NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 5, 2025

3:50 p.m.

REGULAR SESSION

SENATOR JEREMY COONEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT COONEY: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT COONEY: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, June 4, 2025, the Senate met pursuant to adjournment. The Journal of Tuesday, June 3, 2025, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Stavisky

moves to discharge, from the Committee on Higher Education, Assembly Bill Number 5448B and substitute it for the identical Senate Bill 4559B, Third Reading Calendar 456.

Senator Baskin moves to discharge, from the Committee on Health, Assembly Bill Number 7617 and substitute it for the identical Senate Bill 7151A, Third Reading Calendar 897.

Senator Webb moves to discharge, from the Committee on Higher Education, Assembly Bill Number 7561 and substitute it for the identical Senate Bill 7220, Third Reading Calendar 908.

Senator Gonzalez moves to discharge, from the Committee on Elections, Assembly Bill Number 1223 and substitute it for the identical Senate Bill 6996, Third Reading Calendar 963.

Senator Tedisco moves to discharge, from the Committee on Housing, Construction and Community Development, Assembly Bill Number 7653 and substitute it for the identical Senate Bill 5675, Third Reading Calendar 980.

Senator Baskin moves to discharge, from the Committee on Consumer Protection, Assembly Bill Number 1797 and substitute it for

the identical Senate Bill 6723, Third Reading Calendar 1131.

Senator Krueger moves to discharge, from the Committee on Banks, Assembly Bill Number 5345 and substitute it for the identical Senate Bill 4323, Third Reading Calendar 1171.

Senator Gianaris moves to discharge, from the Committee on Corporations, Authorities and Commissions, Assembly Bill Number 7892 and substitute it for the identical Senate Bill 6991, Third Reading Calendar 1187.

Senator Fahy moves to discharge, from the Committee on Rules, Assembly Bill Number 7560A and substitute it for the identical Senate Bill 7793, Third Reading Calendar 1292.

Senator Palumbo moves to discharge, from the Committee on Investigations and Government Operations, Assembly Bill Number 5295 and substitute it for the identical Senate Bill 3308, Third Reading Calendar 1436.

Senator Comrie moves to discharge, from the Committee on Transportation, Assembly Bill Number 34 and substitute it for the identical Senate Bill 31, Third Reading Calendar 1455.

Senator Brouk moves to discharge, from the Committee on Children and Families, Assembly Bill Number 4003 and substitute it for the identical Senate Bill 4929, Third Reading Calendar 1488.

Senator Weber moves to discharge, from the Committee on Rules, Assembly Bill Number 4391 and substitute it for the identical Senate Bill 5220, Third Reading Calendar 1489.

Senator Comrie moves to discharge, from the Committee on Rules, Assembly Bill Number 4712 and substitute it for the identical Senate Bill 2460, Third Reading Calendar 1526.

Senator Hinchey moves to discharge, from the Committee on Energy and Telecommunications, Assembly Bill Number 2736A and substitute it for the identical Senate Bill 8213, Third Reading Calendar 1575.

Senator Gianaris moves to discharge, from the Committee on Rules, Assembly Bill Number 3516 and substitute it for the identical Senate Bill 416, Third Reading Calendar 1460.

ACTING PRESIDENT COONEY: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Mr. President.

I wish to call up the following bills, which were recalled from the Assembly and are now at the desk: Senate Print Numbers 1202, 5397, and 1104.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 195, Senate Print 1202, by Senator Cleare, an act to amend the Elder Law;

Calendar Number 478, Senate Print 5397, by Senator Scarcella-Spanton, an act to amend the Veterans' Services Law;

Calendar Number 316, Senate Print 1104, by Senator Cooney, an act to amend the General Business Law.

SENATOR GIANARIS: Move to reconsider the vote by which these bills were

passed.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 50.

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

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT COONEY: The amendments are received.

SENATOR GIANARIS: Amendments are also offered to the following Third Reading Calendar bills:

By Senator Skoufis, page 71, Calendar Number 1450, Senate Print 6441;

Senator Serrano, page 75, Calendar Number 1522, Senate Print 1378;

Senator Sepúlveda, page 26, Calendar Number 893, Senate Print 5294A;

Senator Sanders, page 50, Calendar Number 1236, Senate Print 6952;

Senator Hoylman-Sigal, page 26, Calendar Number 892, Senate Print 5196;

Senator Serrano, page 81, Calendar Number 1573, Senate Print 8206;

And Senator Addabbo, page 58, Calendar Number 1328, Senate Print 2612.

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

SENATOR GIANARIS: Please take up previously adopted Resolution 1016, read its title, and recognize Senator Hinchey on the resolution.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 1016, by Senator Hinchey, memorializing Governor Kathy Hochul to proclaim June 2025 as Dairy Month in the State of New York.

ACTING PRESIDENT COONEY: Senator Hinchey on the resolution.

SENATOR HINCHEY: Thank you, Mr. President.

Happy Dairy Day in New York!

New York's dairy story is more than milk, it's history, innovation and generational hard work. It all started over 400 years ago in

the Hudson River Valley, which was and still is a haven for grazing cows, which flourished in the region. By the early 1800s, dairy farming had expanded into places like the Finger Lakes, the Mohawk Valley, and Central New York, turning dairy into a statewide enterprise.

In 1878, the first glass milk jar was patented in New York City. By the following year, bottled milk began showing up in places like Orange County, a small innovation that revolutionized the way people accessed fresh local milk.

Fast forward to today, New York ranks fifth in the nation for milk production, and we're number one in yogurt, sour cream and, yes, cottage cheese -- long before it went viral on TikTok.

New York dairy contributes nearly $4 billion to our state's economy every year, and over 94 percent of our dairy farms are family-owned, often run by the same family for generations.

Today there are a little under 3,000 dairy farms in New York, a number that's declined dramatically over the years due to a

number of factors, especially being an industry where farmers don't get to set their own prices. It's a tough business that no one gets into to get rich. They do it because they love it, and here in New York we are committed to keeping dairy strong.

So today we say thank you to every dairy farmer, every farming family, and every processor in New York. And a special shout-out to those in my district, including Upland Farms in Millbrook, which just received funding through the Dairy Modernization Grant Program that we advanced in the budget, and Hudson Valley Fresh, a dairy cooperative owned by eight Hudson Valley farmers who stock our local schools and even West Point with dairy, and of course Ronnybrook, which is one of everyone's favorites when they see it in the stores.

And, yes, for the record, yogurt is New York's official state snack and milk is our state beverage.

We are proud to have Dairy Day in the State of New York. Happy Dairy Day, everyone.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Hinchey.

Senator Borrello on the resolution.

SENATOR BORRELLO: Holy cow, it's Dairy Day!

(Laughter.)

SENATOR BORRELLO: You missed that one (to Senator Hinchey).

I want to say how proud I am to represent the number-one dairy county in New York State, Wyoming County. More cows than people, and they're proud of that.

There are thousands upon thousands of dairy farms across New York State. We are number one in the country when it comes to things like yogurt. We are a strong dairy state here in New York, and getting stronger -- thank goodness.

We're very proud in my district to now have a state of the art -- the largest state-of-the-art cheese-making facility in the country at Great Lakes Cheese in Farmersville, an amazing accomplishment.

And not only are there thousands upon thousands of workers, between the plant itself and the farms and the cooperatives, but

there are 60,000 cows in New York State that every single day, seven days a week, supply milk for the cheese-making at Great Lakes Cheese.

And the list goes on and on.

We are a proud, proud agricultural state. It's the number-one industry, and dairy is the number-one agribusiness here in New York State.

Happy Dairy Day, Mr. President. Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Borrello.

Senator May on the resolution.

SENATOR MAY: Thank you, Mr. President.

I am going to dispute my esteemed colleague across the aisle because I have the honor to represent Cayuga County, which is the number-one dairy-producing county in the state and number 27 in the country, actually.

Cayuga County is known for its beautiful landscapes and its fertile land, and a long tradition of dairy farming. We're home to 280 dairy farms and producing about $320 million in dairy revenue every year.

I'd like to shout out a few particular businesses that do amazing work. There is the Cayuga Milk Ingredients, which brings together a number of farms to produce some of the highest-quality powdered milk, protein powders, and shelf-stable fluid milks. Their reputation is so -- for such high quality that their motto is "Turning milk into magic."

There are two dairy farms I also would like to shout out:

Spruce Haven Farm, which is a leader in the sustainable treatment of cow manure. They're working on a biochar pilot project that will turn cow manure solids into a soil amendment that is incredibly valuable and does not have the problems of runoff into the water that cow manure sometimes has.

And Sunnyside Farms, that was selected in 2024 for the New York AEM-Leopold Conservation Award, recognizing them for their approach to soil health, water quality, and wildlife habitat on working land. Their longstanding participation with the Cayuga county Soil and Water Conservation District is a testament to their commitment to being good

stewards of the land and of their animals.

We're very proud of the dairy farms in our district and welcome people to come visit beautiful Cayuga County.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator May.

Senator Tedisco on the resolution.

SENATOR TEDISCO: Yes. I, like all of you, probably, got down to the Concourse and I enjoyed very much Dairy Day. I had some wonderful ice cream from a staple in my district, Stewart's Shops' ice cream. I had some wonderful yogurt.

And I always like to say, say it in many instances, all good things emanate from the 44th Senatorial District, which is Saratoga and Schenectady counties.

Very proud of our farmers, the agriculture, the dairy products. And we have to help them continue to mooooove on and grow --

(Laughter.)

SENATOR TEDISCO: -- and even be more productive.

And we're proud of our farmers,

we're proud of the work they do in our districts.

And thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Tedisco.

Okay. The resolution was adopted on May 20th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, let's mooooove on --

(Laughter.)

SENATOR GIANARIS: -- to the next bill, previously adopted Resolution 1066, by Senator Myrie, read its title and recognize Senator Myrie.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 1066, by Senator Myrie, memorializing Governor Kathy Hochul to proclaim October 9, 2025, as Sneakers Day in the State of New York.

ACTING PRESIDENT COONEY: Senator Myrie on the resolution.

SENATOR MYRIE: Thank you, Mr. President.

And thank you to our Majority Leader

for continuing our tradition.

Happy Sneaker Day to all who celebrate and observe.

This is an exciting day in the State Legislature and throughout the state because sneakers tell a story. And no matter what you look like, where you come from, what language you speak, you can tell a story with what you've got on your feet.

For some people that is their wedding story about the sneakers they changed into for the reception. For other people it's about representation, about where you come from, about seeing someone that you may not expect to be wearing sneakers to be wearing those sneakers into the Senate chamber. For others, it's just about comfort and what's going to make life easier for them.

But no matter what your story is, I am really proud that we get to celebrate that in these hallowed chambers, that we get to put our bipartisan disagreements aside and celebrate what is great about sneaker culture.

So thank you all for indulging us for doing this every single year, and

Happy Sneaker Day to all.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Myrie.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

Indeed, it is a Happy Sneaker Day. It is always a happy day, but Sneaker Day makes it that much better.

Thanks to Senator Myrie and our leader for being forward-thinking enough that thinking a day like this isn't tomfoolery, as they say. It's a day to unify people. It is a day that we get to express ourselves.

We have the ability to express ourselves through lyric, through song, through words, and also through soul -- not just the soul of who we are, but the soles of our shoes. And sometimes the shoes that we wear -- speaking of the shoes that I wear, they are the Seoul, S-E-O-U-L, Nike edition, right?

(Laughter.)

SENATOR BAILEY: But to continue the word play about the word "soul," you know,

sneakers mean a lot to everybody. Or they should. Maybe they don't, but they should. And here's the reason why.

In addition to providing comfort and orthotic care and things like that, they do something that allows you to communicate nonverbally. When a sneakerhead sees another sneakerhead and the nod is in effect, you know exactly what they're nodding at. They're nodding in assent with you -- not commenting, but they see you, and you're seen.

And this is something that transcends race, political party, gender. It is truly a unifying moment in this chamber.

And I was trying to think about, like, why do sneakers mean so much to me. Right? And I thought about it, and I thought about something that I actually said in my church last year as a metaphor for life about wearing your sneakers. Sometimes like we'll buy a pair of sneakers and we don't want to wear it because we're worried about them getting too dirty or getting creased or getting smudged or somebody's going to step on them. And if we let that pair of sneakers stay in the box and we never wear

them, all of us real sneakerheads know those are going to rot out.

If you don't wear your sneakers, they're going to rot out. If you don't take advantage of what life has to offer you, you will let it pass you by, as the great, you know, legend Ferris Bueller once said.

(Laughter.)

SENATOR BAILEY: Not Napoleon Dynamite, Senator Borrello. We can have a conversation about that one day.

But on a day that we wear sneakers, I encourage people to wear your sneakers literally and figuratively. Don't let them sit on the shelf. Because you may not be able to wear them, they may rot out, you may lose them. And do what makes you happy: Wear your sneakers, wear them proudly. I sure do, and I'm grateful that you do too.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT COONEY: Thank you, Senator Bailey.

The resolution was adopted on May 28th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, the sponsors of the two resolutions we took up would like to open them for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: I move to adopt the remainder of the Resolution Calendar.

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

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay.

(No response.)

ACTING PRESIDENT COONEY: The Resolution Calendar is adopted.

Senator Gianaris.

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

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 338, Senate Print 2462A, by Senator Gianaris, an act to amend the Public Authorities Law.

SENATOR GIANARIS: Lay it aside for the day.

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

THE SECRETARY: Calendar Number 456, Assembly Bill Number 5448B, by Assemblymember Rozic, an act to amend the Education Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: The bill will be laid aside.

THE SECRETARY: Calendar Number 651, Senate Print 5989A, by Senator Bynoe, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 651, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 708, Senate Print 5553B, by Senator Comrie, an act to amend the Public Service Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number

711, Senate Print 7165A, by Senator Hinchey, an act to amend the Public Service Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: The bill will be laid aside.

THE SECRETARY: Calendar Number 771, Senate Print 7532, by Senator Harckham, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 771, voting in the negative are Senators Borrello, Chan, Lanza, O'Mara, Ortt, Rhoads, Walczyk and Weik.

Ayes, 52. Nays, 8.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 776, Senate Print Number 7416A, by Senator Hoylman-Sigal, an act to amend the Estates, Powers and Trusts Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 545th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 776, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 21.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 879, Senate Print 7525A, by Senator Fahy, an act

to amend Chapter 405 of the Laws of 2005.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 879, voting in the negative are Senators Canzoneri-Fitzpatrick, Harckham, Lanza, Martinez, C. Ryan, Scarcella-Spanton, Skoufis and Weik.

Ayes, 52. Nays, 8.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 897, Assembly Bill Number 7617, by Assemblymember Peoples-Stokes, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Weber to explain his vote.

SENATOR WEBER: Thank you, Mr. President.

I would like to thank the sponsor, Senator Baskin, for bringing this very important piece of legislation to the floor today.

You know, organ donors are in -- organ recipients are in so much need and this barrier will be eliminated and they can get on multiple lists.

You know, a couple of years ago I had Roxanne Watson here. Roxanne Watson at the time had signed up nearly 13,000 organ donors. I believe she's up to 14,000 organ donors now. And she just got her second heart transplant I believe last week.

So we're praying for her, and I proudly vote aye on this bill.

Thank you.

ACTING PRESIDENT COONEY: Senator

Weber to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 903, Senate Print 6705, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 908, Assembly Bill Number 7561, by Assemblymember Lupardo, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect 18 months after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 961, Senate Print 6799, by Senator Jackson, an act to amend the Election Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 961, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martinez, Martins, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Skoufis, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 37. Nays, 23.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 963, Assembly Bill 1223, by Assemblymember Bores, an act to amend the Election Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect January 1, 2026.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Gonzalez to explain her vote.

SENATOR GONZALEZ: Thank you, Mr. President.

As chair of the Elections Committee,

I'm proud to carry this bill to ensure that Jewish candidates, Board of Elections workers and campaign staff who wish to observe the first day of Passover have equal access for a democratic process and don't have to sacrifice their beliefs and traditions.

When we make our systems and elections processes more inclusive, we strengthen our democracy. I represent a district with a vibrant Jewish community, and that's why I am proud to carry this bill. We want to make sure that everyone is able to celebrate without interruptions.

So again, I want to thank leadership and thank my colleagues for supporting this bill. Thank you to the Majority Leader, of course, and to the advocates, including the New York Jewish Agenda, JFREJ, and the Agudath Israel of America for your advocacy on behalf of our constituents.

With that, I proudly vote aye.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 980, Assembly Bill Number 7653, by Assemblymember Santabarbara, an act to amend the Real Property Actions and Proceedings Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 980, voting in the negative: Senator Helming.

Ayes, 59. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 992, Senate Print 6128, by Senator Hoylman-Sigal, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Mr. President.

The vague wording of the bill, particularly subsection B of the bill, may present a dangerous intrusion into the materials that are used for attorneys to be able to prep their witnesses for trial.

The disclosure of such material may actually wind up violating attorney-client privilege. And I would hope that if this bill -- I would hope that the sponsor of the bill would revisit and address these concerns in a future session should this become law. If it does not become law, I would hope that they would be addressed before the bill is presented again to the floor for a vote.

I would encourage -- I am voting no. I would encourage my colleagues to do the same and take a second look at the language here, because it will be problematic.

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

Announce the results.

THE SECRETARY: In relation to Calendar 992, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 42. Nays, 18.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 993, Senate Print Number 7279, by Senator Scarcella-Spanton, an act to amend the Surrogate's Court Procedure Act.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 993, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martinez, Martins, Mattera, Murray, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1019, Senate Print 7486A, by Senator Mayer, an act to amend Chapter 405 of the Laws of 2011.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1029, Senate Print 7681, by Senator Comrie, an act to amend the Public Authorities Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1057, Senate Print 7718, by Senator Harckham, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 180th day after it

shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1057, voting in the negative are Senators Griffo and Gallivan.

Ayes, 58. Nays, 2.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1075, Senate Print 7200B, by Senator C. Ryan, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect December 31, 2028.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to

Calendar 1075, voting in the negative:
Senator Martinez.
Ayes, 59. Nays, 1.
ACTING PRESIDENT COONEY: The bill is passed.
THE SECRETARY: Calendar Number 1099, Senate Print 6200, by Senator Skoufis, an act to amend the Public Service Law.
ACTING PRESIDENT COONEY: Read the last section.
THE SECRETARY: Section 4. This act shall take effect on the 90th day after it shall have become a law.
ACTING PRESIDENT COONEY: Call the roll.
(The Secretary called the roll.)
ACTING PRESIDENT COONEY: Announce the results.
THE SECRETARY: In relation to Calendar 1099, voting in the negative are Senators Gallivan, Griffo, Stec and Walczyk.
Ayes, 56. Nays, 4.
ACTING PRESIDENT COONEY: The bill is passed.
THE SECRETARY: Calendar Number

1100, Senate Print 7328A, by Senator Hinchey, an act to amend the Public Service Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1100, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1101, Senate Print 7693, by Senator Mayer, an act to amend the Public Service Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1101, voting in the negative are Senators Borrello, O'Mara, Stec, Walczyk and Weik.

Ayes, 55. Nays, 5.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1123, Senate Print 7359A, by Senator May, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

Native plants provide critical habitat for native wildlife. They are uniquely adapted to the soils and the climate conditions of our state, and they can be astonishingly beautiful.

This bill adds native plants to the Grown and Certified Program run by the Department of Agriculture & Markets, in the hope that it will convince more nurseries to propagate native plants and gardeners and landscapers to use them so that we can have more and more good habitat for our native wildlife.

I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1125, Senate Print 6757, by Senator Fernandez, an

act to amend the Mental Hygiene Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Fernandez to explain her vote.

SENATOR FERNANDEZ: Thank you so much, Mr. President.

This legislation clarifies how parties in New York's opioid settlement agreements are defined. For years our state has been working to hold opioid manufacturers and distributors accountable for the devastation they've caused. We've secured more than $3 billion to invest in prevention, treatment and recovery efforts across our communities.

Earlier this year Attorney General James announced a landmark settlement with Purdue Pharma and its owners, the Sackler family, that is expected to bring millions to New York's opioid settlement fund. However, current law

defines statewide opioid settlement agreements as those between the state and an opioid manufacturer, distributor, dispenser and other related entity. This language creates a technical loophole that excludes the members of the Sackler family involved in the recent settlement. If we do not close this loophole, New York is at risk of losing up to $250 million.

This bill corrects that technical oversight. It clarifies that the law encompasses and was always intended to encompass settlements and releases related to anyone involved in the prescription drug marketing, supply, and payment chain who have contributed to the opioid epidemic through their illegal conduct, especially those who have benefited from this crisis like the Sackler family.

This bill ensures that funds are secured from opioid settlements to go where they were always intended to go, and that is to help families and communities who have carried the burden of the crisis.

My urge is for my colleagues to please support this bill.

I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1125, voting in the negative are Senators Ashby, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, O'Mara, Palumbo, Rhoads, Rolison, Stec, Walczyk and Weik. Also Senator Ortt.

Ayes, 44. Nays, 16.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1127, Senate Print 1172, by Senator Mattera, an act to amend the General Business Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1131, Assembly Bill Number 1797, by Assemblymember Hyndman, an act to amend the General Business Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect 18 months after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1133, Senate Print 7483, by Senator May, an act to amend the General Business Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1134, Senate Print 7585, by Senator Cleare, an act to amend the General Business Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill

is passed.

THE SECRETARY: Calendar Number 1170, Senate Print 7612, by Senator Martinez, an act to amend the Social Services Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1171, Assembly Bill Number 5345, by Assemblymember Hunter, an act to amend the Banking Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

I want to thank the sponsor for this bill. I did have some -- I did have some questions. I guess I will hear them now, or a response, shortly. But I think this is a unique opportunity for us to -- I guess to have different banking alternatives for people.

I am concerned that monies that are deposited in these accounts will not be subject to creditors, even of the depositor, by its very terms. And I'm concerned that people will be able to take money, deposit them in these accounts for the benefit of someone else, and by doing so prevent a creditor of the depositor from being able to receive payment on a debt.

So because I do have certain questions, although I do appreciate the efforts of the sponsor and perhaps others, I'll be voting nay, but hope that if this bill does come back to

the floor we can work to address some of those concerns. And I want to thank Senator Krueger again.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1171, voting in the negative are Senators Canzoneri-Fitzpatrick, Martins, O'Mara, Rhoads and Weik.

Ayes, 55. Nays, 5.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1181, Senate Print 7616A, by Senator Martinez, an act in relation to authorizing the lease of certain lands for the purpose of building undergraduate student, graduate student, faculty and staff housing.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1187, Assembly Bill Number 7892, by Assemblymember Braunstein, an act to amend the Religious Corporations Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1197, Senate Print 7685, by Senator Persaud, an act to amend the Real Property Tax Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1197, voting in the negative are Senators Walczyk and Weik.

Ayes, 58. Nays, 2.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1199, Senate Print 548, by Senator Stec, Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 1 of Article 14 of the Constitution.

ACTING PRESIDENT COONEY: Call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The resolution is adopted.

THE SECRETARY: Calendar Number 1220, Senate Print 3340, by Senator Gianaris, an act to amend the Tax Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1220, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number

1228, Senate Print 7152A, by Senator Cleare, an act to amend the Arts and Cultural Affairs Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1276, Senate Print Number 6756A, by Senator Hoylman-Sigal, an act to amend the Economic Development Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1276, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Martinez, Mattera, Murray, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 43. Nays, 17.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1284, Senate Print 7645, by Senator Fahy, an act to amend the Public Authorities Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill

is passed.

THE SECRETARY: Calendar Number 1289, Senate Print 8199, by Senator Sanders, an act to direct the Department of Financial Services to conduct a study on the banking development district program.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1289, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1291, Senate Print 7484A, by Senator Mayer, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT COONEY: Read the

last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1292, Assembly Bill Number 7560A, by Assemblymember Santabarbara, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1300, Senate Print 7944, by Senator Ramos, an act to amend the Labor Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1300, voting in the negative are Senators Borrello, Gallivan, O'Mara and Walczyk.

Ayes, 56. Nays, 4.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1327, Senate Print 2611, by Senator Addabbo, an act to amend the General Municipal Law.

ACTING PRESIDENT COONEY: Read the

last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1327, voting in the negative are Senators Bynoe, Krueger, Martinez and May.

Ayes, 56. Nays, 4.

ACTING PRESIDENT COONEY: The bill is passed.

ACTING PRESIDENT COONEY: Calendar Number 1328 is high and will be laid aside for the day.

ACTING PRESIDENT COONEY: Calendar Number 1338, Senate Print 379A, by Senator Brouk, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1339, Senate Print Number 462A, by Senator Hoylman-Sigal, an act to amend the Judiciary Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1339, voting in the negative are Senators Helming, Martinez, Ortt and

Scarcella-Spanton.

Ayes, 56. Nays, 4.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1344, Senate Print 1204, by Senator Cleare, an act directing the Metropolitan Transportation Authority and the New York Transit Authority to rename the 110th Street-Central Park North subway station.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1344, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Helming, Martins, Mattera, O'Mara, Palumbo, Rhoads, Stec, Tedisco, Weber and Weik.

Ayes, 47. Nays, 13.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1348, Senate Print 3180, by Senator Sanders, an act to amend the Elder Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1350, Senate Print 3458, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Stavisky to explain her vote.

SENATOR STAVISKY: Thank you, Mr. President.

As many of you know, graduate students are paid very little money, and they're struggling. This legislation codifies what we did last year. And this is -- while it's a new bill, it's Phase 2 of a two-year phase-in.

And it's extremely important to these struggling young people. We hope that we're able to keep them in New York State as they continue their education.

I vote aye. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1350, voting in the negative:

Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT COONEY: The bill

is passed.

THE SECRETARY: Calendar Number 1367, Senate Print 1009, by Senator Brouk, an act to amend the Veterans' Services Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1400, Senate Print 1636, by Senator Borrello, an act to authorize the Board of Education of the Salamanca City School District to establish a federal impact aid reserve fund.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1406, Senate Print 335, by Senator Gianaris, an act to amend the General Business Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: The bill will be laid aside.

THE SECRETARY: Calendar Number 1436, Assembly Bill Number 5295, by Assemblymember Schiavoni, an act to amend the Indian Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Palumbo to explain his vote.

SENATOR PALUMBO: Thank you, Mr. President.

Just very briefly, we've passed this bill for many years. I thank my colleagues for bringing this to the floor again. It's been vetoed by the prior Governor and the current Governor.

And last year this -- the story behind this is in 1920 the Suffolk County Supreme Court stripped the Montaukett Nation of their recognition, which they had for hundreds of years in what was a very controversial decision. In my opinion it was racist and there was no reason for them to do so.

So this would just reinstate the recognition that these folks need and deserve. It's about their dignity.

And then least year, after jumping through many hoops, the members of the nation were moving in a very positive direction, and this was vetoed again by the Governor for different reasons than were previously discussed, that now they had met the qualifications, of

course, just for reinstatement. And there were some new reasons that were indicated why the veto was issued.

So I respectfully request that the Governor's office speak to us, speak to the Nation, speak to myself, Assemblyman Schiavoni, so that we can get through these issues and iron it out and restore the Montaukett Nation with their pride and dignity that they so rightfully deserve.

I proudly vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1436, voting in the negative:

Senator Rhoads.

Ayes, 59. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1455, Assembly Bill Number 34, by Assemblymember Eachus, an act to amend the Public Authorities Law.

ACTING PRESIDENT COONEY: Read the

last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1460, Assembly Bill Number 3516, by Assemblymember Reyes, an act to amend the Executive Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1460, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, C. Ryan, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 22.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1462, Senate Print 680, by Senator Martinez, an act to amend the Executive Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1471, Senate Print 1398A, by Senator S. Ryan, an act to amend the Private Housing Finance Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1471, voting in the negative:

Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1475, Senate Print 2046, by Senator Webb, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1475, voting in the negative are Senators Gallivan, Griffo, Helming, Mattera, Murray, O'Mara, Ortt, Rhoads, Stec, Weber and Weik.

Ayes, 49. Nays, 11.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1478, Senate Print 3157, by Senator May, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect 18 months after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce

the results.

THE SECRETARY: In relation to Calendar 1478, voting in the negative: Senator Lanza.

Ayes, 59. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1479, Senate Print 3278, by Senator Brouk, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 10. This act shall take effect 18 months after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1479, voting in the negative: Senator Walczyk.

Ayes, 59. Nays, 1.

ACTING PRESIDENT COONEY: The bill

is passed.

THE SECRETARY: Calendar Number 1481, Senate Print 3398, by Senator Gounardes, an act to amend the Executive Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1482, Senate Print 3416D, by Senator Fernandez, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Fernandez to explain her vote.

SENATOR FERNANDEZ: Thank you so much, Mr. President.

Right now too many people walk into hospitals and clinics in crisis, ready to take that first step towards recovery, only to find out that the help that they need is insufficient due to outdated state regulations. This bill changes that.

It gives doctors and nurses the tools they need to dispense up to three days of medication -- in this case, buprenorphine. That crucial bridge can help someone stabilize and take the next step towards recovery. It means no one has to leave the hospital in crisis without a real chance at treatment.

We've seen the cost of inaction: Families devastated, lives lost, communities torn apart. But we also see the hope when somebody does take that first step. It's time that we align with the federal guidelines -- this is the one time that we want to align -- and advance

this lifesaving legislation to allow people to recover.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1482, voting in the negative are Senators Chan, Lanza and Walczyk.

Ayes, 57. Nays, 3.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1483, Senate Print 3883A, by Senator Hinchey, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to

Calendar 1483, voting in the negative are Senators Chan, Lanza, Martins and Walczyk.

Ayes, 56. Nays, 4.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1488, Assembly Bill Number 4003, by Assemblymember Clark, an act to amend the Social Services Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1489, Assembly Bill Number 4391, by Assemblymember P. Carroll, an act to amend the

Real Property Tax Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 1489, voting in the negative:

Senator Skoufis.

Ayes, 59. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1506, Senate Print Number 7967, by Senator Canzoneri-Fitzpatrick, an act to amend Chapter 672 of the Laws of 1993.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1526, Assembly Bill Number 4712, by Assemblymember Barrett, an act to amend the Energy Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1566, Senate Print 8062, by Senator Webb, an act

to amend the Public Service Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1575, Assembly Bill Number 2736A, by Assemblymember Jacobson, an act to amend the Public Service Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

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

SENATOR GIANARIS: I believe we have a one-bill supplemental active list. Let's take that up, please.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 1515, Senate Print 5593, by Senator Mayer, an act to amend the Public Service Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Mr. President.

And thank you to the leader for this package of utility bills that we're taking up.

This bill deals with something that is another one of the secrets that unless you're an insider at the Public Service Commission or a utility company, you don't know, which is that rate cases are increasingly delayed beyond the statutory 11-month suspension period due to prolonged settlement negotiations.

And during these delays, utilities frequently seek and are granted so-called make-whole provisions, allowing them to retroactively recover revenues based on new rates that would have been applied during this suspension period.

This retroactive adjustment often results in rate compression, where consumers face unexpectedly higher rates in a short period, exacerbating the strain.

Although the make-whole provisions can theoretically apply to both rate increases and decreases, they are used to justify increases. This imbalance leaves ratepayers

continuing to bear the brunt of the decisions of the utilities and the Public Service Commission.

This bill seeks to address this imbalance by extending the statutory time frame for a rate case by three months to give all parties additional time to reach a negotiated settlement.

This is important as our constituents continue to struggle with the poor decisions of the Public Service Commission and frankly the greed of the utility companies.

I proudly vote aye.

ACTING PRESIDENT COONEY: Senator Mayer in the affirmative.

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

I also will be voting aye on this bill, because anything that provides relief to homeowners across New York State I think is important.

Although I'll be voting aye, I also would be remiss if I did not comment on policies that have been passed by this body and the other body just up the hall that have increasingly made

it more and more difficult for people to afford to live in New York State when it comes to utility payments, and specifically the CLCPA and the impact of the CLCPA on our utilities, which they are now passing on to our ratepayers.

So we can talk about, you know, the need for us to provide affordability, which I agree, but we'd have to go back and look at policies that we have passed in this chamber -- which have, by and large, been proposed by my colleagues on this side of the aisle -- which are the root cause and not the PSC or utilities.

I vote aye with the caveat.

Thank you, Mr. President.

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

Senator Harckham to explain his vote.

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

I want to first of all thank Senator Mayer for this incredibly important bill, and just want to stand and rise to state for the record that much of the resiliency work and much of the upgrade to our grid we would need to do

now if we did not install one solar panel or one windmill in the State of New York.

Our grid has been antiquated for decades. And so some of the resiliency work has to do with storm prep, others have to do with just modernizing our grid. I say this all the time on the floor, and it's a fact, a kilowatt of clean energy is cheaper than a kilowatt of dirty fossil fuel energy.

So, you know, the notion that we constantly hear that the CLCPA is the root of all New York's woes is simply false. I needed to say that. And I want to thank the sponsor for this legislation.

I'll be voting aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1515, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Helming, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Walczyk, Weber and Weik. Also Senator Tedisco.

Ayes, 43. Nays, 17.

ACTING PRESIDENT COONEY: The bill is passed.

Senator Gianaris, that completes the reading of the supplemental active list.

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

ACTING PRESIDENT COONEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 456, Assembly Bill Number 5448B, by Assemblymember Rozic, an act to amend the Education Law.

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

SENATOR LANZA: Mr. President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize Senator Weik.

ACTING PRESIDENT COONEY: Thank you, Senator Lanza.

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

SENATOR LANZA: Accordingly,

Mr. President, I appeal the ruling of the chair and ask that Senator Weik be heard on that appeal.

ACTING PRESIDENT COONEY: The appeal has been made and recognized, and Senator Weik may be heard.

SENATOR WEIK: Thank you, Mr. President.

This amendment is germane to the bill-in-chief because the amendment would prohibit biological boys from competing in girls' sports in middle and high schools. And the bill-in-chief ensures students are protected from illegal discrimination.

Women have been fighting for equal opportunity in sports for decades and have made remarkable progress in limiting discrimination on the basis of sex, including the passage of Title 9 in 1972.

However, in recent years, transgender biological men have been competing in women's sports, even though their inherent biological differences give them an unfair competitive advantage.

For example, Chelsea Mitchell lost

the 2019 Connecticut State championship in women's 55-meter indoor track competition to two biological male competitors. She's not alone in this heartbreak.

The research regarding the performance and physiological differences between biological men and women is clear and unequivocal: Biological disparities and testosterone in biological men pose insurmountable barriers for biological women competing against men in sports.

Even more troubling than the unfair competition that results from allowing biological boys to compete against girls in sports is the reported injuries linked to the physical disparities. One such case is Peyton McNabb, who suffered a serious head injury during a volleyball game when a biological male spiked the ball into her face.

Advocating for women's rights in sports is not an anti-trans position, it's a pro-women stance that acknowledges the biological realities between the two sexes and is a matter of safety and fairness.

I urge my colleagues to vote for

this amendment. Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Weik.

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

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

(Response of "Aye.")

SENATOR LANZA: Show of hands.

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

Announce the results.

THE SECRETARY: Ayes, 21.

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

Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator

Stavisky to explain her vote.

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

This bill actually deals with Title 6 of the federal Civil Rights Act of 1964 that deals with discrimination based on various protected categories. It builds upon what we have done in terms of addressing some of the serious hate issues that have occurred at various college campuses.

This amendment, incidentally, deals with Grades 7 through 12, which is not part of the college years. In fact, it's a number of years before these young people are going to college.

But two years ago, in July of 2023, the Governor signed my legislation which required any college or university which receives state aid in any form to report all crimes of hate. And this legislation that we're hopefully going to pass today expands upon that concept that we're trying to do something to provide a pathway for students to report these incidents, to do something about it. And it doesn't deal with any one issue but the idea of hate and antisemitism

and Islamophobia, and all of these terrible occurrences all fall in that category.

I truly want to thank the Majority Leader, Senator Stewart-Cousins, for her help and her advice, and her staff -- I know I'm going to forget somebody -- but Jonathan Lang and Amanda Godkin and Elena Kilcullen.

And the advocates, they have done a remarkable job. The college institutions support this: SUNY, CUNY, CICU. Everybody has worked together to address this issue, because silence is not an option. These are issues that are real. We're dealing with them.

And I particularly want to thank my colleague in the Assembly -- I think she's here in the chamber -- Assemblymember Rozic for her leadership, working together with us to try to resolve these very terrible occurrences.

So, Madam President, I vote aye.

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

Senator Canzoneri-Fitzpatrick to explain her vote.

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

And thank you to the sponsor for bringing this legislation forward.

As you mentioned, antisemitism is a horrible issue. Hate of any kind is a horrible thing. And our educational institutions should not be a breeding ground for more hate.

So I applaud the fact that we're going to have coordinators to make sure that they get on top of any kind of discrimination on these campuses to make sure that the students that are trying to get their education are protected.

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

ACTING PRESIDENT COONEY: Senator Canzoneri-Fitzpatrick to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 711, Senate Print 7165A, by Senator Hinchey, an act to amend the Public Service Law.

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

SENATOR WALCZYK: Thank you, Mr. President.

Would the sponsor yield for some questions.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HINCHEY: I will.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Thank you.

Through you, Mr. President. Your bill amends Public Service Law to allow the PSC to consider mental anguish as well as pain and suffering of consumers when determining what penalties should be paid out from the utility, is that correct?

SENATOR HINCHEY: Through you, Mr. President, yes, that is correct.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT COONEY: The

sponsor yields.

SENATOR WALCZYK: In the amendment to Public Service Law, does Public Service Law define pain and suffering?

SENATOR HINCHEY: Through you, Mr. President. This language is also reflected in Civil Practice Law, Section 1600, and also Insurance Law, Section 5102. We actually narrowed the language that's reflected in Civil Practice Law. But there's not, in this PSC law, specific details of those which are not in the other sections of law either.

SENATOR WALCZYK: Thank you.

Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: The same question: Any additional definition under Public Service Law for mental anguish?

SENATOR HINCHEY: Through you, Mr. President, no, there's not a definition.

This is a legal term of art that's used in many other sections of law that we're reflecting here.

SENATOR WALCZYK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HINCHEY: I do.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Yeah, you mentioned Civil Practice Law. Courts are usually involved in determining noneconomic losses. What judges are there at the PSC that will ultimately be determining whether people have had pain and suffering or mental anguish on their utility bill?

SENATOR HINCHEY: Through you, Mr. President. This is -- this would happen during an investigation that the PSC oversees. So that could be -- there could be an administrative law judge who could oversee this, or it could be the PSC itself.

SENATOR WALCZYK: Through you, Mr. President, will the sponsor continue to

yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: I mean, every ratepayer in New York suffers when they get their energy bill in the mail. Do they have -- would you consider mental anguish seeing the costs of energy continue to increase? Wouldn't every ratepayer have some sort of mental anguish, at least by your own definition?

SENATOR HINCHEY: Through you, Mr. President. I think it's important to take a step back and recognize what this -- when this actually goes into account.

So the only time that PSC can take any of this into account is when there's an investigation going on, which means that a utility has been found to have done something particularly egregious -- say, in the case in the Hudson Valley with Central Hudson. To quote the Public Utility Law Project, it was the most egregious billing debacle they've ever seen.

And so there was an investigation started by the PSC. The PSC then was able to find that Central Hudson actually did something egregious to ratepayers. And only in that instance would they be able to look and see if there should be additional pain and suffering, mental anguish, emotional hardship taken into account.

In that experience, we had constituents -- myself, but not just my constituents, Senator Rolison's constituents, Senator Oberacker's constituents and others -- who were contemplating things like suicide. They were concerned that -- they're on the record in public hearings, both written testimony to the PSC and public hearings that we held, they were concerned they were going to lose their farm for instance, based on the already found egregious billing practices by the utility company in the Hudson Valley.

We had other constituents who, because their accounts were overdrawn so dramatically by money that they did not actually owe, they couldn't actually pay their rent. Others could not pay their mortgages. Others

could not put groceries on the table or feed their kids.

And so when we're talking about mental anguish or emotional hardship, those are the types of items and types of examples that we are referring to.

The bill does not require the PSC to do this. It does not require them to seek and find emotional hardship to take into account. It just gives them the opportunity and the ability, if they see that a utility company acted in such an egregious behavior, that this is something that they should consider.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Yeah, as you rightly pointed out the purpose of this bill, if utilities are paying those penalties for pain and suffering and mental anguish, who ultimately is

going to pay that? Won't the utilities just take those individuals who were seen, at least in the PSC's ruling, as experiencing mental suffering, anguish, the things that you've lined out in this bill, wouldn't it ultimately be other ratepayers that didn't experience that or weren't determined by the PSC -- when they go out for a rate case, they get an increase and then the rest of the consumers under that utility will ultimately be paying that bill?

SENATOR HINCHEY: Through you, Mr. President, no, they actually will not. Section 25 of the Public Service Law, subdivision 6, I believe, actually states that payments as a result of an action taken by the PSC are not recoverable in a rate case or by ratepayers and customers. So this would not be passed on to additional ratepayers. This would be paid by the utility company.

SENATOR WALCZYK: Thank you.

Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HINCHEY: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR WALCZYK: Why are we seeing such an increase in utility bills throughout New York State? I know you bring this forward because of an issue that was in the Hudson Valley. But can you point to any specific policies that this body or the State of New York has brought forward that have dramatically increased rates across New York State?

SENATOR HINCHEY: Through you, Mr. President, that question is not actually related or germane to this bill.

But I will say we actually just passed a different bill through the utility package today that is a bill that I carry about capital expenditures and transparency. And one of the things we actually see in a number of rate increases -- or rate cases, and therefore rate increases, is that utility companies are not being transparent about the types of infrastructure or capital investments that they're doing.

But if you look at some utility companies, including Con Ed in the southern part

of the state, it's actually for gas infrastructure and for real fossil fuel infrastructure that we're seeing. And so the bill that we've passed separate from this one would provide transparency into that.

But that question is not relevant to this bill specifically.

SENATOR WALCZYK: Thank you. Thank you. I appreciate it.

Mr. President, on the bill.

ACTING PRESIDENT COONEY: Senator Walczyk on the bill.

SENATOR WALCZYK: So as the sponsor of this bill pointed out today, we passed a number of bills in a legislative package that was billed as affordability for New Yorkers on their bills -- on their energy bills. One to provide transparency for usage, another to charge power authorities -- or to change power authorities' conferral process, one to manage utilities' toll-free services, one to change the number of commissioners on the Public Service Commission, one to reduce the return on investment for utility companies, one to appoint a new person on the State Energy Planning Board, one to compress

the timeline for rate cases, and another to allow the Public Service Commission to consider mental anguish when specific customers come forward under penalty cases for utilities.

Some of these bills are harmless. Some of them may help some individual New Yorkers. None of this package on affordability will make energy more affordable in New York State.

Increasing penalties to utilities only costs everyone who pays a gas and electric bill in New York. New York's residential electricity rates are 40 percent higher than our neighbor in Pennsylvania. Pennsylvania doesn't have non-greedy, benevolent utility companies, they outpace in production and they don't face the byzantine regulatory environment that we've laid out in New York State. They also don't have a CLCPA.

New Yorkers are tired of being gaslit and know your policies are the reasons that their bills continue to grow every single month.

I'll be voting no on this bill, and it was a mixed bag on the others.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator.

Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Mr. President.

I rise first to say thank you to Leader Stewart-Cousins for bringing a second utility package to the floor today. And another thank you to all of my colleagues for having bills in this package and for supporting them.

The number-one constituent call that I get in my office is about utility bills and specifically our local utility. They range in

problems from the delivery charges to the cost of bills to just not being able to get any answers from their utility companies.

As we've heard, there is so much more we have to do in this Legislature and in this state to support our constituents as it pertains to affordability. This is the best way we can do that right now, by actually making sure we are supporting our constituents.

This bill would be able to take into account the hardship that folks have experienced when utility companies have been shown to take advantage of them.

And so I'm incredibly proud to sponsor this bill and a number of bills in this package, and reject categorically that it's the CLCPA that is driving up costs, and would encourage my colleagues to look at the infrastructure that our utility companies are actually investing in before they perpetuate false narratives.

But I'm proud to support this bill. I vote aye. Thank you, Mr. President.

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

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Mr. President.

I rise to confirm I am voting no on this bill.

You know, the term "false narratives" is pretty neat. I'll share it, I guess I'll use it as well.

When you talk about a utility company, the only thing a utility company sells is energy. And the only people who pay a utility company are ratepayers. And so to say that a utility company is going to pay these penalties from monies outside of that which it receives from ratepayers is a false narrative.

The reality is every dime that goes to a utility company comes from a ratepayer. And if we are going to impose additional obligations and penalties associated with nondefined or undefined terms like those in this bill, all we're doing is increasing the costs to our constituents and ratepayers.

And so that is the true narrative. And let's be true and let's be honest about this. If we're really concerned about affordability,

let's stop pounding our ratepayers.

I vote no.

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

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

So I think I'm actually, while explaining my vote, really talking about the constant attack on CLCPA anytime we do any bill around energy and utility costs.

So just for the record, the PSC did a study that showed what the costs of CLCPA are for the average residential gas customer in New York. It adds almost no cost to the average monthly bill, with a high of National Fuel Gas, about a dollar a month, and a low for Corning Gas of about two cents a month.

There are some higher costs in electricity, primarily related to our subsidization of our nuclear power plants. Still, a high of $9 a month, National Grid Upstate; low, $6, LIPA in Long Island.

So the question of why our utility bills are so high are because we aren't moving

fast enough to low kilowatt costs through sustainable energy. I'm hoping before we leave next week we will have passed a new version of the HEAT Act, which will help to reduce utility costs for New Yorkers.

But again, we keep attacking CLCPA as being the problem. It's not the problem. But it is the solution.

I vote yes, Mr. President. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 711, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1406, Senate Print 335, by Senator Gianaris,

an act to amend the General Business Law.

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

SENATOR BORRELLO: Mr. President, will the sponsor yield for a question.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR GIANARIS: And here I thought we bonded over Star Wars Day.

(Laughter.)

SENATOR GIANARIS: Yes, Mr. President.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President. Well, speaking of Star Wars Day, I know that the purpose here is to ensure that nobody has an empire that has an iron grip on a particular market, which could be costly to everyone.

But can you please explain to me how your bill defines a market, in order to determine what that market is?

SENATOR GIANARIS: Well, first of all, I'm surprised that George Borrello, of all

people, is opposed to aggressive antitrust enforcement of the type that Donald Trump is pursuing nationally, both in his first term and currently.

But to answer the question more directly, we do not change the way markets are defined from whatever the current legal structure is for that.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: It might surprise you I haven't spoken to the president about that.

But the problem is here in New York State we're defining a market. And it's kind of innocuous. So can you tell me, are there other states that have done something similar to this?

SENATOR GIANARIS: Did you say you have or have not spoken to the president?

SENATOR BORRELLO: I have not.

SENATOR GIANARIS: You have not. Oh. Well, nonetheless I continue to be surprised that George Borrello opposes Donald Trump's efforts on something of such importance.

No, I don't believe other states have taken the approach that we're taking here.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: Since you have so much trust in Donald Trump, so what is it that we need to do this year that no other state has done? Why is this necessary?

SENATOR GIANARIS: Again, I don't have trust in Donald Trump {inaudible}. I'm just surprised that you of all people, George Borrello, is opposed to Donald Trump and what he's trying to do on an issue like this -- going back several years, so it's not like you shouldn't be aware that this is what the federal government's been trying to do.

What we're doing here is innovative. It would establish a new standard in evaluating monopoly practices. It would establish a standard that is in use throughout much of the rest of the world, called abuse of dominance, as opposed to the current standard. Antitrust laws are about a century old. Court decisions interpreting those laws are dated and have not kept up with the modern economy, and in many ways that this bill would fix.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: So if you're talking about antitrust on a national level, that really has a bigger impact. But when you start talking about it in New York State, the impact is really focused on businesses that choose to continue to operate here, which are less and less every year, unfortunately.

So my concern is if you're focused

on just businesses in New York State, how are you ensuring that we are not going after folks that don't really have a monopoly but just are supplying products and services in areas that others just choose not to?

SENATOR GIANARIS: Well, Senator Borrello, as he continues to oppose Donald Trump on this issue, should rest assured that the big companies we're trying to get at all operate in New York and will continue to operate in New York.

And so New York, having a very large role in the national economy, we believe a bill like this will allow us to assert that kind of enforcement activity in a way that would be appropriate.

By the way, New York has had its own antitrust laws for the better part of a century that operate in tandem with the federal laws.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT COONEY: The

sponsor yields.

SENATOR BORRELLO: So I think we know that Donald Trump at one point operated casinos, but none here in New York State that I'm aware of. However, we do have a compact with the Seneca Nation of Indians and others that gives them exclusive rights to operate casinos in certain areas, as we do with other Native tribes.

How will this law impact them?

SENATOR GIANARIS: I don't believe it would impact that at all.

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR GIANARIS: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR BORRELLO: Why would you say that? They have an exclusive right. We've actually given them a monopoly, so -- in a particular area, that is wider than the area that you were describing in this bill that would be impacted. So how would that not impact them?

SENATOR GIANARIS: The hypothetical

that Senator Borrello has raised doesn't really apply here because this bill, as most antitrust laws do, applies to buyers in a market or sellers in a market. And I'm not sure a casino would fit that description.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT COONEY: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Gianaris.

The issue here really is that there is many vague -- you know, vague descriptions in here of what a market is. We haven't really defined it. We're talking about a bill that's going to basically enable -- we'll call them, you know, basically bounty hunters in New York State. You know, lawsuit bounty hunters, litigation bounty hunters, to go around to areas like I represent and find somebody that might own six convenience stores in a rural area, which geographically could be rather large. And those six convenience stores are now a monopoly, as defined by this bill.

And we're going to have some legal

bounty hunter that's going to exact some kind of a settlement from those six convenience stores. And then they're going to send a coupon for a dollar off a gallon of gas, and that law firm's going to make millions, potentially.

I talked about the exclusive areas of Native tribes that have casinos. I don't think there's anything in this bill that prohibits them from being attacked by that.

Again, legal bounty hunters that are going to exact money and, in the end, probably not really change anything. And I understand antitrust. I think it's important. I think on a national level in particular.

But here in New York State we actually encourage monopolies all the time. Our laws in New York State, antiquated as they are, that have not been addressed, encourage monopolies. I know this personally because I deal with that when it comes to liquor distributors, beer distributors. We have only one choice because the law of New York State says we only get one choice.

And that raises the cost of everything. It adds fees, unnecessary fees to

delivery charges and so forth, because New York State has empowered large national corporations that operate in New York State to operate a monopoly here. We could address that very easily, but we don't.

Instead, we're going to make demons out of people that are providing services in areas like mine that otherwise wouldn't have those services. The only gas station. The only place to be able to buy hot prepared foods after a long, hard day at work.

That's what happens here. You're going to see a lot of these small rural areas where someone has a monopoly -- in other words, the only person that's willing to invest their money and risk their capital and employ people in rural areas, they're going to get sued.

Not because that's what the sponsor wants, but because of what this bill enables -- legal bounty hunters, litigation bounty hunters. We see it all the time. Every time you get that thing in the mail that says, Hey, you're a member of a class action lawsuit and you've been harmed to the tune of $1.86, which is what you're going to get in the mail. But that law firm makes a

lot of money off of that.

This bill is going to encourage more things like that, which is why so many organizations, from the Farm Bureau to the bankers to people that represent businesses large and small across New York State, have opposed this bill, given memos of opposition. Because they know the impact. Another nail in the coffin of the hardworking people that employ people here in New York State, generate tax revenue, and keep our economy going. Just one more nail in their coffin, driving them out of New York State.

So I'll be voting no. Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Borrello.

Are there any other Senators wishing to be heard?

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

Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I never much liked the game of Monopoly, probably because my older brother was so good at it. He always seemed to be able to snap up Atlantic Avenue and Ventnor Avenue and Marvin Gardens, and the next thing I knew I was staying at a hotel that I couldn't afford, and he was gleefully bankrupting me.

The precursor of the game of Monopoly was called The Landlord's Game. It was developed in the early 20th century to teach about the dangers of monopolistic behavior. For example, when you went to jail you didn't just go to jail because you happened to land on an unlucky square but because you had trespassed on Lord Blueblood's exclusive estate.

The Parker Brothers version of the game sanitized the concept of monopoly so that it is simply the point of the game. It's a morally neutral strategy that brings handsome rewards. And this attitude has held sway in our economic culture for much of the last century.

As chair of the Committee on Consumer Protection, I want to thank the sponsor for reminding us that monopolies are not worthy ideals or clever strategies, but symptoms of a broken economy and embodiments of the ultimate uneven playing field.

I vote aye.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1406, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Cooney, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 21.

ACTING PRESIDENT COONEY: The bill is passed.

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

SENATOR GIANARIS: Returning to motions for a moment, I offer amendments to the following Senate bills:

By Senator Gianaris, on page 9, Calendar Number 338, Senate Print 2462A;

On behalf of Senator Liu, on page 79, Calendar Number 1558, Senate Print 7855D;

On behalf of Senator Krueger, on page 66, Calendar Number 1407, Senate Print 704;

And on behalf of Senator Rivera, on page 27, Calendar Number 898, Senate Print 7457A.

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

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

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Friday, June 6th, at 11:00 a.m.

ACTING PRESIDENT COONEY: On motion, the Senate stands adjourned until Friday, June 6th, at 11:00 a.m.

(Whereupon, at 5:25 p.m., the Senate adjourned.)