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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 20, 2025

3:45 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: In the
9 absence of clergy, let us bow our heads in a
10 moment of silent reflection or prayer.

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

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

15 THE SECRETARY: In Senate, Monday,
16 Monday, May 19, 2025, the Senate met pursuant to
17 adjournment. The Journal of Friday, May 16,
18 2025, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Gonzalez

1 moves to discharge, from the Committee on Codes,
2 Assembly Bill Number 1550 and substitute it for
3 the identical Senate Bill 6975, Third Reading
4 Calendar 641.

5 Senator Jackson moves to discharge,
6 from the Committee on Civil Service and Pensions,
7 Assembly Bill Number 7424 and substitute it for
8 the identical Senate Bill 7646, Third Reading
9 Calendar 952.

10 ACTING PRESIDENT COONEY: So
11 ordered.

12 Messages from the Governor.

13 Reports of standing committees.

14 Reports of select committees.

15 Communications and reports from
16 state officers.

17 Motions and resolutions.

18 Senator Gianaris.

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

21 On behalf of Senator Persaud, I wish
22 to call up Senate Print 518, recalled from the
23 Assembly, which is now at the desk.

24 ACTING PRESIDENT COONEY: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 109, Senate Print 518, by Senator Persaud, an act
3 to amend the Executive Law.

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

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

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 53.

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

13 SENATOR GIANARIS: I offer the
14 following amendments.

15 ACTING PRESIDENT COONEY: The
16 amendments are received.

17 SENATOR GIANARIS: I also have
18 amendments on the following Third Reading
19 Calendar bills:

20 By Senator Krueger, page 22,
21 Calendar Number 634, Senate Print 2433;

22 Senator Skoufis, page 26,
23 Calendar Number 697, Senate Print 6368;

24 Senator Scarcella-Spanton, page 50,
25 Calendar Number 983, Senate Print 4917.

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

4 Senator Gianaris.

5 SENATOR GIANARIS: Move to adopt
6 the Resolution Calendar, with the exception of
7 Resolution 1067.

8 ACTING PRESIDENT COONEY: All those
9 in favor of adopting the Resolution Calendar,
10 with the exception of Resolution 1067, please
11 signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT COONEY: Opposed,
14 nay.

15 (No response.)

16 ACTING PRESIDENT COONEY: The
17 Resolution Calendar is adopted.

18 Senator Gianaris.

19 SENATOR GIANARIS: Please call on
20 Senator Hinchey for an introduction.

21 ACTING PRESIDENT COONEY: Senator
22 Hinchey for an introduction.

23 SENATOR HINCHEY: Thank you,
24 Mr. President.

25 At the heart of our democracy are

1 the promises of freedom and equality, ideals that
2 have long made our country a beacon for the world
3 and remind us that government should always be
4 of, by and for the people.

5 But those ideals don't sustain
6 themselves. They depend on every generation
7 picking up the mantel, staying engaged, and
8 advancing a democracy that's better, more
9 inclusive, and more accountable.

10 Today I'm proud to welcome an
11 inspiring group of students to our Senate
12 chamber: Members of the Democracy Matters Club
13 at Emma Willard School in Troy, including
14 neighbors from my district in Hudson.

15 This chapter is part of a national
16 student-led organization that's growing on
17 high school and college campuses across the
18 country. Students from Emma Willard meet weekly
19 to discuss the issues shaping our communities and
20 country. They run voter registration drives for
21 their peers, write letters to elected officials
22 on issues like the environment, voting rights and
23 campaign finance reform, and advocate for more
24 transparency and accountability in government.

25 The clubs have been active at

1 Emma Willard for the last eight years, and the
2 sustained level of engagement from these students
3 is nothing short of impressive.

4 Democracy Matters was founded in
5 2001 by former MBA player Adonal Foyle and his
6 parents, Joan and Jay Mandle, constituents of
7 mine in the Hudson Valley. They started
8 Democracy Matters based on the simple and true
9 belief that civic engagement isn't something you
10 grow into later in life, it's for everyone,
11 especially for young people who deserve a voice
12 in shaping their future right now.

13 To the students here today --
14 Nadia Mitic, Fiona Kelly from Hudson,
15 Eden Kopans, and Olivia Verrillo -- and our
16 chaperones -- Katie Duglin, History and Social
17 Services Department chair, and Joan Mandle,
18 executive director of Democracy Matters -- thank
19 you for your passion and your purpose.

20 We're so happy to have you here. I
21 think I speak for everyone in this chamber when I
22 say keep caring and pushing the future that you
23 want to see.

24 Mr. President, if you would please
25 extend to them all the privileges of this chamber

1 and welcome them to the Capitol.

2 Thank you very much.

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

5 To our guests, I welcome you on
6 behalf of the Senate. We extend to you the
7 privileges and courtesies of this house.

8 Please rise and be recognized.

9 (Standing ovation.)

10 ACTING PRESIDENT COONEY: Senator
11 Gianaris.

12 SENATOR GIANARIS: Let's move on to
13 Resolution 1067, by Senator Ramos, read that
14 resolution's title, and recognize Senator Ramos,
15 please.

16 ACTING PRESIDENT COONEY: The
17 Secretary will read.

18 THE SECRETARY: Resolution 1067, by
19 Senator Ramos, honoring the Lexington School for
20 the Deaf upon the occasion of hosting its
21 28th Annual Basketball Classic vs.
22 Assembly/Senate All-Stars on May 20, 2025.

23 ACTING PRESIDENT COONEY: Senator
24 Ramos on the resolution.

25 SENATOR RAMOS: Thank you,

1 Mr. President.

2 Today is one of my favorite days of
3 the year here in the Senate because we honor the
4 oldest and largest school for the deaf in
5 New York State. And of course tonight there's a
6 big basketball game. So I want to begin by
7 thanking my colleagues, my basketball-loving
8 colleagues, for volunteering to get beat by the
9 Blue Jays from the Lexington School for the Deaf
10 tonight.

11 And of course a big shout-out to
12 them, who are here in the gallery with us today.
13 Folks, that's your big competition tonight, and I
14 can tell you they mean business.

15 We're tipping off the 28th Annual
16 Lexington Basketball Classic tonight. And let me
17 tell you, my heart is dribbling right alongside
18 our Blue Jays. I see hustle, I see heart, I see
19 Queens grit. And I'm talking Knicks to Mets,
20 baseline to baseline.

21 The Lexington School for the Deaf is
22 a dynasty. Since 1864, Lexington's been building
23 access, community and excellence way before it
24 was trending. ASL and English: Lexington was
25 running a bilingual offense before most schools

1 knew how to pass the ball. Early childhood
2 programs? Lexington had that covered while
3 inclusion was still warming the bench.

4 And when it comes to academics,
5 athletics and the arts, that's a three-point
6 play. And Lexington's got the follow-through.

7 To our Blue Jays tonight, you're not
8 just here to play, you're here to show out. Deaf
9 excellence isn't just alive, it's undefeated.

10 And with that being said, it's a
11 privilege to establish this resolution in honor
12 of the Lexington School for the Deaf. For over a
13 century they've represented and established an
14 environment of growth, learning and success. We
15 are proud to acknowledge their legacy today and
16 the school's impact on my district.

17 And, last thing, if any of these
18 Senators down here try to block your shot
19 tonight, remind them that they may write the
20 laws, but you write the highlight reel. So show
21 them how East Elmhurst does, and make us proud.

22 Thank you.

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

25 Senator Bailey on the resolution.

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

3 I want to thank Senator Ramos for
4 this important resolution. I want to thank my
5 colleagues. Most importantly, I want to thank
6 the Lexington School for the Deaf for coming up
7 year after year.

8 It's no secret that I'm an
9 incredibly huge sports fan, and I've said it on
10 this floor many times: Sports is the world's
11 greatest social currency, and it brings people
12 together that may not have ever been able to have
13 a conversation.

14 But you show people that you are
15 more than not being able to hear so well. You
16 rise above that. You show that on that court you
17 can do anything that you put your mind and your
18 heart to.

19 So I'm looking forward to a spirited
20 game. I'm looking forward to seeing you all
21 stand up so I can see the scouting report to see
22 who's really tall and who might throw me on the
23 floor like one guy did a couple of years ago.

24 But I'm really excited about
25 tonight's game, but I'm really more excited about

1 you never giving up on your educational path.
2 And I'm really even more excited about the
3 futures that you have, not just on the court but
4 in the game of life. Congratulations in advance,
5 because you're already winners.

6 Thank you, Mr. President.

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

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

12 Please rise and be recognized.

13 (Standing ovation.)

14 ACTING PRESIDENT COONEY: The
15 question is on the resolution. All in favor
16 signify by saying aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT COONEY: Opposed,
19 nay.

20 (No response.)

21 ACTING PRESIDENT COONEY: The
22 resolution is adopted.

23 Senator Gianaris.

24 SENATOR GIANARIS: It's a fun time
25 at the basketball game, for anyone that wants to

1 go watch.

2 Previously adopted Resolution 298,
3 by Senator Fernandez, please read its title and
4 recognize Senator Fernandez.

5 ACTING PRESIDENT COONEY: The
6 Secretary will read.

7 THE SECRETARY: Resolution 298, by
8 Senator Fernandez, memorializing Governor Kathy
9 Hochul to proclaim April 13, 2025, as
10 Borinqueneers Day in the State of New York.

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

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

15 Today we recognize one of the most
16 distinguished fighting forces in our nation's
17 history: The 65th Infantry Regiment of the
18 United States Army, known proudly as the
19 Borinqueneers. Formed on this day 126 years ago,
20 in 1899, the Hispanic segregated unit served in
21 World War I, World War II, and most notably in
22 the Korean War, where their skill, discipline and
23 valor became legendary.

24 They fought in nine major campaigns
25 and carried out what would become the last U.S.

1 Army bayonet assault in history. Their record in
2 battle was so exceptional that five-star General
3 Douglas MacArthur himself praised them, saying
4 "They are writing a brilliant record of
5 achievement in battle, and I am proud indeed to
6 have them in this command."

7 Their courage was recognized not
8 only with words but with distinction -- thousands
9 of Purple Hearts, Bronze Stars, Silver Stars, and
10 eventually the Congressional Gold Medal.

11 And in 2014, Congress designated
12 April 13th as Borinqueneers Day, National
13 Borinqueneers Day.

14 Today with this resolution we ask
15 New York State to join that recognition, because
16 Borinqueneers didn't just serve our country.
17 From Buffalo to the Bronx, from Suffolk County to
18 Rochester, these soldiers settled here, raised
19 families here, and shaped our neighborhoods.
20 This is a statewide legacy.

21 For me, this effort began with the
22 story of one man, Jose A. Rivera-Carrion. A
23 Private First Class in Company G whom I honored
24 last year in our veterans ceremony,
25 Mr. Rivera-Carrion played a key role in the

1 assault on Hill 88 during the Korean War,
2 clearing the path for his company while under
3 heavy fire. He earned the Silver Star for his
4 gallantry.

5 When Ricardo Garcia -- my guest on
6 the floor today -- shared his story with me, I
7 knew we found the right person to induct into the
8 Veterans hall of Fame. In many ways, this
9 resolution started with him.

10 Mr. Rivera-Carrion still lives in
11 the Bronx. He celebrated his birthday this past
12 April -- on April 13th, actually, the same day we
13 now seek to honor across the state.

14 With this resolution we affirm that
15 the Borinqueneers are part of New York's proud
16 history. We make their legacy permanent, and we
17 send a clear message their service will always be
18 remembered and celebrated by the people of this
19 state.

20 I want to thank those that helped
21 create a program today. A committee was
22 assembled led by Ricardo Garcia, who is the
23 veterans director at Hostos Community College, in
24 conjunction with Jorge Mercado, the Borinqueneers
25 historian and veterans advocate -- and

1 Congressional Gold Medal recipient -- and
2 Casimiro D. Rodriguez, Sr., president of the
3 Hispanic Heritage Council of Western New York.

4 Today we had a program sharing the
5 beautiful history, the colorful history, and
6 sometimes sad history of the Borinqueneers and
7 what they've contributed to New York and the
8 United States.

9 It was a wonderful history lesson,
10 and I intend to continue this lesson every year
11 as we continue to pass this resolution on our
12 Senate floor.

13 So I thank the leadership for
14 bringing this to the floor. This is the first
15 time the Borinqueneers have been honored with a
16 resolution here in our house. The Assembly also
17 passed a resolution. And I am deeply honored to
18 begin a new tradition for us as we continue
19 honoring those who have fought and defended this
20 country.

21 Thank you. I proudly vote aye.

22 ACTING PRESIDENT COONEY: Thank
23 you, Senator.

24 Senator Baskin on the resolution.

25 SENATOR BASKIN: Thank you,

1 Mr. President.

2 I rise today to acknowledge, support
3 and thank our leader and Senator Fernandez for
4 the resolution commemorating the New York State
5 Borinqueneers Hall of Fame Day, honoring the
6 65th Infantry Regiment, the largest and
7 longest-standing segregated Latino military unit
8 in our nation's history.

9 The Borinqueneers served in
10 World War I, World War II, and most notably in
11 the Korean War, where they fought in some of the
12 fiercest battles of our nation. On top of
13 difficulties of going to battlefields every
14 single day, Borinqueneers, like other minority
15 groups, faced discrimination for the color of
16 their skin and for the language that they spoke.

17 It took 60 years for this group to
18 be formally honored. In 2014, President Barack
19 Obama awarded the Borinqueneers the Congressional
20 Gold Medal in recognition for their service and
21 valor. In 2020, President Biden created the
22 National Borinqueneers Day.

23 And in my district, just last month
24 the Borinqueneers Memorial Way was acknowledged
25 and highlighted and designated on Virginia Street

1 on the West Side of Buffalo.

2 Also in my district, Mr. President,
3 10 years ago we unveiled the Hispanic American
4 Veterans Memorial Monument, which honors
5 Western New York's Borinqueneers. This monument
6 was spearheaded by the Hispanic Heritage Council
7 of Western New York, whose president, Casimiro
8 Rodriguez, is here today. Mr. Rodriguez is also
9 a national honorary member of the Borinqueneers
10 Congressional Gold Medal Committee.

11 And finally I want to recognize
12 Mr. Juan Bautista Negrón-Rivera. Mr. Rivera was
13 a member of the Puerto Rican National Guard and
14 in 1951 was called up to fight in the Korean War,
15 serving in Company E in the 65th Infantry
16 regiment. After the war, Mr. Rivera settled in
17 my district of Buffalo, New York, where he
18 continued his public service as a cofounder of
19 the Pucho Olivencia Community Center, which is
20 the center for the Puerto Rican community in
21 Buffalo.

22 Mr. Rivera is 93 years old and
23 unfortunately could not be here in person with us
24 today, but I am humbled to have him serve and to
25 have him as my constituent as well as many other

1 Buffalonian Borinqueneers.

2 Thank you, Senator Fernandez, again
3 for your leadership and bringing forth this
4 resolution.

5 And our eternal thanks,
6 Mr. President, to all Borinqueneers across our
7 nation. Thank you.

8 ACTING PRESIDENT COONEY: Thank
9 you, Senator.

10 Senator Serrano on the resolution.

11 SENATOR SERRANO: Thank you very
12 much, Mr. President.

13 And I would like to express my
14 gratitude to all of my colleagues -- in
15 particular, Senator Fernandez, for bringing forth
16 this really important resolution here today.

17 The Borinqueneers -- well, as a
18 proud Puerto Rican, it's important that we know
19 about the Borinqueneers and about their
20 tremendous legacy. So grateful for our guests
21 who are here with us in the chamber today for
22 their educating all of us on this very important
23 part of our history.

24 My dad, who's a former member of the
25 U.S. Army, from 1964 through 1967, spoke a great

1 deal to me about the Borinqueneers and how
2 important they are and, indeed, the long history
3 of the Puerto Rican community in our armed
4 forces. The very large percentage of
5 Puerto Ricans in all wars since 1899 and beyond
6 have been overrepresented by the Puerto Rican
7 community.

8 My dad, who was also a former member
9 of Congress, in 2014 advocated for the
10 Congressional Gold Medal for the Borinqueneers, a
11 sign of, I believe, the need for deeper
12 understanding and pride within our community.

13 So I think it's really important and
14 extremely relevant that we stand here today and
15 talk about a legacy that is often untold, the
16 legacy of service and commitment to this country
17 put forth by the Puerto Rican community,
18 tremendous valor and commitment and bravery.

19 Very grateful again to all of my
20 colleagues for this resolution.

21 Thank you.

22 ACTING PRESIDENT COONEY: Thank
23 you, Senator.

24 Senator Sepúlveda on the resolution.

25 SENATOR SEPÚLVEDA: Thank you,

1 Mr. President, for allowing me to speak on this
2 resolution.

3 I want to thank my colleague
4 Senator Fernandez. I want to thank our leader
5 and all the comments that have been made on this
6 floor right now.

7 The Borinqueneers was a regiment
8 created in 1899 and was composed primarily of
9 Puerto Rican soldiers. It was one of the last
10 segregated units that the military in this
11 country has had. They were participating in the
12 military conflicts for this country even though
13 they were not citizens.

14 And in fact, it was a lot because of
15 the acts of bravery that they exhibited during
16 conflict that in 1917, through the Jones Act,
17 that the United States decided to give
18 Puerto Ricans citizenship upon birth. They
19 earned that right.

20 The Borinqueneers are members of the
21 65th Infantry. It's a Puerto Rican regiment of
22 the U.S. Army that has always and to this day
23 continues to distinguish themselves and have in
24 this country throughout all the conflicts since
25 1899.

1 Their acts, as I said, is one of the
2 primary reasons why Puerto Ricans have
3 citizenship. However, let's not forget that it's
4 a limited citizenship. Because despite Congress
5 controlling much of the legislation on the
6 island, Puerto Ricans cannot vote for president,
7 they have no direct vote, and they have no voting
8 rights in Congress.

9 During the Korean War, the
10 Borinqueneers really reached the pinnacle of
11 praise because of their acts of valor, despite
12 facing constant discrimination while they were
13 serving this country. In 2014, as my colleague
14 said, President Obama awarded the Borinqueneers
15 the Congressional Gold Medal, which is one of the
16 highest civilian honors this country has, and it
17 was primarily because they recognize the
18 incredible service that they've given to this
19 country.

20 Unfortunately, I was -- well, not
21 unfortunately, but I was educated through the
22 public school systems here in New York, and we
23 never learned about the history of Borinqueneers.
24 Never learned anything about their valor. And as
25 a proud Puerto Rican, I learned later on about

1 their courage and their service. And I was
2 disappointed that I didn't learn that as a child,
3 because it would have given me additional pride
4 in being of Puerto Rican parents.

5 The Borinqueneers are a symbol of
6 resilience and valor, and their contributions to
7 the military of this country cannot be measured.

8 As I've indicated in many forums
9 here, despite their valor, despite the service
10 that they've given to this country in the
11 military, when it comes to veteran benefits,
12 Puerto Ricans that live on the island that are
13 soldiers receive only 65 percent of the benefits
14 that U.S. soldiers receive here on the mainland.

15 A Puerto Rican soldier, their life,
16 their blood, sweat and tears -- the soldiers, the
17 Borinqueneers, their life has the same value as
18 any soldier in this country. And they should be
19 treated the same, and they should receive all the
20 benefits as veterans that all other veterans
21 receive in this country.

22 And I hope, before I leave this
23 world, there will be an opportunity for me to see
24 that Puerto Rican soldiers, Borinqueneers, are
25 being treated equally as other soldiers in this

1 country.

2 Thank you. Gracias.

3 ACTING PRESIDENT COONEY: Thank
4 you, Senator.

5 Senator Scarcella-Spanton on the
6 resolution.

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

9 And thank you, Senator Fernandez,
10 for bringing this resolution to the floor and all
11 the work that you did. It really is historic to
12 have this happening today, so thank you for that.

13 As chair of Veterans, Homeland
14 Security and Military Affairs Committee, I'm
15 proud to be here alongside my colleagues to honor
16 the 65th Infantry Regiment, proudly known as the
17 Borinqueneers.

18 The story of the U.S. Army cannot be
19 told without the significant contributions that
20 they have given. The Borinqueneers were a
21 Puerto Rican unit of the United States Army, men
22 who wore the uniform with pride on behalf of a
23 nation that, for far too long, failed to honor
24 their return.

25 They fought not only for freedom

1 abroad, but also for dignity and equality at
2 home. The Borinqueneers were awarded with more
3 than 2700 Purple Hearts, over 600 Bronze Stars,
4 256 Silver Stars, nine Distinguished Service
5 Crosses, and the Medal of Honor. They are also
6 the only Hispanic unit from the Korean War to
7 receive the Congressional Gold Medal, a
8 recognition that was well deserved though long
9 overdue.

10 And I had the pleasure earlier to
11 listen to my colleagues discuss it:
12 Senator Serrano and his father had a lot to do
13 with pushing that through, the Congressman, which
14 is amazing.

15 And Senator Sepúlveda, also learning
16 from you, hearing about the 65 percent that the
17 soldiers in Puerto Rico are getting is
18 unacceptable. It's something that we all need to
19 look into and speak to our federal counterparts
20 about.

21 But today many of the surviving
22 Borinqueneers are in their 80s and 90s, and it is
23 more important than ever to continue to honor
24 their legacy and their work.

25 I again thank Senator Fernandez for

1 her leadership on this, and I proudly vote aye.

2 ACTING PRESIDENT COONEY: Thank
3 you, Senator.

4 Senator Chan on the resolution.

5 SENATOR CHAN: Wow. Thank you,
6 Senator Fernandez, for bringing forth this
7 resolution.

8 There was so much said about the
9 65th and the Borinqueneers. But, everybody, you
10 guys forgot to mention Sunset Park in Brooklyn,
11 with our large population of Puerto Ricans as
12 well as Hispanic people.

13 So I feel compelled to stand up and,
14 on behalf of South Brooklyn, Sunset Park, I
15 welcome my Borinqueneers. I welcome the 65th.
16 As a veteran, I extend my gratitude to you as
17 well. Thank you very much.

18 Thank you, Mr. President.

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

21 Senator Bailey on the resolution.

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

24 Thank you, Senator Fernandez, for
25 this really important resolution.

1 Cultural awareness is what's going
2 to get us through. And in my household, it is an
3 African-American and Puerto Rican household. And
4 my daughters and my son, they've been learning
5 about the Buffalo Soldiers and the Tuskegee
6 Airmen, but it's really important that they also
7 learn about the Borinqueneers. Because groups
8 that are fighting wars for people that sometimes
9 don't think of them as equal, I think that's even
10 doubly heroic, Mr. President.

11 And so as the Latino, like,
12 regiment, the 65th, that's legendary, right? The
13 Borinqueneers sounds like a group of superheroes.
14 The name sounds heroic -- and damn it, it is.
15 Because in order for you to fight, like
16 Senator Sepúlveda said, getting 65 percent of
17 what -- of the blood, sweat and tears when you
18 put a hundred in, going back to a country that
19 doesn't -- that didn't regard you as equal and
20 you still put that hundred percent in, that's
21 superhero, to me.

22 So you've heard all the statistics
23 and all the stats, and I'm grateful to all of my
24 colleagues in government and all of my
25 Latino brothers and sisters. But just as someone

1 who -- and I often refer to myself as "sorta
2 Rican." My wife is Puerto Rican, I'm "sorta
3 Rican."

4 (Laughter.)

5 SENATOR BAILEY: It's really
6 important that the Puerto Rican culture, that the
7 history and the legacy of the Puerto Rican
8 culture that has been established in America is
9 not just said only on this floor; it's said in
10 our schools. Like Senator Sepúlveda said it
11 perfectly. We didn't learn anything about the
12 Latino heroes in the military in our school
13 system.

14 So as we continue to advance, as we
15 continue to move forward in this chamber and
16 outside, we have to make sure that like the
17 beautiful and the gorgeous mosaic that
18 David Dinkins said, we have to learn about each
19 and every shade that did something.

20 And today is a historic day, the
21 first time that -- Senator Fernandez, thank you
22 for doing this for the Borinqueneers. Hopefully
23 it's the first of many days to come.

24 I proudly vote aye on this
25 resolution, Mr. President.

1 ACTING PRESIDENT COONEY: Thank
2 you, Senator.

3 Senator Cleare on the resolution.

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

6 And I rise today to thank my
7 colleague Senator Fernandez for bringing forth
8 this very important resolution. You know, and I
9 echo the words of all of my colleagues.

10 But most importantly, it just goes
11 to show how much we don't know, how much we're
12 not teaching. All of our children need to learn
13 the history of our country and all of those who
14 contribute so greatly to it.

15 I want to thank the Borinqueneers
16 for their service. It is because of them that we
17 are all standing here today doing what we're
18 doing. For protecting our democracy, for serving
19 our country.

20 And I am proud to vote aye on this
21 resolution. I happen to represent East Harlem,
22 El Barrio, which is, you know, Puerto Rico No. 2.

23 (Laughter.)

24 SENATOR CLEARE: So on behalf of my
25 district, I wanted to say thank you. Thank you

1 for your service.

2 And thank you, Senator Fernandez.

3 Thank you.

4 ACTING PRESIDENT COONEY: Thank
5 you, Senator Cleare.

6 To our guests, I welcome you on
7 behalf of the Senate. We extend to you the
8 privileges and courtesies of this house.

9 Please rise and be recognized.

10 (Standing ovation.)

11 ACTING PRESIDENT COONEY: The
12 resolution was adopted on February 4th.

13 Senator Serrano.

14 SENATOR SERRANO: Thank you.

15 At the request of the sponsors, the
16 resolutions are open for cosponsorship.

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

21 Senator Serrano.

22 SENATOR SERRANO: Let's please take
23 up the reading of the calendar.

24 ACTING PRESIDENT COONEY: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 127, Senate Print 1226, by Senator Rivera, an act
3 to amend the Public Health Law.

4 ACTING PRESIDENT COONEY: Read the
5 last section.

6 THE SECRETARY: Section 3. This
7 act shall take effect on the 60th day after it
8 shall have become a law.

9 ACTING PRESIDENT COONEY: Call the
10 roll.

11 (The Secretary called the roll.)

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

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

16 This bill, Mr. President, is a bill
17 that we voted on last year, that we voted to
18 basically make -- almost unanimously. Some of my
19 colleagues are voting against it. But we voted
20 unanimously for it for a very simple reason. I
21 believe that we should have a standard process so
22 that if there's a hospital across the state that
23 is going to be closing part of itself or the
24 entire hospital, the impact that it's going to
25 have on the community that it is in should be

1 measured. And they should participate in that
2 process.

3 It was something that was approved
4 almost unanimously both here and in the Assembly.
5 It is unfortunate that our Governor vetoed it.
6 And when she did, she put a message in that veto
7 saying, you know what, we do need to do more for
8 community involvement so we're going to do that
9 through administrative action.

10 And sadly, that has not happened
11 yet. So until it does, this bill is still
12 necessary. And it's why I'm voting aye on this
13 bill and why I'm hoping that we can get it to her
14 desk once again.

15 Thank you, Mr. President.

16 ACTING PRESIDENT COONEY: Senator
17 Rivera to be recorded in the affirmative.

18 Announce the results.

19 THE SECRETARY: In relation to
20 Calendar 127, voting in the negative are
21 Senators Gallivan, Griffo, Oberacker, Stec and
22 Walczyk.

23 Ayes, 56. Nays, 5.

24 ACTING PRESIDENT COONEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 177, Senate Print 660, by Senator Gianaris, an
3 act to amend the Criminal Procedure Law.

4 ACTING PRESIDENT COONEY: Read the
5 last section.

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

8 ACTING PRESIDENT COONEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT COONEY: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 177, voting in the negative are
15 Senators Ashby, Borrello, Bynoe,
16 Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo,
17 Helming, Lanza, Martinez, Mattera, Murray,
18 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
19 Rolison, C. Ryan, Scarcella-Spanton, Stec,
20 Tedisco, Walczyk, Weber and Weik.

21 Ayes, 36. Nays, 25.

22 ACTING PRESIDENT COONEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 402, Senate Print 1194B, by Senator Addabbo, an

1 act to amend the Public Service Law.

2 ACTING PRESIDENT COONEY: Read the
3 last section.

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

6 ACTING PRESIDENT COONEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT COONEY: Announce
10 the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT COONEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 523, Senate Print 371, by Senator Skoufis, an act
16 to amend the Public Health Law.

17 ACTING PRESIDENT COONEY: Read the
18 last section.

19 THE SECRETARY: Section 3. This
20 act shall take effect 18 months after it shall
21 have become a law.

22 ACTING PRESIDENT COONEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT COONEY: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 523, voting in the negative are
4 Senators Borrello, Gallivan, O'Mara, Ortt and
5 Walczyk.

6 Ayes, 56. Nays, 5.

7 ACTING PRESIDENT COONEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 641, Assembly Bill Number 1550, by
11 Assemblymember Solages, an act to amend the
12 Civil Practice Law and Rules.

13 ACTING PRESIDENT COONEY: Read the
14 last section.

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

17 ACTING PRESIDENT COONEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT COONEY: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 641, voting in the negative are
24 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
25 Griffo, Helming, Mattera, Murray, Oberacker,

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

3 Ayes, 44. Nays, 17.

4 ACTING PRESIDENT COONEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 649, Senate Print 1099, by Senator May, an act to
8 amend the Education Law.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

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

13 ACTING PRESIDENT COONEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT COONEY: Senator
17 May to explain her vote.

18 SENATOR MAY: Thank you,
19 Mr. President.

20 I am proud to sponsor the two bills
21 on the agenda today that fight back against
22 ideological efforts to control the collections of
23 school and public libraries.

24 Last year we saw a 92 percent
25 increase in the number of titles targeted for

1 censorship, with special focus on trying to
2 remove books that feature the voices and
3 experiences of people who find themselves most
4 marginalized in our society: LGBTQ folks and
5 ethnic and religious minorities.

6 Librarians know how important these
7 books are to helping lift up, validate, sometimes
8 literally rescue a person who faces bullying,
9 ostracism or fear because of their identity.

10 In another branch of literature, two
11 books that have most frequently been targeted for
12 censorship are 1984 and A Handmaid's Tale, both
13 of which should be required reading today as we
14 try to understand our country's descent into
15 authoritarianism.

16 The freedom to read is fundamental,
17 and I proudly vote aye.

18 ACTING PRESIDENT COONEY: Senator
19 May to be recorded in the affirmative.

20 Announce the results.

21 THE SECRETARY: In relation to
22 Calendar 649, voting in the negative are
23 Senators Borrello, Chan, Gallivan, Griffo, Lanza,
24 Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads,
25 Stec, Walczyk and Weik. Also Senator Tedisco.

1 Ayes, 46. Nays, 15.

2 ACTING PRESIDENT COONEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 650, Senate Print 1100, by Senator May, an act to
6 amend the Education Law.

7 ACTING PRESIDENT COONEY: Read the
8 last section.

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

12 ACTING PRESIDENT COONEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT COONEY: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 650, voting in the negative
19 are Senators --

20 ACTING PRESIDENT COONEY: Hold for
21 one moment.

22 Senator Krueger to explain her vote.

23 SENATOR KRUEGER: Thank you.

24 I want to thank Senator May for both
25 the previous bill and this bill. To be honest, I

1 can't think of anything scarier in this country
2 that preventing people from having access to
3 books, and libraries from being able to provide
4 every book that anyone would ever request of
5 them.

6 It's been terrifying to watch some
7 of the things happening in other states in this
8 country, and in other countries throughout
9 history where they took books away, they burned
10 books. They imagined that's how you could keep
11 people under control.

12 So thank you, Senator May. And
13 thank you for all my colleagues who vote for
14 these bills. And I sincerely do not understand a
15 no vote on either of these bills.

16 Thank you.

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

19 Senator Walczyk to explain his vote.

20 SENATOR WALCZYK: Thank you,
21 Mr. President.

22 The New York State Board of Regents
23 has absolutely no business in telling our local
24 public libraries what books they should and
25 should not have on the shelves.

1 I vote no. Thank you.

2 ACTING PRESIDENT COONEY: Senator
3 Walczyk to be recorded in the negative.

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar 650, voting in the negative are
7 Senators Ashby, Borrello, Chan, Gallivan,
8 Helming, Lanza, Mattera, Murray, O'Mara, Ortt,
9 Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

10 Ayes, 45. Nays, 16.

11 ACTING PRESIDENT COONEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 738, Senate Print 274A, by Senator Martinez, an
15 act to amend the Veterans' Services Law.

16 ACTING PRESIDENT COONEY: Read the
17 last section.

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

20 ACTING PRESIDENT COONEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT COONEY: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar Number 738, voting in the negative:

2 Senator Walczyk.

3 Ayes, 60. Nays, 1.

4 ACTING PRESIDENT COONEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 743, Senate Print 355A, by Senator Rivera, an act
8 to amend the Elder Law.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

11 THE SECRETARY: Section 5. This
12 act shall take effect on the first of April.

13 ACTING PRESIDENT COONEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT COONEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT COONEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 750, Senate Print 1618, by Senator Rivera, an act
23 to amend the Public Health Law.

24 ACTING PRESIDENT COONEY: Read the
25 last section.

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

3 ACTING PRESIDENT COONEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT COONEY: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 750, voting in the negative are
10 Senators Ashby, Borrello, Gallivan, Helming,
11 Lanza, Oberacker, O'Mara, Ortt, Palumbo, Stec,
12 Walczyk and Weik. Also Senator Griffo.

13 Ayes, 48. Nays, 13.

14 ACTING PRESIDENT COONEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 755, Senate Print 3203, by Senator Fernandez, an
18 act to amend the Public Health Law.

19 ACTING PRESIDENT COONEY: Read the
20 last section.

21 THE SECRETARY: Section 3. This
22 act shall take effect on the 60th day after it
23 shall have become a law.

24 ACTING PRESIDENT COONEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT COONEY: Senator
3 Fernandez to explain her vote.

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

6 This bill changes one assumption in
7 law. But it could change everything about how
8 quickly New Yorkers get access to affordable
9 medication.

10 Right now, when a brand name drug
11 company pays a generic company to delay their
12 product, the law assumes that the deal is
13 neutral. We're supposed to believe that that's
14 business as usual, even when it keeps prices high
15 and patients waiting.

16 This bill flips that presumption.
17 If there's any money exchanged and delay agreed
18 to, the law will now presume that that agreement
19 is anticompetitive. Because that's what the
20 evidence shows, that these deals cost consumers
21 billions and that they block generics from
22 entering the market for months and sometimes
23 years.

24 This bill doesn't ban all
25 settlements. It protects fair ones. But it

1 makes it clear that if you're being paid to
2 pause, the burden on you is to prove that it's
3 good for the public.

4 It's a targeted fix, and a
5 long overdue one. I urge my colleagues to vote
6 yes. Thank you.

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

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 755, voting in the negative are
12 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
13 Chan, Gallivan, Griffio, Helming, Mattera, Murray,
14 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
15 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

16 Ayes, 41. Nays, 20.

17 ACTING PRESIDENT COONEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 758, Senate Print 3590, by Senator Harckham, an
21 act to amend the Executive Law.

22 ACTING PRESIDENT COONEY: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect on the 60th day after it

1 shall have become a law.

2 ACTING PRESIDENT COONEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT COONEY: Senator
6 Harckham to explain his vote.

7 SENATOR HARCKHAM: Thank you very
8 much, Mr. President.

9 First, at the outset, I want to
10 thank Senator Shelley Mayer. This bill that
11 we're about to discuss is a collaboration of two
12 bills on related subject matter. And I again
13 thank Senator Mayer for her collaboration and her
14 insights on this bill.

15 Mr. President, we debate climate
16 change and what New York State will do about it
17 in this chamber almost every week. And we can do
18 a little about it, we can do a lot about it. But
19 however much we decide to do, we need to address
20 resiliency, because climate change is here with
21 us right now -- whether we're dealing with
22 excessive heat and what it does to our
23 infrastructure or what it does to health, we're
24 talking about air quality, we're talking about
25 relentless storms that punish our transportation

1 network, our culverts and other infrastructure.

2 For instance, two local examples.

3 In my district we're spending \$25 million to lift
4 what's called the Annsville Circle. It's the
5 road right outside Camp Smith, which is the
6 largest National Guard base in the Lower Hudson
7 Valley, across the street from the Hudson River
8 that floods at high tide every night because of
9 climate-change-induced sea level rise.

10 So New York State needs to be
11 prepared for resilience. This creates the Office
12 of Resilience and the Chief Resiliency Officer to
13 coordinate New York's resiliency efforts. So
14 there will be a resiliency coordinator in every
15 state agency, and this position -- again, whether
16 we're dealing with flooding, excess heat, smoke,
17 storm preparation, transportation -- this will be
18 the office that will coordinate those activities.

19 So thank you for your indulgence,
20 Mr. President.

21 I will be voting aye, and I thank
22 Senator Mayer for her work on this bill as well.

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

25 Senator Mayer to explain her vote.

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

3 And thank you, Senator Harckham, for
4 the nice words.

5 The fact is that when flooding
6 occurs in our communities, we are all facing a
7 state that is not well enough prepared.

8 And in 2021, after having
9 experienced Sandy in my district and in many of
10 our districts, then Ida, Isaias, it was clear to
11 me that the state did not have an Office of
12 Resiliency, as Senator Harckham said, and flood
13 preparedness that was really looking at best
14 practices, forcing the agencies to talk to each
15 other as opposed to talking in silos, and
16 preparing an executive-level response to
17 flooding.

18 So I carried the bill for many
19 years, and then Senator Harckham's excellent bill
20 is a combination of mine and some other
21 suggestions of his.

22 But creating an Office of Resiliency
23 is so overdue. In my district alone, three
24 people died during Superstorm Ida. People died
25 throughout the state in Superstorm Sandy. Our

1 municipalities were very weak in speaking to each
2 other in terms of coordinating their response.
3 And frankly, we have learned the hard way that we
4 need to do better for preparing for floods and
5 other climate disasters.

6 So I'm very pleased that
7 Senator Harckham's bill has made it this far.
8 I'm hopeful it's going to get over the finish
9 line and get signed by the Governor. This is
10 long overdue and will actually put us on par with
11 states that are more prepared than we are.

12 I proudly vote aye.

13 ACTING PRESIDENT COONEY: Senator
14 Mayer to be recorded in the affirmative.

15 Senator Rolison to explain his vote.

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

18 I want to thank Senator Harckham and
19 Senator Mayer for this bill.

20 After getting elected in 2023, we
21 had the storms in our districts in August of
22 2023, and many communities are still recovering
23 from that.

24 And one of the things I think that
25 became so evident is smaller communities have a

1 much more difficult time of reacting to the
2 event, the cleanup from the event, and then the
3 repairs from the event. And many communities,
4 especially the smaller ones, that can be
5 impacted -- whether you're big or small, our
6 climate issues are affecting communities of all
7 size and shape. And to be able to afford to do
8 it and to find your way through navigating state
9 and federal funding can be very difficult. And
10 some communities just don't do it.

11 So to do more on the front end helps
12 the back end, because it is not going to stop.
13 We're going to continue to have these events.
14 And we need to be better prepared as a state so
15 we can help communities respond to it and prevent
16 further damage.

17 Thank you. I proudly vote aye,
18 Mr. President.

19 ACTING PRESIDENT COONEY: Senator
20 Rolison to be recorded in the affirmative.

21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar 758, voting in the negative are
24 Senators Griffo, Ortt and Senator Walczyk.

25 Ayes, 58. Nays, 3.

1 ACTING PRESIDENT COONEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 762, Senate Print 4950, by Senator Harckham, an
5 act to amend the Mental Hygiene 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, 61.

17 ACTING PRESIDENT COONEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 894, Senate Print 5812, by Senator Sepúlveda, an
21 act to amend the Public Health Law.

22 SENATOR LANZA: Lay it aside.

23 ACTING PRESIDENT COONEY: Lay it
24 aside.

25 THE SECRETARY: Calendar Number

1 915, Senate Print 1192, by Senator Addabbo, an
2 act to amend the Criminal Procedure Law.

3 ACTING PRESIDENT COONEY: Read the
4 last section.

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

7 ACTING PRESIDENT COONEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT COONEY: Announce
11 the results.

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT COONEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 952, Assembly Bill Number 7424, by
17 Assemblymember Pheffer Amato, an act to amend the
18 Executive Law.

19 ACTING PRESIDENT COONEY: Read the
20 last section.

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

23 ACTING PRESIDENT COONEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT COONEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT COONEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1012, Senate Print 610, by Senator Stavisky, an
8 act to amend the Education Law.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the 90th day after it
13 shall have become a law.

14 ACTING PRESIDENT COONEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT COONEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT COONEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1027, Senate Print 6017, by Senator Baskin, an
24 act to amend the New York State Urban Development
25 Corporation Act.

1 ACTING PRESIDENT COONEY: Read the
2 last section.

3 THE SECRETARY: Section 4. This
4 act shall take effect on the first of April.

5 ACTING PRESIDENT COONEY: Call the
6 roll.

7 (The Secretary called the roll.)

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

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

12 I rise today to support this bill,
13 as it will provide grants and loans for entities
14 that want to open up a new grocery store and
15 expand an existing grocery store operation in
16 underserved communities.

17 We know across our state there are
18 neighborhoods where there are no grocery stores
19 at all. No grocery stores where you can buy
20 fresh groceries for your family. And some
21 families don't have a car to drive to the grocery
22 supermarket.

23 We know having a grocery store or,
24 even better, having multiple grocery stores in a
25 community just simply improves the health of our

1 neighborhood.

2 In my district alone, we have
3 Dash's Market in North Buffalo, Camillo's Market
4 in Sloan, two family-owned-and-operated grocery
5 stores that serve the needs of their neighbors.
6 On the East Side of Buffalo we have small family
7 grocery stores. We have Mandella Market,
8 Rooted in Love grocery market, and Salud Market.
9 These grocery stores and every grocery store like
10 them deserve opportunities to grow and expand
11 their ventures.

12 Now, this bill passed both houses in
13 the Legislature last year, but unfortunately was
14 vetoed by the Governor, who referenced other
15 existing programs that addressed fresh food
16 retail in underserved neighborhoods.

17 This bill is not the same as those
18 programs, as it will include the construction of
19 grocery store as an eligible project for the
20 Senate's economic development program.

21 The Governor also stated in her veto
22 message that while she is in support of the
23 spirit of the bill, signing this bill into law
24 would become a substantial cost that is not
25 accounted for in the state's fiscal plan.

1 Well, I ask, then, what is the cost
2 of not signing this bill into law? Just last
3 week, Mr. President, my colleagues and I in this
4 chamber, we remembered the massacre in Buffalo at
5 Tops Market on May 14th. The murderer did his
6 research looking for a location that was high
7 propensity for Black people. He found there was
8 just one supermarket, an only place where
9 Black people shopped for groceries on the
10 East Side of Buffalo, in a community where the
11 population was 75 percent Black.

12 We need not only address food
13 deserts with this bill, but we leave our
14 vulnerable communities to be targeted, whether
15 it's by racist murderers, scam artists, or anyone
16 else trying to take advantage of decades of
17 disinvestment.

18 And bringing grocery store
19 development into the state's economic development
20 plan will help turn around decades of
21 disinvestment.

22 I want to thank my colleagues for
23 support of this bill in the past. Today I urge
24 them to vote in the affirmative again. And I
25 encourage our colleagues in the Assembly to pass

1 this bill again.

2 And I look forward to reaching out
3 to the Governor and working with her, making sure
4 that this bill does get signed in 2025.

5 Thank you, Mr. President. I vote in
6 the affirmative.

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

9 Senator May to explain her vote.

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

12 And I want to thank Senator Baskin
13 for this important bill.

14 Sadly, the gunman who targeted your
15 neighborhood initially thought he was going to
16 come to Syracuse and do the same thing, because
17 we share a -- this kind of landscape in our
18 cities where there has been disinvestment and
19 redlining and all -- the whole history that has
20 created racial segregation and, among everything
21 else, food insecurity of a -- of one of the most
22 profound kinds.

23 So I am rising in support of a
24 wonderful organization in Syracuse called FAHNN,
25 or Food Access Neighborhood Health -- Healthy

1 Neighborhoods -- I can't remember. But it's just
2 a small grassroots organization that decided that
3 they need a grocery store on South Salinas Street
4 in the valley, where there used to be one but
5 there hasn't been in decades. And where at least
6 30 percent of the population have no cars, there
7 isn't very regular public transportation, and
8 they really don't have access to healthy food at
9 all.

10 So this group has been trying. I
11 went -- initially I thought it was really
12 unrealistic to think about getting a grocery
13 store there. But they have been so persistent.
14 And I think with this bill we may be able to
15 finally say to them, Yes, the state can help you
16 realize your dream and make your community
17 healthier and stronger.

18 And I am very excited to move
19 forward with this. So thank you for this bill.

20 I vote aye.

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

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar 1027, voting in the negative:

1 Senator Walczyk.

2 Ayes, 60. Nays, 1.

3 ACTING PRESIDENT COONEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1038, Senate Print 856, by Senator Salazar, an
7 act to amend the Correction Law.

8 ACTING PRESIDENT COONEY: Read the
9 last section.

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

12 ACTING PRESIDENT COONEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT COONEY: Senator
16 Salazar to explain her vote.

17 SENATOR SALAZAR: Thank you,
18 Mr. President.

19 In passing this bill today we're
20 taking a step to expand and to diversify the
21 State Commission of Correction, known as the
22 SCOC.

23 Within just the last six months,
24 corrections staff in our state prisons have been
25 indicted for the murders of two incarcerated men,

1 Robert Brooks and Messiah Nantwi. This violence
2 continues in New York's prisons due to systemic
3 failures and deeply inadequate oversight.

4 If our prisons had proper oversight
5 and accountability, it is possible that
6 Mr. Nantwi and Mr. Brooks would still be alive
7 today and we could finally address the rampant
8 brutality in our prison system.

9 Their preventable deaths are a stain
10 on the State of New York. As lawmakers we have
11 an obligation to stop this violence from
12 continuing.

13 The SCOC is statutorily supposed to
14 provide oversight of our state prisons. Its
15 responsibilities include inspecting all 42 state
16 correctional facilities, conducting
17 investigations, and even shutting down facilities
18 when it is necessary.

19 This bill would increase the number
20 of commissioners on the SCOC to nine
21 commissioners, giving the agency the more robust
22 capacity that it once had. The status quo of
23 just three commissioners and a skeleton crew
24 lacks the capacity to fulfill the SCOC's
25 obligations.

1 This bill would also require a range
2 of expertise to be represented among the
3 commissioners, including in criminal defense and
4 public health.

5 Shock and outrage in response to the
6 violence and death in New York's prisons is not
7 enough. This is a crisis that demands meaningful
8 action.

9 Thank you to our Majority Leader and
10 my colleagues for supporting this effort as one
11 of many that we must take to transform our
12 state's prison system.

13 I vote aye.

14 ACTING PRESIDENT COONEY: Senator
15 Salazar to be recorded in the affirmative.

16 Announce the results.

17 THE SECRETARY: In relation to
18 Calendar 1038, voting in the negative are
19 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
20 Chan, Gallivan, Griffio, Helming, Lanza, Mattera,
21 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
22 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

23 Ayes, 40. Nays, 21.

24 ACTING PRESIDENT COONEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1045, Senate Print 5142, by Senator Myrie, an act
3 to amend the Tax Law.

4 ACTING PRESIDENT COONEY: Read the
5 last section.

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

8 ACTING PRESIDENT COONEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT COONEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT COONEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1066, Senate Print 682, by Senator Martinez, an
18 act to amend the Vehicle and Traffic Law.

19 ACTING PRESIDENT COONEY: Read the
20 last section.

21 THE SECRETARY: Section 3. This
22 act shall take effect on the 30th day after it
23 shall have become a law.

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, 61.

5 ACTING PRESIDENT COONEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1093, Senate Print 6980, by Senator Persaud, an
9 act to create a temporary state commission to
10 study and make recommendations concerning the
11 incidence of asthma in the Borough of Brooklyn in
12 New York City.

13 ACTING PRESIDENT COONEY: Read the
14 last section.

15 THE SECRETARY: Section 6. This
16 act shall take effect immediately.

17 ACTING PRESIDENT COONEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT COONEY: Announce
21 the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT COONEY: The bill
24 is passed.

25 Senator Gianaris, that completes the

1 reading of today's calendar.

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

4 ACTING PRESIDENT COONEY: The
5 Secretary will ring the bell.

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 894, Senate Print 5812, by Senator Sepúlveda, an
9 act to amend the Public Health Law.

10 ACTING PRESIDENT COONEY: Senator
11 Borrello, why do you rise?

12 SENATOR BORRELLO: Good afternoon,
13 Mr. President. Would the sponsor yield for some
14 questions.

15 SENATOR SEPÚLVEDA: Through you,
16 Mr. President, I absolutely will.

17 ACTING PRESIDENT COONEY: The
18 sponsor yields.

19 SENATOR BORRELLO: Okay. Through
20 you, Mr. President.

21 This bill -- to my understanding,
22 this bill would allow certain providers who
23 provide pediatric care to opt out of certain
24 healthcare plans, is that correct?

25 SENATOR SEPÚLVEDA: Well, not just

1 pediatric -- through you, Mr. President, not just
2 pediatric care, but any -- well, yes, pediatric
3 care provided to children that are in Healthcare
4 Plus.

5 SENATOR BORRELLO: Through you,
6 Mr. President, will the sponsor continue to
7 yield?

8 ACTING PRESIDENT COONEY: Will the
9 sponsor yield?

10 SENATOR SEPÚLVEDA: Through you,
11 Mr. President, I do.

12 ACTING PRESIDENT COONEY: The
13 sponsor yields.

14 SENATOR BORRELLO: Thank you.
15 Through you, Mr. President.

16 So my understanding is this would
17 allow providers that are under the Child Health
18 Plus program to basically opt out, and that could
19 impact the ability for those children to have
20 consistent care. How is this bill in the best
21 interests of the child that's receiving care
22 versus the provider?

23 SENATOR SEPÚLVEDA: Through you,
24 Mr. President. The genesis of the bill came from
25 parents whose children are in the program. And

1 they called us -- they called my office four
2 years ago, and they continue to call. A problem
3 they have is their child has a primary care
4 physician who is participating in the program;
5 however, they have other physicians that they
6 want to take their children to.

7 And because Child Health Plus, the
8 commercial entities require the providers of
9 health to the children to sign up for all the
10 commercial products that the parents sometimes
11 don't want to go to the providers within that
12 plan. They want to stay with their doctors, they
13 want to see different doctors.

14 And so the bill is designed to give
15 the parents the option to go to any provider that
16 they want and they don't -- they're not left out
17 of Child Care Plus, they don't have to remove
18 themselves from the plan. But it gives them more
19 options to go elsewhere if they're more
20 comfortable with other physicians.

21 SENATOR BORRELLO: Mr. President,
22 will the sponsor continue to yield.

23 ACTING PRESIDENT COONEY: Will the
24 sponsor yield?

25 SENATOR SEPÚLVEDA: Through you,

1 Mr. President, yes.

2 ACTING PRESIDENT COONEY: The
3 sponsor yields.

4 SENATOR BORRELLO: Well, that
5 sounds like a laudable goal. But my
6 understanding of this bill is it allows providers
7 to decide whether or not they're going to
8 participate, which would actually create some
9 problems with continuity of care.

10 How does this bill protect a
11 parent's ability to make sure they get to see the
12 provider that they want?

13 SENATOR SEPÚLVEDA: Through you,
14 Mr. President. I respectfully disagree with your
15 characterization that it will stop the quality of
16 care.

17 The quality of care is determined by
18 the parent. And if the parent believes that
19 another physician that's not within the plan can
20 do a better job with their child, they should
21 give them the option.

22 This is a -- the providers that --
23 the plans that require those that are in
24 Health Care Plus, Child Care Plus to use their
25 program, what they're doing, it's essentially a

1 bait and switch. It's either you come here to
2 our program, you use all of our commercial
3 products, or you cannot participate in this
4 program. That, to me, is a problem.

5 SENATOR BORRELLO: Mr. President,
6 will the sponsor continue to yield?

7 ACTING PRESIDENT COONEY: Will the
8 sponsor yield?

9 SENATOR SEPÚLVEDA: Through you,
10 Mr. President, yes.

11 ACTING PRESIDENT COONEY: The
12 sponsor yields.

13 SENATOR BORRELLO: So I guess maybe
14 we have a misunderstanding on how this is going
15 to work.

16 If you're saying -- you're saying
17 that the insurer is ensuring that they are
18 participating in all the programs, but this bill
19 would allow them to decide not to participate in
20 those programs. So this is not about the
21 insured, it's about the provider.

22 How is this going to guarantee -- I
23 just don't -- I genuinely don't understand how
24 this would guarantee that they're going to have
25 that continuity of care. It seems like it would

1 be the opposite, because a provider could just
2 choose like, I'm going to go with this particular
3 program that gives the greatest reimbursement,
4 and therefore no longer have a choice for a
5 particular insured's plan that now is no
6 longer -- that provider is no longer working with
7 that plan.

8 So I'm not sure how it achieves that
9 goal.

10 SENATOR SEPÚLVEDA: Through you,
11 Mr. President. I don't see your position on how
12 it's going to create a conflict or an issue for
13 continuity of care. Because you're giving the
14 parents the option.

15 And I remind my colleague that the
16 motivation behind this bill were parents who were
17 complaining to us about not having the option of
18 taking their children to another provide -- to
19 another -- use of their healthcare insurance so
20 that they can go to another provider that's not
21 necessarily working with this plan.

22 SENATOR BORRELLO: Through you,
23 Mr. President, will the sponsor continue to
24 yield.

25 ACTING PRESIDENT COONEY: Will the

1 sponsor yield?

2 SENATOR SEPÚLVEDA: Through you,
3 Mr. President, yes.

4 ACTING PRESIDENT COONEY: The
5 sponsor yields.

6 SENATOR BORRELLO: So you're saying
7 that this bill would allow a provider to not
8 participate in a plan, but somehow that's going
9 to make sure that the provider participates in
10 the plan. I'm not sure how it -- how that works.

11 SENATOR SEPÚLVEDA: Through you,
12 Mr. President. I think your focus is on the
13 commercial insurance providers rather than the
14 parents.

15 The parents -- the provider of care
16 can use Child Health Plus for a particular
17 service. What the plan, the commercial plans
18 that allow Child Health Plus are saying, that if
19 you're going to use Child Health Plus you also
20 have to use all of the other commercial products
21 that we have within our plans.

22 And that is essentially restricting
23 parents from using another provider, another
24 healthcare company -- another provider that uses
25 another healthcare company to enroll their

1 children with that new provider.

2 This is not -- this is not
3 provider-centric. This is parent-centric.

4 SENATOR BORRELLO: Mr. President,
5 will the sponsor continue to yield?

6 ACTING PRESIDENT COONEY: Will the
7 sponsor yield? Will the sponsor yield?

8 SENATOR SEPÚLVEDA: Through you,
9 Mr. President, yes.

10 ACTING PRESIDENT COONEY: The
11 sponsor yields.

12 SENATOR BORRELLO: Through you,
13 Mr. President. So this was not brought to you by
14 the providers who wish to determine, I guess, the
15 best reimbursement. This is a -- we'll call it a
16 grassroots effort. There's no providers involved
17 in the development of this bill?

18 SENATOR SEPÚLVEDA: Through you,
19 Mr. President, absolutely not a single -- I've
20 never spoken to a single provider about this
21 bill.

22 It was essentially, as I indicated
23 previously, time and again, these were parents
24 that reached out to my office because they had an
25 issue that they had to limit their providers on

1 those that accept Child Health Plus.

2 SENATOR BORRELLO: Mr. President,
3 will the sponsor continue to yield?

4 ACTING PRESIDENT COONEY: Will the
5 sponsor yield?

6 SENATOR SEPÚLVEDA: Through you,
7 Mr. President, I do.

8 ACTING PRESIDENT COONEY: The
9 sponsor yields.

10 SENATOR BORRELLO: So if you didn't
11 consult with any providers, how do we know that
12 this is going to solve the problem of what these
13 parents are experiencing? I mean, this is really
14 about providers and which plans they're going to
15 participate in.

16 But isn't there potentially an
17 unintended consequence here?

18 SENATOR SEPÚLVEDA: Through you,
19 Mr. President. Again, my focus has always been
20 on providing -- on giving parents the option to
21 go and take their children and get healthcare
22 wherever they want. My focus is not on the
23 commercial healthcare companies and their
24 profits.

25 So the parents want this. They want

1 the option to take their children to any provider
2 that they want regardless of what the commercial
3 health plans are accepting. And that is the
4 focus of this bill.

5 SENATOR BORRELLO: Mr. President,
6 on the bill.

7 ACTING PRESIDENT COONEY: Senator
8 Borrello on the bill.

9 SENATOR BORRELLO: Thank you,
10 Senator Sepúlveda. I appreciate the engagement
11 here.

12 So one of my former colleagues said
13 that Albany is often the land of unintended
14 consequences. And I wonder if that's not the
15 case here, because my reading of this bill is
16 that it allows providers to decide who they're
17 going to -- which programs they're going to be
18 able to participate in.

19 And they could really say, Well,
20 Plan A over here provides more reimbursement than
21 plan B, so I'm going to choose Plan B, and I
22 guess that's, you know, somewhat of a decision
23 they can make.

24 But when we're saying -- we're
25 talking about Child Health Plus program, which is

1 really a state-sponsored program. Right? The
2 state is sponsoring this. The state is providing
3 this coverage. We should want them to be able to
4 have that maximum impact. Because children,
5 particularly children who have chronic health
6 issues like asthma, diabetes and other things,
7 they need to have that continuity of care.

8 And this would basically allow the
9 providers to kind of jump around a bit. And
10 that, to me, would impact the continuity of care
11 for children, particularly children with chronic
12 health issues.

13 And I believe the sponsor when he
14 say that this is an effort brought to him by
15 parents. But without consultation with providers
16 and insurance companies on this, I'm afraid the
17 unintended consequence could be the opposite.

18 So I'll be a no on this bill.

19 Thank you, Mr. President.

20 ACTING PRESIDENT COONEY: Thank
21 you, Senator Borrello.

22 Are there any other Senators wishing
23 to be heard?

24 Seeing and hearing none, debate is
25 now closed.

1 Senator Gianaris.

2 SENATOR GIANARIS: Mr. President,
3 we've agreed to restore this bill to the
4 noncontroversial calendar.

5 ACTING PRESIDENT COONEY: The bill
6 is restored to the noncontroversial calendar.

7 Read the last section.

8 THE SECRETARY: Section 2. 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 894, voting in the negative are
17 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
18 Gallivan, Griffo, Helming, Lanza, Mattera,
19 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
20 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

21 Ayes, 41. Nays, 20.

22 ACTING PRESIDENT COONEY: The bill
23 is passed.

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

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

3 If we could return to motions for a
4 moment, on behalf of Senator Fahy, I wish to call
5 up Senate Print 4722, recalled from the Assembly,
6 which is now at the desk.

7 ACTING PRESIDENT COONEY: The
8 Secretary will read.

9 THE SECRETARY: Calendar Number
10 664, Senate Print 4722, by Senator Fahy, an act
11 to amend the Arts and Cultural Affairs Law.

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

14 ACTING PRESIDENT COONEY: The
15 Secretary will now call the roll on
16 reconsideration.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 61.

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

22 SENATOR GIANARIS: I offer the
23 following amendments.

24 ACTING PRESIDENT COONEY: The
25 amendments are received.

1 SENATOR GIANARIS: On behalf of
2 Senator Cleare, on page 53 I offer the following
3 amendments to Calendar 1106, Senate Print 3742,
4 and I ask that said bill retain its place on the
5 Third Reading Calendar.

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

9 Senator Gianaris.

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

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

14 SENATOR GIANARIS: I move to
15 adjourn until tomorrow, Wednesday, May 21st, at
16 3:00 p.m.

17 ACTING PRESIDENT COONEY: On
18 motion, the Senate stands adjourned until
19 Wednesday, May 21st, at 3:00 p.m.

20 (Whereupon, at 4:53 p.m., the Senate
21 adjourned.)

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25