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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 2, 2025

3:28 p.m.

REGULAR SESSION

SENATOR JEREMY 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: Rabbi  
9 Yaacov Behrman is here, from the Chabad World  
10 Headquarters in Brooklyn, New York, and he will  
11 deliver today's invocation.

12 Rabbi, please.

13 RABBI BEHRMAN: Thank you.

14 Almighty God, Sovereign of the  
15 universe, we stand before You today seeking Your  
16 blessing upon the members of the New York State  
17 Senate and upon all who call New York home.

18 We find ourselves in a time of  
19 unprecedented uncertainty -- our world deeply  
20 divided, wars and conflict continue to shatter  
21 lives across the globe.

22 In the face of such darkness, bless  
23 and empower us to make acts of goodness and  
24 kindness not just occasional gestures, but an  
25 integral part of our daily lives.

1                   Guide us with wisdom to heed the  
2 teachings of the righteous leaders who have paved  
3 the path of goodness before us. May their faith,  
4 wisdom and deeds continue to inspire us.

5                   That is the Lubavitcher Rebbe way.

6                   My Rebbe, the Lubavitcher Rebbe, was  
7 once asked: What does the world need most? He  
8 was a man who had survived World War II while  
9 many in his family and community were killed by  
10 the Nazis.

11                   Yet the Rebbe responded: "We must  
12 all do something additional in the realm of the  
13 goodness and kindness."

14                   Maimonides taught that a single act  
15 has the power to tip the scales and changed  
16 course of history.

17                   Almighty God, bless us with the  
18 strength to act routinely in kindness. Help us  
19 see beyond our differences to work together,  
20 recognizing that we are all created in Your  
21 image, bound by a shared mission to make the  
22 world a better place.

23                   Beloved God, bless the members of  
24 the New York State Senate and guide their  
25 deliberations so they govern this great state

1 with wisdom and unity, leading with clarity,  
2 compassion, integrity and humility.

3 May our collective acts of goodness  
4 hasten the day when peace will prevail -- a day  
5 we all yearn for.

6 Amen.

7 (Response of "Amen.")

8 RABBI BEHRMAN: Before I step down,  
9 as I mentioned, the Rebbe said that we should  
10 increase acts of goodness and kindness.

11 I'm going to -- I have here an ark.  
12 The ark saved the world once, right? It also  
13 stands for Acts of Routine Kindness. Among this  
14 chamber, actions matter more than words, so I'm  
15 actually going to do an act of routine kindness,  
16 not affiliated with any charity.

17 I left with Senator Myrie arks for  
18 whoever wants -- for your office, for your home,  
19 for your car.

20 Thank you very much.

21 ACTING PRESIDENT COONEY: Reading  
22 of the Journal.

23 THE SECRETARY: In Senate, Tuesday,  
24 April 1, 2025, the Senate met pursuant to  
25 adjournment. The Journal of Friday, March 28,

1 2025, was read and approved. On motion, the  
2 Senate adjourned.

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

5 Presentation of petitions.

6 Messages from the Assembly.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from  
11 state officers.

12 Motions and resolutions.

13 Senator Gianaris.

14 SENATOR GIANARIS: Good afternoon,  
15 Mr. President.

16 On behalf of Senator Gonzalez, I  
17 wish to call up Senate Print 904, recalled from  
18 the Assembly, which is now at the desk.

19 ACTING PRESIDENT COONEY: The  
20 Secretary will read.

21 THE SECRETARY: Calendar Number  
22 141, Senate Print 904, by Senator Gonzalez, an  
23 act to amend the Public Service Law.

24 SENATOR GIANARIS: I move to  
25 reconsider the vote by which this bill was

1 passed.

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

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 55.

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

9 SENATOR GIANARIS: I offer the  
10 following amendments.

11 ACTING PRESIDENT COONEY: The  
12 amendments are received.

13 SENATOR GIANARIS: On behalf of  
14 Senator Comrie, on page 13 I offer the following  
15 amendments to Calendar 350, Senate Print 3799,  
16 and ask that said bill retain its place on the  
17 Third Reading Calendar.

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

21 Senator Gianaris.

22 SENATOR GIANARIS: Please take up  
23 previously adopted Resolution 545, by  
24 Senator Myrie, read its title, and recognize  
25 Senator Myrie.

1                   ACTING PRESIDENT COONEY:    The  
2   Secretary will read.

3                   THE SECRETARY:    Resolution 545, by  
4   Senator Myrie, honoring Rabbi Menachem M.  
5   Schneerson, the Lubavitcher Rebbe, posthumously  
6   upon the occasion of the co-naming of Presidents  
7   Street in Brooklyn, New York, in recognition of  
8   his remarkable life.

9                   ACTING PRESIDENT COONEY:    Senator  
10   Myrie on the resolution.

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

13                  And thank you to Rabbi Behrman for  
14   his invocation today.

15                  This chamber is no stranger to this  
16   resolution that we bring every year in honor of  
17   the Rebbe's birthday.  And we do that again this  
18   year, but it is a special resolution because in a  
19   couple of days we will be renaming  
20   Presidents Street in Crown Heights after the  
21   Rebbe.

22                  And for those of us who have grown  
23   up in this neighborhood, this is a really special  
24   thing.  Because as the Rebbe has always taught,  
25   and as we heard in the invocation, at a time of

1 great division, in a time of great uncertainty,  
2 where we don't have the answers to a lot -- a lot  
3 of complicated things happening in our world --  
4 we can feel very helpless.

5 But all of us know how to smile. We  
6 know how to talk to a stranger. We know how to  
7 give a good gesture. And the Rebbe taught us  
8 that those small acts of kindness, taken  
9 together, is what will transform the world.

10 We're familiar with that in  
11 Crown Heights. Our neighbors that we see every  
12 day, that we shoot a smile to, a kind glance, a  
13 nice gesture, these are things we are used to  
14 doing. And I'm honored that we are going to  
15 memorialize this on Presidents Street, where my  
16 wife happened to be born and raised, for the  
17 whole community to see, for every generation to  
18 know coming forward.

19 So, Mr. President, I thank you for  
20 this opportunity to speak on the resolution.

21 I thank our Majority Leader for  
22 bringing this resolution every year.

23 And I ask all of my colleagues not  
24 just to join me in voting for this resolution,  
25 but join me in acts of kindness in these great

1 times of uncertainty.

2 Thank you, Mr. President.

3 ACTING PRESIDENT COONEY: Thank  
4 you, Senator Myrie.

5 The resolution was adopted on  
6 March 25th.

7 Senator Gianaris.

8 SENATOR GIANARIS: Senator Myrie  
9 would like to open that resolution for  
10 cosponsorship.

11 ACTING PRESIDENT COONEY: The  
12 resolution is open for cosponsorship. Should you  
13 choose not to be a cosponsor of the resolution,  
14 please notify the desk.

15 Senator Gianaris.

16 SENATOR GIANARIS: I move to adopt  
17 the Resolution Calendar.

18 ACTING PRESIDENT COONEY: All those  
19 in favor of adopting the Resolution Calendar  
20 please signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT COONEY: Opposed,  
23 nay.

24 (No response.)

25 ACTING PRESIDENT COONEY: The

1 Resolution Calendar is adopted.

2 Senator Gianaris.

3 SENATOR GIANARIS: Please take up  
4 the reading of the calendar.

5 ACTING PRESIDENT COONEY: The  
6 Secretary will read.

7 THE SECRETARY: Calendar Number  
8 166, Senate Print 228A, by Senator Skoufis, an  
9 act to amend the Real Property Law.

10 ACTING PRESIDENT COONEY: Read the  
11 last section.

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

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: In relation to  
20 Calendar 166, voting in the negative are  
21 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,  
22 Gallivan, Griffo, Helming, Lanza, Martins,  
23 Mattera, Oberacker, O'Mara, Ortt, Palumbo,  
24 Rhoads, Stec, Walczyk and Weik.

25 Ayes, 45. Nays, 17.

1                   ACTING PRESIDENT COONEY:    The bill  
2    is passed.

3                   THE SECRETARY:     Calendar Number  
4    309, Senate Print 2589, by Senator Mayer, an act  
5    to amend the Education Law.

6                   ACTING PRESIDENT COONEY:    Read the  
7    last section.

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

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:     In relation to  
16   Calendar 309, voting in the negative are  
17   Senators Borrello, Canzoneri-Fitzpatrick,  
18   Gallivan, Griffo, Mattera, Oberacker, O'Mara,  
19   Ortt, Rhoads, Stec, Tedisco and Weik.

20                  Ayes, 50.  Nays, 12.

21                  ACTING PRESIDENT COONEY:    The bill  
22   is passed.

23                  THE SECRETARY:     Calendar Number  
24   334, Senate Print 3579A, by Senator Addabbo, an  
25   act to amend Chapter 473 of the Laws of 2010.

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:    Announce  
9    the results.

10                  THE SECRETARY:        In relation to  
11    Calendar 334, voting in the negative are  
12    Senators Brisport, Gonzalez and Martinez.  Also  
13    Senator Krueger.

14                  Ayes, 58.  Nays, 4.

15                  ACTING PRESIDENT COONEY:    The bill  
16    is passed.

17                  THE SECRETARY:        Calendar Number  
18    365, Senate Print 4322, by Senator  
19    Scarcella-Spanton, an act to amend the  
20    Civil Rights Law.

21                  ACTING PRESIDENT COONEY:    Read the  
22    last section.

23                  THE SECRETARY:        Section 2.  This  
24    act shall take effect on the 90th 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:    In relation to  
7    Calendar 365, voting in the negative are  
8    Senators Borrello, Griffo and Lanza.

9                   Ayes, 59.   Nays, 3.

10                  ACTING PRESIDENT COONEY:    The bill  
11    is passed.

12                  THE SECRETARY:    Calendar Number  
13    488, Senate Print 1714, by Senator Brouk, an act  
14    to amend the Public Health Law.

15                  ACTING PRESIDENT COONEY:    Read the  
16    last section.

17                  THE SECRETARY:    Section 5.   This  
18    act shall take effect immediately.

19                  ACTING PRESIDENT COONEY:    Call the  
20    roll.

21                  (The Secretary called the roll.)

22                  ACTING PRESIDENT COONEY:    Senator  
23    Brouk to explain her vote.

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

1 I rise to show my support for this  
2 bill, which concerns excited delirium. After  
3 Daniel Prude tragically lost his life while  
4 experiencing a mental health crisis in Rochester,  
5 and being held down on the ground naked, his  
6 autopsy listed excited delirium as a cause of  
7 death.

8 It has been five years since his  
9 untimely death, and excited delirium, though  
10 widely discredited, is still being cited as a  
11 cause of death for individuals who die in police  
12 custody. Excited delirium has been cited in  
13 numerous violent deaths, including that of  
14 George Floyd.

15 History has shown that the racist  
16 nature of this term is clear. In the years  
17 between 2010 and 2020, Black people accounted for  
18 43 percent of in-custody deaths that's cited  
19 excited delirium, while only representing  
20 13 percent of the U.S. population.

21 Excited delirium only serves to  
22 justify excessive police force and give  
23 law enforcement a reason to excuse these actions.  
24 But we know that excited delirium is rooted in  
25 pseudo-science. It is not a real disease.

1 That's why organizations such as the American  
2 Medical Association and the American Psychiatric  
3 Association have strongly opposed the use of this  
4 term.

5 Several states have banned its use,  
6 including Colorado, California and Minnesota.  
7 And now it's New York's turn.

8 This legislation will promote  
9 accountability, advance criminal justice, and end  
10 a blatantly racist practice that has wreaked harm  
11 on Black individuals.

12 I proudly vote aye, and I encourage  
13 my colleagues to do so.

14 Thank you.

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

17 Announce the results.

18 THE SECRETARY: In relation to  
19 Calendar 488, voting in the negative are  
20 Senators Borrello, Canzoneri-Fitzpatrick, Chan,  
21 Griffo, Helming, Lanza, Martins, Mattera, O'Mara,  
22 Ortt, Rhoads, Stec, Walczyk, Weber and Weik.  
23 Also Senator Gallivan. Also Senator Tedisco.

24 Ayes, 45. Nays, 17.

25 ACTING PRESIDENT COONEY: The bill

1 is passed.

2 ACTING PRESIDENT COONEY: Calendar  
3 Number 508, Senate Print 3193, by  
4 Senator Persaud, an act to amend the  
5 Public Health Law.

6 ACTING PRESIDENT COONEY: Read the  
7 last section.

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

11 ACTING PRESIDENT COONEY: Call the  
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT COONEY: Announce  
15 the results.

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT COONEY: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 515, Senate Print 2097, by Senator Kavanagh, an  
21 act to amend the Environmental Conservation Law.

22 ACTING PRESIDENT COONEY: Read the  
23 last section.

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

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, 62.

7                   ACTING PRESIDENT COONEY:    The bill  
8    is passed.

9                   THE SECRETARY:     Calendar Number  
10   533, Senate Print 5535, by Senator Baskin, an act  
11   to amend the Executive Law.

12                  ACTING PRESIDENT COONEY:    Read the  
13   last section.

14                  THE SECRETARY:     Section 6. This  
15   act shall take effect one year after it shall  
16   have become a law.

17                  ACTING PRESIDENT COONEY:    Call the  
18   roll.

19                  (The Secretary called the roll.)

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

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

24                  This bill expands upon a previous  
25   action by this honorable body to provide language

1 access services in our great state. This bill  
2 will now include all agencies of the state,  
3 whereas previously it only included agencies  
4 directly under the Governor's purview.

5 It also tailors the languages that  
6 will be provided to meet the needs of the  
7 different regions in our great state.

8 In addition to the top 12 languages  
9 of the state, the top three languages that are  
10 prominent in a region will also be included. For  
11 instance, in Western New York where I represent,  
12 some of the most prominent languages include  
13 Burmese, Somali and Swahili.

14 And in all regions and counties  
15 where there isn't a dominant language, only two  
16 languages would need to be provided if they were  
17 not on the list of the top 12 languages.

18 So this bill recognizes the  
19 diversity of New Yorkers, but also that  
20 legislation cannot be one size fits all in our  
21 successful state. It must fit the realities of  
22 each region. And I am happy that this bill does  
23 just that.

24 This bill is not just good for  
25 public service for our residents, but it is also

1 an investment into our residents who are seeking  
2 to be a part of New York's economy. We want  
3 people seeking jobs to be able to navigate the  
4 Department of Labor's job list. And we want our  
5 children, many of whom act as an informal  
6 interpreter for their families, to be able to  
7 focus on school and establish themselves as  
8 first-generation New Yorkers, instead of having  
9 to be pulled out from school to help their  
10 families fill out an application or speak with a  
11 caseworker during an appointment.

12 I want to acknowledge all of the  
13 advocates that have pushed for this bill. In  
14 these times, many who speak limited English or  
15 need an interpreter to be heard feel that  
16 government is not here for them, not here to  
17 support them or, even worse, they feel that  
18 government is seeking to punish them.

19 But I hope that this bill instills  
20 some hope and some confidence that we are all  
21 here for you, and you will be respected with  
22 dignity in your preferred language in New York  
23 State.

24 I vote in the affirmative,  
25 Mr. President, and I encourage my colleagues to

1 do the same. Thank you.

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

4 Announce the results.

5 THE SECRETARY: In relation to  
6 Calendar 533, voting in the negative are  
7 Senators Borrello, Canzoneri-Fitzpatrick,  
8 Helming, Martins, Mattera, Ortt, Palumbo, Rhoads,  
9 Stec, Walczyk and Weik. Also -- so Senator Ortt  
10 in the affirmative. Senator O'Mara in the  
11 negative.

12 Ayes, 51. Nays, 11.

13 ACTING PRESIDENT COONEY: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 547, Senate Print 3561, by Senator Cleare, an act  
17 in relation to requiring the Empire State  
18 Development Corporation to study the economic  
19 impact of optimizing and creating kitchen  
20 incubators in New York State.

21 ACTING PRESIDENT COONEY: Read the  
22 last section.

23 THE SECRETARY: Section 4. 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: Senator  
4 Borrello to explain his vote.

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

7 First I want to thank the sponsor,  
8 Senator Cleare, for this. I know it's passed a  
9 few times. I know it made it all the way to the  
10 Governor's desk, where she vetoed this.

11 Let me start off by saying that  
12 operating a restaurant is difficult. Opening a  
13 restaurant is extremely difficult. And knowing  
14 what to do and how to do it is nearly impossible  
15 to guarantee success.

16 That's why these small kitchen  
17 incubators are such a great thing. We want to  
18 promote small local business owners. We want to  
19 promote local foods, local restaurant owners.  
20 And this is the way to do it.

21 In fact, I've seen it happen in my  
22 district. We have a restaurant in the City of  
23 Batavia that operates -- called Eli Fish. They  
24 actually have a kitchen incubator inside their  
25 restaurant. And you can go in and get two

1 different menus, one from Eli Fish and one from  
2 the experimental, if you will, kitchen that has  
3 been producing some amazing foods -- quite  
4 frankly cultural food that we would never get in  
5 rural areas like Western New York.

6           So what I've heard was that we don't  
7 have funding for this. Ladies and gentlemen,  
8 we've got funding for a lot of things. I would  
9 hope that in this budget we could find a little  
10 bit of room to have Empire State Development  
11 devote some money so that we can promote new  
12 businesses, small businesses here in New York  
13 State.

14           I'm proud to be a cosponsor of this  
15 bill. Thank you again, Senator Cleare, for your  
16 leadership.

17           ACTING PRESIDENT COONEY: Senator  
18 Borrello to be recorded in the affirmative.

19           Senator Cleare to explain her vote.

20           SENATOR CLEARE: Yeah, I feel like  
21 I have to. Thank you, Mr. President.

22           You know, the average cost of  
23 installing even the simplest commercial kitchen  
24 can be \$20,000 or more, which is prohibitive for  
25 so many entrepreneurs who have a unique product

1 to bring to the marketplace.

2 So it is proven that shared  
3 commercial kitchens are a viable solution to this  
4 challenge, but we don't have nearly enough of  
5 them, and access is not prioritized to those who  
6 need them the most.

7 So the purpose of this bill is to  
8 require that we study an action plan concerning  
9 the transformative effects of locating and  
10 optimizing small kitchen incubators in public and  
11 private spaces where they can have the most  
12 collective impact.

13 In addition, Empire State  
14 Development is charged with further developing  
15 comprehensive business and advisory services to  
16 fully complement kitchen incubator services, to  
17 help ensure that start-ups have every opportunity  
18 to succeed.

19 I believe that we must be smart and  
20 targeted with our investments in economic  
21 development, and this bill represents the very  
22 best kind of concept, utilizing existing  
23 community partners and proven shared resources to  
24 further the economic and quality of life of all.

25 Thank you.

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

3                   Announce the results.

4                   THE SECRETARY:    In relation to  
5   Calendar 547, voting in the negative are  
6   Senators Martinez and Skoufis.

7                   Ayes, 60.   Nays, 2.

8                   ACTING PRESIDENT COONEY:    The bill  
9   is passed.

10                  THE SECRETARY:    Calendar Number  
11   592, Senate Print 4840, by Senator Fahy, an act  
12   to amend the Lien Law.

13                  SENATOR GIANARIS:    Lay it aside for  
14   the day.

15                  ACTING PRESIDENT COONEY:    The bill  
16   will be laid aside for the day.

17                  THE SECRETARY:    Calendar Number  
18   598, Senate Print 3736, by Senator Comrie, an act  
19   to amend the Public Authorities Law.

20                  ACTING PRESIDENT COONEY:    Read the  
21   last section.

22                  THE SECRETARY:    Section 3.   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: Announce  
3 the results.

4 THE SECRETARY: Ayes, 62.

5 ACTING PRESIDENT COONEY: The bill  
6 is passed.

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

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

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

13 SENATOR GIANARIS: I move to  
14 adjourn until tomorrow, Thursday, April 3rd, at  
15 11:00 a.m.

16 ACTING PRESIDENT COONEY: On  
17 motion, the Senate stands adjourned until  
18 Thursday, April 3rd, at 11:00 a.m.

19 (Whereupon, at 3:50 p.m., the Senate  
20 adjourned.)

21

22

23

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25