NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 13, 2025

1:00 a.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, Thursday, June 12, 2025, the Senate met pursuant to adjournment. The Journal of Wednesday, June 11, 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 Krueger

moves to discharge, from the Committee on Rules, Assembly Bill Number 174 and substitute it for the identical Senate Bill 1163, Third Reading Calendar 1960.

Senator Gonzalez moves to discharge, from the Committee on Rules, Assembly Bill Number 2581B and substitute it for the identical Senate Bill 3285B, Third Reading Calendar 1967.

Senator Parker moves to discharge, from the Committee on Rules, Assembly Bill Number 4873 and substitute it for the identical Senate Bill 4091, Third Reading Calendar 1970.

Senator Cleare moves to discharge, from the Committee on Aging, Assembly Bill Number 3939A and substitute it for the identical Senate Bill 4351A, Third Reading Calendar 1972.

Senator Cleare moves to discharge, from the Committee on Rules, Assembly Bill Number 1988B and substitute it for the identical Senate Bill 5742A, Third Reading Calendar 1983.

Senator Scarcella-Spanton moves to discharge, from the Committee on Rules, Assembly Bill Number 2468 and substitute it for the identical Senate Bill 6277, Third Reading Calendar 1988.

Senator Weber moves to discharge, from the Committee on Rules, Assembly Bill Number 6097 and substitute it for the identical Senate Bill 6338, Third Reading Calendar 1989.

Senator Harckham moves to discharge, from the Committee on Local Government, Assembly Bill Number 7837 and substitute it for the identical Senate Bill 7201, Third Reading Calendar 1999.

Senator Rolison moves to discharge, from the Committee on Rules, Assembly Bill Number 7994B and substitute it for the identical Senate Bill 7364B, Third Reading Calendar 2002.

Senator Murray moves to discharge, from the Committee on Rules, Assembly Bill Number 8193 and substitute it for the identical Senate Bill 7667, Third Reading Calendar 2003.

Senator Harckham moves to discharge, from the Committee on Rules, Assembly Bill Number 8475 and substitute it for the identical Senate Bill 8247, Third Reading Calendar 2016.

Senator Addabbo moves to discharge, from the Committee on Rules, Assembly Bill Number 7802A and substitute it for the identical Senate Bill 8358, Third Reading Calendar 2024.

Senator Webb moves to discharge, from the Committee on Rules, Assembly Bill Number 7222 and substitute it for the identical Senate Bill 8393, Third Reading Calendar 2026.

Senator Rolison moves to discharge, from the Committee on Rules, Assembly Bill Number 6815 and substitute it for the identical Senate Bill 6243, Third Reading Calendar 2031.

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 morning, Mr. President.

ACTING PRESIDENT COONEY: Good morning.

SENATOR GIANARIS: We are going to simultaneously take up the calendar and call an immediate meeting of the Rules Committee in Room 332.

ACTING PRESIDENT COONEY: There will be an immediate meeting of the Rules Committee in Room 332.

There is a substitution at the desk.

The Secretary will read.

THE SECRETARY: Senator Hoylman-Sigal moves to discharge, from the Committee on Rules, Assembly Bill Number 1944 and substitute it for the identical Senate Bill 3765, Third Reading Calendar 495.

ACTING PRESIDENT COONEY: So ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 495, Assembly Bill Number 1944, by Assemblymember Paulin, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. 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, 59.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1003, Senate Print 3866B, by Senator Hinchey, an act to amend the Public Buildings 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: In relation to Calendar 1003, voting in the negative: Senator Martins.

Ayes, 58. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number

1076, Senate Print 7366B, by Senator Martinez, an act to amend the Highway 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, 59.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1224, Senate Print 6956B, by Senator C. Ryan, an act to amend the Retirement and Social Security 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, 59.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1419, Senate Print 3394A, by Senator Gounardes, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 9. 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, 59.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1956, Senate Print 287, by Senator Rhoads, an act to amend the Vehicle and Traffic 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 Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Mr. President.

I want to thank leadership for allowing this bill the opportunity to come to the floor and thank my colleagues here in the Senate for their support.

Obviously we've all had the opportunity to attend Eagle Courts of Honor and the chance to recognize our Eagle Scouts and the exceptional people that they are -- their dedication, their perseverance, their knowledge, their skills and, most importantly, their service to community.

And it's a chance for us also to recognize the importance of scouting as a whole in our community, because it instills in the kids that participate in the program the same values

that we would want to see in our own -- love of God, love of family, love of country, and appreciation that we have a responsibility to something greater than ourselves to use the gifts and talents that we've been given to try and make a difference in our communities. And that's what Eagle Scouts do every single day.

And I am grateful -- and we always say that obviously an Eagle Scout -- in fact, they use the terminology "marked man," "marked person" in their ceremonies. And they truly are. When you see the name of an Eagle Scout cross your desk, everybody instantly knows what that means: Somebody who's trustworthy, somebody who's brave, and somebody whom you can rely upon in times of crisis and rely upon them to do the right thing even when no one is looking.

And so now, by honoring them with this distinctive plate, the state has the opportunity to recognize them for the exceptional people that they are.

I proudly vote aye and, again, thank everyone for their support.

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

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1957, Senate Print 601C, by Senator Gallivan, an act to amend the Highway 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, 59.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1958, Senate Print 1004A, by Senator Brouk, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 14. 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 1958, voting in the negative are Senators Borrello, Chan, Griffo, Helming, Palumbo, Rhoads, Walczyk and Weik. Also Senator Rolison.

Ayes, 50. Nays, 9.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1959, Senate Print 1047, by Senator Salazar, 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: In relation to Calendar 1959, voting in the negative are Senators Borrello, Chan, Griffo, Helming, Lanza, Oberacker, O'Mara, Ortt, Rhoads, Walczyk, Weber and Weik.

Ayes, 47. Nays, 12.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1960, Assembly Bill Number 174, by Assemblymember R. Carroll, an act to amend the Real Property 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 1960, voting in the negative are

Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Griffo, Helming, Lanza, Martins, Mattera, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik. Also Senator Oberacker.

Ayes, 39. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 1961, Senate Print 1672B, by Senator Martinez, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2026.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Martinez to explain her vote.

SENATOR MARTINEZ: Thank you, Mr. President, and good morning.

I stand today in support of this bill. I first would like to thank our leader for bringing this bill to the floor. It's such an

important bill, not only for Long Island but really for our workers across the island and our children. We know education continues to be the building block of New York's middle class, and with that comes publicly supported education and construction projects that should strengthen, not undercut, the middle-class workers.

Unfortunately, on Long Island that is not always the case. Some school construction projects have been awarded to contractors that later have been found guilty of wage theft, worker misclassification, failure to secure New York-based insurance and workers' compensation. And they have refused to hire local construction workers.

These projects are heavily funded by New York taxpayers, with the state subsidizing nearly 80 percent of school construction costs through Building Aid. When a construction crew lacks the proper training, it can lead to safety hazards and substandard work which can expose taxpayers to additional expenses for projects that need to be remediated.

PLAs are proven tools that set fair wages, efficient workplace safety standards and

prioritize hiring skilled local workers. Incorporating PLAs into Long Island school construction projects will ensure taxpayers' dollars support good-paying jobs, local jobs, and deliver state-of-the-art facilities without the costly disruption caused by unsafe and unscrupulous contractors.

Strong labor standards don't just protect workers, they help school districts avoid delays and cost overruns, but also safeguard our precious children and our faculty who attend these schools every single day.

And let's remember that PLAs will not necessarily require schools to contract with union shops. It still allows them to choose different firms that best meet their needs, but as long as the project meets the agreed-upon stipulation of the agreement.

The bill known as the Stop Worker Exploitation in Public Education Act is about standing up for New Yorkers, the workers, safeguarding taxpayers' dollars, and ensuring Long Island schools are built with respect, fairness, and keeping the safety of our children in mind.

I encourage my colleagues to join me in supporting Long Island's workers, taxpayers, and our future generations by passing this important legislation.

I also want to thank our brothers and sisters in labor who always stand for New York, New York workers, and I really hope that New York continues to be the beacon for all workers with fair wages and great working conditions.

I vote aye.

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

Senator Mattera to explain his vote.

SENATOR MATTERA: Thank you, Mr. President.

I want to thank Senator Martinez for working so hard on this, and everybody. This was definitely a hurdle. And this is just so important. For somebody that has been in the trades and somebody who's been a business agent for 23 years, 43 years with the Plumbers Union, I've seen a lot. I've seen a lot of corruption, I've seen a lot of contractors exploiting the workers.

And just to give a heads-up, my father was one of them. When my father first was a mechanic and my father was working at the VA Hospital and he had the union delegates come up to him, and he found out that he wasn't getting paid the proper wage. And my dad went home, he went home to my mom and said, "I'm going into the union."

He goes: I can't believe my boss. After six years, what I've done, worked hard, and to make his business grow, and he -- all he did was he hurt me with wages that he wasn't getting paid. And you know what, he went into the union.

But, you know, this is such an important bill because we do work with the district attorney's office and, guess what, it's just a revolving door. There's always loopholes.

And we do have good friends that are up in the gallery right now, and I appreciate Josh Slaughter and Vinny Alu and Mike McGuire. I thank you so much for coming back up here tonight to make sure that you were up here lobbying and -- well, excuse me, working hard to talk to all of the elected officials to make sure they understood what this was all about.

So again, thanks to Senator Martinez and to Assemblywoman Solages over in the Assembly -- hopefully that gets done tomorrow -- and I proudly vote aye.

Thank you so much.

ACTING PRESIDENT BAILEY: Senator Mattera to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1961, voting in the negative are Senators Helming, O'Mara, Ortt and Walczyk.

Ayes, 55. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1962, Senate Print 2485, by Senator Parker, an act to amend the Public Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: In relation to Calendar 1962, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Lanza, Martins, Mattera, Oberacker, O'Mara, Rhoads, Stec, Tedisco, Walczyk and Weik.

Ayes, 45. Nays, 14.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1963, Senate Print 2516A, by Senator Gounardes, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1963, voting in the negative: Senators Oberacker and Weik. Also Senator Stec.

Ayes, 56. Nays, 3.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1964, Senate Print 2536A, by Senator Jackson, an act to amend the Labor Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1964, voting in the negative are Senators Helming and Walczyk.

Ayes, 57. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1965, Senate Print 2681B, by Senator Cooney, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Cooney to explain his vote.

SENATOR COONEY: Thank you, Mr. President.

Our brave New York State Troopers put their lives on the line every day to keep us safe, whether it's protecting our roadways, responding to emergencies, or investigating crimes. And we know it's an unfortunate reality of their work that they are sometimes forced to use deadly force responding to an emergency.

But just because a trooper may be justified in using such force doesn't mean that they aren't experiencing hardship as a result, whether it be a physical or a mental toll. Currently in New York we have no uniform policy to assist troopers recovering from these critical

incidents. And that's exactly what this bill would fix.

This would guarantee paid leave for troopers who had to use deadly force. Currently these officers can be sent back on the roads in just a day or two after witnessing such events -- a system that's just unacceptable.

Our New York State Troopers are dedicated public servants who work diligently to protect our communities, and with this bill we will be giving them the support that they deserve. I hope that this legislation that we're going to pass here tonight on the floor of the Senate will become a national model for how we address mental health issues and support our law enforcement agencies.

I want to thank our Majority Leader, Andrea Stewart-Cousins, for her leadership in bringing this bill to the floor.

I am always proud to be the partner of the State Troopers and an ally here in the Legislature. Mr. President, I vote aye.

SENATOR GIANARIS: Senator Cooney to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1965, voting in the negative: Senator Brisport.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1966, Senate Print 3266, by Senator Palumbo, an act in relation to the Southampton Village Ocean Rescue.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1967, Assembly Bill Number 2581B, by Assemblymember Gonzalez-Rojas, an act to amend

the Public Health Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1967, voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Oberacker, Rhoads, Walczyk and Weik.

Ayes, 51. Nays, 8.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1968, Senate Print 3815B, by Senator Rivera, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

THE SECRETARY: Section 4. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Rivera to explain his vote.

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

Back on July 5th of 2017, a tragedy occurred. In my district in the Bronx, Miosotis Familia, an NYPD detective, was assassinated in an unprovoked ambush. She was the first female officer killed in the line of duty since 9/11, and only the third in the history of the NYPD.

As a single mother, she left behind three children -- Genesis, Peter, and Delilah. At the time, Genesis was 20 years old, and she became the sole caregiver of her entire family. And unlike a surviving spouse, Genesis and her siblings are only eligible for benefits until the age of 18 -- or 23 if they remain students. And Genesis had already aged out, and the twins will soon follow.

So we knew, based on these facts

that were brought to us, that we needed to change the way that the law is currently structured to allow for this situation to occur, because survivors' accidental death benefits, or SADBs, eligibility -- what this bill would do is extend the eligibility for children of deceased municipal workers who died in the line of duty if there is no surviving spouse.

We have been working on this bill for the last couple of years, and I'm incredibly thankful to the leader for allowing it to be brought to the floor. Certainly working along with the folks in the City Council, we got a home-rule right on the last day of session. And I know that this is going to be passing -- it passed in the Assembly -- or is going to be passing later tonight or maybe in the next couple of days.

But bottom line, Mr. President, is that we will be finally able to change the situation of all of these children to make sure that Genesis can receive the benefits that she is due so that she can take care of her family. And this is the best way that we as a state can pay our tribute to the memory of Officer Familia.

I vote in the affirmative.

ACTING PRESIDENT BAILEY: Senator Rivera to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1969, Senate Print Number 3879A, by Senator Hoylman-Sigal, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1969, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo,

Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1970, Assembly Bill Number 4873, by Assemblymember Chandler-Waterman, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1970, voting in the negative are Senators Griffo and Walczyk.

Ayes, 57. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1971, Senate Print 4263, by Senator Kavanagh, an

act to amend the Environmental Conservation Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the first of February.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1972, Assembly Bill Number 3939A, by Assemblymember Paulin, an act to amend the Elder Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1973, Senate Print 4417, by Senator May, an act to amend the Social Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the first of April.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1973, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 21.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 1975, Senate Print Number 4554A, by Senator Scarcella-Spanton, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1976, Senate Print 4598, by Senator Jackson, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1977, Senate Print 4727, by Senator Jackson, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1978, Senate Print 4824A, by Senator Jackson, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1979, Senate Print 4894, by Senator Jackson, an act to repeal paragraph (g) of subdivision 4 of Section 209 of the Civil Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1980, Senate Print 4966, by Senator Bailey, an act to amend the New York City Charter.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1980, voting in the negative: Senator Rhoads.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1981, Senate Print 5056A, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1982, Senate Print 5257A, by Senator Hinchey, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1982, voting in the negative:

Senator Walczyk.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1983, Assembly Bill Number 1988B, by Assemblymember Paulin, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1984, Senate Print 5883, by Senator Lanza, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1985, Senate Print 5939B, by Senator Skoufis, an act to amend the Public Health Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1986, Senate Print 5998B, by Senator Skoufis, an act to amend the Domestic Relations Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 10. This act shall take effect on the 270th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thank you very much, Mr. President, for affording me a moment on the bill.

This legislation is named in honor of Kyra Franchetti, who was only two years old when she was murdered by her abusive father during an unsupervised court-sanctioned visit. Kyra's mother, who many of us know, Jacqueline, has pleaded -- had pleaded with the court multiple times to shield her daughter from her father's suicidal behavior, abuse, uncontrollable anger, and manipulative control. But the judge

overseeing her custody case didn't listen and ordered unsupervised visits anyway.

Tragically, there are others who share Kyra's devastating story. New York's children are routinely court-ordered into homes with dangerous and even murderous guardians. And with that so top of mind, this legislation would require Family Court to review allegations of domestic violence and child abuse prior to issuing temporary or final orders of custody and visitation.

This would include a history of domestic violence, child abuse, police reports, and other known risk factors. Kyra's mother Jacqueline was robbed of the opportunity to watch her daughter grow, to see her start preschool, to learn to read. She will never watch Kyra graduate from high school or find a career she loves or have children of her own.

But somehow, through the unthinkable loss of her daughter, and with incredible patience and grace, Jacqueline has harnessed her grief to drive this singularly consequential piece of legislation before us today.

I'd truly like to thank

Majority Leader Andrea Stewart-Cousins for bringing this bill to the floor and her support; Assemblymember Andy Hevesi; my team, Steven Koch, and the many advocates who have worked on this bill over the years -- and would especially like to highlight the work of Joan Gerhardt, Jennifer Friedman, and most of all Jacqueline Franchetti, Kyra's mother, who has worked tirelessly to ensure that what happened to Kyra does not happen to any other child here in New York State.

I proudly vote aye.

ACTING PRESIDENT BAILEY: Senator Skoufis to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1987, Senate Print 6247A, by Senator Skoufis, an act to ratify and confirm the creation of Water District No. 14 of the Town of Monroe.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1988, Assembly Bill Number 2468, by Assemblymember Dinowitz, an act to amend the Public Service Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1988, voting in the negative are

Senators Gallivan, Stec, Walczyk, Weber and Weik.

Ayes, 54. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1989, Assembly Bill Number 6097, by Assemblymember Weprin, an act to amend the Town Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1989, voting in the negative are Senators Gallivan, Helming, O'Mara, Rhoads and Weik.

Ayes, 54. Nays, 5.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

1990, Senate Print 6351B, by Senator Addabbo, an act to amend the General Municipal Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 1991, Senate Print 6421A, by Senator Borrello, an act authorizing the City of Batavia to alienate certain parklands.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1992, Senate Print 6439, by Senator Fahy, an act in relation to issuing the Village --

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1993, Senate Print 6661, by Senator Griffo, an act to amend the Veterans' Services Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1994, Senate Print 6929A, by Senator Webb, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1995, Senate Print 7028C, by Senator Walczyk, an act in relation to authorizing the City of Little Falls, in the County of Herkimer, to finance certain deficits by the issuance of bonds.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1995, voting in the negative are Senators Bailey and Persaud.

Ayes, 57. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1996, Senate Print 7049A, by Senator Fernandez, an act authorizing the City of New York to discontinue certain parkland in Ferry Point Park.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1996, voting in the negative are Senators Brisport, Krueger and Mayer. Also Senator Cleare.

Ayes, 55. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1997, Senate Print 7053, by Senator Webb, an act to amend the County Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1998, Senate Print 7072, by Senator Webb, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 1999, Assembly Bill Number 7837, by Assemblymember Levenberg, an act to amend the Village Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2000, Senate Print 7223, by Senator Persaud, an act in relation to authorizing the conveyance of certain property by the City of New York.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 2001, Senate Print 7314C, by Senator Jackson, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2002, Assembly Bill Number 7994B, by Assemblymember Barrett, an act to amend the Public Authorities Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2003, Assembly Bill Number 8193, by Assemblymember DeStefano, an act in relation to authorizing the assessor of the Town of Brookhaven to accept an application for a real property tax exemption.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Calendar 2003, voting in the negative:
Senator O'Mara.
Ayes, 58. Nays, 1.
ACTING PRESIDENT BAILEY: The bill is passed.
THE SECRETARY: Calendar Number 2004, Senate Print 7675A, by Senator Ortt, an act to amend Chapter 220 of the Laws of 1976.
ACTING PRESIDENT BAILEY: Read the last section.
THE SECRETARY: Section 2. This act shall take effect immediately.
ACTING PRESIDENT BAILEY: Call the roll.
(The Secretary called the roll.)
ACTING PRESIDENT BAILEY: Announce the results.
THE SECRETARY: Ayes, 59.
ACTING PRESIDENT BAILEY: The bill is passed.
THE SECRETARY: Calendar Number 2005, Senate Print 7748, by Senator Jackson, an act to amend the General Municipal Law.
ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2006, Senate Print 7749, by Senator Jackson, an act to amend the General Municipal Law.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2007, Senate Print 7756A, by Senator May, an act to amend Chapter 198 of the Laws of 2021.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2008, Senate Print 7868A, by Senator Martins, an act authorizing the Village of Kings Point, Town of North Hempstead, County of Nassau, to alienate and discontinue certain parklands.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation Calendar 2008, voting in the negative: Senator Hoylman-Sigal.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2009, Senate Print 7950A, by Senator Bailey, an act to amend the Workers' Compensation Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2010, Senate Print 8024B, by Senator Martinez, an act related to disability retirement benefits for Deputy Sheriff Richard Stueber.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2011, Senate Print 8071A, by Senator Addabbo, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2012, Senate Print 8087, by Senator Gounardes, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 2012, voting in the negative are Senators Griffo, Helming, Lanza, O'Mara, Ortt, Stec and Walczyk.

Ayes, 52. Nays, 7.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2013, Senate Print 8121A, by Senator Jackson, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT BAILEY: There's a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: the bill is passed.

THE SECRETARY: Calendar Number

2014, Senate Print 8183, by Senator Martins, an act to amend the Village Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2015, Senate Print 8233, by Senator Sanders, an act to amend the New York City Charter.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2016, Assembly Bill Number 8475, by Assemblymember Berger, an act to amend the Elder Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2017, Senate Print Number 8263, by Senator Canzoneri-Fitzpatrick, an act authorizing the Congregation Khal Mevakshei Hashem, Inc., to receive retroactive real property tax exempt

status.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 2017, voting in the negative:

Senator O'Mara.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2018, Senate Print 8265A, by Senator Sutton, an act to amend the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect January 1, 2027.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Weber to explain his vote.

SENATOR WEBER: Thank you, Mr. President.

I rise today -- I think it is today. I rise in support of this legislation, and I'm proud to be one of the sponsors.

Last June, with only a few days left in session, I met with several families in my district office and heard the challenges they faced as parents of children with cochlear implants. For those of you who don't know, these wonderful devices give people with hearing impairments the ability to hear properly. They truly are a miracle.

The parents explained that a new cochlear implant comes with two devices, each with rechargeable batteries, both covered by insurance. For six hours each day the devices need to be charged. This is manageable for adults, but more difficult for children.

When a device malfunctions or needs to be upgraded, the replacements are not covered by insurance. When insurance companies denied

the requests made by parents, the denial letters said they were following state guidelines.

Thankfully, as legislators, we are in a position to modify the state guidelines to require insurance companies to cover the cost of replacement devices when they malfunction or become obsolete.

As you can imagine, these devices are expensive. And some families who can't afford to immediately purchase a backup device were forced to not hear for hours each day while waiting for one of their working devices to recharge.

I believe every cochlear recipient should have access to sound at all times, and I'm proud to say that with the passing of this legislation, that goal will be more attainable than ever.

Mr. President, I proudly vote aye.

ACTING PRESIDENT BAILEY: Senator Weber to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2019, Senate Print 8306A, by Senator Ortt, an act to amend Chapter 978 of the Laws of 1996.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2020, Senate Print 8313, by Senator Harckham, an act authorizing the Commissioner of General Services to transfer and convey certain unappropriated state land to The Arc Westchester New York.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2021, Senate Print 8341A, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

2022, Senate Print 8344, by Senator Gounardes, an act to amend Chapter 189 of the Laws of 2013.

ACTING PRESIDENT BAILEY: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 2022, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Helming, Lanza, Martinez, Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Scarcella-Spanton, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 20.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2023, Senate Print 8349A, by Senator Palumbo, an act in relation to directing the Department of

Transportation to grant a permanent access and construction easement to the Metropolitan Transportation Authority.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2024, Assembly Bill Number 7802A, by Assemblymember Sayegh, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 2024, voting in the negative are Senators Brisport, Krueger and Martinez.

Ayes, 56. Nays, 3.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2025, Senate Print 8391, by Senator Gianaris, an act to amend the Civil Rights Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2026, Assembly Bill Number 7222, by Assemblymember Bichotte Hermelyn, an act to amend the Executive Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2027, Senate Print 8400, by Senator Serrano, an act in relation to a feasibility study and report on the potential reestablishment of the Empire State Summer Games.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2028, Senate Print 8420A, by Senator Gianaris, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 59.

Oh, excuse me. In relation to Calendar 2028, voting in the negative: Senator Walczyk.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2029, Senate Print 8428, by Senator Rhoads, an act to amend the Highway Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 2029, voting in the negative: Senator Brisport.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2030, Senate Print Number 8432, by Senator Hoylman-Sigal, an act to amend the Limited Liability Company Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

THE SECRETARY: Calendar Number 2031, Assembly Bill Number 6815, by Assemblymember Beephan, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 2031, voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Harckham, Helming, Lanza, Martinez, O'Mara, Rhoads, C. Ryan, Scarcella-Spanton, Skoufis and Weik.

Ayes, 47. Nays, 12.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 2032, Senate Print 6618A, by Senator Rolison, an act to amend the Tax Law.

ACTING PRESIDENT BAILEY: Read the last section.

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

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 2032, voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Harckham, Helming, Lanza, Martinez, O'Mara, Rhoads, C. Ryan, Scarcella-Spanton, Skoufis and Weik.

Ayes, 47. Nays, 12.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris, that completes the reading of today's supplemental active list -- today's active list, excuse me, because it's a new day.

SENATOR GIANARIS: Mr. President, I believe there's a report of the Rules Committee at the desk. Let's take that up, please.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Senator Stewart-Cousins, from the Committee on Rules, reports the following bills:

Senate Print 5426, by Senator Skoufis, an act to amend the Real Property Law;

Senate Print 8416, by Senator Comrie, an act to amend the General Business Law.

Both bills reported direct to third reading.

SENATOR GIANARIS: Move to accept the report of the Rules Committee.

ACTING PRESIDENT BAILEY: All those in favor of accepting the report of the Rules Committee, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BAILEY: Opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT BAILEY: The report of the Rules Committee is adopted.

Senator Gianaris.

SENATOR GIANARIS: Please take up the supplemental calendar.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 2033, Senate Print 5426, by Senator Skoufis, an act to amend the Real Property Law.

ACTING PRESIDENT BAILEY: 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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 2033, voting in the negative are Senators Lanza and Rhoads.

Ayes, 57. Nays, 2.

ACTING PRESIDENT BAILEY: The bill

is passed.

THE SECRETARY: Calendar Number 2034, Senate Bill Number 8416, by Senator Comrie, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Read the last section.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT BAILEY: Lay it aside.

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

SENATOR GIANARIS: Mr. President, let's move on to the controversial calendar, beginning with Calendar Number 2034.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 2034, Senate Print 8416, by Senator Comrie, an act to amend the General Business Law.

ACTING PRESIDENT BAILEY: Senator Rhoads, it's 1:52 a.m. Why do you rise?

(Laughter.)

SENATOR RHOADS: Because I was falling asleep, Mr. President.

ACTING PRESIDENT BAILEY: Gotta wake on up, brother.

SENATOR RHOADS: I was hoping that Senator Comrie might yield to a few questions.

ACTING PRESIDENT BAILEY: Senator Comrie, do you yield?

SENATOR COMRIE: I yield.

ACTING PRESIDENT BAILEY: The last dragon yields.

SENATOR RHOADS: Thank you, Senator Comrie. Through you, Mr. President.

If I can ask, the bill that we have before us was actually introduced on June 9th of 2025. So at least by my count, that would have been on Tuesday. Was there a particular reason after five months of session that we waited to introduce this legislation until the Tuesday before the close of session?

SENATOR COMRIE: Through you, Mr. President. This bill has been worked on for the past five -- almost seven years. We've been trying to create an opportunity to improve the opportunities for the Attorney General to update the General Business Law in relation to enacting the fostering Affordability and Integrity through

Reasonable Fair Business Practices Act.

Every state in the New York -- every state in the United States has a statute prohibiting unfair, deceptive and abusive practices, which are known as UDAAP. These statutes serve to protect consumers and to protect businesses from promoting fraud or unethical business practices.

In New York UDAAP only prohibits deceptive acts such as claiming a product does a task that it does not perform. Likewise, the state statute broadly prohibits unfair practices but restricts consumers' ability to enforce these protections. The administrative barriers and narrow definitions of unfair practices make it difficult for New Yorkers to take action against corrupt businesses, reducing the effectiveness of UDAAP statutes.

This bill is going to define acts or practices as unfair where it causes or is likely to cause substantial injury which is not reasonably avoidable and is not outweighed by the countervailing benefits to the consumer or to competition.

We have been trying, as I said in

the beginning, for seven years to update the UDAAP bill. There's over 32 states that have updated it. This bill has not been updated since 1980. And New York must reform its outdated and weak consumer protection laws. We have many folks that are here in this state that are new homeowners, new auto buyers, working to try to improve their business, and they're being ripped off by businesses.

This is a bill that we've been working hard with the business community, with the Attorney General's office, working with the Assembly and the Governor's office, and we finally have enough -- we finally have two different houses that have agreed on a bill, and hopefully the Governor's office will help move this bill forward.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: Through you,

Mr. President. You would agree, though, Senator Comrie, would you not, that this is a fairly robust and comprehensive piece of legislation that we were merely given on this side of the aisle hours to be able to look at, and merely less than an hour of notice that it would be coming to the floor today.

It did not go through the normal committee process, was not the subject of any hearings, was not the subject, obviously, of any questioning in any committee, other than its brief stop over at the Rules Committee sometime around 1:30 in the morning on the day after what is supposed to be the final day of session.

Don't you think that this is a little bit rushed for such a comprehensive bill?

SENATOR COMRIE: Through you, Mr. President, I would take umbrage with the fact that this bill is being labeled as comprehensive.

This bill is actually quite simple. And this bill has been brought down to its most essential elements. This bill was introduced in a larger version on March 13th by the Attorney General's office and filed accordingly.

This bill has been focused and

re-detailed to focus on just the main things that are going to create harm to consumers. In most cases it's just going to deal with a substantial injury or a substantial harm -- substantial injury, an unfair business practice, and a deceptive business practice or an abusive business practice. And that's it.

If you would like, I will give you the definitions of those three, but I think we'll do that down the line. Thank you.

SENATOR RHOADS: Thank you, Senator Comrie.

Will the Senator continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: The federal government has its own Frank-Dodd UDAAP statute and also has FTC statutes that provide consumer protections similar to this. Why did you feel it was necessary at this particular juncture for a bill that you've been working on for the last seven years to introduce these state protections

today?

SENATOR COMRIE: Because, frankly, we don't believe that the federal government will continue to help enforce these statutes. And recent reports have indicated that the Consumer Financial Protection Bureau will not pursue any current or future cases. And most Republicans in Congress have introduced legislation to eliminate the agency altogether.

So we don't feel that on the federal level there will be protection for consumers. So that's why we were even more focused on trying to come to an agreement this year.

SENATOR RHOADS: Thank you, Senator Comrie.

But this is a bill that you've been working on for the last seven years --

ACTING PRESIDENT BAILEY: Senator Rhoads, are you asking the sponsor to yield?

SENATOR RHOADS: Oh, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR RHOADS: But this is a bill that you've been working on for the past seven years, correct?

SENATOR COMRIE: Yes. Correct.

SENATOR RHOADS: And will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: What's the purpose of the bill?

SENATOR COMRIE: The purpose of the bill is to protect consumers from practices that are charging usury fees to them to purchase equipment, to purchase cars, for home loan practices.

We also are focusing now on dealing with fewer junk fees, where people get caught in other business scams. This is something that is focused on making sure that anyone that has a clear injury from the deceptive practice -- not an imagined injury or an assumed injury, but

something that can be clearly delineated, can be protected and the Attorney General can come in and help them recoup their money.

We have many -- this is a state of new immigrants. This is a state of many people that are trying to get a leg up in life, they are starting businesses, they are purchasing homes, and they're frankly getting ripped off. And whenever those incidents are happening, they have no recourse or no one to turn to.

So this would give the Attorney General the power to be able to help these constituents, these consumers, these folks that are trying to lift themselves up but are getting pushed back because they have limited knowledge and they're doing things that they have never done before with people that are ripping them off.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: Thank you, Senator Comrie.

Doesn't the Attorney General already have the ability to prosecute what the Attorney General believes to be deceptive business practices under existing state law?

SENATOR COMRIE: Yes, they do have limited power. But this is expanding it to things that are clearly deceptive and unfair.

SENATOR RHOADS: And if the sponsor will continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: In what ways is this legislation expanding the powers of the Attorney General?

SENATOR COMRIE: So through you, Mr. President, it's adding unfair acts, which is defined as an act or practice is unfair when it causes or is likely to cause substantial injury which is not reasonably avoidable and is not outweighed by the countervailing benefits to the

consumer or competition.

Then an abusive act, which is defined as an act or practice is abusive when it materially interferes with the ability of a person to understand a term or condition of a product or service or it takes unreasonable advantage of the lack of understanding on the part of a person of the material risks, costs or conditions of a product or service or (b) the inability of a person to protect such person's interests in selecting or using a product or service.

SENATOR RHOADS: Thank you, Senator Comrie.

Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: I know the definitions that are contained in the statute. I can certainly read them. But they all sound to be somewhat similar and would be encompassed under the definition of a deceptive business

practice.

Would you be able, as the sponsor, to give me a concrete example of what you believe to be a deceptive practice versus an unfair practice versus an abusive practice?

SENATOR COMRIE: Yeah, okay. Let me -- the -- you're a new homeowner and you're trying to buy furniture. You go to a store and they tell you what the furniture is going to cost you on a rental, as opposed to a purchase, so you can save money. You turn out to find out that the rental fee is costing you more than you would have actually purchased the item for if you were able to purchase it whole. That's a deceptive business practice.

An unfair practice is if you're going to purchase a home, like many new homeowners do in New York State, and they find out that they're paying a rate that's three times over the cost because there's a balloon mortgage on there that they weren't told about or there was a codicil put in there that they weren't aware of and they weren't given an opportunity to have a real analysis done because they were told they had to sign the papers that day or they

would lose the mortgage.

What was the third one, abusive? That's wide open for many people. But most abusive practices is when people are trying to purchase a product or a service and they're being pushed to something that they either were not able to afford or not able to continue to pay for, but they were told on the spot by the business that they would have to purchase this today.

So that they're looking to -- this law is not looking to do anything but clearly defend people that were clearly abused in a specific way and that that caused harm or injury to them. And also created a clear financial hardship because it's costing them a lot more than they would -- than most New Yorkers would pay, those informed New Yorkers that understand how to and have practice in purchasing things.

We are trying to protect our new New Yorkers. We're trying to protect people that are trying to build a life, develop an opportunity, buy their first car. Even student loans, we're finding people are getting ripped off on. As I said earlier, the home purchase

market, especially in my district, where I have one of the highest foreclosure rates because people have gotten into usury loans, they have purchased homes that they found out they had no way to continue to pay for or manage.

We're trying to protect those people. We are New Yorkers. We are legislators. We try to protect people that come here to try to build a better life. And this bill would help give the Attorney General that opportunity.

SENATOR RHOADS: Madam President, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: Senator Comrie yields.

SENATOR RHOADS: I'm still having some difficult understanding, though, Senator Comrie. Through you, Madam President, of course.

Because the examples that you give -- a person buying furniture, a person buying a home not realizing or not being told that there was a balloon payment at the end, an

individual being charged three times the rate that they thought they were going to be charged because they weren't informed of the rates -- wouldn't those all qualify as deceptive practices? Because they all involve leading someone to believe something that isn't true.

SENATOR COMRIE: Through you, Madam President. I think that's subject to interpretation. And what the Attorney General is trying to do, as they've done in 47 other states and have done on a federal level, is to create the same standard.

And so the language that's written here in this bill is compared to and equal to what has been done in 47 other states.

SENATOR RHOADS: Thank you, Senator Comrie.

Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: So now the statute itself, the proposed statute, defines an unfair

practice as when it causes or is likely to cause substantial injury not reasonably avoidable and is not outweighed by countervailing benefits to consumers or to competition, is that correct?

SENATOR COMRIE: Correct. I'm sorry, through you, Madam President, correct.

SENATOR RHOADS: And will the sponsor continue to yield.

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: Do you continue to yield?

The sponsor yields.

SENATOR RHOADS: And what was the basis for that definition?

SENATOR COMRIE: Again, through you, Madam President, this is the same definition that's used in 47 other states and also currently used by the federal Consumer Financial Protection Bureau. It's the exact same definition. And it was brought -- developed some time ago, and it has been effective across the country in 47 other states.

SENATOR RHOADS: And what is the definition of substantially --

ACTING PRESIDENT MAYER: Senator

Rhoads, are you asking --

SENATOR RHOADS: Oh, will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: And what is the definition of substantial injury?

SENATOR COMRIE: It's defined in the Federal Trade Commission Act. It's the same definition in the Federal Trade Commission Act, Senator Rhoads. So it's -- they tried to use the same language and actually the same words and -- so they could be uniform with everything else that's happening across the country.

SENATOR RHOADS: Will sponsor continue to yield.

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: The federal statute, though, does provide some standards for determining what is actually unfair or deceptive,

does it not?

SENATOR COMRIE: Through you, Madam President, yes. And this bill matches that exactly.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: And what standards does the statute provide for making that determination?

SENATOR COMRIE: Standards? I'm sorry, through you, Madam -- I mean, one minute. I need to confer on that one. (Conferring.)

The standards are derived from standard case law which the FTC has used in their many examples. But it's through standard case law by the Federal Trade Commission and by the Consumer Finance Protection Bureau.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: What guidance is provided to the ultimate decisionmaker in this case as to what they're supposed to look at?

And the reason for the question is that the FDIC has actually issued standards used to assess whether an act or practice is unfair or deceptive, looking at the interplay between the FTC Act and other consumer protection statutes, looking at examination procedures for determining compliance with the FTC Act standards, including risk assessment procedures that should be followed to determine if transaction testing is warranted, best practices for documenting a case, corrective actions that should be considered for violations, as well as resources that can be used.

In your statute, what tools are provided to the ultimate decisionmaker in this case as to how they're supposed to evaluate cases?

SENATOR COMRIE: The ultimate

decisionmakers in this case will be the Attorney General that decides to bring the case after they talk to the consumer and find out what happened to them and why they feel aggrieved.

But actually the final decisionmaker will be the courts. And the courts will act accordingly, as they have been doing in 47 other states regarding these matters.

But the preliminary decision will be assessed by the Attorney General's office whether or not to bring a case. We're focused on substantial cases and things that they can document so that they're not bringing frivolous lawsuits. The Attorney General is not interested in doing anything but trying to protect people that have been substantially aggrieved or abused.

SENATOR RHOADS: And will the sponsor continue to yield.

SENATOR COMRIE: Yes.

ACTING PRESIDENT MAYER: Do you continue to yield?

The sponsor yields.

SENATOR RHOADS: Thank you.

Is the -- must a complaint or must an action by the Attorney General stem from an

actual consumer complaint? Or under your statute does the Attorney General have the ability to initiate on her own volition an investigation or action against a particular individual or company?

SENATOR COMRIE: The Attorney General can do it on the Attorney General's own volition, but there has to be actual injury. It can't be surmised or projected. There has to be actual injury that they can point to and describe and demonstrate.

I'm sorry, through you, Madam President.

ACTING PRESIDENT MAYER: That's fine. But can we keep the chatter somewhat lower.

SENATOR RHOADS: And will the sponsor continue to yield.

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Your proposed statute indicates that (reading) the Attorney General may bring such an action or proceeding against any person conducting any

business, trade or commerce, or furnishing a service in this state, whether or not the person is without the state -- or is within the state.

The Attorney General may also bring such an action or proceeding against any person within the state conducting a business, trade, commerce or furnishing a service, whether or not the business, trade commerce or service is conducted or furnished without the state.

Would this language allow the Attorney General to prosecute businesses and individuals that have no relation to the State of New York?

SENATOR COMRIE: Any business that is damaging a New York State resident would be subject to the Attorney General going after them to eliminate that business practice. Because if they're going after one constituent, they're going after dozens.

So if there's a deceptive business that is operating anywhere that is harming New York State consumers, this gives the opportunity for the Attorney General to file against them.

SENATOR RHOADS: Will the sponsor

continue to yield?

ACTING PRESIDENT MAYER: Do you yield?

SENATOR COMRIE: I yield.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: And so in a circumstance where you have a business online -- I don't want to give a particular name, but we can imagine a company that exists in a state other than the State of New York. You have a consumer that goes upon that business's website and orders a product or a service. How would the Attorney General get jurisdiction over a company in another state?

SENATOR COMRIE: (Conferring.) Through you, Madam President, as long as that company has a nexus or a conduit through New York State and is doing business in New York State, they are subject to the Attorney General if they're doing deceptive or unfair business practices.

SENATOR RHOADS: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Would you

continue to yield?

SENATOR COMRIE: Yes, I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: So in the case of an out-of-state company which merely maintains a website that's accessed by a New York resident, would that constitute a sufficient nexus, in your opinion, for the Attorney General to obtain jurisdiction?

SENATOR COMRIE: There needs to be a physical transaction or some type of transaction that happens that can be documented and traced for that.

And that -- whatever that transaction was, if it was deceptive or unfair or abusive, then -- and the constituent can prove that and show that to the Attorney General, then the Attorney General can make the case.

But again, these would be resolved in -- at the court level or the -- a business would have a certain amount of time to show that they are -- whatever they've done they do not believe is deceptive.

SENATOR RHOADS: Will the sponsor

continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: Yes. Yes, I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Well, you've indicated already that whether or not the Attorney General is going to pursue an action is in the sole discretion of the Attorney General.

There is no showing that has to be made preliminarily to any court or to any grand jury before the Attorney General can institute any action. Is that correct?

SENATOR COMRIE: Through you, Madam President, no, that's not correct.

It has to be something substantial. There has been to be a product or a service or a thing that was rendered to the consumer, to the constituent, that shows injury that they have. That's either, you know, as I said, a home, a car. Or now we're dealing with -- you're talking internet online purchasing. If they purchase something, they would have that object. If they have a home, clearly they would have the mortgage

papers. If they purchased a car, clearly they would have those papers.

But if you're focusing on online, whatever that product they purchased online, it would have to show to the Attorney General, the Attorney General would have to make the decision as to whether or not to file the case.

But they just can't wake up and say, you know, I want to file a case. They have to show something to prove that there was an instrument or product that was sold to them that they feel has been deceptive.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: Yes, I yield.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: Section 349 of your legislation, Article (2)(C)(b)(1), states that (reading) whenever the Attorney General shall believe, from the evidence satisfactory to the Attorney General, that any person including but not limited to an individual, firm,

corporation, company, partnership or association or agent or employee thereof has engaged or is about to engage in any of the acts or practices stated to be unfair, deceptive, or abusive, the Attorney General may bring an action or proceeding in the name and on behalf of the people of the State of New York.

I know you've indicated that there has to be some sort of nexus and some sort of injury or harm. But my question was, who has to make that preliminary determination? Does there have to be any showing to a court? Does there have to be -- in the case of a criminal action that's being brought, does there have to be any kind of presentation to a grand jury and the obtaining of an indictment?

Or is this simply the Attorney General has the opportunity, by herself, based on criteria that she determines by herself, to pursue an action against anyone, any company she wants to, anywhere in the country?

SENATOR COMRIE: Any -- this is current law, Senator Rhoads. We're not changing the current law and the ability of the Attorney General, whoever that may be, to pursue

a case. It's already the current law that the Attorney General has to follow certain guidelines.

These are civil cases, not criminal cases. Also, you can take the criminality off the table. These are consumer cases and cases where people have been ripped off by goods, products and services.

So if there's already a standard practice for the Attorney General to present these cases and she would still have to -- he or she would still have to follow that already-well-documented standard.

I keep forgetting to say "through you."

SENATOR RHOADS: Will the sponsor continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: Just reminding you, Senator Rhoads, you have about three minutes left.

SENATOR RHOADS: Okay.

Where would the case be venued?

SENATOR COMRIE: Where would the case be vetted? I'm sorry, through you --

SENATOR RHOADS: Where would the case be venued?

SENATOR COMRIE: I'm sorry, I'm --

SENATOR RHOADS: In other words, let's say you have a resident from the State of Florida and she's bringing a case against an individual based upon a transaction that happened online.

SENATOR COMRIE: Through you, Madam President. It would be based on the Federal Rules of Civil Procedure as it stands now.

SENATOR RHOADS: Well, does the -- will the sponsor continue to yield.

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: Do you continue to yield?

The sponsor yields.

SENATOR RHOADS: Well, does the Attorney General have the capacity -- does the State Attorney General have the capacity to be able to bring an action in federal court?

SENATOR COMRIE: These are state court cases. I'm sorry. Through you, Madam President, these are state court cases.

This is not a federal case, to the best of my understanding. There's nothing in here that's talking about federal level.

SENATOR RHOADS: Will the sponsor continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR RHOADS: If you have an out-of-state resident in Florida, how would you venue the case in New York?

SENATOR COMRIE: An out-of-state resident -- through you, Madam President. The out-of-state resident in Florida is not who we're protecting in New York. It has to be a New York State resident.

So I'm not understanding your question. Are you saying the out-of-state resident is the business that is doing the deceptive practice? Or are you saying the out-of-state resident is the aggrieved party?

SENATOR RHOADS: I'll ask another

question, if the sponsor will yield.

ACTING PRESIDENT MAYER: This is your last minute, Senator Rhoads.

SENATOR RHOADS: It'll be the last question, and then I'll speak briefly on the bill.

SENATOR COMRIE: I'll yield.

SENATOR RHOADS: Senator Comrie -- did you yield?

SENATOR COMRIE: Yes.

SENATOR RHOADS: Okay. Okay.

Is it your understanding that this statute can only be brought -- that an action by the Attorney General under this proposed statute can only be brought against a New York resident or business?

SENATOR COMRIE: No, no, I didn't say that. I said that any business that has a presence in New York or has a stature in New York or has a conduit in New York State that's anywhere in the world that transmits a business product to New York can be subject to this, if they've used deceptive practices to do it. This would cover any New York State resident and the resident's home.

ACTING PRESIDENT MAYER: Senator Rhoads, that is the end of your time.

SENATOR RHOADS: May I speak briefly on the bill?

ACTING PRESIDENT MAYER: No, I think you used your full 30 minutes, and there are a number of people.

SENATOR RHOADS: Thank you, Senator. Thank you, Madam President.

ACTING PRESIDENT MAYER: Senator Palumbo, why do you rise?

Oh, sorry. Senator Martins, why do you rise?

SENATOR MARTINS: Thank you, Madam President. If the sponsor would yield for a few questions.

ACTING PRESIDENT MAYER: Will the sponsor yield?

SENATOR COMRIE: Yes. Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: First, Madam President, through you, I want to thank the sponsor for this piece of legislation. I know, Senator Comrie, that you are coming at this from

a good place. I just think we may have a difference of opinion on how to get there.

And I hope I can ask you some questions and maybe clarify some of those questions that I may have.

So through you, Madam President, if the sponsor would yield.

ACTING PRESIDENT MAYER: Will the sponsor yield?

SENATOR COMRIE: Madam President, I'll be honored to hear Senator Martins' point of view.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR MARTINS: Thank you.

We're dealing with concepts of abusive practices, unfair practices, deceptive acts. There's a concern I have, Senator, that although there are definitions assigned to these terms, the definitions themselves are open to interpretation, and that reasonable people can differ in how they interpret something to be either abusive, unfair, or deceptive.

Would you agree?

SENATOR COMRIE: Oh, most

definitely. We're in a world that everybody has a different opinion that you talk to.

I'm sorry. Through you, Madam President. You can talk to 20 people about something and you'll get 20 different opinions.

SENATOR MARTINS: Through you, Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: And I need to ask if the -- you know, if the drafting of the legislation, was it done here in the Senate collaboratively? I know that Assemblyman Lasher was also the sponsor in the Assembly, and obviously I know Micah for some time.

Was that drafted here in the Legislature? Was it drafted in the Attorney General's office? Or was it done collaboratively?

SENATOR COMRIE: Through you, Madam President, it was done collaboratively.

You want the long answer? No, you don't want the long answer?

(Laughter.)

SENATOR COMRIE: But it was done collaboratively. I have to give Assemblyman Micah credit because, as I said, we've been trying to do this for seven years.

But we did -- the Attorney General had public meetings, private meetings. We, Assemblyman Lasher and myself, had many meetings with businesses to hear their point of view. We talked to the staffs, both staffs, the Assembly and the Senate staff, and the Governor's office.

And I want to take a moment to thank all of them for grinding through this to try to drill to something that would be acceptable that we could finally get the Business Council and the New York City Partnership and the other relevant groups that had all been panicking, because of what you said about the interpretation and the possibility of interpretation, to drill this down to what is done in 47 other states but is already being done by the FTC and the Consumer Financial Protection Bureau.

Because we don't want frivolous

lawsuits. We don't want people to be focused on trip-and-falls. We don't want to panic small businesses or even large businesses with a ton of lawsuits.

This is going to be up to the Attorney General to assess and determine whether or not a practice was deceptive or unfair or abusive.

SENATOR MARTINS: Thank you, Senator.

Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield, Senator Comrie?

SENATOR COMRIE: I do, yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR COMRIE: I want to point out -- sorry, Senator Martins -- that this is a departmental bill also, which also indicates that we've been working on this as a team.

Thank you, Madam President.

SENATOR MARTINS: Thank you for that.

If the sponsor would continue to

yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: Specifically, the portion here that allows the Attorney General unilaterally to make the decision. Typically in these statutes you see some standard -- you know, within a reasonable opinion, or within a certain range of reasonableness, or after certain consultation.

Are we to read this statute to include a level of good faith and reasonableness on behalf of the Attorney General? Although it's not written in the statute, are we to expect that that's included in this as well?

SENATOR COMRIE: The Attorney General already has unilateral power to bring any action against anyone. We're not changing that definition or changing it as it has been defined in 47 other states as well, Madam President.

So through you, we're not changing the ability of the Attorney General. We're not

changing the unilateral opportunity that the Attorney General has. It was already in statute prior to this bill. This bill only highlights and continues a practice that she already has power over.

SENATOR MARTINS: Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: Yes, I yield.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: Although I understand that there may be similar statutes in other jurisdictions and there may be similar abilities in other jurisdictions for people to enforce those statutes, in New York State this statute would change the definition of abusive practices, unfair practices and deceptive acts in a way that we haven't had in law before.

And so the ability of a person to interpret these things -- and we've already discussed that reasonable people can have different opinions -- we're allowing a person to

make those determinations. And although it's happened somewhere else, here in New York it hasn't, because this is a new law.

Is there a concern and should we all expect that the Attorney General, though it's not in the statute, has to act reasonably, has to act in good faith, and has to have a basis to move forward before bringing an action against anyone under this statute?

SENATOR COMRIE: One second. Let me -- (conferring).

SENATOR COMRIE: Through you, Madam President. The Attorney General already has the ability to act in this way.

The courts will be making the final decisions, not the Attorney General.

But the Attorney General is not -- is only going to act when there's a harm that can be defined, that can be delineated, that can be demonstrated before they take it to the courts. But the courts will have the final decision on what happens with these cases.

SENATOR MARTINS: Thank you.

Madam President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: The statute also refers to and grants the ability for the Attorney General to anticipate -- specifically in the statute there's language that allows the Attorney General not only to respond to things that are currently happening, but to anticipate in some way and, in anticipating, bringing an action to stop something from happening that hasn't even happened yet.

Does that raise any concerns for you in terms of due process, that the Attorney General can actually bring an action prior to something actually having been done because she believes she should do so?

SENATOR COMRIE: My understanding -- through you, Madam President. My understanding is that the Attorney General already has the power to do these preliminary injunctions, to file a case. And that's already within their power as the Attorney General.

SENATOR MARTINS: Through you, Madam President, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: So it's my understanding that a preliminary injunction allows the Attorney General to bring a proceeding or a request that the court enjoin somebody from doing something that they're actually doing preliminarily before she has an opportunity to prove it in a full case.

So the injunction is brought preliminarily because they did something and she wants to stop them from doing it.

SENATOR COMRIE: Correct.

SENATOR MARTINS: In this case, as I'm looking at the language, it says if the Attorney General anticipates that something may be done in the future -- not that they've already done it, but she's anticipating some future either abuse, unfair practice or deceptive act.

And in anticipating that, this statute would allow the Attorney General to take action either by bringing a lawsuit or -- and I'll get to this in a second -- under Section 6312 of the Executive Law, which is extraordinary.

Is that portion of this statute that gives the Attorney General that authority to anticipate something, is that a concern?

SENATOR COMRIE: Through you, Madam President. No, it's not a concern, because the Attorney General would only take up cases that they could prove, cases that they know they could win. They would not want to waste time taking frivolous cases to a court to decide.

SENATOR MARTINS: Through you, Madam President, if the sponsor would continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do. I yield.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: I appreciate that. But I understand the Attorney General's

office to be amongst the most powerful attorneys general that we have in the entire United States. That's the Attorney General here in New York State.

And the ability to bring actions against individuals for something that's anticipated or to bring action, either by subpoena or otherwise, is and places an incredible burden on whoever is the target of that investigation or of that action.

And so before they do that, you know, I believe due process is important. How do we safeguard individuals who may be falsely accused and give them the opportunity to protect themselves in the event that they turn -- it turns out that they did not in fact engage in abusive practices, unfair practices or deceptive acts and practices if the Attorney General just happens to be wrong?

Although she may have acted in good faith, how do we protect and ensure that there's due process in this statute?

SENATOR COMRIE: Through you, Madam President. The -- let me just make sure. (Conferring.)

Through you, Madam President, we're not changing the powers of the Attorney General. We are just delineating the actual what they -- we're just delineating unfair, deceptive or abusive that the Attorney General may bring an action or proceeding in the name and on behalf of the people to enjoin -- to enjoin such lawful acts or practices and to obtain restitution.

There is a proceeding, the preliminary relief can be granted under Article 63 of the Civil Practice Law and Rules already. Which gives the person time to prove if the Attorney General made a mistake and to bring relief to the situation.

SENATOR MARTINS: Thank you.

Madam President, through you, if the sponsor would yield for just a few more questions.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: You know, not the current Attorney General, I just want to speak to

the possibility perhaps in the future that we may have an Attorney General here in the State of New York that tends or that may be political and may take actions that are politically driven and that may direct certain actions towards different groups based on other than what we would all agree to be proper.

And I know we can disagree because reasonable people can disagree on what's abusive or what's deceptive or what is unfair. But do you have concerns that if we allow for what are generally, I think -- although if we're acting in good faith, we should all reach more or less the same grounds.

But if people do not act in good faith, how do we ensure that there are going to be protections for groups in New York State who may not realize they're acting that way but are perceived to act that way? How do we protect them?

SENATOR COMRIE: Again, through you, Madam President. It's not the Attorney General that decides what happens or what the final verdict is. It's the courts that decide.

I don't think any Attorney General worth their weight would want to bring frivolous cases and be known as being a failure in these areas. I don't think that any Attorney General worth their weight would want to be known as an office or an agency or an entity that people could not depend on to bring cases in a proper and delineated manner.

I don't believe that -- I hear what you're saying that, you know, Attorney Generals may want to try to act politically. But I also know that they want to win a case if they bring it, so that they're not going to take a case that they don't feel comfortable about bringing it to bear.

But also, this act gives businesses opportunity to get relief before they go to court. So if a business feels that it is unfairly being targeted or that their business practice is fair and just, they have an opportunity to demonstrate that to the Attorney General.

SENATOR MARTINS: Through you, Madam President, if the sponsor would continue to yield.

SENATOR COMRIE: I do. I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: And therein lies the rub. They would be able to prove it to the Attorney General even before it goes to court. Even before it gets before a judge, the Attorney General gets to decide whether or not the proofs are sufficient, whether or not the person has complied, whether or not any of these things have happened.

Again, it puts people in the crosshairs in a way that is sometimes very punitive. And we have to be cognizant of that. And I know you are, Senator.

So I'm going to -- I'm just going to ask you a couple of questions -- through you, Madam President -- if you'll continue to yield.

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: If an Attorney General believes that given the statutes that we have on the books here in New York that have to do with things like reproductive rights,

if there are hospitals in New York State that because of religious convictions and foundations of the hospital choose not to provide such services, would the Attorney General be able to consider that to be abusive in order to bring an action or proceeding against an institution?

Because I think we all understand this is not just for businesses, it's also for not-for-profits and individuals. It's a much broader scope than just what was there before, which was consumer-oriented.

Would the Attorney General be able to do that?

SENATOR COMRIE: Through you, Madam President, no.

This is not dealing with policies or ideas or ideology. This is dealing with substantial harm, demonstrated criminality, demonstrated usury, and that can be proven by an individual showing a product or a service. Not a -- this has nothing to do with hospital practices.

SENATOR MARTINS: Through you, Madam President, if the sponsor will continue to yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR MARTINS: Senator, is it your sense that this would not apply to not-for-profits but only to commercial and consumer --

SENATOR COMRIE: I'm sorry, through you, Madam President. I didn't say that. I specifically said hospitals. And you talked about a hospital's maternal policies or OB-GYN policies. I was focused on that.

If a nonprofit is being -- acting in a criminal way, just as it was in the news today that a nonprofit unfortunately in my district, the director was arrested for illegal activities and fraud, that not-for-profit still would be subject to, you know, review by the Attorney General's office.

SENATOR MARTINS: I appreciate that. Thank you very much, Senator.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator

Martins on the bill.

SENATOR MARTINS: Thank you, Senator Comrie.

You know, as I mentioned, I believe and I think it's pretty clear that the Attorney General of the State of New York is perhaps the most powerful attorney general in the country, probably second to the U.S. Attorney General he or herself. And the resources that they have and the ability they have to marshal those resources in certain directions I think is pretty clear. We've seen, time and again, the ability of attorneys general to take on certain responsibilities.

And they've done -- you know, going back through history, they've done quite a bit through the Attorney General's office, each in their own way, whether it's fighting Medicaid fraud, whether it's fighting organized crime. There are all kinds of things that have been taken on over the years. But there's always been a clear, distinct definition of what that looked like and who the target was and what the standards were that we were applying.

And so when we look at language like

abusive practices, unfair practices, and deceptive acts and practices, it's a concern. And it should be a concern to everybody that we're talking about things that aren't readily defined, they're very subjective, and people can differ in their views of it.

But when the power of the state is focused on an organization or an individual or a not-for-profit because they're believed to have acted in a certain way, it's almost as if that person or that group now has to not only protect themselves, but actually prove the negative, that they did not act that way. And frankly, that's unfair.

We want to talk about fairness, and unfair, and we talk about due process here. The idea that someone has to then be placed in the position of proving that negative -- no, I wasn't abusive, no, I wasn't deceptive, no, I did not act unfairly -- to the satisfaction of someone who's bringing that action, with the weight of the state behind them, is significant: The costs associated with it, defending themselves, hiring attorneys, and perhaps not making the case.

I did reference earlier in our

exchange New York Executive Law Section 6312. It's part of the Executive Law. It's not just that they're going to court right away. Section 63 of the Executive Law grants the Attorney General some significant authority when it comes to actually proactively moving forward. They can move on five days' notice -- five days' notice. That's extraordinary. The statute specifically allows that.

This isn't an after -- it's there. So not only do we have language that is vague and subject to interpretation, we have language here that allows the Attorney General to anticipate -- whatever that means. So let's understand, they can anticipate even though nothing's actually been done, no act has taken place, but they believe it may be coming and so they may actually begin the process of holding somebody accountable and forcing them into a position of again having to prove that negative.

And before they actually appear before a judge, under Section 63 of the Executive Law they can actually have someone have to defend themselves and begin that process where the recourse for the other side, frankly, is to

have to deal with the person who brought the action to begin with or go through the extraordinary lengths of seeking relief in court from the Attorney General herself.

So I'm concerned, Madam President, about the bill. I want to commend the sponsor, because I understand where he's coming from with regard to his efforts here, and the Assembly sponsor as well. I understand that they're coming at this from a good place. But I have serious reservations and concerns when it comes to vague language, serious consequences, and the kind of impacts that hit people and have the ability to destroy people's lives, have the ability to destroy ongoing businesses, where perhaps this bill may actually need a little more work.

So with that, again, I want to thank the sponsor.

And, Madam President, I thank you for your time. Thank you.

ACTING PRESIDENT MAYER: Thank you, Senator Martins.

Senator Helming, why do you rise?

SENATOR HELMING: Thank you,

Madam President. I'd like to go on the bill, please.

ACTING PRESIDENT MAYER: Senator Helming on the bill.

SENATOR HELMING: Thank you.

Senator Comrie, I want to say thank you to you for answering a tremendous number of questions on this bill at almost 3 a.m. I appreciate it.

SENATOR COMRIE: What did she say?

(Laughter.)

SENATOR HELMING: During the debate I heard that 40 other states have similar legislation. And as I was hearing that over and over again, the one thing that kept popping into my head is that -- what 47 other states don't have, the distinction of being the state with the most regulations in the entire nation.

And because of that, we also have the distinction in New York State as having one of the worst business climates. Our businesses don't need to be burdened with any other frivolous regulations.

I serve as the ranking member of the Senate Insurance Committee, and in that capacity

I've had the opportunity to participate in a number of industry events and also serve on a number of insurance panels. The message I hear from agents, from carriers and from small business owners from across the state is consistent: It's tough and it's getting tougher to do business here in the state.

One insurance agent -- he's also a small business owner who's been in the industry for 26 years -- told me he has never seen the industry so fraught with peril.

This summer I met with representatives from the Syracuse, the Rochester, the Buffalo areas from Big I, and their message was the same. They shared with me, you know, the calls they're getting from consumers about premiums that have doubled over the past five years. And now I've been told that this bill will add even more burden to companies who are still willing to write insurance in New York State.

And the reason why I say "still willing" to write in New York State is because as a state we've already lost insurance companies. They're just -- they're withdrawing from our

state.

I think that this bill will make a perilous situation even worse as carriers decide to stop doing business here to avoid the absolutely unnecessary overreach that this bill would give to the Attorney General or the frivolous lawsuits that will result from this bill. And their departure is only going to drive up the cost of premiums. In fact, I think it's going to have an impact on the cost of all goods and services.

I understand where we're trying to get to with consumer protections, but I really believe that if we want to be fair to consumers and fair to our small business owners -- fair to all New Yorkers -- what we need to do is reset. We need to reduce the costly mandates. We need to enact real tax relief for working families and for seniors. We need to secure safer streets for all New Yorkers. We need to expand opportunities for local businesses to grow their jobs. And we really need to turn New York State around.

I don't think that this bill accomplishes that, and I vote no on the bill.

ACTING PRESIDENT MAYER: Thank you,

Senator Helming.

Senator Palumbo, why do you rise?

SENATOR PALUMBO: Thank you, Madam President. I wonder if the sponsor would yield for a few questions, and it will be a few. I have really one sentence I just wanted to ask a few questions on.

ACTING PRESIDENT MAYER: Senator Comrie, do you yield?

SENATOR COMRIE: I'm honored to yield to Senator Palumbo.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR PALUMBO: Thank you, Senator Comrie. Good morning.

SENATOR COMRIE: Good morning.

SENATOR PALUMBO: So of course Section 349 of the General Business Law already exists. Deceptive practices are unlawful already in New York State. So I get the definition of deceptive. It's already been defined. It's defined in federal law.

And abusive, quite honestly, in my opinion, is almost the same. I think -- for the purposes of my questioning, I'm not going to ask

any questions really about that because obviously, if someone is lacking understanding and you're abusive, you're taking advantage of maybe their lack of knowledge, I would suggest that that's deceptive as well.

So I'm looking at the new subsection 1, unfairness: "An act or practice is unfair when it causes or is likely to cause substantial injury which is not reasonably avoidable and is not outweighed by countervailing benefits to consumers or to competition."

So if we could just break that down a little bit, because I think for the purposes of legislative intent, people need to know what they're doing wrong in the event that this becomes law.

So I guess my first question is, if it's unfair -- a practice is unfair when it causes or is likely to cause substantial injury. Obviously if it causes injury, that's self-explanatory. But if it's -- something is likely to cause substantial injury, can you give me an example of what that is?

SENATOR COMRIE: One minute, Madam President. (Conferring.)

Through you, Madam President. Deed theft is one of the main issues that brings up unfair injury. Also in the home mortgage. And in the used car -- in the car buying, there's a lot of issues where people find that they are -- have been abused and unfairly treated. And those are the primary issues that would -- I want to just take a minute to say --

ACTING PRESIDENT MAYER: Can we have some quiet back there.

SENATOR COMRIE: I want to just take a minute to say that I agree with Senator Helming on most of what she said, other than voting no for the bill.

(Laughter.)

SENATOR COMRIE: We do have a problem in New York State with how we take care of our businesses. And a lot of this is because we're not giving our businesses an opportunity to learn. We're not giving them and informing them of new laws and new practices. We're not sitting down and listening to them about their insurance problems, which is something that I've been railing about within my conference because insurance is a ridiculous issue in New York State

that is -- New York State has to pay higher insurance rates than everybody else.

And I've been very upset with the Department of Financial Services that they don't come before this body during budget hearings or in an individual opportunity for us to question them. They hide with three other agencies and you don't get a chance to ask them any real questions.

So I have some real problems with that. I have some real problems with how we treat businesses. But this is for people that are being deceptive. This is for people that are ripping people off. This is for people that are harming people's opportunity to be able to be successful, and that's what we're trying to protect.

So thank you for bringing that up. You know, I think there's a lot that we need to do as a state to make sure that we maintain our business community. Thank you.

SENATOR PALUMBO: Will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: Yes, I continue to yield.

SENATOR PALUMBO: Thank you, Senator.

And in that vein, to help our businesses, that's kind of why I'm asking these questions. Because the way I read it, that language is obviously inserted for a reason. If someone is like -- something is -- or acts or likely to cause substantial injury, the person doesn't even need to perceive damages. They have to possibly -- or someone needs to be acting in a way where someone could possibly maybe in the future be damaged.

And so just for clarification purposes, is that -- clearly that was what was intended with that language. I assume that someone -- if a business is acting in a way -- not even consumer-based, but if they're acting in a way that could possibly cause damages to someone, they're in violation of this new statute?

SENATOR COMRIE: Through you, Madam President. We have been -- that has been the crux to what everybody has been worried about

that has come to us.

We believe that the Attorney General will -- again, as I said earlier -- not take cases on that are frivolous, not take cases on that are designed to just be upset with somebody or pick on a business. We believe that the Attorney General doesn't have time to waste, her and her staff, to deal with frivolous cases. And they would only deal with things that are substantive, that can be clearly proven and demonstrated and be able to take to a court where they would prevail in the court.

You know, that is the -- this is language that's in many other states and in the language within the Consumer Financial Protection Bureau and also the Federal Trade Commission. So we don't think that the Attorney General is going to turn around and be the tort lawyer for individuals.

SENATOR PALUMBO: Will the sponsor yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COMRIE: I do. Thank you.

ACTING PRESIDENT MAYER: The

Senator yields.

SENATOR PALUMBO: And thank you, Senator.

And I would agree with you that deceptive practices is all over the place; substantial injury is as well. But now we're expanding it to likely causing substantial injury.

And then we have the next clause -- and I'm almost through the sentence, that's all I'm going to ask you about -- but it's not reasonably avoidable and is not outweighed by countervailing benefits to consumers or to competition.

So I don't really understand how if something is deceptive, according to this, or unfair or dishonest -- I can use that maybe globally -- that if it's reasonably avoidable, there's no liability. Or if it's -- the countervailing benefits of consumers or even competition outweigh that dishonest behavior, then they're not liable under the statute.

So that's why I just would like some real clarification on that, because that's a lot to unpack. And I think it's actually

counterintuitive when we read it all together. So if you could explain that, that would be terrific.

SENATOR COMRIE: Through you, Madam President, I'm going to try. Because it is, as you say, counterintuitive.

But the issue around that is that it's already standard in law, that it's already part of Section 63, I think it's -- (conferring).

You're making me want to go back to law school -- to want to go to law school, Senator Palumbo, just to make sure that I define this properly and be clear.

But this is stemming from actions that the Attorney General had encountered when they were trying to sue SiriusXM, the radio channel, that was doing deceptive and injurious practices to people and they wanted to use this language to be able to deal with situations like that.

The language is giving the Attorney General the opportunity to shape the case along the line to prove injurious injury. And something like a SiriusXM contract is something that is -- you get the physical

contract but you're still having an injury to you because you can't operate the channel properly.

SENATOR PALUMBO: Thank you, Senator.

On the bill, please, Mr. President.

ACTING PRESIDENT BAILEY: Senator Palumbo on the bill.

SENATOR PALUMBO: Thank you. And I'm not trying to be tricky, Senator Comrie, it's just the hour is late. I think we need to put this bill, this session, and some of my colleagues to bed.

So I just want to ultimately highlight that specific -- that's really my concern. "Abusive" I think is almost similar -- of a synonymous and in some situations, or I think even with this language here, it's somewhat more clear than just generally deceptive practices. But that's for a finder of fact to determine.

The unfair aspects of this new statute are unfair. They don't -- it does not clearly define the conduct that could be deemed unfair. And that's really something that is likely to cause substantial injury but not

reasonably avoidable or is not outweighed by other countervailing benefits to consumers or to competition.

Quite frankly, I think that will cause great confusion with a jury or a judge and ultimately will lead to probably I would say miscarriages of justice in both directions. Because it might be so confusing that they'll just throw it out and say I can't -- I don't get it.

We already have a deceptive acts and practices statute. That is global. That encompasses all of these issues and concerns -- fraud, deceptive acts, that's already on the books. I certainly appreciate where you're going with this, Senator, but for those reasons I will be voting no.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Palumbo.

Senator Walczyk, why do you rise?

SENATOR WALCZYK: Thank you, Mr. President. Would the sponsor yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I'm thinking about it, Senator Walczyk.

(Laughter.)

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR COMRIE: I yield.

SENATOR WALCZYK: Thank you. And good morning, Senator.

SENATOR COMRIE: Good morning. Good morning.

SENATOR WALCZYK: Page 2, line 11, I want to start off by talking about your legislative intent in this bill a little bit.

The Attorney General -- what you've written here, "The Attorney General has a special responsibility to the public to create a fair marketplace for all." But not just for New Yorkers. You say your intent in this bill is that responsibility extends to defending businesses, is that correct?

SENATOR COMRIE: Correct. Through you, Madam -- through you, Mr. President, that is correct.

SENATOR WALCZYK: And through you,

Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I yield.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Is this true even if it's one business against another business?

SENATOR COMRIE: Through you, Mr. President, yes.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I yield.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: How would the Attorney General decide which businesses' side to take if both believe that they've been unfairly treated?

SENATOR COMRIE: Through you, Mr. President, the Attorney General would

probably do what any smart attorney general would, which is to listen to both sides, take the evidence and then make a decision.

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

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Where did that concept come from?

Currently the Attorney General often, you know, will hear from constituents or situations where they'll make a complaint, as in New York. Or where did the concept to add businesses into this statute come from, to allow them to go to the Attorney General's office to go after another business for unfair practices?

SENATOR COMRIE: Through you, Mr. President. It came from the fact that we have a lot of new immigrants that are starting small businesses that are getting ripped off on contracts, getting ripped off on supplies,

getting ripped off on leases that they take out with both -- you know, we are -- this is New York State. We are the home to over 180 languages, different immigrants from all over the world that are coming here to try to establish themselves and to live the American dream.

And they are starting a business, they find out that they get the business and they're paying higher prices for pencils than anywhere else, or they're paying for their copy machines three times more than somebody else, or they're thinking their insurance plan is higher than somebody else, because that deceptive person knows that they don't know how to ask for things or they haven't talked to people.

I have a lot of businesses that -- in fact, I went into a business the other day in my district that opened up, and they're already underwater before they started. We can go back to even -- well, I won't go to the marijuana nonsense. But this is a business that showed up and is trying to start up. They came from another country, they've been living here for 20 years, they wanted to start their own business.

Once I talked to them I found out that they already -- it took them -- and a lot of it is the city's fault, too, because it took the city 10 months to get the business up and running, and these people started a business, had been purchasing products, had to destroy products. But then they found out that they were paying for their ice cream cooler twice what anybody else was paying. They found out that their lease was a lease that wouldn't allow them flexibility. You know, they found out that they had to purchase products only from one person, which was not what they wanted to do. They wanted to have flexibility.

So this tries to deal with folks that are going through those types of situations. We have a lot of new immigrants that are starting up and trying to do things, that are purchasing cars, that are purchasing homes, that are taking student loans, that are winding up getting in trouble.

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

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So in the example that you just gave, would you expect then the Attorney General to defend the ice cream prices that your small business is getting and go after the landlord for the lease agreement that they believe is unfair?

SENATOR COMRIE: Yes. Through you, Madam -- through you, Mr. President, yes.

The pink suit threw me.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: You mentioned immigration status. Is that stated anywhere in this legislation? Does this require immigration status to be considered?

SENATOR COMRIE: Through you, Mr. President. I only mentioned immigrants in terms -- immigration status in terms of new immigrants starting businesses in New York State. Not anything to do with their immigration status or anything else.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: the sponsor yields.

SENATOR WALCZYK: You also mentioned small businesses. And you do mention small business in this bill. How is "small business" defined?

SENATOR COMRIE: Through you, Mr. President, this is not limited. Small business size or -- is not defined. It's not limited to large -- it's not limited to any size business.

Any business that -- whether you're one employee or a thousand employees -- that you

feel that you've been harmed can go to the Attorney General to file an appeal.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: If a small business is on the defending end, though, and they lack the legal resources to defend against an accusation of unfair practices, is there a legal fund for small businesses who the AG believes have been unfair in her eyes?

SENATOR COMRIE: Through you, Mr. President. That's a good idea, Senator Walczyk. It's not -- I don't believe there's one right now. But to do a relief fund for small businesses is something that we should, as a body, legislate.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: We've often said the power to tax is the power to destroy, which I think is true in this instance when you're talking about the power to take action against a small business that doesn't have those legal resources that you and I seem to agree on.

Wouldn't that give the Attorney General broad powers to destroy a small business, with all the resources of New York State?

Clearly if they can't pay for ice cream or their lease, if they're on the defending end of unfair practices, as the AG sees, wouldn't that give the AG the power to destroy a small business?

SENATOR COMRIE: Through you, Mr. President, I don't agree with your premise that the Attorney General would be interested in destroying a business. I think the Attorney General's only interested in bringing

relief to the injured party.

So this is not about trying to destroy a business or ruin a business. This is about trying to create an opportunity to cure a problem.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: It is those broad powers that concerns me probably the most in this legislation. This extends new powers to the AG. What independent oversight will there be to review the Attorney General's use of these extended powers?

SENATOR COMRIE: Through you, Mr. President. The court system, as I said earlier. All of these cases would be resolved and finally decided by the courts. There's plenty of case law on a lot of these issues now, there's plenty of precedent for a lot of these

problems.

And again, I always state that the Attorney General does not have time for frivolous cases. They would have to show something substantial in order to win in court.

And I don't think any attorney general in this country, as I said before, would want to have a losing record bringing cases that would wind up not getting the approval of the judicial system or something that they believe was injurious enough to bring a case to demonstrate and to -- I'm sorry, not to demonstrate but to take a case to court that they would be losing doesn't make sense to me. I don't think any attorney general in this country would want to waste time with that.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: I understand it

would be the court on a case-by-case basis, obviously. I'm more concerned about the broad -- if there's a trend of industry or business that the Attorney General is particularly interested in pursuing. What independent oversight or review would there be for the Attorney General's overall strategy? Since this isn't complaint-based, this sort of gives the discretion for the AG to pursue cases as she sees fit.

SENATOR COMRIE: Through you, Mr. President, I disagree. This is complaint-based. And we're only doing this with folks that reach out to the Attorney General to complain. We're not encouraging attorney generals to go out and be lone wolves or detectives or to take time to try find cases. This is complaint-based.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR WALCZYK: I didn't see the requirement of a complaint to be filed in this legislation. Where would I be able to find the requirement that it's complaint-based?

SENATOR COMRIE: There's nothing in the statute that delineates that, Senator Walczyk. But it's standard practice throughout the 47 states that -- and it's the Attorney General after a person brings a complaint, deciding whether or not to file the case.

But it's already standard practice for the Attorney General to file a complaint.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: In your answers to my colleague from out east on Long Island, I heard you say that there doesn't have to actually

be harm yet before. So that would suggest that there's no complaint whatsoever and not a standard practice if there doesn't have to be a harm demonstrated before the Attorney General took action.

SENATOR COMRIE: Through you, Mr. President, I did not say that there has to be -- I did say there has to be a definitive harm, not a -- not a harm that is imagined.

There has to be a substantive definitive harm that the Attorney General can point to. There has to be a product or a service or a promise that was made to a business that they signed a contract for, primarily, or an individual. I didn't say imagined harm, sorry.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Thank you. Thank you for clearing that up.

The AG could bring action against any business inside or outside of New York State?

SENATOR COMRIE: Yes. If that is sending product or services or making promises to consumers within New York State, they can be -- they can wind up under -- in -- they can be sued by the Attorney General.

Sorry. Getting my words right.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: And under this legislation, if the Attorney General determines it's not in the public interest, she doesn't have to give even notice, even the five days' notice to the individual or the business or the nonprofit?

SENATOR COMRIE: Through you, Mr. President. The AG already has the ability to, through its own discretion, not to give the

five-day notice if the complaint they feel is that grievous that they need to be able to work it without informing the business ahead of time.

SENATOR WALCZYK: Thank you.

And through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: You talked pretty consistently about protecting consumers. In Section 349 of the General Business Law, which you're amending -- I'm looking at page 3, paragraph (b), subparagraph 3 -- "An act or practice made unlawful by this section is actionable by the Attorney General regardless of whether or not that act or practice is consumer-oriented."

What does that mean?

SENATOR COMRIE: Through you, Mr. President. This is to cover business-to-business lawsuits and complaints. So this is primarily to give the language to

allow -- to -- the actionable issue to make sure that a business can be able to file a claim against another business.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So just so that I'm understanding that correctly, if one business believes that it's being treated unfairly by another business, even if that business is inside or outside of New York State, a consumer wouldn't have to be damaged in order for the Attorney General to take action against the business that she sees as treating someone -- treating a business unfairly?

SENATOR COMRIE: Through you, Mr. President, there still has to be injury to the consumer for them to bring a complaint. And there still has to be injury to the consumer for the Attorney General to want to file a complaint.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR COMRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Yeah, that's where I have the concern, and that whether or not that act or practice is consumer-oriented.

So where would the consumer damage be if there's -- if it doesn't have to be consumer-oriented?

SENATOR COMRIE: Through you, Mr. President. That covers whether or not a small business can be able to file a damage against a larger business or, actually, even vice versa -- that, you know, a business can file what they -- their complaint, they can show what the damage is, so that the Attorney General can take it under advisement.

Again, I'll go back to what I said before. The Attorney Generals are not going to file frivolous suits. They're going to want to

see substantive proof. This has to go before a judge for a final resolution and determination. The Attorney General is not going to take anything that they can't prove, substantiate and demonstrate to the courts.

SENATOR WALCZYK: Thank you.

Thank you, Mr. President. On the bill.

ACTING PRESIDENT BAILEY: Senator Walczyk on the bill.

SENATOR WALCZYK: Lawfare is bad. This bill will give broad powers and allow the Attorney General to pick winners and losers in business.

I respectfully disagree with the sponsor that the AG won't waste any time with frivolous cases. Our Attorney General has already shown a healthy appetite to use her office to target people and businesses in order to score political points.

Broadening the New York Attorney General's office's powers to take action against any individual or business nationwide is likely to be abused, and so is the extension of this power to defend any business she sees as

being treated unfairly.

I have grave concerns about granting the Attorney General these new powers, and I'll be voting no.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Walczyk.

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 6. This act shall take effect on the 60th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Comrie to explain his vote.

SENATOR COMRIE: Thank you, Mr. President.

I just want to thank all the folks that have been involved in this for the past few years. I want to thank the Business Council,

New York City Partnership, all of the advocates that came to us on both sides to express their concerns about the business climate.

I know everybody's tired, so I'll just talk --

ACTING PRESIDENT BAILEY: Senator Comrie, I got it.

SENATOR COMRIE: I'll just talk through the noise, Mr. President. I know everybody's tired.

ACTING PRESIDENT BAILEY: No, no, hold on.

Can we please have some order in the morning. It's 3 o'clock in the morning. Come on.

Senator Comrie.

SENATOR COMRIE: So I won't be extensive. I just want to thank Assemblymember Lasher, and I want to thank the Governor's office.

But I especially want to thank Senate staff here. They deserve a round of applause for all of the machinations that they had to go through to get the bill to this point today. Understanding that this is a difficult

area, but that we do need to protect our new consumers that are New York State residents that are being ripped off by unfair, deceptive practices.

This is a bill that will give an opportunity to protect those who are now developing in this state who are trying to succeed in this state but wind up getting suckered by deceptive business practices.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Senator Comrie to be recorded in the affirmative.

All vote explanations will be strictly enforced.

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you for that warning, Mr. President. I appreciate it.

I want to thank all of my colleagues for their questions. I want to thank you, Senator Comrie, for your answers.

I know this bill is well-intentioned. The issue is that the vagueness in this statute gives the most powerful Attorney General in the country the power to pursue any action against any person or business

in the country based upon some undefined nexus to New York.

And with all due respect to the sponsor, the language in the statute that this association, agent, employee, person has engaged or is about to engage in any of the acts or practices stated to be unlawful, is a dangerous weapon in the hands of any attorney general. Because it means not that somebody has to have done something wrong, but in the sole discretion of one person, that they could do something wrong, completely destroying the idea of there being standing, an actual definable harm that has occurred.

So I will be voting no on this statute -- not because it's not well-intentioned, but because it is providing a dangerous weapon in the hands of someone to be used against a person or a business who might not be able to have the resources to defend against the full power of the State of New York. And we should be judicious in how we allow that power to be wielded.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 2034, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Cooney, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 37. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Now let's move on to Calendar 1985, please.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1985, Senate Print 5939B, by Senator Skoufis, an act to amend the Public Health Law.

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

SENATOR WALCZYK: I'm back, Mr. President. I was hoping the sponsor would yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR SKOUFIS: Happily.

ACTING PRESIDENT BAILEY: The sponsor happily yields.

SENATOR WALCZYK: Through you, Mr. President. Have you looked into whether this bill will increase costs for consumers and businesses through higher prescription drugs?

SENATOR SKOUFIS: Through you, Mr. President. To answer your question if I have looked into it, yes, I have looked into it.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Who exactly does this bill benefit?

SENATOR SKOUFIS: Through you, Mr. President. I would argue that this bill benefits pharmacists and their patients.

SENATOR WALCZYK: And through you,

Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: This bill was amended to eliminate union self-funded plans, large-group Employee Retirement Income Security Act plans. Why?

SENATOR SKOUFIS: Through you, Mr. President. There's a distinction between the plans that you outlined and commercial plans, the balance that are covered by this bill.

And I would argue that the collectively bargained plans and the self-insured plans, they are member-driven. These are plans that are organized and are run by unions and are responsive to their members. And any discounts, any savings that are collected from pharmacy benefit managers are passed directly along.

That can't be said for the other commercial plans.

SENATOR WALCZYK: And through you,

Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Won't this ultimately -- won't the cost of this ultimately be borne by whoever is enrolled in the plan?

SENATOR SKOUFIS: Through you, Mr. President. I don't believe it's fair to assume that.

If you take the commercial plans, if the pharmacy benefit managers, if this is passed and enacted, attempt to go to those plans and argue, Well, we now have a professional dispensing fee to deal with and we are going to increase costs to you -- which would then increase costs to the consumers -- there is nothing that prevents the health plans from telling the pharmacy benefit managers, the PBMs, to eat glass, and no.

So, you know, there is nothing that requires the health plans to absorb these costs

or to agree to pharmacy benefit managers increasing those costs.

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

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Does the state already dictate specific reimbursement benchmarks for commercial plans, or is that limited to where state funding is involved?

SENATOR SKOUFIS: Through you, Mr. President, they set those benchmarks that you're referencing on the Medicaid side. In fact, this is something that we addressed a couple of years ago that led to the NYRx program that many of us are familiar with.

And in fact, this bill is modeled after those benchmarks on the Medicaid side.

It's very unusual that you have providers who beg for the Medicaid rate. In this case you have pharmacists begging for the

Medicaid rate on the commercial side, and it's because you have PBMs and commercial insurers reimbursing.

And these are typical pharmacy losses I'm about to share with you. A typical pharmacy loss for an asthma inhaler, they lose $150 per prescription. They lose $290 for the average weight-loss drug. They lose $130 for filling the average prescription for blood thinners.

There are not too many small businesses in New York that I'm aware of that can consistently lose on delivering a good or service like what I just described. That's why we're seeing so many pharmacies close. And that's why, tragically, you have these providers actually coming and begging to us just for the Medicaid rate.

SENATOR WALCZYK: Thank you.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR WALCZYK: So would the increase in the dispensing fee be reflected in the price paid by the small businesses' employees that use their drug benefit?

SENATOR SKOUFIS: Through you, Mr. President, I'm not sure I exactly follow.

But I'll refer to the answer I provided before, which is that I don't believe that we should assume that there are any cost escalations for the consumer because it can't -- again, the health plans can reject any proposed increases by the PBMs.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR SKOUFIS: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: I'm sure you've received a bunch of feedback on this, and I know you've amended the bill a number of times.

Did you solicit feedback from the

school administrators in New York State at all?

SENATOR SKOUFIS: Through you, Mr. President. I'm thinking about all of the stakeholders we've reached out to. I don't believe they were on the list of stakeholders we reached out to.

SENATOR WALCZYK: Thank you.

Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Walczyk on the bill.

SENATOR WALCZYK: This bill removes the incentive to use PBMs to negotiate effectively for lower drug costs in many instances. I know there were examples. That's why the school administrators oppose this bill.

I'm afraid while trying to control drug prices, which is a laudable intent, this bill may have the unintended consequence of doing the opposite for many employees in New York State. I think some of them are carved out of this bill for specifically that reason, and ultimately passing those costs back on to the consumers and employees.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank

you, Senator Walczyk.

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 5. This act shall take effect January 1, 2026.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1985, voting in the negative: Senator Walczyk.

Ayes, 58. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Let's move on to Calendar 1990, please.

ACTING PRESIDENT BAILEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1990, Senate Print 6351B, by Senator Addabbo, an act to amend the General Municipal Law.

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

SENATOR BORRELLO: I'm wondering if the sponsor is still awake and would answer a question.

ACTING PRESIDENT BAILEY: The sponsor is most certainly awake. Joe Addabbo does not sleep.

SENATOR ADDABBO: No, I don't want to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR ADDABBO: No. No.

(Laughter.)

SENATOR ADDABBO: Sleep deprivation. No.

ACTING PRESIDENT BAILEY: The sponsor reluctantly yields.

SENATOR ADDABBO: Yes, of course.

SENATOR BORRELLO: Through you, Mr. President. This bill was vetoed last year because it was in violation of the Seneca

compact. Does this B version have any changes to it?

SENATOR ADDABBO: Yes. Through you, Mr. President. Yes.

It was vetoed in 2018, actually, under Governor Cuomo. That's what we start with. And basically from that, this B version addresses that veto message in two ways, certainly as it comes to the Seneca compact.

One, and I've got to give a lot of credit to our team here, they worked amazing on this bill in two ways. One, they limit the bell jar machines to geographic areas and to the amount of membership that an organization may have. And also to remove the gamification of these machines where, under the previous bill, these machines looked like a slot machine, which was a concern for many of those in the industry of gaming and VLTs and the Seneca tribes.

But the bottom line is that at this point all the gamification is out of these machines and now they're just a dispensing kind of machine.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR ADDABBO: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So any likeness to a slot machine is prohibited under this new version of the bill?

SENATOR ADDABBO: Through you, Mr. President, yes.

SENATOR BORRELLO: All right.

Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR ADDABBO: Yes.

ACTING PRESIDENT BAILEY: the sponsor yields.

SENATOR BORRELLO: What is the payout to the state for these bell jar machines? What percentage?

SENATOR ADDABBO: (Conferring.)

Through you, Mr. President, although not stated in the language of the bill, 5 percent normally goes back to the state.

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

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR ADDABBO: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Well, the Senecas are paying out 25 percent under the compact. So this seems a little light as far as a payout to the state compared to what the Senecas are paying.

SENATOR ADDABBO: Is there a question?

SENATOR BORRELLO: Don't you think?

SENATOR ADDABBO: That's the question? Really, that's -- that's your question, "Don't you think?"

SENATOR BORRELLO: Yeah, that's my question. Don't you think?

SENATOR ADDABBO: Yes, Mr. President. Sure.

Understand that this is for charitable organizations. We're not looking to balance the budget here, solve the deficit. This

is for veterans groups, this is for charitable organizations.

So the bottom line is the 5 percent to the state, this is not where we're making our money. This is for charitable organizations.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR ADDABBO: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So a slot machine is pretty broadly defined under the Seneca compact. It's pretty much anything that's an electronic gaming device.

Wouldn't these bell jars, because they're electronic dispensers, still fall under that definition?

SENATOR ADDABBO: Mr. President, no. Not this version. The previous version, yes. This is the B version, which this is basically everything taken out, it does not look like a slot machine anymore, it's basically a dispenser of a ticket, basically.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Addabbo, for that.

You know, representing the Seneca Nation, I've learned a lot of things. And one of the main things I've learned is that the state has really saturated the gaming market. And I understand that this is a small percentage of it. It's strictly, you know, for these clubs and not-for-profit organizations.

But at the end of the day we've really saturated the market when it comes to gaming in New York State. And it's hurt the Senecas, it's hurt in general the revenue that the state's supposed to be receiving.

And while this is certainly not a big piece of that pie, it's death by a thousand cuts when it comes to how gaming is being operated here in New York State.

So I'm going to continue to be -- or I should say I will be a no on this bill.

And thank you again,

Senator Addabbo.

ACTING PRESIDENT BAILEY: Thank you, Senator Borrello.

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 10. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 1990, voting in the negative are Senators Borrello, Krueger, Ortt and Skoufis.

Ayes, 55. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Mr. President. The final debate of the morning, Calendar 2030.

ACTING PRESIDENT BAILEY: The final

debate of the legislative season.

The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 2030, Senate Print Number 8432, by Senator Hoylman-Sigal, an act to amend the Limited Liability Company Law.

ACTING PRESIDENT BAILEY: Senator Weber, why do you rise?

SENATOR WEBER: Mr. President, Jimmy Buffett said it's 5 o'clock somewhere, but I don't think that applies to Albany.

(Laughter.)

SENATOR WEBER: Will the sponsor yield for some questions, please?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: Good morning, Senator.

SENATOR HOYLMAN-SIGAL: Good morning.

SENATOR WEBER: Last year we did a

chapter amendment, right, to align all of the federal guidelines, right, in New York State. Tell me why we're here today.

SENATOR HOYLMAN-SIGAL: Tell me what?

SENATOR WEBER: Tell me why we're here today.

SENATOR HOYLMAN-SIGAL: Oh, about this bill.

SENATOR WEBER: Yeah.

SENATOR HOYLMAN-SIGAL: That's a very existential question.

(Laughter.)

SENATOR WEBER: Exactly.

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. We're here to, I would suggest, Trump-proof a bill that we passed last year called -- which we called at the time the LLC Transparency Act.

And as a result of a tweet from former First Buddy Elon Musk, who tweeted in March that in response to a question by an individual who is a comedian and entrepreneur who sells pancake mix and has 2.2 million followers -- he was complaining about the federal

Corporate Transparency Act and urged Musk to invalidate it, which Musk apparently convinced the president to do.

And the reason why we are here is because our LLC Transparency Act piggy-backed on the definition of limited liability companies and other components of that federal law in defining those terms in our state law. Since the federal law has now in effect been invalidated, we have to bring those definitions into state law.

SENATOR WEBER: Thank you.

Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: And currently under the CTA, what would a New York LLC need to file right now under FinCEN?

SENATOR HOYLMAN-SIGAL: I'm sorry?

SENATOR WEBER: What would a New York LLC need to file right now under FinCEN?

SENATOR HOYLMAN-SIGAL:

(Conferring.) Now, currently, an LLC would file as a beneficial owner with respect to any entity or individual who directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise, exercises substantial control over the entity or owns or controls 25 percent or more of the ownership interests of the entity.

SENATOR WEBER: Okay. Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: And under this bill, what would a small business need to report on January 1, 2026, to the Department of State?

SENATOR HOYLMAN-SIGAL: A small business would -- the scope of disclosure would require disclosure to the Department of State including the full legal name of the individual who is the beneficial owner, the date of birth, current home or business street address, and

unique identifying number from an unexpired passport, an unexpired state driver's license, or an unexpired identification card or document issued by a state or local government agency or tribal authority for the purpose of identification of that that individual.

The point being that this information was never reported to anyone. And LLCs, limited liability companies, Mr. President, were essentially shell entities without any understanding, public or otherwise, as to who was behind the shell.

In fact, more information was required, we learned in drafting this bill, to get a New York City library card than it was to create a limited liability company.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: So I'd like to explore a few things.

So obviously small businesses are struggling in New York State with a lot of regulation and a lot of burden put on them by the state. And there's thousands of small businesses in this state that are going to be subject. So you exclude businesses with more than, right, 20 full-time employees?

SENATOR HOYLMAN-SIGAL: Say -- I'm so sorry, say --

SENATOR WEBER: You exclude small businesses, right, with more than 20 full-time employees?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President, this would apply to any limited liability company.

SENATOR WEBER: Okay.

Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: So small businesses are going to have to pay a lot of money. And as

you know, they -- you know, they don't make a tremendous amount of money. And this undue burden that you're putting onto them seems excessive, don't you think?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. No, it's simply identifying information. And the point being that this isn't {sic} crucial for law enforcement.

And remember that it was the first Trump administration that put the federal requirements in place for limited liability companies because of the concern around shell companies that have evaded taxes, been responsible for drug dealing, terror organizations, and people avoiding scrutiny of their tax liability.

So we were encouraged to pursue this by law enforcement as much as any other entity or group.

SENATOR WEBER: Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR WEBER: How many states are doing this right now?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. I know that other states are looking at this. Obviously the actions of the Trump administration have derailed efforts because of the fact that the federal definition has been, in effect, negated. But New York would be the first.

SENATOR WEBER: Excuse me?

SENATOR HOYLMAN-SIGAL: New York is the first in terms of our LLC Transparency Act.

SENATOR WEBER: Correct. And I appreciate that.

And will the sponsor continue to yield, Mr. President?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: What's the penalty for not complying with this requirement?

SENATOR HOYLMAN-SIGAL: The

penalties are as follows. Section 80 -- let's see. Section 1108. A reporting company shall be -- the Attorney General may assess a fine of up to $500 for each day the company has been past due. And --

SENATOR WEBER: Mr. President, will the sponsor -- oh, I'm sorry. Continue.

Will the sponsor continue to yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: Senator Hoylman, were you finished with the answer?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: So if a small business -- and, you know, you have a lot of small businesses and they have one or two or three owners, right, or two or three employees, including owners. Five hundred dollars a day seems like a pretty steep penalty for a small business who may, you know, forget to file, be in noncompliance, don't you think?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President. Well, I did state that the Attorney General may assess a fine. So it's at the discretion of the New York State Attorney General as to the extent of that fine.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR HOYLMAN-SIGAL: And that is up to $500 a day, not $500 a day.

SENATOR WEBER: I'm not so sure that small businesses would be comforted in that, in the word "may."

But let's move on for a second. Can you explain the role of the Attorney General with respect to the database that's being -- that will be set up?

SENATOR HOYLMAN-SIGAL: Well, the Attorney General would investigate any violations of the attempt to knowingly provide or attempt to provide false or fraudulent beneficial ownership

information, including a false or fraudulent identifying photograph or document, to the Department of State.

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

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: How much is the database going to cost?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President, $3.9 million. But that's mostly operational expenses. The estimate is about $400,000 annually.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: So do you think this is an appropriate use of taxpayer dollars to

create this database for New York-based businesses or businesses authorized to do business in the state?

SENATOR HOYLMAN-SIGAL: Through you, Mr. President, yes, or we would not have drafted the bill as it is.

But more importantly, there are many intersections with law enforcement that are important. Because as I mentioned earlier, there's not only criminality behind the shell of an LLC, there's also wage theft. And numerous labor organizations came to me and the Assembly sponsor, Emily Gallagher, urging us to push this legislation forward because in many instances employees on the job aren't getting paid, and they have nowhere to go to seek their stolen wages.

That's also true of tenants, many in New York City, who write a check on a monthly basis for their rent to an LLC. They don't even know who the LLC is. And if there's a violation in their housing conditions, they're kind of out of luck because no one, up until now, has any idea where to find the owner of that apartment because that information had not been kept

anywhere in the State of New York.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: If an LLC believes it meets one of the 20 exemptions, what do they need to do?

SENATOR HOYLMAN-SIGAL: If they want to meet one of the 20?

SENATOR WEBER: If they believe they meet one of the 20 exceptions, what do they need to file or what do they need to do at that point?

SENATOR HOYLMAN-SIGAL: Well, as you say, there are a number of exceptions to being a reporting company. But it is a self-declared assessment. So they would need to do nothing.

SENATOR WEBER: And, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR HOYLMAN-SIGAL: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WEBER: You know what, I'll leave it there.

On the bill.

ACTING PRESIDENT BAILEY: Senator Weber on the bill.

SENATOR WEBER: Mr. President, we always talk about how we want to help and promote small businesses in New York State, but this is just another example of New York State targeting small businesses, small businesses that are the lifeline and the engine of our economy in this state.

We need to do better. We need to help promote them, put out the welcome mat to companies that want to come to New York State, that want to start in New York State, instead of putting up major barriers, major financial barriers for them.

So I'll be voting no on this bill, and I encourage all my colleagues to vote no as well.

ACTING PRESIDENT BAILEY: Thank you, Senator Weber.

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 BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 2030, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 21.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris, that completes the

reading of the controversial calendar.

SENATOR GIANARIS: I have a motion, Mr. President.

On behalf of Senator Sanders, I wish to call up Calendar Number 389, Assembly Print 1515.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 389, Assembly Bill Number 1515, by Assemblymember Weprin, an act to amend the Banking Law.

SENATOR GIANARIS: I move to reconsider the vote by which the Assembly bill was substituted for Senator Sanders' bill, Senate Print 3698, on June 11th.

ACTING PRESIDENT BAILEY: Call the roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

SENATOR GIANARIS: I now move that Assembly Bill Number 1515 be recommitted to the Committee on Rules and that Senator Sanders' bill be restored to the order of Third Reading Calendar.

ACTING PRESIDENT BAILEY: So ordered.

SENATOR GIANARIS: I move to recommit the calendar to the Rules Committee.

ACTING PRESIDENT BAILEY: So ordered.

SENATOR GIANARIS: Please recognize Minority Leader Ortt.

ACTING PRESIDENT BAILEY: Minority Leader Ortt.

SENATOR ORTT: Thank you, Mr. President.

I had a speech prepared, but that was many hours ago --

(Laughter.)

SENATOR ORTT: -- and now my thoughts are jumbled. It's 4:00 in the morning. I hope my counterpart, Majority Leader Andrea Stewart-Cousins, like me, has a brief speech.

It's been a long session. I've been here 11 years, and I feel like that's just today.

(Laughter.)

SENATOR ORTT: I want to thank all of my members. It has been a long session. It was a 40-day-late budget. You know, it's been a

long day today, a lot of bills. I appreciate all of your efforts -- not on behalf of me, on behalf of yourselves, but on behalf of your constituents and the people you represent, and even the people you don't, people across New York who share our philosophy, our values, who look for a voice in opposition to a lot of the laws that are passed here.

It is an honor to lead you. It is an honor to represent you. It is an honor to serve alongside you.

To my colleagues across the way, it's an honor to serve with you and attempt to try and lead this state to a better place, even though clearly on a lot of issues we have different ideas of how to get there. I want to thank my colleague, my deputy, my floor leader, Senator Andrew Lanza, who does a great job.

(Applause.)

SENATOR ORTT: I certainly want to thank his counterpart, Senator Mike Gianaris, for his efforts.

(Applause.)

SENATOR ORTT: The staff. I want to thank my staff, Ben Kosinski, our chief

counsel; Chandler, Ryan, all the staff. Especially this time of year, with bills popping at all different times and sometimes not a lot of time to dig into those bills and brief those bills -- and yet they have to do it, and that's on both sides of the aisle. I always say, you know, the people in New York may know Rob Ortt, they may know Andrea Stewart-Cousins, they may know the people who get elected. They may never know the staff. And yet the staff provide such an invaluable service to the people of this state, and they so -- some of them I'm sure are great to have -- glad to have the anonymity, but we want to make sure that your efforts remain not anonymous, that those are acknowledged.

And so thank you very much to all the staff, but certainly our staff on the Minority side.

It's hard -- after the budget it's sort of easier to try to encapsulate the good, the bad and the ugly, or the takeaways from a budget. The end of session is a little harder. Where do you start? Do you go January to today, do you go just today? And thankfully for all of you, I'm not going to start in January.

(Laughter.)

SENATOR ORTT: But I think we're just going to -- for me, a couple of things that I wanted to highlight, I guess. Certainly when I think of this session I think about the constant drumbeat about affordability and, I think, the need and the recognition by everybody here that New York State remains one of the highest, least affordable states in the country. And everyone seems to acknowledge that, my colleagues in the Democratic Conference, certainly my colleagues in the Republican Conference. And you saw a variety of bills that attempted -- or at least the narrative was that the attempt was to cap prices, to lower prices, to control prices, to lower costs.

But yet my overarching takeaway is that we did very little to lower costs. And I worry that we continue to do things and double down on policies that are one of the core reasons why New York State is one of the more expensive states.

To wit, one of big topics when we talked about affordability this session seemed to be energy policy. Right? The cost to heat a

home. The cost to put gas in a car. And the energy policy in this state is one that is undergoing a lot of changes as a result of policies passed by the majority. And I heard a debate -- several debates -- about how the reason costs are so high in New York is because we're not doing enough to transition to renewable energy. That was the -- almost the exact quote. We're not doing enough. And if we do more, if we get past the up-front cost, we'll get to a spot where apparently costs will go down.

But I want to highlight a statistic. So when we talk about energy prices, a lot of my colleagues across the aisle will say the reason energy prices are so high in New York -- and we did a lot of legislation in this session -- was because of the greedy utility companies. Right?

And, lookit, that's smart politics. No one likes the utility company. They send you a bill. Right? That's bad off the bat. Just like the banks. No one likes the bank. Even though we keep our money there, no one likes the bank. Hospitals are another one. No one likes the -- there are certain entities out there that are easy to attack. And it's good politics

to attack it. That's the reality. And that's why almost everybody kind of does.

So the utility companies, greedy utility companies, they are making money at the expense of ratepayers, and that's why our energy costs are so high. And that's why we have to do something about these greedy utility companies and control prices.

Now, consider this. I suspect that in the State of Pennsylvania, a neighboring state to New York, very similar climate -- I'm willing to bet that they also have greedy utility companies. They have the same motivation to make money as the utility companies here in New York.

In fact, some of those utility companies are exactly the same utility companies. It's the same company that is providing power, and they have the same drive to make money.

And yet the cost of residential electric rates in the State of Pennsylvania are 40 percent lower than here in New York. Forty percent lower.

So what could be the difference? If we agree that the utility companies are the same, what's the difference? The difference are the

policies and the people who run the State of Pennsylvania have a very different energy policy than the people who run the State of New York. We, folks, are the difference. We are driving the energy prices up with policies that come out of Albany, policies that are passed in this chamber. That's the difference.

You don't have to like the energy companies. You don't have to like the utility companies. But we, in our policies and our actions, are making it more expensive to deliver power and for people to afford something as basic as heating your home.

And that is why people and businesses seek opportunity elsewhere. Because the cost of energy, something none of us can escape, is cheaper in other states.

We did a bill at the end here giving the most powerful Attorney General -- and I don't mean the individual, I mean the office. The office of Attorney General in New York is the most powerful state attorney general office in the country. And we gave that office more power, to what end I'm not really sure.

What I do know is it will send a

chill to a lot of businesses and employers who might come here or who already do business here that now they can be investigated and charged under a statute that is incredibly hard to define, very nebulous, very ambiguous. I thank my colleagues who asked those questions of the sponsor, who I think is very well intentioned, but I think misguided on that legislation.

I won't touch on the spending plan. That's a different -- you know, we've gone over that, $10 billion more than last year.

I'll close with to me, one of the overarching themes this year was the corrections officers' strike, the deaths at Marcy, the officers who were charged, the prison system in New York. That's a big topic. And, lookit, there will be some people that they're going to be on one side no matter what.

But the nuance of it is, to me, that we have a real issue in our prison system and that issue, what happened at Marcy, the strike, we have to ask ourselves did we -- have we addressed the root causes of what's going on in our prison system. I would say the answer is unequivocally no. I think in fact we have made

it worse. We have made it more dangerous. We continue to, I believe, turn our backs on the folks that we ask to do a very difficult and dangerous job.

If you are in prison today in the State of New York, you really worked very hard to get there. That's the truth. If you're in prison today in the State of New York, you -- it is not for a small offense. And it is almost certainly not your first offense.

We ask corrections officers to do a very, very dangerous job. And yet we continuously do not give them the resources to do it. We continuously -- we are far more focused on prisoners being close to their families than we are on corrections officers being able to see their families.

We are very focused about the mental health of people who have committed crimes. We seemingly are less interested in the mental health of the people we ask to go into the prisons and, again, do that job.

Today we passed an -- or yesterday, an omnibus bill that once again is focused on those behind bars instead of those we ask to

protect us and work in prisons. So the strike -- did we respond by making the prison system better, safer for inmates and for corrections officers? No, we did not. We failed in that obligation. And the prison system will continue to deteriorate and continue to remain very dangerous for the folks who are in there, incarcerated, and the folks who work in the prison system. And there will be other incidents. There will be incidents that will be covered on the news, and there will be incidents that we never see. Because every day there's incidents between -- there's attacks on corrections officers. There's attacks, inmate-on-inmate attacks that we never talk about because it's not covered on the news because there's no video of it.

That doesn't mean it didn't happen. That doesn't mean that it's not a symptom of a very, very -- a system that is rotting from the inside. The COs know it, we know it, but we've done nothing about it.

I don't think we've addressed the core issues that are facing New York. We've done a lot of bills this week, a lot of bills this

session, but I don't believe we have addressed the fundamental issues facing the people of New York. It's a missed opportunity -- several missed opportunities, Mr. President.

And I can only hope, I can only hope that next session -- and I really do hope next session starts in January. I hope we're not back here in the -- you know, in the fall.

I heard someone use the term "Trump-proofing" New York. Which is, you know, I won't say -- there's a joke there that I'm tempted to do at 4:00 in the morning. I don't even know what that means. We have an elected president, elected by a majority of the American people. We have real issues facing the State of New York, and they do not begin and end with President Donald J. Trump.

They are real issues facing real people every single day, and they're looking for us to do things about the price of groceries, the price of gas. They're looking to find jobs and opportunity and freedom here in the State of New York. They want to be able to raise their family here in the State of New York. They want their family to stay here once they've been

raised in the State of New York.

We've done nothing to make that more real, to make that more tangible -- in fact I think we've done many things to make that more problematic.

So again, Mr. President, I know it's late and the hour is late. I just want to thank my colleagues again for your efforts. It's an honor to be the leader of this conference. It's not always easy. It's not always easy being a New York State Senator. Sometimes it's really hard. But that's why it's so worth it.

And there's people, millions of people, who are counting on us, all of us, to do this job and to do it well and to try to make their lives a little bit better -- not our lives, to make their lives a little bit better. I don't think we did that. But the great news is we will get more opportunities to do it in the future.

So, Mr. President, thank you very much.

(Applause.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Mr. President,

please recognize Majority Leader Andrea Stewart-Cousins.

ACTING PRESIDENT BAILEY: Majority Leader Andrea Stewart-Cousins.

SENATOR STEWART-COUSINS: Thank you, Mr. President.

And yes, the hour is late. And, Senator Ortt, I have a speech -- but it's only two pages. You know what I mean?

(Laughter.)

SENATOR STEWART-COUSINS: So I'm going stick to the script, because the hour is late. But of course so much of the script has to do with thank-yous.

And I'm amazed at how alert everyone still is, what with all of the debates and discussions and -- you know, as I was listening and watching, I really had to think what an amazing body of people this is. Because for every back and forth, it was respectful, it was dealing with the issues, questions answered with the kind of decorum that I believe should be in a chamber such as this.

And so I always talk about the differences, and I will very briefly today, from

what I see in Washington and here. And I've got to say thank you to all of my colleagues for being here and for maintaining what I know is what our constituents would want us to maintain -- a sense of purpose, a sense of dignity, and a sense of responsibility.

So as I begin, I too want to thank you. I want to thank my deputy leader. Thank you so much, Senator Gianaris, for making --

(Applause.)

SENATOR STEWART-COUSINS: -- these days go quickly.

And of course your counterpart, I will -- my classmate -- thank you so much, Senator Lanza.

(Applause.)

SENATOR STEWART-COUSINS: Senator Ortt, as always, it is a pleasure, you know, getting to communicate with you and to, you know, figure out the path forward. So thank you, thank you so much.

I know I also want to thank my Conference Chair Senator Serrano --

(Applause.)

SENATOR STEWART-COUSINS: -- and my

Finance chair, the intrepid, amazing Senator Liz Krueger.

(Applause.)

SENATOR STEWART-COUSINS: Again, a thank you to my colleagues across the aisle, and I thank of course my amazing colleagues who I get a chance to partner with every single day. I just thank you for all that you do.

I thank Governor Hochul and Speaker Heastie for our continued partnership.

And of course we all talk about staff. And so we should really give a round of applause to our staffs, who do so much --

(Applause.)

SENATOR STEWART-COUSINS: Thank you. Thank you.

And let me just give a special shout-out to my senior staff. I've got Jonathan, Jonathan Lang, Dorothy Powell --

(Applause.)

SENATOR STEWART-COUSINS: Dave Friedfel, I call him Mr. Moneybags, but --

(Laughter; applause.)

SENATOR STEWART-COUSINS: And Mike Murphy --

(Applause.)

SENATOR STEWART-COUSINS: Leah Goldman.

(Applause.)

SENATOR STEWART-COUSINS: To my team that makes my offices run the way they should for all of you, led by Jonathan Alvarenga.

(Applause.)

SENATOR STEWART-COUSINS: And also I want to the Secretary of the New York State Senate, Alejandra Paulino.

(Applause.)

SENATOR STEWART-COUSINS: You're an incredible team, all of you. Thank you so much.

To my Sergeants-at-Arms who keep us safe and secure --

(Applause.)

SENATOR STEWART-COUSINS: I want to give a shout-out to Ben, who is still recuperating, and let him know that our prayers are with him, and also let him know that he has trained an incredible group of people so that we all get to do the work that we need to do.

Again, I want to thank my colleagues for your advocacy, for your tireless efforts, and

for your belief in our shared mission and your drive to meaningful work.

As we close the 2025 session, we reflect on a year of steady leadership, decisive action in the face of national instability. We focused on making life more affordable and secure by investing in public education, healthcare and housing, while preparing for the future challenges and even dealing with AI.

We delivered relief for working families by lowering utility costs, expanding child tax credits, providing the lowest middle-class tax in over 70 years, guaranteeing school meals. We protected tenants, supported homeowners, declared housing a human right. We strengthened consumer protections, small businesses, paid off their unemployment insurance. We strengthened labor rights amid rising costs and federal trade policies.

On healthcare, we expanded coverage, defended reproductive rights, and made critical investments in public health. We honored veterans with tangible support, not just words. We advanced landmark housing initiatives, supported first-time homebuyers, and helped keep

neighborhoods stable and strong.

We backed small businesses and MWBEs, reduced burdens on seniors. We assured economic support, and we ensured that it reached every corner of our state.

We took on corrections with compassion and purpose, rejecting the failed status quo.

We tackled the climate crisis directly by investing in clean energy, regulating pollutants, and pushing bold environmental policies.

So as we adjourn, let's reflect not just on the bills that we've passed but the lives that we impacted and continue to impact. We met fear with action, cynicism with courage, and we demonstrated, again, leadership -- leadership with integrity and leadership with purpose.

To everyone in this chamber, I again want to thank you for your tireless dedication, your fierce advocacy, your enduring belief that government can indeed be a force for good. In fact, that really is the only thing it should be.

So I want you to get some rest, take good care of yourselves and your families, travel

safely home. I know you'll continue your vital work in the district. And again, make sure you find moments to rest and recharge because we continue to have an important task ahead of us.

And for the fathers, have a happy Fathers Day. Enjoy. I'm going to make sure you don't have to be here. As I said, trust the shaded boxes.

(Laughter.)

SENATOR STEWART-COUSINS: We're out of here. We colored a little bit outside of the box -- it's okay with that.

But I also want to thank you, all of our presiding officers, who do so much to make it all happen.

So have a wonderful summer. Have fun. Stay safe, stay well.

Thank you, Mr. President.

(Extended standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

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

ACTING PRESIDENT BAILEY: There is no further business at this desk.

SENATOR GIANARIS: I move to adjourn until the call of the Temporary President, with the intervening days being legislative days.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until the call of the Temporary President, with intervening days being legislative.

We out!

(Laughter.)

(Whereupon, the Senate adjourned at 4:18 a.m.)