NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 25, 2025

3:24 p.m.

REGULAR SESSION

SENATOR JEREMY COONEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT COONEY: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT COONEY: The reading of the Journal.

THE SECRETARY: In Senate, Monday, March 24, 2025, the Senate met pursuant to adjournment. The Journal of Friday, March 21, 2025, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Mr. President.

I move to adopt the Resolution Calendar, with the exceptions of Resolutions 558 and 569.

ACTING PRESIDENT COONEY: All those in favor of adopting the Resolution Calendar, with the exception of Resolutions 558 and 569, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay.

(No response.)

ACTING PRESIDENT COONEY: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Let's now begin with Resolution 558, by Senator Baskin, read that resolution's title, and recognize Senator Baskin.

ACTING PRESIDENT COONEY: The

Secretary will read.

THE SECRETARY: Resolution 558, by Senator Baskin, commemorating the 100th Anniversary of "The Buffalo Criterion."

ACTING PRESIDENT COONEY: Senator Baskin on the resolution.

SENATOR BASKIN: Thank you, Mr. President.

And thank you, colleagues, for hearing me out this afternoon as I rise with great pleasure for the 100 years -- and counting -- that the Black press has been a force of change, truthfully reporting stories about communities that were often met with indifference by white-owned media or totally ignored.

And when I mention this 100 years of Black press, the century-old history of its storytelling, I am proud to say that Buffalo, New York's own Buffalo Criterion newspaper is celebrating a milestone this year as well.

For 100 years the Merriweather family has owned and operated this weekly publication, which informs and supports the community with information spanning the world, our state, and the City of Buffalo, founded in

1925 by the first Frank E. Merriweather, who was a graduate of Tuskegee Institute who was forced to get a degree in journalism because at that time, as a Black man, he was not allowed to get a degree without getting a degree or studying in several areas.

He would later move to Buffalo, New York, and in 1925 began the Criterion News.

I was honored last week to welcome the Criterion's new owner, Frank E. Merriweather III, his daughter Khadija Merriweather, and her son Nehemiah Merriweather, who traveled from Buffalo to join us in celebrating Black Press Day.

And I want to thank the Merriweather family for shining a light on the role that Black America has played in this country and throughout our city.

We are fortunate to have quality Black-led media outlets that can communicate critical information to residents, educating and enlightening readers and listeners without the threat of censorship or bias. The Buffalo Criterion's 100th birthday is a story indeed worth telling.

I want to wish The Buffalo Criterion another 100 years of success. I want to thank the Black Legislative Task Force for leading and celebrating Black Press Day last week.

And for us all to remember that telling stories, especially those that are often untold, and uplifting the voice of the silenced helps our country and our communities thrive.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Baskin.

The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay.

(No response.)

ACTING PRESIDENT COONEY: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Next up, Mr. President, is just previously adopted Resolution 570, by Senator Ramos. Please read that resolution's title and recognize Senator Ramos.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 570, by Senator Ramos, commemorating the 114th Anniversary of the Triangle Shirtwaist Factory Fire on March 25, 2025.

ACTING PRESIDENT COONEY: Senator Ramos on the resolution.

SENATOR RAMOS: Thank you, Mr. President.

I know many of you already know my story. Both of my parents are formerly undocumented immigrants from Columbia. My father was a printing pressman, my mom was a seamstress. And that makes today's resolution very special to me and to many families like mine.

To my family, the history of the Jewish, Italian and Irish immigrants who came to New York at the start of the 20th century is more than just something in textbooks -- it's our story too. Our city, our state, and this entire country were built by enslaved people, immigrants and workers. That's a beautiful story in ways. But it's also one with many dark chapters.

And one of the most painful parts of

that American history came on March 25, 1911, when a fire raged at the Triangle Shirtwaist Factory in Manhattan. One hundred forty-six of the mostly Jewish and Italian immigrants who worked at the factory died that day. Most of them were immigrant women. They were seamstresses, just like my mother.

Those workers did not have to die. They were trapped in the flames because the doors had been padlocked by anti-union employers. There was no way to put the fire out because water buckets were left empty, and the fire department in New York City at the time didn't have ladders that went all the way up to those floors.

The factory owners had claimed their building was fireproof when clearly it wasn't. And worst of all, the owners allowed only one exit.

Survivors were haunted for decades by memories of people jumping out of the windows and slamming against the locked doors. Firefighters who showed up to battle the blaze were crying in the streets.

But this tragedy wasn't all for

nothing. In the wake of this awful fire, unions worked together with the people in this room back then to press for meaningful reforms that helped make workplaces safer. It was this Legislature that delivered some measure of accountability after the Triangle Shirtwaist fire.

Our predecessors knew we had the power to give workers and their families a better life. They showed that when big business wouldn't stand up for the people, we would have to step up and do the right thing.

Now, 114 years later, we see so much of what we've won under attack by the current presidential administration. The Trump administration revised rules determining eligibility for overtime pay, excluding approximately 8.2 million workers, and resulting in an annual loss of $1.2 billion in earnings.

Just earlier this month, the current presidential administration lowered the minimum wage for federal contractors, impacting employees such as janitors and food service workers. Led by Elon Musk, DOGE executed the mass firing of federal employees with nearly 25,000 workers dismissed and later ordered to be rehired

following a court ruling.

Trump nominated individuals with records of opposing labor protections to key positions. They reduced the number of OSHA inspectors to historic low levels and lessened penalties for companies failing to report violations.

President Trump issued executive orders aimed at degrading the rights of federal-sector employees and undermining union activities. And in an unprecedented move, he fired National Labor Relations Board member Gwynne Wilcox, the first Black woman to serve on the board, which was seen as an attack on workers and the rule of law.

Mr. President, I can go on and on with what the attack on workers looks like today. And I plead to my colleagues that this year and every year we continue to stand up for workers to make sure that they're protected, that they're bringing home a whole week's pay, and that we're able to rebuild a middle class in this country that is inclusive of every single type of New Yorker that calls this great state home.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Ramos.

Senator Stavisky on the resolution.

SENATOR STAVISKY: Yes, thank you, Mr. President.

Thank you, Senator Ramos, for speaking up for the working men and women in our country as well as our state.

One of our former colleagues used to get up every year on this resolution. And since he's no longer here, I want to echo what Senator Serph Maltese used to talk about, because he was a close relative of somebody who perished in that fire.

And this continued each year, and I'm glad that we recognize the events of history that have changed our lives in a positive way.

So thank you, Mr. President. And I speak for Senator Maltese.

ACTING PRESIDENT COONEY: Thank you, Senator Stavisky.

Senator Chris Ryan on the resolution.

SENATOR CHRIS RYAN: Thank you. Thank you, Mr. President.

You know, it's really important to remember today about the 146 mostly young women that lost their lives, that perished, burned to death. And it's important to know that those tragic deaths weren't in vain.

But I kind of think one of the consequences of this fire -- if you remember, if you've seen the poster, right, it says "A Movement Born Out of Fire."

And what this tragic event did is it sparked not only a movement of progressive ideas and shaped some political ideologies, but also shaped a lot of impactful and very meaningful standards such as OSHA. The Triangle Shirtwaist Factory fire paved the way for OSHA standards, 38 new labor laws, setting a precedent for state and federal reforms.

And, you know, we just have to remember that. And now we can't go backwards. We have to continue to maintain those standards, wage standards. As a labor leader, I've always stuck up for labor, I'll always be labor. And we have to remember that tragic events like this have paved the way, and it's mindful that we can't go back.

And just remember, going forward, a lot of our rollbacks Senator Ramos talked about with the NLRB -- we just have to maintain our standards of living.

So thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Ryan.

The resolution was adopted today.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, let me remind my colleagues that the resolution process should not be a vehicle to address policy disputes outside the scope of the resolution itself. So let's please keep our comments on the issue that we are honoring and commemorating.

Next up is previously adopted Resolution 512, by Senator Murray. Please read that resolution's title and recognize Senator Murray.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 512, by Senator Murry, congratulating Zariel Macchia upon the occasion of capturing the 2025 New York State Public High School Athletic Association

High School Indoor Track Championship in the 3,000-meter race.

ACTING PRESIDENT COONEY: Senator Murray on the resolution.

SENATOR MURRAY: Thank you, Mr. President. I'm very proud to sponsor this resolution honoring one of the most impressive high school athletes in New York State.

Earlier this month, William Floyd High School Senior Zariel Macchia won her second career indoor state title in the 3,000 meters, setting a new national best time of 9 minutes, 21.73 seconds. Just so we know, 3,000 meters is 1.86 miles. So she ran that in under 10 minutes.

That's not all she did that day. After her championship record-setting race in the 3,000 meters, she finished third in the 1,000 meters, just 3 milliseconds shy of second place. She then ran the anchor leg for Suffolk County in the 1500-meter relay race, which they won in 10 minutes and 2.06 seconds. I'm exhausted just reading this.

Zariel has been a state champion throughout her high school career. She won the State Cross-Country Championship in '22 and '24;

was Cross-Country Federation Champion in 2023 and 2024, and is a three-time Gatorade Athlete of the Year: 2022 and 2023 for cross-country, and in 2024 for track and field.

In addition to all of her athletic achievements, Zariel is also heavily involved in many other school and nonschool activities, including the Science Honor Society.

After graduation, Zariel is going to continue her track and field career at Brigham Young University -- a university in the Sweet 16, I might add. And I would not be surprised at all to hear her name on the podium at the 2028 Olympics in Los Angeles or even in 2032.

Zariel is an impressive student athlete who is a credit to her family, a credit to her school, her community, the 3rd State Senate District, and all of New York State.

We wish her all the best in the future. Congratulations, Zariel.

ACTING PRESIDENT COONEY: Thank you, Senator Murray.

The resolution was adopted on March 18th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, I have some motions here.

Amendments are offered to the following Third Reading Calendar bills:

By Senator Scarcella-Spanton, on page 8, Calendar 191, Senate Print 2068.

And by Senator Addabbo, on page 14, Calendar 334, Senate Print 3579.

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

Senator Gianaris.

SENATOR GIANARIS: On behalf of Senator Skoufis, I wish to call up Senate Print 228, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 166, Senate Print 228, by Senator Skoufis, an act to amend the Real Property Law.

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

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

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

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT COONEY: The amendments are received.

SENATOR GIANARIS: Mr. President, I should have mentioned it earlier, but today's resolution sponsors would like to open them up for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Please take up the calendar.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number

186, Senate Print 2305, by Senator Krueger, an act to amend the Civil Practice Law and Rules.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: Lay it aside.

THE SECRETARY: Calendar Number 200, Senate Print 2555, by Senator Comrie, an act to amend the Public Authorities Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 217, Senate Print 3198, by Senator Hoylman-Sigal, an act in relation to requiring the Division of Housing and Community Renewal to calculate the period of rent reduction.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 217, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 22.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 296, Senate Print 2437, by Senator Krueger, an act to amend the Election Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 296, voting in the negative: Senator Walczyk.

Ayes, 60. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 361, Senate Print 2551, by Senator Myrie, an act to amend the Penal Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 361, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 41. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 416, Senate Print 3632, by Senator Fernandez, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 421, Senate Print 4964, by Senator Bailey, an act to amend the Insurance Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 429, Senate Print 3569, by Senator Cleare, an act to amend the Public Housing Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: If members could indicate their votes, please.

Announce the results.

THE SECRETARY: In relation to Calendar 429, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Scarcella-Spanton, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 22.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 459, Senate Print 5275, by Senator Bailey, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 461, Senate Print 3571, by Senator Cleare, an act in relation to naming a certain state facility after Willie Mae "Goody" Goodman.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 462, Senate Print 4775, by Senator C. Ryan, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 474, Senate Print 3443, by Senator Harckham, an act to amend the Executive Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT COONEY: The bill is passed.

SENATOR GIANARIS: Mr. President, I think Senator Fahy wanted to explain her vote on that bill, if we could make the accommodation and give her two minutes to do so.

ACTING PRESIDENT COONEY: Senator Fahy to explain her vote.

SENATOR FAHY: Thank you.

I rise today in support of this bill designating March 25th as the National Medal of Honor Day -- or as the State Medal of Honor Day.

I'm proud to support this. It's now more important than ever that we honor our veterans and particularly those who have been Medal of Honor awardees.

Just today we had a press event to honor one of our local legendary Medal of Honor winners, and that is Sergeant Henry Johnson. He served in World War I, and it took almost a century of work, a lot through the efforts of Senator Schumer, actually, in the last couple of decades, and to honor and right a wrong on when he had not even been given a Purple Heart.

We also learned -- part of the reason we held that is today we learned that there was a sudden disappearance of the website

giving the story of Sergeant Henry Johnson, because a military base in Louisiana had been named after him in 2001 after the National Defense Authorization Act had brought together a bipartisan effort to rename some of the military bases.

Just a brief thing about -- a brief background on Sergeant Henry Johnson. In 1918, in World War I, he was awarded this Medal of Honor because of holding off over a dozen German -- a German raiding party. And it was rather miraculous in terms of who he helped to save. It was part of the 369th Infantry Regiment. He received France's highest medal of Honor at that time in 1918 for his bravery, but, again, it took almost a hundred years for him to be recognized in this country.

He was also seriously wounded, with 21 injuries. And I just want to make sure that we have it in the record today because there is such a serious concern that there may be an effort underway to erase or downplay his extraordinary heroism at a time when he had to serve in a Black military infantry unit referred to as the "Harlem Hellfighters."

And we want to make sure that there will be no rewriting of history given all the wrongs that took decades to right. And hope that we will see his history continue to be honored.

Thank you again.

ACTING PRESIDENT COONEY: Senator Fahy to be recorded in the affirmative.

Senator Scarcella-Spanton to explain her vote.

SENATOR SCARCELLA-SPANTON: Thank you, Mr. President.

And thank you, Senator Harckham, for introducing this bill that ensures New York recognizes this important day.

Today we're recognizing Medal of Honor Day here in New York State, a day to honor the extraordinary bravery and sacrifice of our nation's most decorated heroes. The Medal of Honor is our nation's highest military award, presented for acts of valor above and beyond the call of duty.

As the chair of the Veterans Committee, it is a privilege to be able to speak on this legislation. My husband, who deployed with the 4th ID to Afghanistan, deployed with

Captain Flo Groberg, a Medal of Honor recipient and Fort Carson soldier. In 2012 Flo rushed in, risking his own life to stop a suicide bomber -- an act of unimaginable bravery.

His history is a reminder that behind every Medal of Honor recipient is a human being with a story that must be told.

Today we honor them all, and I proudly vote aye.

ACTING PRESIDENT COONEY: Senator Scarcella-Spanton to be recorded in the affirmative.

The bill is passed.

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

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

ACTING PRESIDENT COONEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 186, Senate Print 2305, by Senator Krueger, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT COONEY: Senator Lanza, why do you rise?

SENATOR LANZA: Mr. President, I believe there is an amendment at the desk. I waive the reading of that amendment and ask that you recognize Senator Canzoneri-Fitzpatrick.

ACTING PRESIDENT COONEY: Thank you, Senator Lanza.

Upon review of the amendment, and in accordance with Rule 6, Section 4B, I rule it nongermane and out of order at this time.

SENATOR LANZA: Accordingly, Mr. President, I appeal the ruling of the chair and ask that you recognize Senator Canzoneri-Fitzpatrick to be heard on that appeal.

ACTING PRESIDENT COONEY: The appeal has been made and recognized, and we recognize Senator Canzoneri-Fitzpatrick to be heard.

SENATOR CANZONERI-FITZPATRICK: Thank you, Mr. President.

The amendment at the desk is germane to the bill-in-chief because they both deal with court system and evidentiary procedure.

The amendment would repeal the changes to discovery law passed in 2019. We have seen disastrous implications that these so-called

criminal justice reforms have made in our communities since these laws have been passed.

Bail reform created a revolving door system to our criminal justice system, and discovery reform has placed undue burdens on our district attorneys and prosecutors. And it has created a system where defense attorneys capitalize on technicalities to allow cases to be dismissed.

We have had some disastrous, disturbing statistics. Discovery -- prior to when discovery reform was passed in 2019, conviction rates for domestic violence cases was approximately 31 percent, and today it's down to 6 percent. What do we tell those victims, that their crime is something that we can't prosecute due to a technicality?

Three out of five domestic violence cases in New York City are dismissed, and overall there has been a 455 percent increase in forced dismissals since 2019.

While the average New Yorker might be shocked at the increase of criminal charges being dropped and cases being dismissed, members of our conference, law enforcement and our DAs

have raised these concerns. We raised them before this legislation was passed, and we unfortunately cannot get the attention of the Legislature to change these rules. It's certainly been a priority that I've discussed.

And therefore, Mr. President, I strongly urge that you rule that this amendment is germane and ask for a vote in favor of this amendment.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator.

I want to remind the house that the vote is on the procedures of the house and the ruling of the chair.

Those in favor of overruling the chair, signify by saying aye.

(Response of "Aye.")

SENATOR LANZA: Show of hands.

ACTING PRESIDENT COONEY: A show of hands has been requested and so ordered.

Announce the results.

THE SECRETARY: Ayes, 22.

ACTING PRESIDENT COONEY: The ruling of the chair stands, and the bill-in-chief

is before the house.

Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Palumbo to explain his vote.

SENATOR PALUMBO: Thank you, Mr. President.

With respect to the bill-in-chief, confessions of judgment are used often in private lending. This is something that lawyers use all the time in exchange for not having to sue someone in the event there's a nonpayment.

So for example, if someone loans $50,000 for the purposes of an investment, starting a new business -- usually the parties will know each other -- the lawyers will draft a promissory note and then ultimately have that person sign a confession of judgment, which is good for three years.

This bill bans every confession of judgment under $5 million. So this deals

actually with the little guy. It's completely counterintuitive to what I believe the sponsor is trying to achieve. Because now you have the inability for someone to just simply file a confession of judgment and then go after their assets in exchange for that note. The lender isn't going to lend the money.

So if I need $50,000 to start my new business, to get it going, that I promise to pay back, I'm just not going to give it to you, because I'm not going to sue you in Supreme Court for a failure to pay, go through thousands and thousands of dollars in legal fees and years of time and expense to get to trial to finally get the judgment so I can get my money back.

So this is a very useful tool. And again, it's a confession of judgment. This is an agreement between the parties. This isn't a judgment that is imposed by somebody, this is a deal that we're injecting ourselves into the middle of it.

This is not a very good bill. In fact, it's completely counter to what I -- as I mentioned, I believe the sponsor is trying to achieve.

As a result, I'm voting in the negative, and I urge my colleagues to do the same.

ACTING PRESIDENT COONEY: Senator Palumbo to be recorded in the negative.

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you very much.

I appreciate my colleague's response on the bill. I have to disagree.

This is a law that would make our practices in New York consistent with most states in the country. The concept that a private individual or a small business would go into some kind of deal where then whoever they owed money to could go to a court, get a confession of judgment -- without even letting me know, giving me an opportunity to have my day in court to say none of this is valid -- is an opportunity for consumers and small businesses to be ripped off by those with larger assets than them, and lawyers.

And frankly, we should not allow this. This is good consumer protection law that most states are following. And we already

changed our law for larger companies a few years ago, and out-of-state companies. And we should have the same rights for the consumers and small businesses in our state.

And I ask my colleagues to vote yes.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Senator Krueger to be recorded in the affirmative.

Senator Sanders to explain his vote.

SENATOR SANDERS: I want to congratulate Senator Krueger for this.

The confessions of judgment have been misused, as documented in the Wall Street Journal, I believe, of roughly a year and a half ago -- have been terribly misused.

And I am very grateful that she is moving and that we will see some end to this abuse. I proudly join her in this.

Thank you, sir.

ACTING PRESIDENT COONEY: Senator Sanders to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 186, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick,

Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 22.

ACTING PRESIDENT COONEY: The bill is passed.

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

SENATOR GIANARIS: Mr. President, is there any further business at the desk?

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Wednesday, March 26th, at 3:00 p.m.

ACTING PRESIDENT COONEY: On motion, the Senate stands adjourned until Wednesday, March 26th, at 3:00 p.m.

(Whereupon, at 3:59 p.m., the Senate adjourned.)