NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 21, 2026

11:17 a.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: 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 MAYER: 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 MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Wednesday, May 20, 2026, the Senate met pursuant to adjournment. The Journal of Tuesday, May 19, 2026, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Madam President.

On behalf of Senator Krueger, I wish to call up Senate Print 2436, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 216, Senate Print 2436, by Senator Krueger, an act to amend the Administrative Code of the City of New York.

SENATOR GIANARIS: Move to reconsider the vote by which that bill was passed.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT MAYER: The bill is restored to its place on the Third Reading

Calendar.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT MAYER: The amendments are received.

SENATOR GIANARIS: On behalf of Senator Cleare, I wish to call up Senate Print 7160, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT MAYER: The Secretary will read.

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

SENATOR GIANARIS: Move to reconsider the vote by which the bill was passed.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The bill is restored to its place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT MAYER: The amendments are received.

SENATOR GIANARIS: On behalf of Senator Myrie, on page 43 I offer the following amendments to Calendar 884, Senate Print 9960, and ask that said bill retain its place on the Third Reading Calendar.

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

Senator Gianaris.

SENATOR GIANARIS: Let's now take up previously adopted Resolution 1984, by Senator Brisport, read that resolution's title, and recognize Senator Brisport.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 1984, by Senator Brisport, congratulating Madeline Wilson upon the occasion of celebrating her 100th Birthday.

ACTING PRESIDENT MAYER: Senator Brisport on the resolution.

SENATOR BRISPORT: Thank you, Madam President.

I rise today to celebrate an extraordinary resident of Brooklyn, New York, a woman who has blessed this world with her presence, her wisdom, and her love for exactly one century.

I am incredibly honored to announce that we are joined today by the woman of the hour herself, Ms. Madeline Wilson, who recently celebrated her milestone 100th birthday.

We are also joined by her family, including someone very familiar to this chamber, one of her brilliant grandchildren, Nikki Jones, who works right here with us in the Senate.

I know Ms. Wilson is incredibly proud of her, as she still affectionately calls Nikki her "skeeterbug."

Madam President, Ms. Wilson's journey is the story of the American spirit. Born and raised in Norfolk, Virginia, she graduated from Norfolk High School and made the brave journey north to New York City in 1949.

She arrived here as a young mother carrying her two babies, Maxine, who was just a year old, and Deborah, who was only six months.

Think about that courage, moving to

a bustling metropolis to build a foundation for her family. She anchored that foundation on two bedrock principles, unwavering faith and an unstoppable work ethic.

Upon arriving, she rooted her life in the community, joining St. Paul's Church of Christ, Disciples of Christ, where her own mother, Sadie Williams, was a longtime member.

Over the decades, Ms. Wilson was a vital pillar of the congregation. She became a leader in the choir, the usher board, and the mothers board, dedicating her life to ministry and serving others.

She raised seven children. When corporate office hours threatened to keep her away from home too late, she pivoted and started her own path, cleaning doctors' and dentists' offices so she could ensure she was always home to raise, protect, and guide her family.

Through that tireless dedication, she taught her seven children, her 17 grandchildren, and her 18 great-grandchildren how to work hard. She showed them what it looks like to live a life of profound purpose.

When people look at her incredible

legacy and ask how she did it all, she always points back to her favorite quote: "I've learned how to lean and depend on Jesus."

Ms. Wilson, your life is a master class in grace, resilience, and love. You have enriched the fabric of our community for decades.

Today, Madam President, I ask this entire legislative body to pause in its deliberations to officially honor Ms. Wilson. We say thank you for a century of leadership, a century of faith, and a century of building a beautiful legacy that continues to make New York a better place.

Welcome to your State Senate, Ms. Wilson. And from the bottom of our hearts, "Happy Birthday to Ya" (singing).

Thank you.

(Singing from the chamber.)

ACTING PRESIDENT MAYER: Thank you, Senator Brisport and my colleagues, for their song.

(Laughter.)

ACTING PRESIDENT MAYER: And to our incredible guest, Ms. Wilson, on your 100th birthday -- who told me that her secret is

prayer -- congratulations.

We honor you today. We celebrate your achievements and your legacy. We're so pleased you could join us. Congratulations.

Will we all please stand and recognize Ms. Wilson.

(Standing ovation; Ms. Wilson stands, and the standing ovation continues.)

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

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

As we continue to work through the resolutions, we're going to simultaneously call a meeting of the Finance Committee in Room 332.

ACTING PRESIDENT MAYER: There will be an immediate meeting of the Finance Committee in Room 332, while we continue with the resolutions.

Senator Gianaris.

SENATOR GIANARIS: And now let's take up previously adopted Resolution 2071, by Senator Myrie, read that resolution's title and call on Senator Myrie.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Resolution 2071, by Senator Myrie, honoring the life and legacy of Marilyn D. Mosley, distinguished citizen, respected leader, and devoted member of her community.

ACTING PRESIDENT MAYER: Senator Myrie on the resolution.

SENATOR MYRIE: Thank you, Madam President.

I rise to commemorate and celebrate the life and legacy of Marilyn Mosley, known to many of us in this chamber, many of us in Brooklyn and New York City and throughout this state, affectionately as "Mama Mosley."

I am honored to bring this resolution on a day where we are joined by her living legacy, the Secretary of New York State, Walter Mosley, who has patiently waited with us here in session.

And everyone has a Mama Mosley story. Mine is when I was trying to be a leader in the community and someone was introducing me to Mama Mosley, she didn't even look at me

directly. She looked at the person that was introducing us and said, "He ain't ready."

(Laughter.)

SENATOR MYRIE: But when I was ready, Mama Mosley was all in. She put her name, her credibility, her service on the line.

And it wasn't just for me. For so many leaders -- local, state, federal -- she has done the same thing, poured into us her entire life -- and was an amazing public servant herself.

It is a testament to her that her son, a former member of the Assembly, has risen to be Secretary of State. That she has so many leaders throughout the legislatures. We all owe a debt of gratitude to Marilyn Mosley.

So I urge all of my colleagues to not only support this resolution, but to tell your Mama Mosley story to as many people as possible. May her legacy continue to live through all of the people that she has invested in.

And we are proud to present this resolution to Secretary Mosley today.

I proudly vote aye.

ACTING PRESIDENT MAYER: Senator Brisport on the resolution.

SENATOR BRISPORT: Thank you, Madam President.

I wish to start by sharing my deep condolences with Secretary Mosley and with Ms. Mosley's entire family. This is a loss for all of New York. But I know above all it is a loss for you, who knew her best. My thoughts are with you in this painful time.

Ms. Marilyn D. Mosley, Mama Mosley, as she is known around Brooklyn, truly was an extraordinary woman. Her light shone so brightly and changed so many lives.

When she took the time to talk with me just a few months ago, I remember how much the warmth and kindness she showed me turned my day around. Her positivity, encouragement and passion were a superpower that brought out the best in everyone blessed enough to experience them.

For that reason, perhaps, Ms. Mosley is often talked about in association with the many, many powerful people she worked with or helped empower. But for me, when I think of

Ms. Mosley, I think of the students she devoted so much of her life to. Their names may not be the ones in newspapers, but Ms. Mosley knew that even in their tweens and teens, each of them mattered.

As a former Brooklyn public school teacher myself, I can tell you it's no small task to show up every day with hearts and hope when it feels like the deck is so stacked against your students. But Ms. Mosley not only gave decades as an educator, she also donated her own resources to New York City public schools to help combat those injustices.

When students wanted to go to college but couldn't afford it, she worked to help them access grants and scholarships that would open those doors for them.

In her role as the director of the citywide Task Force on Pregnant and Parenting Teens, she advocated for resources to ensure young mothers could still get access to an education and a stable future.

In this moment, I can't help imagining the future New York could have if all of us fought as hard as Ms. Mosley to ensure

every student in New York could get an equitable, quality education.

I hope that we will not only remember her with words, but also through our actions to carry forward her dedication to that goal.

May you rest in power, Mama Mosley.

ACTING PRESIDENT MAYER: Thank you.

Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Madam President.

I must admit when I first met her, I thought she was a Queens power broker. I thought that the influence was simply in Queens. And I learned later that, for whatever reason, she decided that Brooklyn was a place that she would put her emphasis.

(Laughter.)

SENATOR SANDERS: So I just wanted to take this moment to put a Queens part of it back in and not let Brooklyn share all of the power of this force of nature, your mother.

Thank you. Thank you very much.

I vote aye.

ACTING PRESIDENT MAYER: Thank you,

Senator Sanders.

To our very honorable guest, Secretary of State Walter Mosley, we appreciate you for being here today. We are deeply in debt to your mother for her service, for her leadership, for her mentorship of our colleagues, for all that she did for the community.

We are pleased to have this resolution in her honor, and we welcome you, as always, to this house and extend the privileges and cordialities to you, our former colleague.

Thank you for being here. And in her honor, please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: The resolution was previously adopted on May 19th.

Senator Gianaris.

SENATOR GIANARIS: Please call on Senator Ashby for an introduction.

ACTING PRESIDENT MAYER: Senator Ashby for an introduction.

SENATOR ASHBY: Thank you, Madam President.

Columbia Kicks Cancer was named the Blood Cancer United 2026 Student Visionaries of

the Year at its grand finale in March. The Columbia Kicks Cancer team is a completely student-run organization within the East Greenbush Central School District. It is comprised of 20 team members who raised a record-breaking $239,237.

This marks the sixth year in a row that East Greenbush's team has raised the most money for the entire region.

Natalie Krisanda and Brady Martyn were both named 2026 Albany Student Visionaries of the Year, and Ty Baron was the top individual fundraiser.

All money will be donated to Blood Cancer United, formerly known as Leukemia & Lymphoma Society, for blood cancer research, treatment and care.

Natalie and Brady led the Team of 18 other Columbia students to organize fundraisers over the course of seven weeks that included raffles, Dine to Donate events, Valentine's Day flower sales, youth sports clinics, and a bottle drive in a district-wide Wear Red Day.

The team doesn't just fundraise,

they spread awareness and make an incredible impact on the fight against blood cancer.

Joining us today are seniors Natalie Krisanda and Brady Martyn, Caidyn Albano, Ryan Asenbauer, Ty Baron, Katerina Christakis, Keira Cook, Timmy Donnelly, Sophia Galligan, Lincoln Gibson, Thomas Herkenham, Helen Ketzer, Sophia Laquidara, Yash Mansharamani, Ascher Melino, Andrew Mocerine, Charlotte Mueller, Hannah Ortiz, Riley Sheehan, and Carson Wasbes.

Please congratulate them on their amazing work and give them all the cordialities and privileges of the house.

ACTING PRESIDENT MAYER: Thank you, Senator Ashby.

To our guests from Columbia Kicks Cancer, thank you for your work. Thank you for your successful fundraising and education activities. Thank you for your volunteerism and participation.

We welcome you on behalf of the Senate. We extend the privileges and cordialities of the house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: Senator Gianaris.

SENATOR GIANARIS: Madam President, there's a report of the Finance Committee at the desk. Can we take that up, please.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senator Krueger, from the Committee on Finance, reports the following bill:

Senate Print 9005C, Budget Bill, an act to amend Chapter 268 of the Laws of 1996.

The bill reports direct to third reading.

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

ACTING PRESIDENT MAYER: All those in favor of accepting the report of the Finance Committee please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT MAYER: The report

of the Finance Committee is accepted.

Senator Gianaris.

SENATOR GIANARIS: Please take up the supplemental calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number 1317, Senate Print 9005C, Budget Bill, an act to amend Chapter 268 of the Laws of 1996.

SENATOR GIANARIS: Is there a message of necessity at the desk?

ACTING PRESIDENT MAYER: There is a message of necessity at the desk.

SENATOR GIANARIS: Move to accept the message of necessity.

ACTING PRESIDENT MAYER: All those in favor of accepting the message please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(Response of "Nay.")

ACTING PRESIDENT MAYER: The message is accepted, and the bill is before the house.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

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

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

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1317, Senate Print 9005C, an act to amend Chapter 268 of the Laws of 1996.

SENATOR GIANARIS: Madam President, let me remind my colleagues once again that we are asking members of the Minority to identify the parts that they intend to debate so we can assign the debate to the appropriate member.

And as it relates to Part LL, if they can identify the subpart, that would also be helpful. Thank you.

ACTING PRESIDENT BAILEY: Good afternoon, Senator Murray. Why do you rise?

SENATOR MURRAY: Mr. President, would the sponsor yield for some questions

regarding Part LL? I guess we'll start at Subpart A.

SENATOR GIANARIS: Mr. President, that would be -- this would be a Murray-Myrie debate.

ACTING PRESIDENT BAILEY: Murray-Myrie.

Senator Myrie, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR MURRAY: Thank you. Through you, Mr. President. Thank you, Senator.

When we're talking about the limitations as far as cooperation and 287(g) agreements, things of that nature, what type of cooperation is now being prohibited under this bill?

SENATOR MYRIE: Through you, Mr. President, 287(g) agreements, what is commonly referred to as IGSA agreements, and both of those formally and informally.

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

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR MURRAY: Thank you.

Now, when you say, Senator, formally or informally, can you define what that means?

SENATOR MYRIE: Through you, Mr. President. On -- I think on page 46, lines 50 through 53, we outline just any formal or informal agreement. There is no further definition beyond that.

SENATOR MURRAY: Thank you, Mr. President. On the bill.

ACTING PRESIDENT BAILEY: Senator Murray on the bill.

SENATOR MURRAY: So what we're looking at here is a bill that continues what seems to be a pattern, and that is almost vilifying law enforcement.

These are the people that are here to protect us. It's in the title: law enforcement. They're enforcing laws. And we have law enforcement on many levels -- local, county, state, and federal. And many times it

takes cooperation among them to keep us safe.

And yet we're doing everything we can in this bill to limit or get rid of cooperation that would do just that.

I'm going to give you an example. I'm going to give you actually a couple of examples of how this cooperation is absolutely necessary.

So late last year, I believe it was, in my district, in the school district, there was a 22-year-old Guatemalan national who was here illegally, Wilmer Castille-Garcia, who thought it would be a good idea to sell THC-infused gummies and drugs to middle school children, sending a dozen of them to the emergency room.

Well, he was arrested, thank goodness. The children were released. In case you were wondering, they ended up okay. But it could have been much worse.

But Garcia was arrested. But because, of course, of our bail reform laws, he wasn't held and was released. Not surprising, he fled Long Island right away. He was caught a little while later trying to flee the country over the Canadian border.

Well, it was cooperation with ICE and Border Patrol that caught him and brought him back. And because of that crime, they are holding him without bail now.

But had we not had that cooperation, where else would he be? What other children would he be harming?

Speaking of harming children, there's another horrible, horrible situation that occurred in my district recently. And if this bill were the law when this happened, it would have had a much different ending.

So on February 1st of 2026, the mother of a 5-year-old victim, she went to work and she left her little 5-year-old daughter to be babysat by a Guatemalan national here illegally, Aguilar Reynoso.

Well, when she got home, Reynoso was no longer there, but her 5-year-old baby was there. And in a lot of pain, damaged. Damaged so badly, bleeding, the 5-year-old had been abused and repeatedly raped by Reynoso. He fled.

So they take the baby to a specialized children's hospital in New York City. And when they did, they did forensic

examinations, getting DNA.

Here's the problem. The next day they actually caught Reynoso. The locals caught Reynoso, local police. But at the time, because it was a 5-year-old child who couldn't identify him and couldn't help the police at that time -- mainly because the 5-year-old was recovering from the emergency surgery to help repair her -- they could hold him but they could only charge him with endangering the welfare of a child. Which, again, is not a bailable offense. So they knew he was going to be released.

So even if they gave an appearance -- so even if this happened, he would have fled, and they knew that. He would have been gone.

So the DA, using his cooperation, using his relationship with federal ICE officials, reached out to them and said, Listen, here's what we're going to do. We're going to give him an appearance ticket, he's going to go to court. When he steps out of the court -- of course because of the laws we passed already, they couldn't be in the courthouse. But once he steps out, I need you to nab him.

So that's what they did. And ICE managed to grab him. They held him long enough -- because had they not, we wouldn't have had enough time to do the DNA testing from the kit, the rape kit that they did, and they wouldn't have been able to identify him. He would have been long gone. But because of the cooperation, they were able to hold him long enough so they could get the results.

In doing so, it proved he was responsible. He was arrested then. We were able to get this animal off the streets and not have him somewhere else in the country or in the world, raping and harming children.

That's what happened with the cooperation with ICE, with law enforcement working together.

I'm going to add a footnote here. The mother and the 5-year-old child were also here illegally. The district attorney, because of his relationship with ICE, asked them: They've been through enough; please don't do anything. And ICE agreed. And it was because of that cooperation.

But we're going to eliminate that.

We're going to eliminate that here today.

I think we forget what the purpose is. We're supposed to be -- you know, later on in here there's a section called, what is it, New York for All? Can I remind you, "all" means New Yorkers, too. We're supposed to be protecting them. We're supposed to be helping them. Us, New Yorkers. We're supposed to be doing all we can to help law enforcement to help keep us safe, to help get animals like Reynoso off the streets.

And what we're doing with this bill is the exact opposite. We're making it harder on law enforcement. We're making it harder for them to keep us safe.

I don't know why anyone would get into the law enforcement profession these days, not with the way we treat them. And that's just wrong. Or at least not in New York.

That's all I have on this bill.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Murray.

Senator Myrie, why do you rise?

SENATOR MYRIE: On the bill,

Mr. President.

ACTING PRESIDENT BAILEY: Senator Myrie on the bill.

SENATOR MYRIE: And I want to thank my colleague and my colleagues to come that I'm sure will be expressing I think important and passionate feelings on this issue and things that have happened in their districts.

I want to be very clear about what we are doing today, not just in this subpart but in total. We believe, it is our legislative intent, to allow for the federal government to carry out its responsibility on immigration enforcement, particularly as it relates to civil immigration enforcement. That is the full province of the federal government, and we respect that. That is important.

The Constitution, however, does not require neither this state nor any state in the union to help the federal government do that job.

There are instances where it is appropriate for them to work together. We do not ban any instance of cooperation in this bill. An informal or formal agreement suggests that there is a pattern, whether formally or informally, of

cooperation. That is not what we are doing in this bill.

And I think it's important for us to remain grounded in that principle that we have, in fact, carved out law enforcement for information-sharing purposes in later subparts in this bill.

There are things that we are asking our state employees and our municipal employees to not do, because that's fully within the province and power of the State of New York.

But we have exempted from those two requirements police officers and peace officers, a recognition that there is some public safety component to this that needs to continue.

But I want to be absolutely clear on what we are doing in this bill today in not trying to regulate the federal government or to ban cooperation wholesale. We are saying that the federal government has a duty to carry out immigration enforcement. New York will allow for them to carry out that duty.

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

SENATOR RHOADS: Mr. President,

will the sponsor yield to a question?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: Thank you, Senator Myrie.

Through you, Mr. President. Do you believe that someone who enters the country illegally has broken the law?

SENATOR MYRIE: Through you, Mr. President. That is not a matter of my belief or your belief. It is the law.

SENATOR RHOADS: And will the sponsor yield to another question.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: Through you, Mr. President. Though I am asking you your personal belief, Senator.

SENATOR MYRIE: Through you,

Mr. President, I have taken an oath to uphold the Constitution and to uphold our laws. I believe in our laws. It is breaking the law to enter unlawfully into the country.

SENATOR RHOADS: And through you, will the sponsor yield to another question?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: And through you, Mr. President, do you believe that local law enforcement should help federal law enforcement agents detain and deport illegal immigrants?

SENATOR MAYER: Through you, Mr. President, just say that last part again? I didn't hear it.

SENATOR RHOADS: Sure. Do you believe that local law enforcement should help federal law enforcement agents detain and deport illegal immigrants?

SENATOR MYRIE: Through you, Mr. President, local law enforcement isn't capable of deporting anyone. That is the full

province of the federal government.

But there are instances where there is cooperation between local law enforcement and the federal government. I think that that is appropriate.

SENATOR RHOADS: And through you, Mr. President, will the sponsor yield to another question?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: Do you believe that we should abolish ICE?

SENATOR MYRIE: Through you, Mr. President. On the bill before the house is statutory construction around the levels of cooperation, if any, the conduct of state and local employees, if any.

And I don't think that that is relevant, my beliefs on whether the federal government should continue -- in fact, I was very clear on the outset of this debate that I do believe that the federal government has the

constitutional power to regulate immigration enforcement.

SENATOR RHOADS: On the bill.

ACTING PRESIDENT BAILEY: Senator Rhoads on the bill.

SENATOR RHOADS: I think part of the issue -- and I thank Senator Myrie for answering those couple of questions. And I think it provides a valuable insight that really all New Yorkers should pay attention to.

You know, this Subpart A is entitled "Local cops, local crimes." And I think what the sponsor of the bill and what I think the Majority continues to ignore is that local crimes do involve immigration enforcement. Many crimes that are being committed in our local communities are being committed by individuals who are in the country illegally.

And so the attempt, as is done through this bill, to separate the two, to handcuff law enforcement's ability, both federal and local, to protect us is counterintuitive.

The purpose of law enforcement is to enforce the law, whether it is federal, whether it is state, whether it is local. And to tell

law enforcement agencies that they are unable to work together with each other is insanity.

Now, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Senator Myrie, will you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR RHOADS: Through you, Mr. President.

How will local police identify and remove dangerous criminal offenders from communities if cooperation with ICE is limited?

SENATOR MYRIE: Through you, Mr. President. If I'm understanding the question correctly, I don't think that those two things are necessarily related.

You are asking whether law enforcement will be able to continue to do its job in preventing local crime, and then you add whether that requires them to work with the federal government.

I've said repeatedly that there are instances where that may be true. But

constitutionally, the state is not required to do that. And that is what this bill is trying to clarify, that there are instances where there will be cooperation. There are formal and informal instances where we do not believe that that should be the case. And that is what this bill is establishing.

SENATOR RHOADS: Will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR RHOADS: Well, it gets back to -- through you, Mr. President, it gets back to my earlier question.

If we acknowledge that violations of the immigration law and that someone entering the country illegally has broken the law, and if local law enforcement takes an oath to uphold the law -- not just local law, not just state law, but also takes an oath to defend, to protect against all laws -- why are we interfering with police's ability to do that at all?

SENATOR MYRIE: Through you, Mr. President. I think we have a fundamental difference or disagreement on what carrying out law enforcement duties may be.

Local law enforcement will not be hindered in any way in this bill from continuing to keep our communities safe. There is nothing in this bill that will prevent them for continuing to carry out their duties, to continue to fight crime, to continue to keep people safe.

I think it is my colleague's belief that every law enforcement agency in this state is also required to do federal immigration enforcement. That is a philosophical difference that we have.

That is not a constitutional grounded opinion. The state is not required to do federal immigration enforcement. And in fact, the federal immigration enforcement body is well-resourced and well-funded to do that.

This is saying that we should allow for them to continue to do that job, for the local law enforcement to continue to do their job. And if there are instances where they have to cooperate, they will do so. But there should

be no formal agreement where taxpayers from New York are carrying out and paying for the federal immigration enforcement apparatus to do its job.

SENATOR RHOADS: On the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Rhoads on the bill.

SENATOR RHOADS: We do have a fundamental disagreement about what the role of law enforcement is.

The sponsor seems to feel as though -- as does, I suspect, most of the Majority -- that law enforcement gets to pick and choose which laws they like, which laws they don't like, and they get to enforce the ones that they feel comfortable enforcing.

They don't have -- local law enforcement does not have an obligation, a responsibility, a duty to enforce federal law. They have a moral responsibility to enforce federal law. The reality is the purpose of law enforcement is to enforce all of the laws.

And what this legislation does is it creates an artificial separation limiting local

law enforcement's ability to communicate with Immigration and Customs Enforcement, limiting state officials and state employees from cooperating with Immigration and Customs Enforcement, limits public officials and public officers and in fact gives them civil liability in instances where there's cooperation between those officials and federal law enforcement.

To what purpose? I thought the purpose of us serving in this body is to make sure that government's one responsibility is to keep the people of the State of New York safe.

Who does this legislation keep safe? Who does this legislation protect? It protects the criminal. It protects the illegal alien. It protects the individuals who are breaking the law and who are making us less safe.

How does it benefit the public? How does it benefit any law-abiding citizen for state employees not to cooperate with Immigration and Customs Enforcement in their attempt to enforce federal law, federal immigration law? Which we all agree, including the sponsor, that it's a violation of the law to come into the country illegally.

How does it benefit the public? How does it benefit the people of the State of New York not to have state officials cooperate? How does it benefit the people of the State of New York for law enforcement agencies, local law enforcement agencies who have made the decision that they want to enter into these cooperative agreements with ICE -- how does it benefit the safety of the residents, the law-abiding residents of the State of New York, not to permit that to happen?

In Nassau County, for example, we allow our Nassau County Correctional Center to be used to hold those who have detainers from Immigration and Customs Enforcement. Why is that done? Because if we don't do that, Immigration and Customs Enforcement activities take place inside your neighborhood instead of taking place inside the jail.

How does prohibiting that make any sense from a public safety standpoint? It doesn't.

And this is a pattern. Because when we talk about things like cashless bail or criminal justice reform or Raise the Age or elder

parole or Less Is More, any one of -- and the list goes on of the measures that have been passed or have been considered by this Legislature and signed by this Governor -- it's always about putting the rights of criminals above the rights of law-abiding citizens.

And this legislation is no different. It's not about protecting New Yorkers, it's about protecting the people who have broken the law.

Let's talk about some.

Jorge Piero Cantero {ph}, picked up on a sexual offense. Priors: Rape in the second degree, endangering the welfare of a minor, forcible touching, attempted assault 2, menacing 2nd with a weapon, criminal possession of a weapon.

Walter Acorto Sanchez {ph}. Criminal sexual act in the second degree, the victim under the age of 15. Sexual abuse in the second degree. Victim less than 14 years old. Endangering the welfare of a minor. Sexual misconduct.

Luis Hernandez. Rape 1. Sexual conduct against a child 2, felony DWI. Grand

larceny.

Osmon Espinoza {ph}. Sexual conduct against a child in the first degree. Aggravated family offense. Criminal contempt in the first degree. Endangering the welfare of a minor. Criminal contempt in the second degree. Criminal obstruction of breathing.

Mario Lenzuela {ph}. Twelve prior arrests. Criminal possession of a weapon. Resisting arrest. Menacing. Assault in the third degree. Strangulation. Criminal obstruction of breathing.

Roger Martinez. Making terroristic threats. Assault 2. Criminal possession of a controlled substance.

Ivan Troshkin {ph}. Assault 2.

All of these individuals -- and the list goes on. All of these individuals are people who were picked up by Immigration and Customs Enforcement at the Nassau County Jail instead of being released back into our communities for ICE to try and hunt them down while they have a chance to commit more crimes.

This legislation is not about protecting law-abiding New Yorkers. This

legislation is about protecting them.

That is not the responsibility of this Legislature. That is not upholding the oath that we swore as legislators -- not just law enforcement -- to support the Constitution of the United States, to support the Constitution of the State of New York, and our moral obligation to protect the citizens of the State of New York.

This is an affront to that responsibility. And those who will be supporting this legislation today should be ashamed to do so.

Thank you, Mr. President.

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

SENATOR BORRELLO: Mr. President, will the sponsor yield for a question on Part LL, Subpart A.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes. Well, let -- if I may, Mr. President, I will answer my colleagues' question. I have to respond briefly on --

ACTING PRESIDENT BAILEY: Senator

Myrie on the bill.

One second, Senator Borrello.

SENATOR MYRIE: Forgive me.

It's troubling that the horrific, despicable acts that were just listed by my colleague -- which we all agree are horrific and should never occur and people should bear the full consequence for committing those acts -- it is regretful that my colleague would use that pain and would use those horrifying instances to support a political point. Because it most certainly is not a policy point.

For every crime listed, those individuals could and would be prosecuted under state law. This bill does not change that one bit.

In fact, the state, after those individuals have been convicted, has a right to be made whole. We have heard from district attorneys, from law enforcement officials, from victims who want to see local justice be done before the federal consequence kicks in.

My colleagues are suggesting that local law enforcement should be doing the local job and the federal job. That's not how the

Constitution works.

We want our local law enforcement focused on preventing those horrifying crimes from happening. This bill changes nothing -- I want to be clear to the people of New York, this bill changes nothing on their ability to do that.

And if we examine, under this current federal administration or federal administrations prior, and we look at the arrests and the criminal records of those who were subject to immigration enforcement, it in fact tells a different story than what we're hearing from my colleagues.

So I suspect I'm going to have to continue to clarify as we go on. So I appreciate Mr. President and my colleagues for indulging me on the bill.

I do yield to Senator Borrello.

ACTING PRESIDENT BAILEY: Thank you, Senator Myrie.

Senator Borrello, the sponsor has yielded.

SENATOR BORRELLO: Thank you. Through you, Mr. President.

So we have counties in New York

State that have agreements with the federal government to -- again, in a safe, organized manner -- be able to transfer people that are in their custody to federal immigration authorities.

So why should -- shouldn't counties be able to decide for themselves whether or not that is something they can do, that they can do safely within their communities -- versus, you know, these informal agreements you're talking about?

SENATOR MYRIE: Through you, Mr. President, I just want to clarify.

Are you referring to 287(g) agreements or the agreements allowing for the detention for immigration purposes of people by local law enforcement?

SENATOR BORRELLO: Through you, Mr. President, 287(g).

SENATOR MYRIE: Through you, Mr. President. I understand that the -- this is probably the policy difference that we have, that you and others feel that localities should have full control over what agreements they sign into the federal government.

It is our belief and our intent that

the state also has a role in how that relationship is managed. That is a constitutional grounded policy choice that the state can control, the locality's relationship with the federal government.

This is an instance where we have made the choice, will make the choice as a Legislature that these agreements with the federal government should no longer advance.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: I believe earlier in the debate you made some reference that this doesn't bar all agreements. Are we talking about informal agreements?

I mean, I guess the question is if a local sheriff, you know, has someone in custody that is obviously in violation of the law and they choose to turn that person over without a 287(g) agreement to federal authorities, would

this bill prohibit that?

SENATOR MYRIE: Through you, Mr. President. I think you may have misheard me earlier. I didn't say that the agreements may vary.

The bill defines -- or the bill states, rather, informal and formal agreements. What I indicated earlier was that there may be instances where there is cooperation that may not rise to a pattern that would suggest there is some sort of informal agreement absent a contract.

I think the answer, in short, is it depends. There may be one-off instances of cooperation that don't suggest an informal agreement. There may be other circumstances where this does appear to be an informal agreement. And that's what we are referencing here in this bill.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR BORRELLO: Okay. Well, you know, law enforcement is not in the business of "it depends." We have laws that we are supposed to enforce. I realize that, you know, we've loosened those things a little bit here in New York State. But "it depends" is not a good answer.

So for local law enforcement, county police, sheriff's departments, who is going to determine whether or not this is an informal agreement versus a one-off?

SENATOR MYRIE: Through you, Mr. President. We have, later on in the statute, several ways to enforce this entire Part LL. The Attorney General's office, the Governor's office, the Inspector general's office, a new office that will be created within the Attorney General's office that can receive complaints from the public or other officials and will have subpoena power, will have court order power, will have investigatory power, so that the facts contained within that circumstance would help determine.

I don't think law enforcement is in the business of "it depends" either, and it's

probably why we should have a uniform policy across the state instead of what we have existing now, which is a patchwork of some counties that have 287(g)s and IGSAs and other counties that don't.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: There's a part of this that essentially says that, you know, resources cannot be expended, you know, including pay, so forth.

So if a county is going to be turning over someone, a dangerous criminal, whatever it might be, to federal authorities, where the person was being paid -- you know, a member of law enforcement -- is that pay now -- essentially, they're not allowed to be paid for taking that action?

Because you're saying that no resources can be expended whatsoever. That

includes pay, benefits. That includes resources like the facility with which they're transferring this person. There's all kinds of things that would be involved that could be prohibited by this bill, no?

SENATOR MYRIE: Through you, Mr. President. If I'm understanding correctly, I think that would depend on whether there was a determination made if this was an informal or formal agreement or any action or agreement prohibited by what's in the statute.

If it had been found that they were using resources or they themselves were breaking the law, then that would be -- there would be a consequence for that. But there would have to be a factual determination.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So basically you're saying right now, whether it's a 287(g)

agreement or it's a situation where local law enforcement is working with federal authorities, that it is now going to be essentially the Attorney General's responsibility and duty, in fact, to go after a local law enforcement if they feel that they have been in violation.

You don't think that would lead to maybe some political witch-hunts of local law enforcement by our Attorney General? Because, you know, she's pretty good at political witch-hunts.

SENATOR MYRIE: Through you, Mr. President, I will not address the last sentence there by my colleague.

But I will say that there is an attempt in this bill to account for the Attorney General's dual role in representing state employees and potentially having to investigate or enforce the law against those state employees as well.

The Office of Immigration Trust will be screened off in the Attorney General's office such that if there are state actors that are running afoul of the law, that the Attorney General can continue to defend while the

Office of Immigration Trust can investigate.

Local law enforcement, as it relates to information sharing, is exempt from this bill. They are not included -- specifically, local police officers and peace officers as defined in our statutes. That was an intentional choice by the Legislature.

This section that we are talking about relates to the agreements. And that is not an individual officer determination. And so the Attorney General's role is more likely than not going to often occur not against local law enforcement, but against state employees.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: You know, I think that we all know that cooperation and communication are important things. But we're talking about the act of actually taking dangerous people out of our neighborhoods and getting them out of New York, because they are not citizens of this state -- in most cases, not the United States. They are not people that

should be afforded the protection of the people of New York State.

So now we're saying that in addition to protecting people who are not citizens, who are not here legally, we're going to take our state resources, in the form of the Attorney General's office, and turn them against -- weaponize them against law enforcement.

Sharing information is one thing. We're not talking about sharing information. We're talking about taking dangerous people, like the people that my colleagues have described, off the streets. Getting them out of New York.

I just don't understand how this is something that we should be doing when our number, number-one role is to protect New Yorkers. This is not protecting New Yorkers. We're making it vague. It depends. I heard "it depends" twice. It doesn't depend. It depends that our law enforcement officials have to have confidence? No, it does not depend. We have to have confidence that the letter of the law is being enforced.

And when it runs afoul of the

politics, that's what we're talking about here.

So that -- Mr. President, I'm wondering if I can ask on LL Part C, New York for All. Subpart C?

ACTING PRESIDENT BAILEY: Subpart C? Presumably Senator Myrie.

Senator Myrie, do you yield?

SENATOR MYRIE: Part C.

ACTING PRESIDENT BAILEY: Part C, excuse me.

SENATOR BORRELLO: Subpart C. New York for All?

SENATOR MYRIE: Through you, Mr. President. This is the second time our colleagues have referenced New York for All. That is nowhere in this bill and is not what we are passing today. So I just want to correct that for the record.

SENATOR BORRELLO: Mr. President, I guess a clarification. Is there not a bill called New York for All that essentially has the same wording as to this section, Part C?

ACTING PRESIDENT BAILEY: Senator Borrello, I would not be able to inform you of that, but Senator Myrie has indicated such.

Are you asking him to yield for a question?

SENATOR BORRELLO: I'll ask a question, then.

ACTING PRESIDENT BAILEY: Senator Myrie, do you yield?

SENATOR MYRIE: I do yield.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Thank you.

I think it's just a pretty broad question. Do you believe that noncitizens, people who are not citizens of New York and the United States in general, should be afforded the same rights and privileges and the same, I guess, entitlements as a legal citizen of New York State?

SENATOR MYRIE: Through you, Mr. President. That is not the case right now.

And let me speak a bit to why we're doing some of what we're doing today.

I've heard a lot about whether we're keeping the community safe and how this is walking back what we have done and there is going to be unfettered chaos by what we are doing

today. But what we have seen over the course of the past two years, has itself been chaotic, has itself depended on what color your skin is.

You guys hate "it depends"? It depends on what language you speak. It depends on what neighborhoods you're in, where we have seen travesties on citizen and noncitizen alike.

What we are trying to do today is to help mitigate that impact, taking an important first step in saying you should not be in the business of having to do federal immigrant immigration enforcement, and you shouldn't have the power to violate people's protections.

That is a worthwhile fight. And I don't cede to anyone that we care less about the safeties of our communities than you do. We care just as much. And we are within our power as a legislative body to direct our state employees, to direct municipal employees, to say we want you to do the job you were hired for. Not immigration enforcement, we want you to do your state job. We want you to do your city job.

That is what this subpart is referencing.

SENATOR BORRELLO: Mr. President,

on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: You know, I think there is a very basic difference between what we believe, there's no doubt about it.

I believe that the hardworking, tax-paying citizens of New York deserve, first and foremost, protection. That protection involves a consistent communication, cooperation, whether it's with federal authorities or neighboring jurisdictions. But it requires clarity.

You want to talk about chaos? We're seeing that in areas where they don't have those agreements, where they don't have that ability to cooperate and communicate.

You want to take a situation right now where dangerous criminals, who are not entitled to anything in this state, are being transferred peacefully -- because it happens here in New York State frequently -- between local law enforcement and federal officials. And there's nothing in the paper about it, because it happens. And dangerous people that don't belong

here are removed from this state.

But the idea here is, let's change that. That's going to open the door to some very dangerous situations, situations like you've seen in other parts of the country, perhaps. If that's the political motivation behind this, I'm not for that.

I'm for doing the right thing that we're supposed to do, the number-one job, which is to protect our citizens, our citizens of New York State. The people that make this place the great place that it has been for a long time.

So I'm not in favor of this. I don't think anybody with common sense should be. But we'll see. We'll see what happens next.

I'll yield, thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Borrello.

Senator Walczyk, why do you rise?

SENATOR WALCZYK: Mr. President, would the sponsor yield on Part LL, Subpart E.

ACTING PRESIDENT BAILEY: Senator Myrie, is that your section?

Senator Myrie, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President. And actually just a little bit on the last discussion, because I was hearing some of your thoughts on the role of local law enforcement in enforcing some of the statutes that there are federally. And I just want to understand your mindset and your intent here.

So if someone robs a bank in the State of New York, which is federally against the law, would you anticipate that local law enforcement shouldn't respond to a bank robbery because that's not their job?

SENATOR MYRIE: Through you, Mr. President, that's also a state crime.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: But if it was

only federally prohibited, if it was just a federal crime, you wouldn't want to see that coordination with local police or to see them support federal action there?

SENATOR MYRIE: Through you, Mr. President. If you're posing a hypothetical on whether robbing a bank is only federal -- again, it is not. It is also a state crime.

But for only federal offenses in the criminal context, I think that all officers have a duty to keep the public safe. Immigration enforcement has several procedures put in place when it veers into the criminal context. You can't just bust down somebody's door, even if they are here unlawfully; you have to get a judicial warrant for that. There is a process.

There are certain exceptions if there are exigent circumstances and you feel something, a crime, is literally about to happen. But nothing in this bill and certainly not in this subpart would prevent local law enforcement from responding to danger as they see it immediately.

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

yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: But in this subpart there are some prohibitions on areas of the State of New York in which federal law enforcement could do their job, as you've enumerated. And I think we have some disagreements, probably philosophically, about the rights of noncitizens in the State of New York.

Do you think there will be a large number of noncitizens showing up at polling locations this fall?

SENATOR MYRIE: Through you, Mr. President. Let me also clarify what this part says before I answer the question.

This is for entry into nonpublic areas in these designated locations. It is not that they are wholly prohibited from entering those nonpublic locations. It is, first, that they cannot enter those nonpublic locations

absent a warrant. You can get a warrant. You can go to court, you can get a judicial warrant issued by an Article 3 judge in order to enter private property. That is a very well known concept in our legal system.

But this doesn't even ban that outright. This actually says you are allowed, if you are a sensitive location, to adopt a policy in order to determine what will happen when they show up without a warrant in a nonpublic area. That is what this section is doing specifically.

One of those areas is polling locations, which I think is what you're referencing. And what we're doing in this subpart is simply matching what the federal government has already said is allowable at polling locations.

We have about three federal statutes that reference the ability for federal agents to be at polling locations, as you know. The enforcement of election law is not a federal duty, it is a state duty. And so there are regulations in our federal statutes that prevent federal agents from being at our polling locations. This is speaking to that.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: But I notice that that was specifically enumerated. Do you anticipate that there will be a large number of noncitizens at polling locations in New York?

SENATOR MYRIE: Through you, Mr. President. As with all of the other sensitive locations outlined here, it is the judgment of this legislative body that we should clarify what is allowable and what is not allowable. And that is why we have included polling locations.

And I will also add that neither I, nor this body, suggested that there will be federal agents at polling locations. It was Steve Bannon and others who said "We should send federal agents to polling locations."

And so I think that it is frankly,

in our estimation, important for us to clarify what the law already is on regulation of federal presence at polling locations.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Why would you assume that there would be federal immigration agents at polling locations in New York State? What would their motivation be for being in those locations?

SENATOR MYRIE: Through you, Mr. President, that is not my assumption.

SENATOR WALCZYK: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Walczyk on the bill.

SENATOR WALCZYK: And yet this bill makes polling sites sanctuary locations for people that are noncitizens and who may be here

illegally. Why?

It prohibits state employees and local government employees from asking someone if they're a citizen or sharing information with the federal government. Under threat, as was pointed out earlier, from the Attorney General, Tish James.

This bill also blocks sheriffs from coordinating with federal law enforcement to deport people that are here found illegally, in violation of federal statute.

This bill violates the Supremacy Clause of the U.S. Constitution, which everyone in this house swore an oath to uphold.

You know, on 9/11 -- I'm of the 9/11 generation -- there was a commission that came out that showed that we need better communication between local and federal and state law enforcement.

It seems as though some members in this body have forgotten how devastating the impacts can be from policies like you're proposing today to block those coordinating agreements and that critical communication.

And this bill bends over backwards

to undermine border protection. I have a Canadian border across my district, and immigration enforcement. It's already tough enough for the laws that you've already passed for those agencies to try and coordinate to get criminality out of my communities. Read the headlines about the problems across our border. You're making it worse with this proposal.

You know, New York for All was brought up. That's the proposal behind a lot of the language here. And I'm left feeling, what about New Yorkers? Why not New York citizens? Why not legal residents? Why not people that have been paying their tax bills, trying to raise a family, trying to make their life affordable in this state as we bend over backwards -- for the all? The rest of the world? Many of which that came here illegally?

What about crime victims, as my colleague from Long Island pointed out. You know, the impact of some of the policies that you have proposed and are proposing today has a very real impact on New Yorkers. There is no victimless crime. This bill blocks law enforcement -- and we'll talk about it in a

little bit. It actually restricts constitutional rights for New Yorkers while it bends over backwards for the "all" -- for the others that have come into New York State, many illegally, against federal law, and then many committing crimes in New York State after they've already violated federal statutes.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Walczyk.

Senator Palumbo, why do you rise?

SENATOR PALUMBO: Thank you, Mr. President.

I wonder if the sponsor would yield, Senator Myrie, for some questions on Part LL. I guess kind of general ones. They're really on Part A, to start with.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator Myrie. Good afternoon.

SENATOR MYRIE: Good afternoon.

SENATOR PALUMBO: There were some questions earlier regarding the 287(g) agreements, that it does not prohibit law enforcement from cooperating with ICE unless they have an informal or formal written agreement under 287(g). Is that accurate?

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

SENATOR PALUMBO: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you.

And through you, Mr. President.

However, the other parts of it, there are very significant restrictions on civilian cooperation -- for example, if you are an employee of a school, a state agency or a municipality as well. Is that accurate?

SENATOR MYRIE: Through you, Mr. President. In a separate subpart, yes.

SENATOR PALUMBO: Yes. And so just

generally on that, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator.

And so just generally, just for clarification, really for legislative intent purposes, that is not intended to have any sort of effect necessarily on law enforcement who don't have 287(g) agreements, who are basically voiding them all at this point. But it will have an effect on those civilian populations from cooperating with ICE, subject to prosecution by the Office of Immigrant Trust.

Is that all accurate?

SENATOR MYRIE: Through you, Mr. President, almost.

Just civilian as it relates to employment either by the state or by locality. I want to make sure that we're clear on that point.

SENATOR PALUMBO: Got it.

So will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: And I know that there's -- we're going to talk about that Office of Immigrant Trust in a minute.

But I guess those subsections that are within there, it's municipal employees, state employees, county employees, as well as -- what am I missing -- school employees. Is that accurate?

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

And let me just clarify. You mentioned prosecution. And there are not criminal penalties attached for violations here.

SENATOR PALUMBO: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator Myrie. And that's why I said prosecution for the purposes of prosecuting a civil action against them for either injunction.

And in that regard, are there any damages available in the event someone violates these provisions?

SENATOR MYRIE: Through you, Mr. President, not in this subpart.

There is another subpart relating to constitutional violations, where damages are available. But that is not for -- that's not in this subpart.

SENATOR PALUMBO: Will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator.

And that would ultimately -- that

part just generally, I'm just going to ask one pretty general question on it. That just creates essentially a new cause of action for deprivation of rights, along the lines of maybe a local 1983-type charge for violation of constitutional rights, is that accurate?

SENATOR MYRIE: Through you, Mr. President. Yes, that is accurate.

I'm going to spend a minute here just to clarify and ensure that this is on the record.

Our intent here is to uphold the protection of constitutional rights, whoever it is that violates that. So in the Bivens Act, as it is called here in this bill, whether that is a federal, state or local official, if they are violating a New Yorker's constitutional rights, they will have a cause of action created by this bill for damages. And it ranges on what damages may be available.

I think this is an important place for us to express clearly that this is not about regulating the federal government, this is about creating equality between the federal, state and local officials on accountability.

Right now you can use a federal cause of action to go after a state or local official and get damages if they violate your constitutional rights. That same federal statute, the 1983 that you referenced, Senator, is not available for federal agents, and that is what this bill would do to create equality. Not to discriminate against the federal officials, but to ensure that no matter what badge you're wearing, if you violate a New Yorker's constitutional rights, there should be some measure of accountability.

SENATOR PALUMBO: Would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: So when you say "New Yorkers," Senator, that those constitutional rights are violated, is that all New Yorkers or is that just undocumented New Yorkers?

SENATOR MYRIE: Through you, Mr. President. Any New Yorker that has a

constitutional right that is violated.

SENATOR PALUMBO: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: I'd like to move on to Subpart F, if I may, which is the masking section. We just talked about -- you just indicated you weren't looking to --

(Overtalk.)

ACTING PRESIDENT BAILEY: Senator Palumbo, are you asking Senator Myrie to yield on that subject?

SENATOR PALUMBO: Would you continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: I'm sorry, I thought he did yield again. He yielded like

multiple times. As many times as you'd like to yield, I appreciate it.

SENATOR MYRIE: I yield. I yield. I yield.

SENATOR PALUMBO: And just to get my question out, to give a little background that we were just discussing, possibly regulating federal agencies. And under this part, this subpart now regulates federal agencies as well as all local law enforcement agencies from wearing masks, except for reasons that are enumerated within the statute itself. Is that accurate?

SENATOR MYRIE: That's correct. Thank you, Mr. President, that's correct.

SENATOR PALUMBO: Thank you, Senator. Would you continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Now, there is a similar masking legislation, the No Vigilantes Act. And just recently, in the United States versus the State of California, there was a

Ninth Circuit opinion that struck down that provision. And -- here they are. I'm trying to find my glasses.

And if I could just read from that. The Ninth Circuit, lawyer to lawyer, Senator Myrie, you know is not the most conservative circuit in the country. They basically said that it violated the Supremacy Clause because it attempts to directly regulate the United States in its performance of governmental functions.

Does that cause you any concern with respect to this mask provision and subpart within this Part LL?

SENATOR MYRIE: Through you, Mr. President. And I appreciate my colleague referencing the Ninth Circuit litigation.

I think that we have crafted this particular bill with the 10th Amendment in mind, with corrections that were on the District Court level in that same case that said that you can't just target federal officials. This is applicable to every official.

So we think that we're on sound constitutional ground. The Ninth Circuit

disagreed with California's law. But it is our belief that we are on good constitutional ground here.

SENATOR PALUMBO: Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator. And I certainly appreciate your optimism. That severability clause might come in handy on this statute that we're talking about right now.

But just to read one more section of it, if maybe you could try and distinguish it for me. (Reading.) Under the intergovernmental immunity component of the Supremacy Clause of the United States Constitution, states may not directly regulate the federal government's operations, referencing Blackburn vs. The United States. When the framers split the atom of sovereignty, they put the federal government under the control of the people without

collateral interference by the states, which have, quote, no power, reserved or otherwise, over the exercise of federal authority within its proper sphere, with citing some other United States Supreme Court cases.

So that is of no concern.

If there's any way you can distinguish this mask mandate from California's mask mandate, because to me it seems identical.

SENATOR MYRIE: Through you, Mr. President, I think we might just have a different reading of our statute as it relates to California's.

There are a lot of similarities. I do think that this is going to be a live question on the constitutionality.

We believe that we are within the bounds of the 10th Amendment, primarily because we are regulating everyone -- not just the federal government, but local and state law enforcement as well.

SENATOR PALUMBO: Thank you, Senator.

Will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the

sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: One last section, if I may, Subpart G. This is the Office of Immigrant Trust that's being created. Senator, this will be a division of the Attorney General's office, is that accurate?

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

SENATOR PALUMBO: Will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: And when I get a little further into that section, I see in paragraph 4 -- Section 4, rather, upon receipt and review of complaint deemed credible of a violation under Article 15-AA -- which is really state agencies or state employees -- that in the event of a credible complaint, they have to

transmit a request for the referral regarding such credible complaint to the Governor, and then the Governor shall review such request and make a determination on whether or not to refer the matter to the office for investigation. And upon such referral back to the office, the office will investigate and, if warranted, commence a civil action.

Is there any particular reason why the Governor gets to be the gatekeeper when it comes to a state agency's violation of this act?

(Pause.)

SENATOR MYRIE: Through you, Mr. President. So a couple of things.

One, the I think overall principle undergirding the creation of this office -- I think I mentioned this earlier -- is to firewall within the Attorney General's office the responsibility to defend state employees and the potential of having to bring an action against a state employee for violating the law.

But as it relates to the referral, if there's a state employee that has been alleged to have broken this law, the referral to the Governor is intended to allow the Governor an

opportunity to issue corrective action over an agency under her or his control.

That can be done without a referral back to the Office of Immigration Trust or, if the Governor makes the determination that executive corrective action is not enough, it will then refer it to the office.

SENATOR PALUMBO: If the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator.

Can you just reconcile for me, then, why in Section 6, upon receipt of a complaint deemed credible of a violation of Section 3201B of the Education Law -- and this is the section regarding school employees -- this new division can just proceed with a civil action and not make such a referral to the commissioner of State Ed?

So we have the Governor as a gatekeeper when it comes to state employees, but

we don't have the commissioner also having the opportunity to make a similar revision or take corrective action as the Governor when it comes to our education system and something that may have happened in the confines of a school?

(Pause.)

SENATOR MYRIE: Through you, Mr. President. Thank you for your patience, Senator Palumbo.

As I understand it, because the Governor does not retain control over the State Education Department, that same rationale that applied to Section 4 would not apply to Section 6.

SENATOR PALUMBO: Thank you, Senator.

Mr. President, on the bill, please.

ACTING PRESIDENT BAILEY: Senator Palumbo on the bill.

SENATOR PALUMBO: So in my opinion, Mr. President, this is really kind of a simple bill in some respects. This is once more a creation of additional barriers and requirements and prohibitions on law enforcement to do their job.

Many of my colleagues said this before, so I'm not going to belabor this. But cooperation with law enforcement saves lives. Cooperation between law enforcement agencies saves lives.

Cooperation with civilians probably saves even more lives, in many respects, because police can't be everywhere all of the time. Police have a lot of resources once they get an investigation, but where do those investigations and complaints almost always come from? Civilians.

So this bill is not only really dangerous, it's so overly broadly drafted that this was supposed to be a focus on ICE -- we get it. We read the papers. We stand here on this floor and we hear my colleagues on the other side talk about the evils of ICE. And I get it.

But quite frankly, ICE is probably not even going to be affected by this bill, sadly, because we can't regulate federal agencies. There are rules and procedures that each agency creates, each law enforcement agency, on the state, village, federal -- wherever you are, you create your own rules and procedures

within your own agency. We cannot dictate to a federal agency what they can do.

So what are we now doing? We're now going to cause all these new regulations to be in effect on those that we do have jurisdiction over, local law enforcement. And it's completely counterintuitive to, I think, the intent of this bill, from seeing and hearing and knowing what my colleagues were looking to accomplish here.

So, my friends, this is dangerous. This is a bad idea. This is not helpful. And I honestly don't believe it's going to come anywhere close to its intended result. And for those reasons, I'll be voting in the negative.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you.

Senator Gianaris, why do you rise?

SENATOR GIANARIS: Thank you, Mr. President. On the bill.

ACTING PRESIDENT BAILEY: Senator Gianaris on the bill.

SENATOR GIANARIS: I want to compliment my colleague Senator Myrie for explaining the purpose and intents of this bill

and what it does.

I want to take a little bit of a 10,000-foot view of this thing, because I heard my colleagues speaking about federal immigration authorities, ICE specifically, as if they are some honorable law enforcement agency that's doing their job with amazing acclaim.

These things are necessary precisely because they are not doing that. ICE has become a rogue agency that is defying the laws of this country, defying court decisions specifically ordering them not to do certain things that they then go ahead and do anyway, have killed American citizens, have detained others, have taken children away from their parents as young as 6 years old, from my own part of Queens.

So let's not pretend that they are doing something that is actually of great benefit to this country. They have lost the trust of Americans, and with good reason.

So when the question is asked who are we trying to protect by including these provision in this bill, we are trying to protect people like Renee Nicole Good and Alex Pretti who were murdered on the streets -- American

citizens -- by ICE agents.

We are trying to protect people like Julio Ipina Hernandez from Putnam County. I heard a lot of talk about crime victims. What about the crime victims? I think Senator Palumbo just said investigations and complaints come from civilians. Well, Julio Ipina Hernandez was a civilian who called in a complaint about drug activity in his community.

And what did the local law enforcement do? They called ICE. What did ICE do? They picked him up and are attempting to deport him.

So, wait, are we concerned about the drug dealers and the bad activity in that community? Are we concerned about allowing and encouraging people to report crimes in their community? Or have we just gone batty and are attempting to just take anyone we can and attempt to deport them whether they deserve it or not?

There were some questions about poll sites, and I want to answer that as well.

It is not unfathomable, given the way this agency is behaving -- in fact, I think there's been some discussion that it will

actually happen for this purpose -- that there will be a poll site, ICE agents, armed as they usually are with masks, I guess, unless we prohibit it here, will be standing at the poll site questioning legitimate eligible voters. People of color, probably. Latinos, probably.

And if you're someone who wants to exercise your right to vote and you're going to wait in line, potentially, if it's a popular election, or even just go to vote regularly, and you think there's going to be someone with a gun from an agency that has a history of apprehending people who don't deserve to be apprehended, what do you think is going to happen? Are you going to stay home, or are you going to take your shot to cast your one vote? That is why we need to protect poll sites.

Now, we've had numerous discussions in this chamber about the Minority's desire to keep people from voting, so I guess it's consistent with that approach.

But let's again not pretend that ICE is doing their job the way they're supposed to be doing it, because they are not.

And no, we cannot tell ICE what to

do and what not to do, but we can damn sure make it clear that we're not going to spend our state's resources and our local agencies to help them do all the bad things that they're doing around this state.

Thank you, Mr. President. I encourage all my colleagues to support this bill, and I compliment again Senator Myrie for his defense of it.

ACTING PRESIDENT BAILEY: Thank you, Senator Gianaris.

Senator Skoufis, why do you rise?

SENATOR SKOUFIS: Will Senator Myrie yield for a few questions?

ACTING PRESIDENT BAILEY: Senator Myrie, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR SKOUFIS: Thank you.

First, before I get to a host of related questions, will my colleague answer whether entering the country unlawfully is a civil or criminal offense?

SENATOR MYRIE: Through you,

Mr. President, it is a civil offense.

SENATOR SKOUFIS: Thank you.

I think perhaps that comes as news to some of our colleagues.

Now, to get to the main questions I want to answer here --

ACTING PRESIDENT BAILEY: Senator Myrie, do you yield?

SENATOR SKOUFIS: Or, sorry, I'm not used to this.

(Laughter.)

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR SKOUFIS: Will -- will my colleague yield?

SENATOR MYRIE: Yes, I yield.

SENATOR SKOUFIS: Senator Murray described I think what everyone here would agree was a heinous situation that occurred in his district. And the perpetrator was charged with endangering a child while there was DNA testing waiting to be brought back.

And Senator Murray argued that absent that coordination via the 287(g) agreement, the outcome would have been different

and this individual would have fled, would have gotten away and presumably, I think Senator Murray was insinuating, would have escaped custody.

To Senator Myrie, is it not true that if this bill passes --

ACTING PRESIDENT BAILEY: You don't have the floor, Senator Murray. You could -- thank you.

SENATOR SKOUFIS: If this bill passes, if it becomes law, acknowledging 287(g) agreements would be prohibited, is there anything in this bill that upon the charge of endangering a child that would have tied the hands, would have prevented that local police agency from still picking up the phone or still sending an email or still in whatever way they deem appropriate, reaching out if they so choose, that local law enforcement reaching out to federal agents to engage this individual?

SENATOR MYRIE: Through you, Mr. President, there is nothing in this bill that would prevent that.

SENATOR SKOUFIS: Thank you.

And then, I mean, it's right to then

believe that the outcome would have been identical and not different, as Senator Murray alleged.

Senator Rhoads --

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

SENATOR SKOUFIS: Will my colleague yield?

ACTING PRESIDENT BAILEY: Senator Myrie, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR SKOUFIS: Senator Rhoads rattled off a litany of individuals with heinous charges against them in Nassau County, all of whom were arrested by the Nassau County Police Department and then subsequently picked up by ICE.

I know a lot of Nassau County police officers. The ones I know are fantastic. It seems to me that police department, that county PD, does a great job.

But I want to ask a few questions here. One of the individuals that Senator Rhoads

mentioned was charged with rape in the second degree, criminal possession of a weapon, among other charges.

Is there anything in this bill, if the 287(g) agreement -- acknowledging that that agreement would be prohibited, anything in this bill that prevents the Nassau County PD, with that individual's charges, sending an email, making a phone call, and otherwise reaching out to ICE and coordinating -- yes, coordinating with federal agents vis-a-vis that person's immigration status?

SENATOR MYRIE: Through you, Mr. President, there is not.

SENATOR SKOUFIS: Senator Rhoads also mentioned individuals charged with sexual abuse, endangering a minor, among other charges.

Same question. Anything in this bill that would prohibit the Nassau County PD, which does not have a local law passed by the county prohibiting coordination -- anything in this bill that prohibits coordination for that individual?

ACTING PRESIDENT BAILEY: Senator

Myrie -- Senator Myrie, do you --

SENATOR SKOUFIS: If my colleague will yield.

ACTING PRESIDENT BAILEY: Senator Myrie, do you yield to that question?

Senator Myrie yields.

SENATOR MYRIE: Through you, Mr. President, I yield.

And no, there is not.

SENATOR SKOUFIS: Thank you.

Will my colleague continue to yield?

ACTING PRESIDENT BAILEY: Will you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR SKOUFIS: Another individual, charged with rape 1 and grand larceny -- anything in this bill that would have prevented the Nassau County PD from coordinating with ICE for that individual?

SENATOR MYRIE: Through you, Mr. President, no.

SENATOR SKOUFIS: I can go on, but I think my colleagues get the point.

Will my colleague continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR SKOUFIS: Senator Walczyk --

SENATOR WALCZYK: (Mic off.) Point of order, Mr. President -- (inaudible).

SENATOR SKOUFIS: Senator Walczyk was quoted --

ACTING PRESIDENT BAILEY: Senator Walczyk, Senator Skoufis has the floor.

SENATOR SKOUFIS: I don't yield to Senator Walczyk.

ACTING PRESIDENT BAILEY: Senator Walczyk, how can I help you?

(Overtalk.)

SENATOR WALCZYK: -- dignified and lacking in personal invective --

ACTING PRESIDENT BAILEY: Senator Walczyk --

SENATOR WALCZYK: -- according to Senate Rule 9, Section 4.

ACTING PRESIDENT BAILEY: Senator Walczyk, it was not invective.

And we routinely refer to each other by name in a collegial manner. That was not invective.

I think that if we invoke what you're attempting to do, we should no longer refer to each other as the sponsor said, even in a congratulatory tone.

I would ask a little latitude, as you've been given and others have been given in many circumstances.

Senator Lanza.

SENATOR LANZA: I agree, Mr. President. What I don't agree with is the idea that we can call across the floor of the Senate by name.

I'm not even sure what's happening here, but --

ACTING PRESIDENT BAILEY: Senator Lanza, if I may. The members are being referred to by name.

SENATOR LANZA: No, no, no, hold on.

ACTING PRESIDENT BAILEY: We often

refer to each other -- if I may. If I may. We often refer to each other in a collegial manner.

I don't see anything that has been attacking the names of the individuals. Senators have been mentioned based upon what they've been saying.

SENATOR LANZA: Mr. President, I said I agreed with you. I'm saying what's happened -- what just happened now is Senator Murray is seated in his chair. Senator Skoufis, from across the chamber, said "Senator Murray" -- I don't know why he's summoning him, but he hasn't gone through the chair.

ACTING PRESIDENT BAILEY: From -- Senator Lanza, he was referring to Senator Murray's comments.

I think that it's abundantly clear to anybody watching or listening, he was not invoking -- he was not attempting to disrespect him or say anything negative about him.

Was his name mentioned? --

SENATOR LANZA: Mr. President, as a point of Senator Murray's personal privilege, he'll be able to respond to whatever is going to

be said now.

SENATOR GIANARIS: Mr. President, if I may.

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Not to prolong this, but as I've been sitting and listening to this, all Senator Skoufis did was say "Senator Murray said this. Is that correct?" "Senator Walczyk had said this." And then he was responding to their points.

It was not addressing Senator Murray. It was not asking him a question. It was not saying anything that needs a response.

If Senator Murray or Senator Walczyk would like to respond in their own time, they're welcome to do so. But I don't think Senator Skoufis did anything inappropriate by simply characterizing what was said moments ago by one of your members.

SENATOR SKOUFIS: Thank you, Mr. President. Thank you, Senator Gianaris.

If my colleague will continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR SKOUFIS: Senator Walczyk -- this is, if not verbatim, very close. I was writing down as quickly as I can -- he was quoted before as saying this bill prevents sheriffs from coordinating with the federal government to deport people here illegally.

Regardless of what one thinks about whether individuals should be deported via that kind of coordination, is there anything in this bill that prohibits a sheriff's department -- if there's no local law prohibiting coordination, as exists in some jurisdictions -- in this bill that would prohibit that coordination?

SENATOR MYRIE: Through you, Mr. President, no.

SENATOR SKOUFIS: Thank you.

On the bill very briefly.

ACTING PRESIDENT BAILEY: Senator Skoufis on the bill.

SENATOR SKOUFIS: Thank you,

Senator Myrie, for clarifying the -- what is actually in this bill.

I am going to grant my colleagues across the aisle who have spoken, whose comments I have simply referenced, the benefit of the doubt. This bill was printed last night. It was given to their counsel last night. My colleagues either read it last night or were briefed this morning or midday. And there wasn't a lot of time to perhaps properly, intelligently digest factually what is in this bill.

I'm going to grant my colleagues the benefit of the doubt that much of what we heard was -- was incorrect and unintentionally part of this debate.

Now, once this debate is done, if there are press releases sent out, there's social media videos sent out repeating what was just very clearly corrected, that false information, that will be an intentional attempt to mislead the people of New York State, to rile up the people of New York State, to anger the people of New York State. Because everything that we just referenced is patently, factually incorrect and baseless.

And so, again, I want to give the benefit of the doubt. I hope that it was just being misinformed given the short duration of time between bill printing and this debate.

This bill threads that needle of making sure that we continue to live and represent a civil society that takes care and protects people who just want to be here and live peaceably, while also making sure that law enforcement is able to dispose of their obligation to keep our community safe.

I look forward to voting yes.

ACTING PRESIDENT BAILEY: Thank you, Senator Skoufis.

Senator Lanza.

Senator Murray, why do you rise?

SENATOR MURRAY: Thank you, Mr. President.

I'd like to speak on the bill, if I could.

ACTING PRESIDENT BAILEY: Senator Murray on the bill.

SENATOR MURRAY: So in reference to Senator Skoufis, when Senator Skoufis addressed me and Senator Skoufis addressed Senator Walczyk

and Senator Skoufis addressed everyone else, and Senator Skoufis then assumed that we were incorrect with everything we said here, let me point out that there's a difference between what's on paper and reality.

And here's the reality. The reality is Suffolk County does have the 287(g) agreement, and so they work with ICE on a regular basis. And they've formed those relationships and are comfortable with reaching out.

But as was mentioned earlier, it mentions and talks about formal and informal agreements. And when we asked about the definition of "informal," it was simply said that it was formal or informal.

Okay, informal what? Picking up the phone? Like cooperation? Like working together, like they've been doing?

But now we have a kangaroo court, the Immigrant Trust Office, or the let's say sanctuary office, as I'd like to call it, under the Attorney General's office. And now the concern will be, should we pick up the phone? Will that violate? Will they be coming after us? So it's now going to put questions into law

enforcement's mind of can we even work together.

So, yeah, the reality of this bill is it would change that -- it would not change it, in fact, and the criminal who raped the 5-year-old child would likely be long gone, Senator Skoufis.

Thank you.

ACTING PRESIDENT BAILEY: Senator Lanza.

SENATOR LANZA: Thank you. Thank you, Mr. President.

You know, I think this bill more than most --

ACTING PRESIDENT BAILEY: Senator Lanza, are you on the bill?

SENATOR LANZA: Oh, I'm on the bill, Mr. President.

ACTING PRESIDENT BAILEY: Senator Lanza on the bill.

SENATOR LANZA: Yes, on the bill, Mr. President.

I think this piece of legislation in this budget bill before us, more than most, really defines the difference between this side of the aisle and that side of the aisle, the

difference between what Republicans think and Democrats think.

And I know my colleagues across the aisle would celebrate that. And so do we. We celebrate that difference.

And it was mentioned that ICE is some rogue, dishonorable agency. We don't see it that way. We have borders in this country. By law, ICE is the federal law enforcement agency that is charged with protecting those borders and, by extension, protecting us.

So we do not consider them doing their job protecting us as rogue or dishonorable. In fact, we thank them. We see -- we are grateful that they are doing that.

It was mentioned that this side of the aisle -- a list of folks that they're trying to protect and why this legislation, from their point of view, is necessary. I can tell you from the Republican side of the aisle the question was asked, Who are you trying to protect?

Let me tell you who we're trying to protect. We're trying to protect all American citizens, certainly. But I'll give you an example, because examples were made across the

aisle.

We're trying to protect the Laken Rileys of the country. Laken Riley, you might remember, was a beautiful young woman who was at school in Georgia, the University of Georgia. My son happens to be on that campus. He attends the University of Georgia Law School.

An individual, that's the most -- the best way I can define or name or call this individual, this person crossed our border. And I think there's been a misunderstanding, I don't want to get into law too much on this issue, but if you come into this country and you ask for asylum, there's a process. And now it's a civil matter. You come into this country legally with a visa or whatever, that's a civil process. If you come into this country, if you cut a fence or you jump it, and you get into the country and you don't say "I need asylum," you don't apply, you just -- as is described, you get away, well, you have committed a crime. You've committed a crime. So let's be accurate. You've committed a crime.

So someone did that, violated our border, committed a crime, made their way to

New York. Why? Why do you think that person came to New York? Because we have a Governor who said "We welcome you." We don't care what your intent is, we don't care what your background is, we don't even need to know you. Just come here if you're looking to hide. If you're up to no good, come to New York.

We had a president at the time, President Biden, that said, Come to America. We don't care who you are, what you're up to, whether or not you're up to no good. And by the way, wink, wink, you should go to a place like New York. They call themselves a sanctuary state.

Well, this guy came here, committed a crime, he went into a facility in New York. And Governor Hochul, who cares more about people from other countries than she does, evidently, about New Yorkers, cares more about talking about a sanctuary state because someone has decided, some political mind has decided, Well, this is a good issue for Democrats. I'm going to say I don't care who you are, come to New York.

So what did she do? She opened the back door of that facility, and he walked out.

And went down to Georgia, and he raped and murdered that young, beautiful woman.

That sanctuary state, that's what it is, that's who we're trying to protect. We want to make sure that doesn't happen again. I think we have the right as American people, whether a Democrat or a Republican, to know who it is that's coming through our borders. There's a basic right we all as New Yorkers and Americans have.

We have a new division, in this legislation, at the Attorney General's office, creating a whole new division just to virtue-signal, to say if you're from another country, we care more about you than we do about New Yorkers. We're going to create a whole new division in the Attorney General's office.

No, this division is not going to protect you if you're a New York citizen, an American citizen. This is not going to deal with identity theft, all the various scams that are bilking New York out of tens and hundreds of millions of dollars every single year and nobody seems to be doing a damn thing about it. That's not what this division does.

We have a whole new division -- we don't know how many people are going to work there, how much it's going to cost. But they're here to tell the world, Come to New York. If you are in another country right now and you want to come to America in violation of our laws, well, New York's the place to do it.

This division is not going to check whether you're coming here because you're a would-be terrorist. This division doesn't even care to look at that issue. Just come here. We don't care. Come to New York.

So that's who we're trying to protect. If you don't like -- if you don't like the fact that we're a nation of borders, run for Congress. Go to Congress and change it. You can't do that from New York. You shouldn't do that from New York.

But that's what this legislation, to me and to our side of the aisle, seems to be doing. So yes, we think that we ought to have a federal law enforcement agency and that the men and women of that agency ought to protect our people, our country and our borders, and that is a difference between us.

I'll be voting no.

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

SENATOR BORRELLO: You made me question my own identity here.

(Laughter.)

SENATOR BORRELLO: May I ask a question, Mr. President, on Part C, Subpart A?

SENATOR GIANARIS: That's still Senator Myrie.

ACTING PRESIDENT BAILEY: Senator Myrie, once again it's on. Do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Through you, Mr. President.

So this is dealing with pistol converters. And can you explain to me the change we're making and why?

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

So this would prohibit, with the timeline after the effective date, the sale of particular pistols that can be easily converted

with what is commonly known as an auto sear. This is something that we have seen proliferate over the past couple of years. That's not my judgment or the judgment of a reporter. Our ATF, our law enforcement officials, have found many of these switches on crime scenes.

For those uninitiated, a switch converts a pistol and allows for it to shoot many more bullets with one trigger than it might otherwise be capable of.

And in our laws, both federal and state, we outlaw machine guns. That is already illegal. What this has allowed for is effectively for you to have your own machine gun with a small device to convert that pistol.

So this says that if you sell pistols in New York, and if you will have that in the market, you have to take the appropriate steps to allow for that pistol to not be so easily converted.

We've built in several exceptions in this bill. Anyone who currently owns a pistol that might be subject to that conversion will not be affected. For individuals who are gunsmiths or who have firearm -- federal firearm licenses

and have that inventory, you will continue to be able to sell that.

But this is prospective, in that we are trying to get this type of product outside of our market because it is causing more harm and violence in our communities.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: I think you just said that these are already illegal, right? So -- for the actual converter. So what are we changing with this law?

SENATOR MYRIE: Through you, Mr. President. What's illegal, as my colleague has pointed out, is the device itself. What we are trying to adjust here is the sale of products that are easily converted.

And what we have seen in the market is that there are some pistols that are easily converted by this device and others that are not.

And it demonstrates, I think, that there is an ability to design a pistol that is not susceptible to so easy a manipulation.

So this is about really trying to ensure that we have the safest product on the market.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: Okay. So what manufacturers of pistols would fall into this convertible area?

SENATOR MYRIE: Through you, Mr. President, there are varying companies that might fall into this. And so it really depends on whether they have been susceptible as laid out in the statute. There are some technical terms in here on whether or not a pistol that has failed to make the design accommodations would fall into that.

But there are any number of

companies that might fall into that category.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So does this outlaw possession of this? I know you've grandfathered in people that already own one.

But going forward, would this outlaw the possession of a pistol that can be converted?

SENATOR MYRIE: Through you, Mr. President. It is already illegal, as you mentioned, to own a machine gun. A device that is converted with this would fall into that category.

And so the hope is that the prohibitions on the sale of this would help reduce the amount of those pistols on the market.

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

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR BORRELLO: So if someone follows the proper procedures and purchases a pistol -- that is not converted, but is convertible -- in Pennsylvania and -- would they be able to come back and add it to their pistol permit in New York State?

SENATOR MYRIE: Through you, Mr. President, I'm not sure that is -- that issue is contemplated in this bill.

And to me, it speaks more to our federal ability for you to transfer gun possession permits from other states. And this does not contemplate -- this bill does not contemplate that particular policy.

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT BAILEY: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you.

You know, there's a very popular pistol, the Glock. A lot of people own it. It's probably the most popular in the United States.

And it would fall under this category.

So we're basically going to say to New York retailers of firearms, You can no longer sell probably the most popular pistol in the United States. And I believe that my colleague is going to say, I think that's great. But it's not going to solve the problem, because we've failed to address the issue.

The issue is people who commit violent acts of crime, with or without a gun, that continue to go unpunished here in New York State.

So we're going to say to legal, law-abiding citizens, You can't buy it here from a small business, most likely, here in New York State, this very popular piece of home protection, self-defense. Because that's what it is.

So we're going to pretend that somehow singling out a particular type of firearm and saying, You can't sell it here in New York State, is going to solve the problem of, quote, unquote, gun violence. It's not about gun violence, it's about people that commit acts of violence here.

We just got done talking about the fact that we're going to allow those folks that are here not legally to continue to be here, and protect them. Now we're going to go after the law-abiding citizens here in New York State exercising their constitutional right in a ruse to pretend like we're doing something about gun violence.

Let's start doing things about people that commit real acts of violence. Because at the end of the day, most crime committed is not with a firearm. Most people that commit crimes are doing so with various amounts of things. And trying to go after this whack-a-mole idea that somehow violating people's constitutional rights -- we talked about that earlier -- is somehow going to change the results here?

We have the most -- we have the most gun laws probably out of any state in the United States, and yet we have some of the worst outcomes when it comes to people that have been tragically injured with or without a gun.

So let's not pretend this is going to do anything. It's going to appease some

people. It's going to make you pretend like you're doing something. But at the end of the day it's not going to do anything until we start doing the right thing, which is to take dangerous people out of society and truly enforce real laws that prevent new victims from being created, with or without a firearm.

So I'll be voting no. Thank you.

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

SENATOR WALCZYK: Madam President, I hope the sponsor would yield on Part C, Subpart B.

ACTING PRESIDENT PERSAUD: Senator Myrie, do you yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: Senator Myrie yields.

SENATOR WALCZYK: Through you, Madam President. This part also bans the sale of 3D printers that have not been equipped with technology that blocks the printing of firearms and firearm parts.

Is there a technology that currently exists to do that?

SENATOR MYRIE: Through you, Madam President. What this bill would require, there are a number of steps before we would get to the technology and the prohibition of the sale, the initial step being a convening of a group that would be tasked with providing recommendations on the technology.

In that group are experts and others that would submit recommendations. Then the Department of Criminal Justice Services would have to take those recommendations into account and then have a couple of months to promulgate some rules and regs around this, of which there would be public comment.

And then subject to the public comment and the promulgated regulations, then adoption would then proceed in the Governor's office.

So I say all that to say that this is going to be a years-long process of ensuring that the technology does in fact find itself capable of blocking the 3D printing of guns in someone's home.

SENATOR WALCZYK: And through you, Madam President, would the sponsor continue to

yield?

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Yeah, prior to all of the public hearings that you'll require if this bill passes both houses and is signed into law by the Governor, I'll provide you some feedback from concerned hobbyists right now either printing firearm parts or not.

Will this require every 3D printer sold in the State of New York to be connected to the internet?

(Pause.)

SENATOR MYRIE: Through you, Madam President. There's nothing in this bill, as I read it, that requires connection to the internet.

But after that implementation process, should a 3D printing manufacturer sell into this state printers that are capable or additionally do not have the blocking technology for printing of 3D guns, that would be -- would

be prohibited.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: I'd like to also talk about Subpart A. What is the purpose of a cruciform trigger bar?

(Pause.)

SENATOR MYRIE: Through you, Madam President, that is the part of the pistol that is supposed to prevent it from repeatedly firing.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: Can you name a single modern striker-fired semiautomatic pistol that cannot be converted if someone custom-manufactures a sear or a backplate for it?

SENATOR MYRIE: Through you, Madam President. I understand that there are several gun manufacturers that have designed their pistols to be as resistant to the conversion of an auto sear -- as I understand it, Smith & Wesson is one of those gun manufacturers that is not easily converted.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: How do you define "easily converted"?

SENATOR MYRIE: Through you, Madam President, I believe we outline this in the statute and go through the steps of what is convertible for purposes of liability in this

bill.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: But "easily converted," under your definition, could include a few simple tools, is that correct?

SENATOR MYRIE: Through you, Madam President, it could.

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

ACTING PRESIDENT PERSAUD: Does the Senator yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: So I guess I'll ask again. Is there any similar modern striker-fired semiautomatic pistol that cannot be

easily converted in the State of New York?

(Pause.)

SENATOR MYRIE: Through you, Madam President. As I've answered before, I believe that there are a number of companies that are not having their pistols easily converted.

And that, to me, has been demonstrated by what is showing up on crime scenes and what is being reported, that there are particular brands that are not showing up, and there are others that are.

And to your 3D printing line of questioning, they are also showing up and proliferating on our crime scenes.

And so we are responding, I think, to a public safety imperative to remove as much of these as possible, whether they are printed or whether they are converted.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

SENATOR WALCZYK: Where exactly in the mechanical blueprint of a standard pistol does lawful design end and convertible pistol begin here? How can we anticipate that? And can you explain the engineering to me?

SENATOR MYRIE: Through you, Madam President, I don't understand this question.

ACTING PRESIDENT PERSAUD: Senator?

SENATOR WALCZYK: Yeah, I'll rephrase another way.

How do we get to find out which brands will be lawfully sold or considered easily convertible by your new definition?

SENATOR MYRIE: Through you, Madam President. I think that that is the responsibility of the members of the gun industry to ensure that they are aligning with what our statutes dictate.

There is, as I've been mentioning, a proliferation of these switches showing up on our crime scenes, and this is an attempt for us to prevent as many of those from showing up as possible.

There are companies that have not had their pistols so converted and thus are not showing up on crime scenes. That, to me, demonstrates that it is possible for other companies to do the same.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: You used the term "switches." So will this just apply to the Glock 19?

SENATOR MYRIE: Through you, Madam President, no, it would not.

SENATOR WALCZYK: Through you, Madam President, will the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The

sponsor yields.

SENATOR WALCZYK: Which other firearms will this apply to?

SENATOR MYRIE: Through you, Madam President, any firearm that under the definitions in this statute are convertible.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: I see, then, it will be difficult to get a list of the firearms that may be permissible and may not be permissible in the future.

But if a criminal uses an illegal after-market tool to force a mechanical object to do something that it wasn't designed for, why is the seller of that product the problem here? Why the firearm seller instead of the person that has modified the weapon?

SENATOR MYRIE: Through you,

Madam President. This is a common principle in consumer protection, in product liability, that if you are going to benefit from the profit of the market and be a participant in the market, that requires you to also ensure that the product that you're putting out is not doing unnecessary harm to the market.

And this is an attempt for us to mitigate what we believe to be unnecessary danger because of the ease in which some pistols are converted.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: I know my colleague from Western New York already brought this up. But federal and state law already ban pistol converters, correct?

SENATOR MYRIE: Through you, Madam President, yes.

SENATOR WALCZYK: Madam President, would the sponsor continue to yield?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR WALCZYK: And through you, Madam President, this is punishable by 10 years in federal prison, is that correct?

SENATOR MYRIE: Through you, Madam President, I'm going to confirm the punishable.

But we -- what's punishable, the federal crime?

SENATOR WALCZYK: Yes.

SENATOR MYRIE: It can't be the state crime.

SENATOR WALCZYK: The federal crime.

SENATOR MYRIE: I am not sure, but I will take you at your word that it is.

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

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

The sponsor yields.

SENATOR WALCZYK: Through you, Madam President, why hasn't that stopped criminals?

SENATOR MYRIE: Through you, Madam President. The bill that we are discussing now is about the responsibility of a gun industry member to ensure that the pistols that they are selling to gun owners who have a constitutional right to purchase and to own those pistols, that they do so in a way that is safest for New Yorkers.

We have the ability to do that as a Legislature to protect the safety and wellness of our constituents.

And that is the same principle that we used in passing other laws in the General Business Law 898 that requires there to be procedures put in place if you are going to be participating in the market here in New York.

SENATOR WALCZYK: Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Walczyk on the bill.

SENATOR WALCZYK: While protecting the rights in this very same bill of noncitizens, and giving extra protections to them to live free in New York, this bill restricts constitutional rights for U.S. citizens who live in New York, particularly their Second Amendment rights.

There's already a federal ban and a state ban on the mechanisms that we're attacking here. Criminals are going to continue to do crime. That's what makes them criminals.

And this bill, as far as I can tell, certainly bans the Glock 19, which is the most popular pistol in New York and I think across the nation. It also, without enumerating, may ban every handgun of its type, as far as I can tell.

These are used for personal protection for New Yorkers to protect their homes, to protect their families.

And I point to the quote of one gentleman, Frederick Douglass, who said a man's rights rest in three boxes: The ballot box, the jury box, and the cartridge box.

And I know that the Supreme Court

will throw this out if it becomes law. But I hope that before then New Yorkers will remember this at the ballot box.

And I do want to go on the bill on another section that we discussed earlier. The Senator from the 42nd Senate District and the Senator from the 20th Senate District were having a discussion and invoking names against the Senate rules.

But since we're getting the record straight, it is against the law to enter this country illegally. It is against the law to skip a port of entry and to cut the fence. That is a crime.

It is a civil offense to remain here illegally.

So I think there's some confusion, but feel free to read up on it, especially for the Senator from the 42nd Senate District, who has accused me of being the only one that reads bills around here.

Quick read or not, message of necessity or not, the bill hitting late last night for us to read it for a few hours before we got in here today or not, this debate has already

showed us that this will ban 287(g) agreements, formal or informal, with local sheriffs. Yeah, I think that's good on the record.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Martins, why do you rise?

SENATOR MARTINS: Thank you, Madam President.

I was hoping that the sponsor would yield for some questions on Part HH.

SENATOR LIU: Madam President, that would be Senator Sanders.

ACTING PRESIDENT PERSAUD: Senator Sanders, do you yield?

SENATOR SANDERS: Absolutely, Madam President.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR MARTINS: Thank you, Senator. Madam President, through you.

This proposed section of this bill would remove members of the Reparations Commission from being included within the definition of public officers. Why has the Majority chosen to advance this legislation?

SENATOR SANDERS: Through you, Madam President. This proposed legislation of course would allow the members of the commission to be included in a different category of public servants.

That is because this is a day and age where, sadly, we live in a New York that will brag that it will sue a hamburger. We live in a New York where the Attorney General of New York has been falsely sued several different times.

The climate coming from Washington, D.C., and other places is such that it makes every person consider ways of dealing with the public and making sure that they do an honest work and at the same time protect themselves.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR SANDERS: Absolutely.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR MARTINS: So I understand there are nine members of this commission, all of

whom were appointed some years ago when the commission was originally formed. Are all nine members still continuing members of the commission?

SENATOR SANDERS: Through you, Madam President, yes.

SENATOR MARTINS: Thank you, Madam President. I want to thank the sponsor.

On the bill.

ACTING PRESIDENT PERSAUD: Senator Martins on the bill.

SENATOR MARTINS: So the commission was -- or the law permitting this commission was enacted in 2023, was signed into law by the Governor in December of '23, and it was supposed to bring a report and recommendations back to this body within one year of its first meeting.

Its first meeting was on July 30, 2024. So by the end of July 2025, almost a year ago, this body, the Assembly, and the Governor were supposed to receive the recommendations of this committee.

Members are constituted, there are nine members, three appointed by the Senate, three by the Assembly, three by the Governor.

They have been there now for going on two years. And now we're being asked to change their category or their characterization or their legal status as public officers.

Now, last year we were asked to push back the date. It was no longer a year, we were no longer to expect the report by July of 2025. No, we were supposed to now wait 30 months. So it's going to get us beyond this election cycle to January of '27.

Now here we are, pushing it back again, another -- not six months, not a year, but another two years. Which, Madam President, just pushes it back beyond the next election cycle. And we should all be very curious as to why that is the case.

Now, to a certain extent it is heartening to me that the commission is having such a hard time coming up with recommendations, because I guess it may actually confirm my own sentiment that we do not live in a racist society. I do not believe in societal racism, Madam President, although the idea that the commission is taking years to come to conclusions probably just reinforces that and probably is in

keeping with the fact that they're having such a hard time reaching that conclusion or recommendations.

But what I am troubled about, and I think everybody here in the chamber should be troubled about, is why would we remove people who are already sitting members of a commission and have been there for over a year, why would we remove them as public officers?

You know, as public officers there is a responsibility to comply with the Public Officers Law. Like all of us and anyone else who has been appointed to a commission and accepted that appointment, with that acceptance comes a responsibility to file financial disclosures and to abide by the code of ethics that is required of anyone who is a public officer of this state.

So I ask the Majority and I ask everyone here in this chamber, why would we remove those people who are already public officers and choose to remove them from their responsibilities under our Public Officers Law that require them to follow our code of ethics and to file financial disclosure statements, only

with respect to this commission? Why? There's no good reason.

Second, and to I guess address a concern that was raised by the sponsor, at the same time this provision requires that the state continue to indemnify and defend the members of the commission, notwithstanding the fact that they're now not going to be public officers.

So here you have both sides of that equation. Not only do they not have the responsibilities as public officers that are owed not to us, but to the people of the State of New York to follow our code of ethics and to file financial disclosure statements, but they continue to have all of the defenses and indemnity that comes from the provisions of this law.

And so what are we advancing and what purpose are we advancing here by allowing members of this commission -- who can simply choose not to accept the appointment and we can have someone else take that place -- why are we allowing those members and how is that advancing this effort by not making them public officers and not having them follow our code of ethics and

not having them file financial disclosure statements?

And I'm curious because I haven't been able to confirm yet whether or not any of them have filed financial disclosure statements, which would have been a requirement of their appointment, since they've already been there for over a year. But, second, we're also indemnifying them and continuing to defend. Why for this commission and no other?

So Madam President, that's troubling. It should be. I don't know why the Governor would advance it. I certainly don't know why my colleagues here would advance that.

Certainly allow the commission hopefully to move forward, hopefully to reach a list of recommendations, provide those recommendations for consideration. But there's no reason why we should not make members of this commission public officers, hold them to the same standards that every other appointee has to follow, including conflicts of interest, not require them to file financial disclosure forms like every other public officer, and like we do.

And so not having heard any

explanation as to why, I guess I'll have to vote no, Madam President. But not only because of this particular provision. You know, I'm going to take a moment on another piece of legislation of this bill just for a moment.

You know, Madam President, we have -- we've had a lot of discussions about Part LL. I think all of our residents hope and expect that we take an all-of-the-above approach when it comes to public safety, an all-of-the-above approach when it comes to making sure that they're protected and that law enforcement continues to cooperate and coordinate.

I am sure, just as I am sure that the residents of Nassau County are happy that we have an agreement between our county and the federal government when it comes to law enforcement -- I would hope that each and every one of our counties can make that decision for themselves without interference from the state.

That goes for all of us, whether you live in the great City of New York, whether you live in Nassau County, or even whether you live in Orange County and you have the ability to

allow your own county to make those decisions for themselves in terms of providing the opportunity for coordinated effort in a formal way between our local law enforcement agencies and those federal agencies that are sworn to protect the residents of our state.

Madam President, notice I said "residents." Law-abiding residents of our state, which should be our priority. Not New York for All, but New York for New Yorkers, those law-abiding residents of our state that count on us to pass laws to keep them safe.

I'll be voting no.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Helming, why do you rise?

SENATOR HELMING: Thank you, Madam President. On the bill.

ACTING PRESIDENT PERSAUD: Senator Helming on the bill.

SENATOR HELMING: Madam President, originally I had planned -- I had my questions written out. Senator Bailey, I was going to ask some questions about insurance. You're free, buddy.

(Laughter.)

SENATOR HELMING: I also wanted to talk about Part B and really implore this body to reverse the action, continue to take the money from the cellphone public safety surcharge and invest it into our fire departments, our EMS workers, and our ambulance services.

But after hearing the debate, I'm just going to speak on the bill.

Last Friday, my grandson turned five years old. And hearing Senator Murray describe the brutal treatment earlier of that five-year-old little girl, it just made me physically ill, and I feel compelled to speak on another portion of the bill before us.

This little girl was repeatedly abused in the most horrific way by the person who was supposed to be taking care of her. Because of the circumstances of the situation, he was going to be charged with a Class A misdemeanor and issued an appearance ticket. Now, he was in this country illegally. I really don't think that anyone in this body could honestly believe that he would show up to court.

But thankfully, because there was

cooperation at the local level and the federal level, he was apprehended. And that's good for everyone, because this animal is off the streets and people are safe from him.

Now, before anyone gets too spun-up here, I heard that this bill is not banning cooperation wholesale. I heard that local law enforcement is exempt.

But when I think about that little girl, I think about all of our children. I used to work with adults with developmental disabilities. When I think about all those vulnerable populations and I look at this bill, you know what I don't see? I don't see a carveout for state employees, for those who work for child and adult protective services. I see them banned from being able to do their jobs and protect the most vulnerable. And that's wrong. That's putting more people in jeopardy.

I also wanted to mention that during the debate I heard that taxpayers from New York should not be paying for enforcement of federal laws. To me, it's interesting how the Majority is making this a priority on how to save New Yorkers money, when they allow taxpayers to

continue to spend money to pay for Medicaid for people who don't even live in our state -- the Comptroller has said it's costing us over a billion dollars, and we're doing nothing about it.

And taxpayers from New York are paying for people from out of state -- people who don't live here, don't pay taxes here -- to come here for certain medical services. But, hey, that's all okay.

I also heard someone say, I want our state workers and I want our city workers to do their state and their city jobs. Guess what? So do I. You know what I think their number-one priority is? Public safety. Public safety.

Public protection, protecting our most vulnerable, protecting all of our citizens -- that should be the top priority. And this bill stands in the way of that. It prevents people from getting their jobs done.

I vote no.

ACTING PRESIDENT PERSAUD: Senator Borrello.

SENATOR BORRELLO: Why, thank you, Madam President.

ACTING PRESIDENT PERSAUD: You're welcome.

SENATOR BORRELLO: I'm actually going to ask some questions on Part W, which deals with workers' compensation.

ACTING PRESIDENT PERSAUD: Does Senator Bailey -- do you yield?

SENATOR BAILEY: Gladly.

ACTING PRESIDENT PERSAUD: Senator Bailey yields.

SENATOR BORRELLO: All right, thank you. Through you, Madam President.

So this would propose essentially strengthening workers' compensation fraud protections. But it's going to do so by creating a fund that would add 0.4 percent, about 40 basis points, to our already very high workers' comp insurance costs. Do you know what kind of impact that's going to have per $100 of payroll? That's how we calculate things.

(Pause.)

SENATOR BAILEY: Thank you, Senator Borrello. Through you, Madam President.

There will be an appropriation, as already dedicated. So like already how

workers' compensation works, as you well know -- I know you're a business owner, Senator Borrello -- that this already comes out of a fund that's already paid into by businesses. It's capped at the 0.4 percent, you are correct.

The Governor and the Legislature, we have agreed that we're going to make it reasonable through appropriations so that this will not burden businesses more. I think that's cutting to the heart of what I think that you may be asking.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR BAILEY: Certainly.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So our interpretation, and maybe it's incorrect, is that we're going to raise workers' comp insurance rates by that 40 basis points. Is that incorrect?

(Pause.)

SENATOR BAILEY: So through you,

Madam President, I think it's a difference of reasonable interpretation. The assessments have to be set by the board in November. So at this point we don't see that as necessarily a hurry, as we see it right now.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR BAILEY: Certainly.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: So the purpose is to create a fund that can be accessed by local district attorneys -- to do what?

SENATOR BAILEY: Through you, Madam President. I think that one of the things that we may actually agree on is that fraud is a problem and workers' compensation fraud is a problem. I used to be a workers' compensation adjuster at one point in my life, and I have seen the instances of fraud happening.

And we want to make sure that the district attorney offices, that they have a reasonable amount of money and a reasonable

amount of resources, because workers' compensation fraud is meted out in different ways and different manners, whether it's at the initial point of injury, medical fraud.

So like no matter what type of fraud it is, we want to make sure that we're combating it. So that's why we are making sure that we're looking to do this.

Also, DFS on April 8th announced that New York State Police and DFS will partner to crack down on insurance fraud. And workers' compensation fraud is within the auspices of insurance fraud, and so it's a conversation that we've been having in general.

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

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR BAILEY: I do.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Well, first of all, let the record show that we do agree that the fraud is an issue.

And by the way, this workers' comp

fraud, it raises the costs for everyone. So anything that helps to bring that down is a good thing.

However, I guess my concern is our local district attorneys, are they going to be focused on businesses or the bad actors that are actually the recipients of workers' compensation fraud?

(Pause.)

SENATOR BAILEY: So through you, Madam President, we don't want to limit or dictate to our district attorneys in any county in this great state what they should be doing or how they should be focusing.

Every county may have a different view or every district attorney may have a different view on how they believe that this workmen's compensation fraud has been happening.

Again, claimant, doctor, provider, IME -- so many ways that workers' compensation fraud proliferates itself.

But ultimately this provision will have a data collection mechanism, and after we get the data collection we'll be able to see what type of fraud is happening, where, how much is

happening in each way. So then we can present that data so that maybe different district attorney's offices will be able to see, maybe we should concentrate more on this and less on this.

But it is not my aim to tell any district attorney how they should be looking at fraud within their jurisdiction.

SENATOR BORRELLO: Madam President, one last question for the sponsor.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR BAILEY: Yes.

Hopefully more than one, Senator Borrello.

(Laughter.)

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR BORRELLO: Thank you.

So how will the district attorneys then access this fund? Will it be a competitive grant? How's that work?

SENATOR BAILEY: Through you, Madam President. You are correct, Senator Borrello, it will be a competitive grant run by the board.

SENATOR BORRELLO: Madam President, on the bill.

ACTING PRESIDENT PERSAUD: Senator Borrello on the bill.

SENATOR BORRELLO: Thank you, Senator Bailey.

Yeah, workers' comp insurance is a problem in New York State. We pay the highest in the nation. It's one of the burdens particularly on small businesses. And fraud is certainly a big problem because, you know, that money is paid out in that fund, the workers' comp fund.

So I guess my question is -- and it's not a question, it's rhetorical -- is how are we going to create this fund, how is it going to be accessed, and how is it going to be spent?

It seems to me that when it comes to workers' comp, it's the bad actors, the folks that are collecting illegitimately, fake claims. You've got bad actors out there that are providers that will, you know, take a payoff in order to say someone has been injured at work. Those are the kind of things that raise our workers' comp costs. And the Department of Labor has an obligation to go after those folks.

And I think the district attorneys certainly could benefit from this, but I don't want to weaponize this against our small businesses because somebody got a grant. That's one of my concerns.

So while we want to go after fraud because fraud is costly to businesses and to our economy, we want to make sure that we're not incentivizing essentially taxpayer dollars being used against small businesses. And that is a bit of my concern.

So thank you, Madam President.

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

SENATOR STEC: Good afternoon, Madam President.

ACTING PRESIDENT PERSAUD: Good afternoon.

SENATOR STEC: I'd like to ask some questions about this bill. And I'm told that I should ask Senator Gianaris if he wouldn't mind and --

SENATOR GIANARIS: I'll divert you to Senator Salazar. As I understand, it's related to corrections?

SENATOR STEC: Yes, it's regarding corrections. That's fine. If Senator Salazar would yield, please.

ACTING PRESIDENT PERSAUD: Senator Salazar, do you yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR STEC: Thank you, Madam President. Thank you, Senator Salazar.

In this Public Protections Budget Bill, is there anything that addresses the work of the HALT Committee that you are a member of that was formed to address the safety concerns that were raised following the end of last year's corrections strike?

SENATOR SALAZAR: Through you, Madam President, the bill before the house is PPGG. It's an Article VII Budget Bill.

And I should clarify that I was not a part of the committee that DOCCS assembled regarding the HALT solitary confinement law.

But no, there is nothing in this bill relevant to that.

SENATOR STEC: Thank you,

Madam President. If the sponsor would yield for a quick follow-up.

ACTING PRESIDENT PERSAUD: Will the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR STEC: Thank you, Madam President. Thank you.

My apologies, I understood that you had been a member of that committee.

Is there anything in this bill that would address safe staffing levels in our facilities or any of the issues raised with HALT or the issue of rising prison violence or our contraband crisis -- body scanners, et cetera? Is there any language relevant to corrections in this bill?

SENATOR SALAZAR: Through you, Madam President, there's no part of this bill that is relevant to our correctional facilities in that way.

SENATOR STEC: Madam President, if the sponsor would yield for one final question.

ACTING PRESIDENT PERSAUD: Does the

sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT PERSAUD: The sponsor yields.

SENATOR STEC: Thank you. Thank you, Senator Salazar.

Is any of this likely to appear in any of the bills that we haven't seen yet but will be seeing in the coming days?

SENATOR SALAZAR: Through you, Madam President, I do not know if any of the forthcoming Article VII bills will touch on any of the issues that Senator Stec has mentioned.

I am sure that there will be funding for the Department of Corrections and Community Supervision in an appropriations bill. But otherwise I don't believe that we will see the issues that Senator Stec is specifically speaking to addressed in this budget.

SENATOR STEC: Thank you.

Madam President, briefly on the bill.

ACTING PRESIDENT PERSAUD: Senator Stec on the bill.

SENATOR STEC: Thank you,

Madam President. Thank you, Senator Salazar, for answering my questions.

It has been 15 months since the corrections strike ended. There were promises made by the Governor and these majorities that their safety concerns would be addressed.

This budget bill is the Public Protection and General Government bill. This is where changes to corrections are supposed to appear in the budget. There are none. Nothing on HALT, nothing on safe staffing levels, nothing on combating our contraband crisis.

Just last week at Franklin Correctional Facility, a medium-security facility in Malone in my Senate district, from Tuesday to Thursday, while we were in here passing extenders on a budget that's seven weeks late, and 15 months after the strike ended -- from Tuesday to Thursday in Franklin, in Malone, there were at least six violent incidents, fights between inmates involving weapons and contraband, resulting in several injured inmates as well as injuries to a sergeant and three correctional officers, employees of ours and constituents of mine.

That's just one recent example. There have been dozens like this all across upstate New York in our facilities in the last 15 months since the strike ended.

This entire bill is about how to protect people who have come to this country illegally. There's nothing in this bill about protecting our citizens. In fact, it undermines citizens' constitutional rights to protect themselves and our law enforcement's ability to do their jobs.

And particularly, it spectacularly fails and insults the people that work -- our employees and my constituents that work in our correctional facilities on our behalf of public safety.

I'll be voting no on this budget bill.

ACTING PRESIDENT PERSAUD: Senator Rhoads, why do you rise?

SENATOR RHOADS: I was hoping that Senator Myrie might yield to one final question. Maybe two, if time permits.

ACTING PRESIDENT PERSAUD: Will the Senator yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT PERSAUD: The Senator yields.

SENATOR RHOADS: Thanks. Through you, Madam President.

Senator, my understanding is that this law does prohibit 287(g) agreements. Is that not correct?

SENATOR MYRIE: Through you, Madam President, yes.

SENATOR RHOADS: Will the sponsor yield to another question?

ACTING PRESIDENT PERSAUD: Does the sponsor yield?

SENATOR MYRIE: Yes, although I thought it was one final question.

(Laughter.)

SENATOR RHOADS: I said maybe two. Maybe two.

ACTING PRESIDENT PERSAUD: The sponsor yields.

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

It's my understanding that there are three primary models for these agreements. But I

want to ask about the jail enforcement model, which allows officers working in jails and prisons to assist immigration officials in identifying potentially deportable individuals in the custody of jails and prisons by allowing officers to question noncitizens who have been arrested and are facing criminal charges to determine their immigration status and issuing immigration detainers to prevent the release of a noncitizen so that immigration officials may take custody of such person for immigration proceedings.

Is that also banned?

SENATOR MYRIE: Through you, Madam President, yes.

SENATOR RHOADS: Thank you, Senator Myrie.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Are there any other Senators wishing to be heard?

Seeing and hearing none, the debate is closed.

Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Baskin to explain her vote.

SENATOR BASKIN: Thank you, Madam President.

I am pleased with many of the sections of this bill today. I want to highlight just two of them.

On the immigration protections in the bill before us, I want to be able to speak firsthand, as a representative of the City of Buffalo, of the consequences of unnecessary collaboration with federal immigration, as a resident from my district, the 63th District, Mr. Alam was turned over to federal immigration, who left him for dead on subzero streets in Buffalo, New York. This is what this bill is trying to prevent.

Another death like the tragic one that happened to a resident in my district who was innocent, died, lost his life. Proud to support it.

Also, Madam President, I want to speak to the auto insurance reforms in this bill that will prohibit insurance companies from using criteria that have absolutely nothing to do with one's ability to drive.

In my district, the City of Buffalo, we have a long history of redlining discrimination from denying Black World War II veterans GI Bill opportunities, to banks refusing mortgages in Black and brown neighborhoods, and environmental health disparities concentrated in communities of color.

For years insurance companies have used factors like education and employment status and zip code as a modern form of this redlining, and it's forced families and communities like mine to pay for more coverage.

Now in New York State these factors will no longer be considered when setting car insurance rates.

I believe that there is much work still to be done in the space of New York auto insurance reforms, but I am proud that this year's State Budget includes reforms that I fought for to ban insurers from using

discriminatory factors when setting rates.

And I also want to thank Assemblymember Jen Lunsford in the Assembly for her partnership on this advocacy as well.

I proudly vote in favor of the bill.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Baskin to be recorded in the affirmative.

Senator Sepulveda to explain his vote.

SENATOR SEPÚLVEDA: Thank you, Madam President, for allowing me to explain my vote.

I want to preface my comments by saying that anyone who's committed a crime in this country should be incarcerated and if an undocumented immigrant commits a serious crime, they should be removed from this country.

But let's not be disingenuous about ICE. ICE has been -- has victimized many people that are friends of mine. As a Latino man who knows that the federal administration and ICE have targeted Latinos in this country, and people of color, in ways that I never thought I'd see in my 62 years on this earth.

These agents are brutal, they're poorly trained, they're abusive and they act more like a paramilitary organization than anything else.

And when we talk about crime, there seems to be a concerted effort to equate being an undocumented to being a hardcore criminal.

But let's talk about facts. In this country, less than 4 percent of the crimes that are committed are committed by undocumented immigrants. Less than 4 percent. But let's act as if they're all criminals because they came into this country a different way and not through the legal process.

I remember former President Obama, he deported about 4 million people from this country, undocumented immigrants. They called him the Deporter in Chief. But there was a major difference the way he did it. He deported people humanely and respected due process rights.

And here's the interesting data. That of the people that he deported, 80 percent of them had been convicted of crimes -- 80 percent.

The current administration has

evicted people -- has deported people that have committed crimes, and only 5 percent of the people that they've deported have committed crimes in this country.

So rather than focusing on removing hardcore criminals from this country --

ACTING PRESIDENT PERSAUD: Senator?

SENATOR SEPÚLVEDA: -- with ICE, they are --

ACTING PRESIDENT PERSAUD: Your time is up.

SENATOR SEPULVEDA: -- focusing on people who don't commit crimes.

ACTING PRESIDENT PERSAUD: Senator, how do you vote? Your time is up.

SENATOR SEPÚLVEDA: Unfortunately my time is up, but there's a lot more information that I could give. It's painful to hear my colleagues --

ACTING PRESIDENT PERSAUD: How do you vote, Senator?

SENATOR SEPULVEDA: -- talk about undocumented immigrants as if they are criminals.

I vote aye on the bill. Thank you.

ACTING PRESIDENT PERSAUD: Senator

Sepúlveda to be recorded in the affirmative.

I'd like to remind all members that you have two minutes to explain your vote. Please keep looking at me, because I'll signal you when your time is coming close.

(Laughter.)

ACTING PRESIDENT PERSAUD: Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Madam President.

First I'd like to thank Senator Myrie for his able defense of this piece of legislation.

Obviously this bill is a lot more than what we just discussed today, but I want to focus certainly on some of the comments and some of the opinions of some of my colleagues.

It's unfortunate that many folks in this room and certainly folks outside seem to use the word "noncitizen" as a slur. You can kind of hear it in the way that it's said, as though they were talking about entitlements. Let's talk about the entitlements of due process.

The fact is, the reality is not only, as some of my colleagues have already said,

that we're talking about native-born population and immigrant populations; the differences in who commits crimes is enormous.

But more than that, the federal government has been lying to all of us. And apparently some of us either have been too naive and believe them or we just ignore what we see with our own eyes.

ICE is not out identifying the most dangerous people and putting them away, as they say they are. That's not what they're doing. Their purpose is not that. Their purpose is terrorizing our neighborhoods. It is taking people from street corners, disappearing them. They are literally murdering citizens who are trying to step in when somebody's being potentially detained. That's the reality.

And so what we're doing today is we are making a stand and we're defending all New Yorkers. Because yes, New York is for all.

I mean, a lot of folks seem to forget that the majority of people from New York -- maybe the Native Americans were born within the boundaries of this state, but the overwhelming majority of us, most of our

residents, most of our neighbors, most of ourselves, our parents or our grandparents weren't even born within the four boundaries of this state or this country.

So let's just focus on what the bill does and say that this is exactly what is needed in this state. And I'm glad that we're actually defending the people that we're supposed to defend.

Thank you, Madam President. I vote in the affirmative.

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

Senator Ryan to explain his vote.

SENATOR RYAN: Thank you, Madam President.

You know, about an hour and a half ago it was said by one of our colleagues that we should be ashamed for voting on this bill. Well, that member also read off a couple of names who may have committed a crime of rape. They were all of Latino descent. No other names. What a shame. Good old-fashioned fearmongering.

Let me tell you a little story. About eight months ago, 60 armed federal agents

conducted a military-style raid on a nutrition-bar factory in Senator May's district, rounded up about 160 neighbors while they were hard at work, some of whom had been here for decades, many decades, put down roots, raising families, paying taxes, had a driver's license, doing jobs that nobody else wanted to do.

These agents acted without a judicial warrant against innocent individuals, who were detained, they disappeared within hours. Some of those had children and infants that ended their day without a parent.

Public safety includes upholding the basic freedoms and civil liberties that are fundamental to this country. The bill we are passing today protects those freedoms but ensures those law enforcement powers rest solely with bona fide authorities, ensuring children go to school, ensuring that if anyone violates your constitutional rights, they will be held accountable.

You know, I'm going to tell you a little -- also I think a little spoiler alert, because it's going to be misled, disingenuous information on social media. It probably already

is. Nothing in this bill limits law enforcement agents to cooperate with federal law enforcement authorities in criminal matters.

Let me say it one more time for clarification, so it's not -- because it's already probably on social media. Nothing in this bill limits any law enforcement agency to cooperate with federal law enforcement authorities in criminal matters.

I vote aye.

ACTING PRESIDENT PERSAUD: Senator Ryan to be recorded in the affirmative.

Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you very much, Madam President.

I want to thank colleagues for this debate.

I think it's important, as others, that we try to separate this confluence of civil and criminal that has attempted to be made today, and I thank Senator Ryan for his comments as well.

The overwhelming majority of immigrants, whether they be documented or

undocumented, are here peacefully. They are working hard, trying to support a family, have a better life, have a shot at the American dream.

And yet the picture that is painted are the horrible monsters of the names that have been mentioned here. We've had examples of crimes in my district. And to a person in this room, we all feel that someone who commits a heinous crime, whether they be a citizen or undocumented, should pay at price for that.

But as Senator Ryan and Senator Myrie and others have said, there is nothing in this bill that prohibits law enforcement from cooperating on criminal matters. It's on civil matters. It's on civil matters.

And I'd just share two other quick points. When ICE went into Memphis, remember when they flooded the zone, they were going to get the worst of the worst. They arrested over 800 people. Two percent had criminal records -- 2 percent.

So when we're looking at who we're trying to protect with this bill, it's the 98 percent. That's who we're trying to protect with this bill.

And the last thing I would say, two words: Judicial warrant. That any time someone has a judicial warrant, that takes precedence over anything in this bill, and this bill expressly says so.

With that, Madam President, I'll be voting aye.

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

Senator Sanders to explain his vote.

SENATOR SANDERS: Thank you, Madam President.

On the debate on reparations, my esteemed colleague from Long Island had expressed questions, and I'm trying to see if I can't help clarify some of those things.

When the commission was established, they never had their status defined. They were never defined. This merely -- this correction merely defines them as public employees and as public employees of course they have all of the codes of ethics that all public employees have and are indemnified. Hopefully he finds that enlightening.

Thank you, Madam President. I vote

aye.

ACTING PRESIDENT PERSAUD: Senator Sanders to be recorded in the affirmative.

Senator Mayer to explain her vote.

SENATOR MAYER: Thank you, Madam President.

It's hard to listen to this debate and my colleagues on the other side while saying to myself, Where have you been? What have you seen? Are we all seeing the same thing? Have you seen what happened in Chicago, Minneapolis, Los Angeles, and in the towns and cities and villages that we represent?

To suggest that this bill is anti-law enforcement and anti-public safety is not only erroneous, it is insulting. Everyone here is a strong supporter of the most professional law enforcement that we have in so many of our communities. We stand by them. We support them.

We only wish that this current DHS and ICE abided by the high standards of professionalism that we see in so many of our police departments. But they have not, and that requires our state to take action, which we are

authorized to do, which is limited, as described by my colleagues.

And so today I stand up for the people in my community who are working hard, abiding by our laws, paying taxes, sending their kids to schools, and are afraid to walk or ride their bike to church, to street, to school.

I just want to make one other point we did not discuss. This bill codifies the Plyler decision in New York law. Any child can enroll in New York's public schools regardless of immigrant status.

This current administration is looking for a way to overturn that. We're not going to let that happen in New York. We're going to make it New York law. And that's a very good reason to be voting yes on this bill.

ACTING PRESIDENT PERSAUD: Senator Mayer to be recorded in the affirmative.

Senator Chan to explain his vote.

SENATOR CHAN: Thank you, Madam President.

So there are many aspects of this bill that are not clear to me and somewhat convoluted. Even after the time ran out for

debate, I am still full of questions.

On guns, it would be great if the bad guys who own all these illegal guns got the same memo that we did, and the good citizens of New York State did. And it would be great if our prosecutors actually prosecuted firearms-related incidents.

So do I qualify to speak about immigrants? I came here when I was 11 years old. So let's talk about immigration. Today I'm not even talking about good immigrant or bad immigrant -- I mean, I'm not talking about legal or illegal immigrant. I'm talking about good immigrant or bad immigrant.

There are plenty of great immigrants of all kinds. They came here to build, they came here to dream, came here to toil, came here to love, came here to because a part of us.

But there are plenty of bad ones. I know, 4 percent, right, commit 4 percent of the crimes? Included in that 4 percent in 2024, in June, Kissena Park, Flushing Meadows, Queens, New York. A 13-year-old girl, the daughter of an immigrant family, was accosted in the middle of the day, 3:00 p.m. -- did we forget that? -- by

an illegal immigrant. Raped, tied up, her friend was tied up. Did we forget that?

How do you explain to that family that we now have a blanket policy that protects criminals like that? We should not have a blanket policy that does that, that ties our hands, ties the hands of law enforcement agents across the board.

Yes, you know, I believe in immigration. My wife is an immigrant, my cousins, my family. My wife currently has three siblings waiting 16 years for an immigration visa. They're doing things the right way. How do you explain that to my wife, letting everybody else jump the line?

Don't get me wrong, I come from a community of great immigrants -- legal, not legal, just good people.

With that said, this is not the Holy Grail of bills --

ACTING PRESIDENT PERSAUD: Senator Chan, how do you vote?

SENATOR CHAN: On behalf of District 17, my vote is no.

ACTING PRESIDENT PERSAUD: Senator

Chan to be recorded in the negative.

Senator Borrello to explain his vote.

SENATOR BORRELLO: Thank you, Madam President.

You know, we sat here and talked about a lot of things that are in this bill, but there's a lot of things that aren't in this bill.

I didn't see a lot of protections for the law-abiding citizens of New York State. In fact, I see restrictions on their constitutional rights. I heard a lot about the Constitution today. We're going to restrict our constitutional rights here in New York State for political reasons.

Then I heard some of my colleagues on the other side of the aisle trying to explain away this bill that you waited so long to pass, the New York for All, all these other things. And then all of a sudden you're saying, Well, it's not really going to do any of that stuff. Don't worry, it's not going to do any of that. It's not going to do that, it's not going to do that.

One of my colleagues went to great

lengths to explain how this bill really does nothing. I think that's a problem too. So are you doing this for political reasons, or are you doing it to actually do what you're saying you're trying to accomplish?

But, you know, I heard you talking about what's happening elsewhere in the country. If this bill does what you claim it does, or maybe claim it doesn't do, you're going to bring that type of chaos to New York. That's the problem with this bill.

You want to see that stuff happening on our streets, and that's a challenge. You're saying that challenge to the federal administration to come in here and do those types of things, so you can say you've done something about it.

Maybe you're jealous. Maybe you're jealous that you haven't had that type of chaos here in New York State, but we haven't. And we should not. And that's what this bill's going to do.

So I'll be voting no. Thank you.

ACTING PRESIDENT PERSAUD: Senator Borrello to be recorded in the negative.

Senator Weik to explain her vote.

SENATOR WEIK: Thank you, Madam President.

I heard the word "interpretation" over and over today, especially when discussing the role of local law enforcement.

Law enforcement officers swear an oath of office to support the Constitution of the United States and the Constitution of New York State, and to faithfully discharge the duties of their office to the best of their ability. This bill creates a contradiction to that oath of office.

This is an anti-citizen bill. It is an anti-New Yorker bill. This bill is pro-criminal and encourages unlawful entry to our country by protecting and providing for anyone who came into this country illegally.

This bill rejects our federal government and our constitutional amendments. This is an anti-American bill and an anti-New Yorker bill. And as a New York State Senator, I cannot possibly support a bill that does not put New Yorkers first.

I vote no.

ACTING PRESIDENT PERSAUD: Senator Weik to be recorded in the negative.

Senator Hinchey to explain her vote.

SENATOR HINCHEY: Thank you, Madam President.

We just heard from a colleague that this bill, the immigration parts of this bill, is a blanket policy for any undocumented person, whether they commit a crime or not, but specifically if they commit a crime.

That is just not true. As we continue to say, there is something called a judicial warrant that we all know law enforcement can still look for people who have committed crimes.

Let me tell you what my upstate constituents are not afraid of. My upstate constituents are not afraid of immigrants. What they are afraid of, they're afraid of ICE agents coming and taking their law-abiding neighbors, who have started their own businesses, who have been taken off of their streets with ICE agents who have pulled over school buses, gotten out of their cars with rifles and guns in front of children, and taken beloved community members out

of our community and taken them out of our state to God knows where.

That is happening today in our state. That's what my upstate constituents are afraid of.

We know that if we protect people, our economy is stronger because people will feel like they can go to their businesses, they can pick up their kids from school, we can actually have safe communities because we can all live together. And again, if someone commits a crime, law enforcement is still able to go and find them and charge them with whatever it is that they might have done.

But the overwhelming number of immigrants in our state and in our communities are here just trying to live a better life for themselves and their children.

And we have a responsibility as New York legislators to protect them and to make sure that that next generation can continue to thrive here, just like many of our ancestors did.

And so I'm actually incredibly proud of the work that we are doing in this bill to protect our neighbors and to tell them that we

hear their plight, regardless of where they live in New York, and we will stand up for them regardless of their background if they are trying to do the right things in New York just to get by.

Thank you, Madam President. I vote aye.

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

Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President.

The issues we're discussing today make the atmosphere heavy and really certainly divide us. We've not talked much about money, we've talked about policy. We didn't even get to talk about Part Y of this bill, which will allow almost $3 billion to be spent without Comptroller's oversight, by the estimate of the Comptroller himself.

And while we did get this bill very late, and we were only briefed on it this morning, I respectfully disagree with some of the comments that were made, because we are

well-prepared. We do understand what this bill is saying.

8 USC 1325 provides that it is in fact a crime, a misdemeanor, if you enter this country illegally, and that includes even falsifying records on the paperwork that you file.

It is a civil liability, a civil event, when you stay.

But it is -- initially your entry here is in fact a misdemeanor. 8 USC 1326 provides that if you are deported and try to come back, it's now a felony.

My grandparents were immigrants. I have no doubt that they came through very clearly through Ellis Island. My grandfather served in World War I. That's how he got his citizenship. He did it the right way.

I've heard so many times in this chamber during this session about how we blame our current president for all of our woes. But let's not ignore how we got here. It is the prior administration's open border policy, combined with cashless bail, that has allowed so many of the crimes that we've heard about today

that are so heinous.

My home county of Nassau has a 287(g) agreement. It is the safest county in the state. And --

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR CANZONERI-FITZPATRICK: -- that didn't happen by accident.

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR CANZONERI-FITZPATRICK: I vote in the negative.

ACTING PRESIDENT PERSAUD: Senator Canzoneri-Fitzpatrick to be recorded in the negative.

Senator Mattera to explain his vote.

SENATOR MATTERA: Thank you, Madam President.

This bill makes a vast number of changes on critical issues that should be addressed with public involvement and transparency. That is lacking because this rushed and messy bill fails to allow the open scrutiny that is truly needed.

The overreaching bill deals with the

Second Amendment, drones, auto insurance, public contract oversight, orders of protection. It targets ICE by tying the hands of our law enforcement members, and it makes communities less safe.

Even more troubling, it puts our state's men and women in blue, law enforcement, in direct opposition to federal agents. And that is very dangerous.

And as we have seen nationally, this topic has spurred energized debate and is clearly something that warrants open discussion in our state.

There is more in this bill that protects illegal aliens than it does to protect our legal taxpayers, all New Yorkers. That again shows the lack of consideration for the legal New Yorkers while putting those who illegally crossed our nation's borders under the Biden administration first.

And we wonder why New York residents are fleeing this sanctuary state for other states that make public safety a priority. Millions have left, and millions are still leaving.

And even with all this bill

contains, it fails to address cashless bail, which was hidden in the budget bills years ago. Last year, discovery -- did nothing in the budget. And other policy changes that have our citizens fearing for their safety.

My office recently conducted a community survey and the weakening of public safety was very high on the priorities for those I represent. Most of the issues addressed in the budget were not.

I would speak on other troubling components of this bill, but there's simply not enough time. It is abundantly clear that the components of this bill are too complex and too --

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR MATTERA: -- confusion.

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR MATTERA: I vote no.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Mattera to be recorded in the negative.

Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thank you very much, Madam President.

I'd like to spend a moment on a parochial provision in this bill.

The Orange County IDA is supposed to endeavor to support smart economic development and, while doing so, work for taxpayers, protect taxpayers, and act as fiduciary agents of taxpayers.

The reason why they're the only IDA in the state with a state monitor embedded within that is a decision that this body made several years ago, because they don't do those things.

And they continue to not do those things. In fact, they very expressly, not even hiding it, announced that they in fact work for the applicants and not the taxpayers.

Over the last number of years the state monitor identified dozens and dozens of operational failures and have resolved those failures. Very recently he blocked an $80 million proposed tax break for Amazon that was seeking to create a whopping average salary over several hundred employees of $37,000 a year. And yet the IDA continues with their behavior.

In fact, they're not even paying the bills to the monitor any longer. For the last six months, they've refused to pay his invoices. They've sued him. They've sued the inspector general. At meetings they curse at the state monitor. They demean him. They treat him like garbage. These are petulant children that require the continued presence of an adult in the room.

And so what this bill does is it extends the monitor for another three years at the Orange County IDA, with additional powers, including powers to claw back benefits when applicants are not delivering on the jobs created. Because that's something the IDA is also refusing to do.

And it also ensures that the monitor gets the payment from the IDA that he certainly deserves. This is not charity work.

So for this provision and many others, I proudly vote yes. Thank you.

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

Senator May to explain her vote.

SENATOR MAY: Thank you,

Madam President.

Madam President, like you and like all our colleagues in this room, I have about 330,000 constituents. And when they call my office, we ask them their zip code so we can make sure that they're calling the right office.

But we do not ask them about their citizenship. And we try to answer their questions or solve their problems no matter where they came from.

I know in my district that tens of thousands of my constituents crossed a border to come here. Many of them are refugees. Many of them came on H-2A visas or student visas. Many of them are seeking asylum and trying to navigate the legal process, which is very complicated to do that.

And I also know that many of them, if they have an accent or if their skin is darker than mine, they are afraid to call law enforcement when -- if they witness a crime, if they're victims of a crime, or if they have an issue that rises to that level. They're even afraid to show up for legal procedures that they're supposed to show up for, immigration

hearings or whatever, because they know they can victimized at any moment.

So I think this makes us safer, this bill, and certainly it's good for my communities.

And I proudly vote aye. Thank you.

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

Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Madam President.

You know, I am -- in fact, I'm surprised that I've heard from some of my colleagues about a written warrant, a judicial warrant.

What that judicial warrant won't do, issued by a federal Article 3 judge, is ensure that a person who's leaving jail or prison here in New York is escorted out of the community and out of the country.

Those judicial warrants are issued for federal criminal cases. They're not issued in the instance of us having criminals here in New York coming out of jail and being actually escorted out of the country.

And so, Madam President, I know that

my county, Nassau County, has a 287(g) agreement. I know that that agreement helps keep our residents safe. It's not a requirement. It just determines the rules of engagement between local law enforcement and their federal law enforcement partners.

For those reasons, I'll be voting no.

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

Senator Zellner to explain his vote.

SENATOR ZELLNER: Thank you, Madam President.

I want to say that Erie County is growing for the first time in generations, and it's growing because our community is welcoming and accepting of our immigrant community.

We have businesses that were shuttered and empty. They're now thriving, whole streets in our community. We had houses of worship that were boarded up, no one was using, abandoned. They're full and they're vibrant and they're being used in our community. And we have schools that were half-full that are now full, across our region.

But they're terrified. I've heard stories of people saying they're packing their kids birth certificates in their lunch boxes when they send them to school.

This bill will help alleviate some of that fear. This bill will keep ICE out of their schools. This bill will keep ICE away from polling places. This bill will keep ICE out of hospitals. And this bill will prevent them, ICE agents, from wearing face coverings.

And what this bill might have done is save Mr. Alam's life in Erie County. We still don't know what happened with that situation. We're still trying to get answers to that.

So I vote aye on this bill, and I think we still have more work to do.

ACTING PRESIDENT PERSAUD: Senator Zellner to be recorded in the affirmative.

Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

I want to thank my colleague Senator Myrie for a masterful defense, all my colleagues for supporting something that's really important.

Briefly on the insurance stuff, which we'll get to I'm sure in other bills, the flex rating that we've done is important to make sure that, you know, you've got to go through DFS if you want to increase the rates. And, you know, how good of a driver you are or not is not predicated upon your zip code or your occupation or home ownership status, so I thank Senator Baskin for that.

But I just want to talk about some of the stuff that we've been talking about.

Growing up, I heard that one of the differences between the Democratic Party and the Republican Party was states' rights. States' rights. You know, the states. The Constitution is the floor, but the states can go above it. States' rights.

Now the state has a right to do something, and we seem to be terrified. We seem to want to forget that due process. I don't want to go against the rules, as invoked by one of my good colleagues yesterday in debate. Due process protects us from the arbitrary exercise of unnecessary governmental power. Everybody is entitled to due process. No matter what you

think they've done or didn't do, who they are, where they came from, where they were born, you are entitled to due process.

It was a Scalia decision, if I believe so, off the top of my head. So we can't forget about due process.

And due process is not happening. When masked agents are snatching people off the streets, that's not due process.

Now, we can't stop the federal government from doing it, but we can figure how we as a state -- states' rights -- participate in such an endeavor.

And so it's not what's done, it's how it's done. As my good friend Senator Lanza would know, it's not what's done, Senator Lanza, it's how it's done. And it's really important the way that we do these things.

And for those reasons, Madam President -- I see you giving me the Roxie's Rules head nod --

(Laughter.)

SENATOR BAILEY: -- I vote in the affirmative.

ACTING PRESIDENT PERSAUD: Senator

Bailey to be recorded in the affirmative.

Senator Rhoads to explain his vote.

SENATOR RHOADS: Thank you, Madam President.

I do want to thank Senator Myrie for the answers to those last few questions.

The list of names that I read off were using the 287(g) agreement with Nassau County and the jail enforcement model, which is now being banned by this particular legislation.

But many people have mentioned chaos that they see around the country. One of the locations where you don't see any chaos are counties like Nassau or places like Batavia that have 287(g) agreements. Because the cooperation between local law enforcement and state law enforcement is what helps to enable the orderly transfer and orderly enforcement of immigration policy. That's at the heart of what's being removed in this particular legislation.

And this bill is another battle. Because you don't like the president, because you don't like what's going on in the federal government, it's another blow in the battle that

Kathy Hochul and my colleagues across the aisle are waging against law enforcement.

In addition to using tax dollars to provide illegal aliens free housing, free healthcare, free education, free food, free living expenses, we're now by force of law trying to give them a free pass, even to dangerous criminal illegal aliens obstructing local law enforcement and federal law enforcement and state agencies from working together.

This does not make the people of the State of New York safer. It makes it harder for law enforcement to keep us safe. For years, unfortunately, what we've seen out of this body has made it harder for law enforcement to protect the people of the State of New York. Now it's making it harder for the people of the State of New York to be able to protect themselves.

I vote no.

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

Senator Webb to explain her vote.

SENATOR WEBB: Thank you, Madam President.

I want to thank Senator Myrie and

all my colleagues who most certainly were part of providing additional context on this bill we voted on today.

Some of the things that were touched upon that I wanted to lift up, and a couple of things that were not. One, a big portion of this bill does something with respect to workers, and that is expanding their ability to see more medical providers in the instance that they've been hurt on the job. This bill actually provides additional expansions to medical providers for those individuals.

This bill also, Madam President, addresses very real challenges that we still are grappling with, and that is with respect to gun safety. This bill would prohibit dangerous 3D printed guns that are far too easily accessible, and it most certainly strengthens regulations on drones to ensure our residents' privacy is protected.

The last piece I'll lift up, Madam President, that we've talked about quite a bit -- and I have to say I'm quite disheartened by my colleagues across the aisle when you hear things such as these illegal people, racism is a

figment of the past, and yet we are still having to do policy to rectify decisions that were made in our shared history.

And I would have to say, Madam President, it is our responsibility to not only protect the public but to educate with facts. And it requires us to understand our shared cultural history, those decisions in our past -- and they're still implications in our present.

And so it is our responsibility to protect those small business owners who have been in our communities for 30 years who are now being deported for no reason. For children going to school going to school and watching their parents being taken in front of their eyes --

ACTING PRESIDENT PERSAUD: Senator Webb, how do you vote?

SENATOR WEBB: And, Madam President, for all these reasons I vote aye on this bill.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Webb to be recorded in the affirmative.

Senator Cooney to explain his vote.

SENATOR COONEY: Madam President, I believe in the promise of America. I came to this country as an immigrant at a very young age. I'm proud to be an American citizen.

I've heard some colleagues call this budget resolution un-American. I disagree. I want to thank our Majority Leader, Andrea Stewart-Cousins, and this entire Majority Conference for our leadership in ensuring that this indeed ensures the American dream is possible for the next generation.

Because we understand not only the role that immigrants play in our state, but the responsibility that we have as New Yorkers, the role that we have as New Yorkers. We are the golden door, the place of entry to this country, the place that other nations look to around the world as the starting point for opportunity.

This legislation, this budget protects those rights no matter who you are, what part of the state you are from, and what your document status may be.

We have more responsibility in this day and age to ensure that the legal rights of every New Yorker are upheld.

Madam President, let me remind this body that on the base of the Statute of Liberty says: "Give me your tired, give me your poor, give me your huddled masses."

We are going to ensure that continues for the next generation of New Yorkers.

Madam President, I vote aye.

ACTING PRESIDENT PERSAUD: Senator Cooney to be recorded in the affirmative.

Senator Fahy to explain her vote.

SENATOR FAHY: Thank you, Madam President.

I too rise in support of this bill, and I thank Majority Leader Stewart-Cousins as well as Senator Myrie and so many others.

This has been a lengthy process, but in my view it has been worth it. And probably the most noteworthy piece of this has been the immigration part of this.

We have witnessed the most extraordinary of times, and I have personally been pained to witness and see that masked, armed federal agents have literally abducted some of our neighbors off our streets and instilled what I believe has been almost a reign of terror.

The tactics that we have seen in this country and in many of our communities have undermined, undermined law enforcement. So I am pleased to have sponsored some of the legislation, whether it was on the unmasking of ICE as well as some of the loose parts of the radar bill.

To me, this is -- well, many of us have said we need immigration reform in this country. We know why we haven't had it. And in the meantime, we cannot forget our shared humanity.

I also -- as the daughter of immigrants, I have been personally pained to see that we have seen human beings, New Yorkers, treated as less than human. And it's been rather unconscionable, because all, when they're on American soil, all have fundamental constitutional rights.

So I am pleased to see the package including protecting sensitive locations at our schools, hospitals and more. I'm also pleased to see the 3D guns that we are once again trying to keep ahead of technology and do more of gun control and gun safety.

I'm also pleased to see we are regulating drones. I had introduced a bill a few years ago as a result of a rather scary incident over one of our local elementary schools, Eagle Point in Bethlehem. I'm pleased to see that that is included.

The bottom line is I do believe that this --

ACTING PRESIDENT PERSAUD: Senator, how do you vote?

SENATOR FAHY: -- will move to keep us safer, and I vote in the affirmative.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Senator Fahy to be recorded in the affirmative.

Senator Gounardes to explain his vote.

SENATOR GOUNARDES: Thank you, Madam President.

You know, I listened to this debate and I'm just completely astounded by the suggestion from some of our colleagues that by taking these measures today we are invoking and bringing and inviting chaos into our streets.

As if they want us to believe that

what is happening in this country by the great benefactors, the benevolent arm of iCE to keep peace in the world -- that we should not believe our lying eyes.

Seeing a rogue paramilitary force shoot and kill American citizens, dead in the street. Using five-year-olds as bait to bring a father out of their home, to lock them up in a cage thousands of miles away.

We heard that if we do this, we're inviting chaos. Go to a church basement in my district and there you'll see the chaos of families who are panicked, who are afraid to send their kids to school because of what is happening in this country right now.

We are taking steps to stop the chaos. We are taking steps to stop the madness. And I had hoped that maybe in this debate we'd hear something new. But no, actually we didn't. We heard immigrants are criminals. There was even a suggestion that immigrants could be terrorists.

But you know what, Madam President? That's the same thing they were saying about my family when they came here a hundred years ago,

about the Greeks, the Italians, the Irish, the Polish.

What an irony that the same week we did a resolution honoring Italian American Heritage Month. Let us not forget what they said about the Italian Americans in this country a hundred years ago -- that they were the criminals, that they were the terrorists. But it must be different, I guess.

Madam President, I proudly vote aye on behalf of my constituents and because I am the grandson and great-grandson of immigrants who came to this country because they believed in a better life for themselves and their families.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Gounardes to be recorded in the affirmative.

Senator Liu to explain his vote.

SENATOR LIU: Thank you, Madam President.

I want to wholeheartedly agree with the very eloquent statements by Senator Myrie, by Senator Gianaris. And, you know, a lot's been said already. It's been a robust debate. I do appreciate the debate. Clearly there are

differences.

And I just want to remind all my colleagues that when families are discouraged from sending their kids to school, it's not only those kids and those families that are harmed. Our entire society, indeed the State of New York, is harmed when kids do not go to school.

When people do not go to their businesses or open new businesses, that harms our economy. That kills jobs, for not just those families involved but for our entire society and the State of New York itself.

When people are discouraged, even frightened, from talking with the police, as they clearly are today, that's not just taking away the safety of those particular families. It makes the community, the neighborhood less safe for everybody.

So the provisions that we're talking about here today, particularly the immigrant protections, we're not here to encourage criminals to come to New York State or to make the state less safe. These measures make for a safer and more prosperous State of New York.

Let's not buy into the line that,

oh, ICE is out there to deport the most dangerous criminals, because that is not what's happened. They've been deporting people left and right -- from schools, from homes, from places that are considered safe.

ACTING PRESIDENT PERSAUD: Senator Liu, how do you vote?

SENATOR LIU: I vote yes, Madam President, and I do so proudly.

Thank you.

ACTING PRESIDENT PERSAUD: Senator Liu to be recorded in the affirmative.

Senator Lanza to explain his vote.

SENATOR LANZA: Thank you, Madam President.

I want to thank Senator Gounardes for that left-handed defense of the honor of the Italian Americans. (Mic off.) They still talk about and say things about Italian Americans and nobody ever seems to care, but I'm glad to hear that somebody might -- I don't (inaudible; slapping mic).

(Inaudible overtalk.)

SENATOR LANZA: I'm going to start over.

(Laughter; inaudible overtalk.)

SENATOR LANZA: Thank you, Madam President. The whole two minutes. Whoever did that is very smart.

(Laughter.)

SENATOR LANZA: I sometimes don't want to hear myself.

Madam President, I want to thank Senator Gounardes for that left-handed defense of the honor of Italian Americans. They still say things about Italian Americans and nobody ever seems to care, but I'm glad somebody might care at this moment.

It was I who talked about the prospect of terrorist cells coming into the country, and that is what happens when you don't know who it is that is coming across the border.

In fact, we do know that thousands of people came into our borders during the Biden administration who are on the terrorist watchlist. That's a fact.

And listen, immigration is -- we're all for legal immigration. At least I am. It is one of the things that powers this country and makes it better. All we're saying on our side is

that you ought to have a border, you ought to have a policy, you ought to know who it is that's coming in here.

And that's not what happened during the Biden administration. It has stopped, thankfully, under this administration. If you don't believe -- I hear some of the conversation. It sounds as though you don't believe we ought to have a border. It sounds as though you believe that anyone from any country at any time can just walk into the country whenever they want.

We don't believe that ought to be the way. We believe that that is dangerous. We also believe that we need immigration and we want immigration. But this is about -- it's not about calling a person illegal. It's not about a slur. You can give it any word you want, it's on you if you think it's a slur when we say people have walked across our border, have not applied for asylum and are therefore here unlawfully, and we don't know why they are here.

I hope and I believe that most of them are here to live a better life. But if that's what we want, we ought to have borders and we ought to know who's coming here.

I vote no.

ACTING PRESIDENT PERSAUD: Senator Lanza to be recorded in the negative.

Senator Salazar to explain her vote.

SENATOR SALAZAR: Thank you, Madam President.

At least 29 people have died while being held in immigration detention in our country over just the past six months. They were people who came to the United States for the same reasons as many of our own relatives, with the same motivation of families and ancestors of many of us in this chamber who came to this country to seek a better life.

One of those people was Santos Banegas Reyes, who was arrested last September in 2025 by Nassau County police who were deputized by ICE under their 287(g) agreement. They did not charge him with a crime, but he was then transferred to the jail and held under their contract as an ICE detainee. He tragically died in ICE detention at Nassau County Jail the following day.

That was a preventable tragedy. New York State's collusion with ICE for

enforcement and detention directly contributed to the death of a New Yorker, and it illustrates why we must end 287(g) and IGSA agreements in our state for the protection of the health and safety of New Yorkers.

When I visited East Meadow Jail in Nassau County last summer to observe immigration detention, I met New Yorkers who were held there. One of the men detained there who I spoke to was a local shop owner. He had lived and worked in Huntington for 20 years. Like every other detainee I spoke to that day, he had never been charged with a crime. Nonetheless, the 287(g) agreement between Nassau County and ICE allowed for him to be taken from his family and from his community and put in a jail cell.

Today, we are finally acting to end these 287(g) agreements and IGSAs in New York. Immigration detention at the hands of ICE is a shameful business that needlessly tears families apart. The fight to effectively end it through the Dignity Not Detention Act in New York has persisted for years, and passing this bill today marks a victory in that fight.

It is also a victory for children

and for families in our state that this bill protects the right to a public education regardless of immigration status in New York.

Contrary to some assertions made during floor debate today by Minority colleagues, this bill regrettably does not include the provisions of New York for All. And I believe that means our work to protect New Yorkers from draconian immigration enforcement, and to prevent ICE from obstructing due process and public safety, must continue.

But nonetheless, I am proud to vote in favor of this bill. Thank you.

ACTING PRESIDENT PERSAUD: Senator Salazar to be recorded in the affirmative.

Senator Myrie to explain his vote and to close.

SENATOR MYRIE: Thank you, Madam President.

Let me first thank Majority Leader Stewart-Cousins, all of my colleagues. Thank you to the staff for doing a really excellent job helping us navigate this.

I want to, if I can very briefly, return to Subpart B of Part LL, the New York

Bivens Act, to ensure that we are clear on what the intentions of this bill are.

We of course want to protect the constitutional rights of New Yorkers. We want to ensure that if those rights are violated, that they will have a remedy for that violation.

I also want to make clear that nowhere in this bill do we disturb the common-law doctrine of qualified immunity, and certainly not as recognized here in New York or federally.

This is a cause of action to give New Yorkers an avenue to have their rights vindicated, but this does not disturb the qualified immunity doctrine.

Now, if I may, last month my mom's mom, Adela Brown, passed away in Costa Rica. She was 100 years old, lived a long life.

And for those of you who don't know, Black people in Costa Rica could not vote, they did not have full citizenship, until 1949. My grandmother was 23 before she was considered a full citizen in the country of her birth.

She was never able to come to the United States. She had seven children, and one of them could come to the U.S. -- my mom, who

came to Brooklyn, New York, to work in a factory to try to make ends meet, looking for opportunity. And of course she had me.

So if you look at the span, for over 50 years my grandmother, who was not considered a citizen in her own country, could see her grandson not only be born here, but to become a State Senator, to help make the laws.

Someone asked, Who are we trying to protect? This is what we're trying to protect. The promise of this country. Opportunity. Protection. The ability to be the best that you can be.

I don't cede love for this country to anybody. I love it. I'm proud to be an American. Because this is what this country is about. You can come here from literally anywhere and become anything you want, generations, because you had the courage to make your way here.

It's probably why crime rates in immigrant communities are lower than the general population, because they don't want to squander the opportunity that they've been given. It is why they are afraid to go to law enforcement if

they know that the first option is going to be them getting in trouble.

This is why we're doing this today. It's about upholding the Constitution. The Constitution is the reason that we can have these exchanges in this big fancy building, without having to resort to violence. It's the Constitution. We swore an oath to uphold it. That is what we are protecting today.

I am so proud to be voting for this bill. I am proud to be a member of this Majority. And yes, I am proud to be an American. We are a nation of immigrants. We must protect that ideal. Because today you may agree with the attacks; tomorrow the attacks will be against you.

Stay strong. I proudly vote aye.

ACTING PRESIDENT PERSAUD: Senator Myrie to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1317, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt,

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

Ayes, 39. Nays, 22.

ACTING PRESIDENT PERSAUD: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Madam President, returning to motions for a moment, I wish to call up the following bills, which were recalled from the Assembly and are now at the desk:

Senate Print 825A and Senate Print 4042A.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 869, Senate Print 825A, by Senator Liu, an act to amend the Labor Law.

Calendar Number 1049, Senate Print 4042A, by Senator Harckham, an act to amend the Civil Practice Law and Rules.

SENATOR GIANARIS: I move to reconsider the votes by which these bills were passed.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61.

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

SENATOR GIANARIS: I offer the following amendments.

ACTING PRESIDENT PERSAUD: The amendments are received.

SENATOR GIANARIS: I wish to open the resolutions we took up earlier today for cosponsorship, at the request of the sponsors.

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

Senator Gianaris.

SENATOR GIANARIS: I know it was a heavy day, but before we adjourn I have to go into the weekend wishing the Knicks all the luck.

(Reaction from floor.)

SENATOR GIANARIS: They'll be playing three more games between today and when we return on Tuesday.

Is there any further business at the

desk?

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

SENATOR GIANARIS: This is going to be an early day on Tuesday. I move to adjourn until Tuesday, May 26th, at 10:00 a.m., with the intervening days being legislative days.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Tuesday, May 26th, at 10:00 a.m., with intervening days being legislative days.

(Whereupon, at 4:52 p.m., the Senate adjourned.)