

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 January 12, 2026

11 3:40 p.m.

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13
14 REGULAR SESSION

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18 LIEUTENANT GOVERNOR ANTONIO DELGADO, President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 THE PRESIDENT: The Senate will
3 come to order.

4 I ask everyone to please rise and
5 say the Pledge of Allegiance.

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

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

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

13 THE PRESIDENT: Reading of the
14 Journal.

15 THE SECRETARY: In Senate, Sunday,
16 January 11, 2026, the Senate met pursuant to
17 adjournment. The Journal of Saturday,
18 January 10, 2026, was read and approved. On
19 motion, the Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 Messages from the Governor.

25 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

6 SENATOR GIANARIS: Good afternoon,
7 Mr. President.

8 THE PRESIDENT: Good afternoon.

9 SENATOR GIANARIS: We're going to
10 begin by calling two committees back to back.

11 First there will be an immediate
12 meeting of the Elections Committee in Room 332,
13 and that will be followed immediately thereafter
14 by a meeting of the Rules Committee in the same
15 room.

16 THE PRESIDENT: There will be an
17 immediate meeting of the Elections Committee in
18 Room 332, followed by a meeting of the
19 Rules Committee in Room 332.

20 SENATOR GIANARIS: The Senate will
21 stand at ease.

22 THE PRESIDENT: The Senate will
23 stand at ease.

24 (Whereupon, the Senate stood at ease
25 at 3:41 p.m.)

1 (Whereupon, the Senate reconvened at
2 4:07 p.m.)

3 THE PRESIDENT: The Senate will
4 return to order.

5 Senator Gianaris.

6 SENATOR GIANARIS: Mr. President,
7 there's a report of the Rules Committee at the
8 desk. Please take that up.

9 THE PRESIDENT: The Secretary will
10 read.

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

14 Senate Print 324, by
15 Senator Gianaris, an act to amend the
16 Election Law;

17 Senate Print 568, by Senator May, an
18 act to amend the Election Law;

19 Senate Print 1035, by Senator Myrie,
20 an act to amend the Election Law;

21 Senate Print 1036, by Senator Myrie,
22 an act to amend the Election Law;

23 Senate Print 1085, by
24 Senator Stewart-Cousins, an act to amend the
25 Election Law;

1 Senate Print 8604, by
2 Senator Skoufis, an act to amend the
3 Election Law;

4 Senate Print 8646A, by
5 Senator Gonzalez, an act to amend the
6 Election Law;

7 Senate Print 8752, by
8 Senator Scarcella-Spanton, an act to amend the
9 Labor Law;

10 Senate Print 8753, by Senator Ramos,
11 an act to amend the Public Authorities Law;

12 Senate Print 8754, by
13 Senator Kavanagh, an act to amend a chapter of
14 the Laws of 2025;

15 Senate Print 8755, by
16 Senator Rivera, an act to amend the
17 Public Health Law;

18 Senate Print 8756, by
19 Senator Rivera, an act to amend a chapter of the
20 Laws of 2025;

21 Senate Print 8757, by
22 Senator Fernandez, an act to amend the
23 Public Health Law;

24 Senate Print 8761, by
25 Senator Comrie, an act to amend the Real Property

1 Actions and Proceedings Law;

2 Senate Print 8762, by
3 Senator Hinchey, an act to amend the
4 Criminal Procedure Law;

5 Senate Print 8764, by
6 Senator Hinchey, an act to amend the
7 Public Service Law;

8 Senate Print 8767, by
9 Senator Serrano, an act to amend the Parks,
10 Recreation and Historic Preservation Law;

11 Senate Print 8768, by
12 Senator Bailey, an act to amend the
13 Real Property Law;

14 Senate Print 8772, by
15 Senator Bailey, an act to amend the
16 Insurance Law;

17 Senate Print 8774, by Senator Ramos,
18 an act to amend the Labor Law;

19 Senate Print 8778, by
20 Senator Brisport, an act to amend the
21 Social Services Law;

22 Senate Print 8781, by Senator Weber,
23 an act to amend a chapter of the Laws of 2025;

24 Senate Print 8782, by
25 Senator Martinez, an act to amend the

1 Real Property Tax Law;
2 Senate Print 8783, by
3 Senator Harckham, an act to amend a chapter of
4 the Laws of 2025;
5 Senate Print 8787, by
6 Senator Addabbo, an act to amend the
7 Racing, Parimutuel Wagering and Breeding Law;
8 Senate Print 8790, by
9 Senator Scarcella-Spanton, an act to amend the
10 Real Property Tax Law;
11 Senate Print 8795, by
12 Senator Comrie, an act to amend the
13 Workers' Compensation Law;
14 Senate Print 8798, by
15 Senator Krueger, an act to amend the
16 Domestic Relations Law;
17 Senate Print 8800, by
18 Senator Bailey, an act to amend the
19 Insurance Law;
20 Senate Print 8802, by
21 Senator Cleare, an act to amend the
22 Public Health Law;
23 Senate Print 8803, by
24 Senator Addabbo, an act to amend the
25 Real Property Tax Law;

1 Senate Print 8804, by
2 Senator Rivera, an act to amend the
3 Public Health Law;

4 Senate Print 8806, by Senator Mayer,
5 an act to amend the Public Health Law;

6 Senate Print 8807, by
7 Senator Krueger, an act to amend the
8 Insurance Law;

9 Senate Print 8810, by
10 Senator Comrie, an act to amend the Vehicle and
11 Traffic Law;

12 Senate Print 8812, by
13 Senator Krueger, an act to amend a chapter of the
14 Laws of 2025;

15 Senate Print 8814, by Senator Fahy,
16 an act to amend the Public Health Law;

17 Senate Print 8818, by Senator May,
18 an act to amend the State Finance Law;

19 Senate Print 8820, by Senator Ryan,
20 an act to amend the Public Service Law;

21 Senate Print 8821, by
22 Senator Sutton, an act to amend the
23 Administrative Code of the City of New York;

24 Senate Print 8822, by Senator May,
25 an act to amend the Labor Law;

1 Senate Print 8823, by
2 Senator Harckham, an act to amend the
3 Environmental Conservation Law;

4 Senate Print 8824, by Senator Fahy,
5 an act to amend the General Business Law;

6 Senate Print 8825, by
7 Senator Salazar, an act to amend the
8 Correction Law;

9 Senate Print 8827, by
10 Senator Gounardes, an act to amend a chapter of
11 the Laws of 2025;

12 Senate Print 8831, by
13 Senator Gonzalez, an act to amend the
14 State Technology Law;

15 Senate Print 8832, by
16 Senator Kavanagh, an act to amend the
17 Environmental Conservation Law;

18 Senate Print 8834, by
19 Senator Baskin, an act to amend the Indian Law;

20 Senate Print 8835, by
21 Senator Rivera, an act to amend the
22 Public Health Law.

23 All bills reported direct to third
24 reading.

25 SENATOR GIANARIS: Move to accept

1 the report of the Rules Committee.

2 THE PRESIDENT: All those in favor
3 of accepting the report of the Rules Committee
4 please signify by saying aye.

5 (Response of "Aye.")

6 THE PRESIDENT: Opposed, nay.

7 (No response.)

8 THE PRESIDENT: The report of the
9 Rules Committee is accepted.

10 Senator Gianaris.

11 SENATOR GIANARIS: At this time
12 let's take up the supplemental calendar, please.

13 THE PRESIDENT: The Secretary will
14 read.

15 THE SECRETARY: Calendar Number 1,
16 Senate Print 324, by Senator Gianaris, an act to
17 amend the Election Law.

18 SENATOR LANZA: Lay it aside.

19 THE PRESIDENT: Lay it aside.

20 THE SECRETARY: Calendar Number 2,
21 Senate Print 568, by Senator May, an act to amend
22 the Election Law.

23 SENATOR LANZA: Lay it aside.

24 THE PRESIDENT: Lay it aside.

25 THE SECRETARY: Calendar Number 3,

1 Senate Print 1035, by Senator Myrie, an act to
2 amend the Election Law.

3 SENATOR LANZA: Lay it aside.

4 THE PRESIDENT: Lay it aside.

5 THE SECRETARY: Calendar Number 4,
6 Senate Print 1036, by Senator Myrie, an act to
7 amend the Election Law.

8 SENATOR LANZA: Lay it aside.

9 THE PRESIDENT: Lay it aside.

10 THE SECRETARY: Calendar Number 5,
11 Senate Print 1085, by Senator Stewart-Cousins, an
12 act to amend the Election Law.

13 (Pause.)

14 SENATOR LANZA: (Gesturing.)

15 THE PRESIDENT: I didn't hear you.
16 Lay it aside.

17 (General commotion.)

18 THE PRESIDENT: Oh, he didn't
19 say it. We didn't hear you. I didn't hear you.

20 (Laughter.)

21 THE PRESIDENT: Read the last
22 section.

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

25 THE PRESIDENT: Call the roll.

1 (The Secretary called the roll.)

2 THE PRESIDENT: Announce the
3 results.

4 THE SECRETARY: Ayes, 59.

5 THE PRESIDENT: The bill is passed.

6 THE SECRETARY: Calendar Number 6,
7 Senate Print 8604, by Senator Skoufis, an act to
8 amend the Election Law.

9 THE PRESIDENT: Read the last
10 section.

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

13 THE PRESIDENT: Call the roll.

14 (The Secretary called the roll.)

15 THE PRESIDENT: Senator Skoufis to
16 explain your vote.

17 SENATOR SKOUFIS: Thank you very
18 much, Mr. President.

19 Mr. President, I love Iowa as much
20 as the next person. But the reason why so many
21 presidential contenders and presidents and
22 U.S. senators and others who want to be president
23 talk about ethanol is because Iowa is at the
24 front and has been at the front of the primary
25 calendar for a long time.

1 Their state's issues have been
2 elevated by virtue of being at the front of the
3 calendar. What we are proposing to do here today
4 is the same for New York.

5 For a very long time, almost
6 20 years -- and for most of presidential politics
7 here in New York -- we have been at the back of
8 the primary calendar. By the time these
9 primaries get to New York, they are either
10 practically done or mathematically done.

11 What this bill would do is -- and
12 how wonderful would this be -- have presidential
13 contenders spending days and weeks here in our
14 communities in our Senate districts, spending
15 millions of dollars on ad buys and political
16 organizing in our local economies, elevating our
17 issues and speaking to our voters seeking to earn
18 their vote.

19 As it stands right now, the only
20 time presidential candidates come to New York is
21 they fly in in the morning, they go to a
22 corporate boardroom or a Manhattan penthouse in
23 the afternoon to raise big bucks, and they fly
24 out to some other state by the evening.

25 This puts us front and center with a

1 number of other states on Super Tuesday. It
2 makes us relevant in the nominating process.

3 And it's also important to note that
4 here in New York we have a really reflective
5 blend of urban and suburban and rural
6 communities, and we have a racial demographic
7 that almost mirrors what that demographic is
8 nationally.

9 And so I am thankful to my
10 colleagues who are supporting this bill. I'm
11 thankful to the leader for helping bring this to
12 the floor.

13 And I look forward to this bill
14 hopefully being enacted and, several years from
15 now, New York being relevant.

16 Thank you.

17 THE PRESIDENT: Senator Skoufis to
18 be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: Ayes, 52. Nays, 7.

21 THE PRESIDENT: The bill is passed.
22 (Off the record.)

23 THE SECRETARY: In relation to
24 Calendar 6, voting in the negative are
25 Senators Chan, Helming, O'Mara, Palumbo, Walczyk,

1 Weber and Weik.

2 Ayes, 52. Nays, 7.

3 THE PRESIDENT: The bill is passed.

4 THE SECRETARY: Calendar Number 7,
5 Senate Print 8646A, by Senator Gonzalez, an act
6 to amend the Election Law.

7 SENATOR LANZA: Lay it aside.

8 THE PRESIDENT: Lay it aside.

9 Senator Gianaris, that completes the
10 reading of the supplemental calendar.

11 SENATOR GIANARIS: Let's go to the
12 controversial calendar, please.

13 THE PRESIDENT: The Secretary will
14 ring the bell.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number 1,
17 Senate Print 324, by Senator Gianaris, an act to
18 amend the Election Law.

19 THE PRESIDENT: Senator Walczyk,
20 why do you rise?

21 SENATOR WALCZYK: Mr. President, I
22 hope the sponsor would yield for a couple of
23 questions.

24 THE PRESIDENT: Will the sponsor
25 yield?

1 SENATOR GIANARIS: Yes.

2 THE PRESIDENT: The sponsor yields.

3 SENATOR WALCZYK: Through you,
4 Mr. President. Why is this bill needed?

5 SENATOR GIANARIS: First of all,
6 Happy New Year, Senator Walczyk and all my
7 colleagues.

8 I will point out that today is
9 Monday, so we're slightly out of order for
10 Walczyk Wednesday. But nonetheless, we will
11 proceed.

12 The bill is necessary because we are
13 attempting to curtail foreign influence from
14 having an impact on the U.S. electoral process.
15 We're at a point in time where foreign
16 governments are known to be attempting to meddle.
17 And certainly the ability to influence political
18 spending by foreign control, to foreign influence
19 corporate entities, is a vehicle that could be
20 used to do that.

21 So we are trying, as other
22 jurisdictions have done, to rein that in.

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

1 THE PRESIDENT: Does the sponsor
2 yield?

3 SENATOR GIANARIS: Yes.

4 THE PRESIDENT: The sponsor yields.

5 SENATOR WALCZYK: Foreign nationals
6 are already prohibited from donating to campaigns
7 in the United States and certainly in New York,
8 aren't they?

9 SENATOR GIANARIS: Yes, that's
10 correct.

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

14 THE PRESIDENT: Does the sponsor
15 yield?

16 SENATOR GIANARIS: Yes.

17 THE PRESIDENT: The sponsor yields.

18 SENATOR WALCZYK: How would this
19 legislation impact 501(c)(4)s who have
20 international donors?

21 SENATOR GIANARIS: One second,
22 Senator Walczyk.

23 (Pause.)

24 SENATOR GIANARIS: Appreciate the
25 chance to get off the rust, Senator Walczyk.

1 First debate of the year.

2 (Laughter.)

3 (Pause.)

4 SENATOR GIANARIS: The bill
5 specifies that business entities would be the
6 ones affected, so I do not believe the (c)(4)s
7 would be included.

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

11 THE PRESIDENT: Will the sponsor
12 yield?

13 SENATOR GIANARIS: Yes.

14 THE PRESIDENT: The sponsor yields.

15 SENATOR WALCZYK: What is the
16 percentage of foreign interests that would be in
17 the business entities that are included in this
18 legislation?

19 SENATOR GIANARIS: One percent.

20 SENATOR WALCZYK: Thank you.

21 Mr. President, on the bill.

22 THE PRESIDENT: Senator Walczyk on
23 the bill.

24 SENATOR WALCZYK: If you want to
25 get foreign money out of New York State politics,

1 dinging a business who has 1 percent interest
2 overseas or in Canada or Mexico will really do
3 nothing to do that.

4 This fully partisan bill ignores the
5 glaring loophole of dark money in our political
6 system, and it just cuts one way to a very small
7 group of donors. So you can slap a business with
8 a felony for a felony charge of having a
9 1 percent interest of a foreign investor for
10 donating, while doing nothing about the actual
11 dark money that goes into PACs and political
12 campaigns in our campaign system.

13 So I will be voting no.

14 Thank you, Mr. President.

15 THE PRESIDENT: Senator Gianaris.

16 SENATOR GIANARIS: On the bill,
17 please, Mr. President.

18 THE PRESIDENT: Senator Gianaris on
19 the bill.

20 SENATOR GIANARIS: I can think of
21 no better example of the motivations of my
22 colleagues across the aisle than at a time when
23 foreign individuals are being prosecuted in a
24 historically unprecedented way, when the
25 Constitution is being trampled, when American

1 citizens are being murdered on our streets by the
2 federal government, the one foreign entity or
3 foreign-controlled entity the Republicans want to
4 defend are foreign corporations or
5 foreign-influence corporations.

6 People, no. Businesses, yes.
7 There's no better distinction for how we believe
8 government should be run and who we believe we
9 should protect, and who our colleagues across the
10 aisle want to protect.

11 I'll be voting yes.

12 THE PRESIDENT: Are there any other
13 Senators wishing to be heard?

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

16 Read the last section.

17 THE SECRETARY: Section 6. This
18 act shall take effect on the 180th day after it
19 shall have become a law.

20 THE PRESIDENT: Call the roll.

21 (The Secretary called the roll.)

22 THE PRESIDENT: Announce the
23 results.

24 THE SECRETARY: In relation to
25 Calendar 1, voting in the negative are

1 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
2 Helming, Mattera, O'Mara, Ortt, Rhoads, Stec,
3 Tedisco, Walczyk, Weber and Weik.

4 Ayes, 46. Nays, 13.

5 THE PRESIDENT: The bill is passed.

6 THE SECRETARY: Calendar Number 2,
7 Senate Print 568, by Senator May, an act to amend
8 the Election Law.

9 THE PRESIDENT: Senator Walczyk,
10 why do you rise?

11 SENATOR WALCZYK: Mr. President, I
12 hope the sponsor would yield for some questions.

13 THE PRESIDENT: Does the sponsor
14 yield?

15 SENATOR MAY: I do.

16 THE PRESIDENT: The sponsor yields.

17 SENATOR WALCZYK: Through you,
18 Mr. President, what does this bill do?

19 SENATOR MAY: Through you,
20 Mr. President.

21 First of all, I want to tell
22 Senator Walczyk I look forward to this discussion
23 we have on this bill every year. I hope the
24 Assembly will pass it this time so that we can
25 move on and debate a different bill in another

1 year.

2 But for now, what this bill does is
3 allow election committees to put in place a
4 short-term polling place during early voting.
5 Because right now the early voting law requires
6 that any early voting place be in place for
7 10 days, for the full 10 days of early voting.
8 And what we're finding is that that doesn't give
9 flexibility to the elections commissioners to
10 find locations that might be a good location to
11 bring the voting to the people where people are
12 at different times of the week when early voting
13 is in process.

14 So this simply allows for short-term
15 polling places to be put in place.

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

19 THE PRESIDENT: Does the sponsor
20 yield?

21 SENATOR MAY: I will.

22 THE PRESIDENT: The sponsor yields.

23 SENATOR WALCZYK: Yeah, in order to
24 get this bill through the Assembly you'll
25 probably need to get an Assembly sponsor this

1 session. I noticed that there isn't one and that
2 as many times as we talk about it in this
3 chamber, it hasn't passed over there.

4 But I did want to ask, what types of
5 areas are eligible or ineligible? Could a local
6 board of elections select any area? Is there any
7 prohibition on areas that they could select? Or
8 what do you envision?

9 SENATOR MAY: So it -- through you,
10 Mr. President. It is up to the boards of
11 elections to decide what are appropriate sites
12 and to make sure that they are -- have all of the
13 security and the needs of any polling place.

14 But within that, I don't believe
15 there are restrictions on where they can put
16 them.

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

20 THE PRESIDENT: Does the sponsor
21 yield?

22 SENATOR MAY: I do.

23 THE PRESIDENT: The sponsor yields.

24 SENATOR WALCZYK: So are there any
25 requirements that a polling site be in existing

1 locations covered by Article 265 of the
2 Penal Law? That's our safe spaces, gun-free
3 zones, schools, et cetera.

4 SENATOR MAY: Through you,
5 Mr. President. Could you please -- can my
6 colleague please specify? What exactly did you
7 say? Could they be in those sites or not in
8 those sites?

9 SENATOR WALCZYK: Yeah, I'll
10 clarify. Through you, Mr. President.

11 So through you, I'm asking
12 specifically whether there's any designation that
13 impacts Article 265 of the Penal Law, the safe
14 spaces in New York law that was passed in 2022,
15 '23, around there. Is there any requirement to
16 have polling sites in those locations?

17 (Pause.)

18 SENATOR MAY: Through you,
19 Mr. President. My understanding is that once a
20 location is designated as a polling site, then it
21 by definition falls into that category of safe
22 spaces.

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

1 THE PRESIDENT: Does the sponsor
2 yield?

3 SENATOR MAY: I do.

4 THE PRESIDENT: The sponsor yields.

5 SENATOR WALCZYK: So as soon as the
6 board of elections designates any particular area
7 within their county for one of the pop-up polling
8 sites that you're suggesting here, that would
9 make it a gun-free zone automatically in that
10 location?

11 Am I understanding you correctly,
12 firearms would be prohibited?

13 SENATOR MAY: Through you,
14 Mr. President, that is my understanding, yes.

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

18 THE PRESIDENT: Does the sponsor
19 yield?

20 SENATOR MAY: I do.

21 THE PRESIDENT: The sponsor yields.

22 SENATOR WALCZYK: Under one
23 section, you talk about different things that the
24 State Board of Elections should consider when an
25 application goes in from the county to have one

1 of these pop-up polling sites.

2 Why would we dictate to counties
3 something like population density? Why would
4 that be relevant or matter in this case?

5 SENATOR MAY: Through you,
6 Mr. President. Let me be very clear that when
7 we're talking about population density, we're not
8 talking about how many people live there, we're
9 talking about how many people can be expected to
10 be there.

11 So, for example, at a mall on the
12 weekends there might be a lot of people there;
13 there is very low population density in terms of
14 the number of people who live there.

15 So we're not talking about
16 population density in the way you may be
17 thinking, but it's more allowing the boards of
18 elections to bring voting to where they expect
19 people to be, which I believe should be a
20 priority since we want to make it possible for as
21 many people to vote who are eligible as possible.

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

25 THE PRESIDENT: Does the sponsor

1 yield?

2 SENATOR MAY: I do.

3 THE PRESIDENT: The sponsor yields.

4 SENATOR WALCZYK: We've talked
5 about this in years past. There's nothing that
6 prohibits a county from doing one of these
7 polling sites for early voting right now, is
8 there?

9 SENATOR MAY: Through you,
10 Mr. President. The law currently stipulates that
11 any early voting site has to be in action for the
12 full 10 days of early voting. And what we know
13 is that in many areas it's hard to find a site
14 that can be used for 10 full days of early
15 voting.

16 So this would make a lot more
17 possible places eligible that right now are just
18 kind of impossible to use for that purpose.

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

22 THE PRESIDENT: Will the sponsor
23 yield?

24 SENATOR MAY: I will.

25 THE PRESIDENT: The sponsor yields.

1 SENATOR WALCZYK: So early voting
2 starts 10 days out from Election Day. This bill
3 allows boards of elections to approve a new early
4 voting location 14 days out from the election, is
5 that correct?

6 Four days before early voting
7 starts, that's when they would be able to
8 announce that they have an early voting site? Am
9 I reading that properly?

10 (Pause.)

11 SENATOR MAY: Through you,
12 Mr. President, that's correct.

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

16 THE PRESIDENT: Does the sponsor
17 yield?

18 SENATOR MAY: I will.

19 THE PRESIDENT: The sponsor yields.

20 SENATOR WALCZYK: If you're
21 announcing that you have an early voting pop-up
22 site in a county in New York State just four days
23 before early voting starts, wouldn't that create
24 more confusion for voters?

25 They generally know where their

1 polling site is, and the board of elections gives
2 them notice a long time out. We've watched
3 consolidation of polling places. People get the
4 notices in the mail, then they -- they're
5 generally upset when they lose a polling place.

6 But couldn't this lead to a lot more
7 confusion if people are just finding out
8 four days prior to early voting that there's new
9 polling sites popping out in various locations?

10 SENATOR MAY: Through you,
11 Mr. President. I need to stress that these are
12 additional polling sites, so these do not replace
13 existing early voting sites. These will be
14 additional sites.

15 So if people have been making plans
16 to go to the early voting site that they had
17 heard about earlier, they can still go there.
18 These will make it possible for more people to
19 access the franchise.

20 So it's working in other states. I
21 know Idaho and Texas had examples of this,
22 California and Washington, I believe, or -- they
23 are very popular, and they simply provide an
24 additional option to the voters. They don't
25 replace the old ones. So confusion isn't --

1 shouldn't be a problem.

2 SENATOR WALCZYK: Thank you. Thank
3 you.

4 Mr. President, on the bill.

5 THE PRESIDENT: Senator Walczyk on
6 the bill.

7 SENATOR WALCZYK: This bill, as I
8 read it and read it anew each year that it comes
9 forward, at least in this house -- thank goodness
10 not in the other -- I believe will just lead to
11 more confusion for voters.

12 Getting a notice that new polling
13 locations are popping out in early voting here
14 and there in your county just four days before
15 early voting starts doesn't seem to me like
16 something that would increase faith that our
17 elections are well-run, stable, good, not pushing
18 fraud out.

19 And it will also cost money. So
20 whether the local municipality is paying for it
21 and putting it on the taxpayers locally or
22 whether the state eventually picks up the tab or
23 any portion thereof for this, this is not
24 something that will make it more affordable for
25 New Yorkers and will only be making it more

1 confusing for New York's voters.

2 So I'll be voting no, and I
3 encourage my colleagues to do the same.

4 Thank you, Mr. President.

5 THE PRESIDENT: Are there any other
6 Senators wishing to be heard?

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

9 Read the last section.

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

12 THE PRESIDENT: Call the roll.
13 (The Secretary called the roll.)

14 THE PRESIDENT: Senator May to
15 explain her vote.

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

18 And thank you, Senator Walczyk, for
19 the debate.

20 There are counties in New York State
21 that have only one early voting place. And in
22 the case of some of our rural counties, it may be
23 45 minutes or an hour drive for a number of
24 people to reach that polling place.

25 One thing that we have seen used

1 elsewhere in the country to address those kinds
2 of inequities, especially when we have senior
3 citizens, for example, who cannot get to the
4 early voting place, is for boards of elections to
5 figure out ways to bring the polling places to
6 where the people are.

7 This is a bill that simply creates
8 more equity in terms of access to early voting.
9 And it can be good for rural counties, it can be
10 good for urban areas where the early voting
11 places may experience long lines and they can
12 create some additional locations for people to
13 vote.

14 But what's important to know about
15 this bill is it is entirely voluntary on the part
16 of the boards of elections. They can decide if
17 this is a cost-effective way to use their funds.
18 Some of them probably will, because it can be
19 expensive to put a whole new full-10-day early
20 voting site in place, but it could be a lot more
21 cost-effective to use just three days and give
22 access to a larger number of people.

23 So I am proud of this bill. As I
24 said before, I hope it passes through the
25 Assembly and we can move on and just debate

1 another bill in a future year.

2 I vote aye.

3 THE PRESIDENT: Senator May will be
4 recorded in the affirmative.

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar 2, voting in the negative are
8 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
9 Chan, Gallivan, Griffio, Helming, Lanza, Mattera,
10 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
11 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

12 Ayes, 38. Nays, 21.

13 THE PRESIDENT: The bill is passed.

14 THE SECRETARY: Calendar Number 3,
15 Senate Print 1035, by Senator Myrie, an act to
16 amend the Election Law.

17 THE PRESIDENT: Senator Walczyk,
18 why do you rise?

19 SENATOR WALCZYK: Mr. President, I
20 hope the sponsor would yield for some questions.

21 THE PRESIDENT: Does the sponsor
22 yield?

23 SENATOR MYRIE: Yes.

24 THE PRESIDENT: The sponsor yields.

25 SENATOR WALCZYK: So if you've got

1 two elections commissioners in your county -- one
2 Republican, one Democrat -- and they're
3 part-time, who pays for their 60 hours of
4 training required in this legislation?

5 SENATOR MYRIE: Through you,
6 Mr. President. This bill does not impose any
7 fiscal strains or costs on the local governments.
8 It can be fully contained within the current
9 budget of the State Board of Elections.

10 And it additionally adds a component
11 that allows for cost savings by way of making the
12 training available online. That was done with
13 the intention to reduce any additional costs that
14 might be incurred.

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

18 THE PRESIDENT: Does the sponsor
19 yield?

20 SENATOR MYRIE: Yes.

21 THE PRESIDENT: The sponsor yields.

22 SENATOR WALCZYK: If you're a
23 county that has part-time elections
24 commissioners, my understanding from the answer
25 that you just gave is that the state will

1 reimburse the county for their travel and for the
2 60 hours of training required in this
3 legislation? The State Board of Elections will
4 be reimbursing the county?

5 SENATOR MYRIE: Through you,
6 Mr. President, that is not what I said.

7 The initial cost is incurred by the
8 State Board of Elections.

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

12 THE PRESIDENT: Does the sponsor
13 yield?

14 SENATOR MYRIE: Yes.

15 THE PRESIDENT: The sponsor yields.

16 SENATOR WALCZYK: What do you mean
17 by "initial cost"? You mean setting up the
18 actual training program?

19 SENATOR MYRIE: Through you,
20 Mr. President, the bill outlines the process by
21 which this training would be implemented. And it
22 requires the State Board of Elections to come up
23 with that process. The State Board of Elections
24 would be administering the training, and that
25 training would take place online.

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

4 THE PRESIDENT: Does the sponsor
5 yield?

6 SENATOR MYRIE: Yes.

7 THE PRESIDENT: The sponsor yields.

8 SENATOR WALCZYK: So even the
9 30 hours required per elections commissioner
10 initially, that's an online portion as well?

11 SENATOR MYRIE: Through you,
12 Mr. President, the State Board of Elections would
13 determine that.

14 And I want to be clear that the
15 30 hours is required just in the first six months
16 with an appointment. There is a continuing
17 education and training component that is
18 required, and that is just three hours every
19 year.

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

23 THE PRESIDENT: Does the sponsor
24 yield?

25 SENATOR MYRIE: Yes.

1 THE PRESIDENT: The sponsor yields.

2 SENATOR WALCZYK: But the
3 State Board would get to determine, after this
4 legislation is passed, whether that initial
5 30 hours is online or at the State Board.

6 Would elections commissioners have
7 to travel to Albany, I guess is what I'm asking.

8 SENATOR MYRIE: Through you,
9 Mr. President, that is a determination made by
10 the State Board of Elections.

11 But it is not unlike other
12 regulations promulgated by the State Board and in
13 other spaces as it relates to poll workers, who
14 are statutorily required to be periodically
15 examined. The State Board of Elections is
16 welcome to collaborate with election
17 commissioners to determine the parameters of that
18 training.

19 SENATOR WALCZYK: And through you,
20 Mr. President, will the sponsor continue to
21 yield.

22 THE PRESIDENT: Will the sponsor
23 yield?

24 SENATOR MYRIE: Yes.

25 THE PRESIDENT: The sponsor yields.

1 SENATOR WALCZYK: So if the
2 State Board of Elections determines that they
3 indeed want an in-person training for new
4 elections commissioners within the first
5 six months, as outlined in your legislation here,
6 who would pick up the tab for that? Is that the
7 counties that are picking up the tab?

8 SENATOR MYRIE: Through you,
9 Mr. President, if the State Board of Elections
10 made that determination, it is our intent that
11 they would pick up whatever those costs would be.

12 SENATOR WALCZYK: Thank you.

13 Mr. President, on the bill.

14 THE PRESIDENT: Senator Walczyk on
15 the bill.

16 SENATOR WALCZYK: Counties didn't
17 ask for this. It's a solution in search of a
18 problem. It's an unfunded mandate.

19 And I'll be voting no. Thank you.

20 THE PRESIDENT: Senator Myrie on
21 the bill.

22 SENATOR MYRIE: Just speaking on
23 the bill to correct the record.

24 A few years ago the
25 Elections Committee held hearings throughout the

1 State of New York where we heard from elections
2 commissioners, both Republican and Democrat, who
3 expressed to us a desire to have uniform
4 training.

5 New York actually stands separate
6 from the rest of the country. Forty-three states
7 across the country have required training for our
8 elections commissioners. There are only six,
9 including a territory, that do not.

10 And so I think it's important to
11 recognize that this wasn't a top-down process.
12 In fact, it was the reverse. We went to the
13 counties, we traveled across the state, and we
14 heard from commissioners who said, We would like
15 to see this.

16 THE PRESIDENT: Are there any other
17 Senators wishing to be heard?

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

20 Read the last section.

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

24 THE PRESIDENT: Call the roll.

25 (The Secretary called the roll.)

1 THE PRESIDENT: Senator May to
2 explain her vote.

3 SENATOR MAY: Thank you,
4 Mr. President.

5 I want to thank Senator Myrie for
6 this bill, and the Majority Leader for allowing
7 us to vote on it today.

8 I vividly remember several years ago
9 there was a congressional race that took place in
10 Central New York. Two of the counties that I
11 represented were involved in that race, and it
12 came down to multiple recounts and lawsuits to
13 try to figure out who won that race.

14 In the course of those lawsuits, it
15 turned out that elections commissioners in
16 multiple counties had made so many errors that it
17 was almost impossible to determine who was the
18 winner of that race.

19 It was almost comical, except that
20 it was so consequential. And it really
21 foregrounded the need for elections commissioners
22 to have standardized training and reliable
23 training.

24 So I am grateful to Senator Myrie
25 for this bill, and I hope that we are able to get

1 it signed into law.

2 Thank you.

3 ACTING PRESIDENT BAILEY: Senator
4 May to be recorded in the affirmative.

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar 3, voting in the negative are
8 Senators Borrello, O'Mara, Walczyk and Weik.

9 Ayes, 55. Nays, 4.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number 4,
13 Senate Print 1036, by Senator Myrie, an act to
14 amend the Election Law.

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

17 SENATOR LANZA: Mr. President, I
18 believe there's an amendment at the desk. I
19 waive the reading of that amendment and ask that
20 you recognize -- you've guessed it --
21 Senator Walczyk.

22 (Laughter.)

23 ACTING PRESIDENT BAILEY: Thank
24 you, Senator Walczyk.

25 Upon review of this amendment, in

1 accordance with Rule 6, Section 4B, I rule it
2 nongermane and out of order at this time.

3 SENATOR LANZA: Accordingly,
4 Mr. President, I appeal the ruling of the chair
5 and ask that Senator Walczyk be heard on that
6 appeal.

7 ACTING PRESIDENT BAILEY: The
8 appeal has been made and recognized, and
9 Senator Walczyk may be heard.

10 SENATOR WALCZYK: Thank you,
11 Mr. President. And I hope you will hear this
12 appeal, because this is an opportunity for me to
13 explain the germaneness.

14 The bill-in-chief allows people to
15 vote at their vacation home. No doubt the bill
16 is aimed at increasing participation in our
17 electoral process, but nothing encourages
18 participation more than bettering the system to
19 increase faith and security in our elections.

20 When people know that their vote
21 counts and that those who shouldn't be voting in
22 our elections, their vote will be rejected, they
23 will get out and vote. This is how you
24 enfranchise voters. This is how you increase
25 participation, when people have faith in our

1 elections here in New York State.

2 Pew and Gallup have -- I mean, I
3 hear from the -- across the aisle over and over
4 again about the principles of democracy if people
5 can directly -- well, I've got news for you. If
6 people could directly vote for this amendment
7 that I offer here today, the people of the
8 United States of America, the people of the State
9 of New York, the overwhelming supermajority of
10 them support voter I.D.

11 So direct democracy, if you love it,
12 then you love voter I.D. and this amendment and
13 its germaneness to this bill. So for democracy's
14 sake, this helpful bill will substitute the
15 bill-in-chief and require voter I.D. at the
16 polls.

17 You can't get healthcare, a job, an
18 apartment, a bottle of beer, drive a car or get
19 on a plane without an I.D. New Yorkers expect
20 voter I.D. in the State of New York, and they've
21 called for it time and time again.

22 So on their behalf, once again I'm
23 here today to stand with the 80 percent of
24 New Yorkers that support voter I.D., not the
25 20 percent that want to reject it here.

1 So please support this hostile
2 amendment. I think it's a helpful amendment.

3 And I would say this. This
4 amendment goes so far because I've heard some
5 arguments out there about voter I.D. in the past.
6 If you forget your I.D., we have a provision for
7 that in this bill. You can prove your residence,
8 you can prove that you're a citizen here and that
9 you should vote. You can vote by affidavit
10 ballot. You can bring additional documentation.

11 And we even went so far in this
12 helpful amendment to allow anyone that says that
13 they can't afford an I.D., anyone that qualifies
14 for Medicaid in the State of New York, a free
15 I.D. just so that they can participate in our
16 democracy.

17 So please, for their sake and their
18 faith in our elections, vote to see this
19 amendment through.

20 Thank you, Mr. President.

21 ACTING PRESIDENT BAILEY: Thank
22 you, Senator Walczyk.

23 I want to remind the house and all
24 those watching that this vote is on the
25 procedures of the house and the ruling of the

1 chair.

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

4 (Response of "Aye.")

5 SENATOR LANZA: Show of hands.

6 ACTING PRESIDENT BAILEY: A show of
7 hands has been requested and so ordered.

8 Announce the results.

9 THE SECRETARY: Ayes, 22.

10 ACTING PRESIDENT BAILEY: The
11 ruling of the chair stands, and the bill-in-chief
12 is before the house.

13 Read the last section.

14 THE SECRETARY: Section 3 --

15 ACTING PRESIDENT BAILEY: Excuse
16 me, the bill was laid aside.

17 Senator Walczyk, why do you rise
18 once again?

19 SENATOR WALCZYK: Thank you,
20 Mr. President. Believe it or not, I'd like to
21 ask a question on this bill.

22 ACTING PRESIDENT BAILEY: I was not
23 certain.

24 (Laughter.)

25 ACTING PRESIDENT BAILEY: Are you

1 asking the sponsor to yield?

2 SENATOR WALCZYK: I would.

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR MYRIE: Gladly.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

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

10 So not every New Yorker can afford
11 a -- through you, Mr. President, not every
12 New Yorker can afford a vacation home. Why allow
13 a special voting privilege to benefit the most
14 wealthy New Yorkers?

15 SENATOR MYRIE: Through you,
16 Mr. President. Luckily, this bill does not apply
17 to only New Yorkers that can afford a second
18 home, but applies to college students who attend
19 college all over the state.

20 And luckily this bill is not the
21 creation of a new right, but the codification of
22 case law from the past 40 years. The Court of
23 Appeals has already said that what matters in
24 these cases is the voter's intent and their
25 ability to be connected to the place that they

1 choose to register at.

2 This bill is seeking to clarify
3 that, make that clear in statute so that we're
4 not spending money on litigation, that we're not
5 challenging in a case where it should be clear
6 where the voter has chosen to stay.

7 We have had elections in this state
8 that have been decided by fewer than 100 votes.
9 And in those elections, most recently in 2020, an
10 election for Congress was decided by 109 votes.
11 It took many, many, many days for us to finally
12 conclude the result of that election because
13 there was litigation around things that had been
14 made clear in case law but were not clear in our
15 statutes.

16 That is what we're trying to do
17 today.

18 SENATOR WALCZYK: And through you,
19 Mr. President, will the sponsor continue to
20 yield.

21 ACTING PRESIDENT BAILEY: Will the
22 sponsor yield?

23 SENATOR MYRIE: Yes.

24 ACTING PRESIDENT BAILEY: The
25 sponsor yields.

1 SENATOR WALCZYK: I hear your
2 rebuttal on college students, and you do mention
3 "student lives while attending a college or
4 university."

5 But also very specifically in this
6 bill you outline "including a second or vacation
7 home." So I would say, again, why is that
8 included in your legislation today? Why would we
9 want New Yorkers to be voting at their second or
10 their vacation home?

11 SENATOR MYRIE: Through you,
12 Mr. President, the courts have determined that
13 what is significant in deciding where the
14 registration will be valid is the voter's intent.
15 There's some other factors that are laid out --
16 continuity, connection. And if the voter has
17 intended to have that be the place of
18 registration, that is what the courts respect.

19 We, the Legislature, think the
20 courts are right. We should respect where the
21 voter intends to register.

22 SENATOR WALCZYK: Thank you,
23 Mr. President. On the bill.

24 ACTING PRESIDENT BAILEY: Senator
25 Walczyk on the bill.

1 SENATOR WALCZYK: The intent is
2 written right into the bill. It's called a
3 vacation home. The intent is "vacation," not
4 home. They have home and vacation home. You're
5 supposed to vote where your home is, where you
6 live.

7 This is an added benefit for the
8 wealthiest New Yorkers, and we know the reason
9 why it's being done. This bill would allow
10 New Yorkers to, if they have a full time
11 residence in New York City and a home in the
12 Adirondacks -- where I represent -- this would
13 allow them to vote in one election in New York
14 City and then, you know, their intent, even a
15 vacation home intent, to vote in another
16 election.

17 Let's say you vote in a primary in
18 New York City and then you vote in the general
19 election because your intent is to have some
20 continuous connection to that community.

21 And I can tell you, as representing
22 the Adirondacks and a lot of vacation homes, that
23 intent is easily established. There are families
24 that live in New York City, New Jersey, that have
25 a longstanding history of having vacation homes,

1 a direct tie to that community. They come back
2 year after year after year.

3 Easily would pass the smell test
4 under this legislation. But they should be
5 voting where they live, where their home is, not
6 where their vacation home is.

7 And for that reason, Mr. President,
8 I'll be voting no and encourage my colleagues to
9 do the same.

10 ACTING PRESIDENT BAILEY: Thank
11 you, Senator Walczyk.

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

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

16 Read the last section.

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

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 4, voting in the negative are

1 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
2 Chan, Gallivan, Griffo, Helming, Lanza, Mattera,
3 Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
4 Rolison, Scarcella-Spanton, Stec, Tedisco,
5 Walczyk, Weber and Weik.

6 Ayes, 37. Nays, 22.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number 7,
10 Senate Print 8646A, by Senator Gonzalez, an act
11 to amend the Election Law.

12 ACTING PRESIDENT BAILEY: Senator
13 Walczyk, good to see you again. Why do you rise?

14 SENATOR WALCZYK: I'm back --
15 (Overtalk.)

16 SENATOR WALCZYK: -- Mr. President.
17 Would the sponsor yield?

18 ACTING PRESIDENT BAILEY: Senator
19 Gonzalez, do you yield?

20 SENATOR GONZALEZ: I do.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR WALCZYK: Thank you.

24 Through you, Mr. President. When
25 was this bill introduced?

1 SENATOR GONZALEZ: Through you,
2 Mr. President. This bill was introduced within
3 the last week.

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

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR GONZALEZ: I do.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR WALCZYK: And when did this
13 bill pass committee?

14 SENATOR GONZALEZ: Through you,
15 Mr. President. The bill passed through committee
16 today.

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

20 ACTING PRESIDENT BAILEY: Will the
21 sponsor yield?

22 SENATOR GONZALEZ: I do.

23 ACTING PRESIDENT BAILEY: The
24 sponsor yields.

25 SENATOR WALCZYK: And was that

1 committee agenda posted last night?

2 SENATOR GONZALEZ: Through you,
3 Mr. President. As is normal practice on the
4 first day of real business, our committee agendas
5 were posted and they were shared with the
6 Minority central staff I believe yesterday.

7 SENATOR WALCZYK: Yesterday.
8 Through you, Mr. President, would the sponsor
9 continue to yield.

10 ACTING PRESIDENT BAILEY: Does the
11 sponsor yield?

12 SENATOR GONZALEZ: I do.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WALCZYK: So will this bill
16 allow poll worker -- or poll -- yeah. Will this
17 bill allow poll workers to sue voters? Is that
18 what your intent is here?

19 SENATOR GONZALEZ: Through you,
20 Mr. President. This bill is an incredibly
21 important one because we've seen an increase in
22 threats of violence against election officers --
23 not necessarily just by voters, but by the
24 broader public.

25 And what this bill does is create a

1 private right of action for election officers who
2 have been threatened to bring forth that claim.

3 And of course it does a couple of
4 other key things, including allowing them to
5 protect their addresses and their personal
6 identifying information.

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

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor yield?

12 SENATOR GONZALEZ: I do.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WALCZYK: So in -- in --
16 it's a new bill to me, and obviously the
17 committee agenda posted yesterday, late
18 yesterday, is when I received it. So I haven't
19 had a lot of time to receive feedback on it.

20 But my read is that if -- if a poll
21 worker, who is an elections official at a poll
22 site, feels that a voter that comes in is
23 hostile, is threatening, is maybe very
24 frustrated, they can then have a private right of
25 action, they can sue if think they feel

1 intimidated by that voter that comes into the
2 polling site? Is that right?

3 SENATOR GONZALEZ: Through you,
4 Mr. President, that is correct.

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

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield?

10 SENATOR GONZALEZ: I do.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR WALCZYK: Would you talk
14 through some of the -- the scenarios here with
15 me?

16 If someone feels that they are being
17 disenfranchised in the polling place, that they
18 should in fact be registered to vote or that
19 there's a confusion with registration or --
20 sometimes we even see names that are very similar
21 when a poll worker is pulling up their names --
22 and they are hostile and frustrated in that case
23 and they would like to record that or they ask
24 the poll worker, you know, what is their name,
25 your goal here is to allow, if that poll worker

1 feels threatened by that interaction, that
2 poll worker can then take the voter to court and
3 sue them? Am I understanding that correctly?

4 SENATOR GONZALEZ: Through you,
5 Mr. President. It is our position that the very
6 same protections that exist for voters through
7 the Voting Rights Act should be extended to
8 election officers.

9 While the -- my colleague across the
10 aisle is bringing up certain scenarios that could
11 potentially happen, it would ultimately be for
12 the courts to decide if the instance was indeed
13 intimidation.

14 According to the bill, we define
15 intimidation as a person uses or threatens to use
16 any force, violence, restraint, abduction or
17 duress, or inflicts or threatens to inflict any
18 injury, damage, harm or loss or in any other
19 manner participate -- practices intimidation that
20 ultimately prevents the election officer from
21 conducting their duties.

22 So again, under that definition, the
23 court will have to decide if -- what instances
24 fall within that.

25 SENATOR WALCZYK: Through you,

1 Mr. President, will the sponsor continue to
2 yield?

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR GONZALEZ: I do.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR WALCZYK: But as far as
9 suing a voter that comes into the polling place,
10 that intimidation -- at least the means to bring
11 forward a lawsuit against that voter that came
12 into the polling place, that would be if the
13 poll worker feels they've been intimidated in any
14 way? Am I understanding that right?

15 SENATOR GONZALEZ: Through you,
16 Mr. President. It would be incumbent on an
17 election officer to choose to bring forward a
18 claim in court.

19 Certainly that is a -- I cannot
20 speak to the feelings around that choice. But we
21 do know that these are real cases that have
22 happened. According to a national survey
23 conducted in 2024 by the Brennan Center for
24 Justice, more than one-third of local election
25 workers reported threats and harassment. Nearly

1 70 percent of those polled said that the danger
2 has increased since 2020.

3 So certainly there have been
4 election officers who have felt this harassment
5 and experienced threats and certainly a need for
6 this bill in New York.

7 SENATOR WALCZYK: Through you,
8 Mr. President, will the sponsor continue to
9 yield?

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor yield?

12 SENATOR GONZALEZ: I do.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WALCZYK: Section 265.01-e
16 of the Penal Law prohibits firearms at polling
17 sites, as I mentioned earlier in debate today.
18 You mentioned firearms here. What is the change
19 to statute?

20 SENATOR GONZALEZ: Through you,
21 Mr. President, that is correct. Much of this is
22 covered under Penal Law.

23 But what's added to the bill are two
24 key things: One, a presumption that if someone
25 is breaking that Penal Code that you mentioned,

1 and bringing a gun to a poll site, that they have
2 an intent to intimidate.

3 In addition, we have included an
4 exemption for police officers and law enforcement
5 because certainly we understand that when they
6 have firearms, that is with the intent to protect
7 us and our elections.

8 SENATOR WALCZYK: And through you,
9 Mr. President, will the sponsor continue to
10 yield?

11 ACTING PRESIDENT BAILEY: Will the
12 sponsor yield?

13 SENATOR GONZALEZ: I do.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

16 SENATOR WALCZYK: So it's already a
17 crime to bring a firearm to a polling site in our
18 current statute.

19 But this would allow poll workers to
20 sue the person that has already committed that
21 crime if they bring it a polling site? Now, on
22 top of being charged criminally, that poll
23 workers would also be able to sue them? Am I
24 understanding that correctly?

25 SENATOR GONZALEZ: Through you,

1 Mr. President, it is correct that there would be
2 a criminal proceeding.

3 If one of the elections officers
4 feels that they have been targeted and
5 intimidated, they can also bring this civil
6 offense to court.

7 It is very normal, I will say, to
8 have multiple offenses prosecuted at the same
9 time. So ultimately it gives multiple pathways
10 for justice and shows our election officers that
11 they can -- that they have agency to protect
12 themselves in these situations.

13 SENATOR WALCZYK: Through you,
14 Mr. President, will the sponsor continue to
15 yield?

16 ACTING PRESIDENT BAILEY: Will the
17 sponsor yield?

18 SENATOR GONZALEZ: I do.

19 ACTING PRESIDENT BAILEY: The
20 sponsor yields.

21 SENATOR WALCZYK: So poll workers
22 have to be residents of the county in which
23 they're doing their poll work, is that correct?

24 SENATOR GONZALEZ: Through you,
25 Mr. President, I'm going to take one moment

1 to ...

2 (Pause.)

3 SENATOR GONZALEZ: Through you,
4 Mr. President, I certainly want to be exact when
5 using language around the hiring requirements for
6 poll workers. And so we can certainly follow up
7 in an answer to make sure you get the exact
8 language involving that, yeah.

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

12 ACTING PRESIDENT BAILEY: Will the
13 sponsor yield?

14 SENATOR GONZALEZ: I do.

15 ACTING PRESIDENT BAILEY: The
16 sponsor yields.

17 SENATOR WALCZYK: Yeah, I believe
18 they do have to be in a county in which they're
19 an election official. They certainly have to be
20 a registered voter in the State of New York.

21 How will poll inspectors and
22 elections inspectors validate their registration
23 and residency, given the new protections of
24 restricted personal information that you've
25 included in this bill?

1 SENATOR GONZALEZ: Through you,
2 Mr. President, I want to clarify a few things.

3 First, in the bill it is -- it is
4 true that we have created a definition for what
5 is personal and sensitive information for
6 election workers. If they feel that they have
7 been a target of threats and harassment, they can
8 apply to be part of the state's Address
9 Confidentiality Program.

10 To do that, they have to submit a
11 form and they have to of course affirm that they
12 have been under threat. It is optional. It
13 would be incumbent on that, you know, potential
14 poll worker to do that, or they would have to be
15 a poll worker at that point.

16 I do not believe this would preclude
17 them from submitting their address when applying
18 for a job to be a poll worker.

19 SENATOR WALCZYK: And through you,
20 Mr. President, will the sponsor continue to
21 yield?

22 ACTING PRESIDENT BAILEY: Does the
23 sponsor yield?

24 SENATOR GONZALEZ: I do.

25 ACTING PRESIDENT BAILEY: The

1 sponsor yields.

2 SENATOR WALCZYK: Well, part of the
3 job of elections inspectors is to go into
4 poll sites and, if there's anything that is
5 amiss, they're there to ask questions, which
6 could be perceived as intimidating and end up in
7 a lawsuit, based on your legislation.

8 But my question specifically is how
9 will those elections inspectors or poll watchers
10 be able to get that data if you're restricting
11 that data in this proposed legislation?

12 SENATOR GONZALEZ: Through you,
13 Mr. President. This bill does not make that
14 information a secret. Of course I described one
15 process by which someone could seek to have their
16 address become confidential.

17 But ultimately what we've done is
18 create a new crime for an address, for example,
19 being shared publicly online with the intent to
20 intimidate an election officer.

21 So whereas for normal operations,
22 again, that information isn't a secret and
23 certainly could be verified, we have in this bill
24 been very intentional about carving out a
25 scenario where that information and that private

1 information, as we've defined according to the
2 bill, is publicly shared with, again, the intent
3 to make that election officer feel unsafe.

4 And I would like to reiterate that
5 this has happened across the country with
6 increasing frequency in the last six years.

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

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor yield?

12 SENATOR GONZALEZ: I do.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WALCZYK: Yeah, I don't
16 disagree with the intent to make a safer poll
17 site for the poll workers that do that job. I
18 love my local poll workers, and I know New York
19 voters appreciate seeing them when they show up
20 to the site.

21 My concerns here are really on
22 transparency. So if the public is guarded from
23 the address of poll workers, but the poll workers
24 are required to be residents of that county, then
25 how can the public, in our open and fair

1 elections system, ensure and validate that
2 poll workers are actually residents of that
3 county if their addresses are shielded?

4 SENATOR GONZALEZ: Through you,
5 Mr. President, I would like to ask for some
6 clarity on this question.

7 Are you, colleague, insinuating that
8 voters should be going into poll sites, in this
9 scenario, and asking for the addresses of the
10 poll workers?

11 ACTING PRESIDENT BAILEY: Senator
12 Walczyk, could you clarify the question?

13 SENATOR GONZALEZ: Yeah.

14 SENATOR WALCZYK: Yeah, through
15 you, Mr. President. I'm suggesting that somebody
16 should.

17 And I'm asking you who that somebody
18 should be and who that somebody, with this new
19 legislation, will be. Who will validate that
20 poll workers are actually residents of the county
21 in which they're working the polls?

22 SENATOR GONZALEZ: Through you,
23 Mr. President, many of the poll workers are also
24 voters, and so their address is of course
25 verified by the state.

1 You've also described, of course,
2 that there are other officers and officials whose
3 job it is to ensure that a poll site is working
4 as it should. And that includes, of course, that
5 the appropriate staff are there and that those
6 staff have been hired appropriately.

7 We -- this bill impacts none of
8 that. Although I am -- I am certainly very
9 curious about the notion that voters should be
10 going to ask for addresses, and I'd be curious if
11 my colleague does that normally when he votes.

12 SENATOR WALCZYK: Through you,
13 Mr. President --

14 SENATOR GONZALEZ: Is this a
15 scenario that's come up?

16 SENATOR WALCZYK: I -- I would -- I
17 would yield --

18 ACTING PRESIDENT BAILEY: So
19 just -- just for a second. Senator Gonzalez, are
20 you asking Senator Walczyk to yield or clarify?

21 SENATOR GONZALEZ: Yeah, I mean
22 I'd -- I'd love to understand better what this
23 question is, yes.

24 ACTING PRESIDENT BAILEY: So
25 Senator -- so Senator Walczyk, do you yield to a

1 question from Senator Gonzalez?

2 SENATOR WALCZYK: Sure.

3 ACTING PRESIDENT BAILEY: Senator
4 Walczyk yields.

5 Senator Gonzalez, restate your
6 question, please.

7 SENATOR GONZALEZ: I -- I guess I'm
8 curious if the question is if the public should
9 be verifying that the poll workers are employees,
10 and their employment information, and if that is
11 a -- it would be helpful to know if there was a
12 real concrete scenario in which this has
13 happened, and certainly how it's related to this
14 bill text.

15 SENATOR WALCZYK: Yeah, I would
16 answer, Mr. President, the -- the public wants
17 transparency in their elections. They want to
18 understand that this is a good system that they
19 trust, that everyone is following the rules.

20 We've got poll watchers and we've
21 got elections inspectors for very good reason.
22 There are good government groups that give
23 overwatch and look at things, because there's
24 been a distrust in our electoral system.

25 So to guard more information from

1 the public and say we're just going to close the
2 book, and then to slap on if anybody feels
3 intimidated in this polling site because you've
4 asked them a question, you will get sued, we will
5 take you to court for intimidating a poll worker,
6 I think that gives a lot of pause for a public
7 that cares about the openness and transparency of
8 our electoral process.

9 SENATOR GONZALEZ: Through you,
10 Mr. President, I do want to clarify a few things,
11 because I believe the bill is being
12 mischaracterized based on the assessment of my
13 colleague.

14 This bill does not get in the way,
15 again, of election inspectors doing their job or
16 doing their due diligence. This bill does not
17 actually make the personally identifiable
18 information of all election officers a secret.

19 It does, however, give election
20 officers who have experienced intimidation an
21 ability to bring that to court and for the court
22 to determine if that is true.

23 So this bill is specific to not
24 necessarily going up to a poll worker and asking
25 if they're meant to be there. This bill is

1 specific to whether there are threats of physical
2 violence, it is specific to if information has
3 been shared online with the intent to bring harm
4 to that election officer, and it of course
5 creates a standard around both of those.

6 But again, that is -- that is to say
7 none of that makes those addresses private. And
8 it is -- again, it's specifically for folks who
9 have experienced this as election officers.
10 Specifically, they can submit to the state to be
11 part of the state confidentiality program. But
12 it is certainly not the case that every poll
13 worker is doing that.

14 SENATOR WALCZYK: Okay. Through
15 you, Mr. President, would the sponsor yield?

16 SENATOR GONZALEZ: I do.

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 The sponsor yields.

20 SENATOR WALCZYK: All right. So my
21 understanding now is that if an elections
22 inspector asks a poll worker for I.D., that would
23 not be an intimidation, that would be fully
24 within their job?

25 SENATOR GONZALEZ: Through you,

1 Mr. President. I do not have the full list of
2 responsibilities of election inspectors in front
3 of me, so give me one moment.

4 (Pause.)

5 SENATOR GONZALEZ: Through you,
6 Mr. President, I want to be clear that asking for
7 identification is not an instance of intimidation
8 under the language of this bill. When it comes
9 to voting, certainly it is not required to carry
10 out that civic duty.

11 And ultimately, if there was a
12 lawsuit brought to court, it would be for the
13 judge to decide if there was additional details
14 to that case that would somehow take that
15 question being asked and make it an instance of
16 intimidation and harassment.

17 So without those additional details
18 certainly could not -- you know, it would be
19 litigated, and I'm not able to use hypotheticals
20 to define what is happening in this bill.

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

23 ACTING PRESIDENT BAILEY: Will the
24 sponsor yield?

25 SENATOR GONZALEZ: I do.

1 ACTING PRESIDENT BAILEY: The
2 sponsor yields.

3 SENATOR WALCZYK: So you can see a
4 scenario, from your answer that you just gave,
5 where an elections inspector -- it's their job to
6 make sure that everything is good in the polling
7 site -- asks a poll worker for identification to
8 prove that they should be a poll worker within
9 that municipality or within that county, and then
10 gets sued for intimidation, and it would just be
11 up to the courts.

12 SENATOR GONZALEZ: Through you,
13 Mr. President. We can spend the entire evening
14 coming up with hypothetical situations.

15 What this bill ultimately does is
16 allow for election officers to bring their --
17 raise their issues in court and, again, for a
18 real legal proceeding to happen with -- that is
19 informed by all the details of a situation.

20 Certainly, you know, there is a
21 universe of hypotheticals that could happen. But
22 I just want to be clear that is not -- we are not
23 determining the outcomes of those cases in this
24 bill. We are certainly allowing those cases,
25 though, to be brought forward.

1 SENATOR WALCZYK: I'll belabor
2 that -- through you, Mr. President, will the
3 sponsor continue to yield?

4 ACTING PRESIDENT BAILEY: Does the
5 sponsor yield?

6 SENATOR GONZALEZ: I do.

7 ACTING PRESIDENT BAILEY: The
8 sponsor yields.

9 SENATOR WALCZYK: So we just passed
10 a bill that we continually pass in this chamber
11 for early voting sites that can pop up around a
12 county or a municipality during early voting.

13 The sponsor in the past has
14 mentioned shopping malls and Walmart parking lots
15 or even large businesses in an area where
16 population density may make sense for county
17 board of elections to have one of those pop-up
18 polling sites. Which would -- once it's a
19 polling site, it would be subjected to sensitive
20 areas legislation prohibiting firearms. We
21 talked about this a little bit earlier in our
22 debate.

23 So if your bill becomes law and that
24 bill becomes law, someone -- am I understanding
25 this correctly, if you popped up a polling site

1 in a shopping plaza parking lot, someone could
2 actually be sued for carrying a firearm in that
3 shopping plaza parking lot if a poll worker or
4 any elections official feels intimidated that
5 there's a firearm in that parking lot?

6 SENATOR GONZALEZ: Through you,
7 Mr. President. The language describes intent,
8 which is a very normal thing for the courts to,
9 again, decide.

10 I could imagine a situation where
11 someone's walking to their car and there is
12 clearly no intent. But if the person is at the
13 portable polling place and they are actively
14 harassing other voters or election officers, then
15 there could be a case that their intent was to
16 bring a firearm to that polling site and then of
17 course harass and intimidate.

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

20 ACTING PRESIDENT BAILEY: Thank
21 you, Senator Walczyk.

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

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

1 Read the last section.

2 THE SECRETARY: Section 9. This
3 act shall take effect on the 180th day after it
4 shall have become a law.

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Senator
9 Skoufis to explain his vote.

10 SENATOR SKOUFIS: Thank you very
11 much, Mr. President.

12 There was a lot of Q&A there,
13 obviously. But I think one of the most important
14 questions that was not asked was why is this bill
15 needed? When did this all start really
16 happening?

17 It started happening six years ago.
18 Well, five years and three months ago. Prior to
19 that, people went and voted, they got their
20 sticker, they went back home, they watched the
21 election results, and they accepted whether their
22 candidate won or lost. BOE workers weren't
23 assaulted. Election inspectors didn't have their
24 lives threatened, their family's lives
25 threatened.

1 This started because we had a
2 sitting president, an outgoing president -- a
3 lot's been talked about trust in elections. This
4 started because the most powerful individual in
5 the world became a sore loser and determined he
6 was going to tell all of his supporters the
7 election was stolen.

8 And who steals elections? The
9 people administering the elections. That's why
10 this bill's needed. If not for that, this bill
11 would not be needed. We would not be talking
12 about this.

13 In Maricopa County in Arizona, after
14 the election the BOE workers had to be sent to
15 undisclosed locations. That's not happenstance.
16 That happened for a reason.

17 So when you talk about people
18 wanting a voting system they can trust, that was
19 almost verbatim, what we just heard from our
20 colleague across the aisle. This has nothing to
21 do with vacation homes, nothing to do with these
22 other things we're talking about. The reason why
23 some people don't trust electoral outcomes is
24 because of that election and what transpired
25 after it.

1 There's no one who's casting a vote
2 at a polling place, then going to the bathroom
3 and putting on a fake moustache to cast a second
4 vote. That stuff doesn't happen. There aren't
5 millions of people here illegally casting votes.

6 You talk about trust? You get trust
7 back in our elections system by standing up and
8 denouncing those lies.

9 In the meantime, we have to protect
10 our workers who are administering these elections
11 and facing these lies and facing the threats that
12 come from them.

13 I vote yes.

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

16 Senator Gonzalez to explain her
17 vote.

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

20 I want to thank the leader and
21 certainly my conference for their support of this
22 bill.

23 There are 40 states that have
24 similar legislation that have felt the need in
25 the last especially five, going on six years to

1 protect their election officers. Because of the
2 increase in threats I mentioned earlier, we have
3 seen a wave of retirements and election officers
4 resigning from their positions.

5 And we want to make it clear here in
6 New York that if you want to be a part of our
7 democratic process, that we have your back. That
8 you should not come to work and feel that your
9 life will be threatened, that those around you
10 will be targeted.

11 And in this digital age where we
12 have social media, it is important to meet the
13 moment and create a standard for how that
14 information is distributed online. And that is
15 exactly what this bill does.

16 I am so proud that we are showing
17 election officers that we care about their
18 safety. But I echo my colleague's sentiment that
19 it is a true sign of the times that we need bills
20 like this in the first place.

21 So I look forward, based on the
22 robust debate from this chamber, to really engage
23 in what it means to combat misinformation, to
24 what it means to combat hate, what it means to
25 make sure our elections are truly protected and

1 all New Yorkers can vote freely and fairly.

2 So thank you, Mr. President. And
3 again, I want to thank the leader for this
4 election package today. It is significantly
5 important in this moment.

6 Thank you.

7 ACTING PRESIDENT BAILEY: Senator
8 Gonzalez to be recorded in the affirmative.

9 Senator Borrello to explain his
10 vote.

11 SENATOR BORRELLO: You know, I
12 wasn't looking to go down this road today, but
13 here we are.

14 You know, a recent poll showed that
15 one in four people that are self-identified
16 liberals believe that it's okay to use violence
17 to justify a political cause. One in four people
18 that are willing to tell a stranger on the phone
19 that they are willing to commit acts of violence
20 to support their political cause.

21 So don't sit here and preach to me
22 about what's going on when one in four people,
23 self-identified liberal, think it's okay to
24 commit acts of violence.

25 And we've seen those acts of

1 violence. We see them every day on TV. I will
2 not be lectured to about this.

3 This is about doing the right thing
4 at the right time. It has nothing to do with
5 grandstanding. I'm voting no.

6 Thank you.

7 ACTING PRESIDENT BAILEY: Senator
8 Borrello to be recorded in the negative.

9 Senator Walczyk to explain his vote.

10 SENATOR WALCZYK: I appreciate
11 the -- well, I don't really appreciate the
12 history lesson from my colleague across the
13 aisle. I think it was a presidential candidate,
14 Hillary Clinton, who called the president of the
15 United States an illegitimate president, based on
16 the results of an election by the American
17 people.

18 So I think it cuts both ways, and
19 that's dishonest. I would love to see better
20 policy in New York State that doesn't have
21 New Yorkers questioning our elections. That's
22 why I debated that bill, and that bill, and that
23 bill, and that bill.

24 New Yorkers aren't standing up and
25 saying, We need a bunch of changes to election

1 law every 10 minutes, and every new legislative
2 session, and we need an Elections Committee
3 meeting announcement on a Sunday night for a
4 Monday debate in the New York State Senate to
5 just jam it right through. We've got to get that
6 elections policy right in on the first day, with
7 a bunch of stuff that makes it much more
8 confusing and only causes voters to ask a lot
9 more questions about the process.

10 I certainly have a lot more
11 questions about the process after today. And if
12 these bills become law, we'll have many more.

13 That's not how you build faith in
14 our elections. So I would ask you to take a look
15 in the mirror and lead on this issue.

16 Thank you, Mr. President. I vote
17 no.

18 ACTING PRESIDENT BAILEY: Senator
19 Walczyk to be recorded in the negative.

20 Senator Rhoads, please sit.

21 Senator Fahy to explain her vote.

22 SENATOR FAHY: Thank you. Thank
23 you, Mr. President. Appreciate this opportunity.

24 I believe this country -- one of the
25 fundamental principles that this country is based

1 on is the power to govern, which is derived from
2 people and that right to cast a vote.

3 I want to commend the sponsor on
4 this bill because I do think it's important, for
5 far too many Americans have suffered many decades
6 ago. And then six years ago it seems as if we
7 have started these intimidation practices again
8 and we are seeing an increase in those
9 intimidations and threats.

10 Times have changed. This use of --
11 by our president and others using violent
12 language to condemn Americans and to condemn our
13 elections, at times questioning them -- which
14 has, again, culminated in the attack on
15 January 6th in 2021 -- we have since seen
16 election commissioners, officials, public
17 servants who are regularly facing threats,
18 threats to their work, to their family, and to
19 more. The stats have been rather astounding.

20 And I do think as long as we are
21 going to see this type of debate where we are
22 demonizing workers, demonizing other Americans,
23 we do need to stand up. We do need to call this
24 out. And again, whether it is misinformation or
25 rhetoric coming from the highest levels, highest

1 offices, we've got to protect our elections,
2 protect our civil servants.

3 And I'm proud to vote in the
4 affirmative. Thank you.

5 ACTING PRESIDENT BAILEY: Senator
6 Fahy to be recorded in the affirmative.

7 Senator Rhoads now to explain his
8 vote.

9 SENATOR RHOADS: Thank you,
10 Mr. President.

11 I find it odd that we're talking
12 about intimidation of workers, particularly from
13 the party that continues to demonize law
14 enforcement, continues to demonize Immigration
15 and Custom Enforcement, continues to demonize
16 correction officers in the State of New York,
17 which has happened on a regular basis, not only
18 outside of this chamber but even inside of this
19 chamber by members from the -- from my colleagues
20 from the other side of the aisle.

21 We all want to protect our election
22 workers. But the one thing -- even today, the
23 one thing that voters agree on is the fact that
24 the one thing that would secure integrity in our
25 elections is voter identification.

1 And my colleagues on the other side
2 of the aisle unanimously voted against an
3 amendment that would have provided voter I.D.,
4 something that 80 percent of New Yorkers have
5 asked for to secure election integrity in their
6 minds, assuaging their fears.

7 And what we have in this particular
8 bill -- and the reason that I'm voting against
9 it, Mr. President -- is the fact that not that we
10 don't want to protect election workers, but that
11 you have created an open-ended definition of
12 intimidation which is going to lead to a flood,
13 potentially, of litigation, putting people who
14 are simply doing their jobs, like poll workers
15 and election inspectors, potentially at risk of
16 having to be dragged into court for some simple
17 questioning or asking somebody for their
18 identification or simply asking that -- if they
19 believe that a voter, for example, may not be
20 registered, they believe that there's some
21 process as part of their job that they're
22 supposed to challenge as an election inspector,
23 if the poll worker feels intimidated by that,
24 now will be dragged into court, forced to
25 actually hire counsel, and forced to defend

1 themselves in a lengthy civil court proceeding
2 facing potential punitive damages.

3 That's why I'll be voting no,
4 Mr. President.

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

7 Senator Stec to explain his vote.

8 SENATOR STEC: You know, I wish
9 that I thought there was some sincerity that I
10 heard today about worrying about our --
11 protecting our government officials.

12 I want to know where that mindset
13 was last year when numerous occasions throughout
14 the entire session a lot of us, myself
15 included -- myself especially -- begged for a
16 little concern for our government officials that
17 work in our prison systems. Where's the concern
18 for their safety?

19 Now we're going to provide
20 provisions in this law to protect government
21 officials' identity and conceal them? We're
22 worried about their privacy? Somehow I know that
23 we're going to be talking about other government
24 officials in the very near future and about their
25 identities and about protecting their rights and

1 their safety and their privacy.

2 And I'm wondering how that
3 discussion's going to go. But I think I know.
4 I'm sorry: Hollow at best, hypocritical probably
5 more accurate.

6 I'm voting no.

7 ACTING PRESIDENT BAILEY: Senator
8 Stec to be recorded in the negative.

9 Senator Weik to explain her vote.

10 SENATOR WEIK: You know, today I
11 have heard a very shortsighted recollection of
12 history only going back six years. As if this
13 country has never, ever witnessed intimidation in
14 the polling place or people who are very, very
15 divided. I'm sure during the Vietnam era we had
16 that at the polling places all the time, and
17 counting back even further in history. So to say
18 it only goes back six years is very, very
19 shortsighted.

20 This bill has a very vague
21 definition of intent and intimidation. And its
22 primary focus is on bringing about civil action
23 at the polling place, which in itself is
24 intimidating to pollers -- to voters going to a
25 polling place, knowing that if they open their

1 mouth and they spark some kind of argument, they
2 are then able to become victims of a civil suit.

3 This bill does nothing but create
4 more regulations. It oppresses voters. And
5 there is a simple solution. You can simply bring
6 law enforcement in to make sure that we're using
7 already existing power of law enforcement to
8 safeguard those individuals.

9 And for these reasons I'm voting no.

10 ACTING PRESIDENT BAILEY: Senator
11 Weik to be recorded in the negative.

12 Senator Gianaris to close.

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

15 I wasn't going to speak on this, but
16 now I feel like I must.

17 I heard some of my colleagues across
18 the aisle talk about -- God knows where the
19 information is from, but, you know, free speech,
20 you can say what you want -- that 25 percent of a
21 self-identified, you know, certain ideology
22 supports violence. I think that's nonsense.

23 But also I will not sit here and
24 listen to that kind of talk when I didn't hear
25 anything -- not even not hear anything, but the

1 people on the other side of the aisle and those
2 they support pardoned dozens of people who
3 committed actual violence in the Capitol
4 Building, not unlike the one we're sitting in.

5 So please, give it a rest when
6 you're talking about who supports political
7 violence. Nobody on the other side is letting
8 people off the hook for that kind of violence
9 after they've been convicted. So give me a large
10 break about who supports violence and who doesn't
11 and which people in power are sanctioning
12 violence and which are not.

13 And as for another piece of carping
14 that I heard during this discussion in terms of
15 when bills are taken up and when they're not, I
16 think I remind my colleagues often: You want to
17 control the agenda here? Go win the elections.

18 But you don't, because the people of
19 this state are expressing themselves every two
20 years, and they'll do so again. And what they've
21 done is elected a historically large majority on
22 this side of the aisle precisely so we can make a
23 decision about which bills will pass, when they
24 will pass, and why they will pass.

25 So vote no as you're entitled to.

1 These bills -- this bill will pass, I'm sure, as
2 it should. And we'll continue governing the way
3 we see fit.

4 Thank you, Mr. President. I vote
5 aye.

6 ACTING PRESIDENT BAILEY: Senator
7 Gianaris to be recorded in the affirmative.

8 Announce the results.

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

15 Ayes, 40. Nays, 19.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

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

20 SENATOR GIANARIS: Mr. President,
21 on behalf of Majority Leader Stewart-Cousins I
22 hand up the following committee assignments for
23 the Majority Conference and ask that they be
24 filed in the Journal.

25 ACTING PRESIDENT BAILEY: The

1 handup is received and shall be filed in the
2 Journal.

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

5 ACTING PRESIDENT BAILEY: There is
6 no further business at the desk.

7 SENATOR GIANARIS: I move to
8 adjourn until tomorrow, Tuesday, January 13th, at
9 11:00 a.m.

10 ACTING PRESIDENT BAILEY: On
11 motion, the Senate stands adjourned until
12 Tuesday, January 13th, at 11:00 a.m.

13 (Whereupon, at 5:28 p.m., the Senate
14 adjourned.)

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