

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 June 3, 2026

11 9:09 a.m.

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13
14 REGULAR SESSION

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17
18 SENATOR JAMES SKOUFIS, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

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

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

13 ACTING PRESIDENT SKOUFIS: Reading
14 of the Journal.

15 THE SECRETARY: In Senate, Tuesday,
16 June 2, 2026, the Senate met pursuant to
17 adjournment. The Journal of Monday, June 1,
18 2026, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Rivera

1 moves to discharge, from the Committee on Health,
2 Assembly Bill Number 2726A and substitute it for
3 the identical Senate Bill 9237, Third Reading
4 Calendar 560.

5 Senator Harckham moves to discharge,
6 from the Committee on Environmental Conservation,
7 Assembly Bill Number 10344 and substitute it for
8 the identical Senate Bill Number 9452,
9 Third Reading Calendar 651.

10 Senator Bailey moves to discharge,
11 from the Committee on Rules, Assembly Bill
12 Number 10611A and substitute it for the identical
13 Senate Bill 9403A, Third Reading Calendar 706.

14 Senator Harckham moves to discharge,
15 from the Committee on Environmental Conservation,
16 Assembly Bill Number 10350 and substitute it for
17 the identical Senate Bill 9587, Third Reading
18 Calendar 739.

19 Senator Sepúlveda moves to
20 discharge, from the Committee on Judiciary,
21 Assembly Bill Number 8695 and substitute it for
22 the identical Senate Bill 9770, Third Reading
23 Calendar 753.

24 Senator Skoufis moves to discharge,
25 from the Committee on Insurance, Assembly Bill

1 Number 10279A and substitute it for the identical
2 Senate Bill 9179A, Third Reading Calendar 886.

3 Senator Bailey moves to discharge,
4 from the Committee on Insurance, Assembly Bill
5 Number 10443A and substitute it for the identical
6 Senate Bill 9746A, Third Reading Calendar 887.

7 Senator Bailey moves to discharge,
8 from the Committee on Insurance, Assembly Bill
9 Number 10987 and substitute it for the identical
10 Senate Bill 9832, Third Reading Calendar 888.

11 Senator Bailey moves to discharge,
12 from the Committee on Insurance, Assembly Bill
13 Number 5710A and substitute it for the identical
14 Senate Bill 9941, Third Reading Calendar 889.

15 Senator Harckham moves to discharge,
16 from the Committee on Environmental Conservation,
17 Assembly Bill Number 10633 and substitute it for
18 the identical Senate Bill 9462, Third Reading
19 Calendar 946.

20 Senator Harckham moves to discharge,
21 from the Committee on Environmental Conservation,
22 Assembly Bill Number 10692 and substitute it for
23 the identical Senate Bill 9463, Third Reading
24 Calendar 947.

25 Senator Harckham moves to discharge,

1 from the Committee on Environmental Conservation,
2 Assembly Bill Number 10936 and substitute it for
3 the identical Senate Bill 9479A, Third Reading
4 Calendar 948.

5 Senator Harckham moves to discharge,
6 from the Committee on Environmental Conservation,
7 Assembly Bill Number 11373 and substitute it for
8 the identical Senate Bill 9588, Third Reading
9 Calendar 949.

10 Senator Hinchey moves to discharge,
11 from the Committee on Environmental Conservation,
12 Assembly Bill Number 11167 and substitute it for
13 the identical Senate Bill 10038, Third Reading
14 Calendar 950.

15 Senator Martinez moves to discharge,
16 from the Committee on Environmental Conservation,
17 Assembly Bill Number 11168 and substitute it for
18 the identical Senate Bill 10040, Third Reading
19 Calendar 952.

20 Senator Harckham moves to discharge,
21 from the Committee on Environmental Conservation,
22 Assembly Bill Number 11443 and substitute it for
23 the identical Senate Bill 10044, Third Reading
24 Calendar 956.

25 Senator Cleare moves to discharge,

1 from the Committee on Consumer Protection,
2 Assembly Bill Number 7875 and substitute it for
3 the identical Senate Bill 9704, Third Reading
4 Calendar 1109.

5 Senator Liu moves to discharge, from
6 the Committee on Finance, Assembly Bill
7 Number 10351 and substitute it for the identical
8 Senate Bill 9406, Third Reading Calendar 1215.

9 Senator Addabbo moves to discharge,
10 from the Committee on Corporations, Authorities
11 and Commissions, Assembly Bill Number 8742 and
12 substitute it for the identical Senate Bill 9319,
13 Third Reading Calendar 1227.

14 Senator Salazar moves to discharge,
15 from the Committee on Rules, Assembly Bill
16 Number 8840A and substitute it for the identical
17 Senate Bill 8353A, Third Reading Calendar 1376.

18 ACTING PRESIDENT SKOUFIS: So
19 ordered.

20 Messages from the Governor.

21 Reports of standing committees.

22 Reports of select committees.

23 Communications and reports from
24 state officers.

25 Motions and resolutions.

1 Senator Gianaris.

2 SENATOR GIANARIS: Good morning,
3 Mr. President.

4 There will be an immediate meeting
5 of the Judiciary Committee in Hearing Room A.

6 SENATOR BAILEY: Lay it aside.
7 (Laughter.)

8 ACTING PRESIDENT SKOUFIS: There
9 will be an immediate meeting of the
10 Judiciary Committee in Hearing Room A.

11 SENATOR GIANARIS: The Senate will
12 stand at ease.

13 ACTING PRESIDENT SKOUFIS: The
14 Senate will stand at ease.

15 (Whereupon, the Senate stood at ease
16 at 9:14 a.m.)

17 (Whereupon, the Senate reconvened at
18 4:04 p.m.)

19 ACTING PRESIDENT PERSAUD: The
20 Senate will come to order.

21 Senator Gianaris.

22 SENATOR GIANARIS: Madam President,
23 there's a report of the Finance Committee at the
24 desk. Please take that up.

25 ACTING PRESIDENT PERSAUD: The

1 Secretary will read.

2 THE SECRETARY: Senator Krueger,
3 from the Committee on Finance, reports the
4 following nominations.

5 As Commissioner of the Office of
6 Parks, Recreation and Historic Preservation:
7 Kathleen Moser.

8 As Commissioner of the Division of
9 Homeland Security and Emergency Services:
10 Terence O'Leary.

11 As Executive Director of the Office
12 of Cannabis Management: John Kagia.

13 SENATOR GIANARIS: Move to accept
14 the report of the Finance Committee, and I ask
15 that you recognize Senator Liu.

16 ACTING PRESIDENT PERSAUD: He's not
17 finished, sorry. Hold on one second, Senator.

18 (Pause.)

19 SENATOR GIANARIS: I move to accept
20 the report of the Finance Committee and ask that
21 you recognize Senator Liu.

22 ACTING PRESIDENT PERSAUD: All
23 those in favor of accepting the Finance Committee
24 report please signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT PERSAUD: Opposed,
2 nay.

3 (No response.)

4 ACTING PRESIDENT PERSAUD: The
5 report of the Finance Committee is accepted.

6 Senator Liu on the nominations.

7 SENATOR LIU: Madam President, the
8 Finance Committee met with the following
9 individuals for their respective appointments:

10 Kathleen Moser, for Commissioner of
11 the Office of Parks, Recreation and Historic
12 Preservation;

13 Terence O'Leary, as Commissioner of
14 the Division of Homeland Security and Emergency
15 Services;

16 And John Kagia, as Executive
17 Director of the Office of Cannabis Management.

18 The committee moves these
19 nominations to the floor.

20 ACTING PRESIDENT PERSAUD: The
21 Secretary will read.

22 THE SECRETARY: As Commissioner of
23 the Office of Parks, Recreation and Historic
24 Preservation: Kathleen Moser.

25 ACTING PRESIDENT PERSAUD: Senator

1 Serrano on the nomination.

2 SENATOR SERRANO: Thank you very
3 much, Madam President.

4 It gives me great -- it's a great
5 honor for me to rise here in support of the
6 nomination of Kathy Moser for Commissioner of
7 Parks in the great State of New York.

8 I have had the wonderful good
9 fortune of knowing Kathy Moser for many years,
10 all in this wonderful space of parks and green
11 spaces, and she has been a tremendous pleasure to
12 work with. Open Space Institute, Department of
13 Environmental Conservation, she has shown
14 tremendous leadership in ensuring that all
15 communities can feel more and more connected with
16 nature.

17 I've often talked about, as chair of
18 the Committee on Arts and Culture and Parks,
19 about the transformative nature of all of our
20 parks and the great outdoors. And indeed,
21 connecting more communities to nature is not just
22 something that sounds great or is poetic in some
23 way. There are real and tangible benefits with
24 connecting with our parks.

25 And I am partial to hiking, in

1 particular in Harriman State Park, which is some
2 of the most beautiful hiking trails you'll find
3 anywhere in the country. But when you're deep in
4 the woods and the canopy is above you and you see
5 nothing but green, your ears become more acute,
6 your vision becomes sharper, you start to become
7 one with the vibration of nature all around you.

8 And this is real and this is
9 tangible. And it is important for all of us to
10 have that connection.

11 And I know that Kathy Moser will
12 ensure that more communities feel connected to
13 our parks, that we can find ways to help
14 communities become stewards of the parks, that we
15 have a parks system that is viable, that all of
16 us can enjoy not just now, but for generations to
17 come.

18 So I applaud Governor Kathy Hochul
19 for putting forth this nomination. I think that
20 this nominee, Kathy Moser, will be an amazing
21 commissioner, that she will be very in line with
22 the needs of our communities. And I certainly
23 look forward to working with her.

24 Thank you, Madam President.

25 ACTING PRESIDENT PERSAUD: Thank

1 you, Senator.

2 Senator May on the nomination.

3 SENATOR MAY: Thank you,
4 Madam President.

5 I rise with excitement and delight
6 to support the nomination of Kathy Moser. We
7 worked together on a bill to make sure that land
8 trusts could acquire land more easily, and she
9 was absolutely relentless in trying to make that
10 happen. And always with the best motivations
11 behind her in terms of wanting us to have more
12 open space, more recreational space, more --
13 ultimately, more parkland in New York State.

14 So I can't imagine a better person
15 for this job, and I'm excited to work with her
16 moving forward.

17 I vote aye.

18 ACTING PRESIDENT PERSAUD: Thank
19 you, Senator.

20 The question is on the nomination.

21 Call the roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT PERSAUD: Announce
24 the results.

25 THE SECRETARY: Ayes, 57.

1 ACTING PRESIDENT PERSAUD: The
2 nominee is confirmed.

3 (Standing ovation.)

4 ACTING PRESIDENT PERSAUD: The
5 Secretary will read.

6 THE SECRETARY: As Commissioner of
7 the Division of Homeland Security and Emergency
8 Services: Terence O'Leary.

9 ACTING PRESIDENT PERSAUD: Senator
10 Scarcella-Spanton on the nomination.

11 SENATOR SCARCELLA-SPANTON: Thank
12 you, Madam President.

13 It is my pleasure today to rise to
14 support the nomination of Commissioner Terence
15 O'Leary, and I thank Governor Hochul for this
16 recommendation.

17 Today he is here with his mother,
18 Teresa; his brother, Owen; his wife, Argi; and
19 his two children, Joseph and Finn. And I know
20 you must be very proud of your dad today.

21 I will tell you, for the last four
22 years I have served as the chair on Veterans,
23 Homeland Security and Military Affairs, and I can
24 truly say that our state is a better place
25 because of you, Terry, and it is a safer place.

1 So I could not think of somebody better to fit
2 the role of commissioner.

3 Thank you for your service to this
4 state, and I proudly vote aye and encourage my
5 colleagues to do so as well.

6 Thank you.

7 ACTING PRESIDENT PERSAUD: The
8 question is on the nomination.

9 Call the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT PERSAUD: Announce
12 the results.

13 THE SECRETARY: Ayes, 58.

14 ACTING PRESIDENT PERSAUD: The
15 nominee is confirmed.

16 (Standing ovation.)

17 ACTING PRESIDENT PERSAUD: The
18 Secretary will read.

19 THE SECRETARY: As Executive
20 Director of the Office of Cannabis Management:
21 John Kagia.

22 ACTING PRESIDENT BAILEY: Senator
23 Fernandez on the nomination.

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

1 I'm very proud to stand up to
2 express my support for John Kagia, because this
3 appointment is almost perfect.

4 When we opened the Office of
5 Cannabis Management in 2021, a year after the
6 bill was signed and established, everyone was
7 literally building the plane as it was flying.
8 And a shout-out to Chris Alexander for doing an
9 amazing job in his tenure.

10 But John was there. John was in the
11 office, John was part of analyzing and marketing
12 and research and really figuring out how to make
13 this new system work, this new office work.

14 And we're in a good place, and it's
15 a lot of credit to John. So for him to now take
16 the reins as the pilot, the director of OCM,
17 we're going to continue to see us flying high, no
18 pun intended --

19 {Groans from audience.}

20 SENATOR FERNANDEZ: I had to,
21 just telling you.

22 {Further groans.}

23 SENATOR FERNANDEZ: But this
24 appointment makes all the sense, and I'm looking
25 forward to seeing you continue to make sure that

1 this office runs efficiently, that we see the
2 agency working, the communities are being heard,
3 and that all concerns are addressed and cleared.
4 And I thank you for giving your time to this
5 service.

6 So congratulations on the
7 appointment. I vote aye and look forward to
8 working with you.

9 ACTING PRESIDENT BAILEY: Thank
10 you, Senator Fernandez.

11 The question is on the nomination.
12 Call the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to the
17 nomination, voting in the negative:
18 Senator Walczyk.

19 Ayes, 57. Nays, 1.

20 ACTING PRESIDENT BAILEY: The
21 nomination is confirmed. The nominee is
22 confirmed, excuse me.

23 Please give the nominee a round of
24 applause. Please rise.

25 (Standing ovation.)

1 ACTING PRESIDENT BAILEY: Senator
2 Gianaris.

3 SENATOR GIANARIS: Mr. President,
4 we're now going to call simultaneously an
5 immediate meeting of the Rules Committee in
6 Room 332 and take up previously adopted
7 Resolution 2164, by Senator Brisport, read that
8 resolution's title and call on Senator Brisport.

9 ACTING PRESIDENT BAILEY: There
10 will be an immediate meeting of the
11 Rules Committee in Room 332.

12 The Secretary will read on the
13 resolution.

14 THE SECRETARY: Resolution 2164, by
15 Senator Brisport, memorializing Governor Kathy
16 Hochul to proclaim June 2026 as LGBTQIA+ Pride
17 Month in the State of New York.

18 ACTING PRESIDENT BAILEY: Senator
19 Brisport on the resolution.

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

22 To my queer siblings, Happy Pride.

23 To our haters: Give up.

24 (Laughter.)

25 SENATOR BRISPORT: Actually,

1 though, give up. Because if it were possible to
2 create a world without queer people, we would
3 have managed it by now.

4 Throughout history you have
5 demonized us, ostracized us, harassed us,
6 assaulted us, criminalized us, sterilized us,
7 killed us, censored us, fired us, evicted us and
8 denied us medical care. And yet here we are,
9 looking fabulous.

10 The truth is queer people have been
11 fighting fascism since before you learned how to
12 dog-whistle. We wear resistance like quality
13 moisturizer. Like the iconic William Dorsey
14 Swann, born into slavery and living under
15 criminalized homosexuality, he pioneered the
16 tradition of drag balls. When he and his guests
17 were arrested during the police raids of his
18 events, he did not suffer in silence. He
19 fostered an equally proud tradition of advocacy
20 for queer liberation.

21 Nearly a century later, when police
22 raided the Stonewall Inn, that tradition was
23 alive and well for figures like Sylvia Rivera and
24 Marsha P. Johnson to build on. They became
25 instrumental leaders in the uprising that began a

1 new dawn for LGBTQ+ people.

2 See, for queer people resilience is
3 an art form that's been handed down through
4 generations of found family and perfected over
5 centuries.

6 So when your political pundits and
7 Red Pill influencers try to rile you up about how
8 we must be stopped, the questions you should be
9 asking yourself are: Why do they want you
10 fighting an unwinnable war? What is it they
11 don't want you to notice while they've got you
12 harassing women on the street? What changes
13 would actually improve your well-being and
14 financial stability, and who has the power to
15 make those changes?

16 Your hate can harm us. Your hate
17 can even end lives. But your hate cannot bring
18 you peace. Your hate cannot win you a higher
19 wage, affordable medical care, clean air, or
20 lower energy bills. And above all, your hate
21 cannot end our movement.

22 And while you think about that,
23 we'll continue doing what we've always done:
24 Honoring our dead. Celebrating our living.
25 Stitching up each other's wounds. Dancing until

1 dawn and then marching through the morning.

2 We will continue the legacies of
3 icons your best efforts haven't managed to erase.
4 Not only Swann, Rivera and Johnson, but also
5 Harvey Milk, Cecilia Gentile, Ma Rainey,
6 Brenda Howard, Miss Major Griffin-Gracy,
7 Kiyoshi Kuromiya, Pauli Murray, Bayard Rustin,
8 Henry Gerber, Mary Jones, Gladys Bentley and so,
9 so many more. Courageous, flawed, human, they
10 took all the hate the world could throw at them
11 and gave us a roadmap of resilience that we carry
12 forward with pride.

13 So to my queer siblings, I will see
14 you on the dance floor and I will see you on the
15 streets.

16 Happy Pride!

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

19 Senator Bottcher on the resolution.

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

22 And to Senator Brisport,
23 congratulations for being the queer elder of the
24 New York State Senate now.

25 (Laughter.)

1 SENATOR BOTTCER: Even though he's
2 quite a bit younger than me, Mr. President.

3 Happy Pride! Although I have to say
4 that Pride feels different right now.

5 And, you know, what I'm hearing more
6 and more is, Why do we need Pride? Why do you
7 need to make it all about yourselves? Why are
8 you talking about it so much? Why do you need a
9 Pride Month at all?

10 And the best way I can put it is
11 that pride is the opposite of shame. And shame
12 is a kind of pain that every one of us has known
13 since the minute that we realized that we were
14 different. It's a sharp pain, shame.

15 And there are people who want us to
16 continue feeling shame. They think we should be
17 ashamed. That has been true, Mr. President, for
18 thousands of years. Thousands of years of
19 persecution. We've been hunted down, attacked,
20 murdered, jailed. I think about the countless
21 people throughout history who have had to live
22 loveless lives.

23 Think about that for a minute.
24 Think about the person that you love most in the
25 world -- your spouse, a person that you couldn't

1 live without. Now imagine being told you
2 couldn't talk to them again. And if you got --
3 if you were seen holding their hand, you'd be put
4 in jail and they would throw away the key.
5 That's been happening for thousands of years.
6 And it's happening in the world right now.

7 In the grand scheme of history, it
8 was very recently that we've achieved progress.
9 It was here in New York State in 1969 when the
10 cops went to raid the Stonewall Inn. They used
11 to pull up to bars with a paddy wagon, and they
12 would raid the bar and they would pull everyone
13 out and they would take them away. They would
14 publish their name in the newspaper. They would
15 lose everything they had -- their jobs, their
16 families.

17 But one night in June of 1969, the
18 people there said: No more, not tonight. And
19 they fought back.

20 And the word spread, and hundreds of
21 people were in the street -- on the first night,
22 on the second night, and they kept coming back.
23 And it ignited a global movement for human rights
24 for LGBTQ people around the world.

25 The next year, they gathered again

1 at the same place. They didn't call it Pride
2 yet. They didn't know what it was. But that's
3 why June is Pride Month.

4 And we have to reflect during Pride
5 on how much progress we've made in such a short
6 amount of time. I don't know of another human
7 rights movement that has made so much progress in
8 such a short amount of time.

9 Even during my lifetime, if you had
10 told me when I was a kid in the Adirondacks who
11 felt like I was the only person in the world
12 going through what I was going through, that in
13 my lifetime an openly gay person would win the
14 Iowa Caucus to be president of the United States,
15 I never would have believed you.

16 I certainly wouldn't have believed
17 that I'd be standing here, or that in 2011 I'd be
18 standing right there in that corner when this
19 body voted to make marriage the law, same-sex
20 marriage the law of the land in New York State.

21 And by the way, New York State
22 ignited nationwide marriage equality. Within a
23 few years we had marriage equality in all
24 50 states.

25 So we've made tremendous progress.

1 However, that did not come easily. It came
2 because people put their lives on the line and
3 they put their bodies on the line and they fought
4 for it. And along the way we overcame an AIDS
5 epidemic that killed 100,000 people here in
6 New York. I've met people who lost every friend
7 they had to AIDS. But we overcame with a
8 determination that's been forged through
9 thousands of years of hardship.

10 Now, the progress we've made has
11 been extraordinary, but not all members of our
12 community have shared in that progress. And I
13 feel extraordinarily lucky to be here. Around
14 the world, if you display same-sex affection,
15 there are countries where you will get thrown in
16 jail -- Ghana last week passed a law saying
17 minimum three years. That even includes helping
18 someone who's gay. Russia, the Middle East.

19 But here in the United States, we
20 have lawmakers who express admiration over those
21 policies. And they wish we had policies like
22 that here. A sitting member of Congress on
23 Monday, the first day of Pride Month, tweeted
24 that homosexuality has no place in the
25 United States.

1 Today a Gallup Poll came out that
2 found that the number of Republicans who think
3 that gay and lesbian relations are morally
4 acceptable has dropped from 56 to 36 percent in
5 four years.

6 No member of our community is under
7 more threat, under more attack than the trans
8 community -- trans people, gender-nonconforming
9 people. And they are being viciously targeted in
10 our country right now. Viciously.

11 No amount of discrimination that
12 I've ever experienced in my life can compare to
13 what trans people are going through right now.
14 Their rates of suicide, unemployment,
15 homelessness, addiction -- off the charts.
16 Because they're being scapegoated in our country.
17 And people say, I don't understand it. I just
18 don't get it. And I don't like it. That's what
19 they said about gays and lesbians 40 years ago,
20 the exact thing they said about us 40 years ago.

21 Now, gays and lesbians have made a
22 lot of progress. One of the problems that trans
23 people are facing is that we've made progress as
24 gays and lesbians because we came out. People
25 got to know us as their children, their neighbor,

1 their coworker, their parent, their barista,
2 their hairdresser. They got to know us and they
3 realized that the tropes about us weren't true.
4 These evil tropes that we were predators, that
5 we're trying to recruit children -- the same kind
6 of tropes that have been trafficked for thousands
7 of years.

8 Most people, they haven't met
9 transgender people in their lives, or at least
10 they didn't know that they have. They're so few
11 in number, comparatively. If people did know
12 trans people, like I have the privilege of, they
13 would know that they are just people trying to
14 live their lives, trying to take care of
15 themselves and their families. They don't want
16 to have to be out in the streets marching. They
17 just want to live their lives as Americans.

18 And by the way, they didn't choose
19 to be trans any more than I chose to be gay. My
20 life would -- could be a lot easier. I'd
21 probably be up in the Adirondacks sitting on a
22 porch right now drinking a Miller Lite --

23 (Laughter.)

24 SENATOR BOTTCHER: -- working at my
25 brother's fly-fishing shop. I have to go to the

1 gym six days a week, Mr. President.

2 (Laughter.)

3 SENATOR BOTTCHER: Now, there are
4 those who would like to cleave us apart. They
5 would like the gay and lesbian community to leave
6 the trans community behind, because we have so
7 many rights. We can marry, we can have families,
8 we can do so much here in New York.

9 But that is not going to happen. We
10 are one community united. We will not be
11 divided. We will not turn against each other.
12 We will not let trans people fall behind.

13 The good news is that in the arc of
14 history, it does bend towards justice. And we
15 will win in the end. Over time, justice
16 advances. And I truly believe that future
17 generations will look back at what we're going
18 through now and they'll be truly astonished at
19 how much progress we've made. I know that the
20 people who opposed our rights, that their
21 ancestors are going to be ashamed of what their
22 forebears did.

23 So today we also celebrate our
24 accomplishments, our community, the people that
25 we're so proud of throughout history: Lindsay

1 Graham -- I'm just kidding, Mr. President.

2 (Laughter.)

3 SENATOR BOTTCHER: How boring would
4 the world be without our community? How much
5 more harsh overhead lighting would there be in
6 the world, Mr. President?

7 (Laughter.)

8 SENATOR BOTTCHER: Come to
9 Suite 902 across the street. You will see no
10 overhead lighting. You will see lamps with
11 dimmers, Mr. President.

12 So this Pride Month we celebrate how
13 far we've come, we honor those who fought before
14 us, we recommit ourselves to the work that
15 remains because we will not be cowed, we will not
16 be afraid, we will not go back into the closet,
17 we will not stop fighting until we achieve full
18 equality for everyone in our community in every
19 corner of this country and around the globe.

20 Because we're here, we're queer, get
21 used to it!

22 Thank you, Mr. President. I vote
23 aye.

24 ACTING PRESIDENT BAILEY: Thank
25 you, Senator Bottcher.

1 Happy Pride, everyone.

2 The resolution was adopted on
3 May 27th.

4 Senator Gianaris.

5 SENATOR GIANARIS: Let's now take
6 up previously adopted Resolution 2259, by
7 Senator Cleare, read its title, and call on
8 Senator Cleare.

9 ACTING PRESIDENT BAILEY: The
10 Secretary will read.

11 THE SECRETARY: Resolution 2259, by
12 Senator Cleare, mourning the death of
13 Susan Wright, distinguished citizen and devoted
14 member of her community.

15 ACTING PRESIDENT BAILEY: Senator
16 Cleare on the resolution.

17 SENATOR CLEARE: Yes, thank you,
18 Mr. President.

19 I rise today to pay tribute to the
20 inspiring life of Susan Irene Gayles Wright of
21 Harlem.

22 Susan Wright was a beloved Harlem
23 neighborhood leader, civic figure, and community
24 builder. She worked just as hard behind the
25 scenes to better Manhattan as her husband, former

1 Assemblymember Keith L.T. Wright, and her son,
2 Assemblymember Jordan Wright, have worked in the
3 halls of the New York State Assembly.

4 Throughout her life in Harlem,
5 Susan Wright was deeply involved in local
6 philanthropy, community outreach, and
7 neighborhood development. Her longtime service
8 to the Studio Museum in Harlem was legendary, as
9 was the bedrock of faith that she placed in her
10 home church, St. Philip's Episcopal Church in
11 Harlem, and in exemplary community cornerstones
12 like our treasured Figure Skating in Harlem.

13 Susan Wright has served as an
14 extraordinary example of how to embody
15 leadership, service and selfless commitments.
16 She has served as and will continue to be a
17 beacon of inspiration to her family, the
18 Harlem neighborhood, and the greater New York
19 State community.

20 Her many contributions and dedicated
21 service to Harlem -- and even the world, by way
22 of the Studio Museum in Harlem -- will never be
23 forgotten.

24 Of all the accomplishments and
25 memories that I have of Susan Wright, I think the

1 most strong impression I got of her was that of
2 being a fearless mother. She was dedicated to
3 her family and her children, and may her memory
4 of that never be forgotten. And I think that
5 shows in her son, Jordan Wright, who sits in the
6 Assembly today.

7 I'm going to share just a little
8 story that came to me just now. I remember
9 Assemblymember Jordan Wright was stuck in the
10 elevator of the State Office Building in Harlem.
11 And I remember Susan Wright running across the
12 street from where she worked to get him out. And
13 I have never been more afraid for the
14 commissioner of OGS than I was on that day.

15 (Laughter.)

16 SENATOR CLEARE: I think that fear
17 overrode anything else that we could think of.
18 And we were all trying to hustle to get you out
19 of that elevator that day.

20 But she was fierce and she was
21 dedicated in everything that she did. Just a
22 wonderful member of our community contributing in
23 every way that she could. May she rest in power,
24 grace, and peace.

25 Thank you, Madam President. I

1 proudly vote aye.

2 ACTING PRESIDENT PERSAUD: Thank
3 you, Senator.

4 Senator Bailey on the resolution.

5 SENATOR BAILEY: Thank you,
6 Madam President.

7 Thank you, Senator Cleare, for this
8 important resolution to celebrate the life and
9 legacy of Ms. Susan Wright.

10 You know, when the Bronx and Harlem,
11 you know, united enjoy, but also when we mourn,
12 we mourn together. And I couldn't not take this
13 opportunity to show some love to my good friend
14 and former Assemblymember and Manhattan County
15 chair Keith Wright and -- he's like my little
16 brother -- Jordan Wright.

17 I remember -- Jordan's love for his
18 mom was evident, but I remember one time last
19 year there was a panel about Black men in the
20 judiciary, and it spoke about his grandfather,
21 Bruce Wright. And Jordan made remarks that were
22 way more hasty than he usually would be, and he's
23 like, "Look, I got to get home to Mom, I got to
24 make sure I get home and make sure she's good."

25 And his love for her shone through

1 in that moment, and it is always shining through.
2 So I just wanted to make sure that, you know, I
3 took this moment in time to recognize Ms. Wright.

4 And to the Wright family, we see
5 you, we care for you, we're here for you, and we
6 proudly celebrate her legacy.

7 And I vote aye on the resolution,
8 Madam President. Thank you.

9 ACTING PRESIDENT PERSAUD: Thank
10 you.

11 Senator Bottcher on the resolution.

12 SENATOR BOTTCHER: Thank you,
13 Madam President.

14 I also wanted to speak on this
15 resolution because although I didn't have the
16 honor of meeting Mrs. Wright, I've over the
17 course of my years in government had the honor of
18 knowing the Wright family: Jordan, his father
19 Keith. And she did a phenomenal job raising
20 Jordan Wright.

21 And her family has shown so much
22 strength during this time, so much courage. I've
23 been at events with Jordan and his father where
24 people have asked them, How she's doing, how's
25 your mom doing, how's your wife doing? And she

1 wasn't doing well. And the strength that they
2 demonstrated throughout is just so admirable.

3 So my -- we're sending you love and
4 light during this difficult time.

5 Thank you very much.

6 ACTING PRESIDENT BAILEY: To our
7 guest, Assemblymember Jordan Wright, may you
8 continue to live the legacy of your mother,
9 Susan, and of the Wright family.

10 We recognize, we mourn her loss.
11 Please rise and be recognized at this time.

12 (Extended standing ovation.)

13 ACTING PRESIDENT BAILEY: The
14 resolution was adopted on June 2nd.

15 Senator Gianaris.

16 SENATOR GIANARIS: Mr. President,
17 there's a report of the Rules Committee at the
18 desk. Can we take that up, please.

19 ACTING PRESIDENT BAILEY: The
20 Secretary will read.

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

24 Senate Print 14A, by
25 Senator Skoufis, an act to amend the Highway Law;

1 Senate Print 40C, by
2 Senator Walczyk, an act to amend the Highway Law;
3 Senate Print 1058, by
4 Senator Serrano, an act to amend the
5 Multiple Dwelling Law;
6 Senate Print 1169B, by
7 Senator Gonzalez, an act to amend the
8 Civil Rights Law;
9 Senate Print 1330A, by
10 Senator Parker, an act to amend the
11 Public Service Law;
12 Senate Print 1422A, by Senator Liu,
13 an act to amend the General Business Law;
14 Senate Print 1679, by
15 Senator Rolison, an act to amend the
16 Criminal Procedure Law;
17 Senate Print 4466A, by
18 Senator Mayer, an act to amend the
19 Civil Rights Law;
20 Senate Print 4468C, by
21 Senator Mayer, an act to amend the
22 Workers' Compensation Law;
23 Senate Print 4602B, by
24 Senator Gounardes, an act to amend the
25 Election Law;

1 Senate Print 4725A, by
2 Senator Skoufis, an act in relation to
3 authorizing Michael Winston Hoard, the widower of
4 Kathy Marie Dwyer-Hoard, to file a new service
5 retirement application;

6 Senate Print 4927B, by
7 Senator Ramos, an act to amend the
8 General Business Law;

9 Senate Print 5510, by
10 Senator Parker, an act to require the New York
11 State Energy Research and Development Authority
12 to develop recommendations regarding the
13 establishment of microgrids;

14 Senate Print 5936A, by
15 Senator Harckham, an act to amend the
16 Environmental Conservation Law;

17 Senate Print 6048A, by
18 Senator Skoufis, an act to authorize
19 Susan Gillinder, the widow of Robert C. Ritchie,
20 to file a new service retirement application;

21 Senate Print 6130A, by
22 Senator Cooney, an act to amend the
23 Executive Law;

24 Senate Print 6319B, by
25 Senator Myrie, an act to amend the

1 Criminal Procedure Law;

2 Senate Print 6845B, by
3 Senator Krueger, an act to amend the
4 General Business Law;

5 Senate Print 7136, by
6 Senator Skoufis, an act to amend the
7 Education Law;

8 Senate Print 7327A, by
9 Senator Brouk, an act to amend the
10 Criminal Procedure Law;

11 Senate Print 7491B, by
12 Senator Brisport, an act to amend the
13 Civil Practice Law and Rules;

14 Senate Print 7529, by
15 Senator Scarcella-Spanton, an act to amend the
16 Retirement and Social Security Law;

17 Senate Print 7544B, by
18 Senator Brouk, an act to amend the
19 Public Health Law;

20 Senate Print 7602B, by
21 Senator Walczyk, an act to amend the Highway Law;

22 Senate Print 7638B, by
23 Senator Hinchey, an act to amend the
24 General Municipal Law;

25 Senate Print 7817A, by

1 Senator Baskin, an act to authorize the widow of
2 William James Middlebrooks to file a retirement
3 option election form;

4 Senate Print 7835A, by
5 Senator Skoufis, an act to amend the Highway Law;

6 Senate Print 7908B, by
7 Senator Gounardes, an act to amend the
8 Racing, Pari-Mutuel Wagering and Breeding Law;

9 Senate Print 7970A, by Senator Fahy,
10 an act to amend the Environmental Conservation
11 Law;

12 Senate Print 8026A, by
13 Senator Gonzalez, an act to amend the
14 Social Services Law;

15 Senate Print 8211B, by
16 Senator Addabbo, an act to amend the
17 Agriculture and Markets Law;

18 Senate Print 8451B, by Senator Fahy,
19 an act to amend the General Business Law;

20 Senate Print 8473, by Senator Mayer,
21 an act directing the Department of Health to
22 contract with a qualified entity for a
23 feasibility study;

24 Senate Print 8583C, by
25 Senator Kavanagh, an act to amend the

1 Insurance Law;
2 Senate Print 8688A, by
3 Senator Cleare, an act to amend the
4 Administrative Code of the City of New York;
5 Senate Print 8717, by
6 Senator Hinchey, an act to amend the
7 Public Authorities Law;
8 Senate Print 8746, by
9 Senator Cooney, an act to amend the Tax Law;
10 Senate Print 8844A, by
11 Senator Martinez, an act to amend the
12 Highway Law;
13 Senate Print 8864A, by
14 Senator Martinez, an act to amend the
15 Highway Law;
16 Senate Print 9034B, by
17 Senator Stavisky, an act to amend the
18 Education Law;
19 Senate Print 9088A, by
20 Senator Gonzalez, an act to amend the
21 General Business Law;
22 Senate Print 9093, by
23 Senator Fernandez, an act to amend the
24 Mental Hygiene Law;
25 Senate Print 9100A, by

1 Senator Harckham, an act in relation to
2 authorizing Tina Russo to receive a recalculation
3 of her retirement benefit;

4 Senate Print 9108, by Senator Ortt,
5 an act in relation to authorizing the Town of
6 Niagara to alienate and discontinue the use of
7 certain parklands;

8 Senate Print 9133, by Senator May,
9 an act to amend the Real Property Law;

10 Senate Print 9184A, by Senator Ryan,
11 an act to amend the Criminal Procedure Law;

12 Senate Print 9250, by
13 Senator Hinchey, an act in relation to
14 authorizing Janay M. Gasparini to take the
15 competitive civil service examination;

16 Senate Print 9263A, by
17 Senator Jackson, an act to amend the
18 Public Service Law;

19 Senate Print 9328, by Senator Fahy,
20 an act to amend the Criminal Procedure Law;

21 Senate Print 9338A, by
22 Senator Gianaris, an act to amend the Penal Law;

23 Senate Print 9429, by Senator Myrie,
24 an act to amend the Arts and Cultural Affairs
25 Law;

1 Senate Print 9446A, by
2 Senator Harckham, an act to amend the
3 Highway Law;

4 Senate Print 9451, by Senator Fahy,
5 an act granting retroactive Tier IV membership in
6 the New York State and Local Employees' Retirement
7 System to Katie Adamek;

8 Senate Print 9527, by Senator Webb,
9 an act to amend the Vehicle and Traffic Law;

10 Senate Print 9546A, by
11 Senator Sutton, an act to amend the
12 General Business Law;

13 Senate Print 9565A, by
14 Senator Bailey, an act to amend the
15 Education Law;

16 Senate Print 9567B, by Senator Ryan,
17 an act to amend the General Business Law;

18 Senate Print 9620A, by
19 Senator Scarcella-Spanton, an act to amend the
20 Public Health Law;

21 Senate Print 9685, by Senator Fahy,
22 an act to amend the Arts and Cultural Affairs
23 Law;

24 Senate Print 9877, by Senator Myrie,
25 an act to amend Chapter 455 of the Laws of 1997;

1 Senate Print 9878A, by
2 Senator Baskin, an act to amend the Highway Law;
3 Senate Print 9891B, by
4 Senator Sanders, an act to amend the Banking Law;
5 Senate Print 9930B, by
6 Senator Sutton, an act to amend the
7 Public Health Law;
8 Senate Print 9949A, by
9 Senator Martinez, an act to amend the
10 Highway Law;
11 Senate Print 10010, by
12 Senator Skoufis, an act to amend the
13 Facilities Development Corporation Act;
14 Senate Print 10022, by
15 Senator Martinez, an act to amend the
16 Vehicle and Traffic Law;
17 Senate Print 10028, by
18 Senator Walczyk, an act to amend the
19 Not-for-Profit Corporation Law;
20 Senate Print 10077, by
21 Senator Harckham, an act to amend the
22 General Municipal Law;
23 Senate Print 10161, by
24 Senator Martinez, an act in relation to
25 authorizing and directing the conveyance of a

1 conservation easement;

2 Senate Print 10181, by
3 Senator Harckham, an act establishing the
4 Birch Hill Highview Water District;

5 Senate Print 10185, by Senator May,
6 an act to authorize the Town of Aurelius to
7 continue the use of an existing water district
8 capital reserve fund;

9 Senate Print 10199, by
10 Senator Kavanagh, an act to amend the
11 Multiple Dwelling Law;

12 Senate Print 10240, by
13 Senator Harckham, an act in relation to
14 authorizing Larry Mendel to receive his 30 years
15 of service credit;

16 Senate Print 10261, by Senator Webb,
17 an act to amend the General Municipal Law;

18 Senate Print 10275, by
19 Senator Martinez, an act to amend the
20 Navigation Law;

21 Senate Print 10276A, by
22 Senator Weber, an act to amend the Town Law;

23 Senate Print 10283, by Senator Webb,
24 an act authorizing the County of Cortland to
25 transfer ownership of Linear Park to Lime Hollow

1 Nature Center, Inc.;

2 Senate Print 10302, by
3 Senator Harckham, an act authorizing Breanne M.
4 Smith to receive a refund of certain accumulated
5 contributions paid to the New York State and
6 Local Employees' Retirement System;

7 Senate Print 10337, by Senator Ryan,
8 an act to amend the Not-for-Profit Corporation
9 Law;

10 Senate Print 10339, by
11 Senator Rivera, an act in relation to authorizing
12 the Commissioner of General Services to provide
13 compensation to Catholic Guardian Services for
14 certain expenses;

15 Senate Print 10344, by
16 Senator Bailey, an act to amend the
17 Insurance Law;

18 Senate Print 10365, by Senator Liu,
19 an act to amend the Real Property Tax Law;

20 Senate Print 10377, by
21 Senator Serrano, an act to amend the
22 Alcoholic Beverage Control Law;

23 Senate Print 10384, by Senator Fahy,
24 an act to amend the Highway Law;

25 Senate Print 10550, by Senator Weik,

1 an act authorizing the Church of Pentecost, USA,
2 Inc., to receive retroactive real property
3 tax-exempt status;

4 Senate Print 10551, by Senator Stec,
5 an act to amend the Alcoholic Beverage Control
6 Law;

7 Senate Print 10558, by
8 Senator Stewart-Cousins, an act to amend
9 Chapter 573 of the Laws of 2025;

10 Senate Print 10559A, by
11 Senator Kavanagh, an act to amend the
12 Alcoholic Beverage Control Law;

13 Senate Print 10596, by
14 Senator Martinez, an act to amend the
15 Public Authorities Law;

16 Senate Print 10598, by
17 Senator Martinez, an act to amend the
18 Highway Law;

19 Senate Print 10601, by
20 Senator Rolison, an act to amend the
21 Alcoholic Beverage Control Law;

22 Senate Print 10637A, by
23 Senator Stewart-Cousins, Concurrent Resolution of
24 the Senate and Assembly proposing an amendment to
25 Sections 4 and 5-b of Article 3 of the

1 Constitution.

2 All bills report directly to third
3 reading.

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

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

9 (Response of "Aye.")

10 ACTING PRESIDENT BAILEY: Opposed,
11 nay.

12 (No response.)

13 ACTING PRESIDENT BAILEY: The
14 report of the Rules Committee is accepted.

15 Senator Gianaris.

16 SENATOR GIANARIS: At this time,
17 Mr. President, let's take up the reading of the
18 calendar.

19 ACTING PRESIDENT BAILEY: The
20 Secretary will read.

21 THE SECRETARY: Calendar Number
22 184, Senate Print 6985A, by Senator May, an act
23 to amend the General Business Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 184, voting in the negative are
11 Senators Borrello, Chan, Helming, Ortt and
12 Walczyk. Also Senator Griffo.

13 Ayes, 55. Nays, 6.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 432, Senate Print 6954B, by Senator Gounardes, an
18 act to amend the General Business Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 432, voting in the negative:
6 Senator Walczyk.

7 Ayes, 60. Nays, 1.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 494, Senate Print 7160A, by Senator Cleare, an
12 act to amend the Elder Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

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

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 556, Senate Print 1911C, by Senator Rivera, an
2 act to amend the Public Health Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 556, voting in the negative are
15 Senators Griffo, Ortt and Walczyk.

16 Ayes, 58. Nays, 3.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 560, Assembly Bill Number 2726A, by
21 Assemblymember Paulin, an act to amend the
22 Public Health Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect six months after it shall
2 have become a law.

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 578, Senate Print 5940, by Senator Skoufis, an
13 act to amend the Executive Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

19 ACTING PRESIDENT BAILEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: In relation to
23 Calendar 578, voting in the negative are
24 Senators Borrello, Helming, Palumbo, Walczyk and
25 Weik. Also Senator Martins.

1 Ayes, 55. Nays, 6.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 637, Senate Print 9433B, by Senator Parker, an
6 act to amend the Public Service Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

9 THE SECRETARY: Section 2. This
10 act shall take effect January 1, 2027.

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 651, Assembly Bill Number 10344, by
21 Assemblymember Kay, an act to amend Chapter 63 of
22 the Laws of 2021.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 651, voting in the negative are
9 Senators Borrello and Ortt.

10 Ayes, 59. Nays, 2.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 702, Senate Print 5311, by Senator Bailey, an act
15 to amend the Insurance Law.

16 ACTING PRESIDENT BAILEY: Read the
17 last section.

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

20 ACTING PRESIDENT BAILEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce
24 the results.

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 706, Assembly Bill Number 10611A, by
5 Assemblymember Woerner, an act to amend the
6 Insurance Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 706, voting in the negative are
18 Senators Martinez and Skoufis.

19 Ayes, 59. Nays, 2.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 726, Senate Print 9239A, by Senator Cleare, an
24 act in relation to the Caregiver Coordinating
25 Commission.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 739, Assembly Bill Number 10350, by
15 Assemblymember Powers, an act to amend
16 Chapter 274 of the Laws of 2010.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 740, Senate Print 9635, by Senator Harckham, an
6 act to amend the Environmental Conservation Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 740, voting in the negative are
19 Senators Ashby, Borrello, Gallivan, Griffio,
20 Oberacker, Ortt, Stec, Walczyk, Weber and Weik.

21 Ayes, 51. Nays, 10.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 753, Assembly Bill Number 8695, by

1 Assemblymember Rajkumar, an act to amend the
2 Civil Practice Law and Rules.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 753, voting in the negative are
14 Senators Martinez and Walczyk.

15 Ayes, 59. Nays, 2.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 There's a substitution at the desk.

19 The Secretary will read.

20 THE SECRETARY: Senator Sanders
21 moves to discharge, from the Committee on Rules,
22 Assembly Bill Number 7849C and substitute it for
23 the identical Senate Bill 6952C, Third Reading
24 Calendar 779.

25 ACTING PRESIDENT BAILEY:

1 Substitution so ordered.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 779, Assembly Bill Number 7849C, by
5 Assemblymember Anderson, an act to amend the
6 Highway Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 779, voting in the negative:
18 Senator Brisport.

19 Ayes, 60. Nays, 1.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 837, Assembly Bill Number 8939A, by
24 Assemblymember Paulin, an act to amend the
25 General Business Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect on the 30th day after it
5 shall have become a law.

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT BAILEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 886, Assembly Bill Number 10279A, by
16 Assemblymember Weprin, an act to amend the
17 Insurance Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

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

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Senator

1 Skoufis to explain his vote.

2 SENATOR SKOUFIS: Thank you very
3 much, Mr. President, for allowing me to interrupt
4 our proceedings for a moment.

5 Almost a year ago, on
6 National Widows Day, I had a constituent by the
7 name of Michele Gregorio reach out to my office
8 to discuss something that my staff and I had
9 never heard of, something called a "widow's
10 penalty."

11 And she reached out after 12 years.
12 Her husband had passed away 12 years prior. She
13 reached out because she felt that at some point
14 she needed to stop complaining and actually reach
15 out and try and fix this problem, this situation
16 that had occurred to her. And that was that
17 after her husband passed away, her insurance
18 agent advised her that using whatever actuarial
19 table that her carrier used, her rates were going
20 to go up as a result of simply being a widow.

21 And as anyone here can imagine and
22 either sympathize or empathize with, this is one
23 of the most heartbreaking moments of any
24 individual's existence, losing their loved one
25 that they are married to.

1 And certainly, of course, after
2 losing your spouse you still have to pay your
3 mortgage bills, you still have to pay your
4 electric bills, you still have to pay all the
5 bills associated with your livelihood, and they
6 don't increase as a result of being a widow, but
7 in her case and untold others' cases, they had to
8 pay higher insurance premiums as a result of
9 their deep and profound loss.

10 And so working with insurance
11 stakeholders and colleagues -- including
12 Senator Bailey, chair of Insurance -- I'm
13 thrilled to advance this bill really in honor of
14 Michele Gregorio's family and her situation and
15 correct this for all future New Yorkers who lose
16 their loved one.

17 Thank you, Mr. President. I vote
18 yes.

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

21 Announce the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 Senator Gianaris.

1 SENATOR GIANARIS: Mr. President,
2 at this time there will be an immediate meeting,
3 a joint meeting of the Committees on Finance,
4 Transportation and Corporations, in Room 124.

5 ACTING PRESIDENT BAILEY: There
6 will be an immediate joint meeting of the
7 Finance, Corporations and Transportation
8 committees in Room 124.

9 SENATOR GIANARIS: Let's continue
10 with the active list, please.

11 ACTING PRESIDENT BAILEY: The
12 Secretary will read.

13 THE SECRETARY: Calendar Number
14 887, Assembly Bill Number 10443A, by
15 Assemblymember Weprin, an act to amend the
16 Insurance Law.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 888, Assembly Bill Number 10987, by
6 Assemblymember Hunter, an act to amend the
7 Insurance Law.

8 ACTING PRESIDENT BAILEY: Read the
9 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 889, Senate Print Number 5710A, by
22 Assemblymember Solages, an act to amend the
23 Insurance Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

1 THE SECRETARY: Section 2. This
2 act shall take effect on the 30th day after it
3 shall have become a law.

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 890, Senate Print 6263, by Senator Griffo, an act
11 to amend the Private Housing Finance Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the 60th day after it
16 shall have become a law.

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 919, Senate Print 9894, by Senator Krueger,
2 an act to amend the Civil Practice Law and Rules.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

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

7 ACTING PRESIDENT BAILEY: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BAILEY: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 919, voting in the negative are
14 Senators Ashby, Canzoneri-Fitzpatrick, Lanza,
15 Martins, Palumbo, Rhoads, Stec and Weik.

16 Ayes, 53. Nays, 8.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 946, Assembly Bill Number 10633, by
21 Assemblymember Hunter, an act to amend the
22 Environmental Conservation Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 946, voting in the negative are
9 Senators Brisport and Martinez.

10 Ayes, 59. Nays, 2.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 947, Assembly Bill Number 10692, by
15 Assemblymember Schiavoni, an act to amend the
16 Environmental Conservation Law.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar 947, voting in the negative are
3 Senators Ortt and Skoufis.

4 Ayes, 59. Nays, 2.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 948, Assembly Bill Number 10936, by
9 Assemblymember Glick, an act to amend the
10 Environmental Conservation Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

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

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 948, voting in the negative are
22 Senators Borrello, Gallivan, Murray, Ortt,
23 Rhoads, Ryan, Tedisco, Walczyk and Weik. Also
24 Senator Griffo.

25 Ayes, 51. Nays, 10.

1 ACTING PRESIDENT BAILEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 949, Assembly Bill Number 11373, by
5 Assemblymember Kassay, an act to amend
6 Chapter 378 of the Laws of 2014.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 950, Assembly Bill Number 11167, by
21 Assemblymember Alvarez, an act to amend the
22 Environmental Conservation Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 950, voting in the negative:
9 Senator Skoufis.

10 Ayes, 60. Nays, 1.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 952, Assembly Bill Number 11168, by
15 Assemblymember Hooks, an act to amend the
16 Environmental Conservation Law.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar 952, voting in the negative:
3 Senator Skoufis.

4 Ayes, 60. Nays, 1.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 956, Assembly Bill Number 11443, by
9 Assemblymember Glick, an act to amend the
10 Environmental Conservation Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

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

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT BAILEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 986, Senate Print 9759, by Senator Gianaris, an
25 act to amend the Labor Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

3 THE SECRETARY: Section 4. This
4 act shall take effect on the 30th day after it
5 shall have become a law.

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 986, voting in the negative are
13 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
14 Chan, Griffo, Lanza, Martins, Mattera, Murray,
15 Oberacker, Ortt, Rhoads, Rolison, Stec, Tedisco,
16 Walczyk, Weber and Weik.

17 Ayes, 43. Nays, 18.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1002, Senate Print 10070, by Senator Fahy, an act
22 to amend the Social Services Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 1002, voting in the negative:
9 Senator Martinez.

10 Ayes, 60. Nays, 1.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1046, Senate Print 2438A, by Senator Gianaris, an
15 act to amend the Public Health Law.

16 ACTING PRESIDENT BAILEY: Read the
17 last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar 1046, voting in the negative:
3 Senator Walczyk.

4 Ayes, 60. Nays, 1.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1085, Senate Print 9979, by Senator Skoufis, an
9 act to amend the Alcoholic Beverage Control Law.

10 ACTING PRESIDENT BAILEY: Read the
11 last section.

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

14 ACTING PRESIDENT BAILEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BAILEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1109, Assembly Bill Number 7875, by
24 Assemblymember Gallagher, an act to amend the
25 General Business Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

5 ACTING PRESIDENT BAILEY: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BAILEY: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1109, voting in the negative:
12 Senator Walczyk.

13 Ayes, 60. Nays, 1.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1128, Senate Print 10017, by Senator Bailey, an
18 act to amend the Insurance Law.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1193, Senate Print 1087, by Senator Mayer, an act
8 to amend the Election Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 1193, voting in the negative are
20 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
21 Chan, Griffo, Lanza, Martins, Murray, Oberacker,
22 Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco,
23 Walczyk, Weber and Weik.

24 Ayes, 43. Nays, 18.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1209, Senate Print 7367A, by Senator Stavisky, an
4 act to amend the Education Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

7 THE SECRETARY: Section 2. This
8 act shall take effect on the first of July.

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce
13 the results.

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1215, Assembly Bill Number 10351, by
19 Assemblymember Lupardo, an act to amend the
20 Civil Service Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

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

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1223, Senate Print 7645, by Senator Fahy, an act
10 to amend the Public Authorities Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

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

15 ACTING PRESIDENT BAILEY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BAILEY: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 1223, voting in the negative:
22 Senator Skoufis.

23 Ayes, 60. Nays, 1.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1227, Assembly Bill Number 8742, by
3 Assemblymember Lunsford, an act to amend the
4 Business Corporation Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

7 THE SECRETARY: Section 6. This
8 act shall take effect on the 30th day after it
9 shall have become a law.

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1227, voting in the negative:
17 Senator Walczyk.

18 Ayes, 60. Nays, 1.

19 ACTING PRESIDENT BAILEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1229, Senate Print 10176, by Senator Gallivan, an
23 act to amend the Not-For-Profit Corporation Law.

24 ACTING PRESIDENT BAILEY: Read the
25 last section.

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

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 1229, voting in the negative:
10 Senator Skoufis.

11 Ayes, 60. Nays, 1.

12 ACTING PRESIDENT BAILEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1241, Senate Print 10097A, by Senator Parker, an
16 act to amend the Public Health Law.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

19 THE SECRETARY: Section 5. This
20 act shall take effect on the 180th day after it
21 shall have become a law.

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 1241, voting in the negative are
4 Senators Gallivan, Griffio, Helming, Martinez,
5 Murray, Oberacker, Ortt, Rhoads, Rolison, Stec,
6 Tedisco, Walczyk, Weber and Weik -- Senator Ryan.

7 In relation to Calendar 1241, voting
8 in the negative: Senators Gallivan, Griffio,
9 Helming, Martinez, Murray, Oberacker, Ortt,
10 Rhoads, Ryan, Stec, Tedisco, Walczyk, Weber and
11 Weik.

12 Ayes, 47. Nays, 14.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1255, Senate Print 10170, by Senator Cleare, in
17 relation to directing the State Board of
18 Real Property Tax Services to conduct a study on
19 the feasibility of property tax revisions.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

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

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1257, Senate Print 10203, by Senator Bynoe, in
7 relation to authorizing the County of Nassau
8 assessor to accept an application for a real
9 property tax exemption.

10 SENATOR GIANARIS: Lay it aside for
11 the day.

12 ACTING PRESIDENT BAILEY: The bill
13 will be laid aside for the day.

14 THE SECRETARY: Calendar Number
15 1270, Senate Print 8453, by Senator Rhoads, an
16 act to amend the Highway Law.

17 ACTING PRESIDENT BAILEY: Read the
18 last section.

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

21 ACTING PRESIDENT BAILEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BAILEY: Announce
25 the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT BAILEY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1276, Senate Print 9431, by Senator Cooney, an
6 act to amend the Vehicle and Traffic Law.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

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

12 ACTING PRESIDENT BAILEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BAILEY: Announce
16 the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1278, Senate Print 9749, by Senator Cooney, an
22 act to amend the Highway Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 180th day after it
2 shall have become a law.

3 ACTING PRESIDENT BAILEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BAILEY: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 1278, voting in the negative are
10 Senators Borrello, Griffo, Walczyk, Weber and
11 Weik. Also Senator Oberacker.

12 Ayes, 55. Nays, 6.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1280, Print 9752, by Senator Cooney, an act to
17 amend the Vehicle and Traffic Law.

18 SENATOR GIANARIS: Lay it aside for
19 the day.

20 ACTING PRESIDENT BAILEY: Lay it
21 aside for the day.

22 There's a substitution at the desk.

23 The Secretary will read.

24 THE SECRETARY: Senator Hinchey
25 moves to discharge, from the Committee on Rules,

1 Assembly Bill Number 9609 and substitute it for
2 the identical Senate Bill 9592, Third Reading
3 Calendar 1293.

4 ACTING PRESIDENT BAILEY:
5 Substitution so ordered.

6 The Secretary will read.

7 THE SECRETARY: Calendar Number
8 1293, Assembly Bill Number 9609, by
9 Assemblymember Paulin, an act to amend the
10 Workers' Compensation Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

13 THE SECRETARY: Section 3. This
14 act shall take effect on the 60th day after it
15 shall have become a law.

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1324, Senate Print 9269, by Senator Krueger, an

1 act to amend the General Business Law.

2 SENATOR LANZA: Lay it aside.

3 THE SECRETARY: Calendar Number
4 1335, Senate Print 247, by Senator Persaud, an
5 act to amend the Education Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

8 THE SECRETARY: Section 2. This
9 act shall take effect 18 months after it shall
10 have become a law.

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 1335, voting in the negative:
18 Senator Walczyk.

19 Ayes, 60. Nays, 1.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1336, Senate Print 519, by Senator Persaud, an
24 act to amend the Education Law.

25 ACTING PRESIDENT BAILEY: Read the

1 last section.

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

4 ACTING PRESIDENT BAILEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BAILEY: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 1336, voting in the negative are
11 Senators Chan, Lanza and Ortt.

12 Ayes, 58. Nays 3.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1338, Senate Print 704A, by Senator Krueger, an
17 act to amend the General Business Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

20 THE SECRETARY: Section 4. This
21 act shall take effect September 1, 2026.

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar 1338, voting in the negative:
4 Senator Walczyk.

5 Ayes, 60. Nays, 1.

6 ACTING PRESIDENT BAILEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1359, Senate Print 5494A, by Senator Bynoe, an
10 act to amend the Education Law.

11 ACTING PRESIDENT BAILEY: Read the
12 last section.

13 THE SECRETARY: Section 4. This
14 act shall take effect on the 90th day after it
15 shall have become a law.

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1359, voting in the negative are
23 Senators Ortt and Walczyk.

24 Ayes, 59. Nays, 2.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1361, Senate Print 6019, by Senator Baskin, an
4 act to repeal paragraph 2 of subsection (e-1) of
5 Section 606 of the Tax Law.

6 ACTING PRESIDENT BAILEY: Read the
7 last section.

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

10 ACTING PRESIDENT BAILEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BAILEY: Announce
14 the results.

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT BAILEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1366, Senate Print 7280, by Senator Martinez, an
20 act to amend the Insurance Law.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

23 THE SECRETARY: Section 4. This
24 act shall take effect on the same date and in the
25 same manner as Chapter 442 of the Laws of 2024.

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT BAILEY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1372, Senate Print 7951B, by Senator Mayer, an
11 act to amend the State Finance Law.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1372, voting in the negative are
23 Senators Canzoneri-Fitzpatrick, Griffo, Martins,
24 Ortt, Rhoads, Walczyk and Weik.

25 ACTING PRESIDENT BAILEY: Senator

1 Rhoads to explain his vote.

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

4 This legislation certainly is
5 well-intentioned, but I think part of the issue
6 that I certainly have is that the State
7 Department of Transportation creates these
8 plantings in various locations throughout my
9 district, and I know this occurs in several
10 districts -- they create these plantings and then
11 fail to maintain them.

12 And my concern with this piece of
13 legislation is that we're creating native
14 pollinator planting funds to plant these plants
15 along our highways, which just become sources of
16 aggravation for many of our local community
17 associations, civic associations, who I
18 continuously get phone calls from because the
19 State Department of Transportation is not
20 maintaining them.

21 They become unsightly, overgrown
22 messes. And so while this legislation may be
23 well-intentioned, the reality is until we do
24 something about holding the State Department of
25 Transportation accountable for maintaining these

1 plantings that they put in, I don't think we
2 should be adding to the problem.

3 So thank you, Mr. President. I'll
4 be voting no.

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

7 Announce the results.

8 THE SECRETARY: In relation to
9 Calendar 1372, voting in the negative are
10 Senators Canzoneri-Fitzpatrick, Griffo, Martins,
11 Ortt, Rhoads, Walczyk and Weik.

12 Ayes, 54. Nays, 7.

13 ACTING PRESIDENT BAILEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1375, Senate Print 8252C, by Senator Gianaris, an
17 act to amend the General Business Law.

18 ACTING PRESIDENT BAILEY: Read the
19 last section.

20 THE SECRETARY: Section 29. This
21 act shall take effect immediately.

22 ACTING PRESIDENT BAILEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BAILEY: Announce

1 the results.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1376, Assembly Bill Number 8840A, by
7 Assemblymember Hooks, an act to amend the
8 Correction Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Senator
17 Salazar to explain her vote.

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

20 We recently have seen numerous
21 incidents where state prisons are forcing women
22 who are menstruating to remove their tampons or
23 pads from their bodies if they want to visit
24 their incarcerated loved ones.

25 This is of course a humiliating and

1 discriminatory practice that essentially forces
2 New Yorkers either to bleed through their clothes
3 until they're given an opportunity to use a
4 menstrual product again or forgo visitation
5 altogether. There's no justification for this.

6 These incidents make it clear that
7 Department of Corrections does not currently have
8 sufficient policies in place to protect against
9 the discriminatory treatment of women on the
10 basis of their sex. And this bill would prohibit
11 this practice.

12 It would prohibit state and local
13 correctional facilities from denying entry or
14 denying contact visits to visitors on the sole
15 basis that they are using menstrual products or
16 have an internal contraceptive device, known as
17 an IUD.

18 For more than a year now, my office
19 has received dozens of complaints from
20 New Yorkers who have been denied the ability to
21 visit their loved ones in state prisons solely
22 due to erroneous body scans. In several
23 documented cases, period products that appear in
24 the body scans were falsely identified as
25 contraband.

1 And while no evidence of contraband
2 was otherwise found, these individuals were
3 barred from visitation or required to remove the
4 menstrual product for no reason other than a
5 security personnel's interpretation of the body
6 scan. In many of these cases the individuals
7 reasonably requested to be subject to alternative
8 search methods to prove that they didn't have
9 contraband, but security personnel refused.

10 By passing this bill today we can
11 end this deeply disturbing pattern of treating
12 civilian visitors in a degrading way while still
13 prioritizing security in prisons or jails.

14 I vote aye.

15 ACTING PRESIDENT BAILEY: Senator
16 Salazar to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: In relation to
19 Calendar 1376, voting in the negative are
20 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
21 Chan, Gallivan, Griffo, Helming, Lanza, Martins,
22 Murray, Oberacker, Ortt, Palumbo, Rhoads,
23 Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

24 Ayes, 21. Nays, 20.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1377, Senate Print 8363A, by Senator Fernandez,
4 an act to amend the Mental Hygiene Law.

5 ACTING PRESIDENT BAILEY: Read the
6 last section.

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

9 ACTING PRESIDENT BAILEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BAILEY: Announce
13 the results.

14 THE SECRETARY: In relation to
15 Calendar 1377, voting in the negative:
16 Senator Walczyk.

17 Ayes, 60. Nays, 1.

18 ACTING PRESIDENT BAILEY: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1378, Senate Print 8457, by Senator Cooney, an
22 act to amend the Insurance Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 9. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1379, Senate Print 8541, by Senator Webb, an act
12 to amend the Social Services Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

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

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Senator
21 Webb to explain her vote.

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

24 One of the many things that we
25 continue to work on in this chamber is improving

1 access to maternal healthcare for our expectant
2 mothers. And at the same time, we know that
3 there are significant barriers that continue to
4 persist. We know that everyone always hopes for
5 a smooth and healthy pregnancy. And
6 unfortunately, there are many potential
7 complications throughout this very important
8 physical process that can arise.

9 What this bill will do is that it
10 will require Medicaid to automatically authorize
11 coverage for blood pressure monitors without a
12 prescription for individuals who are pregnant.

13 High blood pressure may begin prior
14 to pregnancy, or it can develop during the
15 pregnancy. High blood pressure in pregnant
16 individuals can cause several health
17 complications, including chronic hypertension and
18 preeclampsia.

19 Now, folks may have heard of this
20 term "preeclampsia" before. Preeclampsia is a
21 type of high blood pressure that generally
22 develops during pregnancy and can damage the
23 organ systems -- typically, the liver or the
24 kidneys -- during pregnancy.

25 At the same time, preeclampsia

1 disproportionately impacts Black women. Black
2 women are 60 percent more likely to develop
3 preeclampsia than white women.

4 This is an easily addressed issue.
5 By facilitating easier access to at-home
6 blood-pressure monitors, we can help expecting
7 parents to identify high-blood-pressure
8 conditions early on, which will allow for more
9 prompt treatment and reduce risk of complications
10 during delivery.

11 Currently in New York, Medicaid
12 provides up to \$50 in coverage for blood-pressure
13 cuffs and devices, but only if ordered by a
14 qualified practitioner as part of a comprehensive
15 treatment plan that requires monitoring and
16 recording of blood-pressure readings at home.
17 This creates unnecessary barriers to access.

18 In addition to the problems for
19 coverage requirements, it is also very concerning
20 that none of the devices covered by Medicaid are
21 validated by the American Medical Association,
22 that damaged devices and cuffs are not being
23 replaced, and that larger cuffs are not covered.

24 Most concerning, the devices that
25 have been proven to be more beneficial to

1 pregnant and postpartum individuals are not
2 covered at all by Medicaid.

3 This bill will help to fix this. It
4 will require Medicaid to automatically authorize
5 coverage for blood-pressure monitors without a
6 prescription for individuals who are pregnant.

7 I would also like to thank the
8 Assembly sponsor, Assemblymember Jackson, for her
9 advocacy on this very commonsense bill. I
10 proudly vote aye, and I encourage my colleagues
11 to do the same.

12 Thank you, Mr. President.

13 ACTING PRESIDENT BAILEY: Senator
14 Webb to be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT BAILEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1380, Senate Print 8580A, by Senator Skoufis, an
21 act to amend the General Business Law.

22 ACTING PRESIDENT BAILEY: Read the
23 last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar 1380, voting in the negative:
8 Senator Ortt.

9 Ayes, 60. Nays, 1.

10 ACTING PRESIDENT BAILEY: The bill
11 is passed.

12 There's a substitution at the desk.

13 The Secretary will read.

14 THE SECRETARY: Senator Gounardes
15 moves to discharge, from the Committee on Rules,
16 Assembly Bill Number 9245A and substitute it for
17 the identical Senate Bill 8587A, Third Reading
18 Calendar 1381.

19 ACTING PRESIDENT BAILEY: The
20 substitution is so ordered.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 1381, Assembly Bill Number 9245A, by
24 Assemblymember Rosenthal, an act to amend the
25 Public Health Law.

1 ACTING PRESIDENT BAILEY: Read the
2 last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 1381, voting in the negative:
13 Senator Walczyk.

14 Ayes, 60. Nays, 1.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1382, Senate Print 8592A, by Senator Sutton, an
19 act to amend the Insurance Law.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

22 THE SECRETARY: Section 4. This
23 act shall take effect on the 90th day after it
24 shall have become a law.

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 1382, voting in the negative:
7 Senator Walczyk.

8 Ayes, 60. Nays, 1.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1383, Senate Print 8598A, by Senator Ramos, an
13 act to amend the General Business Law.

14 SENATOR LANZA: Lay it aside.

15 ACTING PRESIDENT BAILEY: Lay it
16 aside.

17 THE SECRETARY: Calendar Number
18 1384, Senate Print 8637, by Senator Fernandez, an
19 act to amend the State Finance Law.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT BAILEY: Announce
3 the results.
4 THE SECRETARY: Ayes, 61.
5 ACTING PRESIDENT BAILEY: The bill
6 is passed.
7 There's a substitution at the desk.
8 The Secretary will read.
9 THE SECRETARY: Senator Hinchey
10 moves to discharge, from the Committee on Rules,
11 Assembly Bill Number 9026A and substitute it for
12 the identical Senate Bill 8701A, Third Reading
13 Calendar 1385.
14 ACTING PRESIDENT BAILEY:
15 Substitution so ordered.
16 The Secretary will read.
17 THE SECRETARY: Calendar Number
18 1385, Assembly Bill Number 9026A, by
19 Assemblymember Torres, an act to amend the
20 Agriculture and Markets Law.
21 ACTING PRESIDENT BAILEY: Read the
22 last section.
23 THE SECRETARY: Section 3. This
24 act shall take effect immediately.
25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 1385, voting in the negative:
7 Senator Ortt.

8 Ayes, 60. Nays, 1.

9 ACTING PRESIDENT BAILEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1391, Senate Print 9024, by Senator Gianaris, an
13 act to amend the Election Law.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 1391, voting in the negative are
25 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,

1 Chan, Gallivan, Griffo, Helming, Martins, Murray,
2 Oberacker, Ortt, Palumbo, Rhoads, Rolison, Stec,
3 Tedisco, Walczyk, Weber and Weik.

4 Ayes, 42. Nays, 19.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 There is a substitution at the desk.

8 The Secretary will read.

9 THE SECRETARY: Senator Hinchey
10 moves to discharge, from the Committee on Rules,
11 Assembly Bill Number 10052 and substitute it for
12 the identical Senate Bill 9041, Third Reading
13 Calendar 1392.

14 ACTING PRESIDENT BAILEY:
15 Substitution so ordered.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number
18 1392, Assembly Bill Number 10052, by
19 Assemblymember Shrestha, an act to amend
20 Chapter 443 of the Laws of 2006.

21 ACTING PRESIDENT BAILEY: Read the
22 last section.

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

25 ACTING PRESIDENT BAILEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BAILEY: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 1392, voting in the negative are
7 Senators Ashby, Canzoneri-Fitzpatrick, Chan,
8 Griffo, Helming, Lanza, Martinez, Martins, Ortt,
9 Palumbo, Rhoads, Skoufis, Stec, Tedisco and Weik.

10 Ayes, 46. Nays, 15.

11 ACTING PRESIDENT BAILEY: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1430, Senate Print 10118, by Senator Murray, an
15 act to amend the Town Law.

16 ACTING PRESIDENT BAILEY: Read the
17 last section.

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

20 ACTING PRESIDENT BAILEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BAILEY: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 1430, voting in the negative are
2 Senators Griffo, Ryan, Sepúlveda, Skoufis and
3 Weik.

4 Ayes, 56. Nays, 5.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1431, Senate Print 10134, by Senator Weber, an
9 act authorizing the Congregation Divrei Chaim to
10 receive retroactive real property tax-exempt
11 status.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1431, voting in the negative:
23 Senator Skoufis.

24 Ayes, 60. Nays, 1.

25 ACTING PRESIDENT BAILEY: The bill

1 is passed.

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

4 SENATOR GIANARIS: Let's move right
5 to the supplemental calendar, please.

6 ACTING PRESIDENT BAILEY: The
7 Secretary will read.

8 There are substitutions at the desk.

9 The Secretary will read.

10 THE SECRETARY: Senator Rolison
11 moves to discharge, from the Committee on Codes,
12 Assembly Bill Number 2020 and substitute it for
13 the identical Senate Bill 1679, Third Reading
14 Calendar 1610.

15 Senator Mayer moves to discharge,
16 from the Committee on Codes, Assembly Bill
17 Number 9195A and substitute it for the identical
18 Senate Bill 4466A, Third Reading Calendar 1611.

19 Senator Ramos moves to discharge,
20 from the Committee on Rules, Assembly Bill
21 Number 7376B and substitute it for the identical
22 Senate Bill 4927B, Third Reading Calendar 1615.

23 Senator Parker moves to discharge,
24 from the Committee on Rules, Assembly Bill
25 Number 1392 and substitute it for the identical

1 Senate Bill 5510, Third Reading Calendar 1616.

2 Senator Skoufis moves to discharge,
3 from the Committee on Rules, Assembly Bill
4 Number 6744 and substitute it for the identical
5 Senate Bill 7136, Third Reading Calendar 1622.

6 Senator Brouk moves to discharge,
7 from the Committee on Codes, Assembly Bill
8 Number 7345A and substitute it for the identical
9 Senate Bill 7327, Third Reading Calendar 1623.

10 Senator Brouk moves to discharge,
11 from the Committee on Rules, Assembly Bill
12 Number 1541B and substitute it for the identical
13 Senate Bill 7544B, Third Reading Calendar 1626.

14 Senator Hinchey moves to discharge,
15 from the Committee on Rules, Assembly Bill
16 Number 8091B and substitute it for the identical
17 Senate Bill 7638B, Third Reading Calendar 1628.

18 Senator Fahy moves to discharge,
19 from the Committee on Finance, Assembly Bill
20 Number 8617A and substitute it for the identical
21 Senate Bill 7970A, Third Reading Calendar 1632.

22 Senator Stavisky moves to discharge,
23 from the Committee on Rules, Assembly Bill
24 Number 10334A and substitute it for the identical
25 Senate Bill 9034B, Third Reading Calendar 1643.

1 Senator May moves to discharge, from
2 the Committee on Rules, Assembly Bill
3 Number 10102 and substitute it for the identical
4 Senate Bill 9133, Third Reading Calendar 1648.

5 Senator Ryan moves to discharge,
6 from the Committee on Rules, Assembly Bill
7 Number 10328A and substitute it for the identical
8 Senate Bill 9184A, Third Reading Calendar 1649.

9 Senator Jackson moves to discharge,
10 from the Committee on Rules, Assembly Bill
11 Number 10160A and substitute it for the identical
12 Senate Bill 9263A, Third Reading Calendar 1657.

13 Senator Fahy moves to discharge,
14 from the Committee on Rules, Assembly Bill
15 Number 10518 and substitute it for the identical
16 Senate Bill 9328, Third Reading Calendar 1652.

17 Senator Myrie moves to discharge,
18 from the Committee on Rules, Assembly Bill
19 Number 8904A and substitute it for the identical
20 Senate Bill 9429, Third Reading Calendar 1654.

21 Senator Harckham moves to discharge,
22 from the Committee on Rules, Assembly Bill
23 Number 10523A and substitute it for the identical
24 Senate Bill Number 9446A, Third Reading Calendar
25 1655.

1 Senator Webb moves to discharge,
2 from the Committee on Rules, Assembly Bill
3 Number 10455 and substitute it for the identical
4 Senate Bill 9527, Third Reading Calendar 1657.

5 Senator Scarcella-Spanton moves to
6 discharge, from the Committee on Rules,
7 Assembly Bill Number 10310B and substitute it for
8 the identical Senate Bill 9620A, Third Reading
9 Calendar 1661.

10 Senator Fahy moves to discharge,
11 from the Committee on Rules, Assembly Bill
12 Number 10653 and substitute it for the identical
13 Senate Bill 9685, Third Reading Calendar 1662.

14 Senator Myrie moves to discharge,
15 from the Committee on Rules, Assembly Bill
16 Number 10338 and substitute it for the identical
17 Senate Bill 9877, Third Reading Calendar 1663.

18 Senator Sutton moves to discharge,
19 from the Committee on Rules, Assembly Bill
20 Number 11146B and substitute it for the identical
21 Senate Bill 9330B, Third Reading Calendar 1666.

22 Senator Martinez moves to discharge,
23 from the Committee on Rules, Assembly Bill
24 Number 10341 and substitute it for the identical
25 Senate Bill 10161, Third Reading Calendar 1672.

1 Senator Webb moves to discharge,
2 from the Committee on Rules, Assembly Bill
3 Number 11296 and substitute it for the identical
4 Senate Bill 10261, Third Reading Calendar 1677.

5 Senator Martinez moves to discharge,
6 from the Committee on Rules, Assembly Bill
7 Number 11188 and substitute it for the identical
8 Senate Bill 10275, Third Reading Calendar 1678.

9 Senator Ryan moves to discharge,
10 from the Committee on Rules, Assembly Bill
11 Number 11297 and substitute it for the identical
12 Senate Bill 10337, Third Reading Calendar 1682.

13 Senator Bailey moves to discharge,
14 from the Committee on Rules, Assembly Bill
15 Number 11411 and substitute it for the identical
16 Senate Bill 10344, Third Reading Calendar 1684.

17 Senator Liu moves to discharge, from
18 the Committee on Rules, Assembly Bill
19 Number 11378 and substitute it for the identical
20 Senate Bill 10365, Third Reading Calendar 1685.

21 Senator Serrano moves to discharge,
22 from the Committee on Rules, Assembly Bill
23 Number 11348 and substitute it for the identical
24 Senate Bill 10377, Third Reading Calendar 1686.

25 Senator Stec moves to discharge,

1 from the Committee on Rules, Assembly Bill
2 Number 11472 and substitute it for the identical
3 Senate Bill 10551, Third Reading Calendar 1689.

4 Senator Stewart-Cousins moves to
5 discharge, from the Committee on Rules,
6 Assembly Bill Number 11476 and substitute it for
7 the identical Senate Bill 10558, Third Reading
8 Calendar 1690.

9 Senator Kavanagh moves to discharge,
10 from the Committee on Rules, Assembly Bill
11 Number 11457B and substitute it for the identical
12 Senate Bill 10559A, Third Reading Calendar 1691.

13 Senator Rolison moves to discharge,
14 from the Committee on Rules, Assembly Bill
15 Number 1934A and substitute it for the identical
16 Senate Bill 10601, Third Reading Calendar 1694.

17 ACTING PRESIDENT BAILEY:
18 Substitutions so ordered.

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 1604, Senate Print 14A, by Senator Skoufis, an
22 act to amend the Highway Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1605, Senate Print 40C, by Senator Walczyk, an
12 act to amend the Highway Law.

13 ACTING PRESIDENT BAILEY: Read the
14 last section.

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

17 ACTING PRESIDENT BAILEY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BAILEY: Announce
21 the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT BAILEY: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1606, Senate Print 1058, by Senator Serrano, an
2 act to amend the Multiple Dwelling Law.

3 ACTING PRESIDENT BAILEY: Read the
4 last section.

5 SENATOR LANZA: Lay it aside.

6 ACTING PRESIDENT BAILEY: Lay it
7 aside.

8 THE SECRETARY: Calendar Number
9 1608, Senate Print 1330A, by Senator Parker, an
10 act to amend the Public Service Law.

11 SENATOR LANZA: Lay it aside.

12 ACTING PRESIDENT BAILEY: Lay it
13 aside.

14 THE SECRETARY: Calendar Number
15 1609, Senate Print --

16 ACTING PRESIDENT BAILEY: Senator
17 Serrano.

18 SENATOR SERRANO: Mr. President,
19 let's temporarily stand at ease.

20 ACTING PRESIDENT BAILEY: The
21 Senate will temporarily stand at ease.

22 (Whereupon, the Senate stood at ease
23 at 5:31 p.m.)

24 (Whereupon, the Senate reconvened at
25 5:46 p.m.)

1 ACTING PRESIDENT BAILEY: The
2 Senate will return to order.

3 Senator Gianaris.

4 SENATOR GIANARIS: Mr. President,
5 while we continue to work through the
6 supplemental calendar, let's jump to
7 Calendar 1695 on the supplemental calendar,
8 please.

9 ACTING PRESIDENT BAILEY: The
10 Secretary will read.

11 THE SECRETARY: Calendar Number
12 1695, Senate Print 10637A, by
13 Senator Stewart-Cousins, Concurrent Resolution of
14 the Senate and Assembly proposing an amendment to
15 Section 4 and 5-b of Article 3 of the
16 Constitution.

17 SENATOR LANZA: Lay it aside.

18 ACTING PRESIDENT BAILEY: Lay it
19 aside.

20 SENATOR GIANARIS: Let's now take
21 that bill up on the controversial calendar,
22 please.

23 ACTING PRESIDENT BAILEY: The
24 Secretary will ring the bell.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1695, Senate Print Number 10637A, by
3 Senator Stewart-Cousins, Concurrent Resolution
4 of the Senate and Assembly proposing an amendment
5 to Section 4 and 5-b of Article 3 of the
6 Constitution.

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

9 SENATOR WALCZYK: Mr. President,
10 would the sponsor yield for some questions?

11 ACTING PRESIDENT BAILEY: Will the
12 sponsor yield?

13 SENATOR GIANARIS: It's Walczyk
14 Wednesday! Let's go. Let's go.

15 ACTING PRESIDENT BAILEY: The
16 sponsor yields.

17 (Laughter; off the record.)

18 SENATOR GIANARIS: Yes, he yields.
19 The sponsor yields.

20 SENATOR WALCZYK: Through you,
21 Mr. President.

22 Is partisan gerrymandering good for
23 the health of our representative democracy?

24 SENATOR GIANARIS: In an ideal
25 circumstance, no.

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

4 ACTING PRESIDENT BAILEY: Will the
5 sponsor yield?

6 SENATOR GIANARIS: Yes.

7 ACTING PRESIDENT BAILEY: The
8 sponsor yields.

9 SENATOR WALCZYK: As New York leads
10 on many issues -- and I get many lectures, I
11 think, sometimes about things that I think we
12 fail at leading at -- we've been a leader on
13 creating independent redistricting commissions
14 and trying to create a bipartisan situation for
15 redistricting.

16 Why would we move to make partisan
17 gerrymandering part of the -- well, really the
18 rule of our process?

19 SENATOR GIANARIS: I have so much
20 to take issue with in terms of what you just
21 asked.

22 First of all, you used the term
23 "independent" in one instance and "bipartisan" in
24 the other. Those are two very different things.

25 I know the commission is called the

1 Independent Redistricting Commission, but in
2 reality it is a bipartisan redistricting
3 commission, in the sense that they are political
4 appointees.

5 You know, if you look at California,
6 for example, they have a more, quote, unquote,
7 independent process where literally random
8 citizens are selected to serve on their
9 commission. That's genuinely independent. This
10 is bipartisan.

11 You also said that it serves as a
12 model. I would vehemently disagree with that. I
13 think that when this was enacted or passed for
14 the first time -- what was it, 2011, 2012,
15 whenever it was -- you know, as luck would have
16 it, it was the same night as the Tier 6 vote that
17 we had here in this chamber.

18 And the members of the
19 Democratic Conference who were here at that time
20 walked out on both of those votes because we knew
21 they were both bad for the state. And I think
22 we've been proven correct. The commission, by
23 both accounts, was a fiasco and a failure when it
24 tried to do its work in 2022. And so it clearly
25 needed to be fixed.

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

4 ACTING PRESIDENT BAILEY: Will the
5 sponsor yield?

6 SENATOR GIANARIS: Yes.

7 ACTING PRESIDENT BAILEY: The
8 sponsor yields.

9 SENATOR WALCZYK: Over a decade ago
10 we took up the -- you know, it's called the
11 Independent Redistricting Commission, but sure,
12 we could refer to it as a bipartisan
13 redistricting commission. I think that probably
14 more accurately describes its function when it
15 comes to appointees.

16 And after that was taken up in both
17 houses of the Legislature, it ended up on the
18 ballot in 2014 for New Yorkers, after receiving
19 bipartisan support in this chamber and in the
20 Assembly chamber. So it showed up on the ballots
21 in 2014, and New Yorkers flipped their ballot
22 over and, by an overwhelming majority, they
23 supported the bipartisan Independent
24 Redistricting Commission.

25 Were voters wrong when they voted on

1 that amendment in direct democracy on the back of
2 their ballot? Were the voters wrong?

3 SENATOR GIANARIS: Well, I did not
4 support that referendum. And so the voters made
5 a choice; we certainly respect that.

6 As you point out, that was over a
7 decade ago at this point. And so things change,
8 we reevaluate the status of things. And we are
9 proposing some changes here that would improve
10 the process, in our opinion.

11 I would also point out that whatever
12 we're proposing here, whatever we vote on,
13 doesn't take effect unless it's ratified by the
14 voters themselves. So they'll have the
15 opportunity to say whether they think there
16 should be changes or not.

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

20 ACTING PRESIDENT BAILEY: Will the
21 sponsor yield?

22 SENATOR GIANARIS: Yes.

23 ACTING PRESIDENT BAILEY: The
24 sponsor yields.

25 SENATOR WALCZYK: The reality is

1 since that time, over the last decade, the
2 politics in Albany have changed, the party in
3 power in this chamber being the biggest change in
4 our politics. We had a Democrat Governor at the
5 time, we had Democrat control of the
6 Assembly Chamber, but you had Republican control
7 of this chamber. That's the politics that
8 changed.

9 So after Democrats took control of
10 the chamber, they then tried again to amend the
11 Constitution in the years right after they took
12 control of the chamber, and that ended up on the
13 ballot again in 2021, trying to effect
14 redistricting in the last round.

15 Were the voters wrong when they
16 rejected the attempts from the Democrat
17 majorities? And this wasn't with bipartisan
18 support. Were they wrong when they rejected the
19 Democrat majorities when they were attempting to
20 add partisan redistricting back into the process?

21 SENATOR GIANARIS: You know,
22 whether I supported that referendum or not, the
23 voters made their selection. So I won't
24 characterize the correctness of their choice.
25 It's their choice. And we honor it and we abide

1 by it. The same way we make choices in this
2 chamber and you disagree probably with most of
3 them, but I assume you're abiding by the laws as
4 we pass them.

5 And so again, I'll point out that
6 that was many, many years ago and there have been
7 some significant developments as it relates to
8 redistricting around the country just in the last
9 couple of years. And so we deemed that these
10 changes were something we wanted to put before
11 the voters to let them opine once again.

12 I should also point out, because
13 we've been talking about the commission itself,
14 that what we're proposing here does not change
15 the makeup of the commission or its purpose in
16 the process. What's changing is some of the
17 criteria that are used as the commission does it
18 its work.

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

22 ACTING PRESIDENT BAILEY: Will the
23 sponsor yield?

24 SENATOR GIANARIS: Yes.

25 ACTING PRESIDENT BAILEY: The

1 sponsor yields.

2 SENATOR WALCZYK: Through you,
3 Mr. President. But it does change some of the
4 process. Maybe not, you know, certainly how they
5 draw maps within the Independent Redistricting
6 Commission, but certainly the overall process.

7 One of the things that was on the
8 back of the ballot in 2021 that New Yorkers
9 rejected was a proposal to eliminate the
10 two-thirds majority requirement in the
11 Legislature to approve the maps.

12 Doesn't this bill do that? Doesn't
13 it eliminate the two-thirds majority that the
14 voters have already told us, in 2021, "no"?

15 SENATOR GIANARIS: Does it remove
16 that requirement? Yes, it does.

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

20 ACTING PRESIDENT BAILEY: Will the
21 sponsor yield?

22 SENATOR GIANARIS: Yes.

23 ACTING PRESIDENT BAILEY: The
24 sponsor yields.

25 SENATOR WALCZYK: Why?

1 SENATOR GIANARIS: Because as I
2 just pointed out, the landscape as it relates to
3 the redistricting processes throughout the
4 country has changed significantly.

5 We have states that predominantly
6 lean of a certainly political persuasion that
7 have decided to, I would say, get very aggressive
8 with the partisanship of their processes and the
9 fact that they have stepped in mid-decade to do
10 redistricting -- of course I'm talking about
11 Texas, Florida and some other states.

12 And then you layer on top of that
13 the recent Supreme Court decision in the Callais
14 decision, which has now led to Alabama,
15 Louisiana, and some other states specifically
16 trying to eliminate Black representation from
17 Congress, we think that all of those aggressive
18 redistricting actions by these other states
19 required a response from New York.

20 That's why.

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

24 ACTING PRESIDENT BAILEY: Will the
25 sponsor yield?

1 SENATOR GIANARIS: Yes.

2 ACTING PRESIDENT BAILEY: The
3 sponsor yields.

4 SENATOR WALCZYK: You think what
5 those other states did was right?

6 SENATOR GIANARIS: Obviously not.

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

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor yield?

12 SENATOR GIANARIS: Yes.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WALCZYK: Then why would we
16 do something that's wrong in New York State?

17 SENATOR GIANARIS: Because we are
18 playing a game that we are not playing alone.
19 And so if the other participants in this process
20 are playing by a different set of rules, to not
21 be able to respond in kind would be
22 irresponsible.

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

1 ACTING PRESIDENT BAILEY: Will the
2 sponsor yield?

3 SENATOR GIANARIS: Yes.

4 ACTING PRESIDENT BAILEY: The
5 sponsor yields.

6 SENATOR WALCZYK: Now, as I
7 understand, this bill looks to -- and this is
8 first -- what we refer to as first passage. So
9 this will have to pass both houses of the
10 Legislature in successive legislatures, so it
11 would also have to pass next time around and then
12 end up on the back of the ballot for voters once
13 again I hope to reject.

14 As I understand this constitutional
15 amendment, the way that it's laid out it changes
16 some things in the Independent Redistricting
17 Commission and the way that they vote on maps.
18 It also changes a timeline for the Independent
19 Redistricting Commission. By January 15 they
20 would have to bring maps after the census.

21 So following the census, January 15
22 comes up, they have to bring maps to the
23 Legislature.

24 Currently it's written where if we
25 reject those maps one time, they would be sent

1 back to the Independent Redistricting Commission
2 to do again.

3 Does this eliminate the second time
4 that currently they're required in the New York
5 State Constitution to bring a second set of maps
6 for the Legislature to review?

7 SENATOR GIANARIS: That's correct.

8 I do want to correct one of your --
9 the statements in your preamble to that question,
10 which is that we do not change the way the IRC
11 votes on its maps.

12 But yes, it would -- it would remove
13 the second opportunity that you're asking about.

14 SENATOR WALCZYK: I didn't -- I
15 didn't hear you.

16 SENATOR GIANARIS: We're not
17 changing anything about how the IRC votes on
18 maps. I think you had indicated that as a part
19 of your initial question, as a premise to your
20 question. We do not in fact change how they vote
21 or the margins required within the IRC to enact
22 the map.

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

1 ACTING PRESIDENT BAILEY: Will the
2 sponsor yield?

3 SENATOR GIANARIS: Yes.

4 ACTING PRESIDENT BAILEY: The
5 sponsor yields.

6 SENATOR WALCZYK: And through you,
7 Mr. President. So the IRC will continue to apply
8 when it comes to drawing state legislative maps
9 in the Senate and the Assembly.

10 Will it also -- will an independent
11 or a bipartisan redistricting commission apply
12 when it comes to drawing maps for Congress?

13 SENATOR GIANARIS: After this next
14 census, yes.

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

18 ACTING PRESIDENT BAILEY: Will the
19 sponsor yield?

20 SENATOR GIANARIS: Yes.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR WALCZYK: So -- and through
24 you, Mr. President.

25 So the Independent Redistricting

1 Commission would then still be in charge of
2 drawing the maps for Congress up until the next
3 census in 2030?

4 SENATOR GIANARIS: No. I'm trying
5 to understand your question, no.

6 SENATOR WALCZYK: I'm trying to
7 understand your answer.

8 SENATOR GIANARIS: After the next
9 census the commission would perform its function,
10 not before.

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

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR GIANARIS: Yes.

17 ACTING PRESIDENT BAILEY: The
18 sponsor yields.

19 SENATOR WALCZYK: And through you,
20 Mr. President.

21 So as I understand it -- and I'm
22 looking at page 3, line 32 (reading) -- at any
23 time after congressional districts are enacted
24 pursuant to the subdivisions of this section, or
25 otherwise implemented pursuant to a court order,

1 the Legislature shall have the authority on its
2 own initiative, by law, to make changes to one or
3 more of such districts, provided, however, any
4 such changes shall comply with the provisions of
5 this section except for subdivision (b) -- which
6 is the IRC, the Independent Redistricting
7 Commission.

8 So I read that an entirely different
9 way, that the Independent Redistricting
10 Commission will not be involved in writing
11 congressional maps. Am I correct in that
12 assessment?

13 SENATOR GIANARIS: The commission
14 would be responsible for drawing the maps
15 pursuant to a census on the regular calendar.
16 But not beyond that.

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

20 ACTING PRESIDENT BAILEY: Will the
21 sponsor yield?

22 SENATOR GIANARIS: Yes.

23 ACTING PRESIDENT BAILEY: The
24 sponsor yields.

25 SENATOR WALCZYK: How -- if this

1 becomes our new constitution, if it passes both
2 houses twice and then the voters for some reason
3 actually supported this when they flipped their
4 ballot over -- which I hope that they don't --
5 how often will we be able -- or will the
6 Legislature be permitted to redraw the
7 congressional lines in the State of New York?

8 SENATOR GIANARIS: That would be up
9 to the elected representatives of the state.

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

13 ACTING PRESIDENT BAILEY: Will the
14 sponsor yield?

15 SENATOR GIANARIS: Yes.

16 ACTING PRESIDENT BAILEY: The
17 sponsor yields.

18 SENATOR WALCZYK: So -- through
19 you, Mr. President.

20 So after each congressional race we
21 could technically, if the Legislature -- which is
22 controlled in both houses currently by
23 Democrats -- they could make a decision to redraw
24 the district lines for congressional seats in
25 New York State?

1 SENATOR GIANARIS: I think one of
2 the problems we're circling here is that the good
3 Senator here has a problem with the fact that
4 Democrats are in charge of the Legislature.

5 And so I look at it as we have a
6 democracy, we have elections, people get elected,
7 they are sent to rooms like this to make
8 decisions, and that represents the will of the
9 people who vote for all of us or against us.

10 And so when I say that's up to the
11 will of the elected leaders who represent the
12 voters of this state, that's what I mean. And so
13 the -- it doesn't matter, in theory, if we're
14 Democrats or Republicans, we're selected by the
15 voters. It happens that voters have selected
16 overwhelming Democratic majorities in both
17 houses.

18 So the same way we can pass a law on
19 any subject that we're allowed to after any -- on
20 any given date, this would be something else that
21 we could do if the people who are elected to
22 represent this state see it as something they
23 want to do.

24 SENATOR WALCZYK: Mr. President,
25 briefly on the bill.

1 ACTING PRESIDENT BAILEY:

2 Senator Walczyk on the bill.

3 SENATOR WALCZYK: No, my problem is
4 not specifically -- well, I hope the voters make
5 better decisions in their elections and who their
6 elected representatives are. And I hope they
7 tune into debates like this to see who truly
8 defends the principles of our representative
9 democracy.

10 My problem is not with how state
11 representatives are elected or even who's in
12 control of the chambers. My problem when it
13 comes to this is after voters in direct democracy
14 have consistently said, by flipping over their
15 ballot, said they want an independent bipartisan
16 redistricting commission -- they voted for it, we
17 amended the Constitution to do that. Members of
18 your conference and members on both sides of the
19 aisle all supported that. And it became the
20 Constitution of the State of New York.

21 And then my problem is when
22 Democrats took control of both houses of the
23 Legislature, they tried to amend that
24 Constitution.

25 Okay. Well, it went back out to the

1 voters. And once again the voters said: No, we
2 want an independent bipartisan redistricting
3 commission. We do not want political
4 gerrymandering in the State of New York and
5 drawing congressional districts all over the
6 place to one party's advantage. So that is not
7 my problem. And through you --

8 SENATOR GIANARIS: -- ask a
9 question, Mr. President?

10 UNIDENTIFIED SPEAKER: He's on the
11 bill.

12 SENATOR WALCZYK: I'll yield,
13 Mr. President.

14 SENATOR GIANARIS: Does
15 Senator Walczyk think the voters were wrong in
16 electing Democratic majorities to both houses?

17 ACTING PRESIDENT BAILEY: Senator
18 Walczyk, do you yield? Senator Walczyk yields.

19 Just so we get back on track.

20 Senator Walczyk.

21 SENATOR WALCZYK: I yield.

22 And while that's not part of this
23 bill, I do think that voters were right when they
24 voted for an independent, bipartisan
25 redistricting commission.

1 And I do think voters were right
2 when they rejected your scheme to create partisan
3 gerrymandering in the State of New York.

4 And I think they'll be right when
5 they reject this constitutional amendment --

6 SENATOR GIANARIS: Will
7 Senator Walczyk continue to yield?

8 SENATOR WALCZYK: -- to try and
9 play politics for one party's advantage in the
10 State of New York, drawing congressional
11 districts whenever one party doesn't like the
12 results of an election.

13 SENATOR GIANARIS: Would
14 Senator Walczyk continue to yield?

15 ACTING PRESIDENT BAILEY: Senator
16 Walczyk, will you yield?

17 SENATOR WALCZYK: I'm not sure
18 who's on debate here, Mr. President, but I'll
19 yield.

20 SENATOR GIANARIS: Senator Walczyk
21 was on the bill, which opens him up to being
22 questioned.

23 ACTING PRESIDENT BAILEY: This is
24 part of the Senate Rules which we all should
25 know.

1 SENATOR WALCZYK: I yield.

2 ACTING PRESIDENT BAILEY: The
3 Senator yields.

4 SENATOR GIANARIS: Of course you
5 did not answer my question. I asked if you
6 thought the voters were wrong in electing
7 Democratic majorities to both houses of the
8 Legislature.

9 SENATOR WALCZYK: Through you,
10 Mr. President, I've already answered that
11 question, that I don't have an issue with the way
12 that our elections run.

13 And I hope that voters make better
14 choices and tune into debates like this to
15 determine who is actually standing up for the
16 fundamental principles of our democracy.

17 So no, I think they've elected all
18 of us. I think you're making a poor choice
19 today. I think you made a poor choice in putting
20 it on the ballot in 2021. And I think every time
21 I agree with the overwhelming majority of
22 New Yorkers that agree that political
23 gerrymandering is wrong.

24 SENATOR GIANARIS: I'm happy to
25 yield for continued questions.

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ACTING PRESIDENT BAILEY:

Senator Walczyk, are you on the bill or are you going to ask Senator Gianaris to yield?

SENATOR WALCZYK: No, I'd like Senator Gianaris to yield, if he would.

ACTING PRESIDENT BAILEY: Senator Gianaris, will you yield?

SENATOR GIANARIS: Yes, I do.

ACTING PRESIDENT BAILEY: The Senator yields.

SENATOR WALCZYK: Through you, Mr. President. So back to the question that I asked at the start of this little soliloquy.

Will Democrat majorities in the Assembly and the Senate be able to draw congressional lines every two years? Is that what you're permitting here in a change to the Constitution?

SENATOR GIANARIS: I already answered that pretty clearly. The representatives in the Assembly and the Senate, whatever the political makeup of those bodies is, will be free to act in a way that they see fit as they represent the people that they represent.

So yes, if you'd like a more direct

1 answer.

2 SENATOR WALCZYK: Thank you.

3 And through you, Mr. President,
4 would the sponsor continue to yield?

5 ACTING PRESIDENT BAILEY: Will the
6 sponsor yield?

7 SENATOR GIANARIS: Yes.

8 ACTING PRESIDENT BAILEY: The
9 sponsor yields.

10 SENATOR WALCZYK: Section (c)
11 provides direction for the drawing of districts.
12 Are these principles applied to Congress as well
13 as the Senate and the Assembly?

14 SENATOR GIANARIS: As part of the
15 commission process, yes.

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

19 ACTING PRESIDENT BAILEY: Will the
20 sponsor yield?

21 SENATOR GIANARIS: Yes.

22 ACTING PRESIDENT BAILEY: The
23 sponsor yields.

24 SENATOR WALCZYK: Currently, under
25 law, when any legislative district or

1 congressional district deviates from having an
2 equal number of inhabitants, the Independent
3 Redistricting Commission must provide a public
4 explanation for that deviation, the reasons why.

5 Is that correct?

6 SENATOR GIANARIS: Currently, yes.

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

10 ACTING PRESIDENT BAILEY:

11 (Sneezing.) Excuse me. That's not in the
12 Senate Rules.

13 Would the Senator yield?

14 SENATOR GIANARIS: Yes.

15 ACTING PRESIDENT BAILEY: The
16 sponsor yields.

17 SENATOR WALCZYK: Through you,
18 Mr. President. This proposal eliminates that
19 requirement.

20 So moving forward, this level of
21 public accountability is removed, isn't it?

22 SENATOR GIANARIS: Yes, it is.

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

1 ACTING PRESIDENT BAILEY: Will the
2 sponsor yield?

3 SENATOR GIANARIS: Yes.

4 ACTING PRESIDENT BAILEY: The
5 Senator yields.

6 SENATOR WALCZYK: Why?

7 SENATOR GIANARIS: Well, because
8 the landscape as it relates to redistricting
9 around this country has changed quite
10 dramatically. I kind of delineated the reasons
11 why earlier.

12 And the changes proposed in this
13 amendment would be responsive in the sense that
14 it would allow New York to -- it would allow
15 New York to be more responsive to what's going on
16 around the country so that we're all playing by
17 at least a similar set of rules, if not the same
18 set of rules.

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

22 ACTING PRESIDENT BAILEY: Will the
23 sponsor yield?

24 SENATOR GIANARIS: Yes.

25 ACTING PRESIDENT BAILEY: The

1 sponsor yields.

2 SENATOR WALCZYK: And by that you
3 mean partisan political gerrymandering, right?

4 SENATOR GIANARIS: I mean, you can
5 characterize it any way you want. What I'm
6 indicating to you is that there are states that
7 have gotten quite abusive with their
8 redistricting process. They are specifically
9 targeting minorities now. And New York needs a
10 freer hand to be able to be part of the same
11 process that other states are part of.

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

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR GIANARIS: Yes.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR WALCZYK: Another principle
21 that's been removed is the compactness of
22 districts. Some people, when they talk about
23 redistricting, like to see a map look neat.
24 We've seen in New York State all kinds of
25 different shapes, whether they be snakelike or

1 salamander-like or name your Macy's Thanksgiving
2 Day Parade float of a shape.

3 Why are you proposing removing this
4 compactness of districts in the provisions here
5 in this constitutional amendment?

6 SENATOR GIANARIS: Because the
7 landscape as it relates to redistricting around
8 the country has changed quite dramatically in the
9 last couple of years, and there are some states
10 that are becoming quite abusive with their
11 redistricting process.

12 New York deserves to be part of a
13 process where everyone is playing by at least a
14 similar set of rules, if not the same rules.

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

18 ACTING PRESIDENT BAILEY: Will the
19 sponsor yield?

20 SENATOR GIANARIS: Yes.

21 ACTING PRESIDENT BAILEY: The
22 sponsor yields.

23 SENATOR WALCZYK: Are there any
24 abuses that you're taking off of the table in the
25 State of New York in this political gerrymander?

1 SENATOR GIANARIS: I'm not sure I
2 understand the question, Senator Walczyk.

3 SENATOR WALCZYK: Through you,
4 Mr. President, I'll clarify.

5 ACTING PRESIDENT BAILEY: Senator
6 Walczyk, clarify, yes.

7 SENATOR WALCZYK: In your attempt
8 to change the New York State Constitution to
9 allow political gerrymandering, what constraints
10 have you given yourself? Or is it solely for the
11 purpose of getting more Democrats elected to
12 Congress and in the halls of the State
13 Legislature?

14 SENATOR GIANARIS: There are still
15 criteria that are listed here that need to be
16 considered (reading).

17 Districts shall not be drawn to have
18 the purpose of the denial or abridgement of
19 racial or language minority voting rights.

20 Districts shall be drawn so that,
21 based on the totality of the circumstances,
22 racial and minority language groups do not have
23 less opportunity to participate in the political
24 process than other members of the electorate, and
25 to elect representatives of their choice.

1 To the extent practicable, the
2 drawing of districts that contain -- shall
3 contain as nearly as may be an equal number of
4 inhabitants.

5 The drawing of districts should
6 consist of contiguous territory and should
7 maintain communities of interest.

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

11 ACTING PRESIDENT BAILEY: Will the
12 sponsor yield?

13 SENATOR GIANARIS: Yes.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

16 SENATOR WALCZYK: Thank you for
17 that answer.

18 One of the principles that I notice
19 was struck out of here is that when the voters
20 supported this and it was negotiated in a
21 bipartisan way and the bipartisan Independent
22 Redistricting Commission was created with the
23 parameters in our current State Constitution, it
24 was that maps could not be drawn to favor or
25 disfavor incumbents, particular candidates or

1 particular political parties. I.e., the drawers
2 of the maps can't pick and choose which
3 politicians they like or which political parties
4 they like.

5 Is that provision preserved or is
6 that eliminated as I see it?

7 SENATOR GIANARIS: No, it's not
8 preserved.

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

12 ACTING PRESIDENT BAILEY: Will the
13 sponsor yield?

14 SENATOR GIANARIS: Yes.

15 ACTING PRESIDENT BAILEY: The
16 sponsor yields.

17 SENATOR WALCZYK: Through you,
18 Mr. President. So now in the State of New York
19 if the voters make the mistake of approving this
20 amendment, politicians will be able to decide
21 which incumbents they like and which they don't
22 like, which districts for a political party they
23 would like to draw and not draw.

24 Am I understanding that correctly?

25 SENATOR GIANARIS: I certainly

1 wouldn't put it that way.

2 What I would say is there are other
3 states that are abusing the redistricting process
4 to gain political advantage, and it would be
5 irresponsible for New York to not be playing on
6 the same field as those other states.

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

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor yield?

12 SENATOR GIANARIS: Yes.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WALCZYK: So is your goal
16 here -- through you, Mr. President. So is your
17 goal here to make sure that New York State can
18 draw congressional, State Senate and
19 State Assembly districts to a political
20 advantage?

21 SENATOR GIANARIS: No. The goal
22 here is to give New York the flexibility to be
23 responsive to what is going on in other parts of
24 the country.

25 SENATOR WALCZYK: And through you,

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

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR WALCZYK: This bill deletes
9 some critical principles. Is there anywhere in
10 this bill that the principle of not political
11 gerrymandering is preserved in any way?

12 SENATOR GIANARIS: Principle of not
13 political gerrymandering? I'm not sure I
14 understand what you're --

15 ACTING PRESIDENT BAILEY: Senator
16 Walczyk, would you mind clarifying for
17 Senator Gianaris?

18 SENATOR WALCZYK: Yeah. Is
19 there -- sure. Is there any -- is there any
20 provision that I can read in here -- I see a lot
21 of red lines to the New York State Constitution
22 as I review this bill. The protections -- excuse
23 me. The protections that New Yorkers approved in
24 the New York State Constitution against political
25 gerrymandering are struck out.

1 Are there any in here that I could
2 look to to say, No, here's where we won't play
3 politics with district lines?

4 SENATOR GIANARIS: The only place
5 that appeared is in the provision that you
6 already asked about that I indicated was removed.

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

10 ACTING PRESIDENT BAILEY: Will the
11 sponsor yield?

12 SENATOR GIANARIS: Yes.

13 ACTING PRESIDENT BAILEY: The
14 sponsor yields.

15 SENATOR WALCZYK: I'd like to turn
16 attention to Section 6(e), page 4, line 52. It
17 currently speaks to using the courts as a remedy,
18 is that correct?

19 SENATOR GIANARIS: Let me just
20 catch it. Page 4, you said?

21 SENATOR WALCZYK: Yeah, page 4,
22 line 52.

23 SENATOR GIANARIS: I don't see that
24 on page 4, I'm sorry.

25 I think you mean page 6.

1 SENATOR WALCZYK: Page 6.

2 SENATOR GIANARIS: Yes, I see that
3 now.

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

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR GIANARIS: Yes.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR WALCZYK: Has -- has that
13 happened in the last five years? Has the court
14 been used as a remedy in the last five years?

15 SENATOR GIANARIS: Yes.

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

19 ACTING PRESIDENT BAILEY: Will the
20 sponsor yield?

21 SENATOR GIANARIS: Yes.

22 ACTING PRESIDENT BAILEY: The
23 sponsor yields.

24 SENATOR WALCZYK: To refresh my
25 memory, and on the record, can you tell us what

1 happened in that chapter of this redistricting
2 saga?

3 SENATOR GIANARIS: I don't really
4 remember.

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

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield?

10 SENATOR GIANARIS: Yes.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR WALCZYK: So the
14 State Senate and congressional maps of 2022 were
15 declared unconstitutional, and then they were
16 drawn by a special master. Is that refreshing
17 your memory?

18 SENATOR GIANARIS: Oh, I do
19 remember that. And in fact there was a
20 subsequent court decision that said that that
21 court decision needed modification because in
22 fact a special master should not have been used,
23 it should have been returned to the commission to
24 continue the process.

25 SENATOR WALCZYK: And through you,

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

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR WALCZYK: And then after
9 that election in 2023, the courts directed new
10 Assembly and congressional maps be redrawn by the
11 Independent Redistricting Commission, is that
12 correct?

13 SENATOR GIANARIS: I'm not sure if
14 they asked the Assembly to be redrawn. (Pause.)

15 At least I can agree on the
16 congressional lines. I'm not sure if the
17 Assembly was part of that or not.

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

21 ACTING PRESIDENT BAILEY: Will the
22 sponsor yield?

23 SENATOR GIANARIS: Yes.

24 ACTING PRESIDENT BAILEY: The
25 sponsor yields.

1 SENATOR WALCZYK: So the courts
2 have had to step in and play referee.

3 But under this proposal, if it is
4 deemed that there has been a violation of the
5 law -- as has happened several times in the last
6 few years since one party took control of both
7 houses -- this is saying the maps would just
8 return to that same one party of both houses,
9 right?

10 SENATOR GIANARIS: This is saying
11 that the maps will return to the elected
12 representatives that the people have chosen to
13 sit here.

14 I mean, you're assuming that it
15 would continue to be dominated by Democrats.
16 You're probably right, but in fact the people in
17 the intervening elections can choose the makeup
18 of these bodies as they see fit.

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

22 ACTING PRESIDENT BAILEY: Will the
23 sponsor yield?

24 SENATOR GIANARIS: Yes.

25 ACTING PRESIDENT BAILEY: The

1 sponsor yields.

2 SENATOR WALCZYK: And through you,
3 Mr. President. Indeed. And I'm hopeful that
4 New Yorkers make the right decision and put
5 Republicans in the majority in the New York State
6 Senate. That would put us right back where we
7 started before voters ever put together -- well,
8 before a bipartisan group of legislators in both
9 houses of the Legislature put together an
10 Independent Redistricting Commission, put it on
11 the ballots, and then voters approved it to
12 change our Constitution.

13 Wouldn't that put us in the same
14 spot that got us here in the first place?

15 SENATOR GIANARIS: First of all,
16 you keep saying a bipartisan group in both
17 houses. I'm not sure what you're referring to.
18 As I told you earlier, the Democrats in the
19 Senate did not vote on this amendment. We
20 opposed it.

21 But I guess your question is whether
22 it would return to the Legislature? Yes, it
23 would return to the Legislature.

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

1 yield?

2 ACTING PRESIDENT BAILEY: Will the
3 sponsor yield?

4 SENATOR GIANARIS: Yes.

5 ACTING PRESIDENT BAILEY: The
6 sponsor yields.

7 SENATOR WALCZYK: Why should
8 politicians decide what politicians' districts
9 look like, and not a bipartisan commission?

10 SENATOR GIANARIS: Well, I think
11 the answer to that question is that the
12 Legislature has always had a role in determining
13 what the district lines look like because we
14 express the will of the people.

15 Even this with this commission
16 process, the Legislature has a role to play in
17 making this determination. The fact that the
18 commission was flawed and predictably broke down
19 is what created that crisis in 2022 as it relates
20 to the redistricting process.

21 The courts, in my view incorrectly,
22 said that if the commission refused to do its
23 work, the Legislature could not step in. So I
24 think that was a poor decision. It was made by a
25 court that was operating under an ethical cloud

1 at the time, whose chief judge resigned in
2 disgrace shortly thereafter. And so we're giving
3 the voters an opportunity to improve the process.

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

7 ACTING PRESIDENT BAILEY: Senator
8 Walczyk, I regret to inform you that your
9 30-minute debate time has elapsed.

10 Senator Gianaris, will you yield for
11 one final question?

12 SENATOR GIANARIS: Sure.

13 ACTING PRESIDENT BAILEY: The
14 Senator will yield for one final question.

15 SENATOR WALCZYK: No, I'll give my
16 time. I have too many good follow-up questions
17 on the next one.

18 (Laughter.)

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

21 Senator Martins, why do you rise?

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

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

1 SENATOR MARTINS: So some of you
2 may be aware that -- and I'm sure that the
3 sponsor is aware that I served on the
4 Independent Redistricting Commission back in '21
5 and '22, Mr. President. And I happened to be not
6 only in the room but actively negotiating maps at
7 the time that this process came to a head.

8 I can tell you personally that we
9 had maps that were negotiated, close, and we were
10 there. And then we took a break. And during
11 that break -- we were on Zoom. During that
12 break, we were discussing amongst ourselves how
13 we can bridge gaps. There were two areas in the
14 state where there were some changes that needed
15 to be agreed to. And then when we came back from
16 that break, the cochair read a statement saying
17 that the negotiations had broken down.

18 Now, I've always suspected that
19 during the time that we were on that break that
20 there had been conversations with members of the
21 commission and others. Can I prove it? No. But
22 there were instructions certainly that took place
23 between one call and the other that led to a
24 breakdown in those discussions.

25 So what ultimately happened is

1 although we were close as a commission to
2 reaching agreement on maps, we ultimately
3 couldn't reach agreement on maps because,
4 inexplicably, the other side just stopped
5 negotiating and decided to stop. We all know
6 then that the maps, two sets of maps were
7 forwarded. Those maps were rejected.

8 The Legislature chose to draw maps
9 themselves. It ended up going to court and
10 ultimately was overturned, and a magistrate was
11 directed to oversee maps.

12 So with that, Mr. President, I'm
13 concerned that with this, we're going back not
14 only to 2009, 2010, we're actually making it
15 worse than it was even then. The idea that maps
16 can be changed every two years, depending on how
17 the national political winds are going -- and I
18 fail to see how these changes are going to
19 actually inure to the benefit of the residents
20 and the voters of New York State.

21 I can go through quotes from
22 leadership here swearing that they do not support
23 partisan maps and go through quotes where voters
24 should choose their elected officials rather than
25 the elected officials choosing their voters. All

1 of these lines frankly -- but that was when
2 Democrats were in the minority and they wanted to
3 change the system.

4 Here they are in the majority
5 advancing legislation that not only takes us back
6 10 years, takes us back far worse and actually
7 puts the voters and the residents in New York
8 State in a far worse position than they were even
9 under the older system. So we're left to ask
10 why.

11 So with that, Mr. President, if the
12 sponsor would yield for a few questions.

13 ACTING PRESIDENT BAILEY:
14 Certainly. Will the sponsor yield?

15 SENATOR GIANARIS: I would, if I
16 may -- yes, I should point out, because I was
17 listening to Senator Martins talk, that if memory
18 serves it was the Republican-appointed
19 commissioners, including Senator Martins himself,
20 who refused to attend a meeting called of the
21 commission so that they wouldn't have the
22 opportunity to vote on a map to then officially
23 fail so that the Legislature would have the
24 opportunity to draw the lines indisputably.

25 And so it's pretty cynical to

1 actually not do your job intentionally just to
2 get a political result.

3 But yes, I yield.

4 SENATOR MARTINS: Is he on the
5 bill?

6 ACTING PRESIDENT BAILEY: Senator
7 Gianaris, are you yielding for a question?

8 SENATOR GIANARIS: Oh, I'm
9 yielding, yes.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR MARTINS: Thank you. I
13 just wanted to be sure. Because if he was on the
14 bill, I would certainly wait till you were done.

15 Mr. President, on the bill.

16 ACTING PRESIDENT BAILEY: Senator
17 Martins on the bill.

18 SENATOR MARTINS: I want to clarify
19 that, and then I'll come back and ask the Senator
20 a question.

21 The members of the Redistricting
22 Commission -- and, you know, as much as the
23 Senator may want to rewrite history,
24 Mr. President, the members of the
25 Redistricting Commission had to agree on coming

1 back. No one called a meeting of the
2 Redistricting Commission.

3 And therefore reaching a deadlock --
4 again, I suspect, Mr. President, because of
5 people influencing members of the commission at
6 the time. That's my opinion. Unfortunately, the
7 commission did deadlock.

8 But with that, if the Senator would
9 yield for some questions.

10 ACTING PRESIDENT BAILEY: Senator
11 Gianaris --

12 SENATOR GIANARIS: Sure.

13 ACTING PRESIDENT BAILEY: -- do you
14 yield? The Senator yields.

15 SENATOR MARTINS: Thank you.

16 So I went through the timeline,
17 including, you know, what people have considered
18 or called the Hochul-mander, Mr. President. You
19 know, the gerrymandering of maps, the court's
20 decision to overturn that, and then the resulting
21 election that resulted in a number of Republicans
22 being elected to Congress.

23 And, you know, many believe across
24 the country that that resulted in the majority in
25 Congress being in Republican hands. And if I

1 remember correctly, there was an outcry around
2 the country where they blamed New York for not
3 having done enough to elect Democrats. And
4 specifically, Mr. President, they blamed
5 Senator Gianaris for not having done enough to
6 elect Democrats.

7 And so I have to wonder, Senator, is
8 that why we're advancing this bill now, so that
9 perhaps people around the country can stop
10 blaming Democrats in New York for not having
11 elected more Democrats in that election cycle?

12 SENATOR GIANARIS: Certainly not.

13 But I will point out to my colleague
14 that the State Senate lines were also drawn by a
15 special master in that election, and we had no
16 problem electing Democrats all throughout this
17 state.

18 How's the view from over there,
19 Senator Martins?

20 SENATOR MARTINS: Through you,
21 Mr. President, if the Senator would continue to
22 yield.

23 ACTING PRESIDENT BAILEY: Will the
24 sponsor yield?

25 SENATOR GIANARIS: Yes.

1 ACTING PRESIDENT BAILEY: The
2 sponsor yields.

3 SENATOR MARTINS: The view is just
4 fine. Just fine.

5 SENATOR GIANARIS: (Inaudible.)

6 SENATOR MARTINS: And,
7 Mr. President, again, you know, I had -- and as,
8 Mr. President, you know and certainly
9 Senator Gianaris remembers quite well, there are
10 times when Senators were in the majority,
11 Republican Senators were in the majority, and now
12 we're in the minority. And, you know, as the
13 pendulum does swing, there are opportunities for
14 things to change.

15 But understanding that, it was when
16 the Republicans were in the majority that these
17 changes were made, in order to create an
18 independent, bipartisan redistricting commission.

19 And so, you know, again -- and I've
20 heard comments from the Senator that we're
21 playing a game and not playing alone, which I
22 assume means that there are national politics
23 involved.

24 Do we not have a responsibility,
25 Senator, to make sure that these maps here in

1 New York are not gerrymandered and that the
2 voters have a right to choose their
3 representatives and not vice versa?

4 SENATOR GIANARIS: We have a
5 responsibility not to tie our hands while other
6 states are abusing the process and creating a
7 Congress that is not representative of the people
8 of this country.

9 SENATOR MARTINS: Mr. President,
10 through you, if the sponsor would continue to
11 yield.

12 ACTING PRESIDENT BAILEY: Will the
13 sponsor yield?

14 SENATOR GIANARIS: Yes.

15 ACTING PRESIDENT BAILEY: The
16 Senator yields.

17 SENATOR MARTINS: So the
18 State Constitution clearly protects New Yorkers.
19 And I hope, Senator, that you would agree: The
20 State Constitution protects New Yorkers, and
21 that's the purpose of having a State
22 Constitution?

23 SENATOR GIANARIS: It's supposed
24 to.

25 SENATOR MARTINS: Through you,

1 Mr. President, if the sponsor would continue to
2 yield.

3 ACTING PRESIDENT BAILEY: Will the
4 sponsor yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT BAILEY: The
7 Senator yields.

8 SENATOR MARTINS: So is the
9 State Constitution, the New York State
10 Constitution there to also protect Democrats in
11 other parts of the country and to somehow use
12 New York State voters and the Constitution itself
13 in a way that advances one political party rather
14 than protecting the rights of every New Yorker?

15 SENATOR GIANARIS: When Congress is
16 not properly representative of the people of this
17 country, New York suffers.

18 It's the reason we had the SALT cap
19 situation. It's the reason why New Yorkers are
20 getting dragged off the streets and separated
21 from their families. It's the reason why
22 New Yorkers are currently being terrorized by
23 this federal government. And so we don't stand
24 alone. We stand as one of 50 states where the
25 policy of the federal government affects us quite

1 profoundly.

2 SENATOR MARTINS: Through you,
3 Mr. President, if the sponsor would continue to
4 yield.

5 ACTING PRESIDENT BAILEY: Will the
6 sponsor yield?

7 SENATOR GIANARIS: Yes.

8 ACTING PRESIDENT BAILEY: The
9 sponsor yields.

10 SENATOR MARTINS: So the proposed
11 legislation speaks to communities of interest --
12 that term appears -- and I was hoping, Senator,
13 that you would give us a sense of what -- in your
14 sense, what is a community of interest?

15 SENATOR GIANARIS: A community of
16 interest is something that, as I understand it,
17 doesn't have a very specific legal definition.

18 But it is something that can be
19 defined by neighborhood, it can be defined by
20 county, it can be defined by economy, it can be
21 defined by ethnic or religious backgrounds. I
22 mean, communities of interest can mean a lot of
23 different things.

24 But I think it's left up to
25 policymakers to hold those communities

1 together -- one of the reasons, by the way,
2 having some random professor from Pennsylvania
3 tell us how to draw lines is a mistake, because a
4 person like that doesn't know what the
5 communities of interest in New York are.

6 SENATOR MARTINS: Through you,
7 Mr. President, if the Senator will continue to
8 yield.

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT BAILEY: The
13 sponsor yields.

14 SENATOR MARTINS: So in discussing
15 communities of interest, is there any ranking in
16 terms of priorities which communities of interest
17 would be considered first, and thereafter in
18 descending order, which ones should be considered
19 so that there was at least a framework that
20 people can understand? Is there?

21 SENATOR GIANARIS: No.

22 SENATOR MARTINS: Through you,
23 Mr. President, if the sponsor would continue to
24 yield.

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR GIANARIS: Yes.

3 ACTING PRESIDENT BAILEY: The
4 sponsor yields.

5 SENATOR MARTINS: So understanding,
6 as we do, that this is now being advanced as a
7 purely partisan effort -- and frankly, you know,
8 for some, perhaps an understanding of the
9 changing winds and grasping on to a majority here
10 and in the other chamber: Let's ensure that
11 there isn't an opportunity for the voters of this
12 state to make a change -- wouldn't it be helpful
13 for people to understand what the game rules are
14 going to be with regard to how these lines are
15 going to be set and in what order?

16 Wouldn't it be helpful to have that,
17 Senator Gianaris?

18 SENATOR GIANARIS: I would say that
19 the people speak through their representatives.
20 And as the criteria for what constitutes a
21 community of interest is variable, it is
22 something that should be in the hands of the
23 elected representatives of the people.

24 SENATOR MARTINS: Mr. President, on
25 the bill.

1 ACTING PRESIDENT BAILEY: Senator
2 Martins on the bill.

3 SENATOR MARTINS: And there you
4 have it. And I want to thank Senator Gianaris.
5 Obviously we all understand what this is about.

6 So the Independent Redistricting
7 Commission is still going to be there. Great.
8 But if they do deadlock, the decision comes to
9 the Legislature. So -- sounds interesting.
10 Except when one party, as I believe has already
11 happened and will continue to happen, directs
12 their members to deadlock and not to agree, the
13 default is ultimately going to be made by the
14 politicians and elected officials that sit here
15 in the Capitol.

16 And whoever happens to have the
17 majority -- in this case, Democrats -- will
18 simply wait for that process to play itself out
19 and will make those decisions as you see fit.

20 Now, some of you are saying, "That's
21 great." Until the worm turns, and then things
22 change. And then we'll hear from
23 Senator Gianaris or Senator Stewart-Cousins,
24 Leader Stewart-Cousins, or frankly others here in
25 the room who, you know, provided all kinds of

1 quotes back in 2010, '11, '12 about how
2 critically important it was for these things to
3 happen.

4 So either we are in favor of
5 independent lines or we're not. So just call it
6 what it is. You don't care about democracy
7 anymore. You don't care about the opportunity of
8 voters to make these decisions for themselves.
9 You're going to make those decisions for them.

10 You're not even going to define what
11 a community of interest is. You're actually
12 going to turn around and leave that vague so that
13 you can decide what a community of interest is
14 depending on who you want to get elected in any
15 particular district.

16 Now, we've heard a lot about playing
17 games and that we're not playing these games
18 alone and that there are things happening in
19 other parts of the country. Last time I checked,
20 we're sitting in the New York State Capitol and
21 we're talking about the New York State
22 Constitution.

23 I'm not here to represent anyone who
24 lives in Massachusetts, I'm not here to represent
25 anyone who lives in Texas. I'm here to represent

1 a beautiful piece of New York State on the
2 North Shore of Nassau County on Long Island.

3 You may want to turn around and say,
4 No, no, it's more important for us to get into
5 this game. We need to be able to change the
6 rules every two years because if the voters
7 decided that they wanted to vote for people we
8 don't believe should be in office in order to get
9 a certain partisan result, because we care more
10 about majorities in Congress than we do about the
11 will of the voters in exercising their right to
12 vote, we can go so far -- as Senator Gianaris
13 said, we can go so far as to change the rules
14 every two years.

15 Well, look, I have a lot more
16 confidence in the voters and residents of the
17 State of New York. Frankly, I thank you for this
18 gift. Because by you putting this on the ballot,
19 you're challenging everybody in New York to
20 decide that they care more about people out there
21 across the country than they care about
22 themselves, their families, their homes and
23 what's happening here in New York. And you're
24 wrong. You're wrong.

25 Mr. President, just to end with a

1 couple of quotes. 2010, State Senator Michael
2 Gianaris of Queens, standing with former Mayor Ed
3 Koch. People are going to say that's a long time
4 ago. Not that long ago. Same issues. Same
5 importance. Same person. "There is no good
6 excuse not to pass this when we go back to Albany
7 as the first order of business." Independent
8 redistricting is what he was talking about.

9 As for independent redistricting in
10 which elected officials don't draw their own
11 district lines, Gianaris said the intent is
12 simple. "Voters choose their elected officials,
13 rather than the elected officials choose their
14 voters." That's a great quote from
15 Senator Gianaris back in 2010.

16 April 1, 2011, Politico. "State
17 Senator Michael Gianaris, the Queens Democrat who
18 has been one of the most outspoken advocates for
19 independent redistricting legislation, explained
20 his position as follows. 'Mr. President, a court
21 master is certainly more independent than the
22 Legislature itself. While I would prefer an
23 independent commission where the Legislature has
24 a voice, a court master is still better than the
25 status quo'" -- which was the Legislature drawing

1 its own lines.

2 In fact, in February of 2012,
3 Mr. President, February 7th, The Leader mentions
4 that State Senator Michael Gianaris told a packed
5 redistricting hearing that the Senate's
6 Republican majority has brought "shame" to
7 New York by proposing blatant gerrymandering in a
8 continuing plot to protect its power. Shame to
9 this body by continuing to advance gerrymandering
10 in order to protect its power.

11 Well, and I'll just end with the
12 quotes, Mr. President, because there's one more I
13 think is important. It's a press conference with
14 Majority Leader Stewart-Cousins, at that time
15 Senator Stewart-Cousins, and Mayor Koch. And
16 they had this press conference and they discussed
17 Albany reform. And I'll quote. "If we don't
18 deal with redistricting in a fair, bipartisan
19 way, it won't work." If we don't deal with
20 redistricting in a fair, bipartisan way, it won't
21 work.

22 You know what? I agree with the
23 Majority Leader. But this bill and this bill
24 being proposed today, ironically, by the same
25 Majority Leader and defended on the floor by the

1 same Deputy Majority Leader, brings shame to this
2 house and to this Legislature.

3 Mr. President, I'll be voting no.

4 ACTING PRESIDENT BAILEY: Thank
5 you, Senator Martins.

6 Senator Gianaris on the bill.

7 SENATOR GIANARIS: Mr. President,
8 just a couple of corrections.

9 First of all, at the time
10 Andrea Stewart-Cousins was not just
11 Senator Stewart-Cousins, she was the
12 Democratic Leader of the Senate. So show some
13 respect, please, to her name when you talk about
14 her. And she is your Majority Leader right now,
15 and President Pro Tem of the Senate.

16 But I did want to quote -- since
17 we're talking about quotes, I wanted to pull up
18 one here from the Columbia Law Review, a journal
19 pretty esteemed, I would say, which was
20 recounting the process in 2022.

21 It said (reading): The first
22 submission to the Legislature from the IRC on
23 January 3rd consisted of two plans supported on
24 party lines by five commissioners each. The
25 Legislature failed to approve either plan.

1 Although the IRC was supposed to submit a second
2 plan, this time the IRC wasn't even able to meet,
3 let alone submit a plan. The Republican
4 members -- Senator Martins included -- refused to
5 attend a meeting to vote on proposed plans, thus
6 denying the commission the seven-member quorum
7 the Constitution requires for action.

8 The Court of Appeals case that
9 followed the one that initially was held
10 specifically faulted the IRC for not doing its
11 job. It was Senator Martins and his four
12 colleagues from that side of the aisle that
13 refused to attend a meeting in order to deny a
14 quorum so that the commission wouldn't dare
15 submit the plans -- two separate ones if they
16 wouldn't agree -- so that we would not be in
17 power to reject them and then indisputably have
18 the right to enact lines at that point.

19 Unfortunately, our corrupted
20 Court of Appeals at the time went along with
21 that.

22 But the fact remains this. You
23 could pull up 15-, 16-year-old quotes, whatever.
24 I mean, the world has changed in so many ways
25 since then, particularly in the last couple of

1 years as it relates to this specific issue.

2 When you have Black members of
3 Congress being specifically targeted in some of
4 these states because of a Supreme Court decision
5 that was just handed down, when you have some
6 states at the specific urging of the president to
7 engage in partisan gerrymandering -- I mean,
8 they're not even trying to hide it -- of course,
9 of course the Republican members of this body
10 will say: No, don't fight fire with fire. Don't
11 give us the opportunity to respond because we
12 don't want you to respond. We like this
13 president and we like this Congress the way it
14 is.

15 Well, I --

16 SENATOR MARTINS: Will the Senator
17 yield?

18 ACTING PRESIDENT BAILEY: The
19 Senator's still on the bill, Senator Martins.

20 SENATOR MARTINS: (Inaudible.)

21 SENATOR GIANARIS: He can ask me to
22 yield, but I don't yield until I finish.

23 ACTING PRESIDENT BAILEY: The
24 Senator is continuing.

25 He has the floor, Senator Martins.

1 Thank you.

2 SENATOR MARTINS: (Inaudible.)

3 ACTING PRESIDENT BAILEY: Well, as
4 you know, pursuant -- Senator Martins, you were
5 one of the presiding officers and you know that
6 when somebody's on the bill they can't be
7 questioned, correct? Just like what happened
8 with Senator Walczyk.

9 I would appreciate the
10 consideration. Thank you.

11 SENATOR GIANARIS: I will yield --
12 I will yield -- I will yield in a moment, but let
13 me just finish my train of thought.

14 The fact is the people of this state
15 ultimately will opine on whatever we pass if it's
16 passed again a second time. And so if you want
17 to continue to wave the flag of referendums that
18 have happened and what people have said, then
19 don't be afraid of this. Put it on the ballot.
20 Let the people decide.

21 What are you afraid of? You're
22 afraid of the people, as Senator Walczyk said
23 earlier, making a wrong decision, in his mind?
24 Let them say it. You're afraid of the people
25 having a direct vote on this issue? We're not

1 doing anything unilaterally here. This can only
2 be enacted by the people.

3 I'll yield to Senator Martins.

4 ACTING PRESIDENT BAILEY: Senator
5 Gianaris will yield, Senator Martins, if you so
6 desire to ask a question.

7 SENATOR MARTINS: No, that's quite
8 all right. I think I've heard enough from
9 Senator Gianaris for now. Thank you.

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

12 Are there any other -- next in
13 debate, Senator Borrello. Why do you rise?

14 SENATOR BORRELLO: Mr. President,
15 will the sponsor yield for a question?

16 ACTING PRESIDENT BAILEY: Will the
17 sponsor yield?

18 SENATOR GIANARIS: I do.

19 ACTING PRESIDENT BAILEY: The
20 sponsor yields.

21 SENATOR BORRELLO: So I believe in
22 this -- in a previous part of the debate I heard
23 you say that you were doing this because New York
24 needs to step into the fray of what's going on
25 across the country.

1 So you're saying that the sole
2 purpose of changing the Constitution and going
3 against the will of the people who have twice
4 confirmed that they want an independent
5 redistricting commission, the sole purpose of
6 this is for New York to enter the national I
7 guess game of redistricting?

8 SENATOR GIANARIS: No, I have never
9 said it was the sole purpose.

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

12 ACTING PRESIDENT BAILEY: Will the
13 sponsor yield?

14 SENATOR GIANARIS: Yes.

15 ACTING PRESIDENT BAILEY: The
16 sponsor yields.

17 SENATOR BORRELLO: Okay. Well, is
18 it one of the purposes, then?

19 SENATOR GIANARIS: Yes.

20 SENATOR BORRELLO: Okay --

21 SENATOR GIANARIS: And let me just
22 say, to correct something you had just said,
23 Senator Borrello, we cannot possibly be going
24 against the will of the voters by passing this,
25 because the voters will have their say. And so

1 if they don't like it, if it's against their
2 will, they will reject it.

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

5 ACTING PRESIDENT BAILEY: Will the
6 sponsor yield?

7 SENATOR GIANARIS: Yes.

8 ACTING PRESIDENT BAILEY: The
9 sponsor yields.

10 SENATOR BORRELLO: Well, so with
11 that being said, so, you know, back in 2022 when
12 you undermined the Independent Redistricting
13 Commission and put forth gerrymandered maps that
14 were indeed thrown out by the court, that was
15 during the Biden years.

16 So what was the purpose then of
17 basically derailing, undermining the Independent
18 Redistricting Commission -- that was, you know,
19 the charge by the voters of New York State to
20 change the Constitution to do that -- what was
21 the purpose then to do that when it was the
22 Biden administration and not the current fight,
23 the national fight that you've been -- that you
24 feel you're championing for? Why did you do that
25 back then in 2022?

1 SENATOR GIANARIS: What act are you
2 referring to in '22?

3 SENATOR BORRELLO: The '22 when you
4 actually put forth gerrymandered maps that were
5 then thrown out by the courts as being illegal
6 and unconstitutional.

7 SENATOR GIANARIS: I see. I see.

8 Well, obviously I disagree with that
9 court decision, as I made clear. I think it was
10 one of the worst decisions this Court of Appeals
11 has ever made.

12 But at the time we clearly didn't
13 think that -- nor to this day do I believe that
14 in fact they were improper.

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

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR GIANARIS: Yes.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR BORRELLO: Well, it sounds
23 to me like the courts then certainly thought as
24 much and definitely were supporting the power of
25 the people in their desire for an independent

1 redistricting commission.

2 But with that being said, you know,
3 you certainly did support in the past this idea
4 of a redistricting commission. I know you didn't
5 want to go back to 2012 or 2011. But in 2021,
6 not that long ago, the goal was to set up -- this
7 is your words, in an interview with CBS Morning:
8 "The goal is to set up a commission that is
9 really independent and not colored by the
10 politics." You were calling for a commission
11 that is really independent and not colored by the
12 politics.

13 Why now -- how is this change, which
14 is going to be obviously colored by politics,
15 good for New Yorkers?

16 SENATOR GIANARIS: Well, it would
17 be great if all 50 states were following that
18 directive. But unfortunately, they're not.

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

21 ACTING PRESIDENT BAILEY: Will the
22 sponsor yield?

23 SENATOR GIANARIS: Yes.

24 ACTING PRESIDENT BAILEY: The
25 sponsor yields.

1 SENATOR BORRELLO: So what you're
2 saying is, in an effort to join the partisan
3 battle across the country, we're going to do a
4 disservice to New Yorkers?

5 SENATOR GIANARIS: As I've already
6 indicated, New Yorkers are already being done a
7 disservice by the fact that this Congress is not
8 properly representative of the population of this
9 country. That is only going to get worse because
10 of the actions that these other states are
11 taking.

12 And so I do believe New York needs
13 the flexibility to be responsive to that.

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

16 ACTING PRESIDENT BAILEY: Will the
17 sponsor yield?

18 SENATOR GIANARIS: Yes.

19 ACTING PRESIDENT BAILEY: The
20 sponsor yields.

21 SENATOR BORRELLO: So you -- but
22 this is about New York, it's not about any other
23 state. It's about representing people fairly and
24 equitably in the State of New York.

25 So do you feel that the

1 representation here in New York State is not
2 proportional to the population and their
3 political beliefs?

4 SENATOR GIANARIS: I feel that
5 New York suffers when the Congress is not
6 enacting the will of the people.

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

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT BAILEY: The
13 sponsor yields.

14 SENATOR BORRELLO: The will of the
15 people. You mean the will of the people of
16 New York State to have an independent
17 redistricting commission, like that?

18 SENATOR GIANARIS: The will of the
19 people of New York State to have a federal
20 government that is properly representing what the
21 people of this country want.

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

24 ACTING PRESIDENT BAILEY: Will the
25 sponsor yield?

1 SENATOR GIANARIS: Yes.

2 ACTING PRESIDENT BAILEY: The
3 sponsor yields.

4 SENATOR BORRELLO: So because of
5 things that are happening in other states, you
6 believe that we should undermine the will of the
7 people of New York State in order to level the
8 playing field? Is that -- is that what you're
9 saying?

10 SENATOR GIANARIS: No. Certainly
11 not, Senator Borrello. I said nothing of the
12 kind.

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

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR GIANARIS: Yes.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR BORRELLO: Well, I don't
21 understand, then. Because, you know, you have --
22 I have multiple quotes here from you and from
23 Majority Leader Stewart-Cousins that she was
24 supportive of the idea of an independent
25 redistricting commission, of a special master

1 actually being better at drawing maps -- which we
2 had recently, and you saw the results of that.

3 And now all of a sudden, because of
4 this battle in other states, we are going to
5 essentially ignore what you said previously and,
6 again, the will of people of New York State, who
7 have changed the Constitution for an independent
8 redistricting commission for the purpose of
9 somehow righting a wrong in a different state?
10 Is that what you're saying?

11 SENATOR GIANARIS: Well, first of
12 all, I appreciate that you're such a fine student
13 of my statements through the years,
14 Senator Borrello.

15 SENATOR BORRELLO: I am a fan.
16 (Laughter.)

17 SENATOR GIANARIS: I think you know
18 my quotes better than I do. But I doubt I ever
19 supported a special master, precisely because
20 the -- in this case, the special master was some
21 gentleman in Pennsylvania who knew very little
22 about the communities in New York State.

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

25 ACTING PRESIDENT BAILEY: Will the

1 sponsor yield?

2 SENATOR GIANARIS: Yes.

3 ACTING PRESIDENT BAILEY: The
4 Senator yields.

5 SENATOR BORRELLO: Well, I did
6 group in the Majority Leader with you. And back
7 when she was the Minority Leader, she was indeed
8 supportive of a special master.

9 And I don't necessarily disagree
10 with you that someone from outside the state may
11 not know the best, but it's also something that
12 would be independent and third party, very much
13 like the audit we are calling for of the entire
14 bloated New York State budget. We could have an
15 independent, third-party, disassociated person
16 that's perhaps drawing those maps for the sole
17 purpose of trying to meet the standard.

18 So I think that that is certainly
19 what happened there. But that's not what's going
20 to happen here. If this were to become law, not
21 only are you going to have the pen, as they say,
22 but you're also taking over the ability of the
23 Board of Elections -- taking away from the
24 Board of Elections their ability to actually
25 write the words on the ballot initiative.

1 Why are you doing that?

2 SENATOR GIANARIS: There's nothing
3 in this bill that would do that.

4 SENATOR BORRELLO: Pardon?

5 SENATOR GIANARIS: There's nothing
6 in this legislation that would do that.

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

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT BAILEY: The
13 sponsor yields.

14 SENATOR BORRELLO: Well, perhaps
15 because this was dropped on us just a few hours
16 ago, perhaps our analysts were wrong.

17 But it appears that the Board of
18 Elections will no longer be able to write the
19 actual words that will appear the ballot. Are
20 you saying that that's not true?

21 SENATOR GIANARIS: Let me help
22 Senator Borrello. That's tomorrow's debate,
23 Senator Borrello, a different bill.

24 SENATOR BORRELLO: Mr. President,
25 sorry for the foreshadowing.

1 (Laughter.)

2 SENATOR BORRELLO: But I guess I'll
3 save that question for tomorrow. But --

4 ACTING PRESIDENT BAILEY: Senator
5 Borrello, are you asking the Senator to yield or
6 on the bill?

7 SENATOR BORRELLO: If the sponsor
8 would please yield, yes.

9 ACTING PRESIDENT BAILEY: Will the
10 sponsor yield?

11 SENATOR GIANARIS: Yes.

12 ACTING PRESIDENT BAILEY: The
13 sponsor yields.

14 SENATOR BORRELLO: So I guess I
15 want to ask this question again. I know that
16 there is this feeling that we have to have
17 New York State somehow level the playing field
18 for things that are happening in other states.

19 But again, how is this good for
20 New Yorkers? What specifically about this change
21 to the Constitution and putting -- taking away
22 the Independent Redistricting Commission's power
23 and putting it into the hands of the party in
24 charge, which you admitted this will do, how is
25 this good for New Yorkers?

1 SENATOR GIANARIS: Let me begin by
2 once again pointing out that New Yorkers will
3 decide for themselves what's good for them and
4 what's not. If this gets passed in two
5 successive Legislatures, it will be on the ballot
6 for the voters to make a decision as to what they
7 want to do or not do in this case.

8 If you're asking me why I think it's
9 good for New York, it is because there is a
10 horrible attempt throughout the country now, in
11 at least half a dozen states -- that all are of a
12 particular political persuasion that you share --
13 to manipulate the process for unabashedly and
14 admittedly partisan purposes. And, I would also
15 add, racist purposes.

16 And so we are trying to give
17 New Yorkers a chance to have a voice in that that
18 and not be playing by a different set of rules.

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

21 ACTING PRESIDENT BAILEY: Will the
22 sponsor yield?

23 SENATOR GIANARIS: Yes.

24 ACTING PRESIDENT BAILEY: The
25 sponsor yields.

1 SENATOR BORRELLO: I do want to
2 take the opportunity to just point out -- because
3 I'd like you to address this. And again, this
4 was back in April 1st of 2011, a lifetime ago, I
5 will admit. But you did say "a court master is
6 certainly more independent than the Legislature
7 itself. While I would prefer an independent
8 commission where the Legislature has a voice, a
9 court master is still better than the status
10 quo."

11 So did you not admit that an actual
12 special master would be better in that quote?

13 SENATOR GIANARIS: That status quo
14 was very different than this status quo,
15 Senator Borrello.

16 SENATOR BORRELLO: Mr. President,
17 on the bill.

18 ACTING PRESIDENT BAILEY: Senator
19 Borrello on the bill.

20 SENATOR BORRELLO: Thank you,
21 Senator Gianaris.

22 So here's what I've heard. I've
23 heard that there is this battle that is happening
24 in other states and that New York State needs to
25 just trash what the voters of New York have twice

1 said that they wanted, an independent
2 redistricting commission. Because quite frankly,
3 gerrymandering, the idea of gerrymandering
4 repulses most people, most rank-and-file people.
5 They don't like that idea.

6 But because they're doing it in some
7 other state, that's supposed to be a
8 justification. Well, I don't know about your
9 grandmother, but my grandmother taught me two
10 wrongs don't make a right. So I don't want to
11 see that happen here in New York State,
12 number one.

13 But number two, people truly believe
14 that we are here to serve their best interests,
15 that we come here to Albany and pass legislation
16 to try to do the most good for the most people of
17 New York State.

18 That's not what this is going to do.
19 Now, I know Senator Gianaris has told me that
20 don't worry, we're going to give those voters a
21 chance again. However, we know that there is
22 going to be essentially a rigging of the system.
23 We're going to say the words just right, pour a
24 ton of money into the propaganda and try to
25 convince people that this is in their best

1 interest.

2 But before that was an issue, before
3 this fight happened, this national fight that we
4 have to be in, it was very simple. We said over
5 the course of two different parties controlling
6 this chamber, and over the course of several
7 years, that the best thing for New Yorkers is to
8 have an independent group of people draw maps,
9 draw districts that are in the best interests of
10 communities -- of like communities, communities
11 of interest. That was something that everybody
12 agreed on.

13 Now, perhaps the individual
14 nitty-gritty of the final ways that that came
15 about, everybody didn't agree on. But the
16 principle, the principle that the people of
17 New York State demanded is take the partisan
18 politics out of this.

19 You talk to people and you look at
20 the maps sometimes, and districts, and they're
21 like, How does this make sense? Most of the time
22 the answer is it doesn't.

23 But we had an opportunity to do the
24 right thing because that's what the people of
25 New York wanted. Even when all of a sudden the

1 majority changed -- you know, prior to me being
2 here; I've never been in the majority -- and the
3 politics changed. And we said, You know what?
4 The will of the people be damned. We're going to
5 do it the way we want to because now we're in
6 charge. And that's what the Democrats did.

7 And the courts said: Oh, no. Oh,
8 no. And, you know, I know Senator Gianaris said
9 that this is a corrupt court or whatever --
10 whatever. I don't think there were very many
11 Republican appointees. These were not partisan
12 judges. These were not activist judges like we
13 have now, by the way, this Court of Appeals that
14 we have here in the state that is just a lapdog
15 for the Majority.

16 No, they were liberals. They were
17 appointed by, almost entirely, Democrat
18 governors. But they were good jurists who
19 understood the Constitution and the law. And
20 they said what you did was illegal and
21 unconstitutional, and they struck it down. And
22 you wiped them out. In a very kind of
23 Darth-Vader-type way, I might add. So in a way,
24 I kind of respect that a little bit.

25 You wiped out fair, honest jurists

1 who actually were politically aligned with your
2 side, to replace it with people that would do
3 your bidding.

4 And so that's why now is a good
5 opportunity, right? It's a good opportunity
6 because you have everything lined up. You're
7 going to control the messaging, you're going to
8 have the money, and you're going to push this
9 through.

10 And do I hope that the people of
11 New York State see through that ruse? Yes, I do.
12 And I have faith that they will. I have faith
13 that they'll remember that they wanted their
14 people to be representing them, the
15 representatives here. They wanted people that
16 truly were doing what was in the best interests
17 of them to draw those maps. That's what I hope
18 New Yorkers choose. And I have faith that they
19 will, no matter how much you try to rig the
20 system in your favor.

21 But at the moment, that's not really
22 what you're saying. What you're saying is we
23 have to enter this fight, that we have to fight
24 fire with fire. That it doesn't matter what the
25 people of New York State want, what's in their

1 best interests. We have to enter this fight
2 because something somewhere else was done
3 unjustly.

4 You know what? I don't really
5 necessarily agree with what other states have
6 done, quite frankly. That's not my concern here.
7 My concern is to watch out for the best interests
8 of the people of my district and, in turn, the
9 people of New York State. That's my job here.
10 It's everyone's job here.

11 You want to run for Congress? You
12 want to go to Washington and be part of that
13 show? Feel free. That's not the job we're
14 elected to do here. We're supposed to uphold the
15 integrity of the people we represent and let them
16 know that we're not in here for some kind of
17 fight on behalf of somebody else that lives in a
18 different state.

19 We're here to represent the people
20 of New York State that sent us here. I don't
21 have a single person from Texas or wherever else
22 voting for me. They all live here in my
23 district. At least in my district they do.

24 So what's what we're going to do.
25 We're going to essentially say it doesn't really

1 matter, right or wrong, political or not. It
2 doesn't matter that we tried this before and we
3 were shut down. We're going to try it again.
4 We're going to blame something else, we're going
5 to blame some injustice far away as an excuse for
6 rigging the system.

7 Because the reality is this. We're
8 losing population. We are losing congressional
9 representation. Okay? Our districts are getting
10 less while other states are getting more. And so
11 it's going to be harder and harder to keep
12 control, to keep power. So you've got to rig the
13 system so you keep power. That's what this is
14 really about. You can blame it on whatever
15 injustice you want: This is about rigging the
16 system to stay in power no matter how harmful
17 your policies have been to the people of New York
18 State, to the quality of life here. That's what
19 this is really about.

20 And I hope that New Yorkers see
21 this. If it ends up going on the ballot, I hope
22 they flip that thing over and vote no, and I hope
23 that they restore the integrity of this body even
24 if this body doesn't want to have any integrity
25 itself.

1 So I'll be voting no. Thank you.

2 ACTING PRESIDENT BAILEY: Thank
3 you, Senator Borrello.

4 Senator Gianaris.

5 SENATOR GIANARIS: Mr. President,
6 if I can interrupt for a moment, there will be an
7 immediate meeting of the Crime Victims and
8 Corrections Committee in Room 124.

9 ACTING PRESIDENT BAILEY: There
10 will be an immediate meeting of the
11 Crime Victims, Crime and Corrections Committee in
12 Room 124.

13 Senator Rhoads, why do you rise?

14 SENATOR RHOADS: I was hoping that
15 the sponsor would yield to some questions.

16 ACTING PRESIDENT BAILEY: Will the
17 sponsor yield?

18 SENATOR GIANARIS: Senator Rhoads's
19 hopes are fulfilled. I will yield.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR RHOADS: I am glad to hear
23 that, Senator Gianaris. Thank you.

24 Through you, Mr. President.

25 (Reading): By creating an independent

1 commission, we will ensure that this government
2 is more representative of its people and not the
3 party that happens to be in power at that time.

4 Through you, Mr. President --
5 Madam President. We've had a change. Senator,
6 do you know who said that?

7 SENATOR GIANARIS: I'm going to
8 guess it's me.

9 (Laughter.)

10 SENATOR RHOADS: I'll answer that
11 question. Ironically, no.

12 SENATOR GIANARIS: Oh!

13 (Laughter.)

14 SENATOR RHOADS: It was
15 Majority Leader Stewart-Cousins --

16 SENATOR GIANARIS: Ah. Close
17 enough.

18 SENATOR RHOADS: -- who said that.
19 Will the sponsor yield to another
20 question?

21 ACTING PRESIDENT PERSAUD: Will the
22 sponsor yield?

23 SENATOR GIANARIS: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 sponsor yields.

1 SENATOR RHOADS: We must -- through
2 you, Madam President. (Reading): We must
3 conduct redistricting in a fair and bipartisan
4 manner. Building a better government begins with
5 keeping our promise to pass independent
6 redistricting.

7 Any idea who said that?

8 SENATOR GIANARIS: It's either me
9 or her?

10 SENATOR RHOADS: Well --

11 SENATOR GIANARIS: I'm not sure
12 which way you're going. It could have been
13 either of us. Definitely not you,
14 Senator Rhoads.

15 SENATOR RHOADS: In 2011 I wasn't
16 even in politics.

17 But that again was Majority Leader
18 Stewart-Cousins.

19 SENATOR GIANARIS: Don't I get any
20 quotes?

21 (Laughter.)

22 SENATOR RHOADS: Will the sponsor
23 continue to yield?

24 SENATOR GIANARIS: Yes.

25 ACTING PRESIDENT PERSAUD: Will the

1 sponsor yield? The sponsor yields.

2 SENATOR RHOADS: (Reading.) This
3 bill fulfills the promise that 53 of my Senate
4 colleagues and I made to the people of New York.
5 I would hope that all Senators who signed
6 Mayor Koch's pledge would join us in passing this
7 legislation and finally establishing an
8 Independent Redistricting Commission in this
9 state.

10 Do you know who happened to say
11 that?

12 SENATOR GIANARIS: Well, I'm going
13 to guess this time it's Leader Stewart-Cousins.

14 But I will say I'm disappointed
15 because your other colleagues were quoting me
16 more directly.

17 Nonetheless, I think what you're
18 referring to is a piece of legislation that was
19 not the constitutional amendment that ended up
20 being passed, which was quite different. Which
21 is why we didn't actually support it.

22 SENATOR RHOADS: You are correct,
23 it was Leader Stewart-Cousins.

24 Will the sponsor yield to another
25 question?

1 SENATOR GIANARIS: Yes.

2 ACTING PRESIDENT PERSAUD: Will the
3 sponsor yield? The sponsor yields.

4 SENATOR RHOADS: (Reading.)
5 Gerrymandering only serves the interests of
6 political parties and legislators in power, not
7 the people whom government officials are elected
8 to serve.

9 Of those two choices, which do you
10 think it is?

11 SENATOR GIANARIS: It's tough. I'm
12 going to go with Leader Stewart-Cousins again.

13 SENATOR RHOADS: Okay, this one
14 you're right.

15 SENATOR GIANARIS: Yes! I'm
16 learning. I'm learning.

17 SENATOR RHOADS: Will the sponsor
18 continue to yield?

19 ACTING PRESIDENT PERSAUD: Will the
20 sponsor yield?

21 SENATOR GIANARIS: I feel like
22 you're going to switch it to me at one point, so
23 I want to be ready.

24 (Laughter.)

25 SENATOR RHOADS: At some point.

1 SENATOR GIANARIS: Yes. Yes, I
2 yield.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

5 SENATOR RHOADS: (Reading.) This
6 is a matter of transparency and accountability.
7 We owe it to our constituents to get this done.

8 SENATOR GIANARIS: I'll go with
9 Leader Stewart-Cousins.

10 SENATOR RHOADS: Again, you are
11 right, Senator Gianaris.

12 (Off the record.)

13 SENATOR GIANARIS: What do I win,
14 Senator Rhoads?

15 (Laughter.)

16 SENATOR RHOADS: You get the chance
17 to sit down as I go on the bill for a few moments
18 before my next question.

19 (Laughter.)

20 ACTING PRESIDENT PERSAUD: Senator
21 Rhoads on the bill.

22 SENATOR RHOADS: Thank you,
23 Madam President. Through you.

24 We have heard a number of quotes
25 both through our Majority Leader Stewart-Cousins

1 and through our floor leader, Senator Gianaris,
2 each of them referring to the importance of there
3 being an independent redistricting process,
4 controlled not by the politicians in the Senate
5 but controlled by an independent redistricting
6 body. That was back in 2014.

7 And so the question becomes, what
8 changed? Well, back in 2014 the now-Majority was
9 in the Minority. The Republicans were in charge
10 back in 2014, and now the script has flipped.
11 And now my colleagues on the other side of the
12 aisle are singing a very different tune.

13 And as soon as that change happened,
14 what exactly took place? Well, all of a sudden
15 the redistricting process that was fair, that was
16 bipartisan, and that was independent all of a
17 sudden had to change.

18 My colleagues on the other side of
19 the aisle in 2021 put up a referendum, again for
20 the voters to approve to change the process. The
21 voters overwhelmingly said no.

22 Not to be deterred, my colleagues on
23 the other side of the aisle tried in 2022 what we
24 refer to as the Hochul-mander, the opportunity to
25 redraw the district lines in such a way that was

1 so egregious that even the Court of Appeals,
2 controlled by Democrats, Democrat appointees --
3 in fact, only one Republican on the Court of
4 Appeals at that time -- said there is absolutely
5 no way even we can allow that to take place.

6 In 2024, my colleagues on the other
7 side of the aisle then sued to throw out the
8 2022 lines that were eventually drawn by a
9 special master, and were successful in that suit.

10 Not happy with the court in 2022, we
11 then remade the Court of Appeals, rejecting the
12 Governor's appointee to be chief justice and
13 installing a chief justice who would do the
14 bidding of the Democratic majority and in fact
15 did just that, throwing Hector LaSalle to the
16 side as a discarded, sadly, casualty of this
17 political battle.

18 We've seen a host of legislation,
19 things like the odd-even law, which passed this
20 chamber proposed by my colleagues in the
21 majority, that changed the elections for local
22 offices to odd and even years -- to even years
23 under the guise of having greater voter
24 participation.

25 We've seen no-excuse absentee

1 ballots. We've seen temporary pop-up polling
2 locations. We've had automatic voter
3 registration for anyone who is applying for
4 Medicare, anyone at the DMV to renew a driver's
5 license, anyone applying for NYCHA housing now
6 receiving automatic enrollment in voter
7 registration, all things which, sadly, illegal
8 immigrants participate in. And these all make it
9 easier for illegal immigrants to be able to vote
10 in the process.

11 We had motor-voter registration, so
12 that simply filing for a driver's license or for
13 a state-issued I.D. would allow you to register
14 to vote.

15 So this didn't start with what
16 happened in other states. This is a process that
17 started as soon as my colleagues on the other
18 side got into the Majority back in 2019. And
19 that brings us up to today and this particular
20 bill.

21 And at this point I'm hoping that
22 Senator Gianaris would yield to a few questions.

23 ACTING PRESIDENT PERSAUD: Will the
24 Senator yield?

25 SENATOR GIANARIS: Yes, I do.

1 ACTING PRESIDENT PERSAUD: The
2 Senator yields.

3 SENATOR RHOADS: Thank you,
4 Senator. Through you, Madam President.

5 Back in 2021 this body passed
6 legislation controlling the redistricting process
7 that took place in counties. One of the
8 provisions of that legislation was that districts
9 shall consist of contiguous territory.

10 In the legislation that we are
11 debating now, does that provision still exist?

12 SENATOR GIANARIS: I'm -- I'm
13 struggling to figure out what you're asking
14 about. You said in '21 --

15 SENATOR RHOADS: Sure, not a
16 problem.

17 SENATOR GIANARIS: -- we passed
18 something about lines drawn by counties, is that
19 what you said?

20 SENATOR RHOADS: Redistricting by
21 counties.

22 SENATOR GIANARIS: Counties.

23 SENATOR RHOADS: So counties
24 controlling their own redistricting process.

25 SENATOR GIANARIS: Oh, I see.

1 SENATOR RHOADS: Not with respect
2 to Congress or the State Legislature, but this is
3 with respect to drawing the lines for their
4 own -- for example, county legislative districts.

5 SENATOR GIANARIS: Okay, I'm sorry.
6 Your question?

7 SENATOR RHOADS: In that process we
8 said that one of the things that they had to
9 consider was the districts shall consist of
10 contiguous territory.

11 In the piece of legislation that's
12 before us, it appears as though districts
13 consisting of contiguous territory was removed
14 from the state redistricting process. Why is
15 that?

16 SENATOR GIANARIS: I'm sorry to
17 inform you that you are incorrect. The
18 contiguous territory language is still there,
19 on -- what is that -- page 4, line 7.

20 SENATOR RHOADS: Will the sponsor
21 yield to another question?

22 ACTING PRESIDENT PERSAUD: Will the
23 sponsor yield?

24 SENATOR GIANARIS: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

2 SENATOR RHOADS: In the 2021
3 legislation it requires that counties, when they
4 do their redistricting, "districts shall be as
5 compact in form as practicable." Does that
6 provision continue in the legislation that's
7 before us today?

8 SENATOR GIANARIS: This time
9 Senator Rhoads is correct. That language is no
10 longer there.

11 SENATOR RHOADS: I should have read
12 my highlighting better.

13 Will the sponsor continue to yield?

14 ACTING PRESIDENT PERSAUD: Does the
15 sponsor yield?

16 SENATOR GIANARIS: Yes.

17 ACTING PRESIDENT PERSAUD: The
18 sponsor yields.

19 SENATOR RHOADS: So that provision
20 has been removed.

21 SENATOR GIANARIS: Correct.

22 SENATOR RHOADS: Why?

23 SENATOR GIANARIS: Because we are
24 providing New York with some flexibility to
25 respond to the dynamics of the last couple of

1 years that have seen other states manipulate the
2 process to skew Congress in an unrepresentative
3 fashion.

4 SENATOR RHOADS: And will the
5 sponsor continue to yield?

6 ACTING PRESIDENT PERSAUD: Will the
7 sponsor yield?

8 SENATOR GIANARIS: Yes.

9 ACTING PRESIDENT PERSAUD: The
10 sponsor yields.

11 SENATOR RHOADS: In the 2021
12 legislation we told counties that districts shall
13 not be drawn to discourage competition or for the
14 purpose of favoring or disfavoring incumbents or
15 other political candidates or political parties.

16 In this legislation, am I correct in
17 understanding that that provision has also been
18 removed?

19 SENATOR GIANARIS: Yes, you are.

20 SENATOR RHOADS: And in the 2021
21 legislation --

22 ACTING PRESIDENT PERSAUD: Are you
23 asking the sponsor to yield, Senator?

24 SENATOR RHOADS: Will the sponsor
25 continue to yield?

1 ACTING PRESIDENT PERSAUD: Does the
2 sponsor yield?

3 SENATOR GIANARIS: I do.

4 ACTING PRESIDENT PERSAUD: The
5 sponsor yields.

6 SENATOR RHOADS: And in the
7 2021 legislation we told counties that it was
8 incredibly important that to the extent
9 practicable, no villages, cities or towns, except
10 those having more than 40 percent of a full ratio
11 for each district, shall be divided.

12 Am I correct in my understanding
13 that that language has been removed in this
14 legislation?

15 SENATOR GIANARIS: Again, you're
16 talking about county --

17 SENATOR RHOADS: In the instant
18 legislation before us, I read the provision in --

19 SENATOR GIANARIS: I don't believe
20 that language is in there. I'm not sure it was
21 there to begin with, in terms of what we're
22 amending. But it's not there now.

23 SENATOR RHOADS: And in the -- will
24 the sponsor continue to yield?

25 ACTING PRESIDENT PERSAUD: Does the

1 sponsor yield?

2 SENATOR GIANARIS: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

5 SENATOR RHOADS: In the present
6 legislation the line "The commission" -- and I'm
7 referring to page 4, line 11: "The commission
8 shall consider the maintenance of cores of
9 existing districts, of preexisting political
10 subdivisions, including counties, cities and
11 towns," was stricken from this legislation.

12 Is this also to provide the same
13 flexibility that you mentioned earlier?

14 SENATOR GIANARIS: That's correct,
15 Senator Rhoads.

16 SENATOR RHOADS: Okay. Will the
17 sponsor continue to yield?

18 ACTING PRESIDENT PERSAUD: Will the
19 sponsor yield?

20 SENATOR GIANARIS: Yes.

21 ACTING PRESIDENT PERSAUD: The
22 sponsor yields.

23 SENATOR RHOADS: If the purpose
24 behind instructing the counties when they were
25 performing redistricting to abide by these

1 guidelines that were in the 2021 legislation --
2 are removed from this existing legislation, would
3 you agree that the purpose of doing so was to
4 allow the Legislature the ability to disregard
5 cores of existing districts to favor or disfavor
6 incumbents or other candidates or political
7 parties?

8 SENATOR GIANARIS: Would I agree
9 that this provides that possibility, is that the
10 question?

11 SENATOR RHOADS: Yes.

12 SENATOR GIANARIS: I suppose so.

13 SENATOR RHOADS: And will the
14 sponsor continue to yield.

15 ACTING PRESIDENT PERSAUD: Will the
16 sponsor yield?

17 SENATOR GIANARIS: Yes.

18 ACTING PRESIDENT PERSAUD: The
19 sponsor yields.

20 SENATOR RHOADS: If redistricting
21 were to take place as you suggest, I note from
22 the legislation it indicates that we would be
23 using 2020 Census data, is that correct?

24 SENATOR GIANARIS: In? I'm
25 sorry --

1 SENATOR RHOADS: If redistricting
2 were to take place under the provisions of this
3 legislation, am I correct in my understanding
4 that your intention is to use 2020 Census data?

5 SENATOR GIANARIS: Not for the
6 redistricting of 2032.

7 SENATOR RHOADS: Correct.

8 SENATOR GIANARIS: That would be
9 based on the Census of 2030.

10 SENATOR RHOADS: Will the sponsor
11 continue to yield.

12 ACTING PRESIDENT PERSAUD: Will the
13 sponsor yield?

14 SENATOR GIANARIS: Yes.

15 ACTING PRESIDENT PERSAUD: The
16 Senator yields.

17 SENATOR RHOADS: If the decision
18 were made to perform a redistricting mid-decade
19 or within the course of a decade -- let's say in
20 2028, for example -- is my understanding -- am I
21 correct in my understanding that we would be
22 using 2020 Census data in order to do that?

23 SENATOR GIANARIS: That's correct.

24 SENATOR RHOADS: And will the
25 sponsor continue to yield.

1 ACTING PRESIDENT PERSAUD: Does the
2 sponsor yield?

3 SENATOR GIANARIS: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 sponsor yields.

6 SENATOR RHOADS: I am sure that
7 you -- Madam President, through you, of course.

8 I am sure, Senator, that you're
9 aware that New York has lost over a million
10 people since the last census and is projected to
11 lose one to two congressional seats prior to the
12 2030 Census.

13 How is it your intention to draw
14 accurate lines when the data that it's based upon
15 is inherently inaccurate at this point?

16 SENATOR GIANARIS: Well, because
17 what we'd be amending would be the lines that
18 were based on the 2020 Census to begin with.

19 So I mean in a sense your question
20 presupposes that the current lines are no longer
21 accurate, an accurate representation of the
22 population of the state.

23 SENATOR RHOADS: Will the sponsor
24 continue to yield?

25 ACTING PRESIDENT PERSAUD: Will the

1 sponsor yield?

2 SENATOR GIANARIS: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

5 SENATOR RHOADS: That may very well
6 be true, Senator.

7 But the reality is that using the
8 2020 Census data to complete a redistricting,
9 knowing that those numbers are inaccurate, simply
10 compounds an error that we may already be making.

11 But I will ask this question. In
12 the legislation, one of the few criteria that is
13 actually still permitted to be considered is that
14 of a community of interest. Can you define what
15 a community of interest is?

16 SENATOR GIANARIS: I think we went
17 through that, I think it was with Senator Martins
18 earlier.

19 Communities of interest don't have a
20 very specific legal definition. It can be based
21 on numerous factors. And it's why I think it's
22 best left to those who are actually closer to the
23 people and representative of the people, as
24 opposed to, say, a professor from Pennsylvania.

25 SENATOR RHOADS: And will the

1 sponsor continue to yield?

2 ACTING PRESIDENT PERSAUD: Will the
3 sponsor yield?

4 SENATOR GIANARIS: Yes.

5 ACTING PRESIDENT PERSAUD: The
6 sponsor yields.

7 SENATOR RHOADS: Well, through you,
8 Madam President. Would the sponsor be kind
9 enough to give us a few examples of what he
10 believes communities of interest might mean, to
11 provide some guidance to those that are looking
12 at this afterward?

13 SENATOR GIANARIS: I think I did
14 that previously. You could look at neighborhoods
15 within New York City.

16 And neighborhoods are very
17 notoriously difficult to define specifically.
18 And so, you know, I could tell you where Astoria
19 ends and Long Island City begins, but I don't
20 know that many other people -- Senator Gonzalez
21 certainly can. But I don't think there's many
22 other people who have as much familiarity with
23 New York to make that kind of determination.

24 In other parts of the state you
25 could look at counties, you could look at

1 town lines, you can look at religious beliefs,
2 you could look at ethnic identity. There's
3 different factors that make counties a community
4 of interest that those who represent these
5 communities would know very well.

6 SENATOR RHOADS: Would the sponsor
7 continue to yield?

8 ACTING PRESIDENT PERSAUD: Will the
9 sponsor yield?

10 SENATOR GIANARIS: Yes.

11 ACTING PRESIDENT PERSAUD: The
12 sponsor yields.

13 SENATOR RHOADS: Would industry be
14 one of the factors that you could look at as a
15 community of interest? Industry.

16 SENATOR GIANARIS: I think I
17 mentioned economy earlier in discussing this with
18 Senator Martins.

19 SENATOR RHOADS: Will the sponsor
20 continue to yield?

21 ACTING PRESIDENT PERSAUD: Will the
22 sponsor yield?

23 SENATOR GIANARIS: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 sponsor yields.

1 SENATOR RHOADS: Would that
2 potentially include student populations?

3 SENATOR GIANARIS: I suppose so.

4 SENATOR RHOADS: I'm sorry?

5 SENATOR GIANARIS: I said I suppose
6 so.

7 SENATOR RHOADS: Will the sponsor
8 continue to yield.

9 SENATOR GIANARIS: And I -- I do.

10 ACTING PRESIDENT PERSAUD: The
11 sponsor yields.

12 SENATOR GIANARIS: And if I could
13 just add to that answer a little bit, ultimately
14 a legislature will decide, under this proposal.

15 But frankly on a -- once every
16 decennial year the commission would have the
17 opportunity to do this, decide what they believe
18 is an appropriate community of interest.

19 And as inevitably happens, every
20 time there's a redistricting there will be a
21 court challenge and a court will decide if those
22 are valid determinations or not.

23 SENATOR RHOADS: And will the
24 sponsor continue to yield.

25 ACTING PRESIDENT PERSAUD: Will the

1 sponsor yield?

2 SENATOR GIANARIS: Yes.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

5 SENATOR RHOADS: Earlier in this
6 debate you stated that New York suffers when
7 Congress is not representative of the people of
8 New York. I believe that was your quote.

9 SENATOR GIANARIS: Sounds right.
10 That was me.

11 (Laughter.)

12 SENATOR RHOADS: That was you.
13 That was you.

14 (Laughter.)

15 SENATOR RHOADS: I will note that
16 registration statistics are that New York is
17 47 percent Democratic yet has 73 percent of the
18 representation in Congress.

19 At what point do you believe that
20 becomes too much, and how will this legislation
21 address it?

22 SENATOR GIANARIS: What that says
23 to me was there's plenty of blanks and
24 Republicans going for Democratic candidates in
25 this state.

1 SENATOR RHOADS: And not the --
2 will the sponsor continue to yield.

3 ACTING PRESIDENT PERSAUD: Will the
4 sponsor yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

8 SENATOR RHOADS: And has nothing to
9 do with how the congressional lines are already
10 drawn?

11 SENATOR GIANARIS: You guys have
12 been telling me for the last hour and a half that
13 these lines are drawn fairly. Now you're telling
14 me they're not drawn fairly because it's
15 mischaracterizing the population.

16 So I don't know, Senator Rhoads.
17 You either like these lines or you don't. If you
18 don't like these lines, vote for the bill. We're
19 giving you a chance to do it differently.

20 SENATOR RHOADS: Will the sponsor
21 continue to yield?

22 ACTING PRESIDENT PERSAUD: Will the
23 sponsor yield?

24 SENATOR GIANARIS: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 Senator yields.

2 SENATOR RHOADS: Can you tell me,
3 when do you anticipate this actually appearing on
4 the ballot for voters to actually consider?

5 SENATOR GIANARIS: Well,
6 Senator Rhoads, I will be gone by the time that
7 determination is made. Second passage has to
8 occur, and the next Legislature, of which I will
9 not be a part.

10 SENATOR RHOADS: Understood.

11 Will the sponsor continue to yield?

12 ACTING PRESIDENT PERSAUD: Will the
13 sponsor yield?

14 SENATOR GIANARIS: Yes.

15 ACTING PRESIDENT PERSAUD: The
16 Senator yields.

17 SENATOR RHOADS: Do you anticipate
18 that this will actually be put on the ballot in
19 2028 when we have the greatest voter turnout,
20 according to the odd-even bill? Or do you think
21 this will be in 2027 when all of the elections --
22 for the most part, with the exception of the City
23 of New York -- will be on the ballot?

24 SENATOR GIANARIS: This is not a
25 decision I get to make, Senator Rhoads. The

1 incoming Legislature next year will either have
2 second passage occur in '27 or '28 and decide
3 when to put it on the ballot.

4 But it will be either in 2027 or
5 2028. Because if it's not, you'll get into the
6 second Legislature beyond this one, and that
7 wouldn't be the process that we use.

8 SENATOR RHOADS: Thank you,
9 Senator Gianaris.

10 On the bill.

11 ACTING PRESIDENT PERSAUD: Senator
12 Rhoads on the bill.

13 SENATOR RHOADS: What we're seeing
14 here is essentially a repudiation of the very
15 process that my colleagues on the other side of
16 the aisle advocated for back in 2014.

17 That process, since they took the
18 Majority, has continued to be undermined by the
19 actions of this Majority. First directly, by
20 refusing the will of the voters, putting this up
21 for a referendum, the voters having confirmed
22 their belief that there should be an Independent
23 Redistricting Commission.

24 Trying to advance congressional
25 lines in 2022 that were so egregious that they

1 had to be overturned by the Court of Appeals.
2 Then changing the composition of the Court of
3 Appeals so that they would have a friendlier
4 court the next time that they tried it.

5 Which they did again in 2024, this
6 time successfully, undermining through
7 legislation like the odd-even law, no-excuse
8 absentee ballots, temporary pop-up polling
9 locations, automatic voter registration -- all of
10 the things that we have seen to try and influence
11 the electorate and the electorate's composition.

12 And now we have this piece of
13 legislation, which throws up their hands and
14 says, You know what? We're simply going to try
15 and scrap the entire process because we're in
16 charge and because we can.

17 Oh, and by the way, while my
18 colleague may no longer be in this chamber next
19 year, I fully expect that this will be back on
20 the docket for consideration in the 2027
21 legislative session, and that this will appear in
22 2027.

23 And this will appear not on the
24 2028 ballot when we have the largest turnout, as
25 guaranteed by the switch of odd-year elections

1 back to even years, but it will be done when you
2 have the lowest-turnout election, because the
3 City of New York is the only jurisdiction in the
4 state that's been exempted from this odd-even
5 rule. And so in 2027, you will have a tremendous
6 turnout from the City of New York controlled by
7 Democrats.

8 This legislation is undermining the
9 clear expression of the will of the people. That
10 is why it should be rejected. And I hope it will
11 be rejected -- if this ever makes it to the
12 ballot, it will be rejected by the voters of the
13 State of New York.

14 This is not about having fair
15 elections, this is about having easy elections
16 where it's easier to control the outcome to the
17 benefit of the Majority. That is not democracy,
18 that is tyranny.

19 Thank you, Madam President.

20 ACTING PRESIDENT PERSAUD: Senator
21 Canzoneri-Fitzpatrick, why do you rise?

22 SENATOR CANZONERI-FITZPATRICK:

23 Thank you, Madam President. I was wondering if
24 the sponsor would yield for a few questions.

25 ACTING PRESIDENT PERSAUD: Will the

1 sponsor yield?

2 SENATOR GIANARIS: I would.

3 ACTING PRESIDENT PERSAUD: The
4 sponsor yields.

5 SENATOR CANZONERI-FITZPATRICK:
6 Thank you.

7 So I believe I heard you say that
8 you want to pass this legislation so that
9 New Yorkers have a freer hand to determine the
10 congressional seats. Is that accurate?

11 SENATOR GIANARIS: I think I said
12 we wanted to create greater flexibility.

13 SENATOR CANZONERI-FITZPATRICK:
14 Through you, Madam President, will the sponsor
15 continue to yield?

16 ACTING PRESIDENT PERSAUD: Will the
17 sponsor yield?

18 SENATOR GIANARIS: Yes.

19 ACTING PRESIDENT PERSAUD: The
20 Senator yields.

21 SENATOR CANZONERI-FITZPATRICK: So
22 my understanding is that at this time in New York
23 we have 26 seats in Congress, seven of which are
24 Republican, 19 of which are Democrat.

25 My question for you is, how many

1 Republicans do you think we should have in
2 Congress?

3 SENATOR GIANARIS: As many as the
4 people elect.

5 SENATOR CANZONERI-FITZPATRICK:
6 Through you, Madam President, will the sponsor
7 continue to yield.

8 ACTING PRESIDENT PERSAUD: Will the
9 sponsor yield?

10 SENATOR GIANARIS: Yes.

11 ACTING PRESIDENT PERSAUD: The
12 sponsor yields.

13 SENATOR CANZONERI-FITZPATRICK: By
14 my count, since 2014 we've had 16 proposed
15 measures to amend our Constitution, four of which
16 related to the election process, only one of
17 which passed. And that's the one that we are
18 trying to undo by this legislation.

19 So my question for you is: Why do
20 you think that the voters will actually approve
21 this based on the prior voting record?

22 SENATOR GIANARIS: Because the
23 dynamics around the country as it relates to this
24 issue have changed dramatically in the last
25 couple of years. You have some states that have

1 chosen to get involved in mid-decade
2 redistricting. You have others that have
3 targeted Black members of Congress specifically.
4 You have a Supreme Court decision that has
5 allowed these states, that are all of a
6 particular political persuasion, to do these
7 things.

8 And I think that changing landscape
9 justifies us giving the people of this state the
10 opportunity to opine on whether we should make
11 changes.

12 SENATOR CANZONERI-FITZPATRICK:
13 Through you, Madam President, will the sponsor
14 continue to yield?

15 ACTING PRESIDENT PERSAUD: Will the
16 sponsor yield?

17 SENATOR GIANARIS: Yes.

18 ACTING PRESIDENT PERSAUD: The
19 Senator yields.

20 SENATOR CANZONERI-FITZPATRICK: So
21 would you say that gerrymandering in New York is
22 okay if it just elects more Democrats?

23 SENATOR GIANARIS: No, I certainly
24 never said that.

25 SENATOR CANZONERI-FITZPATRICK:

1 Through you, Madam President, will the sponsor
2 continue to yield?

3 ACTING PRESIDENT PERSAUD: Will the
4 sponsor yield?

5 SENATOR GIANARIS: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

8 SENATOR CANZONERI-FITZPATRICK:
9 When the redistricting commission was created, to
10 my understanding it was voted on by a majority in
11 this house that was controlled by Republicans,
12 and the Assembly was controlled by Democrats,
13 bipartisanship.

14 Are you saying that those bodies
15 that decided to elect to create the redistricting
16 commission were wrong?

17 SENATOR GIANARIS: One hundred
18 percent yes.

19 And I wouldn't call it
20 bipartisanship. I would call it incumbency-ship.
21 The majorities in both houses did what they had
22 to do to protect themselves.

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

1 ACTING PRESIDENT PERSAUD: Does the
2 sponsor yield?

3 SENATOR GIANARIS: Yes.

4 ACTING PRESIDENT PERSAUD: The
5 sponsor yields.

6 SENATOR CANZONERI-FITZPATRICK: So
7 court cases that have approved the Independent
8 Redistricting Commission have overwhelmingly
9 continually reapproved this process, but we're
10 trying to change it.

11 And is it our responsibility to fix
12 what's going on in Washington? Don't we have a
13 responsibility first to New Yorkers?

14 SENATOR GIANARIS: We have a
15 responsibility to both things.

16 And I would just again point out we
17 are not changing it. We are giving the voters
18 the opportunity to change it.

19 SENATOR CANZONERI-FITZPATRICK:
20 Through you, Madam President, will the sponsor
21 continue to yield?

22 ACTING PRESIDENT PERSAUD: Will the
23 sponsor yield?

24 SENATOR GIANARIS: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

2 SENATOR CANZONERI-FITZPATRICK:

3 Well, I would submit that by taking away a
4 two-thirds vote to override the commission and to
5 change how districts can be created is
6 essentially gutting what the Independent
7 Redistricting Commission was designed to do.

8 Do you disagree with that?

9 SENATOR GIANARIS: Yes.

10 SENATOR CANZONERI-FITZPATRICK:

11 Through you, Madam President, will the sponsor
12 continue to yield.

13 ACTING PRESIDENT PERSAUD: Does the
14 sponsor yield?

15 SENATOR GIANARIS: I do.

16 ACTING PRESIDENT PERSAUD: The
17 sponsor yields.

18 SENATOR CANZONERI-FITZPATRICK: So
19 if we have districts that are cutting through
20 counties, cutting through villages, cutting
21 through towns, that's possible under this bill,
22 is it not?

23 SENATOR GIANARIS: I apologize,
24 Senator, I was talking to staff. Can you repeat
25 that?

1 SENATOR CANZONERI-FITZPATRICK:

2 Sure. It's my understanding by this legislation
3 that we could create districts that cut through
4 counties, cut through townships, cut through
5 incorporated villages, and divide communities,
6 potentially. Is that correct?

7 SENATOR GIANARIS: Well, I would
8 disagree with that because the requirement to
9 maintain communities of interest is still there.

10 And so I would say if you're
11 creating things that divide communities in that
12 way, that would not be appropriate, even still.

13 SENATOR CANZONERI-FITZPATRICK:
14 Through you, Madam President, will the sponsor
15 continue to yield.

16 ACTING PRESIDENT PERSAUD: Will the
17 sponsor yield?

18 SENATOR GIANARIS: Yes.

19 ACTING PRESIDENT PERSAUD: The
20 sponsor yields.

21 SENATOR CANZONERI-FITZPATRICK: If
22 this bill does pass and passes again in the next
23 session and then it goes to the voters, does this
24 legislation dictate how the language will be
25 formed for a ballot amendment?

1 SENATOR GIANARIS: No, it does not.

2 SENATOR CANZONERI-FITZPATRICK:

3 Through you, Madam President, will the sponsor
4 continue to yield.

5 ACTING PRESIDENT PERSAUD: Will the
6 sponsor yield?

7 SENATOR GIANARIS: Yes.

8 ACTING PRESIDENT PERSAUD: The
9 sponsor yields.

10 SENATOR CANZONERI-FITZPATRICK:
11 Under current law, would not that be controlled
12 by the Independent Redistricting Commission?

13 SENATOR GIANARIS: Language on the
14 ballot?

15 SENATOR CANZONERI-FITZPATRICK: The
16 language on the ballot.

17 SENATOR GIANARIS: No.

18 SENATOR CANZONERI-FITZPATRICK:

19 Through you, Madam President, will the sponsor
20 continue to yield.

21 ACTING PRESIDENT PERSAUD: Will the
22 sponsor yield?

23 SENATOR GIANARIS: Yes.

24 ACTING PRESIDENT PERSAUD: The
25 sponsor yields.

1 SENATOR CANZONERI-FITZPATRICK: Do
2 you know who would determine the ballot language?

3 SENATOR GIANARIS: The State Board
4 of Elections.

5 SENATOR CANZONERI-FITZPATRICK:
6 Madam President, on the bill.

7 ACTING PRESIDENT PERSAUD: Senator
8 Canzoneri-Fitzpatrick on the bill.

9 SENATOR CANZONERI-FITZPATRICK: We
10 are New York Senators in the New York State
11 Senate. What we cannot control is what's going
12 on in other states. What we can control is
13 what's going on here.

14 And we all know what's being done
15 here. This is rigging the system to eliminate
16 Republican congressmen. The Independent
17 Redistricting Commission was advanced based on a
18 bipartisan agreement with a controlled -- a
19 Senate controlled by Republicans and a
20 Democrat-controlled Assembly. And the voters
21 approved it. The only election amendment that we
22 have approved in this state, now we want to throw
23 it out.

24 Voters have rejected each
25 election-related constitutional amendment

1 advanced under one-party control. So what's our
2 solution? Is it to start proposing election
3 amendments that voters actually do support? Such
4 as one we've put forth several times in this
5 body, is voter ID. Because if you look at the
6 polling, an overwhelming majority of New Yorkers
7 actually support voter ID. But that's not what's
8 going on the ballot.

9 Rather than conforming to what
10 New Yorkers want, we want to rig the process. If
11 you can't get New Yorkers on board with the
12 changes that you want, then we will just change
13 the system.

14 I think New Yorkers know better, and
15 I'm confident that they will reject this proposal
16 if it reaches that stage. But I strongly
17 encourage my colleagues to vote no.

18 Thank you, Madam President.

19 ACTING PRESIDENT PERSAUD: Thank
20 you.

21 Senator Ashby, why do you rise?

22 SENATOR ASHBY: Good evening,
23 Madam President.

24 ACTING PRESIDENT PERSAUD: Good
25 evening.

1 SENATOR ASHBY: Will the sponsor
2 yield?

3 ACTING PRESIDENT PERSAUD: Will the
4 sponsor yield?

5 SENATOR GIANARIS: I do.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

8 SENATOR ASHBY: Through you,
9 Madam President. Do you think that Congress was
10 generally more productive in the 1960s or more
11 productive today?

12 SENATOR GIANARIS: I honestly have
13 no idea.

14 SENATOR ASHBY: Will the sponsor
15 yield?

16 ACTING PRESIDENT PERSAUD: Will the
17 sponsor yield?

18 SENATOR GIANARIS: Yes.

19 ACTING PRESIDENT PERSAUD: The
20 sponsor yields.

21 SENATOR ASHBY: Do you think there
22 were fewer or more politically competitive
23 congressional seats then?

24 SENATOR GIANARIS: In the 1960s?
25 Again, I really don't know.

1 You guys are going way back today.
2 But this one is the most, 60 years. You going to
3 pull out a quote from my elementary school or
4 something?

5 SENATOR ASHBY: On the bill.

6 ACTING PRESIDENT PERSAUD: Senator
7 Ashby on the bill.

8 SENATOR ASHBY: In 1964, for
9 example, 120 members of Congress were elected
10 with less than 55 percent of the vote. And in
11 the years shortly after, Congress passed the
12 Voting Rights Act, the Civil Rights Act, the
13 Economic Opportunity Act, the Housing Rights Act,
14 and created Medicare and Medicaid -- all with
15 bipartisan votes that would be an anomaly today.

16 Will the sponsor yield?

17 ACTING PRESIDENT PERSAUD: Will the
18 sponsor yield?

19 SENATOR GIANARIS: Yes.

20 ACTING PRESIDENT PERSAUD: The
21 sponsor yields.

22 SENATOR ASHBY: Do you think that
23 it's fair to say that political polarization,
24 fueled by partisan gerrymandering, has been a
25 factor that's made Congress less productive?

1 SENATOR GIANARIS: Again, I --

2 SENATOR ASHBY: Or should I say --
3 excuse me, Madam President. I know you didn't
4 comment on it earlier today, Senator Gianaris,
5 whether or not Congress is less productive today
6 versus 60 years ago. Assuming that your opinion
7 is that they're less productive today.

8 SENATOR GIANARIS: What I would
9 say -- and maybe you would agree with this as
10 well, it gets to your same point. Certainly
11 things are more divided and less collaborative
12 today than they were then. And yes, I do think
13 that partisan gerrymandering is a part of that
14 problem.

15 SENATOR ASHBY: Will the sponsor
16 yield?

17 ACTING PRESIDENT PERSAUD: Will the
18 sponsor yield?

19 SENATOR GIANARIS: Yes.

20 ACTING PRESIDENT PERSAUD: The
21 sponsor yields.

22 SENATOR ASHBY: Through you,
23 Madam President. Would you support, then, state
24 governments passing laws creating compacts
25 requiring each member state to use nonpartisan,

1 independent redistricting commissions every
2 10 years?

3 SENATOR GIANARIS: Yes, I would.

4 SENATOR ASHBY: That's excellent.

5 Will the sponsor yield?

6 ACTING PRESIDENT PERSAUD: Does the
7 sponsor yield?

8 SENATOR GIANARIS: Yes.

9 ACTING PRESIDENT PERSAUD: The
10 sponsor yields.

11 SENATOR ASHBY: How many states
12 would you like to -- would you agree to form that
13 compact before it would go into effect?

14 SENATOR GIANARIS: That's a really
15 good question, seeing as how this is the first
16 time I've been presented with this possibility.
17 I'd have to take some thought. And I don't know
18 that I have a very specific answer for you.

19 But, you know, it would have to be
20 many of them. Certainly greater than --
21 substantially greater than a majority of the
22 states.

23 SENATOR ASHBY: Will the sponsor --

24 SENATOR GIANARIS: But you know
25 what, as I sit here and continue to think about

1 it, substantially greater than states that
2 represent a majority of the members of Congress,
3 let's do it that way.

4 SENATOR ASHBY: Does the sponsor
5 yield?

6 SENATOR GIANARIS: Are we
7 negotiating a new bill, Senator Ashby?

8 ACTING PRESIDENT PERSAUD: Will the
9 sponsor yield?

10 SENATOR GIANARIS: Yes.

11 ACTING PRESIDENT PERSAUD: The
12 sponsor yields.

13 SENATOR ASHBY: We may be.

14 (Laughter.)

15 SENATOR ASHBY: In fact, there is a
16 similar compact that has to do with the popular
17 vote.

18 Through you, Madam President. If we
19 pass this bill and adopt a public referendum and
20 adopt a new healthy Democratic map, don't we
21 create a standoff with other states? Who blinks
22 first and goes back to a balanced map? What's
23 the exit strategy?

24 SENATOR GIANARIS: It's a really
25 good question. The exit strategy is a national

1 solution. And so -- well, one that you
2 suggested, possibly.

3 But either enough states get
4 together and do this -- and by the way, I believe
5 New York is a member of the compact related to
6 popular vote for president -- or the federal
7 government gets its act together and does this
8 for all the states so we are all operating by the
9 same rules.

10 SENATOR ASHBY: On the bill.

11 ACTING PRESIDENT PERSAUD: Senator
12 Ashby on the bill.

13 SENATOR ASHBY: I want to thank
14 Senator Gianaris. Although I was a little
15 surprised at his lack of historical political
16 knowledge in the 1960s. But I know that he's
17 been pressed with more recent -- more recent
18 events here.

19 But again, I mean, this begs the
20 question, Madam President, that this measure has
21 been to the voters before, and they've decided
22 over and over again to reject it.

23 Despite what's happening at the
24 national level, despite that it's wrong what
25 other states are doing, we should not jump into

1 the fray, especially after it's been decided by
2 our voters. Yet this remains the priority for
3 this Majority.

4 I look forward to seeing it
5 defeated. Thank you.

6 ACTING PRESIDENT PERSAUD: Senator
7 Helming, why do you rise?

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

10 ACTING PRESIDENT PERSAUD:
11 Senator Helming on the bill.

12 SENATOR HELMING: Thank you.

13 We've heard a lot tonight, but the
14 bottom line is the voters of this state don't
15 want gerrymandering, period. That's why they
16 overwhelmingly voted for constitutional reforms
17 to take redistricting out of the hands of
18 politicians.

19 During the debate there has been so
20 much back-and-forth on why the bill before us is
21 needed. Why is the Majority pushing these
22 significant changes to the bipartisan process
23 that's currently enshrined in our Constitution?
24 And based on what I've heard, what it comes down
25 to is that there's a belief that changes are

1 needed to counter the actions of other states.

2 And I'd say that message is
3 consistent with what I've been reading in the
4 news lately, that the Governor's out there saying
5 that she could get behind these changes because
6 she doesn't like what's happening at the federal
7 level or in other states. And that is the reason
8 why the process that we currently have is under
9 attack here this evening.

10 Madam President, I would offer that
11 changing political circumstances in other states
12 should not be used as justification for
13 disregarding the Constitution and the will of the
14 people. We have something that's really great.
15 We have something that people want. We have an
16 independent, bipartisan commission. We have
17 ensured that our state government is
18 representative of the people who make up this
19 state.

20 The bill before us is absolutely not
21 necessary. And I would offer this: That this
22 type of politically driven action, this is what
23 people are sick and tired of. This is why
24 they're losing trust and confidence in our
25 government.

1 I will be voting no.

2 ACTING PRESIDENT PERSAUD: Senator
3 Tedisco, why do you rise?

4 SENATOR TEDISCO: I've got to get
5 to my seat.

6 (Laughter.)

7 ACTING PRESIDENT PERSAUD: Time's
8 going.

9 SENATOR TEDISCO: Thank you,
10 Madam President. On the bill.

11 ACTING PRESIDENT PERSAUD: Senator
12 Tedisco on the bill.

13 SENATOR TEDISCO: Madam President
14 and my colleagues, I think you're about to make
15 this the saddest day I have experienced as a
16 legislator in this New York State Legislature,
17 either in the Assembly where I served, or here on
18 the Senate floor. If it's not the saddest, it's
19 at the top of the list.

20 It's not only disappointing, it's
21 disturbing, what you're about to do. You're not
22 only about to impact in a serious way our
23 representative democracy, you're about to
24 legalize the one thing my constituents and yours
25 have always railed against -- you're going to

1 legalize, to a great extent, gerrymandering.

2 Now, if I'm saddened now, you may
3 not be saddened here sitting in the chambers.
4 You're looking to the future. Every two years,
5 if we don't like what this looks like on our side
6 of the aisle, the numbers we have and you have,
7 we'll just do it all over again. Every two years
8 we'll change the districts so we can win more
9 seats.

10 When you go home and you sit down
11 and you look at the replay of the Knicks tonight,
12 you're going to think to yourself, I didn't do
13 justice to my constituents. Because as much as
14 we're sad on this side for you, and you're going
15 to be sad later on if you have a conscience, the
16 saddest people tonight are the constituents you
17 represent.

18 Because you were sent here to
19 represent not only yours, but all the people of
20 New York State. I can assure you that like my
21 constituents, the preponderance of yours, for our
22 Assemblymembers and our Senators, do not support
23 this attempt to legalize gerrymandering, to let
24 you choose the representatives rather than them.

25 So let me be very clear. Two wrongs

1 never make a right. Two wrongs never make a
2 right. It's wrong for any other state in this
3 nation, anywhere throughout it, to take the
4 ability for their constituents, the most
5 important part of our representative democracy.
6 Because you're elected officials, you're public
7 servants, but they're the most important part of
8 this representative democracy, and you're their
9 representatives. You're not representing them
10 today.

11 Let me tell you a little bit of
12 history, because I know a little bit about it
13 here. A few years back I and several current
14 members of this Senate chamber, including members
15 of the Majority, joined the late -- a Democrat --
16 Mayor Ed Koch to sign his Heroes of Reform
17 redistricting pledge. Now, those of you who were
18 here back then know who you are, know who signed
19 it. It's been talked about before I got up.

20 Let me tell you what it did, the
21 pledge that you signed. The pledge called for,
22 and I quote, an independent commission to propose
23 and draw district boundaries for congressional
24 and state legislative districts every 10 years
25 following the U.S. Census.

1 The pledge that several of you who
2 are championing this bill today signed sought to,
3 and I quote, ensure the even-handed and
4 nonpartisan drawing of lines. I want to repeat
5 that. You signed a pledge, for those of you who
6 were here, to ensure the even-handed and
7 nonpartisan drawing of lines.

8 This, what you're doing today, is
9 anything but that. And you know in your
10 hearts that you're not serving your constituents
11 as representatives. You may be elected, you may
12 be public servants, but you're not serving the
13 most important part of our representative
14 democracy, the people who put you here.

15 The Legislature went on, as you've
16 seen here and heard, to pass it. And the voters
17 approved an Independent Redistricting Commission
18 that largely lived up to the spirit of that
19 pledge. The voters did that.

20 Unfortunately, you, this Majority,
21 have repeatedly tried to break that redistricting
22 reform pledge and bypass the will of the people,
23 all in the name of brazen partisan politics.
24 That's the only way to describe it. You want
25 more power.

1 You always rail against a whole
2 bunch of people that are the same and look the
3 same. You want diversity. But you want one
4 political affiliation rule here. You don't want
5 the political diversity allowing people to pick
6 their representatives.

7 The state's highest court has
8 rejected your partisan schemes when you last
9 tried to subvert the Independent Redistricting
10 Commission and threw the lines out.

11 I had a little experience with that
12 with some of my friends here on my side of the
13 aisle. It was very disturbing for me. I had to
14 sell my house. Came to my district and took it a
15 mile out of it. I had to sell my house because
16 you didn't like the way Jim Tedisco stood up and
17 got in your face.

18 That's my job. That's their job.
19 That's your job, to get in anybody's face that's
20 impacting the people who are the most important
21 in this representative democracy. That's why
22 we're standing up today. You know what you're
23 doing is wrong.

24 So you took me out of my district.
25 It was a block down the road, you got to me, and

1 you were going to get me this time. It was
2 redistricting. I built a new house. But you
3 know what? I won by 25,000 votes. Because the
4 constituents saw through what you did, saw
5 through what you did.

6 And don't think, you know, we're
7 talking about -- well, we're here, they put us
8 here. Well, they put you here because most of
9 the people that wouldn't put you here are walking
10 out of the state. And you don't care about it.
11 You don't care that you're number one in
12 outmigration as a state because over the
13 five years, your policies and agenda -- and it's
14 an indictment on them -- have made us number one
15 in outmigration.

16 Now, it's not talked about too much
17 because it's very quiet in the media about that.
18 It's quiet that we're one of the seven states
19 that lost another representative during that
20 census. We lost that leadership out there.

21 It's very quiet that the
22 demographers have said we're going to lose two to
23 three -- I think I've said this several times,
24 but I talk to my constituents. They don't know
25 people are leaving the state in droves. They

1 don't know every two minutes and 24 seconds,
2 through the last research, every day somebody
3 walks out of our state not to take a vacation,
4 but to live in a different state. That's not
5 reported too much.

6 But you're just as happy to see the
7 people leave because they're the ones who know
8 your policies and agenda have failed.

9 And this is really the ultimate
10 failure. If you can't win on your own to be
11 stronger as a Majority, why would you take away
12 the will of the people to allow you to do that if
13 you wanted to be their representative? Do the
14 poll, do the survey. I think Democrats,
15 Republicans, Conservatives, Working Families --
16 you name it -- holistically are going to say we
17 want to choose our representatives. We don't
18 want to game the system.

19 ACTING PRESIDENT PERSAUD: Senator
20 Tedisco, the debate time has expired and your
21 debate is closed. Thank you.

22 SENATOR TEDISCO: I'll close by
23 saying one more thing, is that okay?

24 ACTING PRESIDENT PERSAUD: You have
25 half a second.

1 SENATOR TEDISCO: Why is he shaking
2 his head like that?

3 Those who support this bill can no
4 longer be called heroes of reform --

5 ACTING PRESIDENT PERSAUD: Senator
6 Tedisco, you can explain your vote --

7 SENATOR TEDISCO: -- because
8 they've gone to the dark side.

9 ACTING PRESIDENT PERSAUD: You can
10 explain your vote. Thank you.

11 SENATOR TEDISCO: Thank you for
12 that lack of courtesy.

13 ACTING PRESIDENT PERSAUD: You're
14 welcome.

15 (Laughter.)

16 ACTING PRESIDENT PERSAUD: The
17 debate is closed.

18 The Secretary will ring the bell.

19 SENATOR TEDISCO: (Inaudible.)

20 ACTING PRESIDENT PERSAUD: Senator
21 Tedisco -- Senators, please. Senators, please.

22 SENATOR TEDISCO: -- give me a few
23 seconds more.

24 ACTING PRESIDENT PERSAUD:
25 (Gaveling.) Senators, please. There is no need

1 for that.

2 SENATOR TEDISCO: There is no need
3 to shut somebody up when they're closing. You
4 don't do it to your side.

5 ACTING PRESIDENT PERSAUD:

6 Senators, the debate is closed.

7 The Secretary will ring the bell.

8 On the resolution, call the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT PERSAUD: Senator
11 Skoufis to explain his vote.

12 SENATOR SKOUFIS: Thank you very
13 much, Madam President.

14 I just want to offer one correction
15 that came up during the debate. No doubt -- or I
16 think there's a likelihood that at the end of the
17 this process there may well be litigation and
18 certainly courts to look to the floor debate and
19 the remarks offered during the debate.

20 And so it came up by Senator Rhoads
21 that New York City is the only municipality
22 exempted from the odd/even-year legislation that
23 we passed a few years ago. You know, this is one
24 of many remarks as part of this sort of
25 conspiracy-fueled set of theories that have been

1 applied as motive or as justification from that
2 side to this side.

3 To be clear, and this is the fact,
4 New York City was not exempted from the
5 odd/even-year law. This is the first time I've
6 heard it, you know, named that. It's usually the
7 even-year election law.

8 But they're not exempted, they were
9 constitutionally constrained from being included
10 in that legislation. But even more relevantly,
11 New York City is not the only jurisdiction, as
12 the Senator, my colleague, claimed that was, in
13 his words, exempted -- what I'll call
14 constrained -- from being included.

15 Every city in the state is
16 constitutionally constrained from being included
17 in that law that we enacted. Every village was
18 also not included. County clerks, county
19 sheriffs, county DAs, county registrars were not
20 included also because constitutionally they could
21 not be included.

22 And so I've heard this, to put it
23 kindly, mischaracterization offered many times.
24 But particularly during this debate on this bill,
25 I wanted to make sure that the record was

1 corrected.

2 I will be voting yes.

3 ACTING PRESIDENT PERSAUD: Senator
4 Skoufis to be recorded in the affirmative.

5 Senator Chan to explain his vote.

6 SENATOR CHAN: Thank you,
7 Madam President.

8 So on this restricting bill I am
9 going to speak the language of parts of
10 Southern Brooklyn from my district. There's an
11 old saying: The fix is in.

12 What we're witnessing here is the
13 total disregard for a voter-approved and voter
14 demand to take politics out of drawing our
15 district maps. This is the purest form of
16 gerrymandering, just to gain a political
17 advantage. Just so politicians can decide who to
18 get into office.

19 My district doesn't like it. I
20 don't like it. And I vote no.

21 Thank you.

22 ACTING PRESIDENT PERSAUD: Senator
23 Chan to be recorded in the negative.

24 Senator Weber to explain his vote.

25 SENATOR WEBER: Thank you,

1 Madam President.

2 I rise today in strong opposition to
3 yet another attempt by Albany Democrats and
4 Governor Kathy Hochul to manipulate New York's
5 Election Law for raw political advantage.

6 Let's be honest about what this is.
7 This is not reform. This is not fairness. This
8 is not about protecting democracy. This is a
9 naked attempt to redraw the congressional map so
10 that Albany Democrats can eliminate someone like
11 Congressman Mike Lawler and silence the voters of
12 Rockland County, the Hudson Valley, and every
13 community that dares to elect someone they don't
14 control.

15 New Yorkers have already spoken on
16 this issue. They supported an independent
17 redistricting process because they were tired of
18 hyperpartisan, power-hungry politicians picking
19 their voters instead of New York voters picking
20 their representatives.

21 But every time the voters put up a
22 guardrail, Governor Hochul and her allies look
23 for a way to trample on it. We saw it when
24 Albany Democrats pushed partisan maps after the
25 last census. We saw those maps rejected by the

1 courts. We saw them come back again and again,
2 up until including recently.

3 That is the very definition of
4 subverting democracy for their own selfish
5 partisan purposes. It is a government power
6 being used to punish political opponents. It is
7 an abuse of the Constitution. It is an insult to
8 every New Yorker who believes elections should be
9 decided at the ballot box, not in a back room in
10 Albany.

11 And let's not miss the hypocrisy.
12 The same leaders who lecture the rest of the
13 country about democracy are now trying to rig the
14 map in New York to protect their own majority.
15 Governor Hochul has made a habit of these
16 stunts -- change the process, bend the rules,
17 ignore the voters, and then call it democracy --
18 and then blame the president.

19 We should be strengthening
20 independent redistricting, not dismantling it.
21 We should respect voters, not override them. And
22 we should force candidates to compete for every
23 vote, not carving up communities to predetermine
24 the result.

25 I urge my colleagues to reject --

1 ACTING PRESIDENT PERSAUD: Senator
2 Weber, how do you vote?

3 SENATOR WEBER: -- this partisan
4 power grab and stand up for fair elections.

5 ACTING PRESIDENT PERSAUD: Senator,
6 how do you vote?

7 SENATOR WEBER: I vote no.

8 ACTING PRESIDENT PERSAUD: Senator
9 Weber to be recorded in the negative.

10 I just want to remind all
11 colleagues, you have two minutes to explain your
12 vote.

13 Senator Murray to explain his vote.

14 SENATOR MURRAY: Thank you,
15 Madam President.

16 I want to be clear when I say this.
17 I'm not speaking for any party, I'm not speaking
18 for the conference. This is Dean Murray saying I
19 think what's happening across the country is
20 wrong. It's wrong. This isn't the way to do it.
21 It is partisan politics at its worst. Be it
22 left, right, red, blue, it doesn't matter. It's
23 wrong. And we shouldn't be following suit.

24 Listen, I'm going to say something
25 that's very rare and seldom heard, and that is

1 when it comes to this process, the government
2 gets it right -- I'll say it again, the
3 government gets it right when we do
4 redistricting. It's done for a reason, and it's
5 actually done logically if we do it right. It's
6 done right after the census so we can see where
7 the population shifted so we can make sure that
8 the people are represented properly and fairly.
9 That is, if we do it right.

10 Now, the people in 2014 spoke
11 loudly. The people of New York -- not all across
12 the country, the people of New York spoke loudly
13 when they said we want this to be nonpartisan.
14 We managed to botch it up so royally a couple of
15 years ago that it actually ended up going to a
16 special master.

17 But I've got to tell you, the
18 special master did a great job. These were some
19 of the fairest maps I've ever seen. Maybe that's
20 the way we should do it. But either way, we
21 shouldn't be doing it this way.

22 I've heard over and over again that
23 two wrongs don't make a right. Well, these
24 wrongs apparently take you left. And I hope if
25 it does pass, that when it does come to the

1 voters they'll follow my lead and vote no.

2 Thank you, Madam President.

3 ACTING PRESIDENT PERSAUD: Senator
4 Murray to be recorded in the negative.

5 Senator Weik to explain her vote.

6 SENATOR WEIK: Thank you,
7 Madam President.

8 We heard the bill sponsor say this
9 bill is trying to legislate changes here in
10 New York to make up for things we don't like
11 happening in other states. That is certainly not
12 acting in the best interests of our constituents.
13 In fact, the voters voted twice for fairness.
14 This bill disregards their voice entirely.

15 This bill aims to draw lines
16 gerrymandering in order to drive out Republicans,
17 leaving only one way to vote, one way to do
18 things. Which describes what we call a
19 single-party dictatorship, a system where power
20 is strictly centralized, political pluralism --
21 which is multiple parties -- are banned, and
22 individual choices are severely restricted.
23 There is literally only one way to vote, because
24 only one party is legal.

25 And that's not something I support.

1 I vote no.

2 ACTING PRESIDENT PERSAUD: Senator
3 Weik to be recorded in the negative.

4 Senator Stec to explain his vote.

5 SENATOR STEC: Thank you,
6 Madam President. To explain my vote.

7 The term "gerrymandering," its
8 origin, Massachusetts, Governor Elbridge Gerry,
9 1812. So everyone wants to point, we're keeping
10 up with the Joneses. This started, your side
11 started it a year ago, two years ago. Depends
12 how far back you want your lens to be. If you
13 want to go to the origin, 1812, a
14 salamander-shaped district to benefit a single
15 political party at the time.

16 It's reminiscent of the Hatfields
17 and the McCoys. No one can even remember who
18 started the fight, you just -- through your own
19 lens, you're going to point the finger and say
20 doing this action is justified because you did
21 wrong. Where does it end?

22 But the facts here in New York State
23 are that in 2014, voters said they wanted an
24 independent process. And they were given that in
25 the Constitution. They chose that. Then, under

1 one-party rule, your side decided to subvert that
2 and put something else in front of the voters,
3 and they rejected it.

4 But now the winds are blowing and
5 you stick your finger in the air and you say, We
6 might be able to convince them to do it again
7 this time. You're going to keep putting it out
8 there, putting it out there, until you get the
9 result that you want.

10 I'll tell you what that isn't. It's
11 not integrity. It's not leadership. It's not a
12 good example. As has been said before, it was
13 wrong then, it's wrong now. Two wrongs don't
14 make a right. This is embarrassing. This is not
15 what our children should be learning how to
16 behave.

17 I'll be voting no. This is an
18 awful, awful precedent.

19 ACTING PRESIDENT PERSAUD: Senator
20 Stec to be recorded in the negative.

21 Senator Rolison to explain his vote.

22 SENATOR ROLISON: Thank you,
23 Madam President.

24 As I've heard I think twice now from
25 my colleagues about the two wrongs don't make it

1 right, well, this is like several wrongs don't
2 make it right.

3 And quite frankly, as Senator Murray
4 said, I'm speaking for myself. I'm not speaking
5 for the conference, I'm not speaking for the
6 party. I'm speaking for myself and about the
7 300,000 residents of the 39th District. Because
8 when they hear the term "gerrymandering," they
9 recoil. Because that is not a term that endears
10 itself to anybody, I think, in our government and
11 political system.

12 And when you think about what this
13 proposal can do is take away the ability of the
14 voters to choose the individuals that they want,
15 by a majority, to represent them, and now we're
16 talking about representing them in Congress -- I
17 don't think it's our responsibility as state
18 legislators or a state legislature to make those
19 decisions for those voters.

20 It's essentially saying, you know,
21 we've done a lot of bills up here to make it
22 easier for you to vote, and that's -- that's a
23 good thing. But in this particular governmental
24 office, it doesn't matter, because we're going to
25 decide how that is going to be determined.

1 It is taking the power that we have
2 at the ballot box or the mailbox or however that
3 vote gets voted, away from the individuals who
4 actually are filling it out, and it's going to be
5 vested here.

6 And I think, Madam President, also
7 when the individuals in the state have pretty
8 much all, percentagewise, said they really don't
9 like what government is doing and they're
10 concerned about that --

11 ACTING PRESIDENT PERSAUD: Senator
12 Rolison --

13 SENATOR ROLISON: -- this doesn't
14 help.

15 ACTING PRESIDENT PERSAUD: -- how
16 do you vote?

17 SENATOR ROLISON: This doesn't
18 help, Madam President.

19 Because of that and many other
20 things I just said, I will be voting no and I
21 encourage my colleagues to do so.

22 Thank you, Madam President.

23 ACTING PRESIDENT PERSAUD: Senator
24 Rolison to be recorded in the negative.

25 Senator Palumbo to explain his vote.

1 SENATOR PALUMBO: Thank you,
2 Madam President.

3 You know, we get into the weeds a
4 little bit on these things. I'm probably one of
5 the culprits who does that a lot -- you know,
6 page 6, line 6(b)(i). But this is very simple
7 when you look at this. And it would actually be
8 laughable if it weren't so serious.

9 When you hear, you know, the outrage
10 about threats to democracy and a Democratic Party
11 who is just sickened by what's going on around
12 the country, we know it's wrong. We've even said
13 it's wrong. And then here, just very simply, the
14 will of the people. We heard that said many,
15 many times, the will of the people. The will of
16 the people have put this Majority over there.

17 Right, that's true. And actually
18 the will of the people is proportionately we have
19 more Republicans in this house. And
20 proportionately, a couple of years ago, they put
21 seven Republicans in Congress. The will of the
22 people.

23 And then we put this bill on the
24 floor, and this is really at the essence of what
25 this is. To get in the game, we heard. To have

1 a little bit looser pen, a freer hand with the
2 pen.

3 Well, why would you possibly need to
4 have new lines and a freer hand? The will of the
5 people was to elect seven out of 26 Republican
6 Congressmembers. We made a lot of talk about,
7 well, you know, was the voter right, was the
8 voter wrong? Rhetorically, trying to be cute.
9 Well, the voters are always right. And the
10 voters chose to put seven Republicans into the
11 House of Representatives, which might have swung
12 the majority.

13 But now we have to, quote, get in
14 the game. That is what this does in a couple of
15 sentences. It's wrong no matter who does it.
16 It's -- it's unconstitutional, I hope. The
17 people will strike it down again. The will of
18 the people will speak. And this will no longer
19 be the law that I expect will be signed by the
20 Governor in a very short order.

21 So, Madam President, this is a
22 terrible idea. This is completely outrageous.
23 And I will be voting no.

24 Thank you, Madam President.

25 ACTING PRESIDENT PERSAUD: Senator

1 Palumbo to be recorded in the negative.

2 Senator Borrello to explain his
3 vote.

4 SENATOR BORRELLO: Thank you,
5 Madam President.

6 You know, roll back a couple of
7 years when we were talking about moving all
8 elections to even years. And there was this, you
9 know, feigned outrage that we wanted to suppress
10 voter participation.

11 And now we're watching as the timing
12 of this event will be to ensure that this goes on
13 to the 2027 ballot initiative when the only major
14 races are, you know, down in New York City,
15 because we've conveniently moved all the other
16 elections to the even years.

17 So I hope to avoid the hypocrisy
18 that's so obvious that you wait until 2028 so we
19 can have full participation. Just like we were
20 so concerned about a couple of years ago.
21 Because we know that's B.S., right? You want to
22 make sure that it's the voters in New York City
23 that are deciding whether or not this becomes a
24 constitutional change.

25 But let's just put that aside for

1 the moment and let's realize what we're doing
2 here. We are saying we are going to undermine
3 democracy in New York State in order to save
4 democracy in America. What a load that is.

5 I'll be voting no.

6 ACTING PRESIDENT PERSAUD:

7 Senator Borrello to be recorded in the negative.

8 Senator Tedisco to explain his vote.

9 SENATOR TEDISCO: Thank you,
10 Madam President.

11 You know, it's pretty clear -- I'm
12 watching your faces -- you don't like what we
13 have to say here. Now, that's not a crime. What
14 is a crime? You don't like what your own
15 constituents have to say about what you're doing
16 here and about legalizing gerrymandering.
17 Because if you do a survey, you've probably heard
18 it before: They want to pick their
19 representatives.

20 Elected officials and partisan
21 political hacks shouldn't rig the game by drawing
22 district lines so they can choose our
23 representatives. Only voters should choose our
24 representatives. New Yorkers deserve fair and
25 equal legislative districts that are based on the

1 commonalities of communities and not on political
2 power blocs.

3 Those who support this bill can no
4 longer be called heroes of reform because they've
5 gone too -- to the dark side and betrayed their
6 pledge, becoming an enemy of real democracy and
7 reform.

8 So, Madam President, I'm voting no.

9 ACTING PRESIDENT PERSAUD: Senator
10 Tedisco to be recorded in the negative.

11 Senator Mattera to explain his vote.

12 SENATOR MATTERA: Thank you,
13 Madam President.

14 This bill is nothing but
15 gerrymandering. (Reading.) "Gerrymandering is
16 dividing our country. It promotes safe seats
17 that encourage politicians to pander to their
18 bases that vote in low-turnout primary elections.
19 Gerrymandering rigs general elections, dilutes
20 the will of the voters, carves up communities
21 with shared interests, and incentivizes
22 polarization instead of collaboration," said
23 Problem Solvers Caucus Co-Chairman Congressman
24 Tom Suozzi.

25 That just says it all. I guess

1 nobody in this whole room did not talk to
2 Congressman Tom Suozzi.

3 You know, when I first got here,
4 there it was for two years, then all of a sudden
5 the 10 years that you have the seats, you have to
6 get changed, the distribution lines get changed.
7 And you know what happens? It gets changed and
8 gerrymandering happened.

9 We know what happened: You had to
10 have a special master that the taxpayers of New
11 York State had to pay for, for gerrymandering. A
12 company, there it was, out of Pennsylvania that
13 has to, guess what, that has to redraw lines.
14 There was a line, the congressional seat, the
15 3rd Congressional seat that went from Huntington
16 all the way up to Westchester, from the lines
17 that were drawn here.

18 Madam President, I vote no.

19 ACTING PRESIDENT PERSAUD: Senator
20 Mattera to be recorded in the negative.

21 Senator Rhoads to explain his vote.

22 SENATOR RHOADS: Thank you,
23 Madam President.

24 You know, the one question that we
25 try and ask ourselves every time we take a vote

1 in this chamber is, How does this benefit
2 New Yorkers? And I have yet to hear anybody on
3 the other side explain to me, other than some
4 strange theory that you're counteracting things
5 that other parts of the country are doing, how
6 this in any way actually benefits New Yorkers.

7 You're taking the will of
8 New Yorkers and flipping it on its head, trying
9 to subvert that will to accomplish your own
10 political objectives.

11 One of my colleagues on the other
12 side of the aisle spoke about the -- what we call
13 the odd-even bill. And you know what? He was
14 right in the sense that there were other
15 municipalities that were exempted. But the
16 coincidence in all of this is that we just passed
17 another constitutional amendment that sought to
18 correct that, because it can only be amended
19 through the Constitution, and conspicuously
20 absent from that constitutional amendment was the
21 City of New York.

22 You know, what you call a
23 conspiracy -- and we've come to know that
24 conspiracies turn out all too often, in the last
25 few years, to be true. When you have a pattern

1 of conduct all of which points to the same
2 outcome, it's not a coincidence. It's easier to
3 win the game when you keep changing the rules
4 when you don't like the outcome.

5 This does not -- this piece of
6 legislation does not benefit New Yorkers at all.
7 And when we talk about threats to democracy,
8 which my friends on the other side of the aisle
9 love to do, just like taxing and spending, no one
10 does threats to democracy better than the
11 majorities in the New York State Legislature.

12 I vote no.

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

15 Senator Walczyk to explain his vote.

16 SENATOR WALCZYK: Thank you,
17 Madam President.

18 Partisan gerrymandering is wrong.
19 And you don't have to take that from me; you
20 should have already taken that from the voters of
21 the State of New York when in 2014 they told us
22 all, in direct democracy, when they flipped over
23 their ballots, do away with partisan
24 gerrymandering. Six of you on the other side of
25 the aisle voted for it in this Legislature.

1 People know that they don't want
2 politicians choosing their representatives, they
3 want to choose their representatives. And
4 they're tired of the political games. And yet
5 you brought back a constitutional amendment just
6 in case the voters got it wrong. And in 2021,
7 they rejected your constitutional amendment that
8 would have allowed some political gerrymandering.

9 So they validated their first
10 decision. And yet you still didn't listen. So
11 you ignored it, you took them to court, you
12 subverted the Independent Redistricting
13 Committee, you sued, you lost, you tried to
14 redraw lines in a partisan way and the court
15 rejected you. And yet again, here we are today
16 where you're trying again.

17 Well, I have all the confidence in
18 the world in the voters of the State of New York.
19 They're going to reject you again.

20 "A republic, if you can keep it."
21 That's what Benjamin Franklin said. And here we
22 are 250 years later. And I'll tell you what, the
23 founders would be glad that we're still here. I
24 think they would be impressed with the union
25 today. I don't even think they would be

1 surprised to see political factions fighting each
2 other. But de Tocqueville warned about the
3 tyranny of the majority, and you're putting it on
4 full display.

5 Alexander Hamilton warned about
6 party factions, saying they're the most fatal
7 disease. And you're showing that disease running
8 rampant through the halls of this Capitol.

9 Six of you had the courage to do the
10 right thing when this constitutional amendment to
11 create an Independent Redistricting Commission
12 came up in the Legislature last time. I hope a
13 lot more of you Democrats have the courage to do
14 the right thing today and reject it.

15 I vote no.

16 ACTING PRESIDENT PERSAUD: Senator
17 Walczyk to be recorded in the negative.

18 Senator Canzoneri-Fitzpatrick to
19 explain her vote.

20 SENATOR CANZONERI-FITZPATRICK:
21 Thank you, Madam President.

22 A lot has been said today, and I
23 agree with my colleagues that the voters once
24 again will do the right thing because they did it
25 not once, but twice, telling this body that they

1 don't want partisan gerrymandering.

2 When I look at the numbers of how we
3 are represented in Congress and how we are
4 represented in this body, it is very similar.
5 Seven Republicans out of 26; we have 22 Senators
6 out of 63. It shows me that the voters have
7 elected consistently in Congress what they've
8 elected in this body, and we're saying no, that's
9 not -- we're not going to stand for it.

10 And I agree that what's been done in
11 the other states is wrong. But we should not be
12 doing the same thing.

13 A colleague on the other side of the
14 aisle told me in a private conversation: "My job
15 is to make sure that none of you on the other
16 side of the aisle exist." And that is exactly
17 what this bill is trying to do.

18 I vote no.

19 ACTING PRESIDENT PERSAUD: Senator
20 Canzoneri-Fitzpatrick to be recorded in the
21 negative.

22 Senator Martins to explains his
23 vote.

24 SENATOR MARTINS: Thank you,
25 Madam President.

1 You know, Madam President, the
2 silence coming from the other side of the aisle
3 from the Majority, 40-plus members here, is
4 deafening. You're all good people -- smart,
5 well-intentioned, I'm sure, able to speak your
6 minds. You've done it plenty in the past. And
7 yet on this bill it is more than telling that not
8 a single one of you, aside from Senator Skoufis
9 on a technicality, chose to stand up to defend
10 the indefensible.

11 When you put party over your
12 district and residents in New York, when you
13 decide you're a Democrat first and not a New York
14 State Senator representing New Yorkers, you bring
15 shame on this body, and you know it.

16 I don't believe a single one of you
17 thinks this is a good idea. And yet I expect
18 every one of you is going to vote for it anyway.
19 I'm really sorry for that. Gerrymandering is
20 wrong, and we all know it.

21 And Madam President, I will continue
22 to protect our State Constitution, the residents
23 of our great state, and I'll vote to protect
24 democracy here in New York. I do trust the
25 voters of New York State, and I expect that

1 between now and when this is on the ballot, they
2 will vote the same way they voted in the past and
3 reject this nonsense.

4 Madam President, I vote no.

5 ACTING PRESIDENT PERSAUD: Senator
6 Martins to be recorded in the negative.

7 Senator Griffo to explain his vote.

8 SENATOR GRIFFO: Thank you,
9 Madam President.

10 In conversations with people, the
11 overwhelming consensus and opinion expressed is
12 that gerrymandering was and is unfortunate and
13 wrong anywhere and everywhere.

14 And New York State voters recognize
15 that. That was the sentiment that they expressed
16 and the path that we took to form an independent,
17 bipartisan redistricting commission, something
18 that was desired. New Yorkers said, We want a
19 different approach, a better approach. And they
20 expressed their will in approving a state
21 amendment to the Constitution, a change that was
22 meaningful to all of them.

23 But tonight this attempt is not a
24 defense of democracy, it defies democracy. It
25 will disenfranchise people and communities.

1 Today what we are seeing is dismissing the will
2 of the people and their voices, this bill and the
3 rulings of the courts. This bill neuters the
4 independent structure and process. This
5 legislation is motivated strictly by politics.
6 And we will now implement something that will
7 cost more, that will confuse more and diminish
8 the role of the voters.

9 Potentially doing this every two
10 years, biennially, as opposed to the traditional
11 decennial post-census redistricting, is wrong.
12 Tonight you are putting politics first, you're
13 putting party first, and all others be damned.

14 I vote no.

15 ACTING PRESIDENT PERSAUD: Senator
16 Griffo to be recorded in the negative.

17 Are there any other Senators wishing
18 to explain their vote?

19 Senator Gallivan to explain his
20 vote.

21 SENATOR GALLIVAN: Thank you,
22 Madam President.

23 I rise to oppose this resolution in
24 very simple terms. It's disrespectful to and
25 inconsiderate of the citizens we're supposed to

1 be serving. It's purely political and partisan,
2 and it's the wrong thing to do.

3 I vote no.

4 ACTING PRESIDENT PERSAUD: Senator
5 Gullivan to be recorded in the negative.

6 Senator Gianaris to close.

7 SENATOR GIANARIS: Thank you,
8 Madam President.

9 I've heard a lot of these comments
10 with a lot of old quotes and a lot of
11 characterizations of what happened 15,
12 16 years ago. Very few of the people talking
13 about that time period were actually here. I
14 happen to have been here, and so I want to
15 clarify the record. Because many of us and
16 then-Mayor Koch -- or actually, then, former
17 Mayor Koch led a campaign to pass legislation
18 establishing an independent commission. And
19 there was a lot of momentum and energy behind
20 that effort. At some point -- and a lot of the
21 quotes that were identified were speaking about
22 that legislation.

23 At some point that turned into some
24 dirty deal where then-Governor Andrew Cuomo and
25 the then-Republican majority in the Senate said,

1 Let us gerrymander to our heart's content this
2 time, and then set up a constitutional process
3 that will forever hamstring the Democrats in the
4 Senate when inevitably they take over the
5 chamber.

6 That's what that was about. And
7 that was the origin story of this amendment
8 you're holding up as some ideal thing. That's
9 why it has this bizzaro language about both
10 houses being controlled by the same party and all
11 of that. It was a Senate Republican protection
12 scheme.

13 Now, a number of you have talked
14 about Mayor Koch. I want to read you a letter
15 from Mayor Koch, March 7, 2012 -- if we're going
16 back 14 years, let's go back 14 years. He says:
17 "There have been many discussions of a deal. The
18 process would begin for passing a constitutional
19 amendment that would govern the next round of
20 redistricting in 2022. I urge you not to support
21 this deal. If you stand by your original pledge,
22 as we hope you do, you should oppose it."

23 Okay? So don't conflate things.
24 Don't pull up quotes about other things than the
25 vote on the constitutional amendment. I don't

1 know what Senator Walczyk is talking about.
2 There are not six people sitting on this side of
3 the aisle that voted for this commission to be
4 entered into the Constitution, because we never
5 supported it to begin with. Because -- and if
6 you want to go find quotes, I'm sure I can find
7 some old quotes of mine saying this commission is
8 going to fail because it's five to five, and
9 they're going to come up with nothing. Which is,
10 of course, precisely what happened.

11 The world has changed since then,
12 and not in a good way. And so while we might
13 have an ideal of independent commissions that we
14 might like to hold true and think that would be
15 the way we do things, we do not operate in a
16 vacuum in New York State.

17 We are one of 50 who are
18 participating in this process. We are electing
19 members of Congress who don't just sit in
20 New York State. They go to Washington and they
21 sit with over 400 other people who get elected
22 from their states to make decisions for the whole
23 country.

24 And so this process is undoubtedly
25 one that has national implications. You can't

1 just say we'll do it right and let everyone else
2 do it wrong and hope for the best, because
3 New York will suffer if that happens. And it's
4 already happening.

5 This proposal will correct that
6 process. This proposal will give New Yorkers a
7 voice in what's happening around this country,
8 which they desperately want. And by the way, as
9 I've said repeatedly, the voters get to decide if
10 they want to do this at all.

11 And so if you respect the voters,
12 give them a choice. But maybe, just maybe you're
13 afraid of what they might choose. The same way
14 some of you in debate said, Well, you think you
15 made a mistake in electing so many Democrats to
16 this body. Maybe you're afraid that in your
17 view, they'll make a mistake and support this
18 thing.

19 Madam President, I vote aye very
20 proudly, and I look forward to this passing and
21 passing again and being enacted by the voters and
22 giving New Yorkers a voice in what's happening
23 around this country.

24 Thank you.

25 ACTING PRESIDENT PERSAUD: Senator

1 Gianaris to be recorded in the affirmative.

2 SENATOR LANZA: Slow roll call
3 requested.

4 ACTING PRESIDENT PERSAUD: A slow
5 roll call has been requested.

6 SENATOR LANZA: Madam President,
7 more than five members have risen.

8 ACTING PRESIDENT PERSAUD: Call the
9 roll.

10 THE SECRETARY: Senator Addabbo.

11 SENATOR ADDABBO: Yes.

12 THE SECRETARY: Senator Ashby.

13 SENATOR ASHBY: Nay.

14 THE SECRETARY: Senator Bailey.

15 SENATOR BAILEY: Aye.

16 THE SECRETARY: Senator Baskin.

17 SENATOR BASKIN: Aye.

18 THE SECRETARY: Senator Borrello.

19 SENATOR BORRELLO: Nay.

20 THE SECRETARY: Senator Bottcher.

21 SENATOR BOTTCHER: Aye.

22 THE SECRETARY: Senator Brisport.

23 SENATOR BRISPORT: Aye.

24 THE SECRETARY: Senator Brouk in
25 the affirmative, voting remotely.

1 Senator Bynoe.
2 SENATOR BYNOE: Aye.
3 THE SECRETARY: Senator
4 Canzoneri-Fitzpatrick.
5 SENATOR CANZONERI-FITZPATRICK:
6 Nay.
7 THE SECRETARY: Senator Chan.
8 SENATOR CHAN: Nay.
9 THE SECRETARY: Senator Cleare.
10 SENATOR CLEARE: Aye.
11 THE SECRETARY: Senator Comrie.
12 SENATOR COMRIE: Aye.
13 THE SECRETARY: Senator Fahy.
14 SENATOR FAHY: Aye.
15 THE SECRETARY: Senator Fernandez.
16 SENATOR FERNANDEZ: Aye.
17 THE SECRETARY: Senator Gallivan.
18 SENATOR GALLIVAN: Nay.
19 THE SECRETARY: Senator Gianaris.
20 SENATOR GIANARIS: Aye.
21 THE SECRETARY: Senator Gonzalez.
22 SENATOR GONZALEZ: Aye.
23 THE SECRETARY: Senator Gounardes.
24 SENATOR GOUNARDES: Aye.
25 THE SECRETARY: Senator Griffo.

1 SENATOR GRIFFO: Nay.
2 THE SECRETARY: Senator Harckham.
3 SENATOR HARCKHAM: Aye.
4 THE SECRETARY: Senator Helming.
5 SENATOR HELMING: Nay.
6 THE SECRETARY: Senator Hinchey.
7 SENATOR HINCHEY: Aye.
8 THE SECRETARY: Senator Jackson.
9 SENATOR JACKSON: Aye.
10 THE SECRETARY: Senator Kavanagh.
11 SENATOR KAVANAGH: Aye.
12 THE SECRETARY: Senator Krueger
13 voting remotely in the affirmative.
14 Senator Lanza.
15 SENATOR LANZA: Nay.
16 THE SECRETARY: Senator Liu.
17 SENATOR LIU: Yes.
18 THE SECRETARY: Senator Martinez.
19 SENATOR MARTINEZ: Aye.
20 THE SECRETARY: Senator Martins.
21 SENATOR MARTINS: Nay.
22 THE SECRETARY: Senator Mattera.
23 SENATOR MATTERA: Nay.
24 THE SECRETARY: Senator May.
25 SENATOR MAY: Aye.

1 THE SECRETARY: Senator Mayer.
2 SENATOR MAYER: Aye.
3 THE SECRETARY: Senator Murray.
4 SENATOR MURRAY: Nay.
5 THE SECRETARY: Senator Myrie.
6 SENATOR MYRIE: Aye.
7 THE SECRETARY: Senator Oberacker.
8 SENATOR OBERACKER: Nay.
9 THE SECRETARY: Senator O'Mara.
10 SENATOR O'MARA: Nay.
11 THE SECRETARY: Senator Ortt.
12 Senator Ortt voting in the negative.
13 Senator Palumbo.
14 SENATOR PALUMBO: Nay.
15 THE SECRETARY: Senator Persaud.
16 ACTING PRESIDENT PERSAUD: Aye.
17 THE SECRETARY: Senator Ramos.
18 SENATOR RAMOS: Aye.
19 THE SECRETARY: Senator Rhoads.
20 SENATOR RHOADS: Nay.
21 THE SECRETARY: Senator Rivera.
22 SENATOR RIVERA: Sí, señor.
23 THE SECRETARY: Senator Rolison.
24 SENATOR ROLISON: Nay.
25 THE SECRETARY: Senator Ryan.

1 SENATOR RYAN: Aye.
2 THE SECRETARY: Senator Salazar.
3 SENATOR SALAZAR: Aye.
4 THE SECRETARY: Senator Sanders.
5 SENATOR SANDERS: Absolutely yes.
6 THE SECRETARY: Senator
7 Scarcella-Spanton.
8 SENATOR SCARCELLA-SPANTON: Aye.
9 THE SECRETARY: Senator Sepúlveda.
10 SENATOR SEPÚLVEDA: (In Spanish;
11 affirmative.)
12 THE SECRETARY: Senator Serrano.
13 SENATOR SERRANO: Yes.
14 THE SECRETARY: Senator Skoufis.
15 SENATOR SKOUFIS: Aye.
16 THE SECRETARY: Senator Stavisky
17 voting in the affirmative remotely.
18 Senator Stec.
19 SENATOR STEC: Nay.
20 THE SECRETARY: Senator
21 Stewart-Cousins voting in the affirmative.
22 Senator Sutton.
23 (No response.)
24 THE SECRETARY: Senator Tedisco.
25 SENATOR TEDISCO: Not a chance.

1 THE SECRETARY: Senator Walczyk.
2 SENATOR WALCZYK: Nay!
3 THE SECRETARY: Senator Webb.
4 SENATOR WEBB: Aye.
5 THE SECRETARY: Senator Weber.
6 SENATOR WEBER: No way.
7 THE SECRETARY: Senator Weik.
8 SENATOR WEIK: Nay.
9 THE SECRETARY: Senator Zellner.
10 SENATOR ZELLNER: Aye.
11 THE SECRETARY: Ayes, 38. Nays,
12 22.
13 Senator Sutton absent from voting.
14 ACTING PRESIDENT PERSAUD: The
15 resolution is adopted.
16 Senator Gianaris.
17 SENATOR GIANARIS: Okay, I guess
18 we're moving on to the next debate, which is
19 Calendar 1324.
20 ACTING PRESIDENT PERSAUD: The
21 Secretary will ring the bell.
22 The Secretary will read.
23 THE SECRETARY: Calendar Number
24 1324, Senate Print 9269, by Senator Krueger, an
25 act --

1 ACTING PRESIDENT PERSAUD: May we
2 have some order in the chamber, please.

3 THE SECRETARY: -- an act to amend
4 the General Business Law.

5 ACTING PRESIDENT PERSAUD: Senator
6 Borrello, why do you rise?

7 SENATOR BORRELLO: I'm wondering if
8 the sponsor, whosever standing in, could answer
9 some questions.

10 ACTING PRESIDENT PERSAUD: Senator
11 Mayer will answer on behalf of Senator Krueger.

12 Senator Borrello, if you could just
13 give us a minute, please --

14 SENATOR BORRELLO: Sure. Yeah,
15 yeah.

16 ACTING PRESIDENT PERSAUD: -- while
17 everyone moves from behind Senator Mayer.

18 Senator Mayer, do you yield?

19 SENATOR MAYER: Yes, I yield.

20 ACTING PRESIDENT PERSAUD: The
21 Senator yields.

22 SENATOR BORRELLO: Thank you,
23 Madam President.

24 I just want to confirm that this
25 bill is pretty much the same as a previous

1 version of this bill, S929, from last session,
2 which was vetoed by the Governor, is that
3 correct?

4 SENATOR MAYER: Through you,
5 Madam President, no, that's not correct.

6 A number of provisions have been
7 modified from last year's bill in response to the
8 veto, and in addition to additional
9 responsiveness to others who had comments about
10 the bill that was passed last year.

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

13 ACTING PRESIDENT PERSAUD: Will the
14 sponsor yield?

15 SENATOR MAYER: Yes.

16 ACTING PRESIDENT PERSAUD: The
17 sponsor yields.

18 SENATOR BORRELLO: Well, a lot of
19 these concerns in the veto message was on how
20 broad the scope was. You know, basically that it
21 says, to quote her veto message, "The bill's
22 definition and scope are broad, creating
23 potential uncertainty about the information
24 subject to regulation and compliance challenges
25 for consumers, businesses and not-for-profits

1 alike."

2 So what exactly was changed in this
3 bill to tighten that up?

4 SENATOR MAYER: Through you,
5 Madam President. One of the important changes
6 that has been made is the exemption provisions,
7 which have been broadened to allow additional
8 exemptions from the requirements of the bill.

9 And in addition, the definition
10 sections with respect to some of the definitions
11 have been modified in response to the comments
12 not only in the veto message, but from other
13 stakeholders.

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

16 ACTING PRESIDENT PERSAUD: Will the
17 sponsor yield?

18 (Pause.)

19 SENATOR MAYER: Yes, I yield,
20 sorry. Sorry.

21 ACTING PRESIDENT PERSAUD: The
22 sponsor yields.

23 SENATOR BORRELLO: So you mentioned
24 that there are exemptions, but are there any
25 thresholds for these exemptions, you know, which

1 would apply to small businesses so that they are
2 not burdened unnecessarily by the operational
3 cost of this compliance?

4 SENATOR MAYER: Through you,
5 Madam President. No, there is not an exemption
6 for small businesses.

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

9 ACTING PRESIDENT PERSAUD: Will the
10 sponsor yield?

11 SENATOR MAYER: Yes.

12 ACTING PRESIDENT PERSAUD: The
13 sponsor yields.

14 SENATOR BORRELLO: So, look, in my
15 district there are independent pharmacies that
16 would face really serious compliance issues,
17 small businesses.

18 For example, a customer charges on a
19 credit card purchases which may include
20 medications, greeting cards, you know, toilet
21 tissue. When these charges and charge
22 information goes for processing to the credit
23 card company or bank, which obligation -- what
24 obligation does the pharmacy have to protect that
25 information? Is the pharmacy responsible for

1 determining whether a purchase involves regulated
2 health information? And does the pharmacy have
3 to treat that type of purchase differently?

4 In other words, lookit, we've all
5 done this, right? We've all gone to the pharmacy
6 and, you know, got your medicine and then brought
7 other things up, and it's all one transaction for
8 the convenience of it.

9 Is that going to be subject to this
10 compliance?

11 (Pause.)

12 SENATOR MAYER: Through you,
13 Madam President. Yes, it would apply to a small
14 pharmacy.

15 But yes, there already exist ways to
16 segregate the data that is reflected on the bill
17 through the codes that the pharmacy sends to the
18 credit card company or the processor. So this is
19 not a new science, this is something that is
20 already done.

21 And I would also just explain in
22 context that the HIPAA law, which was enacted
23 over 30 years ago, our constituents think that
24 all of this information about what they consider
25 private health data is protected. But in fact it

1 is not. The world has changed dramatically in
2 30 years in terms of the way information is
3 collected, the nature of AI being used to
4 determine what health issues affect people, and a
5 number of the other technological changes,
6 including people having Fitbits and other
7 information that requires a new approach to
8 ensuring that what is really private data remains
9 private.

10 And so I feel, and I think my
11 colleagues, including many on the other side who
12 have voted for the prior bill in the past,
13 believe the time has come to ensure that data
14 which leads to the determination of health
15 problems or health issues is protected.

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

18 ACTING PRESIDENT PERSAUD: Will the
19 sponsor yield?

20 SENATOR MAYER: Yes.

21 ACTING PRESIDENT PERSAUD: The
22 Senator yields.

23 SENATOR BORRELLO: I think we all
24 want to make sure that our private health data is
25 protected. I don't disagree with that. However,

1 as with everything, there are always unintended
2 consequences. And again, the Governor's veto
3 message was how broad the scope was of this.

4 So let's use another example, on a
5 larger scale. Most new cars now come with a GPS
6 built in. That's data that's being collected by
7 the car company, by maybe a third party that
8 manages the GPS system. And now if somebody
9 drives to a hospital or a doctor's appointment or
10 some other healthcare facility, does that now
11 fall under this -- the auspices of this bill? Is
12 that now somehow going to be data that needs to
13 be protected?

14 SENATOR MAYER: Through you,
15 Madam President. The bill refers to regulated
16 health information, and it's defined quite
17 specifically in Section 2 of the bill. And GPS
18 data -- for example, I'm driving to an emergency
19 room -- would not fall within that definition.

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

22 ACTING PRESIDENT PERSAUD: Will the
23 sponsor yield?

24 SENATOR MAYER: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

2 SENATOR BORRELLO: So are there any
3 other states that have something similar to this
4 that it's already, you know, a scope of this
5 magnitude, a law like this?

6 SENATOR MAYER: Through you,
7 Madam President, yes. The State of Washington
8 enacted a bill that is extremely comparable with
9 very similar definitions approximately two years
10 ago.

11 It has gone to the best of my
12 knowledge quite smoothly, without any litigation,
13 without companies pulling out, without companies
14 unable to comply. And this bill is based in
15 large part on the successful model in the State
16 of Washington.

17 SENATOR BORRELLO: Madam President,
18 will the sponsor -- one more question. Will you
19 yield for one more question?

20 ACTING PRESIDENT PERSAUD: Will the
21 sponsor yield?

22 SENATOR MAYER: Yes, I will.

23 ACTING PRESIDENT PERSAUD: The
24 sponsor yields.

25 SENATOR BORRELLO: My favorite

1 question on every bill. Does this have a private
2 right of action?

3 SENATOR MAYER: Through you,
4 Madam President. No, this bill does not have a
5 private right of action.

6 SENATOR BORRELLO: All right.
7 Thank you, Madam President. Thank you.

8 ACTING PRESIDENT PERSAUD: Thank
9 you.

10 Are there any other Senators wishing
11 to be heard?

12 Senator Walczyk, why do you rise?

13 SENATOR WALCZYK: Thank you,
14 Madam President. Would the sponsor yield?

15 ACTING PRESIDENT PERSAUD: Will the
16 sponsor yield?

17 SENATOR MAYER: Yes, of course.

18 ACTING PRESIDENT PERSAUD: The
19 sponsor yields.

20 SENATOR WALCZYK: Through you,
21 Madam President. So this bill requires
22 affirmative consent on the part of the consumer,
23 is that correct?

24 SENATOR MAYER: Through you,
25 Madam President. To the extent that information

1 is going to be shared, it does require
2 affirmative consent by the consumer, yes.

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

6 ACTING PRESIDENT PERSAUD: Will the
7 sponsor yield?

8 SENATOR MAYER: Yes.

9 ACTING PRESIDENT PERSAUD: The
10 sponsor yields.

11 SENATOR WALCZYK: By imposing that
12 affirmative consent mandate on all data that
13 could be broadly construed or outlined in this
14 bill as health-related outside of HIPAA, how does
15 this bill prevent endless consent forms and
16 pop-ups asking for affirmative consent from
17 consumers?

18 SENATOR MAYER: Through you,
19 Madam President. It appears that the statute
20 really only requires one affirmative effort by
21 the purveyor of the information to reach out and
22 get the affirmative consent. It's not an endless
23 supply of data requests going to the person
24 online.

25 And let me remind our colleagues

1 that a significant reason why this bill is so
2 important is because information is now
3 transferred online in a way that it was not
4 previously.

5 And so people are sharing data,
6 again, or sharing information they presume is
7 confidential, and as we know from the example of
8 Target, they actually used this data to make
9 determinations about the health status of
10 individuals that went far beyond the expectation,
11 reasonable expectation.

12 So it is really the use of online
13 data and AI that requires a new approach, and
14 that's why I think the bill is so justified.

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

18 ACTING PRESIDENT PERSAUD: Will the
19 sponsor yield?

20 SENATOR MAYER: Yes.

21 ACTING PRESIDENT PERSAUD: The
22 sponsor yields.

23 SENATOR WALCZYK: Thank you.
24 Through you, Madam President.

25 Okay, so as I understand in your

1 explanation, the first time, by your example,
2 that you go to a Target.com or any other type of
3 business, you'll then affirm your consent and
4 then the consumer's data will be able to be
5 utilized so long as they consent to it in that
6 first interaction? Do I understand that
7 correctly?

8 (Pause.)

9 SENATOR MAYER: Through you,
10 Madam President. Yes, you are correct that there
11 is certainly initially one effort made to reach
12 out to the consumer for affirmative consent.

13 It could be potentially that there
14 needs to be another request if additional data is
15 obtained for another purchase. For example, you
16 go back and you purchase something separately.
17 But the intent is to have a single authorization
18 at the beginning of the process.

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

22 ACTING PRESIDENT PERSAUD: Will the
23 sponsor yield?

24 SENATOR MAYER: Yes.

25 ACTING PRESIDENT PERSAUD: The

1 sponsor yields.

2 SENATOR WALCZYK: So if the
3 consumer goes back to the same website but
4 they're buying another product, or even the same
5 product, that would be new information and new
6 health data they would then have to affirm
7 consent once again -- essentially, in every
8 transaction or every time they're offering data?
9 Do I understand that correctly?

10 SENATOR MAYER: I think -- through
11 you, Madam President. Under Section 2, unless
12 strictly necessary, which is a concept we have
13 not discussed previously, which basically does
14 not require this affirmative authorization, it
15 occurs at the onset of the purchase.

16 So if they went back a second time
17 again to Amazon.com and bought the chemical that
18 keeps you from losing your hair, is the example I
19 keep thinking of -- I don't know, there must be a
20 lot of people here losing their hair tonight.

21 (Laughter.)

22 SENATOR MAYER: And if that occurs
23 the second time, yes, they would have to go and
24 seek another authorization.

25 SENATOR BORRELLO: Through you,

1 Madam President, would the sponsor continue to
2 yield?

3 ACTING PRESIDENT PERSAUD: Will the
4 sponsor yield?

5 SENATOR MAYER: Yes.

6 ACTING PRESIDENT PERSAUD: The
7 sponsor yields.

8 SENATOR WALCZYK: You're
9 probably -- that example is coming back to you
10 time and again because you're debating with a
11 balding man.

12 (Laughter.)

13 SENATOR WALCZYK: Would the same
14 thing occur at a pharmacy that you regularly go
15 to, in a local pharmacy? Each interaction, each
16 purchase, every time you go back to that pharmacy
17 the consumer would have to affirm consent each
18 and every single time?

19 Or can they establish a relationship
20 with that pharmacy under this legislation, say,
21 Okay, I consent to you sharing my data -- or I
22 don't -- and then that's the end of it?

23 SENATOR MAYER: Through you,
24 Madam President. The bill does not preclude the
25 process by which an entity might establish a

1 preliminary authorization that would allow you to
2 consent to a subsequent purchase, in my reading
3 of the statute.

4 I think, you know, your neighborhood
5 pharmacy, if you're going to be going there every
6 week for your kids and everything else, there's
7 nothing here that precludes it.

8 But the point is that you ought to
9 actually affirmatively give authority before your
10 information is shared. And this is seeking an
11 effective way that addresses some of the things
12 in the veto to get that information and the
13 authorization.

14 SENATOR WALCZYK: Thank you,
15 Madam President.

16 ACTING PRESIDENT PERSAUD: Thank
17 you.

18 Are there any other Senators wishing
19 to be heard?

20 Seeing and hearing none, the debate
21 is closed. The Secretary will ring the bell.

22 Read the last section.

23 THE SECRETARY: Section 3. This
24 act shall take effect six months after it shall
25 have become a law.

1 ACTING PRESIDENT PERSAUD: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT PERSAUD: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar 1324, voting in the negative are
8 Senators Borrello, Helming, Lanza, Martins,
9 Mattera, Murray, Oberacker, O'Mara, Ortt,
10 Palumbo, Tedisco, Walczyk and Weik.

11 Ayes, 48. Nays, 13.

12 ACTING PRESIDENT PERSAUD: The bill
13 is passed.

14 Senator Serrano.

15 SENATOR SERRANO: Thank you,
16 Madam President.

17 Let's now take up Calendar 1383.

18 ACTING PRESIDENT PERSAUD: The
19 Secretary will ring the bell.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number
22 1383, Senate Print 8598A, by Senator Ramos, an
23 act to amend the General Business Law.

24 ACTING PRESIDENT MAYER: Senator
25 Borrello, why do you rise?

1 SENATOR BORRELLO: Madam President,
2 would the sponsor yield for some questions.

3 SENATOR RAMOS: I yield,
4 Madam President.

5 ACTING PRESIDENT MAYER: Senator
6 Ramos yields.

7 SENATOR BORRELLO: Thank you.
8 Through you, Madam President.

9 So it sounds like we want to take
10 products, personal care products that are sold
11 all over the world, but we want to make them have
12 a warning sticker if they're sold here in
13 New York State. Is that what this bill does?

14 SENATOR RAMOS: Through you,
15 Madam President. This is warning signs for
16 skin-care products, not very different from the
17 warning labels that passed in Senator Lanza's
18 bill unanimously yesterday.

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

21 ACTING PRESIDENT MAYER: Do you
22 continue to yield?

23 SENATOR RAMOS: I do.

24 ACTING PRESIDENT MAYER: The
25 sponsor yields.

1 SENATOR BORRELLO: Yeah, I really
2 don't pay attention to Lanza's bills anyway.

3 (Laughter.)

4 SENATOR BORRELLO: But anyway, with
5 that being said, what I'm trying to figure out is
6 we have FDA-approved skin-care products, they're
7 on the market, and they're not required to have a
8 warning anywhere else but here?

9 SENATOR RAMOS: Through you,
10 Madam President. I think that if the Senator did
11 bother to read bills before voting on them, like
12 this one, he might learn that there are certain
13 ingredients in these products that unfortunately
14 on very young skin cause very serious
15 dermatological issues.

16 And so unfortunately we are talking
17 about chemicals that are not adequate for
18 underage skin.

19 SENATOR BORRELLO: Madam President,
20 does the sponsor continue to yield?

21 ACTING PRESIDENT MAYER: Do you
22 continue to yield?

23 SENATOR RAMOS: I do.

24 ACTING PRESIDENT MAYER: The
25 Senator yields.

1 SENATOR BORRELLO: So we're going
2 to put a warning sticker, and you think that
3 that's going to prevent that from being sold to
4 an underage person that shouldn't be using it?
5 Is that what's going to happen?

6 SENATOR RAMOS: Through you,
7 Madam President. Unlike the Senator, I do think
8 that people read warning labels, and that informs
9 them and helps them make much more educated
10 decisions as consumers.

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

13 ACTING PRESIDENT MAYER: Will the
14 Senator yield?

15 SENATOR RAMOS: I do.

16 ACTING PRESIDENT MAYER: The
17 sponsor yields.

18 SENATOR BORRELLO: We're talking
19 about underage kids, though. So will this bill
20 ban them from buying them, or it's just going to
21 be a sticker?

22 SENATOR RAMOS: Madam President,
23 it's not a ban. This is a warning label with an
24 understanding of the consequences of using these
25 chemicals on skin.

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

3 ACTING PRESIDENT MAYER: Do you
4 continue to yield?

5 SENATOR RAMOS: Yes.

6 ACTING PRESIDENT MAYER: The
7 sponsor yields.

8 SENATOR BORRELLO: So who is going
9 to be punished if there's not a label? Is it the
10 retailer? Who's going to -- who's going to have
11 to pay?

12 (Pause.)

13 SENATOR RAMOS: Through you,
14 Madam President. As stated on the bottom of the
15 first page of the bill, it is the retailer that
16 would pay for the consequences of not having the
17 warning labels attached.

18 SENATOR BORRELLO: Madam President,
19 I was surprised to see that the sponsor hadn't
20 read her own bill and didn't know that right
21 away.

22 But with that being -- can I -- will
23 she yield for a question?

24 ACTING PRESIDENT MAYER: Would the
25 sponsor yield?

1 SENATOR RAMOS: I do.

2 SENATOR BORRELLO: Yes. So we're
3 going to saddle the retailer.

4 So what about like Amazon or some
5 other online company that ships them into
6 New York? What happens then?

7 SENATOR RAMOS: Well, they're the
8 retailer. They're responsible, Madam President.

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

11 ACTING PRESIDENT MAYER: Do you
12 continue to yield?

13 SENATOR RAMOS: Sure.

14 ACTING PRESIDENT MAYER: The
15 sponsor yields.

16 SENATOR BORRELLO: But Amazon's
17 delivering it to someone's house -- I'm just
18 using that as an example -- versus a pharmacy
19 that has it on a shelf. You're saying the
20 retailer, not the --

21 ACTING PRESIDENT MAYER: Senator
22 Borrello, are you asking a question?

23 SENATOR BORRELLO: Yeah, I'm sorry,
24 will the sponsor yield for a question?

25 ACTING PRESIDENT MAYER: Will you

1 yield for a question?

2 SENATOR RAMOS: Yes.

3 SENATOR BORRELLO: Thank you.

4 ACTING PRESIDENT MAYER: Yes. Yes.

5 The sponsor yields.

6 SENATOR BORRELLO: Through you,
7 Madam President. So you just got done saying
8 it's the retailer. So I envision that as a
9 pharmacy or a salon or whatever -- a bodega --
10 that's carrying these skin-care products is
11 ultimately responsible for applying a sticker,
12 not the manufacturer.

13 Who decides what goes on that
14 sticker? How is the retailer supposed to know
15 what the warning label is supposed to say?

16 SENATOR RAMOS: Through you,
17 Madam President. We outline this in the bill.
18 And yes, all of those providers are retailers and
19 therefore included in the bill.

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

22 ACTING PRESIDENT MAYER: Do you
23 continue to yield?

24 SENATOR RAMOS: Yes.

25 ACTING PRESIDENT MAYER: The

1 sponsor yields.

2 SENATOR BORRELLO: So the
3 manufacturer, the distributor, the wholesaler,
4 they're not responsible. The person that has it
5 on the shelf is responsible, is that correct?

6 (Pause.)

7 SENATOR RAMOS: Through you,
8 Madam President. Well, actually the
9 manufacturer, the producer is considered as a
10 retailer in -- within the language of the bill.

11 And that is because, well, nowadays
12 some companies sell their own products on their
13 websites, aside from selling them -- having a
14 different point of sale.

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

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR RAMOS: Yes.

20 ACTING PRESIDENT MAYER: The
21 sponsor yields.

22 SENATOR BORRELLO: Well, as far as
23 like Supply Chain 101, no, the manufacturer is
24 not the retailer. Yes, sometimes they do direct
25 consumer prices -- or sales, I get that.

1 But I'm asking who's responsible,
2 ultimately, for ensuring that this law is being
3 abided to? First you said it was the retailer
4 and not the manufacturer. So which is it?

5 SENATOR RAMOS: Through you,
6 Madam President, it's outlined -- we're defining
7 "retailer" in the bill to include the producer as
8 well. It says "Retailer shall mean any person,
9 firm, association, partnership, limited liability
10 company or corporation that sells, produces,
11 prepares, formulates or compounds a personal-care
12 product or products or whose brand name is
13 affixed to such product or products.

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

16 ACTING PRESIDENT MAYER: Do you
17 continue to yield?

18 SENATOR RAMOS: Yes.

19 ACTING PRESIDENT MAYER: The
20 sponsor yields.

21 SENATOR BORRELLO: So that's a lot
22 of people within the supply chain, then. So
23 you're -- so if the sticker's not on at the
24 retail location or if the box shows up at your
25 door and there's not a sticker in it, so who's

1 going to be responsible, then, for paying this
2 fine? And what is the fine?

3 SENATOR RAMOS: Through you,
4 Madam President. It's whoever sells it. It
5 could be any of them. I'm not sure, you know --
6 I didn't know where the condescension came from
7 before, and I don't understand what the different
8 angles towards the same answer is trying to
9 purport.

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

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield?

14 SENATOR RAMOS: Sure.

15 ACTING PRESIDENT MAYER: The
16 sponsor yields.

17 SENATOR BORRELLO: The question is,
18 who's going to end up paying? Who's going to be
19 enforcing this? I mean, are we asking some --
20 someone within New York State government to go
21 after Amazon? Or are we going to go after some
22 mom-and-pop local pharmacy? Who's going to the
23 target of this enforcement?

24 SENATOR RAMOS: Through you,
25 Madam President. I'm going to continue to point

1 to the place in the bill that lists the
2 retailers.

3 But in this question, this time the
4 Senator did allude to enforcement. And in that
5 case it would be the Attorney General who would
6 help enforce the law.

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

9 ACTING PRESIDENT MAYER: Do you
10 continue to yield?

11 SENATOR RAMOS: Yes.

12 ACTING PRESIDENT MAYER: The
13 sponsor yields.

14 SENATOR BORRELLO: All right, so
15 we're going to take the resources of the
16 Attorney General's office to make sure that
17 there's a sticker on a bottle of product that is
18 legally sold within New York State and with the
19 approval of the FDA, most likely.

20 So they're going to be the ones
21 going after retailers who haven't put the
22 sticker, the warning sticker that you've
23 outlined, on the bottle. That's what we're going
24 to do here?

25 SENATOR RAMOS: Through you,

1 Madam President. Yes, it is a valuable use of
2 our resources to ensure that underage children
3 are not blindly following TikTok trends and
4 purchasing chemicals that are designed for the
5 purposes of preventing wrinkles and treating
6 skin-care issues and concerns that grown adults
7 have.

8 Taking care of our children is
9 always a good use of our resources.

10 SENATOR BORRELLO: Madam President,
11 would the sponsor continue to yield?

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield?

14 SENATOR RAMOS: Yes.

15 ACTING PRESIDENT MAYER: The
16 sponsor yields.

17 SENATOR BORRELLO: So you think
18 that an underage child, a 15-year-old who
19 believes that they need anti-wrinkle cream is
20 also going to take heed to the warning label that
21 you're going to put on this bottle?

22 SENATOR RAMOS: Through you,
23 Madam President, I believe that if we create a
24 culture of whether it's the people working at the
25 store, more better-informed parents, and yes,

1 including better-informed children, that better
2 decisions among consumers will be made. Yes, I
3 do.

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

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR RAMOS: Yes.

9 ACTING PRESIDENT MAYER: The
10 sponsor yields.

11 SENATOR BORRELLO: So you're
12 talking about TikTok trends and kids using, you
13 know, potentially harmful facial treatments that
14 clearly they shouldn't be using. And you really
15 think that a TikTok influencer is not going to
16 kind of outrank, in the mind of a child, a
17 sticker on a bottle?

18 SENATOR GIANARIS: Through you,
19 Madam President. As both the mother and
20 stepmother to teenagers, I will say absolutely.
21 I think by and large right now the teenage
22 population and younger does want to be informed.
23 And not only will they be able to know and
24 identify influencers who are not guiding them
25 down the right path, but hopefully this

1 contributes to a much more -- a healthier -- a
2 healthier situation for these young kids.

3 SENATOR BORRELLO: Madam President,
4 on the bill.

5 ACTING PRESIDENT MAYER: Senator
6 Borrello on the bill.

7 SENATOR BORRELLO: Senator Ramos,
8 thank you. I understand the concern.

9 But again, this is misplaced. What
10 you're trying to say is that we have kids out
11 there that are using something that's potentially
12 dangerous because they've seen an influencer do
13 it or they've seen some kind of a TikTok
14 challenge.

15 I don't think any stickers are going
16 to stop that, quite frankly. I mean, we've seen
17 kids, you know, downing toxic amounts of cinnamon
18 because of a challenge, a TikTok challenge.
19 We've seen kids do really stupid things.

20 A sticker is not going to replace
21 good parenting, number one. A sticker is not
22 going to stop a child from doing something they
23 shouldn't be doing. Parents have to enable it.
24 They have to give them the money, in most cases,
25 and they have to -- you know, and they have to in

1 some cases bring the kid to the store to buy it
2 or let them buy it online.

3 So bad parenting -- a sticker's not
4 going to stop bad parenting. But it is going to
5 create a situation where once again we are going
6 to go after retailers, brick-and-mortar stores,
7 people in New York State that are just trying to
8 do -- to run their business and provide products
9 and services to the people of New York State, and
10 we're going to because of some grandiose idea
11 that we think a sticker is going to outweigh and
12 outrank an influencer, is going to somehow
13 protect our children. It's not.

14 I don't think anybody in here
15 believes that if a kid thinks that something they
16 see on TikTok is good, that a sticker is going to
17 stop them from doing it. I don't think anybody
18 honestly believes that. But we can feel good
19 about ourselves that maybe we tried to do
20 something.

21 The reality is this is not what's
22 going to happen. This could create a situation
23 where we're going to have, again, class action
24 lawsuits, lots of people are going to pay. It's
25 going to be harder to do business in New York

1 State.

2 And just like we talked about
3 previously, it's hard for someone who doesn't
4 actually know what it's like to run a business
5 and sign the front of a check and not just the
6 back of one, to understand the negative impact on
7 small businesses.

8 But this is another bad idea, and
9 I'll be voting no. Thank you.

10 ACTING PRESIDENT MAYER: Senator
11 Walczyk indicated previously he wanted to ask
12 questions. I see others have raised.

13 So, Senator Walczyk, why do you
14 rise?

15 SENATOR WALCZYK: Thank you,
16 Madam President. Would the sponsor yield for
17 some questions?

18 ACTING PRESIDENT MAYER: Will the
19 sponsor yield?

20 SENATOR RAMOS: Absolutely.

21 ACTING PRESIDENT MAYER: Yes, the
22 sponsor yields.

23 SENATOR WALCZYK: Thank you.
24 Through you, Madam President.

25 So this bill's about requiring and

1 providing warning labels on anti-aging skin-care
2 products. I saw talc was on the product list.
3 Why would talc need a warning label?

4 (Pause.)

5 SENATOR RAMOS: Through you,
6 Madam President. Unfortunately, talc has a high
7 potential for carcinogenic asbestos
8 contamination.

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

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield?

14 SENATOR RAMOS: Sure.

15 ACTING PRESIDENT MAYER: The
16 sponsor yields.

17 SENATOR WALCZYK: Through you,
18 Madam President. California passed Prop 95. I
19 think they're the only other state in the union
20 that requires any kind of warning label on talc.
21 But that's only if the talc is containing
22 asbestos.

23 I noticed in your legislation,
24 unless I missed it in a line here, this would
25 just be all talc, whether it contained asbestos

1 or not. Should I look to a line that tells me
2 this is only going to be provided a warning label
3 if it's talc that has the asbestos contamination
4 that you're concerned with?

5 SENATOR RAMOS: Through you,
6 Madam President. It's an unfortunate fact that
7 talc in many circumstances has the potential for
8 carcinogenic asbestos contamination. In fact,
9 just last year the FDA was considering a full ban
10 of talc.

11 And I'll also correct the Senator:
12 It's not Prop 95, it's Prop 65 in California.

13 SENATOR WALCZYK: Thank you.

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

16 ACTING PRESIDENT MAYER: Do you
17 continue to yield?

18 SENATOR RAMOS: Sure.

19 ACTING PRESIDENT MAYER: The
20 sponsor yields.

21 SENATOR WALCZYK: Prop 65 or 95, I
22 can't keep track of all the props in California.

23 But the question is the same: Why
24 would we ban talc regardless of whether it's
25 contaminated -- or not ban it, require a warning

1 label on it regardless of whether it's
2 contaminated in New York State products or not
3 contaminated?

4 If it's pure talc and it doesn't
5 have any asbestos contamination, why would we
6 require a warning label on it?

7 SENATOR RAMOS: Through you,
8 Madam President. There is major class action
9 lawsuits going on right now with Johnson &
10 Johnson with regard to the use of talcum.

11 But at the end of the day here we're
12 talking about, again, children's skin. I think
13 among adults, we can decide what to do. But we
14 want to discourage young people from using these
15 types of products.

16 And I would add that these types of
17 warning labels can be quite transformative in
18 creating a culture that discourages use. We've
19 seen it with cigarette packs and the decrease in
20 smoking.

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

24 SENATOR RAMOS: Yeah.

25 ACTING PRESIDENT MAYER: Do you

1 continue to yield?

2 SENATOR RAMOS: Yes.

3 ACTING PRESIDENT MAYER: The
4 sponsor yields.

5 SENATOR WALCZYK: Why would we want
6 to put a warning label on pure talc that doesn't
7 have any contaminants? Who does that save?

8 SENATOR RAMOS: Through you,
9 Madam President, we're not sure -- we -- maybe
10 I'm not sure I understand the question. Nobody
11 is asking to put warning labels on pure talc.

12 SENATOR WALCZYK: Well, I'm
13 certainly not. But I would clarify my question,
14 if that's what the sponsor is asking.

15 ACTING PRESIDENT MAYER: Yes, could
16 you clarify your question.

17 SENATOR WALCZYK: So on line 8
18 to -- well, I'll read right here from line 5:
19 "'Anti-aging skin-care product' shall mean any
20 over-the-counter cosmetic or skin-care product
21 that contains as an active or intentionally added
22 ingredient" -- and then you list them. And talc
23 is listed as one of those ingredients.

24 And then later in the bill, as was
25 said in the debate: No retailer shall sell or

1 offer for sale any anti-aging skin-care
2 product -- as we've just defined talc, and/or
3 with talc added to it -- in this state unless
4 such product bears a clear and conspicuous
5 warning label. Such warning label shall
6 appear -- and it goes on.

7 That was already displayed in
8 debate. So, I mean, the question is the same.
9 If you have pure talc, why would people need to
10 be warned about that?

11 (Pause.)

12 SENATOR RAMOS: Through you,
13 Madam President. I mean, the warning label is to
14 warn for possible carcinogens in the different --
15 with the different ingredients. Some of these
16 skin-care products might not have talc. So that
17 may be irrelevant.

18 But either way, it is simply a
19 warning. Nobody is banning a product. It's
20 simply providing more information and could even
21 allow the person to Google the ingredients of
22 that particular product.

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

1 SENATOR RAMOS: Sure.

2 ACTING PRESIDENT MAYER: The
3 sponsor yields.

4 SENATOR WALCZYK: I won't belabor
5 that point any longer.

6 What's the violation for selling
7 pure talc without a warning label? What's the
8 penalty?

9 SENATOR RAMOS: Through you,
10 Madam President. The violation would be up to
11 \$250.

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

15 SENATOR GIANARIS: Excuse me, if I
16 could just interrupt.

17 I want to call an immediate meeting
18 of the Finance Committee in Room 124,
19 Madam President.

20 ACTING PRESIDENT MAYER: There will
21 be an immediate meeting of the Finance Committee
22 in Room 124. Sorry.

23 SENATOR WALCZYK: Would the sponsor
24 continue to yield?

25 ACTING PRESIDENT MAYER: Do you

1 continue to yield?

2 SENATOR RAMOS: I suppose, although
3 I am on the Finance Committee.

4 SENATOR WALCZYK: Through you,
5 Madam President. What kind of disadvantage does
6 this put on New York State when it comes to the
7 talc and talcum powder industry if we're only
8 requiring warning labels on talc in New York and
9 not the other 49, with an asterisk for California
10 based on Prop 65 and whether or not it contains a
11 carcinogen or any contaminant?

12 SENATOR RAMOS: Through you,
13 Madam President. I think it puts us at a full
14 advantage of having fewer children with skin
15 problems. That is far more important than any
16 industry.

17 SENATOR WALCZYK: Madam President,
18 would the sponsor yield?

19 ACTING PRESIDENT MAYER: Do you
20 continue to yield?

21 SENATOR RAMOS: Yes.

22 ACTING PRESIDENT MAYER: The
23 Senator yields.

24 SENATOR WALCZYK: Through you,
25 Madam President. What skin problems are we

1 talking about when you're talking about pure
2 talc?

3 SENATOR RAMOS: Through you,
4 Madam President. It's not just pure talc, right?
5 We're talking about eye creams, different
6 moisturizers, things that are designed for people
7 of a certain age. So it's not about pure talc.
8 I know you're stuck on talc, but what we're
9 talking about is a bigger universe than that.
10 And frankly, these products on anyone, but
11 especially very young, undeveloped skin, can
12 cause inflammation, all sorts of irritation,
13 including permanent scarring.

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

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR RAMOS: Yes.

20 ACTING PRESIDENT MAYER: The
21 sponsor yields.

22 SENATOR WALCZYK: What permanent
23 scarring does talc cause?

24 (Pause.)

25 SENATOR RAMOS: Through you,

1 Madam President. Actually, just about two years
2 ago to the date, the Attorney General recovered
3 \$700 million from Johnson & Johnson over products
4 that contained dangerous talcum powder. And here
5 it says that talcum powder can cause serious
6 health concerns, including ovarian cancer and
7 lung problems.

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

10 ACTING PRESIDENT MAYER: Do you
11 continue to yield?

12 SENATOR RAMOS: Yeah.

13 ACTING PRESIDENT MAYER: The
14 sponsor yields.

15 SENATOR WALCZYK: Right. That
16 would be talcum powder that was contaminated I
17 think in that case with asbestos.

18 But for pure talc, which is just
19 listed in your bill, not contaminated talc, not
20 tested talc, not talc from any particular area of
21 the world or any particular mine -- your bill
22 just lists talc. So if it's pure talc with no
23 contaminant, what cancer, ovarian cancer, facial
24 scarring, as you said -- how could pure talc
25 cause that, and is there any case where it has?

1 SENATOR RAMOS: Through you,
2 Madam President. Again, we're not talking about
3 the purchase of pure talc, we are talking about
4 the purchase of skin-care products where talc
5 won't be the exclusive ingredient.

6 And so this can be a combination
7 of -- the effect of the combination of the
8 different chemicals for a particular product, but
9 more so, it's a warning label. It's just extra
10 information for someone to hopefully feel
11 inspired to do more research before they purchase
12 a product and make sure that it's right for them.

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

16 ACTING PRESIDENT MAYER: Do you
17 continue to yield?

18 SENATOR RAMOS: Yeah.

19 ACTING PRESIDENT MAYER: The
20 sponsor yields.

21 SENATOR WALCZYK: Through you,
22 Madam President. Yeah, I'm familiar with the
23 California-style warning labels, which I think
24 have the danger to consumers that they kind of
25 ignore them at this point. Because, you know,

1 it's kind of a running joke that everything
2 causes cancer in California.

3 But if we're talking about pure
4 talc -- and there's been no studies to show that
5 pure talc has any kind of danger that you've, you
6 know, referenced in any of the other products.
7 If you're talking about pure talc as an additive
8 to any of these cosmetic products or talc itself,
9 don't we run the danger of telling consumers the
10 wrong thing?

11 If you put a warning label on
12 bottled water in the State of New York -- which
13 it's possible at some point water could get
14 contaminated. But if you put a warning label on
15 a bottle of water and say in some states this has
16 sometimes proved to have cancerous effects --
17 well, then, what are you really communicating to
18 the constituency across the State of New York?
19 They obviously know that water doesn't cause
20 cancer.

21 So I ask again, when it comes to
22 pure talc, what concerns are there that we would
23 want to put a warning label on products that
24 contain pure talc?

25 SENATOR RAMOS: Through you,

1 Madam President.

2 Since it is clear that cancer or,
3 you know, scarring and all of the things we've
4 talked about are not compelling enough reasons
5 for the Senator to support simple warning labels
6 on products -- which I find deeply unfortunate --
7 I would simply add that for these products,
8 perhaps it's worth even saving families money,
9 insurance companies money, our healthcare system
10 money on having to deal with these maladies that
11 particularly our teenagers and even younger
12 children are experiencing for using these
13 products.

14 SENATOR WALCZYK: Madam President,
15 on the bill.

16 ACTING PRESIDENT MAYER: Senator
17 Walczyk on the bill.

18 SENATOR WALCZYK: So a \$250
19 violation in the State of New York if you've sold
20 a product that contains pure talc -- which is not
21 dangerous -- obviously some of those studies that
22 you're reading are contaminated talc, which it's
23 not uncommon for talc to get contaminated,
24 especially with asbestos. But that doesn't mean
25 it's a certainty.

1 And if you had written in this bill
2 contaminated talc or how about a product with
3 asbestos in it, that would have had you covered
4 at least as far as this one concern that I have
5 here with this bill.

6 This -- you know, New Yorkers are
7 concerned about affordability. It's death by a
8 thousand cuts. You're requiring a warning label
9 on something that literally people do not need to
10 be warned about.

11 And a \$250 violation for a
12 small-business retailer, if they miss the memo
13 with all of the laws that we're passing through
14 these halls all the time, a 250 -- well, you know
15 where that \$250 bill is going to get paid.
16 They're going to have to raise prices on other
17 products in order to make up that gap. Or maybe
18 like many in businesses in the State of New York
19 they'll just say, I've had enough, I'm going to
20 pack it into a U-Haul and I'm going to head down
21 South where business is more friendly.

22 And you can look no further than the
23 example that California has already set with this
24 same style of legislation. And I mean it,
25 consumers roll their eyes and it is a joke,

1 because everything causes cancer in the state of
2 California.

3 This is a perfect example. Pure
4 talc does not cause cancer. Asbestos in talc,
5 which is not tremendously uncommon, absolutely.
6 Asbestos causes cancer. But to just say that on
7 every product that has talc in it, now we're
8 going to need to slap a warning label on it is
9 the wrong thing to do. It's bad public policy.

10 And as the representative of
11 Talcville, New York, I will be voting no and
12 encourage my colleagues to do the same.

13 Thank you, Madam President.

14 ACTING PRESIDENT MAYER: Are there
15 any other Senators wishing to be heard?

16 SENATOR CANZONERI-FITZPATRICK:
17 Yes, Madam President.

18 ACTING PRESIDENT MAYER: Senator
19 Canzoneri-Fitzpatrick, why do you rise?

20 SENATOR CANZONERI-FITZPATRICK: I
21 would like to know if the sponsor would yield for
22 a few questions.

23 ACTING PRESIDENT MAYER: Senator
24 Ramos, do you yield?

25 SENATOR RAMOS: I do.

1 ACTING PRESIDENT MAYER: The
2 Senator yields.

3 SENATOR CANZONERI-FITZPATRICK:
4 Thank you, Senator.

5 My questions have to do with the
6 warning label. If a retailer, a small drugstore,
7 were to get a product that did not have a label
8 attached to it -- through you Madam President --
9 would the retailer be required to create a label
10 to put on the product?

11 SENATOR RAMOS: Through you,
12 Madam President, the bill doesn't speak to that.
13 So no.

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

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR RAMOS: Yes.

20 ACTING PRESIDENT MAYER: The
21 sponsor yields.

22 SENATOR CANZONERI-FITZPATRICK: If
23 a small mom-and-pop shop wanted to put a label
24 on, how would they get the information to -- you
25 know, as to what is required by the warning under

1 this bill?

2 SENATOR RAMOS: Through you,
3 Madam President. They would have to obtain the
4 information from the company that created the
5 skin-care cream, the product.

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

9 ACTING PRESIDENT MAYER: Do you
10 continue to yield?

11 SENATOR RAMOS: Yes.

12 ACTING PRESIDENT MAYER: The
13 Senator yields.

14 SENATOR CANZONERI-FITZPATRICK: The
15 bill says that the warning must be in a font that
16 is a size and style that is clearly legible and
17 placed in a location reasonably calculated to be
18 seen and understood by consumers under ordinary
19 conditions of purchase and use.

20 So my question for you is if a
21 product is in a very small tube, how do we have a
22 font size that's readable for a product that's
23 very small?

24 SENATOR RAMOS: Through you,
25 Madam President. We've seen many times even on

1 pens where they attach a tape, a string, that has
2 all the information that is pertinent. There's
3 many different creative ways to make sure that
4 people are getting the information that's needed
5 on a product, no matter what the size or the
6 packaging of the product may be.

7 SENATOR CANZONERI-FITZPATRICK:

8 Through you, Madam President, will the sponsor
9 continue to yield?

10 SENATOR RAMOS: Yes.

11 ACTING PRESIDENT MAYER: The
12 sponsor yields.

13 SENATOR CANZONERI-FITZPATRICK: Has
14 there been any consideration for putting signs on
15 display units, say in a makeup store or in a
16 store that sells these products so that there's a
17 warning that's clearly conspicuous as opposed to
18 on the product itself?

19 SENATOR RAMOS: Through you,
20 Madam President. I think that retailers are
21 certainly welcome to do something like that. But
22 ultimately we want the consumer to be able to
23 take the information home.

24 I mean, look, this information
25 already exists online, right, if the person goes

1 and looks for it. But I think the point is for
2 the information to be readily available, in the
3 person's face, and that they're taking it home
4 with them in a way that is written.

5 SENATOR CANZONERI-FITZPATRICK:

6 Through you, Madam President, on the bill.

7 ACTING PRESIDENT MAYER: Senator
8 Canzoneri-Fitzpatrick on the bill.

9 SENATOR CANZONERI-FITZPATRICK:

10 Well, thank you, sponsor, for this bill. As a
11 mom of three daughters, I know that there are
12 many products that are out there that are
13 marketed to our young women in the hopes that
14 they will avoid aging and spots and wrinkles and
15 all kinds of other things.

16 In the Sephora close to my home,
17 Roosevelt Field, there's actually a sign that
18 says that teenagers are not allowed into the
19 store unless they're accompanied by adults,
20 because they tend to use up products, they wreck
21 display cases, they purchase products that, you
22 know, maybe are not appropriate for them. And
23 they also run up credit card bills for their
24 parents.

25 So I do know that one of the

1 products that you've listed in the bill is
2 something that is a concern, retinol. And that
3 that is damaging to skin that is young. I happen
4 to have a daughter who worked in Long Island City
5 for Manna Products developing skin-care products
6 and learned a lot about these types of products,
7 their damaging effects, and she's educated
8 everybody in my house about what we should and
9 should not be using.

10 I do think that reaching parents is
11 a more effective means because if, as
12 Senator Borrello said, the kids that are seeing
13 this on TikTok and Instagram are not going to be
14 swayed by a small warning label. They may be
15 swayed if there is a display that has a warning
16 that will actually be seen by parents. I agree
17 that it might be online, but I'm not sure that
18 that's going to be sufficient to ward our girls
19 off from buying these types of products.

20 So I do have concerns, of course,
21 because it does put potentially a small business
22 in harm's way if they don't have products that
23 have these labels on them. That's another
24 concern of mine that we may be putting small
25 businesses in jeopardy. And as we've talked

1 about in this body, that we need to do everything
2 we can to keep our businesses afloat, keep them
3 in business without increased regulation.

4 So those are my thoughts. I think
5 we could add a few things to make this more
6 effective. But thank you, Madam President.

7 ACTING PRESIDENT MAYER: Thank you,
8 Senator.

9 Are there any other Senators wishing
10 to be heard?

11 Seeing and hearing none, debate is
12 closed. The Secretary will ring the bell.

13 Read the last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Yes,
21 Senator Gianaris.

22 SENATOR GIANARIS: We've agreed to
23 restore this bill to the noncontroversial
24 calendar.

25 ACTING PRESIDENT MAYER: The bill

1 has been restored to the noncontroversial
2 calendar.

3 Call the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Senator
6 Ramos to explain her vote.

7 SENATOR RAMOS: Yeah, thank you,
8 Madam President.

9 You know, this bill is I think
10 rather simple, but it's still an important step
11 in consumer protection. Over the last few years
12 we've seen a dramatic increase in children and
13 teenagers using anti-aging skin-care products
14 that were never designed for young, developing
15 skin.

16 And social media has influenced
17 trends that encourage these young people to use
18 products containing retinoids, exfoliating acids,
19 and other active ingredients without fully
20 understanding the risks.

21 The irony is that many of these
22 young people start with healthy skin but after
23 following social media trends and using products
24 designed for aging adults, they end up with
25 irritation, inflammation, damaged skin barriers,

1 and increased sensitivity that requires serious
2 and costly treatment.

3 Children should not be damaging
4 healthy skin in pursuit of wrinkles they don't
5 have. This bill doesn't ban these products. It
6 doesn't tell parents what decisions to make. It
7 simply ensures that consumers receive clear
8 warnings about potential risks and are encouraged
9 to consult a healthcare professional before use.

10 And I want to recognize Dr. Linda
11 Tagliamonte, whose expertise and advocacy helped
12 bring attention to this issue. Professionals
13 like Dr. Linda understand that healthy skin is
14 not about chasing social media trends, it's about
15 education, prevention, and making informed
16 decisions. That's exactly what this bill does,
17 and I encourage all of my colleagues to join me
18 in voting aye.

19 Thank you.

20 ACTING PRESIDENT MAYER: Senator
21 Ramos to be recorded in the affirmative.

22 Announce the results.

23 THE SECRETARY: In relation to
24 Calendar 1383, voting in the negative are
25 Senators Borrello, Oberacker, O'Mara, Ortt,

1 Rhoads, Walczyk and Weber. Also Senator Helming.

2 Ayes, 53. Nays, 8.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 Senator Gianaris.

6 SENATOR GIANARIS: Madam President,
7 please call on Senator Lanza for an announcement.

8 ACTING PRESIDENT MAYER: Senator
9 Lanza for an announcement.

10 SENATOR LANZA: Madam President,
11 there will be an immediate meeting of the
12 Republican Conference in Room 315 of the Capitol.

13 ACTING PRESIDENT MAYER: There will
14 be an immediate meeting of the
15 Republican Conference in 315 of the Capital.

16 SENATOR GIANARIS: The Senate will
17 stand at ease.

18 ACTING PRESIDENT MAYER: The Senate
19 will stand at ease.

20 (Whereupon, the Senate stood at ease
21 at 9:21 p.m.)

22 (Whereupon, the Senate reconvened at
23 10:41 p.m.)

24 ACTING PRESIDENT MAYER: The Senate
25 will return to order.

1 Senator Gianaris.

2 SENATOR GIANARIS: Madam President,
3 it's my understanding that the lay-asides on
4 Calendar 1606 and 1608 have been removed. Let us
5 proceed with the supplemental calendar, beginning
6 with 1606.

7 ACTING PRESIDENT MAYER: The
8 Secretary will read.

9 THE SECRETARY: Calendar Number
10 1606, Senate Print 1058, by Senator Serrano, an
11 act to amend the Multiple Dwelling Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1606, voting in the negative are
23 Senators Ashby, Canzoneri-Fitzpatrick, Griffo,
24 Mattera, Oberacker, Ortt, Palumbo, Rhoads,
25 Walczyk, Weber and Weik.

1 Ayes, 50. Nays, 11.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1607, Senate Print 1169B, by Senator Gonzalez, an
6 act to amend the Civil Rights Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

9 THE SECRETARY: Section 5. This
10 act shall take effect one year after it shall
11 have become a law.

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 1607, voting in the negative are
19 Senators Borrello, Griffo, Helming, Martins,
20 Murray, Oberacker, Palumbo, Rhoads, Stec,
21 Tedisco, Walczyk and Weik.

22 Ayes, 49. Nays, 12.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1608, Senate Print 1330A, by Senator Parker, an
2 act to amend the Public Service Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect on the 30th day after it
7 shall have become a law.

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 1608, voting in the negative:
15 Senator Walczyk.

16 Ayes, 60. Nays, 1.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1609, Senate Print 1422A, by Senator Liu, an act
21 to amend the General Business Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect on the 90th day after it

1 shall have become a law.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 1609, voting in the negative are
9 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
10 Gallivan, Griffo, Helming, Lanza, Martins,
11 Mattera, Oberacker, O'Mara, Ortt, Palumbo,
12 Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

13 Ayes, 42. Nays, 19.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1610, Assembly Bill Number 2020, by
18 Assemblymember Maher, an act to amend the
19 Criminal Procedure Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 1610, voting in the negative are
6 Senators Bailey, Brisport, Gonzalez, Krueger,
7 Liu, Rivera and Salazar.

8 Ayes, 54. Nays, 7.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1611, Assembly Bill Number 9195A, by
13 Assemblymember Eichenstein, an act to amend the
14 Civil Rights Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 1611, voting in the negative:

1 Senator Walczyk.

2 Ayes, 60. Nays, 1.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1612, Senate Print 4468C, by Senator Mayer, an
7 act to amend the Workers' Compensation Law.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1613, Senate Print 4602B, by Senator Gounardes,
23 an act to amend the Election Law.

24 ACTING PRESIDENT MAYER: The bill
25 is high and will be laid aside for the day.

1 ACTING PRESIDENT MAYER:

2 THE SECRETARY: Calendar Number
3 1614, Senate Print 4725A, by Senator Skoufis, an
4 act in relation to authorizing Michael Winston
5 Hoard, the widower of Kathy Marie Dwyer-Hoard, to
6 file a new service retirement application.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1615, Assembly Bill Number 7376B, by
21 Assemblymember Reyes, an act to amend the
22 General Business Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1616, Assembly Bill Number 1392, by
12 Assemblymember Cruz, an act to require the
13 New York State Energy Research and Development
14 Authority to develop recommendations regarding
15 the establishment of microgrids.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 1616, voting in the negative are
2 Senators Oberacker and Walczyk.

3 Ayes, 59. Nays, 2.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1617, Senate Print 5936A, by Senator Harckham, an
8 act to amend the Environmental Conservation Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1618, Senate Print 6048A, by Senator Skoufis, an
24 act to authorize Susan Gillinder, the widow of
25 Robert C. Ritchie, to file a new service

1 retirement application.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1619, Senate Print 6130A, by Senator Cooney, an
16 act to amend the Executive Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

21 ACTING PRESIDENT MAYER: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: Announce
25 the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1620, Senate Print 6319B, by Senator Myrie, an
6 act to amend the Criminal Procedure Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

9 THE SECRETARY: Section 15. This
10 act shall take effect on the 60th day after it
11 shall have become a law.

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 1620, voting in the negative are
19 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
20 Chan, Gallivan, Griffo, Helming, Lanza, Martins,
21 Mattera, Murray, Oberacker, O'Mara, Ortt,
22 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk,
23 Weber and Weik.

24 Ayes, 39. Nays, 22.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1621, Senate Print 6845B, by Senator Krueger, an
4 act to amend the General Business Law.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1621, voting in the negative are
17 Senators Salazar and Walczyk.

18 Ayes, 59. Nays, 2.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1622, Assembly Bill Number 6744, by
23 Assemblymember Simone, an act to amend the
24 Education Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1622, voting in the negative are
12 Senators Martinez, Martins, Rhoads and Weik.
13 Also Senator Mattera.

14 Ayes, 56. Nays, 5.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1623, Assembly Bill Number 7345A, by
19 Assemblymember Bronson, an act to amend the
20 Criminal Procedure Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 1623, voting in the negative are
7 Senators Bailey, Brisport, Gonzalez, Krueger,
8 Liu, Rivera and Salazar.

9 Ayes, 54. Nays, 7.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1624, Senate Print 7491B, by Senator Brisport, an
14 act to amend the Civil Practice Law and Rules.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 1624, voting in the negative are

1 Senators Borrello, Canzoneri-Fitzpatrick,
2 Martins, Rhoads, Walczyk and Weik.

3 Ayes, 55. Nays, 6.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1625, Senate Print Number 7529, by
8 Senator Scarcella-Spanton, an act to amend the
9 Retirement and Social Security Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1626, Assembly Bill Number 1541B, by
24 Assemblymember Paulin, an act to amend the
25 Public Health Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

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

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1627, Senate Print 7602B, by Senator Walczyk, an
15 act to amend the Highway Law.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 1627, voting in the negative:

2 Senator Brisport.

3 Ayes, 60. Nays, 1.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1628, Assembly Bill Number 8091B, by
8 Assemblymember Peoples-Stokes, an act to amend
9 the General Municipal Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Announce
18 the results.

19 THE SECRETARY: In relation to
20 Calendar 1628, voting in the negative are
21 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
22 Chan, Griffo, Helming, Lanza, Mattera, Oberacker,
23 O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk and
24 Weik.

25 Ayes, 45. Nays, 16.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1629, Senate Print 7817A, by Senator Baskin, an
5 act to authorize the widow of William James
6 Middlebrooks to file a retirement option election
7 form.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

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

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1630, Senate Print 7835A, by Senator Skoufis, an
22 act to amend the Highway Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1631, Senate Print 7908B, by Senator Gounardes,
12 an act to amend the Racing, Pari-Mutuel Wagering
13 and Breeding Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1632, Assembly Bill Number 8617A, by
4 Assemblymember McDonald, an act to amend the
5 Environmental Conservation Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Senator
15 Fahy to explain her vote.

16 SENATOR FAHY: Thank you,
17 Madam President, for allowing me to interrupt the
18 proceedings momentarily to rise in support of
19 this legislation.

20 It's about the Mohawk River, which
21 is one of our most important natural and economic
22 resources. It stretches from the Adirondack
23 foothills to where it connects with the
24 Hudson River.

25 Despite its importance, however, it

1 is -- the Mohawk River Basin is facing growing
2 challenges with invasive aquatic species that are
3 continuing to threaten our native ecosystems as
4 well as pollution runoff, erosion and more, in
5 addition to frequent flooding and extreme
6 weather.

7 Given the climate challenges, this
8 legislation is simple but very significant in
9 creating a comprehensive, basin-wide management
10 program with a dedicated advisory committee of
11 experts and stakeholders as well as a watershed
12 coordinator and, more importantly, it also
13 requires the development of an invasive species
14 management plan to protect the health of this
15 waterway, fisheries, and natural habitat.

16 More than 600,000 New Yorkers live
17 within this watershed; many -- most of them are
18 my constituents. And hundreds of municipalities,
19 farmers and businesses rely on it.

20 This will take a scientific approach
21 to protect this incredibly vital waterway, and I
22 appreciate the opportunity to explain that and
23 will be voting in the affirmative.

24 Thank you.

25 ACTING PRESIDENT MAYER: Senator

1 Fahy to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar 1632, voting in the negative:
5 Senator Walczyk.

6 Ayes, 60. Nays, 1.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1633, Senate Print 8026A, by Senator Gonzalez, an
11 act to amend the Social Services Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1633, voting in the negative are
23 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
24 Chan, Gallivan, Griffo, Helming, Lanza, Martins,
25 Mattera, Murray, O'Mara, Ortt, Rhoads, Rolison,

1 Stec, Tedisco, Walczyk, Weber and Weik.

2 Ayes, 41. Nays, 20.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1634, Senate Print 8211B, by Senator Addabbo, an
7 act to amend the Agriculture and Markets Law.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

10 THE SECRETARY: Section 8. This
11 act shall take effect immediately.

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1635, Senate Print 8451B, by Senator Fahy, an act
22 to amend the General Business Law.

23 ACTING PRESIDENT MAYER: The bill
24 is high and will be laid aside for the day.

25 THE SECRETARY: Calendar Number

1 1636, Senate Print 8473, by Senator Mayer, an act
2 directing the Department of Health to contract
3 with a qualified entity for a feasibility study.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1637, Senate Print 8583C, by Senator Kavanagh, an
18 act to amend the Insurance Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

21 THE SECRETARY: Section 10. This
22 act shall take effect on the 180th day after it
23 shall have become a law.

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 1637, voting in the negative are
6 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
7 Chan, Gallivan, Griffo, Helming, Lanza, Martins,
8 Mattera, Murray, Oberacker, O'Mara, Ortt,
9 Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk,
10 Weber and Weik.

11 Ayes, 39. Nays, 22.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1638, Senate Print 8688A, by Senator Cleare, an
16 act to amend the Administrative Code of the City
17 of New York.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect on the 90th day after it
22 shall have become a law.

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1639, Senate Print 8717, by Senator Hinchey, an
8 act to amend the Public Authorities Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll).

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 1639, voting in the negative are
20 Senators Ashby, Borrello, Griffo, Murray, O'Mara,
21 Ortt, Walczyk and Weik.

22 Ayes, 53. Nays, 8.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1640, Senate Print 8746, by Senator Cooney, an
2 act to amend the Tax Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

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

7 ACTING PRESIDENT MAYER: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MAYER: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 1640, voting in the negative are
14 Senators Griffo, Helming, Oberacker and Walczyk.

15 Ayes, 57. Nays, 4.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1641, Senate Print 8844A, by Senator Martinez, an
20 act to amend the Highway Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 1641, voting in the negative:
7 Senator Brisport.

8 Ayes, 60. Nays, 1.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1642, Senate Print 8864A, by Senator Martinez, an
13 act to amend the Highway Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

23 THE SECRETARY: In relation to
24 Calendar 1642, voting in the negative:
25 Senator Brisport.

1 Ayes, 60. Nays, 1.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1643, Assembly Bill Number 10334A, by
6 Assemblymember Solages, an act to amend the
7 Education Law.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

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

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 1643, voting in the negative:
19 Senator Walczyk.

20 Ayes, 60. Nays, 1.

21 ACTING PRESIDENT MAYER: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1644, Senate Print 9088A, by Senator Gonzalez, an
25 act to amend the General Business Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

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

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1644, voting in the negative are
12 Senators Borrello, Chan, Griffo, Helming, Lanza,
13 O'Mara, Tedisco, Walczyk, Weber and Weik.

14 Ayes, 51. Nays, 10.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1645, Senate Print 9093, by Senator Fernandez, an
19 act to amend the Mental Hygiene Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 1645, voting in the negative are
6 Senators Gallivan, Griffio, Rhoads, Sutton and
7 Walczyk. Also Senator Weber.

8 Ayes, 55. Nays, 6.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1646, Senate Print 9100A, by Senator Harckham, an
13 act in relation to authorizing Tina Russo to
14 receive a recalculation of her retirement
15 benefit.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1647, Senate Print 9108A, by Senator Ortt, an act
5 in relation to authorizing the Town of Niagara to
6 alienate and discontinue the use of certain
7 parklands.

8 ACTING PRESIDENT MAYER: There's a
9 home-rule message at the desk.

10 Read the last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar 1647, voting in the negative:
20 Senator Fahy.

21 Ayes, 60. Nays, 1.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1648, Assembly Bill Number 10102, by

1 Assemblymember Glick, an act to amend the
2 Real Property Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

5 THE SECRETARY: Section 3. This
6 act shall take effect on the 60th day after it
7 shall have become a law.

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 1648, voting in the negative are
15 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
16 Chan, Gallivan, Griffo, Helming, Lanza, Martins,
17 Mattera, Murray, Oberacker, O'Mara, Ortt,
18 Palumbo, Rhoads, Ryan, Stec, Tedisco, Walczyk,
19 Weber and Weik.

20 Ayes, 39. Nays, 22.

21 ACTING PRESIDENT MAYER: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1649, Assembly Bill Number 10328A, by
25 Assemblymember Stirpe, an act to amend the

1 Criminal Procedure Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 1649, voting in the negative are
13 Senators Bailey, Brisport, Gonzalez, Krueger,
14 Liu, Rivera and Salazar.

15 Ayes, 54. Nays, 7.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1650, Senate Print 9250, by Senator Hinchey, an
20 act in relation to authorizing Janay M. Gasparini
21 to take the competitive civil service
22 examination.

23 ACTING PRESIDENT MAYER: There's a
24 home-rule message at the desk.

25 Read the last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1651, Assembly Bill Number 10160A, by
13 Assemblymember Burdick, an act to amend the
14 Public Service Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1652, Assembly Bill Number 10518, by
4 Assemblymember McDonald, an act to amend the
5 Criminal Procedure Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1652, voting in the negative are
17 Senators Bailey, Brisport, Gonzalez, Krueger,
18 Liu, Rivera and Salazar.

19 Ayes, 54. Nays, 7.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1653, Senate Print 9338A, by Senator Gianaris, an
24 act to amend the Penal Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

2 THE SECRETARY: Section 5. This
3 act shall take effect on the 60th day after it
4 shall have become a law.

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1653, voting in the negative are
12 Senators Ashby, Borrello, Chan, Gallivan, Griffo,
13 Helming, Lanza, Mattera, Murray, Oberacker,
14 O'Mara, Ortt, Rhoads, Ryan, Stec, Tedisco,
15 Walczyk and Weik.

16 Ayes, 43. Nays, 18.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1654, Assembly Bill Number 8904A, by
21 Assemblymember Lucas, an act to amend the
22 Arts and Cultural Affairs Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1655, Assembly Bill Number 10523A, by
12 Assemblymember Burdick, an act to amend the
13 Highway Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

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

18 ACTING PRESIDENT MAYER: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1656, Senate Print 9451, by Senator Fahy, an act
3 granting retroactive Tier 4 membership in the
4 New York State and Local Employees' Retirement
5 System to Katie Adamek.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1657, Assembly Bill Number 10455, by
20 Assemblymember Kelles, an act to amend the
21 Vehicle and Traffic Law.

22 ACTING PRESIDENT MAYER: There is a
23 home-rule message at the desk.

24 Read the last section.

25 THE SECRETARY: Section 4. This

1 act shall take effect on the 30th day after it
2 shall have become a law.

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 1657, voting in the negative are
10 Senators Ashby, Borrello, Chan, Gallivan, Griffo,
11 Helming, Lanza, Martinez, Mattera, Murray,
12 Oberacker, O'Mara, Ortt, Palumbo, Stec and Weber.
13 Also Senator Tedisco.

14 Ayes, 44. Nays, 17.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1658, Senate Print 9546A, by Senator Sutton, an
19 act to amend the General Business Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect on the 90th day after it
24 shall have become a law.

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 1658, voting in the negative:
7 Senator Walczyk.

8 Ayes, 60. Nays, 1.

9 ACTING PRESIDENT MAYER: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1659, Senate Print 9565A, by Senator Bailey, an
13 act to amend the Education Law.

14 ACTING PRESIDENT MAYER: Read the
15 last section.

16 THE SECRETARY: Section 4. This
17 act shall take effect on the 120th day after it
18 shall have become a law.

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 1659, voting in the negative are

1 Senators Walczyk and Weik.

2 Ayes, 59. Nays, 2.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1660, Senate Print 9567B, by Senator Ryan, an act
7 to amend the General Business Law.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

10 THE SECRETARY: Section 6. This
11 act shall take effect on the 180th day after it
12 shall have become a law.

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Senator
17 Ryan to explain his vote.

18 SENATOR RYAN: Thank you. Thank
19 you, Madam President.

20 So I rise today as sponsor of this
21 bill, 9567B, known as Nima's Law. This bill is
22 named in honor of Nima Pazooki of Jericho,
23 New York, in Nassau County, who tragically lost
24 his life after prolonged exposure to
25 nitrous oxide products.

1 Nima was working hard in recovery
2 and attending regular meetings, but began
3 experiencing serious and unexplained health
4 symptoms. Even after seeking medical care, no
5 one could determine the cause. It was only after
6 his unfortunate and tragic passing that the
7 parents discovered evidence of his long-term
8 nitrous oxide use.

9 Nima's story is heartbreaking
10 because it shows how the hidden dangers can be of
11 these products -- that are often marketed as
12 harmless -- causing severe neurological damage,
13 addiction, and in some cases -- and tragically,
14 in Nima's case -- death.

15 Today nitrous oxide is sold in
16 brightly colored canisters, flavors, package that
17 is clearly, clearly aimed at young adults. These
18 products are being marketed not for its intended
19 purpose.

20 The FDA warns that inhaling nitrous
21 oxide can lead to Vitamin B12 deficiency,
22 paralysis, psychiatric disturbances, loss of
23 consciousness, asphyxiation, permanent
24 neurological damage and, tragically, death.

25 These are not minor side effects;

1 these are life altering consequences. What this
2 bill does, it takes a commonsense approach. It
3 prohibits the sale, retail sale of nitrous oxide
4 while preserving the legitimate medical, dental
5 and industrial uses.

6 It also strengthens public education
7 so no more do families, educators, young people
8 not understand the risks before tragedy strikes.

9 I vote in the affirmative and in the
10 memory of Nima.

11 Thank you.

12 ACTING PRESIDENT MAYER: Senator
13 Ryan to be recorded in the affirmative.

14 Announce the results.

15 THE SECRETARY: In relation to
16 Calendar 1660, voting in the negative are
17 Senators Skoufis and Walczyk.

18 Ayes, 59. Nays, 2.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1661, Assembly Bill Number 10310B, by
23 Assemblymember Paulin, an act to amend the
24 Public Health Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

2 THE SECRETARY: Section 2. This
3 act shall take effect on the 120th day after it
4 shall have become a law.

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: In relation to
11 Calendar 1661, voting in the negative are
12 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
13 Mattera, Murray, Ortt, Palumbo, Rhoads, Rolison,
14 Stec, Tedisco, Weber and Weik.

15 Ayes, 48. Nays, 13.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1662, Assembly Bill Number 10653, by
20 Assemblymember Paulin, an act to amend the
21 Arts and Cultural Affairs Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect on the 100th day after it

1 shall have become a law.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Announce
6 the results.

7 THE SECRETARY: In relation to
8 Calendar 1662, voting in the negative are
9 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
10 Gallivan, Griffo, Helming, Mattera, Oberacker,
11 O'Mara, Rhoads, Skoufis, Stec, Tedisco, Walczyk
12 and Weik. Also Senator Martins.

13 Ayes, 45. Nays, 16.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1663, Assembly Bill Number 10338, by
18 Assemblymember Lavine, an act to amend
19 Chapter 455 of the Laws of 1997.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar 1663, voting in the negative are
6 Senators Addabbo, Brisport and Rhoads.

7 Ayes, 58. Nays, 3.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 SENATOR GIANARIS: Madam President,
11 please recognize Senator Bailey for a quick
12 announcement.

13 ACTING PRESIDENT MAYER: Senator
14 Bailey for a quick announcement.

15 SENATOR BAILEY: Madam President, I
16 am pleased to announce that our New York Knicks
17 have taken Game 1 against the San Antonio Spurs!

18 (Extended cheers, applause.)

19 SENATOR BAILEY: Go New York, go
20 New York, go! Go New York, go New York, go!

21 (Cheers, applause.)

22 ACTING PRESIDENT MAYER: That's a
23 very unified Senate sound.

24 (Laughter.)

25 THE SECRETARY: Calendar Number --

1 oh, sorry.

2 ACTING PRESIDENT MAYER: Go ahead.

3 THE SECRETARY: Calendar Number
4 1664, Senate Print 9878A, by Senator Baskin, an
5 act to amend the Highway Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Senator
14 Baskin to explain her vote.

15 SENATOR BASKIN: Thank you,
16 Madam President.

17 This bill will honor Travis Krege by
18 naming a bridge in my district the Army Private
19 First Class Travis C. Krege Bridge.

20 Army Private Krege was a Cheektowaga
21 native who was tragically killed in the line of
22 duty on December 6, 2006, while serving during
23 Operation Iraqi Freedom.

24 Krege and four other soldiers were
25 killed when an explosive device destroyed their

1 military vehicle in Iraq. Travis was just
2 24 years old at the time of his death. Travis
3 graduated from Maryvale High School in the year
4 2000, in my district, and he was known as an
5 easygoing guy who enjoyed eating wings, reading
6 history books, playing basketball, and watching
7 the Buffalo Sabres play.

8 He would have loved to be here this
9 year for the Sabres' historic return to the
10 playoffs or to see tonight's historic win as
11 well, I'm sure.

12 And it's remembrance of this
13 American hero's sacrifice, in conjunction with
14 honoring the family that he left behind, that has
15 led to the consideration of this bill before us
16 today. Dedicating this bridge on Cleveland Drive
17 in Cheektowaga is a way of acknowledging Travis's
18 mark on his hometown for defending this country's
19 freedom.

20 Each of us spent Memorial Day in our
21 districts remembering those who gave the ultimate
22 sacrifice in their service to our country. And I
23 am honored to sponsor this bill that will serve
24 as a daily reminder to the residents of
25 Western New York of the sacrifice that Army

1 Private First Class Travis Krege made for us.

2 With gratitude, I proudly vote aye.

3 Thank you, Madam President.

4 ACTING PRESIDENT MAYER: Senator

5 Baskin to be recorded in the affirmative.

6 Announce the results.

7 THE SECRETARY: In relation to

8 Calendar 1664, voting in the negative:

9 Senator Brisport.

10 Ayes, 60. Nays, 1.

11 ACTING PRESIDENT MAYER: The bill

12 is passed.

13 THE SECRETARY: Calendar Number

14 1665, Senate Print 9891B, by Senator Sanders, an

15 act to amend the Banking Law.

16 ACTING PRESIDENT MAYER: Read the

17 last section.

18 THE SECRETARY: Section 3. This

19 act shall take effect on the 180th day after it

20 shall have become a law.

21 ACTING PRESIDENT MAYER: Call the

22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: Announce

25 the results.

1 THE SECRETARY: In relation to
2 Calendar 1665, voting in the negative:
3 Senators Ortt and Walczyk.

4 Ayes, 59. Nays, 2.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1666, Assembly Bill Number 11146B, by
9 Assemblymember Wieder, an act to amend the
10 Public Health Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect on the 90th day after it
15 shall have become a law.

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1667, Senate Print 9949A, by Senator Martinez, an

1 act to amend the Highway Law.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 1667, voting in the negative:
13 Senator Brisport.

14 Ayes, 60. Nays, 1.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1668, Senate Print 10010, by Senator Skoufis, an
19 act to amend the Facilities Development
20 Corporation Act.

21 ACTING PRESIDENT MAYER: There's a
22 home-rule message at the desk.

23 Read the last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1669, Senate Print 10022, by Senator Martinez, an
11 act to amend the Vehicle and Traffic Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1669, voting in the negative are
23 Senators Chan, Gallivan, Griffo, Helming, Lanza,
24 O'Mara, Ortt, Stec and Weik.

25 Ayes, 52. Nays, 9.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1670, Senate Print 10028, by Senator Walczyk, an
5 act to amend the Not-for-Profit Corporation Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1670, voting in the negative:
17 Senator Skoufis.

18 Ayes, 60. Nays, 1.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1671, Senate Print 10077, by Senator Harckham, an
23 act to amend the General Municipal Law.

24 ACTING PRESIDENT MAYER: There's a
25 home-rule message at the desk.

1 Read the last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 1671, voting in the negative:
11 Senator Skoufis.

12 Ayes, 60. Nays, 1.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1672, Assembly Bill Number 10341, by
17 Assemblymember Kassay, an act in relation to
18 authorizing and directing the conveyance of a
19 conservation easement over certain state-owned
20 lands.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1673, Senate Print 10181, by Senator Harckham, an
10 act establishing the Birch Hill-Highview Water
11 District in the Town of Southeast, Putnam County.

12 ACTING PRESIDENT MAYER: There's a
13 home-rule message at the desk.

14 Read the last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1674, Senate Print 10185, by Senator May, an act
2 to authorize the Town of Aurelius to continue the
3 use of an existing water district capital reserve
4 fund.

5 ACTING PRESIDENT MAYER: There's a
6 home-rule message at the desk.

7 Read the last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1674, voting in the negative:
17 Senator Skoufis.

18 Ayes, 60. Nays, 1.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1675, Senate Print 10199, by Senator Kavanagh, an
23 act to amend the Multiple Dwelling Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

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

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 1675, voting in the negative:
10 Senator Walczyk.

11 Ayes, 60. Nays, 1.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1676, Senate Print 10240, by Senator Harckham, in
16 relation to authorizing Larry Mendel to receive
17 his 30 years of service credit.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

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

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1677, Assembly Bill Number 11296, by
7 Assemblymember Lupardo, an act to amend the
8 General Municipal Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

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

13 ACTING PRESIDENT MAYER: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MAYER: Announce
17 the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1678, Assembly Bill Number 11188, by
23 Assemblymember Lavine, an act to amend the
24 Navigation Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 1678, voting in the negative are
11 Senators Skoufis, Walczyk and Weik.

12 Ayes, 58. Nays, 3.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 There's a substitution at the desk.

16 The Secretary will read.

17 THE SECRETARY: Senator Weber moves
18 to discharge, from the Committee on Rules,
19 Assembly Bill Number 11349 and substitute it for
20 the identical Senate Bill 10276A, Third Reading
21 Calendar 1679.

22 ACTING PRESIDENT MAYER: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number
25 1679, Assembly Bill Number 11349, by

1 Assemblymember Carroll, an act to amend the
2 Town Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

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

7 ACTING PRESIDENT MAYER: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MAYER: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 1679, voting in the negative are
14 Senators Griffo, Helming, Lanza, Martinez,
15 O'Mara, Scarcella-Spanton, Sepúlveda, Skoufis and
16 Weik. Also Senator Canzoneri-Fitzpatrick. Also
17 Senator Tedisco.

18 Ayes, 50. Nays, 11.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1680, Senate Print 10283, by Senator Webb, an act
23 authorizing the County of Cortland to transfer
24 ownership of Linear Park to Lime Hollow Nature
25 Center, Inc.

1 ACTING PRESIDENT MAYER: There's a
2 home-rule message at the desk.

3 Read the last section.

4 THE SECRETARY: Section 8. This
5 act shall take effect immediately.

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 1680, voting in the negative:
13 Senator Fahy.

14 Ayes, 60. Nays, 1.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1681, Senate Print 10302, by Senator Harckham, an
19 act authorizing Breanne M. Smith to receive a
20 refund of certain accumulated contributions.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1682, Assembly Bill Number 11297, by
10 Assemblymember Hunter, an act to amend the
11 Not-for-Profit Corporation Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1683, Senate Print 10339, by Senator Rivera, an

1 act in relation to authorizing the Commissioner
2 of General Services to provide compensation to
3 Catholic Guardian Services.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 1683, voting in the negative are
15 Senators Canzoneri-Fitzpatrick, Griffo, Helming,
16 Lanza, O'Mara, Ortt, Rhoads and Weik.

17 Ayes, 53. Nays, 8.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1684, Assembly Bill Number 11411, by
22 Assemblymember Hunter, an act to amend the
23 Insurance Law.

24 ACTING PRESIDENT MAYER: Read the
25 last section.

1 THE SECRETARY: Section 7. This
2 act shall take effect on the 90th day after it
3 shall have become a law.

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1685, Assembly Bill Number 11378, by
14 Assemblymember Rozic, an act to amend the
15 Real Property Tax Law.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1686, Assembly Bill Number 11348, by
5 Assemblymember Gibbs, an act to amend the
6 Alcoholic Beverage Control Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1687, Senate Print 10384, by Senator Fahy, an act
21 to amend the Highway Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Senator
5 Fahy to explain her vote.

6 SENATOR FAHY: Madam President,
7 thank you for allowing me a moment to rise to
8 vote aye on this bill and note that this is
9 dedicating a portion of State Route 9W in the
10 Town of Bethlehem, right nearby, in memory of
11 Patrick LaFortune Jr.

12 His life was defined by service to
13 others. He was the founder and CEO of LaFortune
14 and Family Construction, which he built into a
15 successful business. But more importantly, he
16 shared a deep love of young people and created a
17 pathway for many to a better future, dedicated
18 his life to workforce development and mentorship.

19 He led a local leading
20 apprenticeship program, including the
21 MAPP program, which is the Multi-craft
22 Apprenticeship Preparation Program, and trained
23 countless young people who needed a second chance
24 and the opportunity to have a meaningful career.

25 He passed very tragically at the age

1 of 32 last July after a -- due to a reckless
2 driver who hit his motorcycle. It leaves a
3 tremendous void for his two young sons as well as
4 15 siblings and countless other lives that he
5 touched.

6 His legacy will live on. Dedication
7 a section of 9W in his honor will create a
8 lasting tribute to a man who spent his lifetime
9 not only building structures or buildings but
10 creating pathways for countless young people.

11 And with that, I vote in the
12 affirmative.

13 Thank you, Madam President.

14 ACTING PRESIDENT MAYER: Senator
15 Fahy to be recorded in the affirmative.

16 Announce the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1688, Senate Print 10550, by Senator Weik, an act
22 authorizing the Church of Pentecost USA, Inc., to
23 receive retroactive real property tax-exempt
24 status.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 1688, voting in the negative:
11 Senators O'Mara and Skoufis.

12 Ayes, 59. Nays, 2.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1689, Assembly Bill Number 11472, by
17 Assemblymember Cashman, an act to amend the
18 Alcoholic Beverage Control Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 1689, voting in the negative are
5 Senators Lanza, Martinez and Sepúlveda.

6 Ayes, 58. Nays, 3.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1690, Assembly Bill Number 11476, by
11 Assemblymember Shimsky, an act to amend
12 Chapter 573 of the Laws of 2025.

13 ACTING PRESIDENT MAYER: Read the
14 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1691, Assembly Bill Number 11457B, by
2 Assemblymember Fall, an act to amend the
3 Alcoholic Beverage Control Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 1691, voting in the negative:
15 Senators Lanza and Martinez.

16 Ayes, 59. Nays, 2.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1692, Senate Print 10596, by Senator Martinez, an
21 act to amend the Public Authorities Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1693, Senate Print 10598, by Senator Martinez, an
11 act to amend the Highway Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1693, voting in the negative:
23 Senator Brisport.

24 Ayes, 60. Nays, 1.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1694, Assembly Bill Number 1934A, by
4 Assemblymember Maher, an act to amend the
5 Alcoholic Beverage Control Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 1694, voting in the negative are
17 Senators Lanza, Martinez and Sepúlveda.

18 Ayes, 58. Nays, 3.

19 ACTING PRESIDENT MAYER: The bill
20 is passed.

21 Senator Gianaris, that completes the
22 reading of the calendar.

23 SENATOR GIANARIS: Madam President,
24 earlier today in the original calendar
25 Senator Fernandez had wanted to explain her vote

1 on Calendar 1384 but was at a committee meeting.

2 So by consent we will now give her
3 that opportunity.

4 Thank you, Madam President.

5 ACTING PRESIDENT MAYER: Senator
6 Fernandez to explain her vote on Calendar 1384.

7 SENATOR FERNANDEZ: Thank you so
8 much, Senator Gianaris. And thank you so much,
9 Madam President.

10 I'm sorry I missed the vote, and I
11 hope everybody voted for it. Let me explain why
12 that we needed to vote for it.

13 So this bill that I introduced and
14 passed on the floor, 8637, is important
15 legislation to expand the New York State Drug
16 Treatment and Public Education Fund, and to
17 ensure that it continues to meet the needs of
18 individuals, families and communities across our
19 state.

20 The fund, created under the MRTA,
21 has supported substance use disorder treatment
22 and drug education programs for both youth and
23 adults. These programs emphasize culturally and
24 gender competent, trauma-informed and
25 evidence-informed approaches that recognize the

1 diverse experiences and needs of New Yorkers.
2 They have placed countless individuals in access
3 care, receive support and build healthier
4 futures.

5 This bill builds on that foundation.
6 Substance use disorder is a complex public health
7 challenge, and we know that treatment alone is
8 not enough. Successful responses require a full
9 continuum of care, one that includes prevention,
10 treatment, harm reduction and drug-user health
11 services and long-term recovery support.

12 Research and experience have shown
13 that each of these components play a critical
14 role in helping people stay healthy, reduce risk,
15 and achieve lasting recovery.

16 That is why this bill explic --
17 explicately -- explix --

18 SENATOR RAMOS: Explicitly.

19 SENATOR FERNANDEZ: It directly,
20 okay --

21 (Laughter.)

22 SENATOR FERNANDEZ: -- expands the
23 types of services that may be supported through
24 the fund to include prevention programs, drug
25 user health initiatives, and recovery services.

1 By doing so, we align the fund with
2 what we know works. We give communities greater
3 flexibility to invest in proven strategies that
4 can prevent substance use disorders before they
5 even start, reduce harm reduction for those who
6 are actively using substances, and support
7 individuals as they rebuild their lives in
8 recovery.

9 Just as importantly, this bill
10 strengthens transparency and accountability.
11 New Yorkers deserve to know how public funds are
12 being used and whether those resources are
13 reaching the communities and programs they are
14 intended to serve.

15 By increasing transparency around
16 the fund and the disbursement of its monies, this
17 legislation promotes public trust and helps
18 ensure that resources are allocated effectively
19 and responsibly.

20 At its core this bill is about
21 improving outcomes. It is about supporting
22 evidence-based approaches, recognizing the
23 realities of substance use and recovery, and
24 ensuring that the state's resources can be
25 directed where we will have the greatest impact.

1 By expanding support across the
2 continuum of care and increasing transparency in
3 the administration of these funds, this
4 legislation will help strengthen our public
5 health response, save lives, and support
6 healthier communities throughout New York.

7 I urge my colleagues to please
8 support this bill, and for those that did, thank
9 you. I vote aye.

10 ACTING PRESIDENT MAYER: Senator
11 Fernandez will have been recorded in the
12 affirmative.

13 Senator Gianaris.

14 SENATOR GIANARIS: Madam President,
15 we are now returning to resolutions.

16 Previously adopted Resolution 2052,
17 by Senator Myrie. Read its title and call on
18 Senator Myrie, please.

19 ACTING PRESIDENT MAYER: The
20 Secretary will read.

21 THE SECRETARY: Resolution 2052, by
22 Senator Myrie, memorializing Governor Kathy
23 Hochul to proclaim October 9, 2026, as
24 Sneakers Day in the State of New York.

25 ACTING PRESIDENT MAYER: Senator

1 Myrie on the resolution.

2 SENATOR MYRIE: Thank you,
3 Madam President.

4 The hour is late, so I'm going to
5 dedicate this entire resolution to the New York
6 Knicks.

7 (Cheers.)

8 SENATOR MYRIE: I've often spoken
9 about and we've heard how sneakers bring us
10 together and they're a unifying thing.

11 There is nothing that brings
12 New Yorkers more together than the New York
13 Knicks. And we just witnessed history tonight.

14 I want to enter it into the record
15 that the Knicks won by 10 points in San Antonio.
16 After everyone said we were underdogs, after
17 everyone said we should be afraid of Wemby -- we
18 were scrappy, we were gritty, we fought back, and
19 we won. There's nothing more New York than that.

20 So on a day where we celebrate
21 sneakers, on a day where we celebrate unity, let
22 us celebrate the best team in basketball, the
23 New York Knicks.

24 I vote aye.

25 (Applause.)

1 ACTING PRESIDENT MAYER: Thank you,
2 Senator Myrie.

3 Senator Bailey on the resolution.

4 SENATOR BAILEY: Thank you,
5 Madam President.

6 My brother, I could not have said it
7 any better. Senator Myrie encapsulated it.

8 New Yorkers come together, sports is
9 the world's greatest social currency, and
10 sneakers are too.

11 I want to formally nominate the
12 Sneaker Prom King and Queen, Senators George
13 Borrello and Roxanne Persaud --

14 (Laughter.)

15 SENATOR BAILEY: -- the winners of
16 Sneaker Day.

17 We have a lot of contentious
18 discussion, sometimes we -- sometimes we really
19 get heated and we do so because we're really
20 zealous advocates for our constituency.

21 But at the end of the night -- you
22 know, sometimes we like to do this at the
23 beginning, but this is apropos after a major
24 historic victory -- the 12th victory in a row for
25 the New York -- your New York Knicks, our

1 New York Knicks. Right? -- we get a chance to
2 reflect on the things that unite us. And that's
3 footwear and basketball and footwear on the
4 basketball court.

5 And Game 2 is on Friday night, still
6 in San Antonio, still in hostile territory. And
7 we will come out victorious for the first victory
8 in 53 years, Madam President.

9 I vote aye on this resolution.
10 Sneakers forever! The New York Knicks forever!
11 The New York State Senate forever!

12 And congratulations to
13 George Borrello and Roxanne Persaud, the
14 Prom King and Queen of Sneaker Day.

15 I vote aye.

16 (Laughter, applause.)

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

19 The resolution was previously
20 adopted on May 12th.

21 Senator Gianaris.

22 SENATOR GIANARIS: Now previously
23 adopted Resolution 2230, by Senator Griffo, read
24 its title and call on Senator Griffo.

25 ACTING PRESIDENT MAYER: The

1 Secretary will read.

2 THE SECRETARY: Resolution 2230, by
3 Senator Griffo, memorializing Governor Kathy
4 Hochul to proclaim September 26, 2026, as
5 Hunting and Fishing Day in the State of New York.

6 ACTING PRESIDENT MAYER: Senator
7 Griffo on the resolution.

8 SENATOR GRIFFO: Thank you,
9 Madam President.

10 Go New York, go! Hopefully
11 Senator Bailey will be watching in the Garden,
12 not in the Capitol on Friday.

13 It's a pleasure to cochair the
14 New York State Legislative Sportsmen's Caucus
15 with Senator Hinchey as we advocate for the
16 rights of sportsmen and sportswomen across the
17 State of New York.

18 And this resolution is asking the
19 Governor to proclaim September 26th as Hunting
20 and Fishing Day in New York. Since 1972,
21 National Hunting and Fishing Day was established
22 to celebrate and to recognize the many
23 contributions that sportsmen and -women make
24 regularly throughout our country, society and
25 particularly in our state here in New York.

1 We see contributions every day.
2 Hunting and fishing are a way of life for many.
3 They're a part of the cultural fabric of the
4 communities across this state. The activities
5 are not just beloved pastimes and traditions, but
6 they are -- New York sportsmen and -women are
7 conservationists. They help fund efforts to
8 protect the health and sustainability of natural
9 resources and provide for food security. They
10 support the state's economy. Approximately
11 1.4 million hunters and anglers have generated
12 more than \$76 million to support conservation
13 efforts at DEC.

14 So in addition to spending money on
15 trips, travel, restaurants and other amenities,
16 according to the most recent data from the Bureau
17 of Economic Analysis division on a national
18 level, sportsmen and -women spent more than a
19 billion dollars on hunting and fishing
20 recreational activities. No doubt those who hunt
21 and fish have a big impact on our communities and
22 the State of New York.

23 So this resolution is one way we can
24 recognize that tremendous impact, continue to
25 work to ensure that gentlemen and -women are able

1 to share their beloved outdoor activities and
2 traditions with their families, and they continue
3 to grow for generations to come.

4 Thank you, Madam President.

5 ACTING PRESIDENT MAYER: Thank you,
6 Senator Griffo.

7 The resolution was previously
8 adopted on June 2nd.

9 Senator Gianaris, may I take a
10 moment of personal privilege to acknowledge
11 Beth LaMountain, who is here, who was with
12 Senator Stavisky all day. And if everyone had a
13 staff member like Beth, they'd be extremely
14 fortunate.

15 Thank you, Beth, for being here.

16 (Standing ovation.)

17 ACTING PRESIDENT MAYER: Senator
18 Gianaris.

19 SENATOR GIANARIS: And for those
20 who may not be aware, Senator Stavisky is fine.
21 A couple of broken bones in her hand, but
22 otherwise okay. We'll be seeing her again soon.

23 The sponsors of all of today's
24 resolutions would like to open those resolutions
25 for cosponsorship.

1 ACTING PRESIDENT MAYER: The
2 resolutions are open for cosponsorship. Should
3 you choose not to be a cosponsor, please notify
4 the desk.

5 Senator Gianaris.

6 SENATOR GIANARIS: I have one final
7 motion here. On behalf of Senator Skoufis, I
8 wish to call up Senate Print 8580A, which is now
9 at the desk.

10 ACTING PRESIDENT MAYER: The
11 Secretary will read.

12 THE SECRETARY: Calendar Number
13 1380, Senate Print 8580A, by Senator Skoufis, an
14 act to amend the General Business Law.

15 SENATOR GIANARIS: I move to
16 reconsider the vote by which the bill was passed
17 and ask that the bill be restored to the order of
18 third reading.

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

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT MAYER: Senator
24 Gianaris.

25 SENATOR GIANARIS: I believe the

1 bill is restored to its place on the Third
2 Reading Calendar, Madam President?

3 ACTING PRESIDENT MAYER: The bill
4 will retain its place on Third Reading Calendar.

5 SENATOR GIANARIS: I move to
6 discharge, from the Committee on Rules,
7 Assembly Print 9274A and substitute it for the
8 identical bill.

9 And I now move that the substituted
10 Assembly bill have its third reading at this
11 time.

12 ACTING PRESIDENT MAYER: The
13 substitution is so ordered.

14 The Secretary will read.

15 THE SECRETARY: Calendar Number
16 1380, Assembly Bill Number 9274A, by
17 Assemblymember McDonald, an act to amend the
18 General Business Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

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

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 1380, voting in the negative are
5 Senators O'Mara and Ortt.

6 Ayes, 59. Nays, 2.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 Senator Gianaris.

10 SENATOR GIANARIS: Is there any
11 further business at the desk?

12 ACTING PRESIDENT MAYER: There is
13 no further business at the desk.

14 SENATOR GIANARIS: I move to
15 adjourn until tomorrow, Thursday, June 4th,
16 promptly at 12:00 noon.

17 ACTING PRESIDENT MAYER: The Senate
18 will be adjourned until tomorrow, June 4th, at
19 12:00 noon.

20 (Whereupon, at 11:43 p.m., the
21 Senate adjourned.)

22

23

24

25