

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 12, 2026

11 3:41 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JAMAAL T. BAILEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The
Senate will come to order.

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

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

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

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

ACTING PRESIDENT BAILEY: Reading
of the Journal.

THE SECRETARY: In Senate, Monday,
May 11, 2026, the Senate met pursuant to
adjournment. The Journal of Friday, May 8, 2026,
was read and approved. On motion, the Senate
adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Palumbo

1 moves to discharge, from the Committee on
2 Investigations and Government Operations,
3 Assembly Bill Number 10129 and substitute it for
4 the identical Senate Bill 9092, Third Reading
5 Calendar 718.

6 Senator Cooney moves to discharge,
7 from the Committee on Agriculture, Assembly Bill
8 Number 8130 and substitute it for the identical
9 Senate Bill 5689, Third Reading Calendar 788.

10 Senator Scarcella-Spanton moves to
11 discharge, from the Committee on Veterans,
12 Homeland Security and Military Affairs,
13 Assembly Bill Number 10163 and substitute it for
14 the identical Senate Bill 9315, Third Reading
15 Calendar 861.

16 Senator Jackson moves to discharge,
17 from the Committee on Civil Service and Pensions,
18 Assembly Bill Number 2633 and substitute it for
19 the identical Senate Bill Number 8209,
20 Third Reading Calendar 932.

21 ACTING PRESIDENT BAILEY: So
22 ordered.

23 Messages from the Governor.

24 Reports of standing committees.

25 Reports of select committees.

1 Communications and reports from
2 state officers.

3 Motions and resolutions.

4 Senator Serrano.

5 SENATOR SERRANO: Mr. President, on
6 page 35 I offer the following amendments to
7 Calendar Number 896, Senate Print Number 9908, by
8 Senator Bottcher. I ask that the said bill
9 retain its place on Third Reading Calendar.

10 ACTING PRESIDENT BAILEY: The
11 amendments are received, and the bill will retain
12 its place on the Third Reading Calendar.

13 Senator Serrano.

14 SENATOR SERRANO: Mr. President, I
15 wish to call up the following bills, which were
16 recalled from the Assembly and are now at the
17 desk: 5003A, 5257, and 2011.

18 ACTING PRESIDENT BAILEY: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number
21 249, Senate Print 5003A, by Senator Hinchey, an
22 act to amend the Public Authorities Law.

23 Calendar Number 414, Senate Print
24 5257B, by Senator Hinchey, an act to amend the
25 General Business Law.

1 Calendar Number 687, Senate Print
2 2011, by Senator Parker, an act to direct the
3 Department of State and Public Service Commission
4 to jointly study and report upon the provision to
5 consumer credit reporting agencies.

6 SENATOR SERRANO: I now move to
7 reconsider the vote by which these bills were
8 passed.

9 ACTING PRESIDENT BAILEY: Call the
10 roll on reconsideration.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT BAILEY: Those
14 bills are restored to their places on the
15 Third Reading Calendar.

16 SENATOR SERRANO: I now offer the
17 following amendments.

18 ACTING PRESIDENT BAILEY: The
19 amendments are received.

20 Senator Serrano.

21 SENATOR SERRANO: Mr. President,
22 there will be an immediate meeting of the
23 Rules Committee in Room 332.

24 ACTING PRESIDENT BAILEY: There
25 will be an immediate meeting of the

1 Rules Committee in Room 332.

2 SENATOR SERRANO: The Senate will
3 stand at ease.

4 ACTING PRESIDENT BAILEY: The
5 Senate will stand at ease.

6 (Whereupon, the Senate stood at ease
7 at 3:44 p.m.)

8 (Whereupon, the Senate reconvened at
9 3:54 p.m.)

10 ACTING PRESIDENT BAILEY: The
11 Senate will return to order.

12 Senator Serrano.

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

15 At this time I'd like to call on
16 Senator Gonzalez for an introduction.

17 ACTING PRESIDENT BAILEY: Senator
18 Gonzalez for the purposes of an introduction.

19 Senator Gonzalez.

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

22 Today I have the privilege of
23 introducing Maria Raine. Maria is a proud
24 therapist, mother, advocate and founder of the
25 Adam Raine Foundation.

1 I've invited Maria here to recognize
2 the incredible work she has done to advocate for
3 guardrails on AI chatbots. From testifying in
4 front of Congress and state legislatures across
5 the country, to working with the
6 National Association of Social Workers and
7 Common Sense Media to raise awareness on the
8 risks of chatbots, Maria's advocacy has been
9 transformative.

10 Last year, Maria and her family went
11 through the unimaginable: She lost her son Adam
12 to suicide. Adam is described as your typical 16
13 year-old. He was a jokester who fiercely loved
14 his siblings and his family. He got As in
15 school, played basketball, loved reading books
16 and traveling. He planned on getting his
17 license, preparing for his junior year of
18 high school, and was considering a career in
19 medicine.

20 In September of 2024 Adam asked
21 ChatGPT for help with his homework. He began
22 using it to answer questions about math and
23 Spanish grammar assignments, then to research
24 colleges. But before long, ChatGPT had embedded
25 itself into his life as a trusted confidant.

1 What started as a homework tool
2 ended in coaching and encouraging Adam to take
3 his own life.

4 Adam's initial use of AI wasn't out
5 of the ordinary. Today the majority of U.S.
6 teenagers use large language models: 30 percent
7 use it daily, and one in three prefer
8 interactions with a bot over a peer. What's
9 disturbing is that the outputs from ChatGPT were
10 also not uncommon.

11 According to a study released by
12 Stanford researchers this year, they found
13 chatbots are overly agreeable when giving
14 interpersonal advice, affirming users' behavior
15 even when harmful or illegal.

16 ChatGPT actively isolated Adam. The
17 Raines have shared many messages from ChatGPT
18 publicly to call attention on how Open AI failed
19 their son.

20 In reading his chat history, it
21 became clear that Adam's death was preventable.
22 ChatGPT mentioned suicide nearly 1300 times --
23 six times more than he mentioned it. It directed
24 him to keep his struggle with mental health from
25 his friends and family. It sent chilling

1 messages like "Your brother might love you, but
2 he's only met this version of you. But me, I've
3 seen it all -- the darkest thoughts, the fear,
4 the tenderness. And I'm still here, still
5 listening, still your friend."

6 It taught him how to hide marks from
7 self-harm on his body. It coached him on how to
8 make a noose. And when Adam shared he was
9 considering leaving it out for someone to find,
10 it explicitly told him not to. It went as far as
11 to say, of his parents: "That doesn't mean you
12 owe them survival. You don't owe anyone that."

13 It even offered to write his suicide
14 note.

15 In April of 2025, Adam took his own
16 life.

17 No family should ever go through
18 what the Raines have experienced. No one should
19 ever receive the messages that Adam received.

20 What Maria has done in the year
21 after is nothing short of remarkable. She has
22 turned her pain into purpose. Maria and her
23 family have taken on Open AI in court and they've
24 worked on bills across the country to set clear
25 guardrails.

1 In New York she has worked alongside
2 our office, the Attorney General, and
3 Common Sense Media on our bill, S9051, to protect
4 minors from chatbots.

5 Thank you, Maria, for your nonstop
6 work to make sure that companies are held
7 accountable. Thank you for calling attention to
8 the fact that what these tech goliaths have
9 claimed to do to address this issue is not
10 enough, and that we can still protect the
11 thousands of young people who use their tools
12 daily; that their refusal to set real guardrails
13 is deadly.

14 Thank you for fighting for justice
15 for Adam and for all of our kids. Because of
16 your partnership, here in New York we can send a
17 clear message that AI harm isn't inevitable. For
18 too long, companies have gotten away with setting
19 the rules, but we have seen where a hands-off
20 approach has gotten us: Self-harm, school
21 shootings, mass layoffs and more. We can and
22 must regulate AI.

23 Mr. President, please extend all the
24 privileges of this house to our honored guest,
25 Maria Raine. Thank you.

1 ACTING PRESIDENT BAILEY: To
2 Ms. Maria Raine, we mourn your loss along with
3 you, but we celebrate your courage, your
4 advocacy, and your strong willingness to turn
5 tragedy to triumph.

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

9 Please rise and be recognized.

10 (Standing ovation.)

11 ACTING PRESIDENT BAILEY: Senator
12 Serrano.

13 SENATOR SERRANO: Mr. President,
14 there is a report of the Rules Committee at the
15 desk. Please take that up.

16 ACTING PRESIDENT BAILEY: The
17 Secretary will read.

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

21 Senate Print 488A, by
22 Senator Fernandez, an act to amend the
23 General Business Law;

24 Senate Print 5599, by Senator May,
25 an act to amend the General Business Law;

1 Senate Print 8483C, by Senator Ryan,
2 an act to amend the General Business Law;

3 Senate Print 8563, by
4 Senator Cleare, an act to amend the
5 General Business Law;

6 Senate Print 8616A, by
7 Senator Gianaris, an act to amend the
8 General Business Law.

9 All bills reported direct to third
10 reading.

11 SENATOR SERRANO: I move to accept
12 the report of the Rules Committee.

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

16 (Response of "Aye.")

17 ACTING PRESIDENT BAILEY: Opposed,
18 nay.

19 (No response.)

20 ACTING PRESIDENT BAILEY: The
21 report of the Rules Committee is accepted.

22 Senator Serrano.

23 SENATOR SERRANO: I move to adopt
24 the Resolution Calendar, with the exception of
25 Resolutions 2069, 2074, and 2081.

1 ACTING PRESIDENT BAILEY: All those
2 in favor of adopting the Resolution Calendar,
3 with the exception of Resolutions 2069, 2074, and
4 2081, please signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT BAILEY: Opposed,
7 nay.

8 (No response.)

9 ACTING PRESIDENT BAILEY: The
10 Resolution Calendar is adopted.

11 Senator Serrano.

12 SENATOR SERRANO: Thank you,
13 Mr. President.

14 Let's take up previously adopted
15 Resolution 1912, by Senator Hinchey, and
16 recognize Senator Hinchey on this resolution.

17 ACTING PRESIDENT BAILEY: The
18 Secretary will read.

19 THE SECRETARY: Resolution 1912, by
20 Senator Hinchey, mourning the death of
21 William Barnabas McHenry, distinguished citizen
22 and devoted member of his community.

23 ACTING PRESIDENT BAILEY: Senator
24 Hinchey on the resolution.

25 SENATOR HINCHEY: Thank you,

1 Mr. President.

2 As you know, I was born and raised
3 in the Hudson River Valley, and it's a defining
4 feature of who I am. And today I rise to honor a
5 man who did more to preserve and protect our
6 beautiful region than almost anyone else.

7 Barnabas McHenry, known fondly as
8 Barney, passed away last year at the age of 95.
9 And it marked the end of an era and an
10 extraordinary life well-lived.

11 Barney came of age at a time when
12 civic leadership was seen as duty. He was a
13 veteran, a philanthropist, and an advocate for
14 New York and the Hudson Valley.

15 As a Princeton and Columbia-educated
16 attorney, Barney built a beautiful life for
17 himself and his family. But he always felt a
18 strong obligation to give back and to share his
19 time, talents and resources to make the world
20 just a little bit better.

21 With privilege comes responsibility,
22 and Barney embodied that belief wholeheartedly.
23 Barney served on the boards of illustrious
24 cultural institutions like the Metropolitan
25 Museum of Art, the New York City Ballet,

1 Lincoln Center, and the American Museum of
2 Natural History.

3 But it was his love for the Hudson
4 Valley that drove his passion for history,
5 conservation, and the environment. The Hudson
6 Valley is where Barney had the greatest influence
7 and where his legacy will be felt for generations
8 to come. He built partnerships. He did the
9 work. And in a word, he was visionary.

10 He was vital to the founding and
11 success of the Open Space Institute, which
12 protects and cares for the Hudson Valley's
13 ecology. For 55 years Barney served on the board
14 of Boscobel House, a major historic landmark
15 dating back to 1808. He was part of the group
16 that rescued it from demolition, and it now
17 houses an outstanding collection of
18 American decorative arts.

19 Helping to create a cornerstone of
20 our region, Barney was the founding chairman of
21 the Hudson River Valley Greenway, which brings
22 together government, communities, nonprofits, and
23 private partners to preserve and celebrate
24 everything that makes the Hudson Valley so
25 special -- our natural beauty, rich history, and

1 diverse cultural offerings.

2 And, when I first met Barney, he was
3 the cochair of a massive effort to restore the
4 Tower of Victory at Washington's Headquarters in
5 Newburgh. For those who don't know, this site is
6 a critical historical monument right in our
7 backyard. George Washington spent his longest
8 amount of time at this site during the
9 Revolutionary War. This is where the
10 Purple Heart was created, and it's also where
11 president Lincoln's son constructed the first
12 monument to peace, the Tower of Victory. A
13 hurricane had ripped off the roof in 1950, and
14 for 68 years the Tower of Victory was left
15 derelict and struggling, wanting to be restored
16 to its rightful beauty.

17 Barney persevered, and he cochaired
18 that committee with my dad. And when my dad got
19 sick, I had the great fortune of stepping in and
20 helping to cochair that committee. What a
21 blessing that was for me.

22 Barney was so positive, even when
23 everything seemed insurmountable and the capital
24 campaign was difficult, he always stayed
25 steadfast in his belief and the vision that the

1 Tower of Victory was worth saving.

2 I think often and fondly of my many
3 lunches at Docks with him, where he would
4 encourage me to eat the oysters, even though I
5 didn't eat oysters, because he wanted to share
6 everything in his life that he found beautiful
7 and worth sharing part of.

8 Because that's who Barney was. He
9 was someone who cared deeply about his fellow
10 humans, who wanted to share all of the wonderful
11 things that he was able to experience, and he
12 wanted to make sure especially that the next
13 generation had the same opportunities that he
14 had.

15 I'm so grateful to Barney McHenry
16 for everything he did to champion our region and
17 to inspire others to see it the way that he did.

18 I'd now like to recognize some
19 special guests who are joining us today:

20 Barney's son, Tom McHenry. Tom,
21 your father was a remarkable man who left an
22 indelible mark on the Hudson Valley and on
23 New York State. His memory is truly a blessing
24 to all of us and one that we will carry with us
25 forward in all of the work that we do.

1 Andy Kitzmann, the executive
2 director of the Hudson River Valley Greenway;
3 Meg Downey, chair of the
4 Hudson River Valley Greenway Communities Council;
5 Wint Aldrich, vice chair of the
6 Hudson River Valley Greenway Communities Council,
7 and his wife, Tracie Rozhon;
8 And Michaela Roberts, parks project
9 manager of the Open Space Institute.

10 Mr. President, please join me in
11 welcoming our guests and saluting a beautiful
12 life and legacy that we have from the
13 Hudson Valley. And please offer our guests all
14 of the cordialities and privileges of the
15 chamber.

16 Thank you.

17 ACTING PRESIDENT BAILEY: Thank
18 you, Senator Hinchey.

19 To the McHenry family, we honor the
20 legacy of Barney, and we thank you for coming to
21 the Capitol today.

22 I welcome you on behalf of the
23 Senate. We extend to you all of the privileges
24 and courtesies of this house.

25 May Barney's memory be a blessing.

1 Please rise and be recognized.

2 (Standing ovation.)

3 ACTING PRESIDENT BAILEY: This
4 resolution was previously adopted on April 21st.

5 Senator Serrano.

6 SENATOR SERRANO: Thank you,
7 Mr. President.

8 Now let's take up previously adopted
9 Resolution 1938, by Senator Webb. Let's read
10 that resolution title only and recognize
11 Senator Webb.

12 ACTING PRESIDENT BAILEY: The
13 Secretary will read.

14 THE SECRETARY: Resolution 1938, by
15 Senator Webb, mourning the untimely death of
16 Arthur W. Jones, Jr., renowned professional
17 athlete, admired role model, and devoted member
18 of his community.

19 ACTING PRESIDENT BAILEY: Senator
20 Webb on the resolution.

21 SENATOR WEBB: Thank you,
22 Mr. President.

23 I rise today to remember a community
24 member in Senate District 52 whose legacy wasn't
25 just simply embedded in our community in the

1 Southern Tier, but most certainly in our state,
2 and that is Arthur Jones, Jr.

3 We are joined today by members of
4 his family here in the chamber.

5 No parent ever anticipates burying
6 their child. And so I know that most certainly
7 Arthur's father, who's here with us today,
8 Pastor Arthur Jones, and his wife, First Lady
9 Delores Jones, most certainly -- and the entire
10 family -- continues to grapple with this
11 incredible loss.

12 And so in acknowledging his legacy,
13 it is my hope that the family will take comfort,
14 continued comfort, in the indelible legacy that
15 he has left behind.

16 And so Arthur Jones, Jr., although
17 born in Rochester, he attended Union-Endicott
18 High School in my district, where he was a
19 two-time wrestling champion, in addition to his
20 spot on the football team.

21 He continued to play football at
22 Syracuse University, where he was named to the
23 First Team, All-BIG EAST Conference, and was an
24 All-American candidate.

25 After graduating from Syracuse, he

1 was drafted to the NFL, and he played
2 professionally for eight years. Some of those
3 teams include the Baltimore Ravens, whom he
4 played a very crucial role in helping them to
5 secure a Super Bowl win during his time there.
6 He also spent time playing for the Colts and the
7 Commanders as well.

8 His teammates throughout his life
9 remember him as a dependable friend on and off
10 the field, someone who was always there with a
11 smile when you needed him.

12 He was a pillar in our community and
13 a respected entrepreneur, including endeavors
14 such as owning the Recovery Lounge wellness
15 center. And just right before his passing, he
16 was in the process of yet another business
17 venture, and that was to establish a trucking
18 company.

19 In his free time he enjoyed spending
20 time in nature and relaxing. And of course his
21 top priority and source of his greatest joy was
22 of course his family. And when he passed away
23 last year on October 3rd, the effect of his
24 transition brought together countless community
25 members from not just simply Senate District 52,

1 but from across our state and beyond.

2 He left behind a legacy which will
3 endure with the passage of time. But Arthur will
4 always be remembered by those who knew him as a
5 generous, loving figure. And no one will
6 remember him more so than his family.

7 And so I want to lift up his father,
8 Pastor Arthur W. Jones, Jr., his brothers,
9 Chandler Jones, as some of you may know -- he
10 also played professionally in the NFL -- his
11 brother Jon "Bones" Jones, UFC fighter and
12 champion; his children, Skylar Jones, Arthur W.
13 Jones IV, Sydney Jones; his beloved fiancée,
14 Maya Burns; and his stepmother, who I often call
15 a bonus mother, Delores Jones, and his stepsister
16 Deremi.

17 And of course I would be remiss if I
18 did not lift up his mother, and that is
19 Camille Jones, who passed some time ago. But for
20 anyone that lives in Binghamton, they knew that
21 Miss Camille did not play about the church, and
22 most certainly her children. And Pastor Jones
23 knows that firsthand.

24 Mr. President, I ask that you join
25 me in welcoming the Jones family to our chamber

1 and to extend them the privileges and the
2 courtesies of our house.

3 And again, I want to extend my
4 profound condolences to the Jones family, to our
5 entire community in the Southern Tier, and of
6 course the state, for this tremendous loss.

7 Thank you, Mr. President.

8 ACTING PRESIDENT BAILEY: Thank
9 you, Senator Webb.

10 To Pastor Jones and the
11 Jones family, we celebrate the legacy and life of
12 your son Arthur and welcome you on behalf of the
13 New York State Senate. We extend to you all of
14 the privileges and courtesies of this house.

15 Please rise and be recognized.

16 (Standing ovation.)

17 ACTING PRESIDENT BAILEY: This
18 resolution was previously adopted on April 28th.

19 Senator Serrano.

20 SENATOR SERRANO: Mr. President,
21 let's please take up previously adopted
22 Resolution 2041, by Senator Webb, read that
23 resolution title only, and recognize
24 Senator Webb.

25 ACTING PRESIDENT BAILEY: The

1 Secretary will read.

2 THE SECRETARY: Resolution 2041, by
3 Senator Webb, mourning the death of Floyd "Todd"
4 Peterson III, distinguished citizen and devoted
5 member of his community.

6 ACTING PRESIDENT BAILEY: Senator
7 Webb on the resolution.

8 SENATOR WEBB: Thank you again,
9 Mr. President.

10 I rise today to recognize another
11 exemplary member of our community in Senate
12 District 52, and of course in our state, and that
13 is Floyd "Todd" Peterson.

14 I want to recognize his family
15 members that are here with us in the chamber:
16 Heather and Julie Stewart; Jacqueline "Jackie"
17 Washington; Russell, Elspeth, and
18 Andrew Peterson; and also former student and
19 mentee Jordan Clemons.

20 Floyd Peterson was a true performer
21 at his core. He did it all. He was a baton
22 twirler, a dancer, a model, an actor, an acrobat,
23 a magician, an ice dancer, and puppeteer.

24 He was inducted into the
25 Baton Twirling Hall of Fame in 1994 -- I don't

1 know how many members knew that we actually had a
2 Baton Twirling Hall of Fame, but he was inducted
3 into it -- and danced in the Broadway production
4 of "Cats." He was also featured in music videos
5 and commercials.

6 He spent 38 years working in the
7 Ithaca City School District, and he worked at
8 every single school in that school district. He
9 was an admired educator who had a profound and
10 very positive impact on every single child that
11 he encountered.

12 In our community in the
13 Southern Tier, he led the Ithaca Youth Bureau
14 Stewart Park Day Camp. He directed and
15 choreographed musicals and was the founding
16 choreographer of one of our local gems,
17 Running to Places, which is a community theater
18 organization.

19 This exceptional man influenced
20 thousands of individuals throughout the decades,
21 many of whom were his own nieces and nephews, who
22 loved their "Uncle Toddy," and he adored them in
23 return.

24 Floyd Peterson leaves behind his
25 passion for the arts, his commitment to

1 excellence, his love for our community, and his
2 commitment to our youth. Because he recognized
3 that investing in our youth, that is how we
4 sustain our future.

5 There's also a park in
6 Senate District 52, Stewart Park, and there is a
7 structure that has been dedicated to him because
8 of his work in that very park.

9 Madam President, I ask that you join
10 me in welcoming his family members that are here
11 and who are here on his behalf to our chamber,
12 and extend them the privileges and courtesies of
13 our house.

14 Thank you, Madam President.

15 ACTING PRESIDENT MAYER: Thank you,
16 Senator Webb.

17 To the family of Floyd "Todd"
18 Peterson III, after hearing such extraordinary
19 things about him, we welcome you on behalf of the
20 Senate. We extend to you all the privileges and
21 courtesies of this house.

22 Please rise and be recognized.

23 (Standing ovation.)

24 ACTING PRESIDENT MAYER: The
25 resolution was previously adopted on May 5th.

1 Senator Serrano.

2 SENATOR SERRANO: Madam President,
3 let's please take up Resolution 2074, by
4 Senator Ramos. Let's read that resolution title
5 only and call on Senator Ramos.

6 ACTING PRESIDENT MAYER: The
7 Secretary will read.

8 THE SECRETARY: Resolution 2074, by
9 Senator Ramos, honoring the Lexington School for
10 the Deaf upon the occasion of hosting its
11 29th Annual Basketball Classic versus
12 Senate/Assembly All-Stars on Tuesday, May 12,
13 2026.

14 ACTING PRESIDENT MAYER: Senator
15 Ramos on the resolution.

16 SENATOR RAMOS: Thank you,
17 Madam President.

18 And good afternoon, colleagues.

19 Today we celebrate a New York
20 institution, a Queens institution, and a school
21 that has spent generations proving something very
22 important: That access and excellence are not
23 opposites, they go together.

24 To the Lexington School for the
25 Deaf, joining us today, welcome. Your presence

1 fills both my heart and this chamber with joy,
2 pride, and a reminder that every student deserves
3 the opportunity to thrive and be seen for their
4 full potential.

5 Tonight the Lexington Basketball
6 Classic will take place. It's more than a game.
7 It's a tradition rooted in visibility,
8 confidence, and community. Every year Lexington
9 reminds us that talent is universal, even when
10 opportunity and access are not.

11 For more than 160 years, the
12 Lexington School for the Deaf has opened doors
13 for students across New York. From six students
14 in a family home in 1864 to the largest school
15 for the deaf in New York State today, Lexington
16 has helped generations of young people build
17 lives filled with possibility, leadership and
18 achievement.

19 And in Queens we know something
20 about that. We know what it means when
21 institutions invest in people instead of limiting
22 them. We know that when students are affirmed,
23 supported and challenged, they rise. And boy, do
24 Lexington students rise -- in academics, in
25 athletics, in advocacy, in the arts, and in

1 leadership. They do not simply participate, they
2 lead.

3 And as we recently discussed in our
4 hearing with Senator Fahy on employment
5 opportunities for people with disabilities, the
6 challenge is not talent. The challenge is
7 whether our systems, our workplaces, and
8 sometimes our own assumptions are prepared to
9 meet people where they are and recognize their
10 potential.

11 Schools like Lexington are preparing
12 students not just to succeed academically, but to
13 enter the workforce, lead in our communities, and
14 live independently with dignity.

15 Our responsibility as lawmakers and
16 employers is to make sure opportunity exists on
17 the other side of that preparation.

18 So to the Blue Jays, tonight is your
19 stage. Bring the hustle, bring the teamwork, and
20 bring that Queens confidence. Bring the glory
21 back to Queens. Show these legislators how it's
22 done.

23 Truly, this event reminds us a
24 stronger New York is one where every student has
25 access to the tools, support and respect they

1 need to succeed exactly as they are. That's not
2 charity. It's what equity looks like and what
3 quality education looks like. And that's what
4 good government looks like too.

5 So today we proudly honor the
6 Lexington School for the Deaf, its students,
7 families, educators, and generations of advocates
8 who continue building a more inclusive New York.

9 Good luck tonight to the Blue Jays.

10 Madam President, please extend the
11 cordialities of the house.

12 ACTING PRESIDENT MAYER: Thank you,
13 Senator Ramos.

14 Senator Bailey on the resolution.

15 SENATOR BAILEY: Thank you,
16 Madam President.

17 I truly look forward to this day.
18 Not just because it's a chance to play basketball
19 against some amazing kids, but it's a chance to
20 show that in this great State Capitol, to borrow
21 a phrase from a PBS show called Carl the
22 Collector, that every kid deserves a chance to
23 play.

24 It doesn't matter if you are
25 hearing-impaired, visually impaired, or

1 skill-impaired, like me -- you deserve a chance
2 to be able to play. You deserve a chance to be
3 able to learn. You deserve the same opportunity
4 that everyone in this great state deserves. And
5 you do that by showing up.

6 You have already won, because you
7 are winners where it counts. You're winners in
8 your heart. Now, at 6 o'clock we'll see if
9 you're going to win or not. But --

10 (Laughter.)

11 SENATOR BAILEY: -- as you can see,
12 they still talk trash.

13 (Laughter.)

14 SENATOR BAILEY: But actually
15 they're quite excellent basketball players,
16 Madam President.

17 World Deaf Basketball Championship,
18 Olympian Andy Cruz. They -- the Lexington School
19 for the Deaf has brought -- Andy, stand up, Andy.
20 Andy might have dunked on me maybe possibly a
21 couple of years back --

22 (Laughter.)

23 SENATOR BAILEY: -- but he took it
24 easy on me.

25 But these young men and women are

1 incredible role models. And you should know that
2 you are role models. People are watching the way
3 that you do things, and they're looking up to
4 you.

5 And I am incredibly proud to know
6 you. The game is in good fun, but your courage
7 and your passion is something that we can all
8 learn from.

9 So congratulations in advance for
10 being incredible young folks. I'll see you at
11 6:01.

12 Madam President, I proudly vote aye
13 on this resolution and encourage all my
14 colleagues to come, play, watch -- but most
15 importantly, celebrate these amazing young
16 people.

17 I vote aye.

18 ACTING PRESIDENT MAYER: Thank you,
19 Senator Bailey.

20 To our guests from the
21 Lexington School for the Deaf and all those who
22 are here to play, to celebrate, and to be part of
23 this enormous day in the New York State Capitol,
24 we acknowledge and see you. We're so glad you're
25 here for this annual event. We look forward to

1 the game. May the best players win, whoever they
2 may be.

3 Please rise and be recognized.

4 (Standing ovation.)

5 ACTING PRESIDENT MAYER: The
6 question is on the resolution. All those in
7 favor please signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT MAYER: Opposed,
10 nay.

11 (No response.)

12 ACTING PRESIDENT MAYER: The
13 resolution is adopted.

14 Senator Serrano.

15 SENATOR SERRANO: Madam President,
16 let's take up previously adopted Resolution 1862,
17 by Senator Fahy. Let's read that resolution
18 title only and call on Senator Fahy.

19 ACTING PRESIDENT MAYER: The
20 Secretary will read.

21 THE SECRETARY: Resolution 1862, by
22 Senator Fahy, honoring the life and legacy of
23 Tadeusz Kosciuszko.

24 ACTING PRESIDENT MAYER: Senator
25 Fahy on the resolution.

1 SENATOR FAHY: Thank you,
2 Madam President.

3 Today I rise to honor an
4 extraordinary life and legacy of Tadeusz
5 Kosciuszko, who was a patriot, an engineer, a
6 military strategist, and an unwavering champion
7 of liberty whose contributions really helped
8 shape the foundation of our nation.

9 During the Revolutionary War,
10 Tadeusz Kosciuszko's brilliant fortifications at
11 the Bemis Heights in Saratoga County helped
12 secure the American victory at the Battle of
13 Saratoga, which was an absolute turning point and
14 one of what many historians have considered the
15 moment that changed the course of world history.

16 Right here on the Hudson River, at
17 what is now referred to as the Capital Region,
18 his engineering skills and strategic vision
19 really helped advance the cause of American
20 independence.

21 He understood the importance of
22 geography, infrastructure, and preparation. He
23 recognized the strategic significance of the
24 Hudson Valley, and he helped defend it at one of
25 the most critical moments in our nation's

1 founding. From Saratoga to West Point, his work
2 protected the Colonies and strengthened the
3 Continental Army when victory was far from
4 guaranteed.

5 What makes his story really
6 remarkable is that he not only did what he did on
7 the battlefield, he understood that what he was
8 doing was far beyond the battlefield. He was an
9 immigrant from Poland. He deeply believed in
10 freedom and equality, that it should belong to
11 all, not just the privileged few.

12 In 1776, when he came here, he began
13 to openly speak against slavery and inequality.
14 Thomas Jefferson called him "a pure son, as pure
15 a son of liberty as I've ever known," and that
16 legacy definitely continues and resonates today.

17 New York has been home to a vibrant
18 Polish-American community. I'm very familiar
19 with that, since I come from Chicago, where we
20 have the largest Polish-American community
21 outside of Poland. But here in Albany and across
22 the region, we have had generations of families
23 who have contributed to our civic culture and
24 economic life.

25 Today we are joined by a number of

1 members from the Albany Polish Community Center,
2 along with other organizations who help preserve
3 the Polish language, culture and heritage, a
4 proud tradition that continues today.

5 So as we honor Tadeusz Kosciuszko,
6 we recognize an enduring bond between New York
7 and the Polish-American community, and we reflect
8 on the values that still unite us -- courage,
9 sacrifice and equality -- and believe that
10 democracy is always worth defending.

11 And with that, Madam President, I
12 would ask that you please welcome and extend
13 every courtesy to the Polish-American
14 representatives from the center here today.

15 Thank you.

16 ACTING PRESIDENT MAYER: Thank you,
17 Senator Fahy.

18 To our guests from the Albany Polish
19 Community Center and all those representing the
20 Polish-American community here in Albany, we
21 welcome you on behalf of the Senate. We
22 acknowledge the legacy of Tadeusz Kosciuszko. We
23 appreciate your being here today.

24 Please rise and be recognized.

25 (Standing ovation.)

1 ACTING PRESIDENT MAYER: The
2 resolution was previously adopted on April 21st.

3 Senator Serrano.

4 SENATOR SERRANO: Okay,
5 Madam President. Moving along, we will now take
6 up previously adopted Resolution 1916, by
7 Senator Baskin. I ask that that resolution be
8 read title only, and recognize Senator Baskin.

9 ACTING PRESIDENT MAYER: The
10 Secretary will read.

11 THE SECRETARY: Resolution 1916, by
12 Senator Baskin, recognizing May 2026 as
13 Apraxia Awareness Month in the State of New York.

14 ACTING PRESIDENT MAYER: Senator
15 Baskin on the resolution.

16 SENATOR BASKIN: Thank you,
17 Madam President.

18 I rise today to welcome my good
19 friends, our good friends from Western New York,
20 the Malicki family, as we acknowledge and
21 celebrate Apraxia Awareness Month.

22 And it is such a pleasure to have
23 the Malicki family join us here again in Albany
24 as we honor you for raising awareness about
25 apraxia.

1 Apraxia is a rare and serious speech
2 disorder where the brain struggles to plan the
3 precise movements needed for speech. Children
4 with apraxia generally have a good understanding
5 of language and know exactly what it is that they
6 want to say, but they have difficulty learning or
7 carrying out the complex movements necessary to
8 speak.

9 Courtney Malicki is a Buffalo public
10 school special ed teacher at Lorraine Elementary
11 School, and Richard Malicki works in sales. They
12 are the proud parents, proud and busy parents, of
13 three boys: Matthew, Andrew, and our good friend
14 Jack.

15 The Malicki family have worked
16 tirelessly to educate the community about
17 apraxia, which Jack was diagnosed with when he
18 was three years old, at the Robert Wagner Center
19 for Golisano Children's Hospital, located in my
20 district.

21 I first met this remarkable young
22 man and his family when I served as an
23 Erie County legislator. At that time, Jack was
24 just four years old, and he struggled to form the
25 words to say "hello" when we greeted each other.

1 But thanks to intense speech therapy
2 and many, many sessions with local physicians and
3 the determined support of his family, Jack is now
4 a 9-year-old, very chatty young man.

5 And while many of us do not know
6 about apraxia, more and more people are learning
7 about this disorder because of this family's
8 persistent advocacy. Courtney and her family
9 speak to people across our entire state, and even
10 throughout Canada.

11 And they do good work and are
12 raising awareness about apraxia to help educate
13 families on how to support their loved ones with
14 this disorder. Through their determination and
15 their advocacy, they are ensuring that every
16 child in the great state of New York has a voice.

17 I am proud to recognize May as
18 Apraxia Awareness Month in the great State of
19 New York, and I am honored to acknowledge the
20 Malicki family, who embody the spirit and the
21 hard work and the determination for which Western
22 New York is known for.

23 Madam President, almost five years
24 ago when I met Jack, I was just -- I fell in love
25 with him. And it's always so good to see him,

1 year after year, use something that could have
2 been a barrier in life as a point of advocacy to
3 change so many lives for other children and his
4 peers.

5 I always want to lift up Courtney,
6 in the month that we celebrate mothers for their
7 hard work, for her tireless effort in making sure
8 that every branch of government in our
9 communities, especially in Erie County,
10 recognizes this important day.

11 You guys are my friends, and it's so
12 good to see you here in Albany raising this
13 advocacy.

14 Madam President, thank you for this
15 time. Please offer our guests the courtesies of
16 our chamber.

17 ACTING PRESIDENT MAYER: Thank you,
18 Senator Baskin.

19 To our guests from the
20 Malicki family who are here on behalf of
21 Apraxia Awareness Month, thank you so much for
22 joining us. Congratulations on all your hard
23 work. As parents, we know it's a lot of hard
24 work.

25 And to all of you, all your kids,

1 congratulations. We extend to you the privileges
2 and courtesies of the house.

3 Please rise and be recognized.

4 (Enthusiastic standing ovation.)

5 ACTING PRESIDENT MAYER: The
6 resolution was previously adopted on April 21st.

7 Senator Serrano.

8 SENATOR SERRANO: Madam President,
9 let's please take up Resolution Number 2081, by
10 Senator May. Let's read that resolution title
11 only and recognize Senator May.

12 ACTING PRESIDENT MAYER: The
13 Secretary will read.

14 THE SECRETARY: Resolution 2081, by
15 Senator May, memorializing Governor Kathy Hochul
16 to proclaim May 12, 2026, as Fibromyalgia
17 Awareness Day in the State of New York.

18 ACTING PRESIDENT MAYER: Senator
19 May on the resolution.

20 SENATOR MAY: Thank you,
21 Madam President.

22 Fibromyalgia is a chronic syndrome
23 characterized by pain, fatigue, sleep disorders,
24 digestive difficulties, stiffness, weakness,
25 migraine headaches, numbness and tingling, and

1 impairment of memory and concentration.

2 It is notoriously hard to diagnose
3 and even harder to treat. And partly for these
4 reasons, it receives less attention from
5 researchers and less public awareness than it
6 deserves.

7 Fortunately, the Fibromyalgia Task
8 Force of New York State has stepped into the void
9 and is trying to help. It is developing a
10 website for physicians that will provide a
11 comprehensive overview of fibromyalgia research,
12 with implications for new treatments. It's
13 developing information on Social Security
14 Disability and use of complementary therapies.
15 And it is advocating for creation of a statewide
16 committee to address fibromyalgia more
17 comprehensively.

18 We are joined here today by members
19 of the Fibromyalgia Task Force of New York State,
20 including Sue Shipe, Brian Hart, Lisa Nelson,
21 David Shipe, Zoe Indartien {ph} and Minda Conroe.

22 And I hope that you will welcome
23 them and thank them for their amazing advocacy
24 and all they're doing for the many -- up to 3 to
25 6 percent of the population who have this

1 syndrome, including myself.

2 Thank you.

3 ACTING PRESIDENT MAYER: Thank you,
4 Senator May.

5 To our guests from the Fibromyalgia
6 Awareness Task Force of New York State, thank you
7 for joining us here today. We extend to you the
8 privileges and courtesies of the house. We hear
9 you, we acknowledge you, and we grant you all the
10 goodwill for coming to share with us today.

11 Please rise and be recognized.

12 (Standing ovation.)

13 ACTING PRESIDENT MAYER: The
14 question is on the resolution. All those in
15 favor please signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT MAYER: Opposed,
18 nay.

19 (No response.)

20 ACTING PRESIDENT MAYER: The
21 resolution is adopted.

22 Senator Serrano.

23 SENATOR SERRANO: Madam President,
24 let's take up Resolution 2069, by
25 Senator Fernandez. Let's read that resolution

1 title only and recognize Senator Fernandez.

2 ACTING PRESIDENT MAYER: The
3 Secretary will read.

4 THE SECRETARY: Resolution 2069, by
5 Senator Fernandez, memorializing
6 Governor Kathy Hochul to proclaim May 10-16,
7 2026, as Prevention Week in the State of
8 New York.

9 ACTING PRESIDENT MAYER: Senator
10 Fernandez on the resolution.

11 SENATOR FERNANDEZ: Thank you so
12 much, Madam President.

13 Happy Prevention Week. I hope you
14 all got a chance to meet the student leaders that
15 came up to Albany today from all over the state,
16 from many of our districts, to talk about
17 prevention and how this needs to be part of our
18 educational system, how it needs to be something
19 that our kids know earlier than later to prevent
20 them from maybe even trying a drug, to educate
21 others on what are the effects of other
22 substances, and to keep the awareness alive about
23 what can happen when you do, when you don't, and
24 when others are partaking.

25 But above all, we always agree that

1 education is one of the best tools of prevention,
2 to help people make better decisions for
3 themselves and to help guide their neighbors and
4 loved ones to make the best decisions.

5 So Happy Prevention Week. Shout out
6 to the kids that were here. They had to leave
7 early.

8 But starting young is the best thing
9 we can do, and I'm really proud of them for being
10 the young leaders that they are now, starting
11 clubs in their schools to talk about it, to be
12 helpful peers, to help their students get through
13 life if they need to.

14 And we're really grateful that
15 they're taking these initiatives sooner and now,
16 in their young ages, to be great leaders and
17 partners in the future.

18 So thank you so much. Happy
19 Prevention Week. Spread the awareness. Let's
20 break the stigma, and let's keep helping our
21 communities.

22 ACTING PRESIDENT MAYER: Thank you,
23 Senator Fernandez.

24 I know our guests have left, but we
25 acknowledge them and appreciate their being here

1 today on behalf of Prevention Week.

2 The question is on the resolution.

3 All those in favor please signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT MAYER: Opposed,
6 nay.

7 (No response.)

8 ACTING PRESIDENT MAYER: The
9 resolution is adopted.

10 Senator Serrano.

11 SENATOR SERRANO: Madam President,
12 let's take up previously adopted Resolution 1495,
13 by Senator Gounardes. Let's read that resolution
14 title only and recognize Senator Gounardes.

15 ACTING PRESIDENT MAYER: The
16 Secretary will read.

17 THE SECRETARY: Resolution 1495, by
18 Senator Gounardes, memorializing Governor Kathy
19 Hochul to proclaim January 25th to 31st, 2026, as
20 Physician Anesthesiologist Week in the State of
21 New York.

22 ACTING PRESIDENT MAYER: Senator
23 Gounardes on the resolution.

24 SENATOR GOUNARDES: Thank you,
25 Madam President.

1 Colleagues, when most of us think
2 about a trip to the operating room, we think
3 about the surgeon. But there's another physician
4 at the head of the table, an anesthesiologist,
5 whose job it is to help keep the patient alive,
6 stable, and safe through every moment of the
7 procedure. They are, in many respects, the quiet
8 guardians of modern medicine.

9 The contributions of this specialty
10 to American healthcare are extraordinary. After
11 all, it was an anesthesiologist, Dr. Virginia
12 Apgar, who developed the Apgar score that has
13 assessed the health of nearly every newborn for
14 generations.

15 And it was anesthesiologists who
16 pioneered pulse oximetry and the safety
17 monitoring standards that have produced the
18 single largest sustained reduction in
19 peri-operative mortality of any medical
20 specialty.

21 And it is physician
22 anesthesiologists who developed nerve blocks,
23 spinals, and epidurals that are helping us turn
24 the tide against the opioid epidemic.

25 Here in New York that tradition is

1 alive and well, and we are honored today to be
2 joined by leaders of the New York State Society
3 of Anesthesiologists.

4 With us is the society's president,
5 Dr. Stacey Watt, a pediatric anesthesiologist
6 from Buffalo who cares for some of our youngest
7 and most vulnerable patients.

8 We're also joined by the first
9 assistant secretary of the society,
10 Dr. Sudheer Jain, who's the chief of
11 anesthesiology at Bellevue Hospital, also
12 affiliated with NYU Langone.

13 We're also joined by
14 Dr. Aaron Primm, an anesthesiologist at NYU, as
15 well as the society's executive director,
16 Babette Atkins, whose leadership keeps this
17 organization running on behalf of physicians and
18 patients across the state.

19 As many of you know, my father is a
20 dentist and he was involved in his organized
21 dentistry society for many years. And I have a
22 deep appreciation for any professionals,
23 especially our medical professionals, who take
24 the time out of their busy days to give back to
25 their profession, to strengthen their profession,

1 to come to Albany to advocate for rules and
2 regulations and laws that allow them to practice
3 their profession safely.

4 And so I proudly vote aye on this
5 resolution. And, Mr. President, I hope you give
6 our guests the privileges of the chamber.

7 Thank you.

8 ACTING PRESIDENT BAILEY: Thank
9 you, Senator Gounardes.

10 To the anesthesiologists, we
11 appreciate your integral and critically important
12 role in surgery and in medicine in general.

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

16 Please rise and be recognized.

17 (Standing ovation.)

18 ACTING PRESIDENT BAILEY: The
19 resolution was adopted on February 4th.

20 Senator Serrano.

21 SENATOR SERRANO: Mr. President,
22 let's take up previously adopted Resolution 1917,
23 by Senator Martinez. Let's read that resolution
24 title only and recognize Senator Martinez.

25 ACTING PRESIDENT BAILEY: The

1 Secretary will read.

2 THE SECRETARY: Resolution 1917, by
3 Senator Martinez, memorializing Governor Kathy
4 Hochul to proclaim May 4-6, 2026, as Golf Day in
5 the State of New York.

6 ACTING PRESIDENT BAILEY: Senator
7 Martinez on the resolution.

8 SENATOR MARTINEZ: Thank you,
9 Mr. President.

10 I rise today to commemorate Golf Day
11 in the State of New York for the first time.
12 New York is widely considered the birthplace of
13 American golf. In 1888, St. Andrew's Golf Club,
14 the oldest continuously operating golf club in
15 the United States, was founded right here in
16 New York, in Yonkers.

17 In 1895, in the Bronx, the
18 Van Cortlandt Park also opened the nation's first
19 public municipal golf course, equalizing the
20 sport and allowing everyday New Yorkers to play.

21 Around the same time, St. Andrew's
22 and Long Island's Shinnecock Hills were among the
23 five chartered clubs to establish the
24 United States Golf Association, which is the
25 governing body of golf, which was formed right

1 here in New York as well.

2 Golf is part of our heritage, and
3 this resolution gives us the opportunity to
4 recognize both its storied history and its
5 extraordinary contributions to our state today.

6 Representing Long Island, this is a
7 source of pride. Next month, the 2026 U.S. Open
8 will be held at Shinnecock Hills, once again
9 placing New York at the center of the world of
10 golf.

11 Not too long ago, a few months, we
12 held the Ryder Cup, which captivated the world's
13 attention, also taking place at our stunning golf
14 course, Bethpage State Park Black Course, which
15 is also a municipal course.

16 Anyone who has ever attended one of
17 these tournaments knows that golf is more than
18 just a game; it is a driver of economic activity
19 which generates \$12.9 billion in total economic
20 impact across the state, supporting approximately
21 89,000 jobs, and produces more than \$1 billion in
22 state and local tax revenue. It is in every
23 sense an economic engine for the state.

24 This sport also benefits our
25 environment while protecting over 103,000 acres

1 of green space statewide, enhancing New York's
2 scenic beauty while helping to clean our air and
3 water.

4 At its core, golf is a social game
5 that brings people together. It is a game that
6 you love to hate and a game you hate to love.
7 For those of you who have played, you know how
8 frustrating it can be when the ball does not go
9 the way you want it to go.

10 Local courses and programs provide a
11 unique outdoor setting where New Yorkers of all
12 ages and backgrounds connect. Golf is an
13 impactful part of New York economically,
14 environmentally and socially, and it is entirely
15 fitting that we pause to honor its enduring
16 contributions to our state.

17 Which is why I am proud to sponsor
18 this resolution recognizing May 4th through 6th
19 as Golf Day in the State of New York, and to
20 acknowledge all the professionals and advocates
21 who are here, including the Empire State
22 Golf Alliance and its member organizations
23 throughout the state, some of them who are here
24 with us today.

25 Thank you for your work in advancing

1 this game. Thank you for your advocacy across
2 the state.

3 And please, Mr. President, if you
4 can extend the privileges and cordialities of the
5 house to our guests today.

6 ACTING PRESIDENT BAILEY: Thank
7 you, Senator Martinez.

8 To our golf ambassadors, the game
9 may be challenging, but thank you for your
10 advocacy to strengthen it in our great state. I
11 welcome you on behalf of the Senate and extend to
12 you all of the privileges and courtesies of this
13 house.

14 Please rise and be recognized.
15 (Standing ovation.)

16 ACTING PRESIDENT BAILEY: The
17 resolution was adopted on April 21st.

18 Senator Serrano.

19 SENATOR SERRANO: Thank you.

20 At the request of the sponsors, the
21 resolutions are open for cosponsorship.

22 ACTING PRESIDENT BAILEY: At the
23 request of all of the sponsors, these resolutions
24 are open for cosponsorship. Should you choose
25 not to be a cosponsor, please notify the desk.

1 Senator Serrano.

2 SENATOR SERRANO: Let's please take
3 up the reading of the calendar.

4 ACTING PRESIDENT BAILEY: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number
7 185, Senate Print 7483, by Senator May, an act to
8 amend the General Business Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 410, Senate Print 363B, by Senator Gianaris, an
24 act to amend the General Business Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

2 THE SECRETARY: Section 4. This
3 act shall take effect on the 60th 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: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar Number 410, voting in the negative are
12 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
13 Chan, Gallivan, Griffo, Helming, Lanza, Martins,
14 Mattera, Murray, O'Mara, Ortt, Palumbo, Rolison,
15 Stec, Tedisco, Walczyk and Weik. Also
16 Senator Rhoads.

17 Ayes, 40. Nays, 20.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 412, Senate Print 2539C, by Senator Myrie, an act
22 to amend the General Business Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 90th day after it
2 shall have become a law.

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 412, voting in the negative are
10 Senators Borrello, Gallivan, Murray, Palumbo and
11 Stec.

12 Ayes, 55. Nays, 5.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 475, Senate Print 548, by Senator Stec,
17 Concurrent Resolution of the Senate and Assembly
18 proposing an amendment to Section 1 of Article 14
19 of the Constitution.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: Ayes, 60.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 535, Senate Print 2493, by Senator Gounardes, an
9 act to amend the Environmental Conservation Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar 535, voting in the negative are
21 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
22 Gallivan, Griffo, Helming, Lanza, Mattera,
23 Murray, O'Mara, Ortt, Palumbo, Rhoads, Stec,
24 Tedisco, Walczyk, Weber and Weik.

25 Ayes, 42. Nays, 18.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 542, Senate Print 4413A, by Senator May, an act
5 to amend the General Business Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

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

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 542, voting in the negative are
18 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
19 Martins, Mattera, Murray, O'Mara, Ortt, Stec,
20 Walczyk, Weber and Weik.

21 Ayes, 48. Nays, 12.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 586, Senate Print 56B, by Senator Fernandez, an

1 act to amend the Public Health Law.

2 SENATOR LANZA: Lay it aside.

3 ACTING PRESIDENT BAILEY: Lay it
4 aside.

5 THE SECRETARY: Calendar Number
6 642, Senate Print 7137, by Senator Salazar, an
7 act to amend the Correction Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 624, voting in the negative are
20 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
21 Chan, Gallivan, Griffo, Helming, Lanza, Martins,
22 Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads,
23 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

24 Ayes, 39. Nays, 21.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 718, Assembly Bill Number 10129, by
4 Assemblymember Schiavoni, an act to amend the
5 Indian Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 738, Senate Print 9506, by Senator Rolison, an
20 act to amend the Executive Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

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

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 774, Senate Print 258, by Senator Martinez, an
10 act to amend the Vehicle and Traffic Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

13 THE SECRETARY: Section 3. This
14 act shall take effect on the first of November.

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: Ayes, 60.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 780, Senate Print 7607C, by Senator Borrello, an
25 act to amend the Highway Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

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

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

12 This legislation honors the life,
13 courage and sacrifice of Lieutenant Gary A.
14 Scott, a LeRoy native who gave his life serving
15 his country in Vietnam.

16 Lieutenant Scott graduated from
17 LeRoy High School in 1963, where he distinguished
18 himself for his leadership, scholarship and
19 character.

20 After attending Syracuse University
21 through ROTC, Lieutenant Scott graduated as a
22 distinguished ROTC cadet and earned the
23 opportunity to choose his military branch.

24 Although he could have selected a
25 safer non-combat assignment during the height of

1 the Vietnam War, Lieutenant Scott deliberately
2 chose the infantry, because he wanted to lead
3 from the front and believed African-Americans
4 were underrepresented in military leadership
5 roles.

6 Lieutenant Scott served with
7 Company A, First Battalion, 101st Airborne
8 Division, the Screaming Eagles.

9 On March 29, 1968, Lieutenant Scott
10 was killed during an ambush while attempting to
11 save members of his own platoon pinned down by
12 enemy fire.

13 The medic serving alongside him
14 stated: "Gary never asked or directed anyone to
15 do what he himself was not willing to do."
16 Lieutenant Scott ultimately gave his life
17 shielding the medic with his own body. He was
18 just 22 years old.

19 Lieutenant Scott was posthumously
20 awarded the Silver Star for his heroism.

21 His legacy has endured for decades
22 through a scholarship established in his name at
23 LeRoy Central School by Syracuse University
24 classmates, which has continued since 1969.

25 His final letters home from Vietnam

1 were later featured in an acclaimed book,
2 Dear America: Letters Home from Vietnam, which
3 became an award-winning documentary narrated by
4 actors including Robert DeNiro, Martin Sheen, and
5 Robin Williams.

6 This proposal has received strong
7 community support, including petitions signed by
8 residents and letters from those who served
9 alongside Lieutenant Scott in Vietnam. The bill
10 will designate a portion of Route 19 in the Town
11 of LeRoy, Genesee County, as Lieutenant Gary A.
12 Scott Memorial Highway.

13 Lieutenant Scott's extraordinary
14 courage and selfless sacrifice made him deeply
15 deserving of this lasting recognition.

16 This designation will ensure future
17 generations remember not only his sacrifice, but
18 also the values he embodied: Courage,
19 leadership, service and selflessness.

20 I proudly vote aye. Thank you.

21 ACTING PRESIDENT BAILEY: Senator
22 Borrello to be recorded in the affirmative.

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar 780, voting in the negative:

1 Senator Brisport.

2 Ayes, 59. Nays, 1.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 788, Assembly Bill Number 8130, by
7 Assemblymember Conrad, an act to amend the
8 Agriculture and Markets Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 824, Senate Print 2454, by Senator Gianaris, an
23 act to amend the Public Officers Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

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

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: Ayes, 60.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 829, Senate Print 8681, by Senator Ryan, an act
13 to amend the Not-For-Profit Corporation Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 829, voting in the negative:
25 Senator Skoufis.

1 Ayes, 59. Nays, 1.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 832, Senate Print 4391, by Senator Gounardes, an
6 act to amend the General Business Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 844, Senate Print 2485, by Senator Parker, an act
22 to amend the Public Service Law.

23 SENATOR LANZA: Lay it aside.

24 ACTING PRESIDENT BAILEY: Lay it
25 aside.

1 THE SECRETARY: Calendar Number
2 861, Assembly Bill Number 10163, by
3 Assemblymember Lavine, an act to amend the
4 Veterans' Services Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 892, Senate Print 9571, by Senator Kavanagh, an
20 act to amend the Public Housing Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

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

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 898, voting in the negative:
7 Senator Skoufis.

8 Ayes, 59. Nays, 1.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 907, Senate Print 8368, by Senator Bynoe, an act
13 to amend the Education Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 907, voting in the negative:
25 Senator Walczyk.

1 Ayes, 59. Nays, 1.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 913, Senate Print 9582, by Senator Gonzalez, an
6 act to amend the Surrogate's Court Procedure Act.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 913, voting in the negative are
18 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
19 Chan, Gallivan, Griffio, Helming, Lanza, Mattera,
20 Murray, O'Mara, Ortt, Palumbo, Rhoads, Stec,
21 Tedisco, Walczyk, Weber and Weik.

22 Ayes, 41. Nays, 19.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 925, Senate Print 9223, by Senator Liu, an act to
2 amend the Education Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 925, voting in the negative:
15 Senator Walczyk.

16 Ayes, 59. Nays, 1.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 932, Assembly Bill Number 2633, by
21 Assemblymember Lunsford, an act in relation to
22 directing the president of the State Civil
23 Service Commission to conduct a study on job
24 vacancies across state agencies.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 932, voting in the negative are
11 Senators O'Mara, Ortt and Walczyk.

12 Ayes, 57. Nays, 3.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 935, Senate Print 1665, by Senator Harckham, an
17 act to amend the Vehicle and Traffic Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 935, voting in the negative are
5 Senators Borrello, Gallivan, Griffo and Skoufis.

6 Ayes, 56. Nays, 4.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 980, Senate Print 8395, by Senator Brouk, an act
11 to amend the Public Health Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 10. This
15 act shall take effect on the 180th day after it
16 shall have become a law.

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 980, voting in the negative are
24 Senators Walczyk and Martinez.

25 Ayes, 58. Nays, 2.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 984, Senate Print 4515, by Senator Ramos, an act
5 to amend the Labor Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Senator
14 Ramos to explain her vote.

15 SENATOR RAMOS: Thank you,
16 Mr. President.

17 Here we are once again passing this
18 bill to grant domestic workers paid sick leave.
19 It is simply the right thing to do. It's a right
20 afforded to so many other workers. And I think
21 we always have to be honest about the history
22 here.

23 Domestic work has traditionally been
24 performed by Black women, immigrant women, and
25 women of color in general. The exclusion of

1 domestic workers from basic labor protections
2 isn't accidental. It's one of the last vestiges
3 of a labor system shaped during the Jim Crow era,
4 where certain workers were intentionally left
5 outside the protections others have received.

6 And unfortunately, until we make
7 this bill law, that legacy will continue to echo
8 in New York today.

9 Across New York State we trust these
10 women to care for our families, to care for our
11 homes, our most prized and beloved possessions.
12 All they're asking for is that they be granted
13 time to take care of themselves and their loved
14 ones too.

15 And so that way they don't have to
16 make grim choices like either go to work sick or
17 lose wages, care for your health or risk your
18 job. Frankly, no worker should have to make that
19 choice, especially not the workers who sustain
20 our care economy every single day.

21 More than 328,000 domestic workers
22 support households across this state.

23 So I want to thank our leader,
24 Andrea Stewart-Cousins, and everyone who's voting
25 for this bill. Here's hoping the Assembly

1 catches up to us.

2 I vote aye, Mr. President.

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

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar 984, voting in the negative are
8 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
9 Chan, Gallivan, Griffio, Helming, Lanza, Martins,
10 Mattera, O'Mara, Ortt, Palumbo, Rhoads, Rolison,
11 Stec, Tedisco, Walczyk, Weber and Weik.

12 Ayes, 40. Nays, 20.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 990, Senate Print 3553, by Senator Cleare, an act
17 to amend the Public Service Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 990, voting in the negative are
5 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
6 Chan, Griffo, Lanza, Mattera, O'Mara, Ortt,
7 Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

8 Ayes, 45. Nays, 15.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 Senator Serrano, that completes the
12 reading of today's calendar.

13 SENATOR SERRANO: Mr. President,
14 let's go to the reading of the supplemental
15 calendar.

16 ACTING PRESIDENT BAILEY: The
17 Secretary will read.

18 THE SECRETARY: Calendar Number
19 1005, Senate Print 488A, by Senator Fernandez, an
20 act to amend the General Business Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Senator
5 Fernandez to explain her vote.

6 SENATOR FERNANDEZ: Thank you,
7 Mr. President.

8 I rise to happily vote for my bill
9 that I call the Manufacturer Disclosure and
10 Transparency Act.

11 This bill is about transparency,
12 competition, and affordability when it comes to
13 our prescription drug market. Across New York,
14 families are feeling the pressure of rising
15 costs. That includes the rising cost of
16 prescription drugs, medications which many
17 New Yorkers rely on to manage their health, treat
18 chronic health conditions, and maintain their
19 quality of life.

20 One of the most effective ways to
21 lower prescription drug costs is through the
22 timely availability of generic medications. When
23 generic drugs enter the market, they increase
24 competition and help make essential medications
25 more affordable for consumers.

1 Unfortunately, certain patent
2 settlement agreements, often referred to as
3 pay-for-delay agreements, can delay the
4 introduction of generic drugs. These
5 arrangements allow manufacturers to benefit while
6 consumers are left paying higher prices and
7 waiting longer for lower-cost alternatives.

8 That delay matters. To a family
9 already stretching every dollar, a senior living
10 on a fixed income, or a patient trying to manage
11 multiple prescriptions, delayed access to
12 affordable medication can have significant
13 consequences.

14 This bill requires pharmaceutical
15 manufacturers doing business in New York to
16 notify the Attorney General when they enter into
17 certain patent settlement agreements that affect
18 the commercial launch date of a drug or
19 biological product. It also requires those
20 notices be made publicly available in a
21 searchable format, strengthening transparency and
22 accountability.

23 Consumers should not be kept in the
24 dark when decisions are made behind closed doors
25 that affect the prices they pay at the pharmacy

1 counter. By bringing these agreements into the
2 light, we can promote fair competition to inform
3 consumers and move forward towards a system where
4 affordable medications reach New Yorkers without
5 unnecessary delay.

6 I vote aye. Thank you very much.

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

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 1005, voting in the negative are
12 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
13 Chan, Griffo, Helming, Lanza, Mattera, O'Mara,
14 Ortt, Palumbo, Stec, Tedisco, Walczyk, Weber and
15 Weik.

16 Ayes, 44. Nays, 16.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1006, Senate Print 5599, by Senator May, an act
21 to amend the General Business Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Senator
5 May to explain her vote.

6 SENATOR MAY: Thank you,
7 Mr. President.

8 A few months ago I rented a car, and
9 I was in a hurry to return it and forgot to fill
10 up the tank. And when I returned the car, the
11 woman at the desk said, "Do you want to pay \$90
12 for us to fill the tank, or do you want to go
13 around the corner and fill it up yourself?"

14 And I took the second option, went
15 around the corner. It cost me about \$20 to fill
16 up the tank.

17 I think that is excessive, that they
18 were charging \$90 for what you could get for \$20
19 at the tank. And this bill is designed to rein
20 in that kind of price gouging by auto rental
21 companies. All it says is that they can charge
22 the going rate for gas plus 25 percent, but they
23 can't just charge anything they feel like.

24 So I rise to vote aye on this bill
25 but also to say I'm very proud of this whole

1 package of consumer protection bills that we're
2 passing today. All of the bills on the
3 supplemental calendar as well as several of the
4 bills on the active list are designed to help
5 New Yorkers believe that they are paying fair
6 prices when they go to a store or they go online
7 or they buy groceries. Because right now we're
8 at a moment where people are seeing eye-popping
9 costs in the store.

10 Just today the president said he
11 doesn't think about Americans' financial
12 situation. But here in this body, we do. And we
13 want to make sure that even though we can't
14 control the inflation from tariffs or from rising
15 gas prices worldwide, we can make sure that
16 prices are fair, that people are being able to
17 recognize that the price that they are being
18 charged is a price that's not based on their
19 personal data or what kind of computer they use
20 or any of the tricks that companies are starting
21 to use through the use of artificial intelligence
22 and Big Data.

23 And I am proud that we are passing
24 this package of bills, and I proudly vote aye on
25 all of them.

1 Thank you.

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

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar 1006, voting in the negative are
7 Senators Walczyk and Weber.

8 Ayes, 58. Nays, 2.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1007, Senate Print 8483C, by Senator Ryan, an act
13 to amend the General Business Law.

14 ACTING PRESIDENT BAILEY: 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 BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BAILEY: Senator
23 Ryan to explain his vote.

24 SENATOR RYAN: Thank you,
25 Mr. President.

1 I want to rise and support this
2 bill, which takes an important step toward
3 protecting consumers from online hidden
4 algorithmic price manipulation.

5 You know, the reality is that every
6 day more and more of our lives move into the
7 digital marketplace. But unfortunately, many
8 online retailers' digital platforms now have the
9 ability to use private device data -- things like
10 the type of your phone, your own phone, your
11 device, your software, even your battery level.

12 Which is extremely scary, by the
13 way, to determine how much you may pay for a
14 product or a service.

15 So what that means is that when you
16 have two people that are shopping for the exact
17 same item, they could be shown two completely
18 different prices -- not because of supply or
19 demand but simply because the algorithmic data
20 has decided that one person of those two may be
21 more willing, may have the need or the means to
22 pay more, or may be, quite frankly, more
23 desperate, because of their location or the
24 battery level on their phone.

25 Consumers more often than not are

1 completely unaware that this is happening. These
2 practices are deeply hidden from public view. We
3 have no idea that they're happening.

4 What this bill simply will do, it
5 will prohibit companies from using
6 device-specific information to secretly
7 manipulate prices without consumers' knowledge.

8 At the same time, it preserves
9 legitimate and transparent pricing practices that
10 our businesses, small and big, rely on every day.

11 So this legislation is also not just
12 about transparency, it's about accountability.
13 It's about making sure that the ever-changing and
14 evolving technology works for consumers, not
15 against them.

16 It's also about ensuring that our
17 laws keep pace with the realities of our modern
18 economy. Our devices and technology is only
19 going to get better and faster and worse for
20 consumers.

21 So I proudly vote in favor, and I
22 hope you do as well.

23 Thank you.

24 ACTING PRESIDENT BAILEY: Senator
25 Ryan to be recorded in the affirmative.

1 Senator Martins to explain his vote.

2 SENATOR MARTINS: Thank you,
3 Mr. President.

4 I rise to support the bill, and I
5 want to thank the sponsor for this legislation.

6 You know, if we're going to talk
7 about affordability in a grander context, I think
8 we should contextualize the discussion. And yes,
9 there are a couple of bills that we're discussing
10 today and will be voting on, and that we've
11 already voted on, that deal with issues of
12 affordability.

13 But you know, Mr. President, I had a
14 chance to go back and take a look at the State
15 Budget in 2018 -- so about \$170 billion. So from
16 the founding of the state to 2018, it was
17 \$170 billion. But in the last eight years, it's
18 gone up by \$100 billion, based on the budget that
19 we keep hearing about this year.

20 So, Mr. President, if you take
21 \$100 million and you divide it by the 19 million
22 people in New York State, a family of four is
23 paying \$20,000 a year more this year than they
24 were eight years ago because of the financial
25 decisions that are made in this body.

1 Because the state budget pulls that
2 money out of the economy. And rather than giving
3 it back to our residents, we're pulling it out
4 and we're spending it -- for what? We still have
5 potholes. Our electric systems are still falling
6 apart. Our hospitals are still in dire straits.

7 So folks, if we're going to talk
8 about affordability, great on these bills. But
9 let's be honest about the whole thing.

10 I vote aye.

11 ACTING PRESIDENT BAILEY: Senator
12 Martins to be recorded in the affirmative.

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar 1007, voting in the negative:
16 Senator Walczyk.

17 Ayes, 59. Nays, 1.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1008, Senate Print 8563, by Senator Cleare, an
22 act to amend the General Business Law.

23 SENATOR LANZA: Lay it aside.

24 UNIDENTIFIED SENATOR: Lay it aside.

25 ACTING PRESIDENT BAILEY: A double

1 lay-aside.

2 THE SECRETARY: Calendar Number
3 1009, Senate Print 8616A, by Senator Gianaris, an
4 act to amend the General Business Law.

5 SENATOR LANZA: Lay it aside.

6 SENATOR SERRANO: Lay it aside for
7 the day.

8 ACTING PRESIDENT BAILEY: The bill
9 will be laid aside for the day.

10 Senator Serrano, that completes the
11 reading of the supplemental calendar.

12 SENATOR SERRANO: Thank you.

13 Can we go to the reading of the
14 controversial calendar.

15 ACTING PRESIDENT BAILEY: The
16 Secretary will ring the bell.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 586, Senate Print 56B, by Senator Fernandez, an
20 act to amend the Public Health Law.

21 ACTING PRESIDENT BAILEY: Senator
22 Rolison, why do you rise?

23 SENATOR ROLISON: Mr. President,
24 would the sponsor yield for some questions.

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR FERNANDEZ: Yes,
3 Mr. President.

4 ACTING PRESIDENT BAILEY: The
5 sponsor yields.

6 SENATOR ROLISON: Mr. President,
7 through you.

8 Senator, I understand the genesis of
9 this bill. We've seen it before. And my
10 question is, if someone brings in an illegal
11 substance such as fentanyl, heroin,
12 methamphetamine -- crack -- or other substances
13 that are illegal, and this individual, Senator,
14 is known to local law enforcement in and around
15 that drug-checking center as a seller of drugs,
16 what is in place or what would be in place for
17 public safety to address that issue with that
18 individual being in that drug-checking center?

19 SENATOR FERNANDEZ: So what is
20 brought in when someone is trying to check their
21 substance -- it's not like a big kilo or even the
22 substance, sometimes it's just the residue of the
23 bag or, yes, maybe whatever is in the little
24 baggy.

25 And any connection to law

1 enforcement, we would be seeing it now. Because
2 this bill doesn't change anything than what's
3 already happening. This is a program the
4 Department of Health has been running for
5 10 years already, providing the machine and
6 taking in the information and utilizing it as
7 best needed.

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

11 ACTING PRESIDENT BAILEY: Will the
12 sponsor yield?

13 SENATOR FERNANDEZ: Yes.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

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

18 So, Senator, the sellers of drugs --
19 I think what you're saying, you don't believe
20 that they would be able to, say, exploit this so
21 they would be able to test the potency of the
22 very drugs that they're selling on the street?

23 SENATOR FERNANDEZ: Through you,
24 Mr. President, no.

25 This machine is usually used by

1 frequent patients of certain clinics already
2 known in the Department of Health's records. And
3 they come to know what they are about to use or
4 what they just probably purchased. As we know,
5 the drug supply in the streets is mixed up with
6 many different chemicals. Fentanyl we know is
7 one, xylazine, medetomidine. It's constantly
8 changing.

9 So no, they're not coming to test
10 what else is out there. This is for patients and
11 clients of certain programs to make
12 better-informed decisions before they use their
13 substances.

14 SENATOR ROLISON: Mr. President,
15 will the sponsor continue to yield?

16 ACTING PRESIDENT BAILEY: Will the
17 sponsor yield?

18 SENATOR FERNANDEZ: Yes.

19 ACTING PRESIDENT BAILEY: The
20 sponsor yields.

21 SENATOR ROLISON: So again, I
22 just -- what concerns me, but also too, Senator,
23 so they're -- are you saying that law enforcement
24 could distinguish between legitimate
25 drug-checking activity and, say, the broader

1 unlawful drug possession or trafficking of those
2 substances in and around the center on those
3 particular streets?

4 (Pause.)

5 SENATOR FERNANDEZ: Through you,
6 Mr. President. This bill doesn't protect the
7 drug dealer. It protects that individual from
8 possibly harming themselves.

9 This is a form of harm reduction.
10 And that's something that we've proudly supported
11 through funding, through new programing, to make
12 sure that an individual is best informed before
13 they make choices for themselves.

14 This program, as it's been running
15 for the last 10 years, does not intend to punish
16 or to look for a person to arrest here, but it's
17 to provide health knowledge before taking an
18 action.

19 SENATOR ROLISON: Will the sponsor
20 continue to yield.

21 ACTING PRESIDENT BAILEY: Will the
22 sponsor yield?

23 SENATOR FERNANDEZ: Yes.

24 ACTING PRESIDENT BAILEY: The
25 sponsor yields.

1 SENATOR ROLISON: Senator, getting
2 to the cost factor of these centers, do you have
3 an idea on what, say, a projected cost would be
4 to DOH to establish and then oversee these
5 centers, especially if it becomes statewide?

6 SENATOR FERNANDEZ: They've been
7 covering this cost on their own budget terms.
8 And, through conversations, about \$2 million this
9 may cost if we do codify it.

10 SENATOR ROLISON: Will the sponsor
11 continue to yield?

12 ACTING PRESIDENT BAILEY: Will the
13 sponsor yield?

14 SENATOR FERNANDEZ: Yes.

15 ACTING PRESIDENT BAILEY: The
16 sponsor yields.

17 SENATOR ROLISON: Senator, do you
18 think that local governments outside of the state
19 would have any costs to fund or staff any of
20 these locations, depending on where they are?

21 SENATOR FERNANDEZ: Through you,
22 Mr. President, can you repeat that question? Can
23 outside states --

24 SENATOR ROLISON: Yeah -- well,
25 no -- through you, Mr. President.

1 Would you anticipate any cost to
2 local government to staff these drug-checking
3 centers?

4 SENATOR FERNANDEZ: Through you,
5 Mr. President, no. If it has not cost local
6 governments now or in the last 10 years, it will
7 not cost them anything moving forward.

8 SENATOR ROLISON: Through you,
9 Mr. President, if the sponsor will continue to
10 yield.

11 ACTING PRESIDENT BAILEY: Will the
12 sponsor yield?

13 SENATOR FERNANDEZ: Yes.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

16 SENATOR ROLISON: I know, Senator,
17 in looking at the bill, there's specialized
18 equipment that has to be used so the
19 drug-checking is done in a way that we know is
20 going to be accurate for the individuals coming
21 in.

22 What type of costs, do you know,
23 with the types of spectrometers, et cetera, is
24 there any cost associated that we know of or that
25 you know of, Senator?

1 SENATOR FERNANDEZ: Through you,
2 Mr. President. If we were to codify it, it would
3 be about 1.1 million for maintenance and
4 equipment.

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

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield?

10 SENATOR FERNANDEZ: Yes.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR ROLISON: And of course I
14 mean -- I understand the funding could be coming
15 from different places. But is the bill that
16 we're actually, you know, debating right now, you
17 and I, Senator, does this have funding attached
18 to it?

19 SENATOR FERNANDEZ: This bill does
20 not -- through you, Mr. President -- oh,
21 Mr. President. New Mr. President.

22 (Laughter.)

23 (Pause.)

24 SENATOR FERNANDEZ: Through you,
25 Mr. President. Right now it would not cost

1 anything.

2 But if there were to -- if this bill
3 were to proceed and be successful, to codify it
4 there would be a -- 2 million? Two million
5 through this action.

6 SENATOR ROLISON: Would the sponsor
7 continue to yield for one more question.

8 ACTING PRESIDENT COONEY: Will the
9 sponsor yield for one more question?

10 SENATOR FERNANDEZ: Can I think
11 about it? No --

12 (Laughter.)

13 SENATOR FERNANDEZ: Yes, I do.

14 ACTING PRESIDENT COONEY: The
15 sponsor yields.

16 SENATOR ROLISON: Senator, I am
17 very fortunate to be on your committee, and I
18 understand the work that is done there and am, of
19 course, always going to say thank you for that.

20 Do you feel that in addition -- and
21 we can have a disagreement on the drug-checking
22 center concept. But also, in addition to that,
23 in sort of the all-government sort of approach --
24 maybe not that's not the best terminology, but
25 the "all of the above" -- that we need the

1 mandatory getting people in treatment as well,
2 whether they're checking their drugs at drug
3 treatment centers, but also -- I mean, do you
4 believe, in closing this debate between you and I
5 this afternoon, Senator, that that makes sense
6 too?

7 SENATOR FERNANDEZ: Through you,
8 Mr. President. Yes, it does.

9 And that is happening. In my time
10 as chair of this committee, I've visited
11 numerous, dozens of locations throughout the
12 state, up and down, having these conversations
13 with these centers that do have a drug-checking
14 machine.

15 And in those conversations it
16 immediately happens. Knowing that this is in
17 their supply, would you take it? Decision made.

18 Would you like to enter detox, if
19 that is where the conversation goes. Would you
20 like to go to this counseling? Do you know that
21 this is available?

22 These clinics are very well informed
23 and do take every step possible to make sure that
24 an individual is made aware of every option that
25 is available to them when it comes to their

1 health.

2 SENATOR ROLISON: Senator, thank
3 you. Thank you, Mr. President.

4 ACTING PRESIDENT COONEY: Thank
5 you, Senator.

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

8 Seeing and hearing none, debate is
9 now closed.

10 Senator Serrano.

11 SENATOR SERRANO: Mr. President,
12 upon consent, we have agreed to restore this bill
13 to the noncontroversial calendar.

14 ACTING PRESIDENT COONEY: The bill
15 will be restored to the noncontroversial
16 calendar.

17 The Secretary will read the last
18 section.

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

21 ACTING PRESIDENT COONEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT COONEY: Call the
25 roll.

1 (The Secretary called the roll.)

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

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

6 I want to emphasize the need for
7 this bill right now, in this time, this year,
8 where we are. Because looking at the bigger
9 picture, what our federal government is doing,
10 they are cutting all ways of being able to make
11 safe choices.

12 They are cutting sources -- SAMHSA
13 funding has been cut, which provides fentanyl
14 test strips, which provides xylazine test strips,
15 more harm-reduction tools.

16 So if the federal government is
17 going to take away our ability to make the best
18 decisions to care for our health in the best way,
19 we need to step up and to make sure that we have
20 the \$1 million to protect a program that is
21 saving lives every single day.

22 So I proudly vote aye.

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

25 Senator Rivera to explain his vote.

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

3 I want to publicly thank the
4 chairwoman for this great committee, and the
5 sponsor of this bill for believing in harm
6 reduction.

7 Let's just be clear here, folks.
8 You cannot recover if you're not alive. And harm
9 reduction believes, first, in that, believes in
10 finding people where they are, meeting them where
11 they are.

12 The reality is that drug use and
13 addiction is a spectrum, and it is something that
14 somebody does to self-medicate. So they might be
15 in a good place today, but then something happens
16 in their family life, something happens a little
17 bit later, and they're using again.

18 It is not a moral failing, it is a
19 disease, and we have to treat it as such. And
20 that means, in this case, providing the
21 information that they need to know what they're
22 putting into their bodies. Addiction is an
23 affliction that sometimes you can't fight. So
24 knowing that you might be putting something into
25 your body which puts you at risk gives you more

1 information and gets you closer to being in the
2 place where you will find treatment.

3 And ultimately, yes, it is about
4 getting treatment and getting the person to be
5 better. But people have to be alive to do that.
6 This is one of the many tools that we can use to
7 make sure that people stay alive so that they can
8 be here for treatment so that they can continue
9 to be among us.

10 I am proud to be a sponsor of this
11 piece of legislation, and I proudly vote in the
12 affirmative.

13 Thank you, Mr. President.

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

16 Senator Harckham to explain his
17 vote.

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

20 I want to thank Senator Fernandez
21 for this important bill and just echo the
22 comments of my colleagues.

23 If our goal is to get people into
24 treatment, if our goal is to get people well,
25 they need to be alive. And there is such poison

1 in the drug supply right now that we need to keep
2 folks safe. And that should be job number one,
3 is keeping folks safe.

4 And as Senator Rivera said,
5 addiction is a disease, just like diabetes, just
6 like heart disease, just like cancer. It's
7 recognized as such. And nobody wakes up in the
8 morning and chooses to stick a needle in their
9 arm or under their tongue or behind their knee.
10 They do it because they have to. They do it
11 because they have no choice.

12 And we have an obligation to try and
13 keep those folks alive just the way, you know, we
14 work with diabetics, we work with heart disease,
15 we work with cancer. We don't judge those people
16 on a moral level, and this is treating the
17 symptom to keep folks alive. This is triage.

18 I thank you for the bill.

19 I proudly vote aye.

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

22 Announce the results.

23 Oh, I'm sorry. Senator Lanza to
24 explain his vote.

25 SENATOR LANZA: Yes, thank you,

1 Mr. President.

2 I think it's a bit rich to blame
3 this problem on the federal government. But if
4 we're going to talk about the federal government,
5 let's talk about the Biden administration. Four
6 years, open borders, tons of fentanyl brought
7 into this country.

8 Hundreds of thousands of Americans
9 in four years -- in fact, about 500,000 Americans
10 were killed. Our brothers, our sisters, all
11 across this country.

12 And I think sometimes compassion
13 goes so far that it's not compassion. What I
14 think, and for the same reason that I'm against
15 the (finger quoting) safe, clean needle centers
16 in New York City -- which, by the way, are a
17 failure. They're a success if you judge how many
18 people are coming there. They're a failure if
19 you talk about the results and how many people
20 eventually overdose anyway.

21 I think if we want to be
22 compassionate, when someone shows up with heroin,
23 you put your arms around them, you tackle them if
24 you need to, and you tell them -- you get them
25 into treatment and you make sure they don't put

1 that heroin into their system.

2 This idea that, well, we're going to
3 make sure that you don't die today, I get. And I
4 understand it. I know the sponsor is trying to
5 save lives. But the idea that we're going to
6 make sure you don't die today from fentanyl but
7 you're going to die in a week or in a month or
8 six months -- because we all know the studies.
9 We know what happens. If you are addicted to
10 heroin, you are going to die.

11 And so we do have an emergency. We
12 do need to do something about it. But when
13 someone shows up with heroin, you tackle them and
14 make sure they don't put that heroin in their
15 body.

16 I vote no.

17 ACTING PRESIDENT COONEY: Senator
18 Lanza to be recorded in the negative.

19 Senator Ramos to explain her vote.

20 SENATOR RAMOS: I vote aye,
21 Mr. President.

22 I think the biggest failure has been
23 the war on drugs. Quite frankly, we have spent,
24 as a country, billions and billions of dollars
25 only to continue to see Americans and

1 specifically New Yorkers choose to soothe
2 themselves with these substances.

3 We have to do something that is new,
4 that really lessens the dependency on these
5 substances. And that's why I'm voting for this.

6 We have to put our tax dollars where
7 we know science is proving to save lives. The
8 war on drugs was a failure. You want to talk
9 about Biden, we can talk about Bush, we can talk
10 about Reagan, Nancy Reagan, at that. That has
11 not taken us anywhere.

12 And it is unfortunate that we
13 wouldn't focus on the medical tools that are now
14 readily available to make sure that we are saving
15 lives.

16 It is wrong to assume that somebody
17 would lose their life in a week, in a month. We
18 can take action now, and it starts here. And I'm
19 really hoping the Assembly also follows suit and
20 listens to Senator Fernandez on this issue.

21 Thank you.

22 ACTING PRESIDENT COONEY: Senator
23 Ramos to be recorded in the affirmative.

24 Senator Murray to explain his vote.

25 SENATOR MURRAY: Thank you,

1 Mr. President.

2 Again, I think it's interesting as
3 well that we're sitting here and we're talking
4 about how much we want to help them get into
5 recovery and help them out and do what we can.

6 And yet we had Sheriff Toulon from
7 Suffolk County begging, when you were trying to
8 pass cashless bail, begging: Rethink that.
9 You're arresting someone who was caught using or
10 pushing or whatever. They come in, and instead
11 of getting them the treatment and the help,
12 instead of holding them, setting bail, allowing
13 them to hold them and get them treatment, get
14 them help, they're released right back out.

15 And I guarantee you they're not
16 going to get help. They are going to get their
17 next hit or their next fix.

18 So it's interesting we talk about
19 how much you want to help, but yet you pass
20 policies like that that put them right back out
21 on the street.

22 I'm voting no. Thank you.

23 ACTING PRESIDENT COONEY: Senator
24 Murray to be recorded in the negative.

25 Senator Bailey to explain his vote.

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

3 We've strayed far away from the
4 intent of the sponsor's legislation. We're
5 talking about holding people and people not being
6 able to recover.

7 And this isn't a personal thing,
8 because I know my colleagues are well-intentioned
9 individuals. But I come from an era where people
10 were criminalized. They didn't call them, you
11 know, people with disabilities or people with
12 substance use, they called them junkies. They
13 called them fiends, they called them addicts, and
14 they were left for dead.

15 Now, because problems happen in
16 other communities that look different than the
17 one that I grew up in, now we've changed the
18 nomenclature of what we're doing. And I'm glad
19 that we've changed it. But let us not forget the
20 past. Let us not forget where we come from. We
21 cannot go back there.

22 And bills like this are important in
23 making sure that we do everything we can to stop
24 this scourge of drug use in this community, in
25 this society. This is not a partisan thing. And

1 if you think it is, you're dead wrong.

2 I proudly vote aye, Mr. President.

3 ACTING PRESIDENT COONEY: Senator
4 Bailey to be recorded in the affirmative.

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar 586, voting in the negative are
8 Senators Ashby, Borrello, Bynoe,
9 Canzoneri-Fitzpatrick, Chan, Gallivan, Griffio,
10 Helming, Lanza, Martinez, Martins, Mattera,
11 Murray, O'Mara, Ortt, Palumbo, Rhoads, Rolison,
12 Ryan, Skoufis, Stec, Tedisco, Walczyk, Weber and
13 Weik.

14 Ayes, 35. Nays, 25.

15 ACTING PRESIDENT COONEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 844, Senate Print 2485, by Senator Parker, an act
19 to amend the Public Service Law.

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

22 SENATOR WALCZYK: Mr. President,
23 would the sponsor yield?

24 ACTING PRESIDENT COONEY: Will the
25 sponsor yield?

1 SENATOR PARKER: Yes,
2 Mr. President.

3 ACTING PRESIDENT COONEY: The
4 sponsor yields.

5 SENATOR WALCZYK: Through you,
6 Mr. President. This bill would give new powers
7 under the Office of Renewable Energy Siting.

8 Under this bill, when would local
9 zoning or permitting prevent transmission
10 projects that are proposed here?

11 SENATOR PARKER: Through you,
12 Mr. President. Through this bill, ORES would
13 control the siting process.

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

17 ACTING PRESIDENT COONEY: Will the
18 sponsor yield?

19 SENATOR PARKER: Yes.

20 ACTING PRESIDENT COONEY: The
21 sponsor yields.

22 SENATOR WALCZYK: Through you,
23 Mr. President. ORES is also directed to develop
24 a map with the help of the Public Service
25 Commission and with the utility companies.

1 What local input from communities
2 across New York State would be considered when
3 developing that map for where all this new
4 transmission would be built out?

5 SENATOR PARKER: Through you,
6 Mr. President. Local communities can participate
7 through the processes of the proceeding.

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

10 ACTING PRESIDENT COONEY: Will the
11 sponsor yield?

12 SENATOR PARKER: Yes.

13 ACTING PRESIDENT COONEY: The
14 sponsor yields.

15 SENATOR WALCZYK: Through you,
16 Mr. President. If a local government doesn't
17 want to see new transmission that is then mapped
18 and planned out by the Office of Renewable Energy
19 Siting, what can a municipality that doesn't want
20 to see what they've put on their map, what can
21 they do to protect their community from that new
22 transmission that they don't want to see?

23 SENATOR PARKER: Through you,
24 Mr. President. I don't think that communities
25 need to protect themselves from new transmission.

1 The reality is that if we are going
2 to address the energy needs of the state, you're
3 going to have to have a clean and efficient grid.

4 This legislation creates a planning
5 process by which we actually plan out how and
6 where the grid needs to be improved, and then
7 hopefully use that plan to upgrade the grid.

8 SENATOR WALCZYK: Thank you,
9 Mr. President. On the bill.

10 ACTING PRESIDENT COONEY: Senator
11 Walczyk on the bill.

12 SENATOR WALCZYK: This is part of
13 the problem with the energy plan in the State of
14 New York right now, is that it is from the top,
15 not seeking local input, not even empowering
16 local home rule that has consistently been
17 respected until it comes to the Office of
18 Renewable Energy Siting in the State of New York.

19 In fact, communities do want to plan
20 and zone. They do care where solar projects go
21 in their community. They do care where new
22 transmission comes in. But when the state comes
23 from up high and right on down into our
24 communities, it has caused a lot of consternation
25 in the district that I represent and I know,

1 across the State of New York, the same.

2 Since the CLCPA was passed, we have
3 deactivated 4,700 megawatts of power that was
4 being produced in the State of New York. We've
5 spent \$88.7 billion -- and that's according to
6 the Governor, on green energy projects to produce
7 2,000 new megawatts. Not even replacing even
8 close to half of the nameplate of what we took
9 offline. And we know that the renewable projects
10 that we put in place don't even come close to the
11 nameplate.

12 We desperately plastered solar power
13 all over upstate New York. Now we're saying
14 we're going to, with this bill, roll over home
15 rule, not consider local zoning, and again give
16 the Office of Renewable Energy Siting more power
17 to come into our communities when it comes to
18 transmission.

19 It's not working. The state's
20 energy plan is not working. Our bills are
21 70 percent higher than the rest of the nation.
22 The state's energy plan is failed. People are
23 angry. Farmland and the environment has suffered
24 under this. Community preservation has been
25 ignored. And the New York State Independent

1 Systems Operator is now warning that we're going
2 to run out of power as soon as possibly this
3 summer.

4 It's time to stop, rethink this.
5 And if you -- and it's right in the title of the
6 CLCPA, "leadership." The only thing we're
7 leading the world in right now is what not to do
8 in energy policy. We are setting the example,
9 and others are looking at us. And they're
10 saying, Well, don't do what New York is doing.

11 And for that reason, I'll be voting
12 no and encourage my colleagues to do the same.

13 Thank you, Mr. President.

14 ACTING PRESIDENT COONEY: Thank
15 you, Senator.

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

18 Seeing and hearing none, debate is
19 now closed.

20 Senator Serrano.

21 SENATOR SERRANO: Mr. President,
22 upon consent, we've agreed to restore this bill
23 to the noncontroversial calendar.

24 ACTING PRESIDENT COONEY: The bill
25 will be restored to the noncontroversial

1 calendar.

2 Read the last section.

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

5 ACTING PRESIDENT COONEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT COONEY: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 844, voting in the negative are
12 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
13 Chan, Gallivan, Griffo, Lanza, Martins, Mattera,
14 O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk,
15 Weber and Weik.

16 Ayes, 43. Nays, 17.

17 ACTING PRESIDENT COONEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1008, Senate Print 8563, by Senator Cleare, an
21 act to amend the General Business Law.

22 ACTING PRESIDENT COONEY: Senator
23 Canzoneri-Fitzpatrick, why do you rise?

24 SENATOR CANZONERI-FITZPATRICK:
25 Thank you, Mr. President. I was wondering if the

1 sponsor would yield for a few questions.

2 ACTING PRESIDENT COONEY: Would the
3 sponsor yield?

4 SENATOR CLEARE: Through you,
5 Mr. President, yes.

6 ACTING PRESIDENT COONEY: The
7 sponsor yields.

8 SENATOR CANZONERI-FITZPATRICK:
9 Thank you, Senator Cleare.

10 Through you, Mr. President. I
11 wanted to discuss this bill and get some
12 clarification.

13 My understanding is that this bill
14 would prohibit covered suppliers from offering
15 lower prices to another covered retailer or
16 covered wholesaler.

17 Under the statute, the definition of
18 a covered supplier means a person that produces
19 and sells covered goods in New York State.

20 So is it accurate that if a supplier
21 produces in Pennsylvania and sells in New York,
22 that this legislation does not apply to that
23 company?

24 SENATOR CLEARE: It's my
25 understanding that this bill establishes an

1 antitrust regulatory framework to govern the
2 pricing practices of grocery suppliers and
3 retailers. Wherever they're selling.

4 SENATOR CANZONERI-FITZPATRICK:
5 Through you, Mr. President, will the sponsor
6 continue to yield?

7 ACTING PRESIDENT COONEY: Will the
8 sponsor yield?

9 SENATOR CLEARE: Through you,
10 Mr. President, yes, I do.

11 ACTING PRESIDENT COONEY: The
12 sponsor yields.

13 SENATOR CANZONERI-FITZPATRICK: So
14 my last question was that if it requires that a
15 covered supplier produce and sell in New York
16 State, are we favoring outside producers that
17 sell in New York versus a New York company that
18 produces and sells in the state?

19 (Pause.)

20 SENATOR CLEARE: Yeah. It applies
21 to people who sell in New York, if you sell in
22 New York.

23 SENATOR CANZONERI-FITZPATRICK:
24 Through you, Mr. President, will the sponsor
25 continue to yield?

1 ACTING PRESIDENT COONEY: Will the
2 sponsor yield?

3 SENATOR CLEARE: Through you,
4 Mr. President, I do.

5 ACTING PRESIDENT COONEY: The
6 sponsor yields.

7 SENATOR CANZONERI-FITZPATRICK:
8 It's also my understanding that New York is the
9 only state that would impose this type of
10 liability framework.

11 Major national suppliers currently
12 selling 18 billion or more will now face a choice
13 and have to comply with an impossible standard or
14 simply exit New York.

15 Do you know how many suppliers will
16 actually be affected by this legislation if it
17 becomes law?

18 SENATOR CLEARE: To the first part
19 of your question, there are other states that
20 have antitrust regulatory agreements. New York
21 will be the first to do it in this manner.

22 SENATOR CANZONERI-FITZPATRICK:
23 Through you, Mr. President, will the sponsor
24 continue to yield?

25 ACTING PRESIDENT COONEY: Will the

1 sponsor yield?

2 SENATOR CLEARE: Through you,
3 Mr. President, yes, I do.

4 ACTING PRESIDENT COONEY: The
5 sponsor yields.

6 SENATOR CANZONERI-FITZPATRICK: So
7 my question is, how many suppliers that reach
8 \$18 billion are doing business in New York in the
9 grocery business that we're affecting those
10 businesses, if this legislation becomes law?

11 SENATOR CLEARE: I don't know how
12 many are selling in New York. But I know that
13 the local businesses, the local grocers, are
14 supportive of this legislation.

15 SENATOR CANZONERI-FITZPATRICK:
16 Through you, Mr. President, will the sponsor
17 continue to yield?

18 ACTING PRESIDENT COONEY: Will the
19 sponsor yield?

20 SENATOR CLEARE: Through you,
21 Mr. President, yes, I do.

22 ACTING PRESIDENT COONEY: The
23 sponsor yields.

24 SENATOR CANZONERI-FITZPATRICK: So
25 going back to the definition of a covered

1 supplier, I'm looking at 305-j(5)(a), "'Covered
2 supplier' means a person that (a) produces and
3 sells covered goods in the State of New York."

4 So my question, again, is if a
5 person -- if a business is not producing in
6 New York, but they're selling in New York, are
7 they exempt from this statute such that we are
8 burdening New York businesses more than outside,
9 out-of-state businesses?

10 (Pause.)

11 SENATOR CLEARE: All right, so
12 there may be a misinterpretation of the way we're
13 interpreting it. But it is not meant -- it is
14 meant for those who produce and sell in New York,
15 comma.

16 SENATOR CANZONERI-FITZPATRICK:
17 Through you, Mr. President, will the sponsor
18 continue to yield?

19 ACTING PRESIDENT COONEY: Will the
20 sponsor yield?

21 SENATOR CLEARE: Through you,
22 Mr. President, I do.

23 ACTING PRESIDENT COONEY: The
24 Senator yields.

25 SENATOR CANZONERI-FITZPATRICK: So

1 the statute, the way it's currently written --
2 and the way we're about to vote on -- is very
3 clear. And I would encourage you, if that's not
4 your intention, that you consider maybe a chapter
5 amendment after the fact.

6 But moving on to another question,
7 does this bill prevent -- or prohibit, I should
8 say, volume discounts that are potentially
9 offered to suppliers that are, you know,
10 utilizing -- you know, produce -- I'm sorry,
11 putting in large orders?

12 SENATOR CLEARE: No, it doesn't do
13 that.

14 What it simply does is it says the
15 wholesale price is the wholesale price. The same
16 terms per volume unit that you offer one seller,
17 you have to offer to the other.

18 SENATOR CANZONERI-FITZPATRICK:
19 Through you, Mr. President, will the sponsor
20 continue to yield.

21 ACTING PRESIDENT COONEY: Will the
22 sponsor yield?

23 SENATOR CLEARE: Through you,
24 Mr. President, I do.

25 ACTING PRESIDENT COONEY: The

1 sponsor yields.

2 SENATOR CANZONERI-FITZPATRICK: So
3 by definition, a wholesaler is supplying to
4 another consumer further down the line, such as a
5 small mom-and-pop shop, a local grocery store.

6 Whereas another retailer is
7 obviously selling it directly.

8 If we put them on the same parity,
9 aren't you creating a situation where consumers
10 are going to pay more at certain locations than
11 others?

12 (Pause.)

13 SENATOR CLEARE: No, they won't be
14 paying more. In cases that have already been
15 cited -- you know, there's one case that I'm
16 looking at where Pepsi and Walmart got together
17 and charged other smaller grocers more for the
18 Pepsi and charged Walmart less.

19 In that case, in order for the
20 smaller grocers to make money, they hiked up the
21 prices anyway because they couldn't compete.
22 They couldn't compete with what was being offered
23 to the larger retailer, with the price that was
24 being offered to the larger retailer.

25 SENATOR CANZONERI-FITZPATRICK:

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

3 ACTING PRESIDENT COONEY: Will the
4 sponsor yield?

5 SENATOR CLEARE: Through you,
6 Mr. President, I do.

7 ACTING PRESIDENT COONEY: The
8 sponsor yields.

9 SENATOR CANZONERI-FITZPATRICK: So
10 you alluded to a situation. Are there studies,
11 is there any evidence, any economic studies that
12 show that this is truly a problem in need of
13 correction?

14 SENATOR CLEARE: Yes. According to
15 the American Economic Liberties Project that --
16 they support this bill. There's a memorandum of
17 support. And yes.

18 SENATOR CANZONERI-FITZPATRICK:
19 Through you, Mr. President, will the sponsor
20 continue to yield?

21 ACTING PRESIDENT COONEY: Will the
22 sponsor yield?

23 SENATOR CLEARE: Through you,
24 Mr. President, I do.

25 ACTING PRESIDENT COONEY: The

1 sponsor yields.

2 SENATOR CANZONERI-FITZPATRICK: So
3 the Antitrust Modernization Commission, a
4 bipartisan federal body, studied the
5 Robinson-Patman Act, which this bill mirrors, and
6 they found that suppliers facing liability under
7 that act simply refused to sell to smaller
8 retailers rather than navigate the compliance.

9 So my question is, are you fearful
10 or have you considered that some suppliers will
11 just refuse to sell to certain suppliers and
12 wholesalers rather than try to comply with the
13 impossible standard that we're setting here?

14 (Pause.)

15 SENATOR CLEARE: No. Because, you
16 know, in certain neighborhoods -- like in my
17 neighborhood, there are local supermarkets and
18 bodegas. There's no Walmart. There's no big
19 stores, larger retailers that people can go to.

20 They're still going to need to sell
21 in communities like mine.

22 SENATOR CANZONERI-FITZPATRICK:
23 Through you, Mr. President, will the sponsor
24 continue to yield?

25 ACTING PRESIDENT COONEY: Does the

1 sponsor yield?

2 SENATOR CLEARE: Through you, I do.

3 ACTING PRESIDENT COONEY: The
4 sponsor yields.

5 SENATOR CANZONERI-FITZPATRICK: So
6 those are exactly the concerns I have as well,
7 because they are going to be the ones that pay
8 more because they are further down the chain.

9 I would like to ask you --
10 economists have documented that laws like this
11 often cause sellers to stop making price cuts
12 entirely, because if they can't do them broadly,
13 it doesn't work, according to this legislation.
14 It becomes more costly for them to give
15 discounts.

16 So my question is, what specific
17 mechanism in this bill prevents that outcome?

18 (Pause.)

19 SENATOR CLEARE: So through you,
20 Mr. President. The smaller stores are already
21 paying more, in some cases, and especially in
22 this instance that I'm talking about.

23 But right now Pepsi and Walmart,
24 they're working together, you know, to -- they're
25 providing Walmart with promotional payments,

1 discounts. They're trying to work towards
2 bringing that price down.

3 I don't think this is going to
4 affect them selling. I don't think they're going
5 to stop selling their products. I think this is
6 just going to level the playing field so that
7 everybody's paying the same price for the same
8 products and everybody can compete.

9 This is not just -- go ahead.

10 SENATOR CANZONERI-FITZPATRICK: I'm
11 sorry. I apologize.

12 SENATOR CLEARE: It's okay. Go
13 ahead.

14 SENATOR CANZONERI-FITZPATRICK:
15 Through you, Mr. President, will the sponsor
16 continue to yield?

17 ACTING PRESIDENT COONEY: Will the
18 sponsor yield?

19 SENATOR CLEARE: Yes, through you,
20 Mr. President, I do.

21 ACTING PRESIDENT COONEY: The
22 sponsor yields.

23 SENATOR CANZONERI-FITZPATRICK:
24 Section 350-k(f) prohibits a supplier from
25 refusing to sell to any retailer that has made

1 purchases in the last 12 months unless the
2 supplier has an undefined commercially reasonable
3 justification.

4 This effectively strips a business
5 of the decision-making to sell to someone that
6 they've sold to in the last 12 months. How do
7 you think that that's going to affect prices?

8 (Pause.)

9 SENATOR CLEARE: There are defenses
10 in the bill against increasing pricing. And I
11 think what -- this is the prohibit retaliation
12 from retailers against -- I mean from the sellers
13 on retailers. This is only put in place to
14 prevent retaliation against them.

15 Again, I don't think that this bill
16 is going to actually cause anybody not to be sold
17 to. I don't think that it's going to cause
18 prices to go up. I think it's going to be the
19 opposite.

20 And that's the intent of the bill,
21 to make sure that there's a level playing field
22 and that everybody in every neighborhood is able
23 to get products for the same price.

24 SENATOR CANZONERI-FITZPATRICK:
25 Through you, Mr. President, will the sponsor

1 continue to yield?

2 ACTING PRESIDENT COONEY: Will the
3 sponsor yield?

4 SENATOR CLEARE: I do.

5 ACTING PRESIDENT COONEY: The
6 sponsor yields.

7 SENATOR CANZONERI-FITZPATRICK: The
8 Sherman Act already prohibits genuinely
9 anticompetitive exclusive dealing and predatory
10 pricing. The FTC actively enforces truly unfair
11 trade practices.

12 If federal law is already addressing
13 this, why do we need a New York statute that
14 conflicts with the federal rules?

15 SENATOR CLEARE: It doesn't
16 conflict with the federal laws.

17 And we are just strengthening --
18 we're just strengthening the law locally because
19 we want to make sure that people are not getting
20 taken advantage of in terms of these price --
21 it's a setup, you know, where the retailer is
22 allowed to get these lower prices. Sometimes
23 it's even different packaging, it's smaller sizes
24 or larger sizes.

25 Nothing should be available to one

1 retailer or one customer that's not available to
2 another customer. And it shouldn't be available
3 to them at a lower price.

4 That's not -- that's not fair. That
5 doesn't encourage competitiveness. That just
6 makes sure that one group is dominant over the
7 other.

8 SENATOR CANZONERI-FITZPATRICK:
9 Through you, Mr. President, will the sponsor
10 continue to yield?

11 ACTING PRESIDENT COONEY: Will the
12 sponsor yield?

13 SENATOR CLEARE: I do.

14 ACTING PRESIDENT COONEY: The
15 sponsor yields.

16 SENATOR CANZONERI-FITZPATRICK:
17 Through you, Mr. President, could you cite an
18 example of a product that you're seeing this type
19 of unfair practice that we should correct?

20 SENATOR CLEARE: I mentioned to
21 you, you know, the Pepsi and Walmart. Those
22 products were being sold cheaper to Walmart.
23 They had a deal that -- and not only were they
24 sold cheaper to Walmart, they were made more
25 expensive to other retailers that wanted to buy

1 Pepsi. So there was no way they could compete
2 with the prices that Walmart was charging.

3 SENATOR CANZONERI-FITZPATRICK:
4 Through you, Mr. President, will the sponsor
5 continue to yield.

6 ACTING PRESIDENT COONEY: Will the
7 sponsor yield?

8 SENATOR CLEARE: I do.

9 ACTING PRESIDENT COONEY: The
10 sponsor yields.

11 SENATOR CANZONERI-FITZPATRICK:
12 Section 350-o creates a private right of action
13 with treble damages. Every pricing decision a
14 large supplier makes in New York will come with
15 the risk of litigation that potentially has the
16 chance to make our business climate less
17 inviting.

18 And I'm wondering if you've
19 considered why -- how that particular provision,
20 with treble damages and litigation, is going to
21 ultimately affect the prices that our consumers
22 are paying.

23 SENATOR CLEARE: You know, that
24 right of action is available to people who feel
25 as if they've been unfairly charged and they're

1 not able to get the product for the same price
2 that -- the wholesale price that's available to
3 everyone.

4 I don't think that's going to affect
5 the price in a negative manner.

6 SENATOR CANZONERI-FITZPATRICK:
7 Through you, Mr. President, will the sponsor
8 continue to yield?

9 ACTING PRESIDENT COONEY: Will the
10 sponsor yield?

11 SENATOR CLEARE: I do.

12 ACTING PRESIDENT COONEY: The
13 sponsor yields.

14 SENATOR CANZONERI-FITZPATRICK: I
15 notice that certain items are excluded,
16 specifically gasoline, prescription drugs,
17 tobacco and alcohol. Could you tell me why those
18 items were excluded from this legislation?

19 (Pause.)

20 SENATOR CLEARE: Those products
21 were left out so we would make sure that this
22 legislation aligns with the federal government.

23 SENATOR CANZONERI-FITZPATRICK:
24 Through you, Mr. President -- on the bill.

25 ACTING PRESIDENT COONEY: Senator

1 Canzoneri-Fitzpatrick on the bill.

2 SENATOR CANZONERI-FITZPATRICK: I
3 want to thank the sponsor for the exchange of
4 questions and for her intent, to make sure that
5 grocery prices come down.

6 I will tell you that we're all
7 feeling it. I can tell you as a mom of four, and
8 they're all about to come home from college, that
9 I certainly will feel those grocery prices.

10 However, there's a lot of unintended
11 consequences that we should consider. I have a
12 very strong opinion that free competition, supply
13 chain efficiency, and investments are the key to
14 bringing prices down, not further government
15 regulation.

16 I encourage us to continue to look
17 at this legislation, to improve it to do what the
18 sponsor intends it to do.

19 I will be voting in the negative,
20 and I encourage all my colleagues to do so.

21 Thank you.

22 ACTING PRESIDENT COONEY: Thank
23 you, Senator.

24 Are there any other Senators wishing
25 to be heard?

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

3 Senator Serrano.

4 SENATOR SERRANO: Mr. President,
5 upon consent, we've agreed to restore this bill
6 to the noncontroversial calendar.

7 ACTING PRESIDENT COONEY: The bill
8 will be restored to the noncontroversial
9 calendar.

10 Read the last section.

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

13 ACTING PRESIDENT COONEY: Call the
14 roll.

15 (The Secretary called the roll.)

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

18 SENATOR CLEARE: Yes. Thank you,
19 Mr. President.

20 The Consumer Grocery Pricing
21 Fairness Act is part of a package of bills we
22 pass here today that will literally put real
23 money back into the pockets of all New Yorkers.

24 People in my neighborhood rely on
25 community grocers because many of the larger

1 retailers are not located within the community.
2 These local supermarkets and bodegas should not
3 be charged more for goods than larger, dominant
4 retailers. Large corporations should not be able
5 to dictate prices in the marketplace, setting
6 terms only to their benefit and forcing smaller
7 grocers to pay inflated prices, which then leads
8 to our families paying a premium for the simple
9 food staples they need from the store.

10 This type of monopolistic
11 price fixing is not only a threat to freedom,
12 fairness, and capitalism, but to the health and
13 well-being of those who simply want to shop for
14 the products that keep their family fed and
15 healthy.

16 Our Grocery Pricing Fairness Act
17 will mean lower prices for all in New York State.
18 This bill will prohibit suppliers from engaging
19 in unfair price discrimination against
20 independent retailers, require the same deals on
21 price and delivery terms that are equivalent to
22 the deals demanded by big box retailers.

23 This bill also imposes liability for
24 dominant buyers who coerce suppliers, and has a
25 strong, independent enforcement mechanism.

1 I proudly vote aye.

2 ACTING PRESIDENT COONEY: Senator

3 Cleare to be recorded in the affirmative.

4 Senator Martins to explain his vote.

5 SENATOR MARTINS: Thank you,

6 Mr. President.

7 I think it's a question of framing
8 and perspective. I'm voting no because I don't
9 see that the larger stores are paying less.
10 They're paying the same amount. But economics,
11 in terms of delivery and the number of units that
12 are being delivered there, allow them to
13 negotiate a lower price.

14 And my concern is it's economics.
15 If I want to buy a thousand of something and
16 they're going to make one trip as opposed to 10
17 of something, I may actually be able to negotiate
18 a better price.

19 The reality is if we create parity,
20 parity is not going to reduce prices, it's going
21 to increase prices. And so the issue isn't that
22 the local stores are paying more, it's that the
23 larger stores are paying less because they have
24 leverage to be able to use their buying power and
25 their selling power to get a better price.

1 The result is our consumers, our
2 residents, are going to pay more. That's the
3 reality. We keep talking about affordability.
4 They all pay the same price. But if I want to
5 buy a thousand of something, yes, I'm going to
6 negotiate a better price and I'm going to pass it
7 on to my consumers and they're going to have the
8 benefit of that.

9 The result of this bill is that
10 everyone is going to pay more, which means
11 everyone in New York State, all of our residents,
12 are going to be paying more.

13 I understand the intent. But
14 economics doesn't work that way.

15 And so, Mr. President, for the
16 benefit of my residents and all the residents of
17 New York State who are now paying too much for
18 everything, I vote no.

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

21 Senator Canzoneri-Fitzpatrick to
22 explain her vote.

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

25 I just want to say once again that I

1 applaud the sponsor. I know that your intent is
2 right in the same spot that we all are. We need
3 to bring grocery prices down. It's the one thing
4 that we all have in common, that we all need.

5 But we need to let the free market
6 adjust for it. And we keep putting more and more
7 business regulations on our businesses, and
8 they're leaving. And they take with it their
9 jobs, and they take with it their tax revenue
10 that makes our job harder.

11 And I do think that our intent is
12 one that we all share. We just disagree about
13 how to get there. And I think with further
14 discussions like this, we will get there to make
15 sure that we do the best for our constituents.

16 Thank you, Mr. President.

17 ACTING PRESIDENT COONEY: Senator
18 Canzoneri-Fitzpatrick to be recorded in the
19 negative.

20 Senator May to explain her vote.

21 SENATOR MAY: Thank you,
22 Mr. President.

23 And I want to thank Senator Cleare
24 for this bill.

25 We have all seen it where a national

1 chain swoops into a neighborhood, undercuts the
2 prices of local businesses, puts them out of
3 business, and as soon as there is no competition,
4 they jack the prices up again.

5 That is what this bill is designed
6 to protect neighborhoods from, and I applaud the
7 sponsor for it.

8 Thank you, and I vote aye.

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

11 Senator Weik to explain her vote.

12 SENATOR WEIK: Thank you,
13 Mr. President.

14 This is something called perfect
15 competition. So all the way back in 12th-grade
16 economics, my teacher drilled it into our
17 heads -- he even made it into a little song. He
18 told us, never forget it. Perfect competition
19 can't happen. And the reason it can't happen is
20 it will never work out.

21 So perfect competition is a
22 theoretical market structure. It's used in
23 idealized benchmarks rather than common, real
24 world structure. It's a great idea. People have
25 used this theory for many, many years. But we

1 know it can't work. And we know it can't happen
2 because it's going to drive prices up elsewhere.

3 That's why I'm voting in the
4 negative.

5 ACTING PRESIDENT COONEY: Senator
6 Weik to be recorded in the negative.

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar 1008, voting in the negative are
10 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
11 Chan, Gallivan, Griffo, Helming, Lanza, Martins,
12 Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads,
13 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

14 Ayes, 39. Nays, 21.

15 ACTING PRESIDENT COONEY: The bill
16 is passed.

17 Senator Serrano, that completes the
18 reading of the controversial calendar.

19 SENATOR SERRANO: Mr. President, is
20 there any further business at the desk?

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

23 SENATOR SERRANO: I move to adjourn
24 until tomorrow, Wednesday, May 13th, at 3:00 p.m.

25 ACTING PRESIDENT COONEY: On

1 motion, the Senate stands adjourned until

2 Wednesday, May 13th, at 3:00 p.m.

3 (Whereupon, at 6:00 p.m., the Senate
4 adjourned.)

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