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THE STENOGRAPHIC RECORD

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REGULAR SESSION

SENATOR BRIAN A. BENJAMIN, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BENJAMIN: The Senate will come to order.

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

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

ACTING PRESIDENT BENJAMIN: We have with us today Rabbi Yisroel Kahan, from Oizrim Jewish Council in Monsey.

Rabbi.

RABBI KAHAN: Good afternoon.

Thank you, Senator Carlucci, for the invitation. It's a great honor.

In Judaism we are taught to hold a high regard for law and order. As our sages tell us: Pray for the well-being of government, for in its absence, men would swallow one another alive.

These are troubling times that we live in today, barely 75 years after the liberation of Auschwitz, and antisemitism is on the rise again. The eyes of New Yorkers are upon you to pass legislation for a better and brighter tomorrow.

As the Talmud says, "He who saves one life is as if he has saved the world entire." And the reasoning behind it being that all the good deeds that the person will do from today on will be attributed to the rescuer.

So whether you're passing laws to improve education, additional resources for those battling, struggling with mental illness, providing security for houses of worship and schools, or, as later today, you will be passing Stephen's Law, in memory of Stephen Canastraro, which will improve communication between -- with the families of those struggling with substance abuse addiction, you are the saviors of New York. You are our heroes.

And so I will recite a prayer that we do every Saturday in the synagogue: He who has blessed our fathers Abraham, Isaac and Jacob, may He bless the members of this chamber, along with all bodies of government, and may all those who engage with the needs of the public faithfully, may He reward them abundantly, may He cast away from them all illness, may He rejuvenate their bodies, and may He bestow grace and prosperity in all their endeavors.

And let us all say amen.

(Response of "Amen".)

ACTING PRESIDENT BENJAMIN: Reading of the Journal.

THE SECRETARY: In Senate, Monday, February 3, 2020, the Senate met pursuant to adjournment. The Journal of Sunday, February 2, 2020, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, can we begin by taking up Resolution 2690, by Leader Andrea Stewart-Cousins, read it in its entirety, and recognize Leader Stewart-Cousins on the resolution.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 2690, by Senator Stewart-Cousins, memorializing Governor Andrew M. Cuomo to proclaim February 2020 as Black History Month in the State of New York.

"WHEREAS, Black History Month, previously known as Negro History Week, was founded by Dr. Carter G. Woodson, and was first celebrated on February 1, 1926; since 1976, it has become a nationally recognized month-long celebration, held each year during the month of February to acknowledge and pay tribute to African-Americans neglected by both society and the history books; and

"WHEREAS, The month of February observes the rich and diverse heritage of our great state and nation; and

"WHEREAS, Black History Month seeks to emphasize black history is American history; and

"WHEREAS, Black History Month is a time to reflect on the struggles and victories of African-Americans throughout our country's

history and to recognize their numerous valuable contributions to the protection of our democratic society in war and in peace; and

"WHEREAS, Some African-American pioneers whose many accomplishments, all of which took place during the month of February, went unnoticed, as well as numerous symbolic events in February that deserve to be memorialized include: John Sweat Rock, a noted Boston lawyer who became the first African-American admitted to argue before the U.S. Supreme Court on February 1, 1865, and the first African-American to be received on the floor of the U.S. House of Representatives; Jonathan Jasper Wright, the first African-American to hold a major judicial position, who was elected to the South Carolina Supreme Court on February 1, 1870; President Abraham Lincoln submits the proposed 13th Amendment to the U.S. Constitution, abolishing slavery, to the states for ratification on February 1, 1865; civil rights protester Jimmie Lee Jackson dies from wounds inflicted during a protest on February 26, 1965, leading to the historic Selma, Alabama, civil rights demonstrations, including Bloody Sunday, in which

600 demonstrators, including Martin Luther King, Jr., were attacked by police; Autherine J. Lucy became the first African-American student to attend the University of Alabama, on February 3, 1956; she was expelled three days later 'for her own safety' in response to threats from a mob; in 1992, Autherine Lucy Foster graduated from the university with a master's degree in education, the same day her daughter, Grazia Foster, graduated with a bachelor's degree in Corporate finance; the Negro Baseball League was founded on February 3, 1920; Jack Johnson, the first African-American World Heavyweight Boxing champion, won his first title on February 3, 1903; and Reginald F. Lewis, born on December 7, 1942, in Baltimore, Maryland, received his law degree from Harvard Law School in 1968, and was a partner in Murphy, Thorpes & Lewis, the first black law firm on Wall Street, and in 1989, he became president and CEO of TLC Beatrice International Food Company, the largest black-owned business in the United States; and

"WHEREAS, In recognition of the vast contributions of African-Americans, a joyful month-long celebration is held across New York

State and across the United States, with many commemorative events to honor and display the cultural heritage of African-Americans; and

"WHEREAS, This Legislative Body commends the African-American community for preserving, for future generations, its centuries-old traditions that benefit us all and add to the color and beauty of the tapestry which is our American society; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to memorialize Governor Andrew M. Cuomo to proclaim February 2020 as Black History Month in the State of New York; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the Honorable Andrew M. Cuomo, Governor of the State of New York, and to the events commemorating Black History Month throughout New York State."

ACTING PRESIDENT BENJAMIN: Majority Leader Stewart-Cousins on the resolution.

SENATOR STEWART-COUSINS: Thank you so much, Mr. President.

And I want to thank Rabbi Yisroel Kahan for your prayer today. It's good to see you, from my native -- my neighbor, as we're Westchester County and I know you're Rockland.

And, Mr. President, every year I'm proud at this time to honor African-American culture and history during this special month. Not only because I'm African-American, but because it shines a light on American history. And again, I recognize the rabbi because my remarks have so much to do with what's gone on over the past couple of months.

You know, over these past few months our state and country reeled following the horrific acts of antisemitism, and some unfortunately by African-Americans. And I was repeatedly asked at menorah lightings why was there not more attention paid to the shared experiences of the black and Jewish communities in the struggle for justice.

You know, I knew that Dr. King's 1965 march on Selma was significant for so many reasons, but also because he linked arm in arm with Rabbi Heschel, forcing the nation to acknowledge the exclusion of black Americans from

the equality promised in our Constitution.

I was acutely aware of the critical involvement of the Jewish community in the founding of the NAACP, which happened right here in New York.

And I also knew of Dr. King's unequivocal and outspoken support of Jewish people as he rebuked Hitler. Dr. King famously said, and I quote, "We should never forget that everything Adolf Hitler did in Germany was legal, and everything the Hungarian freedom fighters did in Hungary was illegal. It was illegal to aid and comfort a Jew in Hitler's Germany. Even so, I'm sure that had I lived in Germany at the time, I would have aided and comforted my Jewish brothers."

Sadly, it was shared oppression, dehumanization and marginalization that brought together blacks and Jews in a struggle to make America and the world recall and condemn injustice and inequality.

So with that thought, I asked my friend and Jewish Senator Shelley Mayer, whose district is intertwined with mine, to work with me on an educational project. She agreed, and

because it is an educational endeavor, we engaged one of the schools where we shared mutual constituents.

The meeting at the school took place, and I was amazed that there was a discussion about whether or not we should actually celebrate Black History Month at all. You have some kids who argue it's insulting that the accomplishments of blacks are relegated to one month, and the information was very often redundant -- same names, same stories.

In the end, we assured them that although this was being initiated during Black History Month, it was an important enough project, an important enough subject matter to be shared long after the month, because the achievements of black America and the partnerships because of our belief in the democracy and the ideals of this country are very, very important.

So I'm personally grateful to Dr. Carter G. Woodson for his insistence on setting aside the month of February. As was said in the resolution, it was initially a week, but it was February because it celebrated the birth

of Abraham Lincoln and the birth of Frederick Douglass. That's why February was named.

And it was important to really acknowledge the accomplishments of a community who, in our founding documents, were classified as three-fifths of a person. That thinking allowed for the systemic exclusion and appropriation of black contributions in America. And we are still battling that thinking in 2020.

As a nation, we should be told, reminded that blacks invented many of the things we use every day: That Garrett Morgan invented the technology for the traffic light, and Frederick Jones invented refrigerated trucks, and Sarah Boone invented the ironing board. Dr. Patricia Bath, more recently, groundbreaking cataract treatment through laser surgery.

We should hear the names of Sojourner and Harry and Ida and Shirley and Constance Baker Motley, who was the first African-American Senator who served in this chamber. We should hear about Martin and Malcolm and Frederick Douglass, who the president seemed to have thought was still alive last year.

Today, in a world teaming with

information and misinformation, it's sometimes hard for our new generation to imagine a time in America when black people were forbidden to read or, just a little more than 50 years ago, attend school with whites in the South. It's hard to imagine a time when black families were separated and sold off to work for other people's profits. Black History Month forces us to be reminded of these not-too-distant historic realities.

Black history also gives context to what we see today. When we see children separated from their families, when we see intergenerational poverty and over-incarceration of black and brown bodies, it is contextual.

Black History Month serves as a reminder that our stories are not always rooted in pain, but the story of African-Americans in America is also one of perseverance, ingenuity, strength, courage and resilience. We celebrate black history because black activism has helped pave the way for others, other minorities, to have equal opportunities here in America. Black history is American history. Its lessons, its partnerships should be learned and repeated and understood daily.

When thinking about why it's important to celebrate Black History Month, I'm reminded of a quote by Alexis de Tocqueville: "The greatness of America lies not in being more enlightened than any other nation, but rather in her ability to repair her faults." African-American community has helped repair those faults.

As we recognize Black History Month, I hope that we keep celebrating, keep leading, keep learning, keep advancing our march towards justice for all as we echo the resolve of our Jewish brothers and sisters: Never again.

Thank you.

ACTING PRESIDENT BENJAMIN: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

That will be an incredibly difficult act to follow, Madam Leader. You set the tone for us in many ways in our conference, and I thank you so much for being you and also just being part of black history. You see, Black History Month isn't just about MLK, it's about ASC. In the other chamber it's about CEH. It's

about Velmanette Montgomery. It's about that three-fifths compromise that we spoke about. Now, three-fifths of the statewide leaders are African-American. That's the way we turn a three-fifths compromise on its head here in the State of New York.

It's about lifting every voice and singing. Only the first verse, though.

(Laughter.)

SENATOR BAILEY: Because you know what happens after the first verse of "Lift Every Voice and Sing." There's a lot of humming.

(Laughter.)

SENATOR BAILEY: It's knowing about those legendary names and their accomplishments, but it's also knowing about somebody named Sylvia Richardson Holder. Now, you might be wondering who Sylvia Richardson Holder -- and please don't Google her just yet.

June 22, 2015, from the Raleigh News & Observer, telling a story in pictures in Johnson County Revisited, the newest addition to Arcadia Publishing's Images of America series: "H. Smith Richardson of Vick Chemical Company reconnects in the 1940s with his family's aged

former slave, Sylvia Richardson Holder, who is said to have had a hand in concocting the VapoRub that became an American household name following World War I."

Now, even while in slavery, people who were thought to be inferior, they came up with products that we use to this day. And I want to illustrate that we're not that far removed from slavery.

Now, why is Sylvia Richardson Holder important to me? Well, Sylvia Richardson Holder was the mother of Cora Holder Bailey, the mother of U.T. Bailey, who was the father of J.T. Bailey, who was the father of Stanley Bailey, who was my father. My great-great-great-grandmother was a slave -- 117 years old, born in 1835, passing away in 1952, a year before my father was born.

We're not that far removed from slavery. So for those who like to say "Get over it," we're not that far removed from slavery. Not that many generations away. Great-great-great-grandmother.

Now, I illustrate that brief family history not just to say that the Vick Company

probably owes us a little bit of money because my great-great-great-grandmother came up with VapoRub --

(Laughter.)

SENATOR BAILEY: We're going to look into that, Mr. President.

But plain and simple, black history is American history. There is no substitution, there is no difference. Black history and American history, period, point blank. People must learn about black history because you have to understand that in the fallacy of this post-racial America, we still suffer from the vestiges of slavery every day: Mass incarceration, food insecurity, lack of healthcare, subpar education. And these all stem from slavery.

You see, if anybody is interested, we can speak later. And I have her birth certificate here. Very interesting to see how we were considered in that day and time. Colored. Negroid. Bills of sale. Bills of sale of humans, a hundred and some years ago. We are not that far removed.

So on a lighter note, I asked my

father and many people in my family group chat -- and those of us who have family group chats, we know how they can get. So I asked, What does black history mean to you?

My father: It's the recognition that black people -- their history, their culture and their blood, sweat and tears -- are inextricably woven into the fabric of America's past, present and future.

My aunt Barbara: After teaching for over 30 years, I've concluded that since the majority of my students were black, and that most of the grandparents had a Southern background, I thought that I should have been preaching to the choir. Black History Month should be a black studies course that is taught starting in middle school and part of the curriculum at all grade levels, so that people of all backgrounds will learn of the contributions that we made to building this country.

Black history, to me, is my ancestors, like Sylvia Richardson Holder, born a slave but persevered to be over a hundred years old. Black history is now and will be engrained in this country whether people accept us or not.

You see, even if you don't directly see the struggle, we all have a front row seat. Twenty-one years ago on this date, Amadou Diallo was taken away from us, because he was black and had a wallet.

Today is Rosa Parks' birthday, another leader in the civil rights movement that we speak about. We're grateful for her small action that became so big in our society.

Speaking of front row seats, on the heels of the Super Bowl, when we wonder why 12 black quarterbacks started games in the NFL this year -- a unanimous MVP of the regular season, the Super Bowl MVP and an offensive coordinator who helped win the Super Bowl -- but not one person of color got a head coaching job this whole season. That's a problem. So we've tried just speaking up. Because as Brother Malcolm put it: Education is our passport to the future, for tomorrow belongs to the people who prepare for it today.

Now, education isn't just traditional education, it's about knowledge, knowledge of the role that black folks played in our society. As I often do, I learn every day,

Mr. President, I learn through the lens of my daughters. So here's today's Giada and Carina moment.

So I'm in the car the other day, and I'm saying, "Hey, Giada, Black History Month is coming up in school, you're going to start learning things." And she's like: "Well, what's that?" And she goes, "I think I heard something about it," on YouTube or Nick Jr. or Disney Jr. or one of these channels. I'm like, "All right. Well, one, you have too much screen time. We've got to cut that down. And the second thing is I'm going to explain to you what it is."

I said, "Black History Month is where we celebrate the accomplishments of great African-Americans who have affected history." And without skipping a beat, she says: "Dad, like me?" "Absolutely like you." So Carina is there, and Carina is not going to be outdone. "Me too, Dad. I'm great."

So obviously me and my wife aren't Nick Jr., but we're doing something okay.

(Laughter.)

SENATOR BAILEY: Our kids are that passport to the future that we spoke about, that

Malcolm X spoke about.

And then she said, "Well, are there other great African-Americans?" So we go down a list of people, and she's like, "Well, what about Pa?" That's my dad. "Yeah." "What about Grandma?" "Sure." So for the next 15 minutes she starts naming everybody that she knows that's a great African-American person. Because in her mind, we're all great.

And that's the message that we should be learning about in Black History Month. We all have greatness within us. Some people's greatness is in certain areas, while others are great in others. But there is greatness in all of us.

And it is incumbent upon us to have Black History Month so that people understand not only the struggle, but the triumph thereafter. And we still have lots of firsts coming up. We've done so much, but there's still so much more to do.

I'm grateful for this opportunity to sit in this body. I'm grateful for Black History Month. And even though I can't sing, we lift every voice and sing.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Sanders on the resolution.

SENATOR SANDERS: I ask you, Mr. President, to never have me go in back of my colleague. But I'm back, I must go.

I want to thank our leader for understanding and -- understanding the necessity of this, and I applaud her for this resolution.

Mr. President, I have faith in America. I have a great faith that one day we're going to get it right and we're going to be at such a place where these curriculums of everybody is finally going to be put into one complete book on American history. I have faith that that day will come. That day, sadly, is not today. But I have faith that that day will come.

I still think that we're not so far from Arturo Schomburg. You may know the name; he's the creator of the Schomburg Library, arguably the greatest library on black history in the world, who got into it because his teacher told him that "You blacks have no history, none at all." And he set out to collect and disprove that notion. So we're not that far from it where

Carter G. Woodson was able to create such a day.

But as my colleague before me said, black history is American history. And American history is black history. You cannot fully understand American history -- it's like trying to understand American history without looking at George Wa -- Wa -- George Wallace? Mm. Him too. Yes, him too -- George Washington, Alexander Hamilton. Imagine trying to understand American history and taking out all of these people. You cheat yourself. You'll never get the idea right.

In fact, I'll show it to you real quickly. Everyone -- as my colleague said, this is the birthday of Rosa Parks. Everyone has seen that famous picture of Rosa Parks sitting in the bus not moving, and standing up by sitting down. But if you look at that picture carefully, you'll see a white gentleman sitting right behind her. Careful, now. That white guy was from New York, for one. He just happened to be on the bus. And he stayed on the bus to make sure that she wasn't beaten to a pulp. He's actually a Jewish gentleman, also. He stayed on the bus to just make sure.

You see, by focusing on one, you

have to look at the whole. This is true American history, the history of all of us, if you read, if we just are taught right, which we're not.

I contend that by just looking at it, if you scratch a Nazi, you're going to find a racist. If you scratch a racist, you're going to find a Nazi. Those types of thinking go together. We beat the Nazis once; we'll beat them again, if need be. I'm talking America. And the world, for that matter, but I'm talking America.

You see, we have to learn so that we don't repeat these errors over and over. Had the world population stopped the fascists when they were invading Ethiopia and now Namibia, we might not have had the Holocaust.

We are in all this together. We don't have a choice here. We have to share this planet. Therefore, we need to understand that.

I know that one day we're going to have the ability to get real American history so that we can have a real American future. That day seems troubled today, Mr. President, as I conclude. That day seems troubled today while we have so many people dividing us and finding ways

to say who is an American and who is not. And that becomes so ever-more picayune.

I will say this. I have faith in the youth of America. I have faith that by understanding history -- and I encourage all of us to study everyone's history. Start with black history, but everyone's history and their contribution to America. And by then, we can really claim the great distinction of being part of the American family.

Thank you very much, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Mr. President.

I rise to thank our leader, the Majority Leader of the Senate, Senator Andrea Stewart-Cousins, a historic figure in her own right, as the first woman leader of this house, for bringing forth this annual resolution.

I also rise to declare that Black History Month is February, but black history is made every day, 365, 24/7. Our history is being made each and every day here in New York State and around the world.

But the month of February being designated as Black History Month provides us an opportunity to reflect on our history, particularly on the struggles that we have all endured, and how we as black Americans as a collective, as we as immigrants as a collective, remain resolute in our fight for freedom, justice, and basic fairness throughout centuries.

Often we highlight notable individuals who have risen to great heights in academia, government, business, athletics, entertainment and other fields. My district, Southeast Queens in particular, has been home to some of the iconic names in black history: W.E.B. Dubois, Ella Fitzgerald, Count Basie, John Coltrane, Eddie "Lockjaw" Davis, Jackie Davidson, Jackie Robinson, Lena Horne, LL Cool J, Run-D.M.C., to name a few.

I could keep going, because we have a lot of product in Southeast Queens, and product that's happening every day. In fact, I met two young people today that get up at 4:30 in the morning just to get from one part of Queens to another part because they want to be the next black heroes of our time.

Often we have a lot of local heroes in Queens -- civil rights leaders like Stokely Carmichael and Roy Wilkins, who was a Queens resident; tennis player and coach William (Bill) Briggs; Human Rights Commissioner for New York City Kenneth Drew; the dean of Southeast Queens, Archie Spigner, one of the first black entrepreneurs citywide; Larry Cormier, who we lost this year. We had our own Erin Brockovich, who we lost this year, Linda Hazel, who pointed out that the Jamaica water supply was contaminated before anybody knew it and saved thousands of people's lives because now Southeast Queens is being taken care of by city water instead of Jamaica water. And my personal angel, Dorothy Harvey, who made sure that I got elected when I first ran for office.

They are just indicative of the thousands of people in my district that have transformed lives and lifted entire communities through their commitment to the success of younger generations behind them.

We take pride in the accomplishments of our ancestors as well as our brothers and sisters today, because we know that in our

society black women and black men invariably must work harder in order to achieve equal recognition. We similarly take pride in our own accomplishments and those of our forebears and our grandparents and those before us because they too struggled to build our communities, provide for us, and leave us with more opportunity than they were ever given.

I'm proud to represent one of the strongest African-American and Caribbean communities in the entire country. I have often said that I represent the best district in New York State --

UNIDENTIFIED SENATOR: Huh.

SENATOR COMRIE: "Huh" yourself.

(Laughter.)

SENATOR COMRIE: -- alongside other elected and community leaders who, despite the diversity of our backgrounds and upbringing, share a common history. My success and good fortune is only made possible by the community that I am so blessed to have been raised in and now represent here in Albany.

Highlighting the exemplary contributions of African-Americans shouldn't be

limited to one month. However, I think the best way to honor the history of African-American accomplishment is to continue to foster a climate in New York State that facilitates more black achievement in the future.

Passing stronger MWBE policy, mandating diversity in our schools and in the professional world, combating the systemic economic inequality that continues to hamper the financial well-being of black families are ways that we can do this every day of the year.

I also want to take time and thank the Governor for allowing a commission to research the 400 years of history in New York State to come forward. I'm glad of the fact that he wanted to own the commission and take responsibility for making sure that we move around the state and find out our history, that we can talk to every part of New York State and find out those people that we're part of, making sure that New York had a black history.

New York, as you know, was part of the movement to move people from the South to the North. We have burial grounds. We have people that were part of this history that we need to

highlight and illuminate, hopefully eventually in our school curriculum in New York State. So I want to take time to thank the Governor for allowing that to happen.

I hope this month that we will all take time to reflect on the distinct, important, and sobering history of people throughout our state and our country and celebrate the unbounded contributions of black people past and present.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Parker on the resolution.

SENATOR PARKER: Thank you, Mr. President.

Ladies and gentlemen, we've actually reached that part of the program where essentially everything has been said, but not everybody has said it.

(Laughter.)

SENATOR PARKER: But let me just associate myself with all of the comments that were made today. I think that they're really important. I'm going to keep my comments relatively short, particularly given me and my penchants for hyperbole.

That being said, this is a really important month for not just African-Americans, but for America -- and really not even just for America anymore, but really for the world, a time in which we remember the achievements of people of African descent.

One of the first things to remember about Black History Month or African-American History Month, that it's not just about the accomplishments of people of African descent once they've reached the New World. That the history of people of African-American descent doesn't begin in 1619 in Jamestown, Virginia, but begins on the continent of Africa. That it's important when you start to study the history of African-American people that you remember that people of African descent were the first people on this earth. Not saying they're better, just first.

So when you look at Australopithecus pithecus, the very first humanoid that they ever found, found on the continent of Africa. But what's important is not that the first person is found there, but the last person is also found there. So when you see Homo sapiens sapiens,

they're also first found on the continent of Africa.

Then Africa becomes important because it is the cradle of civilization. Then it becomes the beginning of everything that we understand about politics, economics, science, mathematics, astrology, astronomy, architecture. It all began on the continent of Africa.

And so that when you see people talking about, you know, people were slaves -- and I'm going to disagree with my colleague Senator Bailey for a minute, because his great-great-great-grandmother, you know, wasn't a slave. She was an African person who happened to be in bondage. Slavery is a mentality. And I would put forward to this body that African people never were slaves. Yes, you know, forced into bondage, forced into servitude, but always kept the spirit to fight.

And so we call on the spirit now of Nat Turner and Denmark Vesey and Gabriel Prosser and all those unknown and unheard people who fought their captors tooth and nail from the very moment. And that you saw within the context of the slave trade, right, a beginning of what's

called the Maafa -- or, if you want to, in American terms, the African Holocaust -- where roughly 200 million people were killed during the transporting of people into bondage. Two hundred million. And that's a conservative estimate.

That we understand the notion of holocaust, as we start connecting with our Jewish brothers and sisters, the notion of holocaust -- not just of what happened in Germany and Poland and other parts of Europe, but understand it as a moral description, not a specific event. Because there have been many people who have gone through holocausts. And we have to understand in those contexts that what happened to Jews in that period and what happened to African people in that period has also happened to Native Americans, and can also happen to other people. That if we forget this month to remember the lessons of history, we're doomed to repeat them.

One of the things that's important about this month is we reach into our cultural ethos and we bring forward a symbol, out of Ghana, of a bird looking backwards. That symbol is called Sankofa. And Sankofa is the notion -- it literally means -- Sankofa, in Twi, among the

Akan people in Ghana, literally means "to go fetch." Right?

But the notion, as my father would say all the time, he says, How do you know where you're going if you don't know where you've been? Right? How do you know where you're going if you don't know where you've been? And if you don't know where you're going, any road will take you there.

That during African-American History Month we're called on as a people to remember this history and remember, as we study it -- and I'm not just talking about people back in the Senate, I mean all of us in this chamber, as we study the history of people of African descent, we are studying all of our history. Because there is no place in this world that African people haven't impacted the development of the culture.

Some of you should check out a brother named Ivan Van Sertima, who wrote several books: African Presence in Early Asia, African Presence in Early Europe, African Presence in Early South America -- sorry, in the Americas. Right? They Came Before Columbus, we can go on

and on. Right?

But there's no place in which there hasn't been an impact. Not to mention the things that we've talked about in this chamber all the time. There's only been two major musical forms developed, you know, in the beginning of the development of this country, right, jazz and hip-hop, both out of the African ethos.

And so we remember Carter G. Woodson, who in 1926 took his organization, the Association for the Study of Negro Life and History, and took the work that he had spent his life working on, the Journal of Negro History, and began as a week, just as a beginning, just to say, look, we've got to start talking about this. Because even at that point people were talking about African people like they were tabula rasa; that is, blank slates. Right?

Like we forget that the greatest evil that was done by people to African people here in this world was to tell them that they had no history, they had no culture, that they come from nothing, that they were less than human. Right? We look at works of anthropology like -- you know, many people who have studied

anthropology don't know that literally that the field of anthropology was actually created as a scientific justification of the enslavement of African people.

It actually began with skull capacity tests in which they put seeds in different skulls, took a black skull, took a white skull, put smaller seeds in the white skull and then counted the seeds and said there were more seeds in the white skull and thus there was a greater cranial capacity and thus more intelligence, and then used the inverse to say that African people were less than human.

We've got to remember that history, because that becomes the basis, right, that fake history and that fake science becomes the basis of how we create public policy.

And so we study this month to remember who we are -- not just where we came from, but to understand where we're going. To understand that history is just the documentation of culture, of the development of culture, and that culture is nothing but the living manifestation of our history.

And I think that we will find, as

many of us find as we talk to each other in this room, that as we understand this history, that there's actually far more that binds us than divides us.

And so I challenge us all to spend some time this year studying this particular culture and this particular history, because I think that this becomes the basis for us to understand a lot of things about ourselves no matter where we are. Because there's no place in which we don't find that people of African descent have impacted those places or the development of American life and culture.

And so my particular thanks to the leader today for bringing this resolution forward, and certainly her comments were expansive and exhaustive.

And I'm looking forward to the continued work that we do in this chamber to continue to honor the history of people of African descent and to make sure that everyone has an opportunity to live their lives and to continue a history that rejects the oppression that we have seen amongst people across the state.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Jackson on the resolution.

SENATOR JACKSON: Well, I'm told I must filibuster until tomorrow morning, so get ready. Joking. Joking.

(Laughter.)

SENATOR JACKSON: But seriously, with regards to the resolution and celebration of Black History Month, I want to give you a little story about myself and my family. And it's not going to take long, seriously.

I'm still trying to find the history of my family. So I go on all of the census documents and what have you. My daughter, my oldest daughter, is helping me. And so we have traced our family back about five generations into Athens, Georgia.

And if you know anything about Athens, Georgia, going way back -- that's the University of Georgia right now. But going way back, you had a family, especially brothers, and their last name was Willingham. And that was my family's last name, Willingham. And Willinghams married into Jackson, and so that's why my name

is Jackson.

My grandmother died at 22 years of age during childbirth in Athens, Georgia. And so my mother, who was 6 years old at the time, and her younger sister, an aunt from Chicago came back and took them to Chicago. And then an aunt from New York went to Chicago and brought my mother to New York, and that's how we winded up there.

But also, going back as far as looking at the census data to 1940, '30, '10, 1900, 1860, they only listed the owners and just put the slave was either a female or a male, and an approximate age. So you didn't know who it was. And so even when doing some research trying to find out where my mother was when I took my daughter to apply for Spelman University down in Georgia, I went to the city of Atlanta, Georgia, and asked them to look up information about my mother's birth. They said, Okay, we have to go to the colored section, because that's what it was referred to at that time, the colored section, you know. We were not black, they referred to them as colored and other words that are not very positive. So they didn't find

anything.

But also in looking at where my grandmother is buried, she's buried at a colored cemetery in Athens, Georgia. And so the university students and the trustees, the third or fourth trustees that were involved with it, they said, We know where your grandmother -- the area where she was buried at, but we don't know her specific grave. And why? Because at that time when you're po' -- you know what "po'" means, right? When you're poor and you're black. Basically, if you weren't rich, then you were poor. And then from a Southern point of view, you don't say "poor," you say "po'."

They said at that time they put a stick in the ground with the name on it. So the stick is not there anymore. But they know the geographical area.

And then looking at my family, my great-aunt, my mother's aunt in Chicago -- my great-grandmother is buried in Chicago, because my great-aunt was, I guess, the oldest of the family, and they brought their mother to Chicago. And my great-uncle, who was a veteran of World War II, is buried there also. So I'm learning a

little bit about my history, you know, in that respect.

But I say to all of you that my nephew -- my brother Donald Jackson, his son is named Donald Jackson also. So he has a couple of kids and what have you. And he texts me one time, and let me just read you the text. He said: "Uncle Rob, your grand-niece had to write about a famous black person, so I told her she had a famous uncle."

And so this is a picture of her holding up a picture of me, and I'll read what she wrote: "My uncle is a New York State Senator, and he helps people in his community." That's what my great-niece wrote about me.

So I say all that to say that, loud and clear, as James Brown has said, "Say it loud, I'm black and I'm proud." So all of you should be proud of who you are and your family's history. And so all of us, in reality, are brothers and sisters of the human race. And that's what it is.

As-salamu alaykum means "peace be upon all of you." Thank you.

ACTING PRESIDENT BENJAMIN: Senator

Myrie on the resolution.

SENATOR MYRIE: Thank you, Mr. President. I will be brief for as long as it takes.

(Laughter.)

SENATOR MYRIE: No, in all seriousness, my colleagues have said this much more eloquently than I can.

As we take this time to recognize the greatness of being black and being black in this country, I would remind everyone here in the chamber that we are still, as a people, under siege. For every white woman that dies of a pregnancy-related condition, 12 black women die. The number-one cause of death in young black men is homicide. We have a foreclosure crisis that hit the country pretty hard in 2008 that is still ravaging black communities today all over this state. And in New York City, we still have the most segregated school system in this entire country.

So I would urge all of us, as we celebrate the greatness of being black, that we recognize the current pain and the current tragedy that it is to be black in this country,

and that we use that to bring our people up collectively and do it together.

So I want to thank the leader for bringing this resolution, and I want to thank my colleagues.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed?

(No response.)

ACTING PRESIDENT BENJAMIN: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, can we now take up Resolution 2661, by Senator Metzger, read that resolution in its entirety, and recognize Senator Metzger.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 2661, by Senator Metzger, memorializing Governor Andrew M. Cuomo to proclaim February 22 through

29, 2020, as FFA Week in the State of New York.

"WHEREAS, It is the sense of this Legislative Body to support and promote the historic and significant observance of Future Farmers of America (FFA) Week in the State of New York; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to memorialize Governor Andrew M. Cuomo to proclaim February 22-29, 2020, as FFA Week in the State of New York, in conjunction with the observance of National FFA Week; and

"WHEREAS, The FFA motto -- Learning to Do, Doing to Learn, Earning to Live, Living to Serve -- gives direction and purpose to those students who take an active role in succeeding in agricultural education and leadership; and

"WHEREAS, Growing from a handful of students from agricultural classes who came together to form Future Farmers clubs throughout the country in the 1920s, to an FFA membership of 100,000 by 1935; today, the National FFA organization has more than 610,000 members in more than 7,600 chapters and encompasses all

50 states as well as Puerto Rico and the Virgin Islands; and

"WHEREAS, FFA develops members' potential and helps them to discover their talent through hands-on experiences, giving the tools to achieve real-world success; these members are future chemists, veterinarians, government officials, entrepreneurs, bankers, international business leaders, teachers, and premier professionals in many career fields; and

"WHEREAS, In the past year alone, New York FFA has experienced a 60 percent increase; they have been recognized as having the highest percentage of membership increase nationally in 2019; with 12 new chapters in that same year, that brings the total of new chapters in the last few years to 41 across New York; and

"WHEREAS, The U.S. Department of Education provides leadership and helps set direction for the FFA as a service to state and local agricultural education programs; and

"WHEREAS, In accomplishing its mission, FFA has made a positive difference in the lives of students by developing their potential for premier leadership, personal growth

and career success through agricultural education, promoting citizenship, volunteerism, patriotism and cooperation; and

"WHEREAS, Agricultural education and FFA ensure a steady supply of young professionals to meet the growing needs in the science, business and technology of agriculture; and

"WHEREAS, Agricultural education in New York affects and instructs students in all parts of the state, and through their efforts, the officers and members of New York FFA are achieving increased levels of national recognition for themselves, and their schools and communities, as well as New York agriculture; and

"WHEREAS, It is the custom of this Legislative Body to recognize and applaud the leaders of commerce and industry whose accomplishments contribute to the economic health and prosperity of the communities of the State of New York and to the quality of life of its people; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to memorialize Governor Andrew M. Cuomo to proclaim February 22-29, 2020, as FFA Week in the State of

New York; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the Honorable Andrew M. Cuomo, Governor of the State of New York."

ACTING PRESIDENT BENJAMIN: Senator Metzger on the resolution.

SENATOR METZGER: Thank you, Mr. President.

With great pleasure I rise today to sponsor this resolution proclaiming February 22nd to 29th to be Future Farmers of America Week in the State of New York.

We have a lot to be proud of here in New York. As you heard in the resolution, we are leading the nation in membership gains in FFA. We nearly -- well, membership climbed in just three years from 4,300 to 7,000, which is a huge achievement.

I was very proud that my children's school district, the Rondout Valley School District, was one of 12 new FFA chapters in New York. Young women are increasingly in leadership roles in FFA across the state, and represent 45 percent of New York FFA members. We

have the statewide leadership here, and it looks like they represent about 50 percent. I think we have more work to do in this chamber; you're a model for us.

I want to mention I'm very proud this past year one of the FFA chapters in my district, the Delaware Academy, received the New York State Chapter of the Year Award from the New York State Agricultural Society in Grange for their diverse programing, from their maple sugaring and sap house enterprise, their advocacy for the dairy industry, to their school garden that contributes fresh vegetables to the school lunchroom, and their community service, raising nearly $1500 for the local food bank to help address food insecurity.

FFA chapters across our state are giving back to their communities. They're so committed to agriculture, and they are our future leaders. As I've seen firsthand, FFA members demonstrate talent and dedication. And as Commissioner Ball has so rightly said, "New York FFA is clearly a model for the nation, shining the spotlight on the many strengths of New York agriculture. If these young agricultural leaders

are any indication, we can be assured that agriculture is in good hands in the State of New York."

I am so pleased that the leadership could join us today. Mr. President, I respectfully request that you extend them all the privileges and courtesies of the Senate.

ACTING PRESIDENT BENJAMIN: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed?

(No response.)

ACTING PRESIDENT BENJAMIN: The resolution is adopted.

To our guests, I welcome you on behalf of the Senate. We extend to you all of the courtesies and privileges of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BENJAMIN: Senator Gianaris.

SENATOR GIANARIS: Thank you. At the request of the sponsors, the two resolutions

we took up today are open for cosponsorship, Mr. President.

ACTING PRESIDENT BENJAMIN: The resolutions are open for cosponsorship. Should you choose not to be a cosponsor of the resolutions, please notify the desk.

Senator Gianaris.

SENATOR GIANARIS: I now move to adopt the remainder of the Resolution Calendar.

ACTING PRESIDENT BENJAMIN: All in favor of adopting the Resolution Calendar please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed, nay.

(No response.)

ACTING PRESIDENT BENJAMIN: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: And can we now begin reading the calendar, but can we start with Calendar Number 330 and then proceed with the remainder from there.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 330, Senate Print 4741B, by Senator Harckham, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you, Mr. President.

Today we announced the release of the report of our bipartisan Task Force on Opioids Addiction and Overdose Prevention. I want to thank all colleagues in the chamber who participated in a number of hearings and meetings all over the state.

We thank our leader, Andrea Stewart-Cousins, for empowering us to get together. And I certainly thanks my cochairs, Senator Carlucci and Senator Rivera.

And one of the things that happens in this process is that we met with hundreds of advocates, hundreds of professionals, and we met with hundreds of families and parents who had been impacted by this crisis.

And it's a pain that I can't even imagine as a parent, to lose a child. And yet all across this state are people who are turning their grief into positive energy and making a positive difference in their community and moving the needle forward to help us address this crisis.

And we have a couple of people with us today who have been exemplary role models and pathfinders. And so with us today are Angela Robertson and her daughter, Ashleah Canastraro, and we also have Stephanie Marquesano from The Harris Project. And Angela and Ashleah are here in relation to the first bill. Stephanie, who is from Lower Westchester, has really changed the conversation about how we treat substance use disorder and the need for co-occurring disorder treatment at the same time.

So if it's appropriate with you, Mr. Chair, before we take up this bill, I would

just like colleagues to acknowledge and if you would, sir, offer them the privileges of the house.

Thank you, sir.

ACTING PRESIDENT BENJAMIN: To our guests, I welcome you on behalf of the Senate. We extend to you all of the courtesies and privileges of this house.

Please all rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BENJAMIN: Senator Harckham.

SENATOR HARCKHAM: Thank you.

So now as we speak on the law, this is a bill that was first brought to the chamber by Senator Ortt. Thank you for your work on this. And Senator Kennedy has done a great deal of work on this bill as well.

And what it does is it increases the formalized partnership between a treatment center and a family. And this came about because Stephen had signed his parents up, and another group, Friends of the Michaels, to receive information about his care, and didn't receive that information. And unfortunately, because the

family didn't have the information to act, Stephen passed away from an overdose.

And so we don't have any more Stephens, we thank you for your persistence in pursuing this law, and colleagues who wouldn't let this go and also kept pushing this bill.

This will require substance use providers, in consultation with the patient, that they -- if they agree to provide the names of people who are their caregivers and their support, when there are signs of relapse or risky behavior, they must inform them so that the families and the caregivers can be involved.

So I want to thank you for your persistence in everything that you've done, and I'm proud to vote aye on this.

Thank you.

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

Senator Kennedy to explain his vote.

SENATOR KENNEDY: Thank you, Mr. President.

As I rise today I'd like to recognize, first of all, the sponsor of this legislation. Senator Harckham, thank you so much

for your leadership. Also to all of our colleagues that worked so hard to make this happen, and to Leader Andrea Stewart-Cousins for bringing this to the floor so expeditiously here.

I'd also like to recognize those folks that have already been identified for joining us here today in this session, people that are making a difference each and every day in the lives of those struggling with opioid dependency. Because, heartbreakingly, they personally understand these stories all too well.

Joining us again today is Angela Robertson, who lost her son Stephen Canastraro, who battled his own fight and for who this bill is named after. We also have Ashleah Canastraro, the sister of Stephen, and Stephanie Marquesano, the founder of The Harris Project.

Thank you all again, and welcome to the Senate chambers on this very auspicious day as we recognize your family and your son and his struggles.

The opioid epidemic has already claimed far too many lives. Through this bill we're passing here today in Stephen's memory, we're working to save lives. By passing this

legislation we're giving individuals in treatment the ability to identify people who can be notified in case of an emergency or when red flags arise, like missing critical appointments or drug screenings.

This would have made a world of difference in Stephen's recovery story. In the days leading up to his death, he demonstrated warning signs of relapse, but his mother and other advocates were never notified. If this legislation were enacted then, Stephen's story may have ended differently. But instead, his mother and her incredible support team have committed themselves to making sure this doesn't happen to another individual -- individuals who have already been brave enough to take that first step towards sobriety, but who need support structures around them in order to stay on that steady path.

Last year Angela and her team, through her constant work in various recovery ministries, helped thousands of individuals looking for help. We must do our part to ensure that those who need it the most are given that opportunity and they're given the support that

they need in treatment and to stay on that path toward recovery. To Angela, Ashleah, and all of those that have been affected by this epidemic, this is one small step, but one step that we take today that we know will save lives and we know it's worth every single second of your work and your advocacy. And we recognize your entire family for everything that you've done to get us to this point.

And may Stephen rest in peace. And may the work that you have done in his memory save the lives that we intend to save with this law. Thank you once again for being here, and thank you to all my colleagues for supporting this legislation.

Mr. President, I vote aye.

ACTING PRESIDENT BENJAMIN: Senator Kennedy to be recorded in the affirmative.

Senator Ortt to explain his vote.

SENATOR ORTT: Thank you, Mr. President.

I'd like to thank the sponsor, my colleague Senator Harckham, for having the good sense and the leadership to pick up this bill.

You know, everyone in this chamber,

most people over the last several years, understand the opioid epidemic that we have faced here in New York State. And I'm proud to say that this body, on both sides of the political aisle, have supported significant measures that have absolutely, undoubtedly saved people's lives in the State of New York and in each of our communities.

But one of the things I always recognize when you meet with parents like Angela is that they're always looking for -- there's a resolution. Right? They want to make sure that their loved one did not die in vain, that they did not die for nothing, that their struggle means something. And even if they did not win their struggle, that perhaps someone else could win their struggle as a result of lessons learned.

I can remember when Angela was in my office, in my district office a couple of years ago now, and she told me her story. And it was heart-wrenching to listen to, but it was one of those moments that we all -- one of the reasons we all run for office, because you could clearly see that there was an issue and there was an

easily identifiable solution where we could actually do something to prevent future cases like Stephen's. And that's why we all serve, I think, in government, is to actually try to be part of the solution.

And at the end of the day, none of this would be possible if Angela hadn't had the courage to sit in my office alongside others, including Avi Israel, who many of you in this chamber know. But she told her story in my office, we put a bill together, and I'm proud to say we're going to pass a version of this bill for the second year in a row here in the Senate.

So I want to thank my colleague Senator Harckham, but I want to thank Angela for your courage and for your commitment to Stephen, but also your commitment to numerous other young people here in the State of New York whose lives could be saved because of your work and your actions. And it's really an honor to carry that torch and to work on behalf of people like Angela, and alongside on behalf of Stephen's memory, to get something done, which we are doing here today.

And I would certainly encourage my

colleagues in the Assembly to pass this bill, put it on the Governor's desk, let's get it signed, and we can save lives, continue to save lives, and try to end the scourge of the opioid epidemic here in New York State.

So Mr. President, thank you for your indulgence.

I vote aye.

ACTING PRESIDENT BENJAMIN: Senator Ortt to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 64, Senate Print 1063A, by Senator Persaud, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 65, Senate Print 2507, by Senator Kaplan, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Kaplan to explain her vote.

SENATOR KAPLAN: Thank you, Mr. President.

We all recognize by now that our state is in crisis. Addiction has touched every family, every school, and every community, particularly on Long Island.

We've lost far too many innocent young souls to this disease. And we've watched

our friends and family desperate to get help, having been repeatedly failed by a system that doesn't understand their struggle and doesn't provide them with the support that they need.

I'm proud to stand here as a sponsor of this bill that will help break the cycle of addiction. And I'm proud to stand here as a member of this Senate Majority as we stand together and pass this sweeping agenda to combat the opioid crisis in New York.

And I want every New Yorker whose life has been touched by this crisis to know that we are doing everything we can to help, and we will continue to work tirelessly to fight addiction and help every New Yorker to achieve recovery.

Thank you. I vote in the affirmative.

ACTING PRESIDENT BENJAMIN: Senator Kaplan to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 66,

Senate Print 4496A, by Senator Martinez, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Martinez to explain her vote.

SENATOR MARTINEZ: Good afternoon, Mr. President, and thank you.

As we all know, we have heard, we are in the middle of an opioid crisis, and many of us, if not all, have been impacted by this crisis.

This recovery living task force is a step in the right direction. What we have seen across the state, we have recovery homes -- well, they've been known as sober homes, and that's one of the reasons why I would like it to be known as recovery homes. Because the issue is these individuals that are in these homes are trying to recover from substance abuse and chemical

dependency.

And what we're seeing across the state is that these homes do not have the proper management, they do not have proper protocol, no guidelines in place to help someone recover. And that is the point of these homes, and we are not doing that. We have failed these individuals. We need to do our job.

Many will say, why a task force? We have to start somewhere. We have nothing in place for our recovery homes. And what we keep seeing is individuals leaving hospitals, going to the recovery homes, and then instead of going through the actual process of recovery, they're going and they're getting set back because there are drugs in the house, management is not there, there is nothing to help them out, and we are failing them.

This task force will charge these members to create a protocol on how these homes will be handled and further help these individuals who are fighting and struggling with chemical dependency.

So Mr. President, thank you for allowing me to speak on behalf of my bill, and I

encourage my colleagues to please support me on such an important task.

Thank you.

ACTING PRESIDENT BENJAMIN: Senator Martinez to be recorded in the affirmative.

Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I want to thank Senator Martinez for putting this bill forward.

In my district there is a family that created a foundation called Road to Recovery, because they sent their son to a home in Texas where he was able to really get the treatment that he needed and put him on the road to recovery. And now they fund other people who are suffering from addiction to go to this home in Texas to undergo the treatment that they get there.

It saddens me that we don't have -- they're not sending them somewhere in New York. And I think this bill offers us an opportunity to look at models all around the country where things are being done better than they are in

New York, and potentially create the kinds of programs that we need here.

I vote aye.

ACTING PRESIDENT BENJAMIN: Senator May to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 67, Senate Print 4599, by Senator Parker, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Parker to explain his vote.

SENATOR PARKER: Thank you, Mr. President, to explain my vote.

This bill is important. As we've

heard through the day as we've been dealing with this issue of the opioid crisis and trying to address the myriad of issues that are going on in our communities, our communities and our state is in crisis. I've dealt with this before in the context of even my own personal family.

And so the issue around treatment is really, really critical. You heard Senator Martinez talk about in the context of her bill and what needs to happen.

The bill that I'm putting forward today -- and I'm thanking everyone here for their vote for -- is about a bill of rights for people who are in treatment. And this bill of rights, once this becomes law, will be posted around every facility that provides treatment as well as handed to people who come in to receive treatment.

The bill of rights should include -- but not limited to -- that every patient has the right to participate in developing an individualized plan of treatment, to receive an explanation of services in accordance with that treatment plan, to fully be informed of the proposed treatment plan. They have the right to

object or to terminate treatment unless otherwise directed by a court order. They have a right to privacy in treatment and care for personal needs. They have the right of access to treatment records and to receive courteous, fair, respectful treatment that is appropriate to the individual's needs. And these are just some of the rights that they have.

It's going to be important that we uphold those and that we help people along as we fight our way out of this crisis.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT BENJAMIN: Senator Parker to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 68, Senate Print 5457, by Senator Harckham, an act to amend the Public Health Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 69, Senate Print 6650, by Senator Harckham, an act to amend the Mental Hygiene Law.

SENATOR GRIFFO: Lay it aside.

ACTING PRESIDENT BENJAMIN: Lay it aside.

THE SECRETARY: Calendar Number 71, Senate Print 3159A, by Senator Harckham, an act to amend the Insurance Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 133, Senate Print 7132, by Senator Stavisky, an act to amend the Education Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 171, Senate Print 5653A, by Senator Metzger, an act to amend the Public Health Law.

ACTING PRESIDENT BENJAMIN: Read

the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Metzger to explain her vote.

SENATOR METZGER: Thank you, Mr. President.

First, I rise to thank my colleagues, Senators Harckham, Rivera and Carlucci, for their really superb leadership on the Joint Senate Task Force on Opioid Addiction and Overdose Prevention. They did truly outstanding work over these many months. The task force has gathered extremely valuable information and testimony from around the state and developed a truly meaningful package of legislation today to address substance use disorder and stem the opioid crisis plaguing our communities.

The communities in my district have been deeply affected by the crisis. I represent Ulster, Sullivan, Orange and Delaware Counties,

communities within them. They all face staggering opioid-related deaths that far exceed the state average. Ulster, Sullivan and Orange Counties, the opioid-related death rate is almost twice the state average.

The devastation this public health crisis has caused is almost beyond words. Parents losing their teenaged son or daughter, children losing their parents and placed into foster care, people losing their jobs, families becoming homeless. I don't think I have yet to meet someone who has not had a friend, a colleague, or a relative touched by the impacts of substance use disorder in some way. There's no doubt that the package of opioid legislation passed today will help save lives.

The bill I sponsor is intended to prevent the illegal overprescribing of opioids. Less than year and a half ago, in October 2018, a Staten Island doctor was arrested for doling out opioids to patients with visible signs of addiction without appointments, at all hours of the night, making them pay hundreds of dollars in cash for each prescription. On that same day he was charged, four other New York doctors were

charged with the same crime. Collectively, they had prescribed 8.5 million opioid pills to patients whose health and well-being they had sworn to protect.

I have the greatest respect for the medical profession and believe that these bad apples are exceptions to the rule, but we cannot afford any exceptions. They can cause outsized harm and can cost lives.

This bill affirmatively directs the Department of Health to periodically analyze data in the prescription monitoring program registry to see if any violations have occurred in the prescribing of controlled substances, and to take action on those violations. This is an important step that will help prevent abuse in our state.

I'm proud to participate in this package. I want to thank you all for your leadership again. This is an important day, and I vote aye.

Thank you very much.

ACTING PRESIDENT BENJAMIN: Senator Metzger to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 172, Print 6397, by Senator Carlucci, an act to amend the Public Health Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 173, Senate Print 7102A, by Senator Benjamin, an act to amend the Public Health Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 173, those Senators voting in the negative are Senators Funke, Griffo, Helming, Jordan, Little, Ritchie and Serino. Also Senator Jacobs.

Ayes, 53. Nays, 8.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 174, Senate Print 7115, by Senator Rivera, an act to amend the Public Health Law and the Education Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of January.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 183, Senate Print 6288A, by Senator Sepúlveda, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Sepúlveda to explain his vote.

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

We've heard many discussions today about the failure of the opioid crisis and what we're dealing with. But what this bill does is deal with what happens when we fail with this

crisis, what happens to the individual. And generally speaking, they wind up incarcerated.

So, you know, we know that about 60 percent of individuals that are incarcerated are dealing with some level of abuse, substance abuse. And what this bill does is going to require the state to provide an annual report on substance abuse disorder treatment programs in our facilities.

This data will include what substance abuse incarcerated individuals are commonly using. And the importance of that is that it will help us with treatment. It will help us understand how many individuals are receiving treatment and how we can provide them with the services while incarcerated so that when they come out, they don't return to drug use, to opioid use, hopefully can cure their addiction and become productive members of our society and won't return to prisons where the cost is over $300,000 per inmate to support them there.

I think we could do a better use of our tax dollars by providing treatment and getting people out there to get jobs, to stay in their jobs and become taxpaying citizens.

So this is crucial to raise awareness of our crisis. And let's raise it not only outside of prisons, but certainly inside of prisons where the need is greater.

Thank you.

ACTING PRESIDENT BENJAMIN: Senator Sepúlveda to be recorded in the affirmative.

Senator Little to explain her vote.

SENATOR LITTLE: Thank you, Mr. President.

I would just like to explain my vote, because I do believe that in our prisons we need more drug programs. And that's something that they are trying to do. Currently drug programs are given to inmates as they approach the time -- within three years, I believe it is -- of their first opportunity for parole.

But the fact that we are getting drugs in our prisons is a problem. And it's a problem that corrections and the Department of Corrections is working on all the time. We have seven-day visitation in the maximum-security prisons. We have all kinds of ways of trying to see that drugs are not coming into the prisons. And yet they're still getting in.

And the vendor program, which is one that would say that in order to send a package to someone, you want to send food and stuff to your inmate -- and I have people who call my office who have sons and daughters who are in prison, so I emphasize with them tremendously. But their fear, too, is that, you know, they need to be protected from drugs while they are in prison.

This vendor program, you would have to go and you'd order what you wanted, buy it, and the store itself would send it. But that has been rejected, as have many of the things to try to screen for drugs coming into the prisons.

So I'd be glad to find a better way to do it. I know Corrections would like to find a better way to keep drugs out of the prisons -- I think we all would -- and have more drug rehabilitation programs in prison.

But this bill basically just requires a lot more reporting, and they already do a lot of reporting. But it's just a mandate on them without any help to achieve the good results that we're all looking for.

Thank you. I vote no.

ACTING PRESIDENT BENJAMIN: Senator

Little to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 183, those Senators voting in the negative are Senators Borrello, Funke, Helming, Jacobs, Jordan, Little, O'Mara, Ortt, Ritchie and Robach. Also Senator Akshar.

Ayes, 50. Nays, 11.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 184, Senate Print 6694, by Senator Carlucci, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Carlucci to explain his vote.

SENATOR CARLUCCI: Thank you, Mr. President.

I want to thank Senator Harckham and Senator Rivera and especially our leader, Senator Andrea Stewart-Cousins, for pushing forward this legislative package today.

And unfortunately, in the United States over 130 Americans pass away each day from an overdose. In fact, in New York State, every two hours another New Yorker passes away from an overdose. Meaning the time that we've spent together in this chamber today, another New Yorker has passed away.

That means that the sirens need to be running, the alarm bells need to be going off, and we have to be doing everything we possibly can to end this horrible epidemic that we're facing.

The legislation that we have before us right now is an effort to make the parity real. We've seen the efforts from the federal level to the state level to issue parity between health and mental health services. The fact is we have to treat addiction for what it is. Addiction is a disease. Just like we fight against heart disease or diabetes, we have to address addiction the same way.

But the reality is that people living with substance use disorder, the rates have not kept up. In fact, most of the Medicaid rates for substance use disorder have not changed in the past 10 years.

This legislation before us will require a workgroup to make sure that we're meeting that parity, that we're lifting up the reimbursement rates. Because when we've been traveling around the state, the providers we talk to can barely keep the doors open.

That means that we're not only trying to keep these doors open, but what incentive is there to provide more providers, to provide more treatment? We have to make sure we don't just talk about parity but we treat mental health and substance use disorder the same way we treat healthcare. And in doing this, in getting people the treatment and the care that they need, we can help people recover, live independent, productive lives, and overall reduce the cost of healthcare.

So I want to thank my colleagues for supporting this important legislation. Let's make sure we keep the momentum going and make

sure that other states and the nation are looking to New York as leaders in finding the way forward to ending the horrible overdose epidemic that we've seen.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Carlucci to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 321, Senate Print 5480, by Senator Rivera, an act to amend the Public Health Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I want to thank the members of the task force for the important work they did and for coming to my district.

I have the honor of representing the exact geographical center of New York State, but my region has the dubious distinction of having almost double the rate of overdose deaths that we see statewide and being among the very top counties for neonatal -- or newborns born with neonatal abstinence syndrome.

It meant a lot that the task force came to my district, that they held a roundtable specifically about rural issues with opioids, and that they have responded now to some of the specific concerns that they heard from the first responders and the social service providers and the parents and the addicts themselves that they talked to in my district.

So this pilot program for infant recovery centers across the state will help us keep children alive and healthy. And that -- what could be more important than that?

So I want to congratulate Senator Rivera on this bill, and I proudly vote aye.

ACTING PRESIDENT BENJAMIN: Senator May to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 331, Senate Print 5150B, by Senator Harckham, an act to amend the Public Health Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 331, those Senators voting in the negative are Senators Gallivan, Griffo, Jordan and Little. Also Senator O'Mara. Also Senator Ortt. Also Senator Helming.

Ayes, 54. Nays, 7.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

SENATOR GIANARIS: Can we now go to the reading of the controversial calendar, please.

ACTING PRESIDENT BENJAMIN: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 69, Senate Print 6650, by Senator Harckham, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT BENJAMIN: Senator Akshar.

SENATOR AKSHAR: Mr. President, thank you.

Would the sponsor be so kind to yield to a few questions?

ACTING PRESIDENT BENJAMIN: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: Thank you,

Mr. President.

Can the sponsor tell me what the genesis of the bill was?

SENATOR HARCKHAM: Absolutely.

Through you, Mr. President, we have found a lot of gaps in the system as we toured the state and we listened to folks. And the two spots where we lose folks the most and we have the highest rate of fatality for overdose is after people leave a hospital and after people leave a correctional facility -- especially after a correctional facility.

Because if they've been there a while and their underlying substance use disorder or co-occurring mental disorder is not diagnosed and treated, they may be abstinent, but the craving for drugs is still there. They go out and use the same amount, but they've lost their tolerance. And that's why we have such a high rate of fatalities.

And also immediately after an overdose hospitalization, when people have come back, come to, and they leave a hospital without going into treatment, they are especially at especially high risk for overdose.

So those are the two gaps that we're trying to fill with this law.

SENATOR AKSHAR: Thank you.

Mr. President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: Mr. President, the sponsor talks about specifically -- I want to focus my attention on Section 2 of the particular piece of legislation as it pertains to correctional facilities. That's where my line of questioning will be.

In all of the statute, though, it references opioid use disorder. I'm wondering if the sponsor could tell me who, within the confines of a correctional facility, will make that diagnosis of an inmate.

SENATOR HARCKHAM: Absolutely, Mr. Chair.

There is an intake that is now done through Department of Corrections where they do a

screening of behavioral and physical and psychosocial matters, and that's where many people are diagnosed. And if not, there are other people who come forward while they're incarcerated. And it needs to be a formal diagnosis by a physician, by a CASAC, somebody who is professionally certified to diagnose someone with opioid use disorder.

SENATOR AKSHAR: Mr. President, through you, if the sponsor will continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: I continue.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: Thank you, Mr. President.

Within the confines of a correctional facility, who is expected to administer this program?

SENATOR HARCKHAM: Yes, absolutely, it would -- through you, Mr. President, it would be through the medical professionals at the facility upon discharge.

SENATOR AKSHAR: Mr. President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: This statute that we're discussing, does this all pertain both to county correctional facilities as well as state correctional facilities?

SENATOR HARCKHAM: Through you, Mr. President, no, it does not. It's only state facilities.

We were concerned about another unfunded mandate coming from this body. So it is for state facilities only. And we estimate it to be a cost of about $4.3 million.

SENATOR AKSHAR: Mr. President, through you, if the sponsor will continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: So let me just ask you quickly, if I may, about that particular sum or cost. How do we arrive at that $4.3 million?

And what are we doing to address that particular issue? I'm encouraged, actually, when I hear you say we're not talking about it at the county level because we were genuinely concerned about the cost that the counties would have to incur. So how are we addressing the $4.3 million that we expect this program to cost?

SENATOR HARCKHAM: Sure. Through you, Mr. Chair, this is something that we will have to put in our one-house budget, we will fight for as we need to.

And this is really the first step of a greater expansion of treatment in the correctional facilities. And when we get to the county facilities, we need to invest a larger share. We started that process last year, we need to continue it this year. But this $4.3 million needs to be put in by this body as a prerogative that we're catching people at a vulnerable time, and we're hoping to fill that

gap.

SENATOR AKSHAR: Mr. President, through you, if the sponsor will continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: Mr. President, through you. Does the inmate need to be in an approved substance use disorder jail-based program in order to receive the Narcan and the education upon their departure?

SENATOR HARCKHAM: This is upon discharge. They don't necessarily need to be in a program. In fact, there are some state facilities that do not have formal programs addressing opioid use disorder, which is unfortunate. Most of them are centered in a cluster of prisons where that's a specialty.

So it's really upon determination of the physician upon discharge.

SENATOR AKSHAR: Mr. President, through you, if the sponsor will continue to

yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: Just so I understand, then, if I were to go through the intake process and then be diagnosed with a substance use disorder upon my arrival or my intake, I spend some time in the correctional facility, however long that may be. Upon my release, whether I've gone through a substance use disorder program or not, I'm going to be given this education as well as two doses of Narcan.

SENATOR HARCKHAM: Yes, that is correct. Through you, Mr. President.

SENATOR AKSHAR: Mr. President, through you, if the sponsor will continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely, Mr. President.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: Did we seek the input of the Department of Corrections prior to the statute, you know, making its way to the floor of the Senate and during your deliberations?

SENATOR HARCKHAM: Sure. We received testimony and we had lengthy conversation with the Department of Corrections. I do not know if they viewed this draft of the bill, to be quite honest.

SENATOR AKSHAR: Mr. President, through you, if the sponsor would continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: Did you have conversations with the corrections officer union or anybody else about the implementation of this particular piece of legislation?

SENATOR HARCKHAM: Through you,

Mr. President, no, we did not. Because the correction officers themselves will not be involved in this. This will be done through a physician.

And again, this is part of addressing a very vulnerable population as they leave the correctional facility. So this is not an ongoing mandate or a responsibility to the security guards, to the union. This is done by the medical staff upon discharge.

SENATOR AKSHAR: Mr. President, through you, if the sponsor will continue to yield.

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

SENATOR AKSHAR: All right, so just so we're on the same sheet of music, the corrections officers will not be required to administer this program.

SENATOR HARCKHAM: No. Through you, Mr. Chair, no.

SENATOR AKSHAR: On the bill,

Mr. President.

ACTING PRESIDENT BENJAMIN:

Senator Akshar on the bill.

SENATOR AKSHAR: Let me thank the sponsor for the bill. I thank him for -- I have the good pleasure of serving as the ranking member on the Alcoholism and Substance Abuse committee, so appreciate the work that we're doing.

I appreciate the work that this body is doing and continues to do in this area. I would argue -- respectfully, of course -- that it's probably one of the only areas in which we really work in a bipartisan fashion. And, you know, we're doing really great work.

You know, at the end of the day this is an incredibly robust calendar, a robust agenda. And I think most of what we saw today by way of legislation was good, and it's going to help New Yorkers.

But to the chairman of the committee and to this body as a whole, I implore us, as we move forward with the budget process, that we properly allocate funds to deal with this issue. I think that we fell flat last year. To keep the

number at 240 million, I think we did a disservice to the community-based providers that are fighting on the front lines every single day.

And I go back to what I said yesterday, and people are probably tired of hearing me say it, but in an environment in which we can spend $300 million to reface the Erie Canal, we must be able to find additional monies to spend to increase funding in this particular area. Because all of the legislation that we've passed and all of the good things we are doing by way of statute, Mr. President, we can't implement that on the ground unless the people who are fighting on the front lines have the resources they need.

So Mr. President, again, I appreciate the sponsor's willingness to answer my questions. When it comes time, I'll be voting in the affirmative.

ACTING PRESIDENT BENJAMIN: Senator Lanza.

SENATOR LANZA: Thank you, Mr. President. Mr. President, would the sponsor yield for just a couple of questions?

ACTING PRESIDENT BENJAMIN: Does

the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

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

First I want to commend my colleague for his work with regard to this very important issue that is ravaging our state. And I think -- I want to say you're doing a great job, and I appreciate it.

I do have a slight concern with this legislation, and so my question is this. Is the Narcan provided directly to the person suffering through the addiction?

SENATOR HARCKHAM: Through you, Mr. President, I'm not sure I got your question. Is it how is it administered?

SENATOR LANZA: No. So --

SENATOR HARCKHAM: Or how is it given when someone leaves?

SENATOR LANZA: Through you, Mr. President. When the person is leaving, is the Narcan provided directly to that person?

SENATOR HARCKHAM: Yes. Through

you, Mr. President, what happens is the healthcare provider will explain how Narcan is used, when it should be used, how it is administered. And then after that education process they will be handed a Narcan kit. It comes in a pouch -- similar to the ones that when many of us do trainings in our district, it comes in a pouch, there are gloves, there's a mask, and there are two doses of Narcan in squirt vials.

SENATOR LANZA: Mr. President, would the sponsor yield for a question?

ACTING PRESIDENT BENJAMIN: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT BENJAMIN: The sponsor yields.

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

Over the last eight years I've sponsored dozens upon dozens of Narcan training programs where we've handed out thousands of Narcan kits to people across the community of Staten Island that I represent. Typically the people that come to these programs are not the people that are suffering through the addiction

but their family and friends and just concerned residents. The thought being that the more these kits are out there, the more likely it is that someone might be at the scene of where a person is suffering through an overdose.

My question to you is, I don't think we can expect a person who is suffering an overdose to be able to self-administer Narcan. So wouldn't it be more efficient or effective if these kits were handed to that leaving -- that departing person's family or friends?

SENATOR HARCKHAM: Through you, Mr. President. Not everybody has family and friends. And certainly they are not in the facility when someone is being discharged.

The thought is that in harm reduction strategies, the point is if people are going to use, we want to keep them alive until they're ready for treatment. That's the point of harm reduction.

So the point is to encourage people, if they're going to use, to use with somebody else. I'll watch you, you watch me. That's why there are two doses. So the thought is that whoever this person either is using with or

living with -- so, for instance, they may go to a shelter, as often happens when people come out of prison, and they don't have family there. But maybe they have a buddy there who can watch them, who can be their supervisor while they need to do what they need to do.

If someone goes to a location that has a family, great, even better. Like you, I have a lot of families who come to our Narcan trainings as well.

But at least we're getting them started on the process initially, in the hopes that -- obviously our hope is that they get linked to treatment immediately. But we know that relapse is part of this disease, and so especially when they're that vulnerable, we want them to have this on them.

SENATOR LANZA: Mr. President, on the bill.

ACTING PRESIDENT BENJAMIN: Senator Lanza on the bill.

SENATOR LANZA: Again, I want to thank the sponsor.

I'm going to support this legislation for the simple reason that I believe

the more of these kits that are out there in the community, the better it is for all of us. And, you know, this issue is so widespread and devastating that every little bit helps.

I just think it might be better in this case to make sure that if someone is leaving and they do have friends and they do have family, that we somehow get the kits into their hands. Because clearly we all understand if you're going through -- if you're overdosing, you're not going to be in a position to be able to save yourself, you need somebody to be there with this kit.

Again, the more kits in the community, the better it is for all of us, so I support the legislation.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Harckham on the bill.

SENATOR HARCKHAM: Thank you, Mr. President.

I want to thank both my colleagues for their good and probing questions. And I agree with them, we should put our money where our mouth is, not just in terms of this legislation but in terms of the whole safety net

in terms of mental health treatment and substance use disorder treatment.

We heard out in the field very clearly from the professionals that we are $100 million short of where we need to be to address this crisis. And a subway platform, a homeless shelter, a correctional facility should not be the first location that somebody gets treatment for substance use disorder or mental health. If that's the case, we have failed them. We as a society have failed them, and we as a government body have failed them.

So are we going to come up with $100 million tomorrow? No. But last year we did add 7.5. I think we need to do much more than that this year, in challenging times.

But if we are all committed to this, as it sounds like everybody is, you know, we're going to have some tough decisions to make about how we raise this revenue, because a lot of the things that we talk about as flash-button issues, at the heart of it is the lack of treatment for mental health disorders, substance use disorders, and the two combined.

So I thank my colleagues, I agree

this has been a good area for us to work in a bipartisan fashion, and I support the bill.

Thank you.

ACTING PRESIDENT BENJAMIN: Are there any other Senators wishing to be heard? Seeing and hearing none, debate is closed.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, by consent, can we return this to the noncontroversial calendar and take up the vote, please.

ACTING PRESIDENT BENJAMIN: Without objection, so ordered.

Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 69, those Senators voting in the negative are Senators Flanagan, Gallivan, Griffo,

O'Mara, Ortt, Ritchie and Robach.

Ayes, 54. Nays, 7.

ACTING PRESIDENT BENJAMIN: The bill is passed.

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

SENATOR GIANARIS: Mr. President, if we can return to motions for a second, on behalf of Senator Kaminsky, on page 11, I offer the following amendments to Calendar 161, Senate Print 5786A, and ask that said bill retain its place on Third Reading Calendar.

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

SENATOR GIANARIS: There will be, at the conclusion of session, a meeting of the Labor Committee in Room 124.

And with that, is there any further business at the desk?

ACTING PRESIDENT BENJAMIN: There will be an immediate meeting of the Labor Committee in Room 124 of the Capitol.

There is no further business at the desk.

SENATOR GIANARIS: I move to adjourn until tomorrow, Wednesday, February 5th, at 11:00 a.m.

ACTING PRESIDENT BENJAMIN: On motion, the Senate stands adjourned until Wednesday, February 5th, at 11:00 a.m.

(Whereupon, at 5:52 p.m., the Senate adjourned.)