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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 30, 2026

3:26 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT PERSAUD: The
3 Senate will come to order.

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

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

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

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

13 ACTING PRESIDENT PERSAUD: Reading
14 of the Journal.

15 THE SECRETARY: In Senate, Friday,
16 March 27, 2026, the Senate met pursuant to
17 adjournment. The Journal of Thursday, March 26,
18 2026, was read and approved. On motion, the
19 Senate adjourned.

20 ACTING PRESIDENT PERSAUD: Without
21 objection, 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 Madam President.

8 I have amendments to the following
9 Third Reading Calendar bills:

10 By Senator Krueger, page 16,
11 Calendar Number 450, Senate Print 2224A;

12 And by Senator Harckham, page 17,
13 Calendar Number 464, Senate Print 4033B.

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

17 Senator Gianaris.

18 SENATOR GIANARIS: Please recognize
19 Senator Scarcella-Spanton for an introduction.

20 ACTING PRESIDENT PERSAUD: Senator
21 Scarcella-Spanton for an introduction.

22 SENATOR SCARCELLA-SPANTON: Thank
23 you, Madam President.

24 It is my honor to introduce Dr. Amit
25 Verma, his two daughters, his mother, and his

1 in-laws to Albany today.

2 They are actually lucky enough to be
3 represented by Senator Mayer, who's here with us
4 as well.

5 Dr. Verma is the chair of the
6 Department of Oncology and associate director,
7 Translational Science, Montefiore Einstein
8 Comprehensive Cancer Center, and professor of
9 Medical Oncology and professor of
10 Developmental and Molecular Biology at the
11 Albert Einstein College of Medicine.

12 In 2022, through a New York State
13 grant that the Albert Einstein College of
14 Medicine received for groundbreaking research
15 that produced compelling, actionable results, led
16 by Dr. Verma and Dr. David Presan, which
17 successfully sequenced blood samples from over a
18 thousand World Trade Center exposed first
19 responders, including firefighters, police
20 officers, many of whom have been U.S. military
21 veterans.

22 First responders with these
23 mutations were nearly six times more likely to
24 develop leukemia.

25 This study had an immediate clinical

1 impact. First responders identified with the
2 mutation were immediately contacted and referred
3 for comprehensive medical evaluation, enabling
4 early detection, enhanced monitoring, and timely
5 intervention.

6 On a personal note, I will say I
7 have three uncles, two of which were police
8 officers, one of which was an FDNY -- he was an
9 FDNY Rescue Five on Staten Island. My uncle
10 Larry Sullivan passed away from a 9/11-related
11 cancer.

12 So I want to say thank you for your
13 work and helping families to avoid the tragedy
14 that my family had faced. We know that early
15 detection is key in making sure people get the
16 treatment that they need.

17 So with that, we are honored to have
18 Dr. Verma with us today to share his expertise
19 and insight. Please join me in welcoming
20 Dr. Verma and his wonderful family today.

21 ACTING PRESIDENT PERSAUD: Thank
22 you, Senator.

23 To Dr. Verma and family, we welcome
24 you on behalf of the Senate. We extend to you
25 the privileges and courtesies of this house.

1 Thank you for your service.

2 Please continue standing and be
3 recognized.

4 (Standing ovation.)

5 ACTING PRESIDENT PERSAUD: Senator
6 Gianaris.

7 SENATOR GIANARIS: Please take up
8 previously adopted Resolution 1707, by
9 Senator Fernandez, read its title and recognize
10 Senator Fernandez.

11 ACTING PRESIDENT PERSAUD: The
12 Secretary will read.

13 THE SECRETARY: Resolution 1707, by
14 Senator Fernandez, memorializing Governor Kathy
15 Hochul to proclaim March 2026 as Problem Gambling
16 Awareness Month in the State of New York.

17 ACTING PRESIDENT PERSAUD: Senator
18 Fernandez on the resolution.

19 SENATOR FERNANDEZ: Thank you,
20 Madam President.

21 Thank you to this floor for even
22 though we're in the last days of March,
23 March 2025 and so on should be recognized, will
24 be recognized after the passage of this
25 resolution for -- to be Gambling Awareness Month.

1 There are some proposals that we're
2 looking at right now as we go through our budget.
3 Now that we have three new casinos coming, this
4 should be a top priority of awareness, making
5 sure that we are investing in programs that can
6 help people overcome addiction.

7 As we look at options to raise
8 revenue, let's be aware of some of the concerns
9 and harms that still lie with access to online
10 betting and everything related.

11 So this month, please be aware.
12 Please remember those that do suffer, that this
13 is not a harmless addiction. Because at the
14 worst of it, we might lose somebody to self-harm,
15 to suicide, should the gambling addiction get
16 worse.

17 So this is an important awareness to
18 have, and I'm grateful to this body for
19 supporting it. And let's continue to be mindful
20 of the investments that we're negotiating in the
21 next couple of days.

22 Thank you. I support it.

23 ACTING PRESIDENT PERSAUD: Thank
24 you, Senator.

25 The resolution was adopted on

1 March 10th.

2 Senator Gianaris.

3 SENATOR GIANARIS: At this time
4 please recognize Senator Rolison for an
5 introduction.

6 ACTING PRESIDENT PERSAUD: Senator
7 Rolison for an introduction.

8 SENATOR ROLISON: Thank you,
9 Madam President.

10 And I want to thank Senator Gianaris
11 for -- this is a late-addition introduction, but
12 nonetheless one that is very important for us to
13 be able to have the opportunity to recognize
14 today.

15 Today we're joined by the Youth
16 Leadership in Government program from the City of
17 Poughkeepsie. It start in 2025, under the
18 leadership of Mayor Yvonne Flowers, who is here
19 today, and Karen Williams, who is the director of
20 Youth Services for the City of Poughkeepsie.

21 I've had the opportunity to meet
22 with this group before, in-district, and today
23 they're here at the Capitol. They met earlier
24 this morning with Assemblyman Jonathan Jacobson,
25 and then they came over and had the opportunity

1 to speak with me upstairs in the office and then
2 came down to the Senate floor.

3 And what this government leadership
4 class does is give students the opportunity to
5 understand what we're doing here, what other
6 levels of government are doing, and the fact that
7 they can do it too. You absolutely can.

8 And they're making a difference even
9 before getting elected to office. They're making
10 a difference in finding out about government,
11 community service, nonprofit organizations are
12 the very fabric of our communities and of course
13 our Senate districts.

14 So just honored, Madam President, to
15 have them here today. I know we say this a lot,
16 but we also mean it a lot. These individuals are
17 the future of our communities, they are the
18 future of our governments. But really, you know,
19 they are our future.

20 And, Madam President, would you
21 please extend the courtesies of this house to
22 this fantastic group, led by a fantastic mayor in
23 Mayor Yvonne Flowers.

24 ACTING PRESIDENT PERSAUD: Thank
25 you, Senator.

1 To our student government leaders,
2 future leaders of our state, we welcome you on
3 behalf of the Senate. We extend to you the
4 privileges and courtesies of this house.

5 Please rise and be recognized.

6 (Standing ovation.)

7 ACTING PRESIDENT PERSAUD: Senator
8 Gianaris.

9 SENATOR GIANARIS: Madam President,
10 today's resolution sponsors would like to open
11 them for cosponsorship.

12 ACTING PRESIDENT PERSAUD: The
13 resolutions are open for cosponsorship. Should
14 you choose not to be a cosponsor, please notify
15 the desk.

16 Senator Gianaris.

17 SENATOR GIANARIS: Please take up
18 the calendar.

19 ACTING PRESIDENT PERSAUD: The
20 Secretary will read.

21 THE SECRETARY: Calendar Number
22 114, Senate Print 1688, by Senator Skoufis, an
23 act to amend the Executive Law.

24 ACTING PRESIDENT PERSAUD: Read the
25 last section.

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

3 ACTING PRESIDENT PERSAUD: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PERSAUD: Senator
7 Borrello to explain his vote.

8 SENATOR BORRELLO: Thank you,
9 Madam President.

10 I rise to vote yes on this bill, and
11 also I want to thank Senator Skoufis for
12 introducing this for I think the sixth time now.

13 But I also want to take this moment
14 to recognize a now late member of the
15 Tuskegee Airmen, also a resident in my
16 Senate district.

17 Wallace "Wally" Higgins, of
18 Allegany County, was among a distinguished group
19 of American heroes. Wally Higgins was one of the
20 original Tuskegee Airmen, part of a historic
21 generation of Black servicemen who answered their
22 country's call at a time when the same country
23 was still marked by segregation and
24 discrimination.

25 He was recruited into the Army in

1 1943 before he could even finish high school.
2 Wally was then sent south for training, where he
3 was selected for the Tuskegee program.

4 He completed the flight training at
5 Tuskegee and later served in the Pacific in
6 Saipan and Okinawa, helping build roads,
7 airfields, and other infrastructure critical to
8 America's war effort.

9 His life reminds us that the story
10 of the Tuskegee Airmen is not just one of
11 military excellence, but also of patriotism,
12 perseverance, and dignify in the face of
13 injustice.

14 After the war, Wally continued
15 serving others as a professor at
16 Alfred University, a community volunteer, and a
17 civic leader in Allegany County. He received a
18 Congressional Gold Medal, was inducted into the
19 New York State Veterans Hall of Fame by my
20 predecessor, Cathy Young, and earned the respect
21 of everyone who knew him.

22 Establishing Tuskegee Airmen
23 Commemoration Day ensures that men like
24 Wally Higgins are not forgotten and that
25 future generations understand both what they

1 overcome and what they achieved for this nation.
2 It's really about time that we gave these heroes
3 the recognition that they deserve here in
4 New York State.

5 And again, thank you for this bill.

6 ACTING PRESIDENT PERSAUD: Thank
7 you.

8 Senator Borrello to be recorded in
9 the affirmative.

10 Announce the results.

11 THE SECRETARY: Ayes, 56.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 192, Senate Print 1514, by Senator Harckham, an
16 act to amend the Labor Law.

17 SENATOR LANZA: Lay it aside.

18 ACTING PRESIDENT PERSAUD: Lay it
19 aside.

20 THE SECRETARY: Calendar Number
21 201, Senate Print 524A, by Senator Mayer, an act
22 to amend the Penal Law.

23 ACTING PRESIDENT PERSAUD: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT PERSAUD: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT PERSAUD: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 201, voting in the negative:
9 Senator Brisport.

10 Ayes, 55. Nays, 1.

11 ACTING PRESIDENT PERSAUD: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 383, Senate Print 707A, by Senator May, an act to
15 amend the Public Health Law.

16 ACTING PRESIDENT PERSAUD: Read the
17 last section.

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

20 ACTING PRESIDENT PERSAUD: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 383, voting in the negative are
2 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
3 Chan, Gallivan, Griffio, Martins, Mattera,
4 Palumbo, Rhoads, Stec, Tedisco, Walczyk and Weik.

5 Ayes, 42. Nays, 14.

6 ACTING PRESIDENT PERSAUD: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 494, Senate Print 7160, by Senator Cleare, an act
10 to amend the Elder Law.

11 ACTING PRESIDENT PERSAUD: Read the
12 last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Announce
19 the results.

20 THE SECRETARY: Ayes, 56.

21 ACTING PRESIDENT PERSAUD: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 508, Senate Print 5563, by Senator Mayer, an act
25 to amend the General Municipal Law.

1 ACTING PRESIDENT PERSAUD: Read the
2 last section.

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

6 ACTING PRESIDENT PERSAUD: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT PERSAUD: Announce
10 the results.

11 THE SECRETARY: Ayes, 56.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 519, Senate Print 6482, by Senator Webb, an act
16 to amend the Education Law.

17 ACTING PRESIDENT PERSAUD: Read the
18 last section.

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

22 ACTING PRESIDENT PERSAUD: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT PERSAUD: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 519, voting in the negative are
4 Senators Canzoneri-Fitzpatrick, Martins, Mattera,
5 Palumbo, and Ryan. Ayes, 51. Nays, 5.

6 Oh, excuse me. Also Senators Rhoads
7 and Weik.

8 Ayes, 49. Nays, 7.

9 ACTING PRESIDENT PERSAUD: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 567, Senate Print 1015, by Senator Brouk, an act
13 to amend the Estates, Powers and Trusts Law.

14 ACTING PRESIDENT PERSAUD: Read the
15 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 56.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 568, Senate Print 3690A, by Senator Sanders, an
4 act to amend the Lien Law.

5 ACTING PRESIDENT PERSAUD: Read the
6 last section.

7 THE SECRETARY: Section 3. This
8 act shall take effect --

9 SENATOR LANZA: Lay it aside.

10 ACTING PRESIDENT PERSAUD: Lay it
11 aside.

12 THE SECRETARY: Calendar Number
13 573, Senate Print 2091, by Senator Kavanagh, an
14 act to amend the Executive Law.

15 ACTING PRESIDENT PERSAUD: Read the
16 last section.

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

19 ACTING PRESIDENT PERSAUD: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT PERSAUD: Announce
23 the results.

24 THE SECRETARY: Ayes, 56.

25 ACTING PRESIDENT PERSAUD: The bill

1 is passed.

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

4 SENATOR GIANARIS: Madam President,
5 before we move on to the controversial calendar,
6 please recognize Senator Fahy for an
7 introduction.

8 ACTING PRESIDENT PERSAUD: Senator
9 Fahy for an introduction.

10 SENATOR FAHY: Thank you,
11 Madam President.

12 It's with great honor today, and I
13 hope you'll join me in recognizing the
14 Guilderland High School Girls Track Team.

15 If you would stand, please.

16 This is at least a part of the team,
17 the Flying Dutch, who just had an extraordinary
18 victory in the Division I, Section 2 Indoor Track
19 & Field Championship in Boston last month.

20 The Guilderland Girls Track Team
21 finished first. They set a new record time of
22 3 minutes and 56 seconds to win the 1600-meter
23 sprint medley relay.

24 And both of my children ran track in
25 high school, and I know that this is an

1 extraordinary record. Couldn't be more pleased
2 to have them here today.

3 They beat the second-place team by a
4 seventh of a second, which is huge.

5 We're joined today by Fiona
6 McCarthy, if you'd wave a little; Parker Steele;
7 Lauren Burnash; as well as Addison Vellekoop.

8 Two of them will be going on to run
9 Division I track: Parker Steele will be running
10 with Michigan State, and Addison will be running
11 with Syracuse University.

12 They are also joined by two rather
13 remarkable coaches: Coach Chris Scanlan, as well
14 as Coach Dave Kosier, who also join us here
15 today.

16 They were the only public school in
17 their heat at the race. They are now
18 All-Americans. They hold the school record.
19 They hold the fastest time in Section 2 history.
20 And they hold the New York State record, and
21 they're first in the entire country in the
22 1600 sprint medley relay.

23 It's truly quite remarkable. My
24 daughter would be rather envious, I think. I'm
25 not sure she hit that time in college.

1 But this really is an extraordinary
2 achievement. The Guilderland community could not
3 be prouder, but the whole Capital Region really
4 acknowledges this extraordinary achievement.

5 And Madam President, if you would
6 please join me in welcoming these extraordinary
7 young women and their coaches.

8 ACTING PRESIDENT PERSAUD: Thank
9 you.

10 To the Guilderland High School Track
11 and Field champions, congratulations on your
12 championship.

13 I welcome you on behalf of the
14 Senate. We extend to you the privileges and
15 courtesies of this house.

16 Continued success to you. Please --
17 (Standing ovation.)

18 ACTING PRESIDENT PERSAUD: Senator
19 Gianaris.

20 SENATOR GIANARIS: And now the
21 controversial calendar, please.

22 ACTING PRESIDENT PERSAUD: The
23 Secretary will ring the bell.

24 The Secretary will read.

25 THE SECRETARY: Calendar Number

1 192, Senate Print 1514, by Senator Harckham, an
2 act to amend the Labor Law.

3 ACTING PRESIDENT PERSAUD: Senator
4 Stec, why do you rise?

5 SENATOR STEC: Thank you,
6 Madam President. If the sponsor will yield for a
7 few questions, please.

8 ACTING PRESIDENT PERSAUD: Will the
9 sponsor yield?

10 SENATOR HARCKHAM: Absolutely,
11 Madam President.

12 ACTING PRESIDENT PERSAUD: The
13 sponsor yields.

14 SENATOR STEC: Thank you,
15 Madam President. Through you.

16 Senator Harckham, thank you. I know
17 that you and I have talked about this bill
18 offline a couple of times this session, and I
19 thank you for your efforts in meeting with some
20 of the constituent businesses that I brought to
21 your attention that had issues with this.

22 So, I mean, my questions really are
23 in that vein. We've laid this bill aside before,
24 hoping to make some modifications to it. I'm
25 concerned about a one-size-fits-all approach.

1 I certainly understand that there
2 are industries that have certain problems that
3 the bill is trying to address with who is an
4 employee versus who is a contractor. And I can
5 understand looking for a hammer to tap down on
6 some of the bad actors and the glaring problems
7 is called for, and I support that.

8 However, specifically the concerns I
9 have are in that last-mile courier. A business
10 in my district has expressed concerns last year
11 and again more recently this session about, you
12 know, finding themselves in a spot. They are
13 moving life-saving medicines with shelf lives
14 and, you know, need to be temperature-controlled.
15 And, you know, they are literally a Johnny on the
16 spot to move important medical supplies.

17 And if somebody makes an accusation
18 that, hey, this person isn't a contractor,
19 they're an employee -- which again, in that
20 industry, it's the nature of their industry that
21 a lot of them are indeed contractors. But all it
22 takes is one complaint, and now that business is
23 on the hook to resolve this in 72 hours or they
24 could be shut down.

25 And the concern is that these

1 medicines that need to get moved, they're going
2 to simply relocate to another courier and it's
3 not going to be a three-or-four-day shutdown
4 until you get it resolved and then go back to
5 work. It can potentially bankrupt these last --
6 this segment of all employers.

7 So my question is, have you met
8 recently with -- I know NFIB has put out a memo
9 in opposition, I think largely due to these kinds
10 of concerns. What is the status of, you know,
11 the conversations you've had with the people that
12 I'm talking about? And is there a hope of
13 further tweaking this so that we -- again, I'm
14 looking -- I'm afraid we're going to catch fish
15 in this net that we don't intend to catch.

16 Thank you.

17 SENATOR HARCKHAM: Thank you,
18 Madam President.

19 And thank you, Senator, for the
20 meetings, for the discussion. There's a lot to
21 unpack in your question there.

22 So if I may -- and thank you,
23 Madam President -- that while yes, we talk about
24 misclassification primarily in the context of the
25 construction industry, the Department of Labor

1 estimates, Madam President, that 870,000 workers
2 in New York State are misclassified. Which is I
3 think, you know, a broad swath of workers.

4 And I think one of the reasons why
5 we passed this bill unanimously last year is that
6 this bill resonates with all of us and through
7 our organized labor contacts.

8 But I think the important thing to
9 recognize is that there is a process here, that
10 someone is not just going to show up one day and
11 shut a business down, whether they be a last-mile
12 courier or whether they be a construction site.

13 There will be an investigation
14 first. And the standard is knowingly
15 misclassified. So if we're talking in the
16 courier spaces, someone's a contractor, you've
17 got, you know, bring someone in for a day to
18 replace someone -- you know, we understand those
19 things happen. That's not knowingly
20 misclassifying. Right?

21 What the Department of Labor is
22 going to look for is a pattern, and then they
23 will inform that employer that they do indeed
24 have a finding and they have 72 hours to cure
25 that finding.

1 So if it's a group of employees, get
2 them paid. If it's a group of couriers, get them
3 reclassified. You've got three business days to
4 do that, 72 hours.

5 So in fact I did meet -- to your
6 question have I continued to meet, I had a
7 meeting with the last-mile couriers' lobbyist
8 today. It goes to prove there's a lobbying group
9 for everyone. The last-mile couriers -- as they
10 should. They should have representation too. We
11 met with them.

12 But at the end of the day I feel
13 comfortable that there's enough due process in
14 here to protect the businesses. Because we don't
15 want to throw the baby out with the bathwater, as
16 you said. And that phrase "knowingly
17 misclassified" I think is where the good actors
18 can hang their hat.

19 SENATOR STEC: Thank you.

20 Madam President, briefly on the
21 bill.

22 ACTING PRESIDENT PERSAUD: Senator
23 Stec on the bill.

24 SENATOR STEC: Thank you,
25 Madam President.

1 Thank you, Senator Harckham, for
2 that answer and for your efforts on this.

3 I hope you're right. I just -- I've
4 seen how our state agencies sometimes will take
5 the law as written. They're not necessarily
6 there when it's drafted; they're not necessarily
7 reading the debate or, you know, they don't have
8 a window into the sponsor's intent.

9 My concern is that, you know, there
10 will be debate over what is or isn't intentional.
11 Lawyers get involved. And asking a business, a
12 small business to rectify something in 72 hours
13 or you're going to lose all your business and
14 potentially not survive that closure, I think --
15 I'm a little concerned about it.

16 I wholeheartedly agree that there's
17 need for this elsewhere, which is why I voted in
18 favor of it last year, as we all did. But having
19 this come to light, I'm concerned that it's a
20 little too broad for now.

21 I hope that, you know, in the
22 legislative process with our partners down the
23 hall maybe further amendments will be worked in.
24 But until that happens, because of the concerns I
25 have expressed, I'm going to be no on this bill.

1 But again, recognizing that the bill
2 does achieve a lot of other necessary things, and
3 I appreciate your effort.

4 Thank you.

5 ACTING PRESIDENT PERSAUD: Thank
6 you, Senator.

7 Are there any other Senators wishing
8 to be heard?

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

11 Read the last section.

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

15 ACTING PRESIDENT PERSAUD: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT PERSAUD: Senator
19 Ramos to explain her vote.

20 SENATOR RAMOS: Yeah, thank you,
21 Senator Persaud -- Madam President.

22 I rise to applaud my colleague
23 Senator Harckham on this bill, and I really pray
24 that it becomes law.

25 This is really about leveling the

1 playing field for good business. We want bad
2 businesses to close. And if they are indeed
3 misclassifying their workers purposefully, well,
4 we want to make sure that they are being held
5 accountable to the letter of the law.

6 We in fact have several bills
7 working through the Labor Committee and through
8 the Legislature on this topic, and we want to
9 make sure that workers have real tools in order
10 to pursue the justice that they deserve.

11 I really believe that enforcement of
12 misclassification of workers isn't even just
13 enough alone. We want to be able to make sure
14 that there are clear standards in order for these
15 workers to be able to regain the rights and
16 perhaps even pay, or other recourse, so that
17 they're able to be restored as the real employees
18 they are.

19 There are far too many industries
20 specifically in the digital age that are taking
21 advantage of this misclassification. And it is
22 my hope that in this Legislature, and with the
23 Governor's help, we'll be able to right the
24 wrongs in the economy and make sure every worker
25 is protected.

1 Thank you.

2 ACTING PRESIDENT PERSAUD: Thank
3 you.

4 Senator Ramos to be recorded in the
5 affirmative.

6 Senator Martins to explain his vote.

7 SENATOR MARTINS: Thank you,
8 Madam President.

9 I rise to support the legislation.
10 As a cosponsor, I want to thank the sponsor for
11 this piece of legislation.

12 And of course I encourage everyone
13 to consider the concerns that have been voiced
14 here by our colleagues with regard to the
15 application.

16 But there are several victims when
17 people are misclassified. One, most importantly,
18 is the worker himself, who oftentimes doesn't
19 have access to workers' comp and is at risk.
20 That should be a concern for everybody in this
21 room.

22 Two, it's every other business in
23 New York State that has to make up the difference
24 in the costs of doing business in New York State.
25 And we all know how expensive it is in New York

1 for our businesses to make ends meet, insurance
2 being amongst the most costly.

3 And so again, compliments to my --
4 to the sponsor and to our colleague. But it's an
5 important bill. Let's address some of the issues
6 that were voiced here today to the extent that we
7 can. But let's not forget, this is about
8 protecting businesses and, most importantly,
9 protecting the workers of our state.

10 I'll vote aye.

11 ACTING PRESIDENT PERSAUD: Thank
12 you.

13 Senator Martins to be recorded in
14 the affirmative.

15 Senator Stec to explain his vote.

16 SENATOR STEC: Thank you,
17 Madam President.

18 Just by the way of trying to be
19 constructive and offer a solution here, page 1,
20 one word change on the bill, page 1, lines 22 to
21 24: "Within 72 hours after the employer's
22 opportunity to come into compliance, if the
23 employer has not come into compliance, the
24 commissioner shall issue a stop-work order
25 requiring the cessation of all business

1 operations of the employer at every site at which
2 the violation occurs." Wow.

3 Change the word "shall" to "may."
4 It would give everyone the flexibility that they
5 want here, but at the same time give some
6 regulator the opportunity to apply a little
7 common sense to realize, hey, this isn't the time
8 to issue a stop-work order and shut down every
9 operation for a last-mile courier.

10 So that one-word suggestion would
11 get me from a no to a yes.

12 Thank you, Madam President.

13 ACTING PRESIDENT PERSAUD: Senator
14 Stec to be recorded in the negative.

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 192, voting in the negative are
18 Senators Stec and Walczyk.

19 Ayes, 54. Nays, 2.

20 ACTING PRESIDENT PERSAUD: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 568, Senate Print 3690A, by Senator Sanders, an
24 act to amend the Lien Law.

25 ACTING PRESIDENT PERSAUD: Senator

1 Murray, why do you rise?

2 SENATOR MURRAY: Thank you,
3 Madam President.

4 Would the sponsor yield for a quick
5 clarification question.

6 ACTING PRESIDENT PERSAUD: Will the
7 sponsor yield?

8 SENATOR SANDERS: Absolutely.

9 ACTING PRESIDENT PERSAUD: The
10 sponsor yields.

11 SENATOR MURRAY: Thank you,
12 Senator. Good afternoon.

13 SENATOR SANDERS: Good afternoon,
14 sir. How are you?

15 SENATOR MURRAY: I'm good. I'm
16 good.

17 SENATOR SANDERS: Great. Great.

18 SENATOR MURRAY: And I think I know
19 the answer, just want to clarify.

20 On the original bill, you had -- the
21 language said that in regards to the time frame
22 for which the demand for payment be made, the
23 Lien Law says 30 days. You had changed that to
24 60 days, I believe in the A print.

25 And can you just confirm that that

1 change has been put back? Is it in fact 30 days
2 now in the A print?

3 SENATOR SANDERS: I'll
4 double-check.

5 The short answer is yes. After
6 hearing from my colleagues -- I'm a reasonable
7 man. Why not?

8 (Laughter.)

9 SENATOR MURRAY: Thank you.
10 Madam President, briefly on the
11 bill.

12 ACTING PRESIDENT PERSAUD: Senator
13 Murray on the bill.

14 SENATOR MURRAY: I just want to say
15 thank you. That's -- that's the way it's
16 supposed to be done. You know? You introduced
17 the bill, we had some concerns, there were
18 industry concerns, there were concerns on this
19 side of the aisle.

20 You listened to them, you made
21 changes that I think makes it a better bill, and
22 I'm proud to vote in favor of the bill.

23 Thank you, Senator.

24 ACTING PRESIDENT PERSAUD: Are
25 there any other Senators wishing to be heard?

1 Seeing and hearing none, the debate
2 is closed.

3 The Secretary will ring the bell.

4 Read the last section.

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

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 568, voting in the negative are
15 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
16 Chan, Griffio, Lanza, Martins, Ortt, Rhoads, Stec,
17 Tedisco, Walczyk, Weber and Weik.

18 Ayes, 42. Nays, 14.

19 ACTING PRESIDENT PERSAUD: The bill
20 is passed.

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

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

25 ACTING PRESIDENT PERSAUD: There is

1 no further business at the desk.

2 SENATOR GIANARIS: Earlier start
3 tomorrow, my colleagues.

4 I move to adjourn until tomorrow,
5 Tuesday, March 31st, at 11:00 a.m.

6 ACTING PRESIDENT PERSAUD: On
7 motion, the Senate stands adjourned until
8 Tuesday, March 31st, at 11:00 a.m.

9 The Senate stands adjourned.

10 (Whereupon, at 3:58 p.m., the Senate
11 adjourned.)

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