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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 21, 2024

3:42 p.m.

REGULAR SESSION

SENATOR JEREMY A. COONEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT COONEY: 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 COONEY: Pastor
9 Gregory Robeson Smith, of Mount Hope AME Zion
10 Church in White Plains, New York, will deliver
11 today's invocation.

12 Pastor.

13 PASTOR SMITH: O God, our help in
14 ages past, our hope for years to come. Our
15 shelter from the stormy blast, and our eternal
16 home.

17 O Lord God, grant the hearts and
18 minds of all of our leaders, men and women, that
19 they may be filled with the love of Your laws and
20 that which is righteousness and life-giving, that
21 they may be worthy stewards of Your good and
22 perfect gifts.

23 God, our Lord, we pray that those
24 who govern this state in righteousness and whose
25 judgments are true and righteous together, grant,

1 we beseech You, that those who rule over us and
2 who legislate for us may be of one mind to
3 establish justice and promote the welfare of all
4 of our people.

5 Endow all our members of this Senate
6 chamber with the right understanding, pure
7 purposes, and sound speech. Enable them to rise
8 above all self-seeking and party zeal to the
9 nobler concerns of public good and human brother-
10 and sisterhood.

11 Cleanse their public lives of every
12 evil. Subdue their communities of all that is
13 harmful, and make them disciplined and devoted
14 men and women.

15 And finally, Lord, let there be
16 peace on earth, and let it begin with us. Let
17 there be peace on earth, the peace that was meant
18 to be. "With God as our Creator, family all are
19 we. Let us walk with each other in perfect
20 harmony."

21 And from St. Francis of Assisi:
22 Lord, make us an instrument of
23 Your peace. Where there is hatred, let us sow
24 love; where there is injury, pardon. Where there
25 is doubt, faith; where there is despair, hope;

1 where there is darkness, light; where there is
2 sadness, joy.

3 O Divine Master, grant that we may
4 not so much seek to be consoled as to console, to
5 be understood as to understand, to be loved, as
6 to love.

7 For it is in giving that we receive,
8 it is in pardoning that we are pardoned, and it
9 is in dying that we are born to eternal life.

10 Amen. Amen. And Amen.

11 (Response of "Amen.")

12 ACTING PRESIDENT COONEY: The
13 reading of the Journal.

14 THE SECRETARY: In Senate, Monday,
15 May 20, 2024, the Senate met pursuant to
16 adjournment. The Journal of Sunday, May 19,
17 2024, was read and approved. On motion, the
18 Senate adjourned.

19 ACTING PRESIDENT COONEY: Without
20 objection, the Journal stands approved as read.

21 Presentation of petitions.

22 Messages from the Assembly.

23 The Secretary will read.

24 THE SECRETARY: Senator Webb moves
25 to discharge, from the Committee on Corporations,

1 Authorities and Commissions, Assembly Bill
2 Number 9345 and substitute it for the identical
3 Senate Bill 8642, Third Reading Calendar 958.

4 Senator Krueger moves to discharge,
5 from the Committee on Consumer Protection,
6 Assembly Bill Number 4938D and substitute it for
7 the identical Senate Bill 154F, Third Reading
8 Calendar 1071.

9 Senator Chu moves to discharge, from
10 the Committee on Consumer Protection,
11 Assembly Bill Number 8102A and substitute it for
12 the identical Senate Bill 7760A, Third Reading
13 Calendar 1080.

14 Senator Cleare moves to discharge,
15 from the Committee on Consumer Protection,
16 Assembly Bill Number 9338 and substitute it for
17 the identical Senate Bill 8743, Third Reading
18 Calendar 1083.

19 Senator Cleare moves to discharge,
20 from the Committee on Investigations and
21 Government Operations, Assembly Bill Number 6811C
22 and substitute it for the identical Senate
23 Bill 6809B, Third Reading Calendar 1117.

24 Senator Cleare moves to discharge,
25 from the Committee on Investigations and

1 Government Operations, Assembly Bill Number 9337
2 and substitute it for the identical Senate
3 Bill 8742, Third Reading Calendar 1123.

4 Senator Oberacker moves to
5 discharge, from the Committee on Codes,
6 Assembly Bill Number 6738A and substitute it for
7 the identical Senate Bill 6798A, Third Reading
8 Calendar 1159.

9 ACTING PRESIDENT COONEY: So
10 ordered.

11 Messages from the Governor.
12 Reports of standing committees.
13 Reports of select committees.
14 Communications and reports from
15 state officers.

16 Motions and resolutions.

17 Senator Gianaris.

18 SENATOR GIANARIS: Good afternoon,
19 Mr. President.

20 I wish to call up the following
21 bills, recalled from the Assembly, which are now
22 at the desk: Senate Print Numbers 509A and 6328.

23 ACTING PRESIDENT COONEY: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 300, Senate Print 509A, by Senator Thomas, an act
2 to amend the Administrative Code of the City of
3 New York.

4 Calendar Number 530, Senate
5 Print 6328, by Senator Ramos, an act to amend
6 the Labor Law.

7 SENATOR GIANARIS: Move to
8 reconsider the vote by which these bills were
9 passed.

10 ACTING PRESIDENT COONEY: Call the
11 roll on reconsideration.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 53.

14 ACTING PRESIDENT COONEY: The bills
15 are restored to their place on the Third Reading
16 Calendar.

17 SENATOR GIANARIS: I offer the
18 following amendments.

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

22 SENATOR GIANARIS: I also offer
23 amendments to the following Third Reading
24 Calendar bills:

25 By Senator Breslin, page 43,

1 Calendar 883, Senate Print 7748A;
2 Senator Sanders, page 47,
3 Calendar 938, Senate Print 1295;
4 Senator Scarcella-Spanton, page 52,
5 Calendar 1007, Senate Print 4032;
6 Senator Jackson, page 66,
7 Calendar 1147, Senate Print 2057;
8 And Senator Hoylman-Sigal, page 29,
9 Calendar 638, Senate Print 3185.

10 ACTING PRESIDENT COONEY: The
11 amendments are received, and the bills will
12 retain their place on the Third Reading Calendar.
13 Senator Gianaris.

14 SENATOR GIANARIS: Let's begin by
15 taking up previously adopted Resolution 1734, by
16 Senator Chu, read its title and recognize
17 Senator Chu.

18 ACTING PRESIDENT COONEY: The
19 Secretary will read.

20 THE SECRETARY: Resolution 1734, by
21 Senator Chu, memorializing Governor Kathy Hochul
22 to proclaim May 2024 as Asian American
23 Pacific Islander Heritage Month in the State of
24 New York.

25 ACTING PRESIDENT COONEY: Senator

1 Chu on the resolution.

2 SENATOR CHU: Well, thank you,
3 Mr. President, for allowing me to speak on this
4 resolution.

5 I rise today in celebration of the
6 vibrant tapestry of cultures, traditions and
7 contributions of our AAPI community. We stand in
8 the heart of AAPI Heritage Month and reflect on
9 our offerings to the diverse array of languages,
10 cuisines, arts, and customs in our state that can
11 be seen in every aspect of our lives. Our
12 heritage is woven into the very essence of
13 American society, and our influences impacting
14 our respective communities are immense --
15 spanning economic, cultural and political realms.

16 However, even as we celebrate our
17 achievements, we must acknowledge the challenges
18 still faced by the AAPI community. The continued
19 existence of anti-Asian sentiment and hate crimes
20 is a stain on our collective conscience. We must
21 continue to work to ensure that every individual,
22 regardless of race or ethnicity, feels safe,
23 valued and empowered.

24 Together, we can build a future
25 where every individual, regardless of background

1 or heritage, can thrive and flourish.

2 Today I am joined by more than
3 100 constituents from my district to celebrate
4 our AAPI Heritage Month. I would like to welcome
5 Homecrest Community Services, United Chinese
6 Association of Brooklyn, Chinese-American
7 Planning Council, Empowerment of American Asians,
8 Brooklyn Asian Civilian Observation Patrol,
9 Mahalla USA, APNA Community Center, Fujian United
10 Seniors, New York Chinese Association,
11 All American Chinese Association, and the
12 Guangdong Association.

13 I'm so proud they can be here today
14 to represent the diverse portion of AAPI
15 New Yorkers.

16 Now I would like to use a few
17 seconds to welcome our guests in Chinese {in
18 Mandarin}.

19 Mr. President, thank you for the
20 moment for me to welcome our guests.

21 Thank you.

22 ACTING PRESIDENT COONEY: Thank
23 you, Senator Chu.

24 (Applause from the gallery.)

25 ACTING PRESIDENT COONEY: Senator

1 Stavisky on the resolution.

2 SENATOR STAVISKY: Thank you,
3 Mr. President. And thank you, Senator Chu.

4 And we are that much better for
5 having Senator Chu in our chamber as part of the
6 diversity. But she was elected to represent the
7 state, and she brings a great understanding. We
8 just heard the -- I guess that was Mandarin. So
9 we are very proud of Senator Chu.

10 On the resolution, Mr. President.

11 I am so proud to represent so many
12 people from the AAPI community, both in my
13 current district and in my past district.

14 We are losing population in New York
15 State, and they are being -- you are coming here
16 and just enriching our lives with your presence,
17 with your culture, with your industry.

18 Everything about the Asian-American community, I
19 think, brings us so much more enrichment that we
20 are proud to have you, whether it be in
21 Queens County, where something like 135
22 languages are spoken.

23 Starting in the early 1800s I know
24 the Chinese community came and were instrumental
25 in building our transcontinental railroad, with

1 Korean Americans coming and so forth, and the
2 South Asian community. And we are represented in
3 the Legislature, as well we should be.

4 So again, I welcome you to Albany.
5 We hope you had a productive meeting with our
6 colleagues. And again, Mr. President, welcome.
7 Thank you.

8 (Applause from the gallery.)

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

13 Please rise and be recognized.

14 (Standing ovation.)

15 ACTING PRESIDENT COONEY: The
16 resolution was adopted on January 30th.

17 Senator Gianaris.

18 SENATOR GIANARIS: Mr. President,
19 we've been joined by some distinguished local
20 officials in the chamber today.

21 Senator Martinez would like us to
22 recognize Suffolk County Sheriff Errol
23 Toulon Jr., who's joining us, and
24 Undersheriff John Becker.

25 And Senator Weber would like us to

1 recognize Rockland County Legislator Dr. Aney
2 Paul.

3 Please welcome them to the chamber.

4 ACTING PRESIDENT COONEY: To our
5 guests who are joining us in the chamber today, I
6 welcome you on behalf of the Senate. We extend
7 to you the privileges and courtesies of this
8 house.

9 Please rise and be recognized.

10 (Standing ovation.)

11 ACTING PRESIDENT COONEY: Senator
12 Gianaris.

13 SENATOR GIANARIS: I now move to
14 adopt the Resolution Calendar, with the exception
15 of Resolutions 2471, 2472, and 2529.

16 ACTING PRESIDENT COONEY: All those
17 in favor of adopting the Resolution Calendar,
18 with the exception of Resolutions 2471, 2472 and
19 2529, please signify by saying aye.

20 (Response of "Aye.")

21 ACTING PRESIDENT COONEY: Opposed,
22 nay.

23 (No response.)

24 ACTING PRESIDENT COONEY: The
25 Resolution Calendar is adopted.

1 Senator Gianaris.

2 SENATOR GIANARIS: Now let's move
3 on to Resolution 2529, by Senator Chu, read its
4 title, and recognize Senator Chu.

5 ACTING PRESIDENT COONEY: The
6 Secretary will read.

7 THE SECRETARY: Resolution 2529, by
8 Senator Chu, mourning the death of Don B. Lee,
9 distinguished citizen and devoted member of his
10 community.

11 ACTING PRESIDENT COONEY: Senator
12 Chu on the resolution.

13 SENATOR CHU: Thank you,
14 Mr. President, for letting me come up again to
15 express my heavy heart as AAPI communities across
16 the state mourn the loss of a fearless, dedicated
17 advocate from our community, Mr. Don Lee.

18 Don was a passionate community
19 leader who served as the board chair at
20 Homecrest Community Services for over 20 years,
21 and a dear personal friend of mine. Don was not
22 just a champion of justice, but a fearless
23 believer in the betterment of AAPI New Yorkers.
24 His unwavering dedication to the welfare of our
25 community and his profound compassion for those

1 in need sets an example for us all to follow.

2 In commemorating his life and
3 accomplishments through this resolution, we
4 reaffirm our commitment to upholding the values
5 and principles for which he so passionately
6 fought -- values such as dignity for the
7 marginalized and disadvantaged, defending the
8 voiceless, and serving to expand representation
9 for those in not only his community, but across
10 both the state and nation.

11 I take this opportunity to reflect
12 on the profound impact of his loss. His passing
13 has left a void in our hearts and in our
14 community, a void that can never be fully filled.

15 We find comfort in knowing that
16 while the pain is momentary, his impact on
17 countless lives endures.

18 In the chamber with us today is
19 Homecrest Community Services Executive Director
20 Ms. Wai Yee Chan, who has been working alongside
21 with Don for the last 30 years during his
22 prolific career. And she has joined us on behalf
23 of his family, who is still in mourning, as well
24 as additional members from Homecrest.

25 Don was a remarkable friend and

1 mentor for those who knew him, and he will be
2 deeply missed by so many of us within the AAPI
3 community.

4 With this, Mr. President, please let
5 us honor and celebrate the life of Don Lee and
6 continue to carry forward his legacy of a more
7 just but inclusive society for the AAPI
8 community.

9 Thank you.

10 ACTING PRESIDENT COONEY: Thank
11 you, Senator Chu.

12 Senator Gounardes on the resolution.

13 SENATOR GOUNARDES: Thank you,
14 Mr. President.

15 I too rise to mourn the loss of
16 Don Lee, and I want to thank Senator Chu for
17 bringing honor to his memory.

18 Don was someone who I think embodies
19 and embodied all of the things that Senator Chu
20 spoke about in her previous resolution about
21 celebrating the AAPI community. All the values
22 and accomplishments that she spoke about, all the
23 reasons why these groups and individuals are here
24 today, Don personified the very best of that.

25 And he was someone who left his mark

1 not just on Southern Brooklyn, where I got to
2 know him once I got elected, but across the city
3 and across the state -- someone whose own life
4 story, coming here as an immigrant and having to
5 support himself when he was just 18 years old,
6 and becoming successful and never forgetting
7 where he came from or the community that he came
8 from as well, and dedicating his life to the
9 service of others and the uplifting of others.

10 Don's loss is a loss for all of us.
11 And he is someone who will be deeply missed not
12 just by his beloved Homecrest Community Services,
13 not just by the people who knew him, but everyone
14 that was touched by his work, whether they knew
15 it or not, they were made better because Don Lee
16 was part of our lives.

17 And so as we say in my tradition,
18 may his memory be eternal. And we mourn the loss
19 of Don Lee.

20 Thank you.

21 ACTING PRESIDENT COONEY: Thank
22 you, Senator Gounardes.

23 Senator Liu on the resolution.

24 SENATOR LIU: Thank you,
25 Mr. President.

1 I am very thankful that Senator Chu
2 has brought forth the resolution in memory of our
3 dear friend Don Lee.

4 Don has been a community activist
5 for a long, long time, for decades. And in fact
6 he was one of the first, and one of the first in
7 Brooklyn, particularly South Brooklyn. We know
8 south Brooklyn as the vibrant Asian community
9 that it is today. Don was there, and being
10 active, a long time before most of the community
11 was even built up.

12 One of the things that he started,
13 which you've already heard about, was Homecrest
14 Community Services. I remember when Homecrest
15 just began in a church basement, a small little
16 group. And they grew as the community grew, and
17 they got bigger and bigger, to the point today
18 where Homecrest is one of the leading
19 Asian-American service organizations -- having a
20 base in Brooklyn, but drawing people from all
21 over the city. And that's a lasting legacy to
22 our friend Don Lee.

23 But Don wasn't just about Homecrest.
24 He was about a lot of things. He was about
25 empowerment. He's run for City Council. He

1 has -- he in fact, when I first got to the
2 City Council a long, long time ago, he was one of
3 the first people who helped me pass the first
4 bill recognizing the Asian Lunar Year. Which we
5 formalized as a school holiday statewide last
6 year, but in 2002 we recognized it as a very
7 special holiday, in that you didn't have to move
8 your car in New York City from one side of the
9 street to the other. And that was very
10 meaningful for New York City residents.

11 So Don left us rather suddenly and
12 unexpectedly, and we are still crushed to this
13 day that he's gone. I mean, it's still hard to
14 imagine that Don's gone.

15 But Don has been a true leader and
16 advocate for the community. He's been a friend
17 to me. And yeah, he's sometimes a pain in the --
18 in the neck. But, you know, his legacy will be a
19 lasting one.

20 And, Mr. President, I say goodbye to
21 my friend, to our friend Don Lee.

22 Thank you.

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

25 To our guests representing Mr. Don

1 Lee and Homecrest, we welcome you on behalf of
2 the Senate. We extend to you the privileges and
3 courtesies of this house.

4 Please rise and be recognized.

5 (Standing ovation.)

6 ACTING PRESIDENT COONEY: The
7 question is on the resolution.

8 All in favor signify by saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT COONEY: Opposed,
11 nay.

12 (No response.)

13 ACTING PRESIDENT COONEY: The
14 resolution is adopted.

15 Senator Gianaris.

16 SENATOR GIANARIS: Now let's move
17 on to previously adopted Resolution 2250, by
18 Senator Cordell Cleare, read its title and
19 recognize Senator Cleare.

20 ACTING PRESIDENT COONEY: The
21 Secretary will read.

22 THE SECRETARY: Resolution 2250, by
23 Senator Cleare, celebrating the 126th Anniversary
24 of the birth of Paul Robeson.

25 ACTING PRESIDENT COONEY: Senator

1 Cleare on the resolution.

2 SENATOR CLEARE: Thank you,
3 Mr. President.

4 I rise today to speak about one of
5 the most important figures of the
6 Harlem Renaissance and, in all honesty, a man of
7 such wide-ranging talents, accomplishments and
8 outcomes that he must be considered the
9 quintessential and definitive Renaissance man:
10 Paul Robeson.

11 We were blessed to have our
12 invocation today by the grandnephew of
13 Paul Robeson, Dr. Gregory Robeson Smith, former
14 pastor of Mother AME Zion Church in Harlem --
15 which was founded in 1796 and is the oldest
16 African-American church in New York State -- and
17 today is the senior pastor of Mount Hope AME
18 Zion Church in Senator Mayer's district. I am so
19 grateful that he shared such words of hope on
20 this special occasion for his family and for our
21 state.

22 In 1915, Paul Robeson started his
23 college career at Rutgers as the one and only
24 Black student enrolled in the entire college at
25 that time. During that time, he was twice named

1 an All-American for his athletic accomplishments
2 on the football field and graduated as
3 valedictorian of his class.

4 As a Harlem resident, he attended
5 and graduated from Columbia Law School at the
6 same time he played in the NFL.

7 His talent as a vocalist, stage
8 performer and musical artist blossomed in the
9 1920s, and Paul Robeson became a fixture and key
10 figure in the Harlem Renaissance. He starred in
11 multiple movies in the 1920s, was an essential
12 figure on stage as an actor and vocalist, and
13 exposed the world to Negro spirituals, eventually
14 going on to record 66 albums and 195 singles in
15 his lifetime.

16 Paul Robeson traveled the world and
17 was profoundly affected by the racism that
18 greeted him and so many other people at home and
19 abroad. As he said: "The artist must take
20 sides. He must elect to fight for freedom or
21 slavery. I have made my choice. I had no
22 alternative."

23 He became a human rights activist
24 all over the world, and there was virtually no
25 country or continent that he did not visit to

1 speak out powerfully on the side of right.

2 Like so many others, he was punished
3 by those in political power for exercising his
4 First Amendment rights and advocating for
5 workers' rights, union rights, equal rights, and
6 civil rights.

7 Those years in his life can best be
8 summed up by his quote: "The answer to injustice
9 is not to silence the critic, but to end the
10 injustice."

11 Today we still have a great deal of
12 work to do to preserve and promote the legacy of
13 this true American icon, Paul Robeson. This
14 resolution is one small step on a path that I
15 hope many of us will walk together to ensure that
16 Paul Robeson is remembered as one of our greatest
17 crusaders for human rights.

18 I proudly vote aye. Thank you.

19 ACTING PRESIDENT COONEY: Thank
20 you, Senator Cleare.

21 To our guests, I welcome you on
22 behalf of the Senate. We extend to you the
23 privileges and courtesies of this house.

24 Please rise and be recognized.

25 (Standing ovation.)

1 ACTING PRESIDENT COONEY: The
2 resolution was previously adopted on May 7th.

3 Senator Gianaris.

4 SENATOR GIANARIS: Mr. President,
5 we're going to simultaneously take up
6 Resolutions 2471 and 2472, both by Senator Mayer.
7 Please read the title of those resolutions and
8 recognize Senator Mayer.

9 ACTING PRESIDENT COONEY: The
10 Secretary will read.

11 THE SECRETARY: Resolution 2471, by
12 Senator Mayer, honoring Koji Sato in recognition
13 of his work to achieve recognition of
14 Fred Korematsu's life and work, and for his work
15 to promote knowledge of Japanese and
16 Japanese-American history and culture.

17 Resolution 2472, by Senator Mayer,
18 honoring Takeshi and Carolyn Furumoto in
19 recognition of their accomplishments and their
20 critical work to achieve recognition of
21 Fred Korematsu's life and work to protect
22 civil liberties.

23 ACTING PRESIDENT COONEY: Senator
24 Mayer on the resolutions.

25 SENATOR MAYER: Thank you,

1 Mr. President.

2 And it truly is my honor to speak on
3 both of these resolutions, which honor three
4 outstanding individuals who have brought to our
5 attention the issue that we are going to actually
6 enact today, a bill to commemorate the leadership
7 and the courage of Fred Korematsu, a leader in
8 the community that rejected the requirement that
9 Japanese-Americans be interned. And I'll speak
10 on that when we get to the bill.

11 But these three individuals --
12 Koji Sato, Tak and Carolyn Furumoto -- have been
13 leaders in the effort across the country to
14 ensure that the legacy and the true story of
15 Fred Korematsu is part of every state's history.
16 And today we are going to enact a bill to do just
17 that.

18 Let me speak briefly on Koji Sato,
19 currently president of the Japanese American
20 Association of New York, council leader of the
21 U.S. Japan Council, cochair of Westchester
22 Asian-American Advisory Board, and on the Board
23 of Governors of the Japanese-American National
24 Museum in Los Angeles, the senior vice president
25 and general counsel of Orient Corporation of

1 America.

2 Koji Sato has been a leader in the
3 effort to ensure that the story of Fred Korematsu
4 becomes part of the history of America that is
5 taught and told. And I'm so grateful that he is
6 here with us today.

7 The other two individuals are just
8 extraordinary people, Tak Furumoto was born in
9 the Tule Lake War Segregation Camp in 1944. He
10 then volunteered for the U.S. Army during the
11 Vietnam War and was awarded the Bronze Star Medal
12 in 1971. He is the founder and honorary chairman
13 of the New York Hiroshima-Kai, which creates a
14 bond between the people of Hiroshima and the
15 Northern United States and is a life member of
16 the Japanese-American Veterans Association.

17 Together with his wife, who is here,
18 Carolyn Namie Furumoto, who was born to parents
19 who were interned at Tule Lake War Segregation
20 Camp, the two Furumotos -- this couple has made
21 it their life's work to ensure that we tell the
22 story and honor Fred Korematsu.

23 I also want to particularly thank
24 Carolyn for helping Tak recover from PTSD after
25 his time in Vietnam, and for being such a strong

1 partner on this effort.

2 As I said, these three individuals
3 told me a story that I did not know and forced me
4 really by their persuasive power to say that
5 New York must honor this legacy of Fred Korematsu
6 as other states have done. And today we're going
7 to enact a bill, the first day of commemoration
8 for an Asian-American that has ever occurred in
9 the State of New York, due to the work of these
10 three individuals who are joining us here today,
11 their leadership, their courage, their vision and
12 their determination.

13 Please welcome them and extend to
14 them all the privileges of the house.

15 ACTING PRESIDENT COONEY: Thank
16 you, Senator Mayer.

17 To our guests, I welcome you on
18 behalf of the Senate. We extend to you the
19 privileges and courtesies of this house.

20 Please rise and be recognized.

21 (Standing ovation.)

22 ACTING PRESIDENT COONEY: The
23 question is on the resolutions. All in favor
24 signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT COONEY: Opposed,
2 nay.

3 (No response.)

4 ACTING PRESIDENT COONEY: The
5 resolutions are adopted.

6 Senator Gianaris.

7 SENATOR GIANARIS: Please recognize
8 Senator Ramos for an introduction.

9 ACTING PRESIDENT COONEY: Senator
10 Ramos for an introduction.

11 SENATOR RAMOS: Thank you.

12 I rise to welcome the Bangladeshi
13 American Advocacy Group to Senate chambers,
14 together with my colleagues Senator Robert
15 Jackson and Senator Scarcella-Spanton.

16 We want to recognize the president
17 of BAAG, Joynal Abedin from Queens, and his
18 organization, for all of their work hosting
19 back-to-school drives, student government
20 seminars, and job fairs in our community. BAAG
21 empowers the youth, uncles and aunties to
22 participate actively in civic engagement, and
23 that's exactly how we build power for our
24 immigrant communities -- showing up at your
25 legislator's door and sharing your needs.

1 Thank you for bringing our neighbors
2 from Jackson Heights and beyond here to the
3 Capitol to represent our community and engage in
4 our legislative process.

5 Mr. President, please extend to our
6 guests the privileges of the house.

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

9 To our guests, I welcome you on
10 behalf of the Senate. We extend to you the
11 privileges and courtesies of this house.

12 Please rise and be recognized.

13 (Standing ovation.)

14 ACTING PRESIDENT COONEY: Senator
15 Gianaris.

16 SENATOR GIANARIS: Let's take up
17 previously adopted Resolution 1915, by
18 Senator Sepúlveda, read its title and recognize
19 Senator Sepúlveda.

20 ACTING PRESIDENT COONEY: The
21 Secretary will read.

22 THE SECRETARY: Resolution 1915, by
23 Senator Sepúlveda, commemorating Univision's
24 inaugural broadcast of Premios Soberanos in
25 New York State, the recent renaming of a street

1 in Washington Heights to "Premios Soberanos Way"
2 on March 12, 2024, and the visionary leadership
3 of ACROARTE for their exceptional contributions
4 to the Dominican community in the State of
5 New York.

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

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

11 Today we gather to proudly recognize
12 the visit of the Association of Art Critics,
13 ACROARTE, and its president, Wanda Sanchez. It
14 is an honor to comment on this Senate resolution,
15 previously adopted, which pays tribute to
16 ACROARTE for its tireless work in promoting
17 Dominican art and culture and commemorates
18 Univision's inaugural broadcast of the
19 Soberano Awards in New York State.

20 This resolution underscores the
21 importance and impact of the Soberano Awards,
22 which for 40 years have highlighted the best of
23 artistic and cultural talent in the Dominican
24 Republic and in New York. This recognition is a
25 testament to the respect and admiration these

1 awards have garnered over the years.

2 Not only are we joined by the
3 president of ACROARTE, but we're also joined by
4 Roberto Gerónimo, Eugenio Perez, Maribel
5 Contreras, Raymond Abad, Lissette Montillo,
6 Maximo Jimenez, and Francisco Cristian.

7 Furthermore, I am pleased to
8 announce that in collaboration with
9 Senator Alexis Victoria Yeb of the
10 Dominican Republic, we extend a formal invitation
11 to ACROARTE to hold the 2025 Soberano Awards
12 Ceremony here in New York City. This event not
13 only will mark the 40th anniversary of this
14 prestigious award, but also provide a unique
15 opportunity to strengthen cultural ties and
16 friendships between our communities.

17 We eagerly anticipate the
18 possibility of hosting this distinguished
19 ceremony in our great city, celebrating together
20 the cultural richness that unites us.

21 (Above remarks repeated in Spanish.)

22 SENATOR SEPÚLVEDA: Thank you. I
23 vote aye.

24 (Applause from the gallery.)

25 ACTING PRESIDENT COONEY: Thank

1 you, Senator.

2 To our guests, I welcome you on
3 behalf of the Senate. We extend to you the
4 privileges and courtesies of this house.

5 Please rise and be recognized.

6 (Standing ovation.)

7 ACTING PRESIDENT COONEY: The
8 resolution was adopted on March 12th.

9 Senator Gianaris.

10 SENATOR GIANARIS: At the request
11 of the sponsors, the resolutions are open for
12 cosponsorship.

13 ACTING PRESIDENT COONEY: The
14 resolutions are open for cosponsorship. Should
15 you choose not to be a cosponsor, please notify
16 the desk.

17 Senator Gianaris.

18 SENATOR GIANARIS: Please take up
19 the calendar, Mr. President.

20 ACTING PRESIDENT COONEY: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number 92,
23 Senate Print 1267A, by Senator Breslin, an act to
24 amend the Insurance Law.

25 ACTING PRESIDENT COONEY: Read the

1 last section.

2 THE SECRETARY: Section 5. This
3 act shall take effect on the 120th day after it
4 shall have become a law.

5 ACTING PRESIDENT COONEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT COONEY: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 92, voting in the negative are
12 Senators Borrello and Oberacker.

13 Ayes, 59. Nays, 2.

14 ACTING PRESIDENT COONEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 367, Senate Print 1233, by Senator Bailey, an act
18 to amend the Correction Law.

19 ACTING PRESIDENT COONEY: Read the
20 last section.

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

23 ACTING PRESIDENT COONEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT COONEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT COONEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 597, Senate Print 6923, by Senator Hinchey, an
8 act to amend the Railroad Law.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

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

14 ACTING PRESIDENT COONEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT COONEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT COONEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 623, Senate Print 612C, by Senator Mayer, an act
24 to amend the Election Law.

25 ACTING PRESIDENT COONEY: Read the

1 last section.

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

5 ACTING PRESIDENT COONEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT COONEY: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 623, those Senators voting in the
12 negative are Senators Borrello,
13 Canzoneri-Fitzpatrick, Helming, Lanza, Mattera,
14 Murray, Oberacker, O'Mara, Ortt, Rhoads, Weber
15 and Weik.

16 Ayes, 49. Nays, 12.

17 ACTING PRESIDENT COONEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number 68,
20 Senate Print 698, Senate Print 8448, by
21 Senator Palumbo, an act to amend Chapter 672 of
22 the Laws of 1993.

23 ACTING PRESIDENT COONEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT COONEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT COONEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT COONEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 769, Senate Print 8884A, by Senator Griffo,
12 an act to amend the Alcoholic Beverage Control
13 Law.

14 ACTING PRESIDENT COONEY: Read the
15 last section.

16 THE SECRETARY: Section 4. This
17 act shall take effect immediately.

18 ACTING PRESIDENT COONEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT COONEY: Announce
22 the results.

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT COONEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 799, Senate Print Number 3234A, by Senator
3 Hoylman-Sigal, an act to amend the Insurance Law.

4 SENATOR LANZA: Lay it aside.

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

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

9 THE SECRETARY: Calendar Number
10 923, Senate Print 8331, by Senator Mayer, an act
11 to amend the Executive Law.

12 ACTING PRESIDENT COONEY: Read the
13 last section.

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

16 ACTING PRESIDENT COONEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT COONEY: Senator
20 Mayer to explain her vote.

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

23 I rise to vote aye on this
24 legislation.

25 We are taking up this bill today

1 because of the hard work and tireless efforts of
2 Koji Sato, Tak Furumoto and Carolyn Furumoto, who
3 I mentioned earlier, who have dedicated much of
4 their lives to advocating for the recognition of
5 Japanese-American history and the contributions
6 of Japanese-Americans to the United States.

7 By establishing January 30th as
8 Fred Korematsu Day of Civil Liberties and the
9 Constitution, we are affirming this state's
10 commitment to learning and teaching about the
11 difficult history of Japanese internment camps.

12 In 1942, the United States forced
13 West Coast residents of Japanese descent to leave
14 their homes and communities to be sent to
15 internment camps for the duration of the war.

16 According to the United States
17 National Archives, over 120,000 people of
18 Japanese descent -- 70,000 of whom were American
19 citizens -- were forcibly moved to these camps.

20 Fred Korematsu, who we are honoring
21 in this bill, was born to Japanese immigrant
22 parents. He refused to leave his home when his
23 family was forced to relocate to an internment
24 camp. He was arrested, convicted in a federal
25 court of disobeying a military order, and sent to

1 a relocation internment camp.

2 He appealed his conviction, but the
3 United States Supreme Court ultimately affirmed
4 it, in Korematsu v. United States. In dissenting
5 from the Supreme Court's ruling, Justice Robert
6 Jackson said Korematsu "has been convicted of an
7 act not commonly a crime. It consists merely of
8 being present in the state whereof he is a
9 citizen, near the place where he was born, and
10 where all his life he has lived. Justice Frank
11 Murphy called the exclusion order "the
12 legalization of racism."

13 After the war, when Mr. Korematsu
14 was released from the internment camp, he began
15 his life as a civil rights advocate fighting for
16 the Japanese-Americans who were deeply wronged
17 during the war.

18 In 1984, his case was reopened and
19 his conviction was overturned, but the
20 United States Supreme Court never officially
21 overruled its ruling in Korematsu. When the U.S.
22 offered him a pardon, he responded: "I don't
23 want a pardon. If anything, I should be
24 pardoning the government."

25 He was award the Presidential Medal

1 of Freedom in 1998.

2 Today, in the face of a rise in
3 anti-Asian hate and other forms of hate and
4 discrimination, we stand united and advocate that
5 we must tell the painful history of
6 discrimination and mistreatment of
7 Japanese-Americans.

8 I want to thank my colleague
9 Assemblymember Grace Lee, who is carrying this
10 bill in the Assembly.

11 I'm grateful for the work of our
12 guests here today, who as I said not only
13 educated me, but have advocated across many
14 states to pass this bill. If the Assembly passes
15 this bill and the Governor signs it, New York
16 will join six other states -- New Jersey, Hawaii,
17 California, Virginia, Michigan and Arizona in
18 recognizing January 30th as Fred Korematsu Day.

19 I am proud to sponsor this
20 legislation. Thank you to my colleagues and the
21 leader for bringing it to the floor so quickly
22 this year. And I vote aye.

23 ACTING PRESIDENT COONEY: Senator
24 Mayer to be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT COONEY: The bill
3 is passed.

4 (Applause.)

5 THE SECRETARY: Calendar Number
6 925, Senate Print 8488, by Senator Fernandez, an
7 act to establish a Latina suicide prevention task
8 force.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the 60th day after it
13 shall have become a law.

14 ACTING PRESIDENT COONEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT COONEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT COONEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 958, Assembly Bill Number 9345, by
24 Assemblymember Kelles, an act to amend the
25 Not-For-Profit Corporation Law.

1 ACTING PRESIDENT COONEY: Read the
2 last section.

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

5 ACTING PRESIDENT COONEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT COONEY: Senator
9 Webb to explain her vote.

10 SENATOR WEBB: Thank you,
11 Mr. President.

12 First I want to thank my Assembly
13 colleague for also helping to introduce this
14 important legislation.

15 As we know and we talk about in this
16 chamber quite often, volunteer firefighters play
17 a critical role in public health and safety. And
18 most certainly in rural districts like mine, they
19 are most certainly essential for healthcare and
20 many other purposes.

21 This legislation is looking to
22 address the ongoing recruitment issue facing many
23 volunteer fire companies by waiving the provision
24 of law limiting nonresident members in a fire
25 corporation to 40 percent of the actual

1 membership.

2 The Varna Volunteer Fire Company
3 serves the hamlets of Varna and Ellis Hollow
4 within the Town of Dryden, which is located in
5 Tompkins County. Like most small fire
6 departments, the Varna Volunteer Fire Company had
7 difficulty recruiting new volunteers within their
8 16.7 square mile fire protection district.

9 By waiving the nonresident provision
10 of the law, this legislation will allow the Varna
11 Volunteer Fire Company to expand their
12 partnership with two local colleges, Cornell
13 University and Ithaca College, to have the
14 ability to recruit new members.

15 This initiative has been successful
16 in rebuilding the fire company ranks with young,
17 active responders, enabling the fire company to
18 provide critical first response services to the
19 communities that they serve.

20 This legislation is necessary to
21 ensure compliance with state law, and it also
22 places a limit on nonresident membership for
23 volunteer fire departments.

24 I vote aye and encourage my
25 colleagues to do the same.

1 Thank you, Mr. President.

2 ACTING PRESIDENT COONEY: Senator
3 Webb to be recorded in the affirmative.

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar 958, voting in the negative:
7 Senator Skoufis.

8 Ayes, 60. Nays, 1.

9 ACTING PRESIDENT COONEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1031, Senate Print 3310A, by Senator Skoufis, an
13 act to amend the Public Officers Law.

14 ACTING PRESIDENT COONEY: Read the
15 last section.

16 THE SECRETARY: Section 4. This
17 act shall take effect immediately.

18 ACTING PRESIDENT COONEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT COONEY: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 1031, those Senators voting in the
25 negative are Senators Borrello,

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

5 Ayes, 42. Nays, 19.

6 ACTING PRESIDENT COONEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1071, Assembly Bill Number 4938D, by
10 Assemblymember Dinowitz, an act to amend the
11 General Business Law.

12 ACTING PRESIDENT COONEY: Read the
13 last section.

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

17 ACTING PRESIDENT COONEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT COONEY: Senator
21 Borrello to explain his vote.

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

24 I am voting in favor of this bill,
25 but I do have concerns. I think we talked in the

1 past about these e-bike batteries being sold used
2 and reconditioned.

3 This bill says if it wasn't
4 originally listed and certified by like the
5 UL Laboratories, that it cannot be sold. But the
6 reality is a reconditioned battery is not the
7 same battery that it was when it was originally
8 sold.

9 So my concern is that this doesn't
10 really limit the dangers. Yes, if it wasn't
11 originally listed, it wasn't originally
12 inspected, I understand that that's certainly a
13 step in the right direction. But in the end,
14 reconditioning a battery and selling it on the
15 used market is not going to be prevented by this
16 bill.

17 And that I think is still a safety
18 concern. But I am supporting this bill because
19 it is a move in the right direction.

20 So I vote aye. Thank you.

21 ACTING PRESIDENT COONEY: Senator
22 Borrello to be recorded in the affirmative.

23 Announce the results.

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT COONEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1077, Senate Print 7503B, by Senator Cleare, an
4 act to amend the General Business Law.

5 ACTING PRESIDENT COONEY: Read the
6 last section.

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

10 ACTING PRESIDENT COONEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT COONEY: Announce
14 the results.

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT COONEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1078, Senate Print 7744C, by Senator Chu, an act
20 to amend the General Business Law.

21 ACTING PRESIDENT COONEY: Read the
22 last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the 180th day after it
25 shall have become a law.

1 ACTING PRESIDENT COONEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT COONEY: Announce
5 the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT COONEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1079, Senate Print 7446A, by Senator Chu, an act
11 to amend the General Business Law.

12 ACTING PRESIDENT COONEY: Read the
13 last section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the 180th day after it
16 shall have become a law.

17 ACTING PRESIDENT COONEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT COONEY: Senator
21 Chu to explain her vote.

22 SENATOR CHU: Thank you,
23 Mr. President, for allowing me to take this
24 opportunity to explain my vote.

25 Very proud to be a sponsor of

1 today's legislation package and to advance this
2 practical solution that protects communities
3 throughout New York State. I know many
4 New Yorkers rely on e-bikes and e-scooters to
5 commute or perform their jobs. This package is
6 commonsense legislation that prioritizes the
7 well-being of both riders, residents and our
8 first responders alike.

9 According to FDNY data, e-bikes
10 batteries caused 268 fires across New York City
11 last year, resulting in over 150 injuries, with
12 some being fatal.

13 This specific bill will ensure
14 businesses have adequate fire suppression safety
15 measures on hand to protect not only themselves
16 but their business space and people who live
17 around it.

18 The dangers posed by lithium-ion
19 batteries have gone unchecked long enough and
20 have led to too many fires across New York City,
21 particularly in my district. Today's efforts are
22 another step in the right direction to ensure the
23 safety of all New Yorkers.

24 For all the reasons above, I proudly
25 vote aye. Thank you.

1 ACTING PRESIDENT COONEY: Senator
2 Chu to be recorded in the affirmative.

3 Senator Borrello to explain his
4 vote.

5 SENATOR BORRELLO: Thank you,
6 Mr. President.

7 You know, this is definitely a bill
8 where we're trying to do something but really not
9 achieving it. Unfortunately, what this bill will
10 say is you have to have a fire suppression system
11 in a small business, a place that might sell
12 bicycles that also sells e-bikes.

13 And it says that a sprinkler system,
14 along with another fire suppression system, is
15 what's required. I can't figure out what that
16 is. A sprinkler system will not put out a
17 battery fire from an e-bike battery. And a fire
18 suppression system that will, will look something
19 like an Ansul system that a restaurant uses in a
20 kitchen, which is an incredibly expensive system
21 that I don't believe is intended for putting out
22 battery fires.

23 So I'm not sure what this will do.
24 I'm not sure what the requirement will be. But I
25 do know that it will hurt small businesses.

1 And keep in mind that these will
2 still be able to be shipped through Amazon and
3 Walmart and everyone else and putting out small
4 local businesses in our Main Streets that will
5 not be able to put in a system or afford that
6 system.

7 So I think we need to reconsider how
8 we do this, so I'll be voting nay. Thank you.

9 ACTING PRESIDENT COONEY: Senator
10 Borrello to be recorded in the negative.

11 Announce the results.

12 THE SECRETARY: In relation to
13 Calendar 1079, those Senators voting in the
14 negative are Senators Borrello, Helming, Murray,
15 Oberacker, O'Mara, Ortt and Weik.

16 Ayes, 54. Nays, 7.

17 ACTING PRESIDENT COONEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1080, Assembly Bill Number 8102A, by
21 Assemblymember Eachus, an act to amend the
22 General Business Law.

23 ACTING PRESIDENT COONEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT COONEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT COONEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT COONEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1083, Assembly Bill Number 9338, by
12 Assemblymember De Los Santos, an act to amend the
13 General Business Law.

14 ACTING PRESIDENT COONEY: Read the
15 last section.

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

19 ACTING PRESIDENT COONEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT COONEY: Announce
23 the results.

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT COONEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1100, Senate Print 644A, by Senator Mannion, an
4 act to amend the Election Law.

5 ACTING PRESIDENT COONEY: Read the
6 last section.

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

9 ACTING PRESIDENT COONEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT COONEY: Senator
13 Stec to explain his vote.

14 SENATOR STEC: Thank you,
15 Mr. President.

16 We voted on this bill last year. It
17 was brought up on debate the issues that treating
18 small counties the same as large counties.
19 Hamilton County -- Mark Walczyk's not here with
20 us. It's his district, but it's next door to
21 mine. We talked about that a lot. No traffic
22 lights; 4400 population. They currently have two
23 full-time elections commissioners, that's it.
24 Everyone else they need is on call at election
25 time.

1 To mandate that Hamilton County,
2 that's struggling with a small tax base and small
3 population, is going to go from two to mandated
4 six commissioners in four years from now,
5 according to this bill, just makes absolutely no
6 sense. There should be a carveout for small
7 counties.

8 Even better, we should let counties
9 run themselves. If they think they can do it
10 with two people, let them do it with two people.
11 If they can do it with four, they can do it with
12 four.

13 But to treat Hamilton County the
14 same as every other county, or small counties the
15 same as large counties, is just -- it's foolish.
16 And I'll be voting in the negative.

17 Thank you.

18 ACTING PRESIDENT COONEY: Senator
19 Stec to be recorded in the negative.

20 Announce the results.

21 THE SECRETARY: In relation to
22 Calendar 1100, those Senators voting in the
23 negative are Senators Ashby, Borrello,
24 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
25 Lanza, Martins, Mattera, Murray, Oberacker,

1 O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec,
2 Tedisco, Weber and Weik.

3 Ayes, 41. Nays, 20.

4 ACTING PRESIDENT COONEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1114, Senate Print 5963A, by Senator Liu, an act
8 to amend the Education Law.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the first of July.

13 ACTING PRESIDENT COONEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT COONEY: Senator
17 Liu to explain his vote.

18 SENATOR LIU: Mr. President, you,
19 YOU (pointing), you made history. You are the
20 first Asian-American presiding officer of the
21 New York State Senate.

22 (Applause.)

23 SENATOR LIU: And Iwen Chu made
24 history. And Kevin Thomas made history. Today
25 we celebrated AAPI Heritage Month, the month of

1 May. We had a big event in The Well. Many of
2 you stopped by; thank you very much. Many of you
3 grabbed some food on the way out. Thank you
4 also.

5 But there's a lot to celebrate
6 today. It's not only our event, which was a
7 smashing success -- the biggest ever we've had in
8 the State Capitol. We also celebrated the
9 passage of Senator Mayer's bill that will
10 commemorate Fred Korematsu Day here in the State
11 of New York. We unfortunately mourn the passing
12 but celebrated the life of a local hero, Don Lee,
13 in Brooklyn.

14 Now, the reality is, though, that
15 most of us have not heard of these people before
16 today. And most Americans haven't heard much
17 about Asian-Americans. In fact, a couple of
18 years ago, in the height of the pandemic, and at
19 the height of this onslaught of anti-Asian hate,
20 2,000 Americans were asked a simple question:
21 Can you name an Asian-American? Name an
22 Asian-American. Out of the 2,000 people,
23 58 percent could not name a single
24 Asian-American.

25 And of the remaining 42 who could

1 name an Asian-American, Jackie Chan was the most
2 common answer. I think he's a little goofy,
3 whatever. But Jackie Chan, the point is, he's
4 not an American. He's not Asian-American. He's
5 in Hong Kong. The second most frequent answer
6 was Bruce Lee. I like Bruce Lee, but he departed
7 us 30 years ago.

8 The point is Asian Americans have
9 been largely invisible, and continue to be today.
10 That's why it was so easy for us to be the
11 victims of hate and bigotry and attacks, both
12 verbal as well as physical.

13 The way to eradicate this kind of
14 hate going into the future is by removing our
15 invisibility, teaching people, teaching our kids
16 about the fact that Asian-Americans have been a
17 part of New York history, a part of American
18 history, that we helped build what we have today,
19 collectively. And only by doing that, by
20 demonstrating that we are in fact Americans as
21 well -- not this perpetual foreigner, or not this
22 model minority -- that we are in fact people.
23 That's the only way we can start whittling away
24 and eradicating the hate that so many in our
25 community still face.

1 And that's why I'm so proud that I
2 hope this will -- well, actually, you called the
3 roll already, so I'm very happy that the State
4 Senate has once again passed my bill to require
5 the teaching of AAPI history in New York State
6 public schools.

7 Thank you very much for that. And
8 thank you, Mr. President.

9 And YOU (pointing), you're a
10 history-maker.

11 (Laughter.)

12 ACTING PRESIDENT COONEY: Senator
13 Liu to be enthusiastically recorded in the
14 affirmative.

15 Senator Thomas to explain his vote.

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

18 I want to thank Senator Liu for his
19 leadership in bringing this bill to the floor
20 again. He was the first Asian-American to win
21 anything here in New York. All right?

22 (Applause.)

23 SENATOR THOMAS: They're saying
24 "Liu," not "boo," all right? Liu.

25 (Laughter.)

1 SENATOR THOMAS: You have done so
2 much for the Asian-American community. This bill
3 does so much for the rest of us. I thank you
4 from the bottom of my heart. And we all in this
5 state, you know, owe a debt of gratitude to you.

6 So thank you, Senator Liu, and I
7 vote in the affirmative.

8 ACTING PRESIDENT COONEY: Senator
9 Thomas to be recorded in the affirmative.

10 Senator Chu to explain her vote.

11 SENATOR CHU: Thank you,
12 Mr. President.

13 And I truly want to stand here to
14 thank my colleague Senator Liu for bringing this,
15 and thank you to all my colleagues who voted yes
16 and helped us to advance this legislation.

17 This piece is truly crucial for all
18 the Asian-Americans to be able to be seen, to be
19 heard, to be able to feel they're as equal as
20 everyone else.

21 My daughter, she's growing up here
22 having an education. However, I asked her -- she
23 is second year in high school. I asked her, in
24 your school, what did you learn about
25 Asian-Americans? She learned about Asia in

1 social studies. She hasn't learned anything
2 about Asian-Americans in America.

3 So it is time for us to advance this
4 curriculum. This is the only way for the
5 Asian Americans we can stop being treated
6 differently or to avoid discrimination or being
7 seen as a forever outsider.

8 So I proudly vote aye. And thank
9 you, Senator Liu.

10 ACTING PRESIDENT COONEY: Senator
11 Chu to be recorded in the affirmative.

12 Announce the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT COONEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1117, Assembly Bill Number 6811C, by
18 Assemblymember Tapia, an act to amend the
19 Public Authorities Law.

20 ACTING PRESIDENT COONEY: Read the
21 last section.

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

24 ACTING PRESIDENT COONEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT COONEY: Senator
3 Borrello to explain his vote.

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

6 Now, this is called the Lithium-Ion
7 Battery Safety Program, correct? And I think
8 that's a wonderful idea. But I think there's an
9 unintended consequence we need to be aware of.

10 This basically says that NYSERDA is
11 going to replace batteries for free. There's no
12 limit on this. We also have a rebate if you buy
13 even a used electric bike. So we could create a
14 little cottage industry of folks that are going
15 to buy a used bike, get the rebate, get the free
16 battery, turn around, sell it on the market.
17 There's no limit -- there could be thousands upon
18 thousands of these things at taxpayer expense
19 that are going to be out there.

20 I just think that that's a loophole
21 that might be played, and we should be very
22 conscious of that.

23 So I'm voting no. Thank you.

24 ACTING PRESIDENT COONEY: Senator
25 Borrello to be recorded in the negative.

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar Number 1117, those Senators voting in
4 the negative are Senators Ashby, Borrello,
5 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
6 Lanza, Martins, Mattera, Murray, Oberacker,
7 O'Mara, Ortt, Rhoads, Stec, Tedisco, Weber and
8 Weik.

9 Ayes, 43. Nays, 18.

10 ACTING PRESIDENT COONEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1122, Senate Print 8659, by Senator Brouk, an act
14 to establish a Black youth suicide prevention
15 task force.

16 ACTING PRESIDENT COONEY: Read the
17 last section.

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

21 ACTING PRESIDENT COONEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT COONEY: Senator
25 Brouk to explain her vote.

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

3 I rise to give a somber reminder.
4 The heartbreaking reality is that suicide is the
5 second-leading cause of death for young people in
6 America between the ages of 10 and 24. And the
7 suicide rate among Black youth is increasing
8 faster than any other racial or ethnic group. In
9 fact, nationwide the suicide rate among Black
10 youth age 10 to 17 increased by 144 percent
11 between 2007 and 2020.

12 When you imagine for a Black LGBTQ
13 youth, they face compounding discrimination and
14 compounding risks for suicide as well.

15 The CDC even finds that high levels
16 of community and police violence result in racial
17 trauma that further adds risk factors for Black
18 youth suicide.

19 This legislation would help ensure
20 that we here in New York at least are doing all
21 that we can to address the issue in a focused and
22 dedicated manner.

23 We owe it to Black families across
24 our state to do better. This legislation to
25 create a Black youth suicide task force will

1 allow us to better understand the causes of Black
2 youth suicide so that we not only prevent these
3 suicide attempts from happening, but we also
4 connect so many young people with the care and
5 resources they deserve.

6 I proudly vote aye.

7 ACTING PRESIDENT COONEY: Senator
8 Brouk to be recorded in the affirmative.

9 Senator Helming to explain her vote.

10 SENATOR HELMING: Thank you,
11 Mr. President.

12 We have two suicide prevention task
13 force bills on our agenda today, and I am
14 supporting both of them. But I would be remiss
15 if I didn't bring up that there's a third bill
16 that should be on this agenda as well.

17 As a member of the Legislative
18 Commission on Rural Resources and as a member who
19 represents a predominantly rural area, the third
20 bill is a suicide prevention task force that
21 would examine, evaluate and determine how to
22 prevent suicides among our youth and adults
23 living in rural communities, where oftentimes
24 there are so many challenges accessing services,
25 et cetera.

1 So we still have a couple of weeks
2 left in session, and I'm hoping the Majority will
3 certainly agree that it is important that we also
4 bring the rural suicide prevention bill to the
5 floor.

6 Thank you, Mr. President. I vote
7 aye.

8 ACTING PRESIDENT COONEY: Senator
9 Helming to be recorded in the affirmative.

10 Announce the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT COONEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1123, Assembly Bill Number 9337, by
16 Assemblymember Taylor, an act to amend the
17 Executive Law.

18 ACTING PRESIDENT COONEY: Read the
19 last section.

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

22 ACTING PRESIDENT COONEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT COONEY: Senator

1 Cleare to explain her vote.

2 SENATOR CLEARE: Thank you,
3 Mr. President.

4 Senate District 30 has tragically
5 suffered a number of tragedies caused by
6 lithium-ion battery fires. In fact, earlier this
7 year, in the middle of winter, in the Hamilton
8 Heights portion of my district, the New York City
9 Fire Department responded to a lithium-ion
10 battery fire to rescue three people dangling from
11 a window -- with a rarely used rope method that,
12 thank God, was able to bring those three down
13 safely. But sadly, one person perished in this
14 fire, and it injured nearly 20 people.

15 This is just one of dozens of
16 examples in my Senate district and in so
17 many others across New York City and state that
18 underscore the fact that we need to take
19 thoughtful, thorough and collective action to
20 minimize and mitigate the likelihood of new fires
21 by increasing safety awareness, training and
22 outreach.

23 Fortunately, today we passed
24 nine bills in a package that will make a manifest
25 difference in our communities. This package

1 includes four bills that I am the primary sponsor
2 of, and I'm thankful to my colleagues for voting
3 aye on those bills.

4 ACTING PRESIDENT COONEY: Senator
5 Cleare to be recorded in the affirmative.

6 Announce the results.

7 THE SECRETARY: In relation to
8 Calendar 1123, voting in the negative:
9 Senator Stec.

10 Ayes, 60. Nays, 1.

11 ACTING PRESIDENT COONEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1152, Senate Print 5537A, by Senator May, an act
15 to amend the Election Law.

16 ACTING PRESIDENT COONEY: Read the
17 last section.

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

20 ACTING PRESIDENT COONEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT COONEY: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 1152, those Senators voting in the
2 negative are Senators Ashby,
3 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
4 Martins, Mattera, Murray, Oberacker, O'Mara,
5 Ortt, Rhoads, Tedisco and Weik.

6 Ayes, 47. Nays, 14.

7 ACTING PRESIDENT COONEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1159, Assembly Bill Number 6738A, by
11 Assemblymember Tague, an act to amend the
12 Criminal Procedure Law.

13 ACTING PRESIDENT COONEY: Read the
14 last section.

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

17 ACTING PRESIDENT COONEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT COONEY: Announce
21 the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT COONEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1167, Senate Print 2776A, by Senator Rivera, an
2 act to amend the Public Health Law.

3 ACTING PRESIDENT COONEY: Read the
4 last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect on the 60th day after it
7 shall have become a law.

8 ACTING PRESIDENT COONEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT COONEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT COONEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1190, Senate Print 3512A, by Senator May, an act
18 in relation to authorizing Christopher Walser to
19 take the competitive civil service examination.

20 ACTING PRESIDENT COONEY: There is
21 a home-rule message at the desk.

22 Read the last section.

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

25 ACTING PRESIDENT COONEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT COONEY: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 1190, voting in the negative:
7 Senator Brisport.

8 Ayes, 60. Nays, 1.

9 ACTING PRESIDENT COONEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1193, Senate Print Number 4520A, by
13 Senator Stewart-Cousins, an act in relation to
14 authorizing Lawrence Ecker to receive certain
15 service credit with the New York State and Local
16 Employees' Retirement System.

17 ACTING PRESIDENT COONEY: Read the
18 last section.

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

21 ACTING PRESIDENT COONEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT COONEY: Announce
25 the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT COONEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1195, Senate Print 5291A, by Senator Skoufis, an
6 act granting retroactive Tier IV status in the
7 New York State and Local Employees' Retirement
8 System to Dana Kerstanski.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

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

13 ACTING PRESIDENT COONEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT COONEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT COONEY: The bill
20 is passed.

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

23 SENATOR GIANARIS: I believe we
24 have a supplemental calendar.

25 Can we please take that up.

1 ACTING PRESIDENT COONEY: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number
4 1116, Senate Print 6660, by Senator Martinez, an
5 act in relation to authorizing a study on
6 lithium-ion battery fires and prevention.

7 ACTING PRESIDENT COONEY: Read the
8 last section.

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

11 ACTING PRESIDENT COONEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT COONEY: Senator
15 Rhoads to explain his vote.

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

18 I will be voting aye on this bill.
19 I voted aye on eight of the nine bills that were
20 part of this package.

21 Perhaps the most significant part of
22 the package of bills, though, is the bill that
23 should have come first, which is this bill by
24 Senator Martinez. And I want to thank her for
25 bringing it.

1 As a volunteer firefighter myself,
2 we can attest to the fact of how difficult
3 lithium-ion battery fires are to put out. And
4 every single member here that has spoken today on
5 this package of bills has emphasized the fact
6 that these lithium-ion batteries are so
7 incredibly dangerous, the fires are so intense,
8 the damage that they cause is also so intense,
9 that we've had over 150 fires so far this year.
10 You've had 23 deaths in the City of New York by
11 itself in 2023; you've had more this year.

12 The difficulty that I have, and
13 something that we continue to do in this chamber,
14 is that -- and I voted for these bills because
15 it's sort of a shotgun approach. Right? We
16 haven't done the study bill first that would help
17 identify some solutions so that we're actually
18 not just having a scattered approach on how we
19 can try and solve this problem.

20 But what we continue to do is create
21 incentives, bill after bill that creates rebate
22 programs or creates incentives to put these
23 e-bikes with these lithium-ion batteries, into
24 more and more homes where they're causing damage.

25 Perhaps what we should be doing is

1 actually pumping the brakes on lithium-ion
2 batteries. We should be banning the sale of
3 e-bikes until we have this study bill completed
4 so that we can actually stop the problem, pause,
5 find the solutions, enact the legislation, and
6 then move forward.

7 So I will be supporting this study
8 bill. Again, I want to thank Senator Martinez
9 for bringing it. But we should really be
10 reevaluating -- in addition to trying to solve
11 this problem, we should be reevaluating the steps
12 that we're taking making the problem worse in the
13 interim.

14 Thank you, Mr. President.

15 ACTING PRESIDENT COONEY: Senator
16 Rhoads to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT COONEY: The bill
20 is passed.

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

23 SENATOR GIANARIS: Mr. President, I
24 have a few motions, so if we can return to
25 motions.

1 On behalf of Senator Skoufis, on
2 page 33 I offer the following amendments to
3 Calendar 704, Senate Print 3502A, and ask that
4 said bill retain its place on the Third Reading
5 Calendar.

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

9 SENATOR GIANARIS: On behalf of
10 Senator Liu, on page 47 I offer the following
11 amendments to Calendar 946, Senate Print 7801,
12 and ask that said bill retain its place on
13 Third Reading Calendar.

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

17 SENATOR GIANARIS: On page 60 I
18 offer the following amendments to Calendar 1084,
19 Senate Print 9019, and ask that said bill retain
20 its place on Third Reading Calendar.

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

24 SENATOR GIANARIS: On behalf of
25 Senator Harckham, I wish to call up Senate

1 Print 5620A, recalled from the Assembly, which is
2 now at the desk.

3 ACTING PRESIDENT COONEY: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number
6 343, Senate Print 5620A, by Senator Harckham, an
7 act to amend the Executive Law.

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

10 ACTING PRESIDENT COONEY: Call the
11 roll on reconsideration.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT COONEY: The bill
15 is restored to its place on the Third Reading
16 Calendar.

17 SENATOR GIANARIS: I offer the
18 following amendments.

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

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

24 ACTING PRESIDENT COONEY: There is
25 no further business at the desk.

1 SENATOR GIANARIS: Move to adjourn
2 until tomorrow, Wednesday, May 22nd, at 3:00 p.m.

3 ACTING PRESIDENT COONEY: On
4 motion, the Senate stands adjourned until
5 Wednesday, May 22nd, at 3:00 p.m.

6 (Whereupon, at 4:54 p.m., the Senate
7 adjourned.)

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