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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 14, 2025

3:41 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT MAYER: The Senate
3 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 MAYER: The
9 Reverend Phillip Saywrayne, of Christ Assembly
10 Lutheran Church on Staten Island, New York, will
11 deliver today's invocation.

12 Reverend.

13 REVEREND SAYWRAYNE: Let us pray.

14 We begin the prayer in the name of
15 the Father and of the Son and of the Blessed Holy
16 Spirit.

17 Lord, Holy Father, Almighty Eternal
18 God for Whom comes down every good and perfect
19 gift. With the light of Your truth, we pray Thy
20 merciful goodness You would bestow Your blessings
21 upon members of the New York State Senate
22 assembled here today.

23 That they, including the Governor,
24 may be enlightened with the light of Your
25 knowledge and wisdom to make celebratory

1 unanimous decisions to benefit everyone in the
2 State of New York and even beyond.

3 Lead and guide each of the Senate
4 members for effective governance to ensure good
5 public health and prosperity without causing
6 undue hardship.

7 God, through the eyes of faith, I
8 stand with King David of the Old Testament to
9 say:

10 The Lord is my shepherd; I shall not
11 want. He maketh me to lie down in green
12 pastures. He leadeth me beside the still waters.
13 He restoreth my soul. He leadeth me in the paths
14 of righteousness for His name's sake. Even
15 though I walk through the valley of the shadow of
16 death, I will fear no evil, for You are with me.
17 Your rod and Your staff, they comfort me. You
18 prepare a table before me in the presence of my
19 enemies. You anointeth my head with oil; my cup
20 runneth over. Surely goodness and mercy shall
21 follow me all the days of my life, and I will
22 dwell in the house of the Lord forever, amen.

23 Receive the benediction now. The
24 Lord bless you and keep you. The Lord make His
25 face shine upon you and be gracious unto you.

1 The Lord lift up His countenance upon you and
2 grant you His peace.

3 Amen.

4 (Response of "Amen.")

5 ACTING PRESIDENT MAYER: Reading of
6 the Journal.

7 THE SECRETARY: In Senate, Tuesday,
8 May 13, 2025, the Senate met pursuant to
9 adjournment. The Journal of Monday, May 12,
10 2025, was read and approved. On motion, the
11 Senate adjourned.

12 ACTING PRESIDENT MAYER: Without
13 objection, the Journal stands approved as read.

14 Presentation of petitions.

15 Messages from the Assembly.

16 The Secretary will read.

17 THE SECRETARY: Senator
18 Scarcella-Spanton moves to discharge, from the
19 Committee on Veterans, Homeland Security and
20 Military Affairs, Assembly Bill Number 4751A and
21 substitute it for the identical Senate Bill
22 2623A, Third Reading Calendar 741.

23 Senator Krueger moves to discharge,
24 from the Committee on Insurance, Assembly Bill
25 Number 3795 and substitute it for the identical

1 Senate Bill 698, Third Reading Calendar 919.

2 ACTING PRESIDENT MAYER: So

3 ordered.

4 Messages from the Governor.

5 Reports of standing committees.

6 Reports of select committees.

7 Communications and reports from
8 state officers.

9 Motions and resolutions.

10 Senator Serrano.

11 SENATOR SERRANO: Madam President,
12 I wish to call up the following bills, which were
13 recalled from the Assembly and are now at the
14 desk: Senate Print Number 1194A and Senate Print
15 Number 4188.

16 I move to reconsider the vote by
17 which these bills were passed.

18 ACTING PRESIDENT MAYER: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number
21 402, Senate Print 1194A, by Senator Addabbo, an
22 act to amend the Public Service Law.

23 Calendar Number 364, Senate Print
24 4188, by Senator Comrie, an act to amend the
25 Penal Law.

1 ACTING PRESIDENT MAYER: The
2 Secretary will call the roll on reconsideration.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 57.

5 ACTING PRESIDENT MAYER: The bills
6 are restored to their place on the Third Reading
7 Calendar.

8 SENATOR SERRANO: Madam President,
9 I now offer the following amendments.

10 ACTING PRESIDENT MAYER: The
11 amendments are received.

12 Senator Serrano.

13 SENATOR SERRANO: Please take up --
14 let's move to resolutions. Please take up
15 previously adopted Resolution 940, by
16 Senator Cooney. Please read the resolution title
17 only and recognize Senator Cooney.

18 ACTING PRESIDENT MAYER: The
19 Secretary will read.

20 THE SECRETARY: Resolution 940, by
21 Senator Cooney, commemorating the
22 75th Anniversary of the Indian Constitution on
23 November 26, 2025.

24 ACTING PRESIDENT MAYER: Senator
25 Cooney on the resolution.

1 SENATOR COONEY: Thank you,
2 Madam President.

3 I am introducing this resolution in
4 honor of the 75th anniversary of the
5 Indian Constitution, a time to celebrate
6 Indian independence and the many brave Indians
7 who risked their lives for the betterment of
8 their fellow countrymen.

9 I want to start by recognizing some
10 of the dignitaries that are joining us here on
11 the floor. We are joined by Ambassador Binaya
12 Pradhan, Consul General of the Indian Consulate
13 of New York City; his deputy, Dr. Shruti Pandey,
14 as well as Dr. Vikram Dogra, a prominent leader
15 in our Indian Rochester community.

16 This is a day to be celebrated not
17 just in India, but worldwide. Across the globe
18 Indians are making lasting impacts in their
19 communities. This is an opportunity to join
20 together to celebrate and reflect on our shared
21 history, culture and heritage.

22 For nearly 200 years India was
23 controlled by the British Empire. But due to the
24 perseverance of our people and the leadership of
25 figures like Gandhi, a decades-long struggle for

1 independence finally culminated in Indian
2 independence and the adoption of the constitution
3 on November 25, 1949.

4 This story of resiliency and the
5 fight for self-determination is one of the
6 bonds that ties our two great nations together.
7 It was that desire for civil and political rights
8 that fueled independence movements both in the
9 U.S. and in India, making our countries kindred
10 spirits in the fight for independence and
11 sovereignty.

12 This anniversary also holds a
13 special importance for me personally. As many of
14 my colleagues know in the Senate, I was adopted
15 from an orphanage in Calcutta. And throughout my
16 life I have worked very hard to maintain a strong
17 connection with India and Indians in my
18 community.

19 That connection continues today as
20 we honor the 75th anniversary of the Indian
21 Constitution. Congratulations to Indians across
22 the world who will be celebrating this landmark
23 year. And thank you again to our friends from
24 the Indian Consulate for making the time to join
25 us here in the New York State Senate, and to our

1 Senate Majority Leader, Andrea Stewart-Cousins,
2 for helping me bring forth today's resolution.

3 Madam President, I vote aye.

4 ACTING PRESIDENT MAYER: Thank you,
5 Senator Cooney.

6 Senator Stavisky on the resolution.

7 SENATOR STAVISKY: Yes, thank you,
8 Madam President.

9 And thank you to our leader,
10 Senator Stewart-Cousins, and especially to
11 Senator Cooney.

12 I was struck by what Senator Cooney
13 just said, because our two nations have very much
14 in common. We too were subjects of the British
15 Empire until we broke away.

16 It was mentioned that Gandhi is one
17 of the leaders in the history, in the relatively
18 brief history of independence for India. And we
19 have our own -- we had our own Gandhi, I believe,
20 in my opinion, in Martin Luther King. They both
21 believed in nonviolence and paid a serious price
22 for many of their beliefs.

23 We also share the idea of diversity.
24 That is so important in India, but also in
25 New York City and particularly in the borough

1 that I represent, Queens County.

2 I had the honor of meeting the
3 Consul General last summer at the home of a
4 mutual friend of ours in Jamaica Estates. It was
5 a lovely evening. I remember it very well
6 because they shared their rich cultural
7 tradition, and that is part of the fabric that
8 makes New York City and in fact our country so
9 vibrant. And we face together the problems but
10 also our common bond.

11 So I welcome our friends from the
12 Consul General's office, from India and from the
13 Rochester community, and I hope that you have a
14 productive day.

15 Thank you, Madam President.

16 ACTING PRESIDENT MAYER: Thank you,
17 Senator Stavisky.

18 Senator Liu on the resolution.

19 SENATOR LIU: Thank you,
20 Madam President.

21 I join Senator Stavisky in thanking
22 Senator Cooney on this important resolution.
23 This is the 75th anniversary of their
24 independence, but actually India has been around
25 for thousands of years. In fact, it is often

1 described as the oldest democracy on this planet.
2 And so I'm very fortunate that we have
3 Senator Cooney introducing this resolution.

4 Senator Cooney talks about the
5 contributions of the Indian-American community --
6 in Queens, as Senator Stavisky mentioned, and
7 many other parts of the State of New York. But
8 Senator Cooney himself is a tremendous
9 accomplishment on behalf of the entire community,
10 being the first Asian-American and the first
11 South Asian to be elected north of New York City.

12 And also, if he were not introducing
13 our Ambassador Pradhan and his team today, he
14 might actually very well be presiding over the
15 Senate today.

16 So he is, as we know, a presiding
17 officer of the New York State Senate and really
18 is a testament to what the Indian-American
19 community has done for us here in New York and
20 beyond.

21 Thank you.

22 ACTING PRESIDENT MAYER: Thank you,
23 Senator Liu.

24 Senator Scarcella-Spanton on the
25 resolution.

1 SENATOR SCARCELLA-SPANTON: Thank
2 you, Madam President.

3 And thank you to my friend
4 Senator Cooney for bringing forward this
5 resolution.

6 I just wanted to stand to recognize
7 our wonderful guests. And truly, from the bottom
8 of my heart, I want to thank you for bringing
9 this forward. You are a testament to the
10 Indian community. Standing here before us,
11 you're an inspiration to everybody in this room.

12 And also I am so proud to represent
13 such a blossoming Indian community on
14 Staten Island and in Southern Brooklyn as well,
15 both culturally and community-wise. It's so
16 impressive to see how the community sticks
17 together, and you bring such a richness to
18 everything that you do.

19 So thank you for being here. Thank
20 you again, Senator Cooney. I proudly vote aye.

21 ACTING PRESIDENT MAYER: Thank you.

22 To our guests, representatives of
23 the Consul General's office, of the Indian
24 community, we welcome you on behalf of the
25 Senate. Please enjoy the privileges and

1 courtesies of the house, and please rise and be
2 recognized.

3 (Standing ovation.)

4 ACTING PRESIDENT MAYER: The
5 resolution was previously adopted on May 13th.

6 Senator Serrano.

7 SENATOR SERRANO: Thank you.

8 Please take up previously adopted
9 Resolution 958, by Senator Liu, read the
10 resolution title only, and recognize Senator Liu.

11 ACTING PRESIDENT MAYER: The
12 Secretary will read.

13 THE SECRETARY: Resolution 958, by
14 Senator Liu, welcoming the descendants of the
15 Chinese-American Transcontinental Railroad
16 workers to the legislative chambers in Albany,
17 New York, on May 14, 2025, and recognizing their
18 families' vast contributions to the State of
19 New York.

20 ACTING PRESIDENT MAYER: Senator
21 Liu on the resolution.

22 SENATOR LIU: Thank you,
23 Madam President. And thank you very much for
24 entertaining this resolution.

25 Today is the 156th anniversary of

1 the completion of the United States
2 Transcontinental Railroad. Most of us have
3 learned it's one of the very few items that are
4 taught in public schools that Chinese immigrant
5 laborers were instrumental in, completing this
6 railroad that then spurred over a century of
7 economic growth and prosperity to this entire
8 country from coast to coast.

9 But what, until relatively recently,
10 was not known was how much Chinese-American
11 immigrants actually contributed to this effort.
12 In fact, if you look at the official photos of
13 the ceremony that was conducted once the railroad
14 was actually connected, the final connection,
15 there was not a single Chinese face or Asian face
16 in that photo.

17 Thankfully, a few years ago, one of
18 our famed photographers -- who succumbed to COVID
19 but nonetheless leaves a long legacy behind --
20 Corky Lee, he reenacted that completion of the
21 Transcontinental Railroad, and this time it's
22 historically accurate, where most of the people
23 in the photo are descendants of the actual
24 laborers who completed the railroad for our
25 nation.

1 And so this speaks to the importance
2 of the contributions of Chinese immigrants to the
3 United States. It also speaks to the need to
4 properly teach American history, of which this
5 was an incredible milestone.

6 And so I just wanted to bring this
7 resolution to my colleagues here and also take a
8 chance to recognize some of the people who have
9 joined us in the gallery.

10 First and foremost, Joseph Luo, who
11 is a fifth-generation descendant of a worker who
12 worked on the railroad. Thank you, Mr. Joseph
13 Luo.

14 And also Yihui Rong, the president
15 and the chairman of the American Association of
16 Cantonese.

17 Kevin Liu, president of the MTA
18 Chinese Association.

19 Lu Cunjun, the president of the
20 Zhao Qing Association of America.

21 Dr. Tim Law, founder of Chinese
22 American Social Services.

23 Michael Wu, president of the
24 Hoysun Onfun Singmo School Alumni Association.

25 Michael Huang of the Zhanjiang

1 Association of America.

2 And Joy He and Kaylee Xu, student
3 leaders who helped collect over 1,000 petition
4 signatures across the State of New York for this
5 resolution.

6 Madam President, please recognize
7 them. And thank you very much for this
8 privilege.

9 ACTING PRESIDENT MAYER: Thank you,
10 Senator Liu.

11 Senator Chan on the resolution.

12 SENATOR CHAN: Thank you,
13 Madam President.

14 I want to thank Senator Liu for
15 bringing forth this resolution. You know, it
16 seems like lately a lot of these resolutions have
17 something to do with me, and I kind of feel like
18 Forrest Gump.

19 (Laughter.)

20 SENATOR CHAN: So let's talk about
21 the Chinese laborers in the Transcontinental
22 Railroad. They're called coolie laborers. And
23 the word "coolie," in Chinese, practically means
24 like shanghaied, hijacked, kidnapped. It's also
25 known in China as "selling the piggy."

1 And coincidentally, it's very
2 meaningful to us in my district because a lot of
3 folks up here are from my district, and
4 especially to me too, because I am a direct
5 descendant of one of these coolie laborers. My
6 great-grandfather was here in America building
7 the railroads.

8 I'll tell you a little story. Most
9 of the coolie laborers came from a province in
10 China, a region called Taishan. That's where a
11 lot of my constituents are from, Taishan, and
12 that's where my ancestors are from, Taishan.

13 So a lot of us are descendants of
14 these Taishanese people, and Taishan was the
15 number-one feeder region of coolie laborers to
16 the United States in the 1800s. Some of my
17 distant cousins still live in Idaho and
18 California today, as well as Wyoming.

19 When people talk about coolie
20 laborers and the railroads, they often think of
21 California, they think about the Gold Rush.
22 Nobody ever talks about the Union Pacific in
23 Wyoming, Council Bluffs. But today I want to
24 tell a little story about a place in wild
25 Wyoming Territory called Rock Springs.

1 On September 2, 1885, happened the
2 Rock Springs Chinese massacre, where angry white
3 men, Finnish, to be exact, from Finland, took up
4 their Winchester repeating rifles and they
5 slaughtered Chinese people, 28 of them confirmed
6 -- there could have been as many as 50, a
7 hundred, we'll never know. Because they were
8 burned, they were dismembered, they were hung,
9 they were mutilated. So we're never going to
10 know that number.

11 The Chinese were chased out of
12 Rock Springs. Why? Because they thought, the
13 Finnish people thought that the Chinese people
14 were there to steal their jobs.

15 And that is what happened. And
16 Chinese people ran, they ran to Evanston,
17 Evanston, Wyoming, and the federal government had
18 to send in troops to escort them back to
19 Rock Springs in the subsequent weeks. And when
20 they returned to Rock Springs, they discovered
21 that their livelihoods, their houses, their
22 homes, their possessions, everything had been
23 plundered so there was no choice but to leave
24 Rock Springs.

25 And that was just one little story

1 in the history of coolie laborers in America.
2 The hardships that we faced as a community were
3 endless. My great-grandfather, coincidentally,
4 around that time went back to China.

5 And the Chinese that remained and
6 the Chinese that came after that contributed
7 greatly and became a very important community
8 that helped drive America forward. The
9 Transcontinental Railroad was completed, as we
10 know. Today is the anniversary. And America
11 rocket-sledded into a new era of growth and
12 prosperity like never seen before. And we have
13 to thank, among others, the coolie laborers.

14 So after my grandfather went back to
15 China, my family did not reimmigrate to the
16 United States again until the year 1969,
17 partially because of the Chinese Exclusion Act
18 that was overturned in 1943, I believe. In
19 1969 -- and it was because of a white man in
20 Binghamton, an executive for the Singer Sewing
21 Machine Company, that brought my uncle over. And
22 that's another story for another time.

23 It's history like this that no one
24 talks about, history like this that we must talk
25 about and teach our children so we can prevent

1 things like this from happening going into the
2 future and going down the road for America.

3 I welcome our guests today. You're
4 the legacy that was left behind by these coolies.
5 Thank you for coming. The Transcontinental
6 Railroad, ladies and gentlemen, could not have
7 been built. And you continue to help make
8 America great.

9 And that's all I have to say about
10 that, Madam President.

11 (Laughter.)

12 ACTING PRESIDENT MAYER: Thank you,
13 Senator Chan. Thank you very much.

14 Senator May on the resolution.

15 SENATOR MAY: Thank you,
16 Madam President.

17 I want to thank Senator Liu and
18 Senator Chan for their remarks and for this
19 resolution.

20 And I want to welcome the students
21 from my district as well as Taishan from my
22 district too. And all of you who are here, I
23 honor you and the legacy you have left, your
24 families have left on this country.

25 I have talked a few times in this

1 chamber about my grandparents who were American
2 historians who after the Civil Rights Act was
3 passed, the State of California was looking for a
4 textbook for 8th-graders that dealt with the
5 entirety of American history, that included
6 people who had been excluded from our history
7 books in the past.

8 And they wrote about -- not just
9 about the railway workers who had come from China
10 but about what happened afterwards. Just about
11 13 years after the railroad was completed, the
12 United States Congress passed the Chinese
13 Exclusion Act, which said that new Chinese could
14 not immigrate to the United States and that those
15 who were here, if they were not born here, they
16 could not be naturalized and become citizens.
17 And a lot of those people who had worked on the
18 railroads and worked in the gold mines and done a
19 lot of the really hard labor in this country went
20 back to China because they didn't feel welcome
21 here.

22 In the State of California, where a
23 lot of Chinese and Japanese immigrants settled,
24 they passed laws preventing them from owning
25 property, they required them to go to segregated

1 schools. It was not a -- ours was not a country
2 that was welcoming or willing to recognize this
3 incredible contribution that your ancestors made
4 to shaping our entire country and the economy of
5 this continent.

6 And so it was shameful then. The
7 textbook my grandparents wrote in the sixties
8 became the target of a lot of death threats, and
9 parents pulled their kids out of class so they
10 didn't have to learn about this kind of inclusive
11 history. I feel like we're going through a
12 similar period right now where inclusive history
13 is being censored in this country. I think it's
14 so important that we have resolutions like this,
15 that we tell these stories and that we honor you
16 all for everything you bring to this country.

17 So thank you for being here, and I
18 vote aye.

19 ACTING PRESIDENT MAYER: Thank you,
20 Senator May.

21 To our guests representing the
22 Chinese American community, the contributions of
23 this community to the completion of the railroad
24 and beyond, we welcome you on behalf of the
25 Senate. We hope you enjoy the privileges and

1 courtesies --

2 (Applause.)

3 ACTING PRESIDENT MAYER: -- of the
4 house. Please rise and be recognized.

5 (Standing ovation.)

6 ACTING PRESIDENT MAYER: The
7 resolution was previously adopted on May 13th.

8 Senator Serrano.

9 SENATOR SERRANO: Thank you,
10 Madam President. Let's now take up previously
11 adopted Resolution 976, by Senator Webb. Please
12 read that resolution title only and recognize
13 Senator Webb.

14 ACTING PRESIDENT MAYER: The
15 Secretary will read.

16 THE SECRETARY: Resolution 976, by
17 Senator Webb, recognizing Lisa Cortés for her
18 valuable contributions to the film, television,
19 music and entertainment industries.

20 ACTING PRESIDENT MAYER: Senator
21 Webb on the resolution.

22 SENATOR WEBB: Thank you,
23 Madam President.

24 I rise today to recognize and honor
25 Lisa Cortés, a groundbreaking director, producer

1 and visionary whose contributions to film,
2 television, music and entertainment have enriched
3 our culture and expanded our collective
4 understanding of truth and justice.

5 As a resident of Harlem -- shout out
6 to Senator Cleare -- Lisa Cortés is a trailblazer
7 in every sense of the word. She began her career
8 in the music industry working at Def Jam Records
9 during the rise of hip-hop, and later serving as
10 the vice president of A&R at Mercury Records.

11 There she made history as the first
12 African-American woman to launch her own label,
13 entitled Loose Cannon Records, under a major
14 record company.

15 From the very beginning Lisa was
16 carving her own path, one that sent her
17 innovation, creativity and courage. We know that
18 in our society that storytellers and those who
19 help to shape and form narratives, that power and
20 that talent that they have fuels the ability to
21 create positive impact and most certainly change.

22 And Lisa is in that number. She is
23 a gifted storyteller. Through her production
24 company, Cortés Filmworks, Lisa has committed
25 herself to telling complex, often overlooked

1 stories. From the cultural iconography of
2 Little Richard: I Am Everything, to the
3 inspiring documentary The Apollo and the
4 Oscar-winning film Precious, her work has earned
5 her accolades from Sundance, Tribeca, the Emmys
6 and beyond.

7 And more importantly, it has sparked
8 conversation, empowered communities, and shed
9 light on the truths that we too often ignore.

10 Madam President, her most recent
11 work continues in that tradition. With her new
12 docuseries Murder Has Two Faces, Lisa Cortés
13 brings social justice into focus once again by
14 highlighting the lesser-known murder cases that
15 were ignored by the media. These are stories of
16 victims, often BIPOC women and girls, whose lives
17 mattered but whose stories were eclipsed.

18 As colleagues, we are all too
19 familiar with the work of addressing BIPOC
20 missing and murdered women and girls. As we all
21 recall, we passed a law last year to establish a
22 BIPOC Missing and Murdered Women and Girls
23 Task Force.

24 Lisa's work seeks justice not only
25 in the courtroom but in the court of public

1 consciousness. It is bold, it is necessary, and
2 it is deeply impactful. Lisa uses her art to
3 challenge injustice, to elevate marginalized
4 voices, and to push our society toward equity and
5 accountability. Whether she's producing powerful
6 films or uncovering hidden truths or mentoring
7 emerging creators, Lisa is expanding the
8 boundaries of what media can do.

9 Lisa, we thank you for your
10 brilliance, your talent, your vision, your
11 bravery, and your unyielding dedication to
12 telling the stories that need to be told, for
13 creating a space for those who are far too often
14 rendered voiceless.

15 I proudly vote aye on this important
16 resolution, and I encourage my colleagues to do
17 the same. Thank you.

18 ACTING PRESIDENT MAYER: Thank you,
19 Senator Webb.

20 To our guest, Ms. Lisa Cortés, we
21 welcome you on behalf of the Senate. We extend
22 to you the privileges and courtesies of the
23 house. Thank you for your work.

24 Please rise and be recognized.

25 (Standing ovation.)

1 ACTING PRESIDENT MAYER: The
2 resolution was previously adopted on May 13th.

3 Senator Serrano.

4 SENATOR SERRANO: Thank you,
5 Madam President.

6 Let's now take up previously adopted
7 Resolution 985, by Senator Sean Ryan. Please
8 read that resolution title only and call on
9 Senator Ryan.

10 ACTING PRESIDENT MAYER: The
11 Secretary will read.

12 THE SECRETARY: Resolution 985, by
13 Senator Sean Ryan, commemorating the three-year
14 anniversary of the shooting at Tops Friendly
15 Markets in Buffalo, New York, on May 14, 2025,
16 and honoring the victims, survivors, families and
17 community at large in the wake of this
18 devastating tragedy.

19 ACTING PRESIDENT MAYER: Senator
20 Ryan on the resolution.

21 SENATOR SEAN RYAN: Thank you,
22 Madam President.

23 Today is the three-year anniversary
24 of one of the darkest days in Buffalo's history.
25 On May 14th -- a beautiful sunny day -- 2022 a

1 hate-filled racist who was only 18 years old
2 drove from his home, drove two and a half hours
3 to a supermarket on the East Side of Buffalo, to
4 murder people who were complete strangers to him
5 just because of the color of their skin, because
6 they were Black.

7 Ten lives were stolen that day:
8 Celestine Chaney, Roberta Drury, Andre Mackneil,
9 Katherine Massey, Margus Morrison,
10 Heyward Patterson, Aaron Salter,
11 Geraldine Talley, Ruth Whitfield and Pearl Young.

12 Three others -- Christopher Braden,
13 Zaire Goodman, and Jennifer Warrington -- were
14 wounded but survived.

15 Three years later, this is all still
16 fresh in our minds. I'll never forget the day --
17 I was doing yard work in my back yards -- and I
18 started seeing helicopters flying overhead. Then
19 I started hearing sirens, and I was wondering
20 what's going on, and I went over to my cellphone
21 and it was lit up with messages.

22 And I couldn't believe what I was
23 seeing, that this was happening just two miles
24 from my home. And today I still feel the
25 confusion, the anger, the sorrow, just the

1 disbelief that I felt on that day. I can't for a
2 second imagine the trauma that the survivors who
3 were shopping there that day are still dealing
4 with, knowing that it could have been them
5 instead, wondering why they got out and others
6 didn't.

7 Today my heart's with them, my
8 heart's with the families of the victims who
9 continue to grieve, who continue to hurt. Anyone
10 who's lost a loved one -- I'm sure everyone in
11 this room has -- knows that the grief never goes
12 away, it just gets less painful in a different
13 way. We learn how to live with the grief, we
14 learn how to live around the grief. We build
15 around it. And that's what Buffalo and these
16 families have gone through in the last three
17 years.

18 This horrible tragedy could have
19 further divided us. It could have broken us.
20 Instead, it galvanized an entire community. And
21 it drew national attention to the inequities that
22 Buffalo's East Side has faced for decades.

23 The people of the East Side are
24 descendants of the great migration, people who
25 left the South, hoping for freedom, but they met

1 the Northern version of Jim Crow -- redlining,
2 disinvestment, housing discrimination, employment
3 discrimination, banking discrimination, and much
4 more.

5 It's no secret, we all know it, the
6 effects of the discrimination and disinvestment
7 are abundantly clear. The root causes and the
8 challenges those neighborhoods face today are
9 clear. In Buffalo you can see it just by driving
10 in the neighborhood. Streets are left barren,
11 potholes are unfilled, houses were demolished
12 with nothing rebuilt. Every social indicator,
13 whether it's individual wealth, homeownership,
14 health outcomes -- Black Buffalonians on the
15 East Side are worse off than anyone else in the
16 city.

17 But the only way we can begin to fix
18 it is to acknowledge the reality and to
19 acknowledge the problem that we have caused.
20 It's the harms done by leaders of the past
21 generations. But that harm was intentional and
22 it was purposeful, so we have to be intentional
23 and purposeful in our efforts to reverse it.

24 That means sustained investment
25 where there was disinvestment in Black

1 communities. One year ago I stood in this
2 chamber and said we can only solve these problems
3 if we're all pulling the same direction. We all
4 know that on a federal level things are not going
5 in the direction we wanted them to go in. We've
6 got a new administration that thinks
7 acknowledging sins of the past is a bad thing,
8 that thinks equity is a dirty word.

9 But that makes our work in New York
10 State all the more important. We need to
11 continue to fight back against federal
12 backsliding. We also need to make sure that
13 we're keeping up our end of the bargain.

14 I'm proud of the way that New York
15 State has stepped up for the East Side since the
16 attack. We've invested in home renovations,
17 infill housing to fill in the sea of vacant lots.
18 We've put millions into small business grants and
19 workforce development. And we've invested money
20 to combat food insecurity, prevent foreclosures,
21 and to make home ownership more attainable.

22 But we have got a long way to go.
23 It's a great start, but it's just a drip in the
24 bucket of the problem that we have. Money
25 alone's not going to solve it. We need to make

1 sure we're investing in it properly. We need to
2 make sure we listen to the community to get
3 guidance from the community.

4 This weekend I attend the Buffalo
5 Black Caucus. It's an annual event that was
6 organized after 5/14 by Buffalo Councilwoman
7 Zeneta Everhart, whose son was shot that day. He
8 is one of the survivors. Every year the event
9 brings together community leaders to uplift Black
10 voices and to strengthen Buffalo's Black
11 community.

12 It's a remarkably powerful way to
13 honor those that were taken from us, the
14 community coming together to do good. We will
15 not let hate win. We will not let hate keep us
16 down. We will not let hate continue to divide
17 us. We will remember, and we will move forward
18 together.

19 Thank you, Madam President.

20 ACTING PRESIDENT MAYER: Thank you,
21 Senator Ryan.

22 Minority Leader Ortt on the
23 resolution.

24 SENATOR ORTT: Thank you,
25 Madam President. I rise to speak on this

1 resolution.

2 I guess in doing so I just want to
3 address some of the -- what we just heard. But
4 also I want to say obviously this was a terrible
5 day. It's a terrible day in America when this
6 happens. It's a terrible day in New York. I
7 remember when it happened, and I felt
8 particularly shamed and I felt upset, maybe more
9 so, because it happened in Western New York,
10 because it happened in my community, our
11 community, where we're not used to this kind of
12 thing happening.

13 And there was a different feeling, I
14 think, when -- whenever it happens in our
15 community, there's a feeling like I can't believe
16 it happened here. Even though it happens a lot
17 in different ways. Hateful acts happen all over
18 the world every day, and of course in today's day
19 and age we are able to get instant knowledge of
20 this on our phones. And yet still when it
21 happens to someone you know, or in your
22 community, I think we always are surprised.

23 Because I think and I believe in
24 Western New York we are not a hateful community.
25 There's hateful people across the world. But I

1 think my shock is because most of the people I
2 know are not hateful people. In fact, I think
3 Western New York, as someone who's grown up
4 there, is a very loving community. And what we
5 lack sometimes in affluence and financial
6 resources, I can promise you we make up in other
7 ways and in support for our fellow neighbor. The
8 City of Good Neighbors is often a moniker that is
9 tossed around in Buffalo and in Western New York.

10 And of course it wasn't a Western
11 New Yorker that perpetrated this. And it was
12 someone -- an evil person, someone who did an
13 evil act. A racist person, a hateful person.
14 And you know what? Sadly, there's people like
15 him walking around the globe of all different
16 backgrounds who have that hateful feeling in
17 them. And it manifests in this horrible way that
18 cost people their lives because they were
19 shopping in a grocery store.

20 As Senator Ryan mentioned, that
21 community -- I was there shortly after the
22 shooting because the grocery store was closed and
23 that was really the only grocery store in that
24 neighborhood. And so we -- a lot of folks were
25 there handing out food, making sure that they had

1 hot meals, making sure they had some level of
2 grocery goods to keep them sustained until the
3 store could reopen.

4 But I think sometimes -- and maybe
5 it's natural -- we as logical people, I think as
6 good people, we try to understand how something
7 like this could happen. And so it's natural to
8 think how can we prevent it. What can we do to
9 make sure that it doesn't happen in the future?
10 That's a natural thing and it's a good thing and
11 as elected leaders I think we should always try
12 to think in that vein.

13 But sometimes in doing that -- and
14 this is a minor or a small difference, but I
15 think it has a big impact -- it's also easy to
16 miss what happened. There are a lot of things
17 that we debate in this chamber and around this
18 state, things that are important. We talk about
19 lifting communities out of poverty. It shouldn't
20 take ten people getting shot to do that. We talk
21 about that anyways. And we do talk about it, and
22 we do make those attempts, and we have policy
23 discussions and debates on that.

24 This happened because of the actions
25 of one individual, a hateful, racist, bad person

1 who did an evil thing. And probably a lot of
2 people in that person's life missed all the
3 signs that were readily there. But he and he
4 alone is responsible for the deaths that happened
5 in my community, in Senator Ryan's community, in
6 Senator Baskin's community, Senator Gallivan,
7 Senator Borrello. He did it.

8 And I won't even mention his name
9 because it's not worthy of this chamber to
10 mention his name. But Senator Ryan mentioned the
11 names of the people who lost their lives. And
12 the other side of that, when you focus on what
13 happened there, you also are reminded in the face
14 of evil you often see the best parts of people.
15 And we did see that that day, in the response
16 from the community. We see it in the survivors
17 who have taken and become community leaders to
18 try to make sure that that community comes back
19 stronger, that it never forgets those people who
20 lost their lives.

21 We see it in the individual of Aaron
22 Salter. Now, Aaron Salter was a Lockport native.
23 His wife, I believe his family still lives in
24 Lockport, in my district. He was a retired
25 Buffalo police officer. He was the security

1 guard that day at the grocery store.

2 Now, Aaron Salter is not a hero
3 because he died that day. He's a hero because of
4 way he lived and because he died consistent with
5 how he lived -- protecting others, serving
6 others. I never like the idea of lionizing
7 someone because they died. We should lionize
8 people for how they lived. We all are going to
9 die. The question is, do we meet our end
10 consistent with who we are? Aaron Salter did.
11 He was there protecting people when he gave his
12 last for that community. And he's a hero because
13 he did it every day -- not just on his last day,
14 he did it long before then.

15 And yes, we should try to always
16 lift communities out of poverty, to eliminate
17 racism where it exists in law, to condemn acts
18 like this when and where they happen. But I
19 think it's also important to condemn it by saying
20 what it is. This individual did something that
21 is disgusting, that is evil.

22 Senator Ryan talked about the people
23 who survived. I don't know, I don't know what
24 the answer is. My answer to them would be it was
25 not your time. God had a different plan and has

1 a different plan for you.

2 Now, some people might scoff at that
3 or maybe think it's simplistic. But I dare you
4 to come up with a better reason. The good Lord
5 had a different plan for those individuals who
6 survived. And He called home the individuals who
7 didn't come out of that store alive.

8 But it is absolutely the evil,
9 heinous acts. We should condemn it, we should
10 call it out. And we should remember the heroic
11 acts that happened by people -- Aaron Salter was
12 a retired cop, had the training. But there was
13 all kinds of heroism that happened in that store
14 by people who didn't have the training, who
15 showed love and compassion in the face of racism
16 and evil and hate.

17 And so I rise to recognize Aaron
18 Salter, to remember him, to remember how he
19 lived, not just how he died that day. Obviously
20 the lives of the other victim that day, their
21 families. I think about the moms. Just this
22 past Mother's Day I'm certain, I'm certain that
23 had to be and remains and will always be a very
24 difficult day when you're the mother of a child
25 who's no longer here. Or when your mother is no

1 longer here, because there were certainly mothers
2 and grandmothers who were part of the victims.

3 So it's a horrible thing. And
4 there's a lot of things we can learn from it.
5 And as elected leaders, there's different ways we
6 have to look at it. But I always think it's
7 important to remember who did it. And I think
8 it's also important to do due credit and service
9 to the victims, to the families, to the
10 survivors. Because in the face of such evil
11 we'll never maybe understand it. I don't know
12 that I'll ever understand it. As I get older, I
13 think I understand sometimes these things even
14 less than I used to think I used to understand
15 it.

16 But I can tell you right now, our
17 conference and the Majority Conference grieves
18 with the people of Buffalo, with the people of
19 Western New York, with the people of that
20 neighborhood. And we shouldn't only remember it
21 as the scene or the site of a terrible act, but
22 we should try to remember it as a community that
23 survived and came out hopefully stronger and
24 better out of such a horrible event that happened
25 three years ago today.

1 So I want to thank the sponsor for
2 bringing the resolution to the floor.

3 Madam President, I thank you for your indulgence.

4 And I proudly support this
5 resolution.

6 ACTING PRESIDENT MAYER: Thank you,
7 Senator Ortt.

8 Senator Baskin on the resolution.

9 SENATOR BASKIN: Thank you,
10 Madam President.

11 We all remember where we were when a
12 tragedy strikes our life, those moments that sear
13 themselves into our memories forever. For my
14 community, that day was three years ago today.
15 It remains an unimaginable massacre that shook us
16 to our core when a white nationalist infiltrated
17 our city and terrorized our community. In his
18 violent mind he decided members of our community
19 were expendable. Ten innocent lives were stolen
20 on what should have been an ordinary sunny
21 Saturday afternoon.

22 These weren't just names.

23 (Pausing.) These weren't just names, these were
24 parents, these were grandparents, these were
25 community activists, these were writers, these

1 were teachers, these were caregivers, these were
2 pillars of faith. They were the heart of our
3 community ripped away in an act of pure hatred
4 meant to intimidate and divide us.

5 As I wrestle with my own grief and
6 anger, one that kept haunting me, the shooter
7 chose because what he saw was our vulnerability.
8 This racist murderer didn't just stumble onto our
9 neighborhood. He drove more than two hours to
10 deliberately target us. He didn't know the rich
11 history of Jefferson Avenue, once the proud home
12 of the Buffalo Bills, or the resilience of our
13 community. But what he did know, what he could
14 see, was the result of decades of systemic
15 neglect and disinvestment: A community stripped
16 of resources, starved of opportunity,
17 infrastructure crumbling from intentional
18 neglect, policies that denied families mortgages
19 and businesses funding.

20 He didn't know the history behind
21 those decisions. He could see the
22 consequences -- a community left to fight against
23 all odds, a community left exposed. And he
24 exploded that vulnerability with devastating
25 cruelty.

1 But the truth is our community, my
2 community, we are not just victims. We are
3 survivors. Through education, through meaningful
4 legislation and through unrelenting
5 determination, this community will endure.

6 We honor those lives that were
7 stolen from us by demanding better. Whether it's
8 through congregations in our churches, through
9 the classrooms, through the workplace or through
10 any public space, voices that call out racism and
11 hate must not be silenced and should not be
12 erased from our history.

13 We cannot allow ourselves to believe
14 that the fight is over or that the work here is
15 done. The dark cloud of systemic racism and hate
16 still looms over us, threatening to strike again
17 if we let our guard down.

18 So let us stay vigilant and let us
19 stay united. And above all, let us fight -- not
20 just for those that we lost but for our sanity,
21 for our dignity, for our lives, and for the kind
22 of community that we desire, a community where no
23 one else will ever have to endure what we have
24 endured for these last three years.

25 Madam President, as I look up at

1 some young women from the City of Buffalo who are
2 here with us today in these chambers, on May 14,
3 young Black leaders from the confident girl
4 mentoring group, I can't help but have an honest
5 moment of transparency about May 14th. At this
6 moment, God has allowed me the privilege to be
7 serving our community and our state as a State
8 Senator, under the leadership of a passionate
9 conference leader, under the leadership of a
10 passionate deputy leader, and amongst colleagues
11 in my conference, some of the most passionate
12 people that I've ever met in my life, fighting
13 for the rights of New Yorkers.

14 On May 14th when my younger brother
15 Lawrence called me to check on me and to see
16 where I was, to make sure that I was not shopping
17 at Tops Markets, he told me that there had been a
18 mass shooting and that there were many, many
19 people who were dead. My immediate thought,
20 Madam President, was what have we done, what have
21 we done to our community now. And when I say
22 "we," I meant Black people.

23 The humiliation that I felt
24 internally over the last three years, from that
25 moment when I arrived to the crime scene to learn

1 that Black people were not the instigators of
2 5/14, they were hand-picked victims. The
3 humiliation that I've had to wrestle with over
4 these years, branding myself as an advocate who
5 fights daily against implicit bias, to know that
6 it sometimes even festers inside of me. The
7 realization that the lynching and the residue of
8 Jim Crow is not confined to this country's
9 southern states, but it does still residue here
10 in New York State. Because the truth of the
11 matter, Madam President, is that another
12 New Yorker killed 10 of my neighbors three years
13 ago today. And that has been and remains a
14 traumatic experience, a sad, dark residue over
15 our community.

16 And so as I stand here today
17 grieving those that have been lost in our
18 community and celebrating the victories that we
19 have been able to achieve since, I implore my
20 colleagues -- through you, Madam President -- to
21 reflect on the privilege that we all have.

22 There are nearly 20 million people
23 who call New York State home, and God saw fit to
24 pick 63 of them to serve as New York Senators. I
25 and my colleagues, each of us are one of those

1 63 people, and we sit at the highest level of
2 policy and legislative procedure-in-making here
3 in this great state. If the ceasing of violence
4 against Black people in this state does not begin
5 with the actions that we, the 63 people who sit
6 in these chambers, take, the legislation that we
7 put forward, and what we choose to advocate for
8 and what we choose to fight for -- if it does not
9 begin with us, then I fear, Madam President, that
10 it will not begin at all.

11 May God bless my city, Buffalo,
12 New York, and those who are still traumatized by
13 what happened today three years ago on May 14th.

14 Thank you.

15 ACTING PRESIDENT MAYER: Thank you,
16 Senator Baskin.

17 Senator Comrie on the resolution.

18 SENATOR COMRIE: Thank you,
19 Madam President.

20 I rise today with a heavy heart to
21 speak on this resolution, one that commemorates
22 lives taken far too soon in a senseless act of
23 hate and violence.

24 I want to thank Senator Ryan for
25 making sure this resolution came to the floor

1 again, on this third anniversary of this tragedy,
2 to honor the memory of the innocent individuals
3 who were murdered and injured at the Tops
4 Friendly Market in Buffalo on May 14, 2022.

5 There were mothers, fathers, grandparents,
6 neighbors, pillars of the East Buffalo community,
7 people simply going about their day on a Saturday
8 afternoon. Their lives matter. Their stories
9 matter. And their absence is deeply felt by
10 loved ones, the Buffalo community, and
11 New Yorkers from all over the state.

12 This was not just a mass shooting,
13 it was a racially motivated act of domestic
14 terrorism. We know the shooter targeted this
15 community because it's predominantly Black. This
16 was hatred weaponized, fueled by white
17 supremacist ideology that has no place in our
18 state or our nation.

19 This young man got radicalized and
20 never got taught how beautiful this country
21 really is by making sure that we have our
22 diversity in our educational system that can
23 teach tolerance.

24 We need to make sure that never
25 happens again. We need to make sure that

1 tolerance is taught in all of our schools, that
2 our young people understand the beauty and
3 culture of all of our nationalities that make up
4 residents of New York State so that they would
5 never want to target and become radicalized like
6 this person was.

7 I'm proud to be a member of this
8 body, though, where I can unequivocally state we
9 all have zero tolerance for hate and racism and
10 will continue to stand up against that. We must
11 call this evil what it is, but we must not look
12 away but act. While this act sought to divide,
13 the aftermath showed the true strength of Buffalo
14 and of New York: Neighbors helping neighbors,
15 people of all backgrounds coming together in
16 grief and solidarity.

17 We as lawmakers have a
18 responsibility not to mourn but to act, to pass
19 legislation that addresses hate crimes, gun
20 violence and the disinformation that breeds this
21 sort of extremism, to make sure our schools teach
22 tolerance, teach real American history and not
23 just a minute of what history is. Remind people
24 that New York State was one of the states that
25 really made sure that we had an opportunity for

1 people to thrive and recognize all of our
2 nationalities to come to live in this state, so
3 that we can make sure that every child in this
4 state understands and becomes tolerant and not
5 become radicalized.

6 We must also continue to work with
7 the family members and continue to fight to
8 ensure that the Buffalo area gets all the
9 resources it needs, especially in the light of
10 the fact that there has been disinvestment in
11 that area.

12 I also want to recognize our
13 Governor, former Buffalo mayor Byron Brown, our
14 former colleague in the Senate Tim Kennedy, along
15 with the families of those lost and injured and
16 other community stakeholders for working to
17 create the 5/14 Memorial Commission to honor the
18 lives and legacies of those that were lost and
19 the community impacted by this tragedy.

20 We cannot grow numb to these
21 tragedies. Each time we say never again, we must
22 follow up on it with action rooted in compassion,
23 rooted in justice.

24 In closing, Madam President, again I
25 want to thank Senator Ryan and our leader,

1 Andrea Stewart-Cousins, for making sure this
2 resolution comes before us every year, and urge
3 this body to not just pass this resolution as a
4 formality but as a heartfelt gesture of
5 remembrance, solidarity and commitment.

6 Let this resolution stand as a
7 promise that we will never forget, we will never
8 stop working towards a New York free from hate.

9 Thank you, Madam President.

10 ACTING PRESIDENT MAYER: Thank you,
11 Senator Comrie.

12 Senator Bailey on the resolution.

13 SENATOR BAILEY: Thank you,
14 Madam President.

15 Thank you, Senator Ryan,
16 Senator Baskin, the Western New York delegation
17 for being strong, Buffalo strong.

18 Three years ago we all remember
19 where we were, it was Saturday. And, you know,
20 there just became a cascade of text messages,
21 alerts, tweets, notifications that something
22 unspeakable had happened. And I was stunned, I
23 was saddened, I was shocked. Then a heavy weight
24 came over me once I realized why it happened.
25 Being Black in America. I wouldn't be anything

1 else, Madam President. But being Black in
2 America can have you killed walking down the
3 street, can have you killed in a grocery store --
4 for no other reason than you being Black.

5 It wasn't because these people had
6 been negative individuals in their community. It
7 wasn't because they had beefs between each other.
8 It wasn't because there were personal problems.
9 It was because they were Black. And it's okay to
10 say that. It's because they were Black. No
11 other reason. A white supremacist decided to
12 look that up. And he looked up other communities
13 too. It could have been any of our districts.
14 He chose, he chose, the coward chose Black
15 people.

16 I do think that it is incumbent upon
17 us in this chamber to do more. We can talk about
18 all the statutory construction and we can debate
19 policy. Gil Scott-Heron said the revolution will
20 not be televised. The resolution should be more
21 televised, Madam President. What do I mean by
22 that? It is one of the only times in this
23 chamber when we have collegial exchanges
24 sometimes. It is one of the only times in this
25 chamber when we get to laugh and joke with each

1 other and the outside world gets to see that the
2 63 of us don't hate each other, so you shouldn't
3 hate each other either.

4 The resolution shall be televised,
5 Madam President. It has to be. Because they
6 need to know that Jack Martins and Jamaal Bailey
7 talk about the Mets. They need to know that.
8 They need to know that there are relationships
9 outside of the parties that we represent. They
10 need to know that. They need to know that
11 George Borrello talks to me about ties all the
12 time.

13 (Laughter.)

14 SENATOR BAILEY: He has a lot of
15 nice ties.

16 They need to know that we understand
17 the world outside is a rough one. And I do
18 believe that despite some of our differences
19 policywise there's not a person in this chamber
20 that harbors that hate, that harbors any kind of
21 hate. But we have to do more to deprogram our
22 constituents.

23 You said it was just one person. It
24 was just one coward, yes. But that coward
25 learned that nonsense from somewhere, and he

1 wasn't told it was nonsense. He wasn't told that
2 no, no, these folks aren't here to hurt you. He
3 wasn't told that these folks are just as
4 productive as you are. He wasn't told that. So
5 probably he was met with a wink and a nod or a
6 smile and a grin that said, Go about your way,
7 you're not hurting us.

8 We have to do better. Senator
9 Baskin said it, summed it up perfectly: God gave
10 us, the 63 of us, point-00000000000001 percent of
11 the population of 20 million, to represent them.
12 I think that days like today should wake us the
13 hell up about who we are to each other.

14 And as I close, Madam President, I
15 just want us never to forget those who lost their
16 lives and their families who live with the trauma
17 every single day. You should know that your
18 loved ones may have been lost, but their lives
19 were not lost in vain. We never met them, but we
20 love them, Madam President. We love their
21 spirits and their souls. And we just hope that
22 eventually "never again" actually means never
23 again.

24 Thank you, Madam President.

25 ACTING PRESIDENT MAYER: Thank you,

1 Senator Bailey.

2 The resolution was previously
3 adopted on May 13th.

4 Senator Serrano.

5 SENATOR SERRANO: At the request of
6 the sponsors, the resolutions are open for
7 cosponsorship.

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

12 Senator Serrano.

13 SENATOR SERRANO: Thank you.

14 Madam President, on behalf of
15 Senator Fahy, on page 64 I offer the following
16 amendments to Calendar 944, Senate Print Number
17 4879A, and I ask that this bill retain its place
18 on Third Reading Calendar.

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

22 SENATOR SERRANO: And I'd like to
23 call up Print Number 2627, recalled from the
24 Assembly, which is now at the desk.

25 ACTING PRESIDENT MAYER: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number
3 187, Senate Print 2627, by Senator Kavanagh, an
4 act to amend the Real Property Law.

5 SENATOR SERRANO: I now move to
6 reconsider the vote by which this bill was
7 passed.

8 ACTING PRESIDENT MAYER: The
9 Secretary will call the roll on reconsideration.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 57.

12 ACTING PRESIDENT MAYER: The bill
13 is restored to its place on the Third Reading
14 Calendar.

15 SENATOR SERRANO: I now offer the
16 following amendments.

17 ACTING PRESIDENT MAYER: The
18 amendments are received.

19 SENATOR SERRANO: Thank you.
20 Let's please take up the reading of
21 the calendar.

22 ACTING PRESIDENT MAYER: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 138, Senate Print 2022, by Senator Cooney, an act

1 to amend the Social Services Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: Ayes, 57.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 150, Senate Print 2182A, by Senator Hinchey, an
16 act to amend the Public Service Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 150, voting in the negative:
4 Senator Walczyk.

5 Ayes, 56. Nays, 1.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 174, Senate Print 116, by Senator Cleare, an act
10 to amend the Criminal Procedure Law.

11 SENATOR LANZA: Lay it aside.

12 ACTING PRESIDENT MAYER: The bill
13 is laid aside.

14 THE SECRETARY: Calendar Number
15 216, Senate Print 2289, by Senator Bailey, an act
16 to amend the Private Housing Finance Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

21 ACTING PRESIDENT MAYER: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: Announce
25 the results.

1 THE SECRETARY: Ayes, 57.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 247, Senate Print 2304, by Senator Krueger,
6 an act to amend the Legislative Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 247, voting in the negative are
18 Senators Canzoneri-Fitzpatrick, Chan, Gallivan,
19 Helming, Martins, Murray, Oberacker, O'Mara,
20 Ortt, Rhoads, Stec, Tedisco and Walczyk.

21 Ayes, 44. Nays, 13.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 267, Senate Print Number 2070, by

1 Senator Scarcella-Spanton, an act to amend the
2 Veterans' Services Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Senator
12 Scarcella-Spanton to explain her vote.

13 SENATOR SCARCELLA-SPANTON: Thank
14 you, Madam President.

15 And thank you to my colleagues.
16 This is the second year in a row that we passed
17 this bill, I think unanimously, to create a
18 registry of everything that veterans and their
19 families can avail themselves to in New York
20 State.

21 One of the things that I found most
22 frustrating when I got elected is learning how
23 many resources that New York State does have to
24 offer veterans and their families, but being on
25 the other side of this as a spouse, we came home,

1 my husband got out of the military in 2015, we
2 had a one-year-old baby, and we had no idea what
3 families could avail themselves to. I'm talking
4 housing benefits, education benefits, mental
5 health help -- not just for the veteran, but for
6 the spouse and for the family.

7 There are so many organizations that
8 provide these resources, but the problem is
9 nobody knows that they exist. This has been
10 probably my biggest qualm since I was privileged
11 enough to come into this seat. This bill is
12 critically important in making sure that it's
13 easy to access, when a family is in crisis
14 especially, everything that New York has to
15 offer.

16 So once again, I thank all my
17 colleagues. And I hope to see this bill turned
18 into law this year. I proudly vote aye.

19 ACTING PRESIDENT MAYER: Senator
20 Scarcella-Spanton to be recorded in the
21 affirmative.

22 Announce the results.

23 THE SECRETARY: Ayes, 57.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 341, Senate Print 3247, by Senator Cooney, an act
3 to amend the Public Authorities Law.

4 SENATOR LANZA: Lay it aside.

5 ACTING PRESIDENT MAYER: The bill
6 is laid aside.

7 THE SECRETARY: Calendar Number
8 405, Senate Print 2253, by Senator Comrie, an act
9 to amend the Public Service Law.

10 SENATOR LANZA: Lay it aside.

11 ACTING PRESIDENT MAYER: The bill
12 is laid aside.

13 THE SECRETARY: Calendar Number
14 556, Senate 1218, by Senator Bailey, an act to
15 amend the Executive Law.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

21 ACTING PRESIDENT MAYER: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar 556, voting in the negative are
3 Senators Borrello, Chan, Griffo, Helming, Murray,
4 Oberacker, O'Mara, Ortt, Stec and Walczyk.

5 Ayes, 47. Nays, 10.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 569, Senate Print 4191, by Senator Gounardes, an
10 act to amend the Energy Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 569, those Senators voting in the
23 negative are Senators Borrello, Bynoe,
24 Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo,
25 Helming, Lanza, Martins, Mattera, Murray,

1 Oberacker, O'Mara, Ortt, Rhoads, Rolison,
2 C. Ryan, Stec, Tedisco, Walczyk and Weber.

3 Ayes, 36. Nays, 21.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 574, Senate Print 1741, by Senator Martinez,
8 an act to amend the Agriculture and Markets Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 57.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 731, Senate Print 181, by Senator Persaud, an act
23 to amend the Social Services Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: Ayes, 57.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 741, Assembly Bill Number 4751A, by
13 Assemblymember Rajkumar, an act to amend the
14 Veterans' Services Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 57.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 919, Assembly Bill Number 3795, by
4 Assemblymember Weprin, an act to amend the
5 Insurance Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

8 THE SECRETARY: Section 3. This
9 act shall take effect on the 30th day after it
10 shall have become a law.

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: Ayes, 57.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 928, Senate Print 955, by Senator Kavanagh, an
21 act to amend the Multiple Dwelling Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

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

1 shall have become a law.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 928, voting in the negative are
9 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
10 Gallivan, Griffo, Helming, Lanza, Martins,
11 Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads,
12 Rolison, Skoufis, Stec, Tedisco, Walczyk and
13 Weber.

14 Ayes, 37. Nays, 20.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 940, Senate Print 1314, by Senator Gounardes, an
19 act to amend the General Business Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

22 THE SECRETARY: Section 2. this
23 act shall take effect on the 60th day after it
24 shall have become a law.

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: Ayes, 57.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 942, Senate Print 1859, by Senator Myrie, an act
10 to amend the General Business Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 942, voting in the negative are
22 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
23 Gallivan, Griffo, Helming, Murray, Oberacker,
24 O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco,
25 Walczyk and Weber.

1 Ayes, 41. Nays, 16.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 953, Senate Print 913, by Senator Kavanaugh, an
6 act to amend the Social Services Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 953, voting in the negative:
18 Senator Walczyk.

19 Ayes, 56. Nays, 1.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

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

24 SENATOR SERRANO: Let's go to the
25 reading of the controversial calendar.

1 ACTING PRESIDENT MAYER: The
2 Secretary will ring the bell.

3 The Secretary will read.

4 THE SECRETARY: Calendar Number
5 174, Senate Print 116, by Senator Cleare, an act
6 to amend the Criminal Procedure Law.

7 (Pause.)

8 SENATOR SERRANO: Madam President,
9 can we begin with Calendar Number 341.

10 ACTING PRESIDENT MAYER: The
11 Secretary will read.

12 THE SECRETARY: Calendar Number
13 341, Senate Print 3247, by Senator Cooney, an act
14 to amend the Public Authorities Law.

15 ACTING PRESIDENT MAYER: Senator
16 Lanza, why do you rise?

17 SENATOR LANZA: Madam President, I
18 believe there's an amendment at the desk. I
19 waive the reading of that amendment and ask that
20 you recognize Senator Canzoneri-Fitzpatrick.

21 ACTING PRESIDENT MAYER: Thank you,
22 Senator Lanza. Upon review of the amendment, in
23 accordance with Rule 6, Section 4B, I rule it
24 nongermane and out of order.

25 SENATOR LANZA: Accordingly,

1 Madam President, I appeal the ruling of the chair
2 and ask that Senator Canzoneri-Fitzpatrick be
3 heard on that appeal.

4 ACTING PRESIDENT MAYER: The appeal
5 has been made and recognized, and Senator
6 Canzoneri-Fitzpatrick may be heard.

7 SENATOR CANZONERI-FITZPATRICK:
8 Thank you, Madam President.

9 I rise today because the amendment
10 is germane to the bill-in-chief because the
11 amendment repeals the state's electric vehicle
12 mandate, and the bill-in-chief deals with
13 electric vehicle charging stations.

14 This amendment would appeal the
15 state's unrealistic electric vehicle mandate and
16 give choice back to the consumers. The state is
17 far behind its electric vehicle mandate.
18 Electric vehicles currently make up about
19 10 percent of car sales statewide, well behind
20 the 2026 mandate requiring that 35 percent of the
21 sales be electric vehicles.

22 Under the current EV mandate,
23 100 percent of car sales must be EV by 2035.
24 Based on the availability and current sales, it's
25 very unlikely that we will reach that goal.

1 That is why just yesterday Vermont's
2 governor announced that they are pausing their
3 electric vehicle mandate, which followed an
4 announcement by the governor of Maryland just
5 last month to delay the enforcement of their
6 EV mandate.

7 Because of these mandates, people
8 won't have the ability to choose the kind of
9 vehicle they can afford and that they feel is
10 best for their family, because the only vehicles
11 that will be available will be what the
12 Department of Environmental Conservation allows.
13 Or alternatively, which is much worse, our
14 New Yorkers will travel across state lines to
15 purchase vehicles in other states, thereby
16 harming New York businesses and also New York
17 loses out on their sales tax revenue.

18 Another downside of the electric
19 vehicle mandate is the fact that electric
20 vehicles are more expensive than gas-powered
21 vehicles. In 2023 the average price of an
22 electric vehicle was about \$12,000 more than the
23 average price of a gas-powered vehicle.

24 Repealing the EV mandate will ensure
25 New York is a more affordable place to live,

1 something that we all spoke about in this chamber
2 extensively during the recent budget process.

3 For New Yorkers who want to have an
4 electric vehicle or a hybrid vehicle, if that
5 choice works for them, I think that's great. I
6 myself drive a hybrid, and I love the savings
7 that I have at the gas pump.

8 However, if I were to be required to
9 purchase an electric vehicle, I would not be able
10 to drive to Virginia to pick up my daughter from
11 college in one trip. Many if not most electric
12 vehicles don't have the range to make it that
13 far. And I am not aware of any that have the
14 range for the return trip. That would mean I'd
15 need to stop and charge at least once, if not
16 multiple times. And I hope that there's -- and I
17 don't even know if there's a place for me to do
18 so when I need it.

19 Therefore, I ask that my colleagues
20 join me in voting to pass this amendment to give
21 consumers back the right to choose which vehicle
22 is best for them.

23 Thank you, Madam President.

24 ACTING PRESIDENT MAYER: Thank you,
25 Senator.

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

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

6 (Response of "Aye.")

7 SENATOR LANZA: Show of hands.

8 ACTING PRESIDENT MAYER: A show of
9 hands has been requested and so ordered.

10 Announce the results.

11 THE SECRETARY: Ayes, 21.

12 ACTING PRESIDENT MAYER: The ruling
13 of the chair stands, and the bill-in-chief is
14 before the house.

15 Read the last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the same date and in the
18 same manner as Chapter 618 of the Laws of 2024.

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 341, voting in the negative are

1 Senators O'Mara, Ortt and Walczyk.

2 Ayes, 54. Nays, 3.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 Senator Serrano.

6 SENATOR SERRANO: Let's take up
7 Calendar 174.

8 ACTING PRESIDENT MAYER: The
9 Secretary will read.

10 THE SECRETARY: Calendar Number
11 174, Senate Print 116, by Senator Cleare, an act
12 to amend the Criminal Procedure Law.

13 ACTING PRESIDENT MAYER: Senator
14 Martins, why do you rise?

15 SENATOR MARTINS: Madam President,
16 if the sponsor would yield for a few questions.

17 SENATOR CLEARE: I do.

18 ACTING PRESIDENT MAYER: Senator
19 Cleare, do you yield?

20 SENATOR CLEARE: I do yield --

21 ACTING PRESIDENT MAYER: She
22 yields.

23 SENATOR CLEARE: -- Madam
24 President, through you.

25 SENATOR MARTINS: Madam President,

1 through you, I want to compliment the sponsor on
2 this bill and thank you for bringing this to the
3 floor once again.

4 But I seem to recall that a similar
5 provision was included in the Executive Budget
6 this year. But for the one-year lookback period,
7 there was an identical provision in the
8 Executive Budget that had been rejected by the
9 Legislature. And I would ask if you know why it
10 was rejected in the Executive Budget.

11 SENATOR CLEARE: Why the lookback
12 was rejected?

13 SENATOR MARTINS: Why the language
14 for this bill that was included in the Executive
15 Budget was rejected and not included in the final
16 budget.

17 SENATOR CLEARE: I can't say. But
18 I know it was included in the one-house for the
19 Senate. I don't know why.

20 SENATOR MARTINS: Again,
21 Madam President, through you, I want to thank the
22 sponsor for this bill.

23 And I'd like to go on the bill.

24 ACTING PRESIDENT MAYER: Senator
25 Martins on the bill.

1 SENATOR MARTINS: This bill passed
2 the Senate in 2023 unanimously through the
3 Rules Committee, 20 to zero. That's remarkable.
4 There aren't many bills in this house that pass
5 20-0 through Rules, and this is one of them.

6 And then it went to the floor and it
7 passed the Senate 58-0, Madam President, 58-0 in
8 2023, unanimously again. In 2024, in keeping
9 with 2023, it passed Codes 13-0 -- again,
10 remarkable -- and yet came to the floor and
11 passed the Senate 59-0. Fifty-nine to zero in
12 2024. And then this year, in 2025, it passed
13 Codes 12-0.

14 So in three years, through each
15 committee and on the floor of this Senate, this
16 bill has passed this house unanimously, which is
17 extraordinary.

18 I think we would all agree that when
19 you have a bill that passes this house that often
20 in those committees and there isn't even one
21 member of this chamber that has voted no -- and
22 then this year, the Governor put this bill and
23 this language in the Executive Budget. And yet
24 in the final -- and it was in the Senate budget,
25 in the Senate one-house, excuse me. And yet in

1 the final budget that came before us all to vote,
2 it was not there and it had been rejected.

3 So I rise, Madam President, to
4 highlight that fact, not to tell my colleagues
5 something they probably don't already know. But
6 to also highlight the fact that there is one
7 group that is missing. Because in all of that
8 time during all these years where it has passed
9 this house unanimously and clearly has the
10 support of the Executive on the second floor, it
11 has yet to come out of committee in the New York
12 State Assembly.

13 And that is an absolute disgrace.
14 Because when we talk about child sex trafficking
15 and we talk about the ability to hold people
16 criminally and civilly responsible for such
17 atrocities, the idea that that has been held up
18 in the Assembly needs to be highlighted. And
19 every one of us -- and everyone who may be
20 listening -- needs to be aware that that's where
21 this is getting bottled up.

22 It's time we stop passing bills
23 unanimously in this house and started holding
24 people who are bottling up these bills in the
25 other house, hold them accountable. Especially

1 when it's something like this that demands our
2 attention because it goes to our priorities and
3 it goes to our humanity.

4 So I'm doing that today, and I want
5 to thank Senator Cleare for once again bringing
6 this bill before us. I want to thank my
7 colleagues for again supporting this bill and
8 showing this is a priority for this house. And
9 yes, let's call out the other house and let's
10 make sure there's questions asked as to why this
11 bill can't even make it out of committee.

12 Madam President, I vote aye.

13 ACTING PRESIDENT MAYER: Thank you,
14 Senator Martins.

15 Are there any other Senators wishing
16 to be heard?

17 Seeing and hearing none, debate is
18 closed. The Secretary will ring the bell.

19 Read the last section.

20 THE SECRETARY: Section 14. This
21 act shall take effect immediately.

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Senator

1 Cleare to explain her vote.

2 SENATOR CLEARE: Thank you,
3 Madam President.

4 Upon election to the Senate I
5 made it my mission to work to eradicate human
6 trafficking. We have listened to survivors,
7 we've passed meaningful legislation and held
8 community conversations. But there's so much
9 more to accomplish. Sadly, we know that at
10 present, due to many variables, effective cases
11 of prosecution for the crime of human trafficking
12 are very challenging to bring in a timely,
13 meaningful and preventative manner.

14 Thus the bill that we're
15 highlighting today will empower district
16 attorneys all over the state to be able to
17 effectively prosecute the most heinous and
18 grievous acts of human trafficking in a way that
19 will not only hold people accountable but will
20 help change the system for good.

21 Senate Bill 116 would eliminate the
22 criminal statute of limitations for sex
23 trafficking and extend the window for survivors
24 to file lawsuits that will allow them to gain a
25 measure of justice.

1 Many thanks to this Senate body,
2 which has always stood up for survivors and
3 supported this bill. 2025 is the year to make it
4 law. I vote aye and encourage you all to do the
5 same.

6 Thank you.

7 ACTING PRESIDENT MAYER: Senator
8 Cleare to be recorded in the affirmative.

9 Announce the results.

10 THE SECRETARY: Ayes, 57.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 405, Senate Print 2253, by Senator Comrie, an act
15 to amend the Public Service Law.

16 ACTING PRESIDENT MAYER: Senator
17 Martins, why do you rise?

18 SENATOR MARTINS: Madam President,
19 I was hoping the sponsor would yield for just a
20 few questions.

21 ACTING PRESIDENT MAYER: Senator
22 Comrie, do you yield?

23 SENATOR COMRIE: No. No.

24 (Laughter.)

25 SENATOR MARTINS: Okay,

1 Madam President, on the bill.

2 (Laughter.)

3 SENATOR COMRIE: Yes, I yield.

4 ACTING PRESIDENT MAYER: The
5 Senator yields.

6 SENATOR MARTINS: Senator, thank
7 you. Madam President, through you. Senator, did
8 the Public Service Commission ask for this bill?

9 SENATOR COMRIE: This bill was --
10 I'm sorry. Through you, Madam President. This
11 bill was requested by many advocates and
12 homeowners that are dealing with the fact that
13 they can never understand their rates and that
14 they have been petitioning the Public Service
15 Commission to try to come up with a standard and
16 a set of responsible numbers that they could
17 really appreciate so that they could know what
18 the cost of their water bills are.

19 Unfortunately, throughout the state
20 there's a wide array of costs for a water bill
21 for the same amount of water from different
22 municipalities. So this bill is simply to ask
23 the Public Service Commission to develop a
24 formula, to publish that formula as to how those
25 rates are done so that the communities can know

1 exactly what they're paying for.

2 SENATOR MARTINS: Thank you,
3 Senator.

4 Madam President, through you, if the
5 Senator will continue to yield.

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR COMRIE: Yes, I do.

9 ACTING PRESIDENT MAYER: The
10 Senator yields.

11 SENATOR MARTINS: The Public
12 Service Commission doesn't have jurisdiction over
13 authorities or municipalities or districts, but
14 over private utilities, power authorities --
15 excuse me, private utilities, including water.

16 Is there any authority within the
17 Public Service Commission that would allow them
18 to have this jurisdiction over municipalities?

19 SENATOR COMRIE: This is not to try
20 to establish authority or autonomy over
21 municipalities. This is simply to collect
22 information, public information.

23 This bill would direct them to
24 develop a formula for the calculation of a
25 residential water cost index and publish a report

1 on every qualifying waterworks corporation's
2 respective residential water cost index. It
3 would only create an opportunity for the PSC to
4 gather information and share information. This
5 is not about trying to go in and tell a
6 municipality what they could do or anything to
7 usurp their authority or autonomy.

8 SENATOR MARTINS: Thank you,
9 Senator.

10 Madam President, on the bill.

11 ACTING PRESIDENT MAYER: Senator
12 Martins on the bill.

13 SENATOR MARTINS: I want to thank
14 Senator Comrie because I do think that this is a
15 worthy goal for us, that we have a metric by
16 which we can compare the cost of water.

17 My concern stems from the fact that
18 the Public Service Commission simply doesn't have
19 the authority to manage and oversee municipal
20 utilities. They don't have authority over the
21 New York Power Authority, they don't have
22 authority over the Long Island Power Authority,
23 they don't have authority over our water
24 districts and water authorities. And they never
25 have. Private utilities, they do. Public and

1 municipal, they don't.

2 And so I'm concerned about the
3 metric by which our public or municipal
4 districts, or some of our villages have water
5 departments, would be asked to provide
6 information to an entity that they don't normally
7 have oversight of, they don't provide information
8 to.

9 I have 43 villages in my district.
10 I have dozens of water districts in my district.
11 And I'm concerned that they are not prepared for
12 something like this, although I think we should
13 all work towards a metric that allows us to get
14 to this.

15 The idea of creating a new
16 requirement for districts and villages that
17 they're not prepared for, let alone perhaps the
18 Public Service Commission that doesn't have I
19 believe the authority to look at municipalities
20 and oversee municipalities and require them to
21 provide that information because they are here to
22 regulate private utilities, creates some serious
23 concerns for me.

24 I certainly understand and I want to
25 thank the sponsor because, you know, the idea

1 that, you know, in certain parts of the state and
2 even certain parts of the same town or the same
3 county there can be disparities in the cost of
4 water is a concern and should be a concern to us.
5 And we should figure out what that metric looks
6 like and how we can go about putting something
7 together.

8 I'm just -- my concern here is I'm
9 not sure it's the Public Service Commission and
10 I'm not sure it should be done in a way that
11 doesn't include our municipal districts, our
12 water districts, our villages and water
13 departments as part of that discussion before we
14 pass something that may obligate them to a cost
15 that they are not accustomed to and to a
16 relationship with the PSC that they simply don't
17 have.

18 Now, if this were directed at
19 private water companies, sure. The private water
20 companies have to go to the PSC for a rate change
21 every time they want to change rates. The public
22 utilities or private utilities, the Con Eds of
23 the world, have to go to the Public Service
24 Commission any time they want a rate change. Our
25 municipalities and our districts do not.

1 So this is a difference that's
2 important. And so before we move with a piece of
3 legislation like this that may have unintended
4 consequences and may add burdens to districts
5 that don't have the ability to meet them, let's
6 have a conversation. Let's include them in the
7 conversation. Let's assess the cost of this, and
8 let's figure out how we get this done.

9 Thank you, Madam President.

10 Thank you to the sponsor as well.

11 ACTING PRESIDENT MAYER: Thank you,
12 Senator Martins.

13 Are there any other Senators wishing
14 to be heard?

15 Seeing and hearing none, debate is
16 closed. The Secretary will ring the bell.

17 Read the last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Senator
24 Comrie to explain his vote.

25 SENATOR COMRIE: I just want to

1 thank Senator Martins for his insight and focus
2 on trying to make sure that municipalities are
3 protected.

4 We believe that this would be very
5 cost de minimis for municipalities, because we're
6 directing the PSC to come up with a formula and
7 do all the work. We're not looking to try to
8 give an unintended mandate to try to spend money
9 on things they don't know.

10 So hopefully we can, you know, come
11 up with a formula and procedures that would make
12 it illuminative for constituents, because this is
13 why it was brought to us. We have many
14 constituents across the state that are concerned
15 because they have no idea what their price of the
16 water is, and they would love to see a process
17 that could show them and illuminate it for them
18 in the way that they can appreciate.

19 So hopefully we will get to that
20 point. I understand your concerns about the
21 Public Service Commission. I have -- we all want
22 to make sure that at the end of the day our
23 consumers know what they're purchasing or know
24 what they have to spend money on or understand
25 what their budgeting is.

1 So hopefully -- according to
2 everything that we talked about, we think that
3 the Public Service Commission can come up with a
4 formula and not wind up with municipalities
5 having to do it themselves.

6 I would urge everybody to vote aye.

7 Thank you, Madam President.

8 ACTING PRESIDENT MAYER: Senator
9 Comrie to be recorded in the affirmative.

10 Announce the results.

11 THE SECRETARY: In relation to
12 Calendar 405, voting in the negative are
13 Senators Canzoneri-Fitzpatrick, Helming, Martins,
14 Tedisco and Walczyk.

15 Ayes, 52. Nays, 5.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 Senator Serrano.

19 (Pause.)

20 ACTING PRESIDENT MAYER: Thank you.

21 That completes the reading of the
22 calendar. Thank you, my colleagues.

23 (Laughter.)

24 SENATOR SERRANO: Madam President,
25 can we go back to motions.

1 On behalf of Senator Ramos, on
2 page 25 I offer the following amendments to
3 Calendar Number 379, Senate Bill 1692, and I ask
4 that said bill retain its place on Third Reading
5 Calendar.

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

9 Senator Serrano.

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

12 ACTING PRESIDENT MAYER: There is
13 no further business at the desk.

14 (Laughter.)

15 SENATOR SERRANO: I move to adjourn
16 until tomorrow, Thursday, May 15th, at 11:00 a.m.

17 ACTING PRESIDENT MAYER: On motion,
18 the Senate stands adjourned until Thursday,
19 May 15th, at 11:00 a.m.

20 (Whereupon, the Senate adjourned at
21 5:18 p.m.)

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