 ACTING PRESIDENT PERSAUD: Senator
11 Ramos on the resolution.

12 SENATOR RAMOS: Thank you,
13 Madam President.

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

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

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

25 Forty-four workers died on the job

1 in New York State in 2023. They were:
2 Jonathan Diller, an NYPD officer;
3 Sara McNally, bartender;
4 Juan Ildefonso;
5 Tamay Ganzi, construction worker;
6 Nazim Berry, a bodega worker;
7 Hilarion Joseph, an MTA worker,
8 TWU Local 100;
9 Frederick Whiteside, FDNY EMT,
10 AFSCME Local 2507;
11 Francisco Lumbreras, cement truck
12 driver, Teamsters Local 282;
13 Krystynna Naprawa, school crossing
14 guard, DC-37 Local 372;
15 Dale West, handyman;
16 Bernardo Gonzalez Perez, a
17 supermarket worker;
18 Bassam Khateeb, a deli owner;
19 Michael Rodriguez, NYC DEP;
20 Kevin Rawlings, a software engineer;
21 Olivia Mills, a postal service
22 worker;
23 Andrés Santiago Goana, a delivery
24 worker;
25 Endy Donaldo González Gómez, a

1 delivery worker;
2 Marco Antonio Betancurt, a delivery
3 worker;
4 Cesar Linares Morales, a delivery
5 worker;
6 Juan Aguilar Rosas, a delivery
7 worker;
8 Marcos Alcantara Hernandez, a
9 delivery worker;
10 Alex Patricio Gualotuña Taco, a
11 construction worker;
12 Peng Cheng Li, a delivery worker;
13 Salvatore Simone, an HVAC
14 contractor;
15 Robert Larsen, a welder with
16 Steamfitters Local 63;
17 Salimul Hoque, a construction
18 worker;
19 Edwin Hermindo Cevantes Felipe, a
20 construction worker;
21 Yong Chin Son, a construction worker
22 with Laborers Local 78;
23 Victor Sohom, a construction worker;
24 Mairena Bismarck, a construction
25 superintendent;

1 Juan Guzman Angamarca, a
2 construction worker;
3 Zhen Zhi Cao, a construction worker;
4 Alexis Avelar Alvarado, a
5 construction worker;
6 Kawan Edwards, a highway maintenance
7 worker;
8 Tayron Masache Tandazo, a window
9 washer;
10 Mario Garcia, a delivery worker;
11 Victor Manuel Genoa, a delivery
12 worker;
13 Francisco Maria Cristobal, a
14 delivery worker;
15 Maynor Alfredo Capir Velasquez, a
16 delivery worker;
17 Mariano Victoriano, a delivery
18 worker;
19 Juan Romero Vazquez, a delivery
20 worker;
21 Juan Francisco Jeronimo, a delivery
22 worker;
23 And an unidentified delivery worker.
24 In their honor, the labor movement
25 continues to advocate for the passage of four

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

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

6 Thank you.

7 ACTING PRESIDENT PERSAUD: Thank
8 you, Senator Ramos.

9 Senator Mayer on the resolution.

10 SENATOR MAYER: Thank you,
11 Madam President.

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

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

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

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

10 I vote aye.

11 ACTING PRESIDENT PERSAUD: Thank
12 you, Senator.

13 The resolutions were previously
14 adopted.

15 Senator Serrano.

16 SENATOR SERRANO: Thank you.

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

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

23 Senator Serrano.

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

1 ACTING PRESIDENT PERSAUD: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number
4 273, Senate Print 5286, by Senator Parker, an act
5 to amend the Executive Law.

6 ACTING PRESIDENT PERSAUD: Read the
7 last section.

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

10 ACTING PRESIDENT PERSAUD: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT PERSAUD: Announce
14 the results.

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

20 Ayes, 46. Nays, 10.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 468, Senate Print 2690, by Senator Breslin, an
25 act to amend the General Municipal Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

5 ACTING PRESIDENT PERSAUD: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT PERSAUD: Announce
9 the results.

10 THE SECRETARY: Ayes, 56.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 479, Senate Print 2515C, by Senator Ramos, an act
15 to amend the Vehicle and Traffic Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

21 ACTING PRESIDENT PERSAUD: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT PERSAUD: Senator
25 Ramos to explain her vote.

1 SENATOR RAMOS: Thank you.

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

5 Bayron Palomino Arroyo, just eight
6 years old, was walking with his family on
7 100th Street and 31st Avenue in East Elmhurst. A
8 driver with four previous arrests related to
9 reckless driving didn't yield to the family while
10 turning and hit and killed Bayron with his car.

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

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

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

1 the children of my district and of all Queens.

2 Thank you. I vote aye.

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

5 Announce the results.

6 THE SECRETARY: Ayes, 56.

7 ACTING PRESIDENT PERSAUD: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 500, Senate Print 1424A, by Senator Bailey, an
11 act to amend the Executive Law.

12 ACTING PRESIDENT PERSAUD: Read the
13 last section.

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

17 ACTING PRESIDENT PERSAUD: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT PERSAUD: Announce
21 the results.

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

1 Ayes, 48. Nays, 8.

2 ACTING PRESIDENT PERSAUD: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 600, Senate Print 6926, by Senator Mannion, an
6 act to amend the Transportation Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

12 ACTING PRESIDENT PERSAUD: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT PERSAUD: Announce
16 the results.

17 THE SECRETARY: Ayes, 57.

18 ACTING PRESIDENT PERSAUD: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 685, Senate Print 8173, by Senator Bailey, an act
22 to amend the Correction Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Senator
6 Borrello to explain his vote.

7 SENATOR BORRELLO: Thank you,
8 Madam President.

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

14 So I'll be voting no. Thank you.

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

17 Announce the results.

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

23 Ayes, 46. Nays, 11.

24 ACTING PRESIDENT PERSAUD: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 713, Senate Print 139C, by Senator Ryan, an act
3 to amend the Uniform Justice Court Act.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Senator
12 Ryan to explain his vote.

13 SENATOR RYAN: Thank you,
14 Madam President.

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

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

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

1 misdemeanors. But they're not lawyers.

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

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

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

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

25 So we're going to easily be able to

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

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

17 I proudly vote aye.

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

20 Announce the results.

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

1 Stec, Tedisco, Weber and Weik.

2 Ayes, 42. Nays, 15.

3 ACTING PRESIDENT PERSAUD: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 723, Senate Print 8707, by Senator Bailey, an act
7 to amend the Education Law.

8 ACTING PRESIDENT PERSAUD: Read the
9 last section.

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

13 ACTING PRESIDENT PERSAUD: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PERSAUD: Announce
17 the results.

18 THE SECRETARY: Ayes, 57.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 742, Assembly Print Number 8982A, by
23 Assemblymember Fall, an act to amend the
24 Navigation Law.

25 ACTING PRESIDENT PERSAUD: Read the

1 last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Announce
8 the results.

9 THE SECRETARY: Ayes, 57.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 867, Senate Print 4407, by Senator Fernandez, an
14 act to amend the Executive Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 57.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 868, Senate Print 4999B, by Senator Helming, an
4 act to amend the Alcoholic Beverage Control Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: Ayes, 57.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 878, Senate Print 4863A, by Senator Cooney, an
19 act to amend the Insurance Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

5 THE SECRETARY: Ayes, 57.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 921, Senate Print 5853A, by Senator Krueger, an
10 act to amend the Public Authorities Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

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

25 Ayes, 53. Nays, 4.

1 ACTING PRESIDENT PERSAUD: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 924, Assembly Bill Number 8993, by
5 Assemblymember Thiele, an act to amend the
6 County Law.

7 ACTING PRESIDENT PERSAUD: Read the
8 last section.

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

11 ACTING PRESIDENT PERSAUD: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT PERSAUD: Announce
15 the results.

16 THE SECRETARY: Ayes, 57.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 927, Assembly Bill Number 9711, by
21 Assemblymember Zebrowski, an act to amend the
22 State Finance Law.

23 SENATOR LANZA: Lay it aside.

24 ACTING PRESIDENT PERSAUD: Lay it
25 aside.

1 THE SECRETARY: Calendar Number
2 933, Senate Print 3571, by Senator Skoufis, an
3 act to amend the Labor Law.

4 ACTING PRESIDENT PERSAUD: Read the
5 last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

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

16 Ayes, 56. Nays, 1.

17 ACTING PRESIDENT PERSAUD: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 957, Senate Print 8366, by Senator Ryan, an act
21 to amend Chapter 560 of the Laws of 1998.

22 ACTING PRESIDENT PERSAUD: Read the
23 last section.

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

1 shall have become a law.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

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

14 Ayes, 39. Nays, 18.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 963, Senate Print 314A, by Senator Salazar, an
19 act to amend the Public Authorities Law.

20 ACTING PRESIDENT PERSAUD: Read the
21 last section.

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

24 ACTING PRESIDENT PERSAUD: Call the
25 roll.

1 (The Secretary called the roll.)

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

9 Ayes, 40. Nays, 17.

10 ACTING PRESIDENT PERSAUD: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 979, Senate Print 3473A, by Senator Stavisky, an
14 act to amend the Education Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 57.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1001, Senate Print 3348, by Senator Fernandez, an
4 act to amend the Public Health Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

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

9 ACTING PRESIDENT PERSAUD: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT PERSAUD: Announce
13 the results.

14 THE SECRETARY: Ayes, 57.

15 ACTING PRESIDENT PERSAUD: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1050, Assembly Bill Number 9394, by
19 Assemblymember Burdick, an act to amend the
20 Tax Law.

21 ACTING PRESIDENT PERSAUD: Read the
22 last section.

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

25 ACTING PRESIDENT PERSAUD: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT PERSAUD: Announce
4 the results.

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

10 Ayes, 46. Nays, 11.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

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

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

17 ACTING PRESIDENT PERSAUD: The
18 Secretary will ring the bell.

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 927, Assembly Bill Number 9711, by
22 Assemblymember Zebrowski, an act to amend the
23 State Finance Law.

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

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

3 ACTING PRESIDENT PERSAUD: Will the
4 sponsor yield?

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

7 ACTING PRESIDENT PERSAUD: The
8 sponsor yields.

9 SENATOR O'MARA: Good morning,
10 Senator.

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

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

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

1 do hope you like the new title of the bill.

2 SENATOR O'MARA: Very nice.

3 SENATOR KRUEGER: Thank you.

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

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

19 SENATOR O'MARA: Thank you,
20 Senator.

21 Madam President, if the Senator will
22 continue to yield.

23 ACTING PRESIDENT PERSAUD: Does the
24 sponsor yield?

25 SENATOR KRUEGER: Yes.

1 ACTING PRESIDENT PERSAUD: The
2 Senator yields.

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

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

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

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

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

1 continue to yield.

2 ACTING PRESIDENT PERSAUD: Does the
3 Senator yield?

4 SENATOR KRUEGER: Yes.

5 ACTING PRESIDENT PERSAUD: The
6 sponsor yields.

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

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

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

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

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

4 SENATOR KRUEGER: Yes.

5 ACTING PRESIDENT PERSAUD: The
6 sponsor yields.

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

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

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

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

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

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

21 So it's pages -- mostly pages 6, 7,
22 8, 9 of the bill.

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

1 ACTING PRESIDENT PERSAUD: Does the
2 Senator yield?

3 SENATOR KRUEGER: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 Senator yields.

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

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

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

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

24 SENATOR O'MARA: Thank you.

25 Madam President, if the Senator will

1 continue to yield.

2 SENATOR KRUEGER: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 Senator yields.

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

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

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

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

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

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

4 SENATOR O'MARA: Thank you,
5 Senator.

6 Madam President, if the Senator will
7 continue to yield.

8 ACTING PRESIDENT PERSAUD: The
9 Senator yields?

10 THE SECRETARY: Yes.

11 ACTING PRESIDENT PERSAUD: The
12 Senator yields.

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

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

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

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

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

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

17 ACTING PRESIDENT PERSAUD: Does the
18 Senator yield?

19 SENATOR KRUEGER: Yes.

20 ACTING PRESIDENT PERSAUD: The
21 Senator yields.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 SENATOR O'MARA: Thank you,
5 Senator.

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

8 ACTING PRESIDENT PERSAUD: Does the
9 Senator yield?

10 SENATOR KRUEGER: Yes.

11 ACTING PRESIDENT PERSAUD: The
12 Senator yields.

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

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

1 (Pause.)

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

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

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

22 SENATOR O'MARA: Thank you,
23 Senator.

24 On the bill, Madam President.

25 ACTING PRESIDENT PERSAUD: Senator

1 O'Mara on the bill.

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

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

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

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

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

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

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

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

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

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

13 Senator Krueger on the bill.

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

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

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

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

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

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

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

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

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

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

1 the deforestation in the planet.

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

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

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

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

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

18 Thank you, Madam President.

19 ACTING PRESIDENT PERSAUD: Thank
20 you, Senator.

21 Senator Borrello.

22 SENATOR BORRELLO: On the bill,
23 Madam President.

24 ACTING PRESIDENT PERSAUD: Senator
25 Borrello on the bill.

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

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

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

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

1 enslaved by the Chinese government to make those
2 solar panels.

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

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

18 ACTING PRESIDENT PERSAUD: Senator
19 Krueger.

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

25 So my bill covers far more than

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

9 So thank you.

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

12 UNIDENTIFIED MEMBER: No.

13 ACTING PRESIDENT PERSAUD: Thank
14 you.

15 (Laughter.)

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

18 Senator Serrano.

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

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

25 Read the last section.

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

4 ACTING PRESIDENT PERSAUD: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PERSAUD: Senator
8 May to explain her vote.

9 SENATOR MAY: Thank you,
10 Madam President.

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

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

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

1 are voting in the affirmative. And I vote aye.

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

4 Announce the results.

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

12 Ayes, 38. Nays, 20.

13 ACTING PRESIDENT PERSAUD: The bill
14 is passed.

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

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

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

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

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

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

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

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