

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 January 6, 2021

11 12:34 p.m.

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13
14 REGULAR SESSION

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18 LIEUTENANT GOVERNOR KATHLEEN C. HOCHUL, President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 THE PRESIDENT: The Senate will
3 come to order.

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

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

8 THE PRESIDENT: Today's invocation
9 will be delivered by Reverend Kenneth J. Doyle,
10 of the Church of St. Mary, Clinton Heights, in
11 Albany.

12 REVEREND DOYLE: Let us pray.

13 Good and loving God, we ask Your
14 blessing as we welcome the new year. And as for
15 the year gone by, frankly, Lord, we are relieved
16 to see it end. COVID-19 and racism have
17 intersected our lives in painful ways, and we
18 pray that both will fade far into the distance.

19 Since the earliest session of the
20 Continental Congress, our nation's Legislature
21 has opened with a prayer to the Almighty, and we
22 follow in that tradition today.

23 When our own state's first
24 Constitution was adopted in 1777, the New York
25 State Senate consisted of 24 members, elected

1 from and by the freeholders of this state who
2 possessed 100 pounds over and above all
3 indebtedness. No such qualification governs
4 today; only the desire to serve.

5 Wrap Your arms, Lord, around these
6 worthy men and women of the present Senate.
7 Guide them first to seek Your wisdom, to lay
8 aside selfish desires and petty grievances, to
9 speak respectfully and with humility one to
10 another.

11 Protect them from the distractions
12 of power and influence, to focus instead on the
13 good of the citizens they have been elected to
14 serve. Give them a particular sensitivity for
15 those among us who are most in need.

16 And after enjoying the blessings of
17 this life, Lord, welcome them one day into the
18 joy that is eternal.

19 Amen.

20 THE PRESIDENT: The chair now hands
21 down a message from the State Board of Elections,
22 being duly the official certification of the
23 members of the Senate, and directs the same to be
24 filed. So handed down and so ordered.

25 I now ask all the Senators present,

1 in person or joining us by remote means, to
2 please rise at this time to take the ceremonial
3 oath of office.

4 Please raise your right hand and
5 repeat after me: I do solemnly swear --

6 ALL SENATORS: I do solemnly
7 swear --

8 THE PRESIDENT: -- that I will
9 support the Constitution of the United States --

10 ALL SENATORS: -- that I will
11 support the Constitution of the United States --

12 THE PRESIDENT: -- and the
13 Constitution of the State of New York --

14 ALL SENATORS: -- and the
15 Constitution of the State of New York --

16 THE PRESIDENT: -- and that I will
17 faithfully discharge the duties --

18 ALL SENATORS: -- and that I will
19 faithfully discharge the duties --

20 THE PRESIDENT: -- of the office of
21 Senator --

22 ALL SENATORS: -- of the office of
23 Senator --

24 THE PRESIDENT: -- according to the
25 best of my ability --

1 ALL SENATORS: -- according to the
2 best of my ability --

3 THE PRESIDENT: -- so help me God.

4 ALL SENATORS: -- so help me God.

5 THE PRESIDENT: Congratulations to
6 all of you on your election to the Senate.

7 (Applause.)

8 THE PRESIDENT: The Secretary shall
9 read the names of members present to ascertain
10 that a quorum exists.

11 THE SECRETARY: Senator Addabbo.

12 Senator Akshar.

13 Senator Bailey.

14 Senator Benjamin.

15 Senator Biaggi.

16 Senator Borrello.

17 Senator Boyle.

18 Senator Breslin.

19 Senator Brisport.

20 Senator Brooks.

21 Senator Brouk.

22 Senator Comrie.

23 Senator Cooney.

24 Senator Felder.

25 Senator Gallivan.

1 Senator Gaughran.

2 Senator Gianaris.

3 Senator Griffo.

4 Senator Harckham.

5 Senator Helming.

6 Senator Hinchey.

7 Senator Hoylman.

8 Senator Jackson.

9 Senator Jordan.

10 Senator Kaminsky.

11 Senator Kaplan.

12 Senator Kavanagh.

13 Senator Kennedy.

14 Senator Krueger.

15 Senator Lanza.

16 Senator Liu.

17 Senator Mannion.

18 THE PRESIDENT: A quorum is

19 present, and the Senate may proceed.

20 In keeping with the tradition of
21 this chamber, it is my honor as President of the
22 Senate to welcome you to the 2021 legislative
23 session. Which means one thing -- 2020 is over.

24 (Laughter; applause.)

25 THE PRESIDENT: On behalf of

1 Governor Cuomo and myself, I want to welcome our
2 new members and our returning members as well.

3 Whether you're a rookie or a
4 veteran, I hope you never lose that sense of awe
5 that you feel each time you enter this chamber --
6 even if only virtually for this time. And never
7 forget that we conduct business in this
8 stunningly beautiful place only because the
9 voters have conferred that privilege upon each of
10 us.

11 And since I gaveled in on January 8,
12 2020 -- which seems so long ago -- our state and
13 our nation have endured the unthinkable. It's
14 been a year of tremendous loss. We've buried
15 loved ones. We've seen businesses and dreams
16 disappear. Milestones -- the birth of a child, a
17 wedding, a graduation, holidays -- all missed.

18 We've lost that personal connection
19 that makes us each human -- like the ability to
20 hold my father's hand as he lies ill far away in
21 another state.

22 But rather than dwell any longer in
23 the depths of despair, my hope is that in this
24 new year we experience an awakening, personally
25 and as a nation. Because if this pandemic has

1 taught us anything, it is the harsh realization
2 that life is indeed fragile and that we have a
3 limited time to shape the future for next
4 generations. For in less than one year's time --
5 one year ago, there were 360,000 people who
6 thought they had more time, but because of COVID
7 did not.

8 So in order to make sense of the
9 chaos and the loss that we've experienced, we
10 have to reorient our priorities, and do it soon.

11 How? First let's start by casting
12 off the negative emotions that swallowed up most
13 of 2020. Banish them forever. In its place,
14 adopt something far more soul-enriching and
15 productive: An attitude of duty and of
16 gratitude.

17 Duty to serve the public, duty to
18 make positive change, but also gratitude for
19 people once taken for granted who have truly
20 emerged as essential. And, finally, grateful for
21 the gift of life itself. We have learned we can
22 no longer take health, jobs, relationships, our
23 positions -- or, indeed, time -- for granted.

24 And perhaps the gift we should be
25 grateful for is that we've been given our World

1 War II moment in history, the forever-unifying
2 bond that generations that lived through and
3 survived a shared tumultuous experience. For
4 it's in that bond that unifies us that we as
5 representatives of this great state can now lead
6 and show how New York can emerge even stronger,
7 more resilient, and indeed even better.

8 We start by being recommitted to the
9 long overdue reckoning with the injustices that
10 still plague people in our country and our state.
11 We act with urgency, in that the time to work
12 together to solve problems is now. For the
13 racial and cultural barriers to social and
14 economic justice have only been amplified since
15 the COVID crisis began. Higher infection rates,
16 healthcare deserts, unemployment and food
17 insecurity often feel preordained by the color of
18 one's skin or the zip code they live in. This
19 cannot be the existence that we leave for the
20 next generation to inherit.

21 So how do we create the world we
22 want our children and grandchildren to live in?
23 Let's start with this simple premise: All
24 New Yorkers are entitled to affordable
25 healthcare, affordable childcare, a high-quality

1 education, and equal opportunities for success
2 and jobs.

3 Our emergence from this dark time in
4 our history lies on one common purpose. And
5 first let's start, as the Governor has spoken
6 about, to vaccinate our people as quickly as
7 humanly possible and build back better, as we
8 learn from lessons in our quest for true social
9 and economic justice.

10 And finally, I suggest that we lean
11 into and embrace the next challenges with the
12 confidence and the swaggers that only New Yorkers
13 know how to do, because we often have done the
14 impossible. It's in our DNA. It's who we are.

15 So no matter what part of this
16 fascinatingly diverse state that you represent,
17 whether it's the most rural back roads, the
18 Thruway corridor, our busiest expressways
19 and avenues, all roads must lead to a better
20 future for every New Yorker. And I look forward
21 to being on that journey with you.

22 And at this time, if you'll allow me
23 one small point of personal privilege, I'd also
24 like to say to New York's team, to my friends
25 across the state, first playoff game in 25 years,

1 can we all collectively say "Go Bills."

2 (Laughter; applause.)

3 THE PRESIDENT: Thank you.

4 Thank you, Senator Gianaris. You're
5 next.

6 SENATOR GIANARIS: Thank you,
7 Madam President.

8 We all wish the Buffalo Bills well
9 this weekend and in the weeks to come, and hope
10 that those watching the game are doing so safely.

11 I believe there's a resolution at
12 the desk, Madam President. I ask that it be read
13 and move for its immediate adoption.

14 THE PRESIDENT: The Secretary will
15 read.

16 THE SECRETARY: Senate Resolution
17 1, by Senator Gianaris, providing for the
18 election of Andrea Stewart-Cousins as Temporary
19 President of the Senate for the years 2021-2022.

20 THE PRESIDENT: Senator Gianaris.

21 SENATOR GIANARIS: Thank you,
22 Madam President.

23 These are, as you pointed out, very
24 unique, difficult and challenging times. And
25 these times call for a very steady hand of

1 leadership to guide our state. I have the
2 privilege of nominating someone to lead this body
3 who has such a demeanor, such a respect and such
4 a personality to do exactly that in this very
5 difficult, difficult time.

6 I had the privilege of nominating
7 Andrea Stewart-Cousins to become the first female
8 leader of this body two years ago. And at the
9 time, her leadership was a promise. We hadn't
10 served in the majority yet. And it was a promise
11 of the kind of compassion, the respect for
12 New Yorkers, the desire to bring equality to our
13 state that she was going to bring.

14 And now, two years later, that
15 promise has turned into a record. And as I stand
16 here to nominate her once again in the year
17 2021 -- to become the first Democrat in
18 generations to be reelected as leader of the
19 Senate -- we look back at the record of the last
20 two years and see that that promise was
21 fulfilled.

22 Greater protections for the women of
23 our state, for members of the LGBT community, for
24 tenants. Improvements to our criminal justice
25 system. The best climate change legislation in

1 the country. The best gun safety laws in the
2 country. The record we have established under
3 Andrea Stewart-Cousins' leadership the last two
4 years is unprecedented in the history of our
5 state, and one of which I know we're all
6 incredibly proud.

7 And now as we deal with a crisis the
8 likes of which we've never seen, it is exactly
9 that kind of leadership we need more than ever.
10 Just last week we rushed back into session to
11 make sure we provided protections for homeowners
12 and tenants alike, to keep people in their homes
13 at a time when we're telling everyone to stay in
14 their homes.

15 And the year before us will be
16 difficult, will require more of that good
17 judgment, that value system, that moral core that
18 she brings to guide this state forward. We have
19 a very difficult budget ahead of us, with very
20 difficult decisions to make. But I know that she
21 will once again lead us in the right direction,
22 and we will come out with a result that
23 New Yorkers can be proud of.

24 Now, how do I know that promise
25 became a record that fulfilled the promise?

1 Because the voters said so. We stand here today
2 with the largest majority in the almost 250-year
3 history of the New York State Senate, of any
4 party: 43 members strong. The voters looked at
5 what Andrea Stewart-Cousins did to lead this
6 body, and they said we like that, please give us
7 more.

8 And so on their behalf,
9 Madam President, I stand here today to nominate
10 once again, to be the Temporary President and
11 Majority Leader of the State Senate, our leader,
12 Andrea Stewart-Cousins.

13 THE PRESIDENT: The question is on
14 the resolution offered by Senator Gianaris. All
15 those in favor signify by saying aye.

16 (Response of "Aye.")

17 THE PRESIDENT: Opposed?

18 (Response of "Nay.")

19 THE PRESIDENT: The ayes have it.
20 The resolution is adopted.

21 SENATOR LANZA: A show of hands is
22 requested.

23 SENATOR GIANARIS: Madam President,
24 by unanimous consent, we've agreed to waive the
25 showing of hands and record each member of the

1 Minority in the affirmative on this vote -- oh,
2 in the negative, excuse me.

3 THE PRESIDENT: Without objection,
4 so ordered.

5 The Secretary will announce the
6 results.

7 THE SECRETARY: Ayes, 42. Nays,
8 20.

9 THE PRESIDENT: The ayes have it.
10 (Applause.)

11 THE PRESIDENT: And now it is a
12 great privilege of mine to call on Senator Andrea
13 Stewart-Cousins, someone that I have come to know
14 and have the highest respect for, someone who has
15 done an incredible job, not just for her
16 district, but also leading her state. I ask her
17 to come forward and be sworn in as the
18 Temporary President of the Senate.

19 (The Lieutenant Governor and
20 Senator Stewart-Cousins move to the center of the
21 chamber.)

22 THE PRESIDENT: Left hand on the
23 Bible. Raise your right hand and repeat after
24 me: I do solemnly swear --

25 SENATOR STEWART-COUSINS: I do

1 solemnly swear --

2 THE PRESIDENT: -- that I will
3 support the Constitution of the United States --

4 SENATOR STEWART-COUSINS: -- that I
5 will support the Constitution of the
6 United States --

7 THE PRESIDENT: -- and the
8 Constitution of the State of New York --

9 SENATOR STEWART-COUSINS: -- and
10 the Constitution of the State of New York --

11 THE PRESIDENT: -- and that I will
12 faithfully discharge the duties --

13 SENATOR STEWART-COUSINS: -- and I
14 will faithfully discharge the duties --

15 THE PRESIDENT: -- of the office of
16 Temporary President of the Senate --

17 SENATOR STEWART-COUSINS: -- of the
18 office of Temporary President of the Senate --

19 THE PRESIDENT: -- according to the
20 best of my ability --

21 SENATOR STEWART-COUSINS: --
22 according to the best of my ability --

23 THE PRESIDENT: -- so help me God.

24 SENATOR STEWART-COUSINS: -- so
25 help me God.

1 THE PRESIDENT: Congratulations,
2 Majority Leader Andrea Stewart-Cousins, Temporary
3 President. Thank you.

4 (Sustained applause.)

5 THE PRESIDENT: Senator Gianaris.

6 SENATOR GIANARIS: Thank you,
7 Madam President.

8 Let me also offer my congratulations
9 to our Majority Leader, Andrea Stewart-Cousins.

10 And I offer a resolution at the desk
11 to adopt the rules of the Senate. Can we please
12 take that up at this time.

13 THE PRESIDENT: The Secretary will
14 read.

15 THE SECRETARY: Senate Resolution
16 2, by Senator Stewart-Cousins, Resolved, to adopt
17 the Rules of the Senate for the years 2021-2022.

18 THE PRESIDENT: Senator Lanza, why
19 do you rise?

20 SENATOR LANZA: Madam President,
21 Happy New Year.

22 Madam President, would you please
23 recognize Senator Borrello and call upon him. He
24 has some questions on the rules resolution before
25 us.

1 THE PRESIDENT: Senator Borrello.

2 SENATOR BORRELLO: Thank you, Madam
3 President. Happy New Year.

4 THE PRESIDENT: Thank you.

5 SENATOR BORRELLO: Will the sponsor
6 yield for some questions -- for a question.

7 THE PRESIDENT: Will the sponsor
8 yield for a question?

9 SENATOR GIANARIS: Yes.

10 THE PRESIDENT: The sponsor yields.

11 SENATOR BORRELLO: Thank you.

12 Happy New Year, Senator Gianaris.

13 That's not my question.

14 (Laughter.)

15 SENATOR BORRELLO: So these rules
16 have changed, obviously many of them because of
17 COVID and this crisis that we face, although
18 there are some concerning changes that I believe
19 will reduce the transparency of this body and the
20 public's access.

21 So in Rule VI, Section 1, it reads,
22 the change reads: "Bills shall be introduced in
23 a manner or method in accordance with any other
24 guidelines provided by the Temporary President."

25 "Any other guidelines" is a pretty

1 broad scope, and we're putting that into the
2 hands of one person. And we've certainly seen
3 the results of giving vague and broad powers into
4 the hands of one person here in New York State
5 recently.

6 So my question is, will this policy
7 that's promulgated by the Temporary President be
8 published?

9 SENATOR GIANARIS: Yes, that is the
10 expectation, Senator.

11 SENATOR BORRELLO: Will the sponsor
12 yield for another question.

13 THE PRESIDENT: Senator Gianaris,
14 do you yield?

15 SENATOR GIANARIS: Yes.

16 THE PRESIDENT: The sponsor yields.

17 SENATOR BORRELLO: So as of right
18 now, we don't know where or how it will be
19 available to the public, to the Minority. How
20 will be it published, and where?

21 SENATOR GIANARIS: Senator
22 Borrello, the rules that we're about to adopt
23 have not been adopted yet. So we need them in
24 place before the guidelines are authorized to be
25 provided.

1 But the idea is to provide more
2 transparency by making clear that there shall be
3 guidelines, as opposed to just acting by fiat.

4 SENATOR BORRELLO: So there's --
5 the answer is we don't know yet where it's going
6 to be published, but it will be published, is
7 that --

8 SENATOR GIANARIS: That's right.

9 SENATOR BORRELLO: Okay. All
10 right. Madam President, will the sponsor yield
11 for another question?

12 THE PRESIDENT: Senator Gianaris,
13 do you yield?

14 SENATOR GIANARIS: Yes.

15 THE PRESIDENT: The sponsor yields.

16 SENATOR BORRELLO: Thank you.

17 This also -- the proposed change
18 reads that allowing for Senators to be in
19 attendance and participate in any proceedings of
20 the Senate, including voting on any bill on the
21 controversial calendar by remote means.

22 Now, does that also include debating
23 by remote means?

24 SENATOR GIANARIS: No.

25 SENATOR BORRELLO: So there will be

1 no debate.

2 SENATOR GIANARIS: Senator
3 Borrello, you've been with us a little bit now.
4 I don't believe that the practice in the Senate
5 chamber is going to change from the way we
6 experienced it in the spring and towards the end
7 of session last time.

8 So for purposes of debate,
9 people would need to -- or to speak on a bill,
10 the members would need to be present. But voting
11 can take place and attendance can be remote.

12 SENATOR BORRELLO: Thank you.

13 So will the sponsor continue to
14 yield, Madam President?

15 THE PRESIDENT: Senator Gianaris,
16 do you yield?

17 SENATOR GIANARIS: Yes.

18 THE PRESIDENT: The sponsor yields.

19 SENATOR BORRELLO: So irrespective
20 of any technical difficulties, will there be a
21 continued practice for members to submit a voting
22 sheet?

23 SENATOR GIANARIS: Yes.

24 SENATOR BORRELLO: And that will be
25 done before session.

1 SENATOR GIANARIS: Correct.

2 SENATOR BORRELLO: Okay. All
3 right. Madam President, will the sponsor
4 continue to yield?

5 THE PRESIDENT: Senator Gianaris,
6 do you yield?

7 SENATOR GIANARIS: Yes, I do.

8 THE PRESIDENT: The sponsor yields.

9 SENATOR BORRELLO: There are some
10 questions about quorum and that essentially the
11 Temporary President can determine if we have a
12 quorum or not. Again, the numbers are the
13 numbers, but they can determine the quorum.

14 So the question is, will there be a
15 record of those members who constitute that
16 quorum?

17 SENATOR GIANARIS: Yes.

18 SENATOR BORRELLO: Okay.

19 Madam President, will the sponsor continue to
20 yield?

21 THE PRESIDENT: Senator Gianaris,
22 do you yield?

23 SENATOR GIANARIS: Yes.

24 THE PRESIDENT: The sponsor yields.

25 SENATOR BORRELLO: So if it's very

1 clear that we have members that have been
2 counted, and the numbers are the numbers, so why
3 is it necessary to give the president the ability
4 to determine whether or not we have a quorum, if
5 it's clearly a numbers question?

6 SENATOR GIANARIS: Senator
7 Borrello, that is just to provide consistency
8 with the rest of the rules, which is that the
9 presiding officer determines if the rules of the
10 Senate are being complied with.

11 SENATOR BORRELLO: Thank you.
12 Thank you, Senator Gianaris.

13 SENATOR GIANARIS: Thank you.

14 SENATOR BORRELLO: Madam President,
15 on the bill, to speak on the bill.

16 THE PRESIDENT: Senator Borrello on
17 the resolution.

18 SENATOR BORRELLO: Yes, thank you,
19 Madam President.

20 You know, we've all seen the impact
21 of this pandemic across this state and across
22 this nation. Now, during this time, we are
23 taking this opportunity -- for safety reasons --
24 to make changes to the rules. But these rules
25 are really permanent changes that we're seeing.

1 And in this process we are making this body
2 essentially less transparent, less accountable to
3 the people.

4 We'd like to also consider ourselves
5 essential workers. We hear that a lot, we're
6 essential workers. And, you know, when the
7 Governor went to Georgia and was shaking hands
8 and, you know, hugging people and came back and
9 was asked, Why aren't you quarantining, he said,
10 I'm an essential worker, so I don't have to
11 quarantine.

12 Yet we are making rules that
13 essentially are going to restrict this body from
14 doing essential workers' work. You know, we
15 expect somebody making a sandwich at Subway to
16 stand side by side with their colleagues, with
17 their coworkers, to deliver you that sandwich, to
18 serve you. But we're not going to be in this
19 chamber to serve the people.

20 That concerns me. We should be
21 here. We should be doing the work of the people.
22 And if we are considering ourselves essential
23 workers, then we take those same risks that we
24 ask of all those other people on the front
25 lines -- medical workers, our first responders.

1 We expect them all to be doing their job because
2 they are essential workers.

3 So if we are essential workers,
4 unless there is a severe medical need, we should
5 be here doing the work of the people. And what
6 these rules have done, and the changes in these
7 rules, very subtly, is created an environment
8 where we really don't have to be here to do our
9 job.

10 That's not what the people expect.
11 The people expect us to be here to do the job we
12 were elected to do. And that's why I object to
13 these rule changes.

14 Thank you, Madam President.

15 THE PRESIDENT: Senator Gianaris.

16 SENATOR GIANARIS: Thank you,
17 Madam President. On the resolution, just
18 briefly.

19 I do want to point out that the
20 rules specifically say that the remote process is
21 only in place during a declared emergency such as
22 the kind we're in right now. I think it behooves
23 us to be prudent and not create super-spreader
24 events in the middle of our legislative chamber.

25 We have shown, over the course of

1 2020, that we are capable of doing our work and
2 legislating through this use of technology. And
3 I don't know why we would want to put our staff
4 or the members at risk of infection, especially
5 when we are so close, hopefully, to putting this
6 whole experience of the pandemic behind us as the
7 vaccines are disseminated.

8 So I would encourage a yes vote on
9 the resolution, Madam President.

10 THE PRESIDENT: Any other Senator
11 desire to be heard further?

12 Seeing no one else wishing to be
13 heard, the debate is closed.

14 The question is on the resolution.
15 All those in favor signify by saying aye.

16 (Response of "Aye.")

17 THE PRESIDENT: Opposed?

18 (Response of "Nay.")

19 SENATOR LANZA: A show of hands is
20 requested.

21 THE PRESIDENT: A show of hands has
22 been requested and so ordered.

23 SENATOR GIANARIS: Madam President,
24 by unanimous concept, we've agreed to waive the
25 showing of hands and record each member in the

1 negative -- of the Minority.

2 THE PRESIDENT: Without objection,
3 so ordered.

4 The Secretary will announce the
5 results.

6 THE SECRETARY: Ayes, 42. Nays,
7 20.

8 THE PRESIDENT: The resolution is
9 adopted.

10 Senator Gianaris.

11 SENATOR GIANARIS: There's another
12 resolution at the desk, Madam President, calling
13 for the election of the Secretary of the Senate.
14 Would you please call that up.

15 THE PRESIDENT: The Secretary will
16 read.

17 THE SECRETARY: Senate Resolution
18 3, by Senator Stewart-Cousins, Resolved, that
19 Alejandra Paulino of Albany, New York, be, and
20 she hereby is, elected Secretary of Senate for
21 the years 2021-2022.

22 THE PRESIDENT: The question is on
23 the resolution. All those in favor signify by
24 saying aye.

25 (Response of "Aye.")

1 THE PRESIDENT: Opposed, nay.

2 (No response.)

3 THE PRESIDENT: The resolution is
4 adopted.

5 Ms. Paulino, I ask that you please
6 come forward to receive your oath of office while
7 Senator Andrea Stewart-Cousins performs the
8 swearing in.

9 (Ms. Paulino and Senator
10 Stewart-Cousins move to the center of the
11 chamber.)

12 SENATOR STEWART-COUSINS: So repeat
13 after me: I, state your name --

14 MS. PAULINO: I, Alejandra
15 Paulino --

16 SENATOR STEWART-COUSINS: -- do
17 solemnly swear --

18 MS. PAULINO: -- do solemnly
19 swear --

20 SENATOR STEWART-COUSINS: -- that I
21 will uphold the Constitution of the United States
22 of America --

23 MS. PAULINO: -- that I will uphold
24 the Constitution of the United States of
25 America --

1 SENATOR STEWART-COUSINS: -- the
2 Constitution of the State of New York --
3 MS. PAULINO: -- the Constitution
4 of the State of New York --
5 SENATOR STEWART-COUSINS: -- and
6 that I will faithfully discharge the duties --
7 MS. PAULINO: -- and that I will
8 faithfully discharge the duties --
9 SENATOR STEWART-COUSINS: -- of the
10 office of Secretary of the Senate --
11 MS. PAULINO: -- of the office of
12 Secretary of the Senate --
13 SENATOR STEWART-COUSINS: --
14 according to the best of my ability --
15 MS. PAULINO: -- according to the
16 best of my ability --
17 SENATOR STEWART-COUSINS: -- so me
18 help me God.
19 MS. PAULINO: -- so help me God.
20 SENATOR STEWART-COUSINS:
21 Congratulations.
22 MS. PAULINO: Thank you.
23 (Appause.)
24 THE PRESIDENT: Senator Gianaris.
25 SENATOR GIANARIS: Congratulations

1 to our Secretary of the Senate, Alejandra
2 Paulino.

3 Madam President, there's now also a
4 resolution at the desk calling for the election
5 of the Sergeant-at-Arms. Would you please call
6 that up.

7 THE PRESIDENT: The Secretary will
8 read.

9 THE SECRETARY: Senate Resolution
10 4, by Senator Stewart-Cousins, Resolved, that
11 Benjamin M. Sturges III be, and he hereby is,
12 elected Sergeant-at-Arms of the Senate for the
13 years 2021-2022.

14 THE PRESIDENT: The question is on
15 the resolution. All those in favor signify by
16 saying aye.

17 (Response of "Aye.")

18 THE PRESIDENT: Opposed?

19 (No response.)

20 THE PRESIDENT: The resolution is
21 adopted.

22 For the record, Benjamin Sturges has
23 been elected Sergeant-at-Arms for the years 2021
24 to 2022. It is my honor to present to you the
25 Sergeant-at-Arms.

1 (Applause.)

2 THE PRESIDENT: Senator Gianaris.

3 SENATOR GIANARIS: Madam President,
4 there's a resolution at the desk appointing
5 Catherine Kirkland as the Senate Stenographer.
6 Can we please take that up.

7 THE PRESIDENT: The Secretary will
8 read.

9 THE SECRETARY: Senate Resolution
10 5, by Senator Stewart-Cousins, Resolved, that
11 Catherine Kirkland be, and she hereby is, elected
12 the Official Stenographer of the Senate for the
13 years 2021-2022.

14 THE PRESIDENT: The question is on
15 the resolution. All those in favor signify by
16 saying aye.

17 (Response of "Aye.")

18 THE PRESIDENT: Opposed?

19 (No response.)

20 THE PRESIDENT: The resolution is
21 adopted.

22 For the record, Catherine Kirkland
23 has been elected Official Stenographer for the
24 Senate for the years 2021 to 2022. It is my
25 honor to present you the Official Stenographer of

1 the Senate.

2 (Applause.)

3 THE PRESIDENT: Senator Gianaris.

4 SENATOR GIANARIS: Madam President,
5 the next resolution sets forth the hours of the
6 Senate for the years 2021 and 2022. Can we take
7 that up, please.

8 THE PRESIDENT: The Secretary will
9 read.

10 THE SECRETARY: Senate Resolution
11 6, by Senator Stewart-Cousins, providing for the
12 hours of meeting by the Senate for the years
13 2021-2022.

14 THE PRESIDENT: The question is on
15 the resolution. All those in favor signify by
16 saying aye.

17 (Response of "Aye.")

18 THE PRESIDENT: Opposed?

19 (No response.)

20 THE PRESIDENT: The resolution is
21 adopted.

22 Senator Gianaris.

23 SENATOR GIANARIS: At this time,
24 Madam President, can you recognize Senator Ortt
25 for remarks.

1 THE PRESIDENT: Senator Ortt.

2 SENATOR ORTT: Good afternoon,
3 Madam President. Go Bills.

4 And I certainly would like to thank
5 Senator Gianaris for wishing the Bills, the only
6 team that plays in the State of New York -- and
7 they're playing in the State of New York this
8 Saturday. So I certainly accept the well wishes,
9 and I know that is shared certainly by my
10 constituents and I think a lot of folks across
11 the state.

12 But I want to wish everyone a Happy
13 New Year. Madam President, I want to wish you a
14 Happy New Year.

15 And certainly my colleague, Majority
16 Leader Stewart-Cousins, congratulations on your
17 reelection. Though we have differing
18 philosophies and differ on many pieces of
19 legislation, there is no differing on the
20 significance of your election and on the
21 significance of your leadership of this body. So
22 I want to congratulate you again on that and
23 thank you for your partnership.

24 Senator Gianaris, Happy New Year to
25 you.

1 And I certainly want to wish a Happy
2 New Year to my colleague and Deputy Leader of the
3 Republican Conference and Floor Leader, Senator
4 Andrew Lanza.

5 And I want to thank and wish Happy
6 New Year to my colleague Senator George Borrello,
7 who is here.

8 I do want to just take a moment if I
9 may, Madam President. We have several of our
10 members in our conference who are not on the
11 Zoom, but they are here in Albany. They are in
12 either their offices or they're in the
13 Conference. I just wanted to be able to just
14 recognize them, they're here today. I think in
15 this time that we're in, I think it is important
16 for our constituents -- for all of our
17 constituents -- to know that we're here doing the
18 job, whether it's remote or whether it's
19 physically here in Albany.

20 Senator Borrello, as I said;
21 Senator Boyle is here. Senator Helming,
22 Senator Jordan, Senator Lanza, Senator Martucci,
23 Senator Mattera, Senator Oberacker,
24 Senator O'Mara, Senator Palumbo, Senator Stec and
25 Senator Weik are all physically here. The other

1 members of our conference are remote or are via
2 Zoom.

3 But we are here to do the work of
4 our constituents and the work of the people of
5 the State of New York. And I think we are at a
6 critical time. We are living and are tasked with
7 leading at probably one of the most remarkable
8 moments in the history of our state and the
9 history of our country.

10 And sometimes I think when you're in
11 these moments, it's hard to grasp the
12 significance of the moment because you're living
13 through it. And it will only be years later that
14 we will look back and look at this moment for
15 what it is, a seminal moment in the history of
16 our country and our state.

17 And whenever you go through seminal
18 moments like this, whether it's conflicts, a
19 pandemic, significant economic crises -- and of
20 course it seems like we have all those things
21 happening at once -- there's always questions
22 about our democratic institutions and how they
23 survive those events. And it's on us, the people
24 who are elected to defend them, to make sure that
25 despite all the technology advancements and the

1 pandemic and everything we're going through, that
2 we come out the other side of this with our
3 republic intact.

4 And we may have differences of what
5 that always looks like or how best we go about
6 doing that, but the end goal is the same. The
7 end goal, I believe, is the same: The defense of
8 the republic of the United States of America, the
9 defense of the Constitution and of our
10 institutions that quite frankly people have
11 fought and died for to make sure that they
12 endure.

13 Our conference announced yesterday
14 our priorities. Our priorities will continue to
15 be restarting New York, resetting New York,
16 getting our economy back on track. We have -- we
17 are going to get through the public health crisis
18 that we are in right now, Madam President.

19 And to my colleagues who are out
20 there, we have the best R&D, we have some of the
21 best companies in the world. And sure enough,
22 they're coming up with vaccines that are going to
23 save people's lives. And sure enough, our health
24 system is going to deliver something that's going
25 to save people's lives the world over as well as,

1 obviously, right here in New York.

2 Now, hopefully we can get it out to
3 those folks in a way that is effective. But at
4 the end of the day, we're going to get through
5 this public health crisis, I am confident of
6 that.

7 But there is a socioeconomic crisis
8 that awaits us on the other side of the public
9 health aspect of this. Whether it's our children
10 who are -- yes, learning remotely, but many of
11 our children, whether it's in inner cities or in
12 rural communities, they are falling behind.
13 There's no denying that. They are not getting
14 the same level of education via Zoom that they
15 would be in the classroom. Our teachers, as good
16 as they are, are not as effective, always, via
17 Zoom as they would be in person.

18 And then I think about our economy,
19 our businesses that have been put on life support
20 with the lockdowns, with the restrictions,
21 without a real end in sight. And I think it is
22 incumbent upon this body to make sure that we are
23 looking towards that crisis as well, the
24 socioeconomic crisis, and coming up with
25 solutions that get people back to work, that stem

1 the flow of outmigration, that restore safety to
2 our communities, that make people want to live
3 here, want to invest here.

4 And yes, even the ultra-wealthy,
5 they need to want to invest here. Because that
6 investment creates jobs for people in my
7 district -- people who aren't ultra-wealthy. But
8 it allows them to put food on their tables. And
9 every time we chase one of those employers out,
10 we chase those employees as well.

11 So my conference is here to work so
12 that New Yorkers can go back to work. We're here
13 to work to protect those who protect us. And
14 we're here to make sure that the Empire State
15 comes out of this pandemic better than it was
16 when it went into it. Because there were a
17 number of ills before this pandemic that needed
18 to be rectified, and that's only going to be
19 magnified when we come out of this.

20 So we stand certainly at times as
21 the voice of opposition, but also as an open hand
22 to the Majority. I believe there will be a
23 number of areas where we can work together for
24 the betterment of the people of this state, and
25 we look forward to doing just that.

1 So Happy New Year, Madam President.
2 Happy New Year. Look forward to a tough but
3 constructive session. And again, of course, Go
4 Bills.

5 THE PRESIDENT: Thank you, Senator
6 Ortt.

7 Senator Gianaris.

8 SENATOR GIANARIS: Madam President,
9 at this time please recognize our Majority Leader
10 and Temporary President of the Senate, Andrea
11 Stewart-Cousins, for her opening remarks.

12 THE PRESIDENT: Senator Andrea
13 Stewart-Cousins.

14 SENATOR STEWART-COUSINS: Thank you
15 so much, Madam President. And it is really good
16 to be in your presence yet again, in another
17 historic opening. And I do thank you for all
18 that you bring to the State of New York -- all
19 your advocacy, all your leadership, all your
20 championing.

21 And of course in a show of
22 bipartisan display and support for the home team,
23 Go Bills. Okay?

24 (Laughter.)

25 SENATOR STEWART-COUSINS: So

1 everybody's -- we can start off like that.

2 Also, Senator Gianaris, you have
3 been a great partner in every aspect of this
4 journey, and I could not thank you for all that
5 you do for this conference, for the types of
6 partnerships that we've been able to forge. And
7 I am happy to say that the promise has been
8 fulfilled, but very much because of the
9 partnership that we have in terms of being able
10 to move in the direction that we know the people
11 of New York want. So thank you again for always
12 being there.

13 And I wanted to thank you,
14 Senator Ortt. Thank you for, again, your
15 comments and for, you know, being a partner in
16 this very, very important mission that we are
17 doing. I am so happy to hear that you too
18 believe in the republic and the Constitution.
19 Thank you for that.

20 And that again, we can agree right
21 now that there are certain things that we need to
22 hold together our democracy and our belief in a
23 system that brings people like you and people
24 like me to the table so that we are able to
25 actually come up with the best solutions.

1 So I look forward to working with
2 you and your team, Senator Lanza as your deputy.
3 Again, we are in the same class, he reminded me,
4 so we will have a lot of classmate things that
5 not only we remember, but we will make good
6 memories for this state going forward.

7 And welcome, Senator Borrello.

8 I also want to make note of the fact
9 that yes, my conference is on Zoom, but that's
10 not because they're not present. Many of them
11 indeed are present in this -- in the Capitol.
12 And we all know the importance of being at work
13 however we attend. But please know that we, like
14 you, are very, very interested in making sure
15 that nothing stands in the way of doing the
16 people's business.

17 I want to also thank Governor Cuomo
18 for his leadership during this pandemic. You
19 know, I look forward to continuing the work that
20 we must do as partners to tackle the challenges
21 ahead. And I also want to thank Speaker Heastie,
22 who has been a tremendous partner for me in the
23 Assembly.

24 I am proud to begin this year, as
25 Senator Gianaris said, with 43 members in the

1 Democratic Majority, who represent communities
2 from Buffalo, Syracuse, Rochester, the
3 Capital Region, the Mohawk and Hudson Valleys,
4 Westchester, Rockland County, New York City and
5 Long Island.

6 I'm proud to have the first
7 super-majority in modern history and the largest
8 majority ever.

9 I said in my first remarks as
10 Majority Leader, this chamber must always take
11 the path of creating opportunities rather than
12 the path of putting up barriers. And the people
13 of New York have overwhelmingly agreed with that
14 path. This mandate from New Yorkers of all
15 different backgrounds and backyards is an
16 incredible responsibility to deliver, one that we
17 stand ready for.

18 We are excited -- and we have, I
19 think, 14 new members in this chamber. And we in
20 the Democratic Majority are very, very proud of
21 our seven new members. And I want to just take a
22 brief moment to let you know who is joining us.

23 Senator Jabari Brisport. Senator
24 Brisport is a schoolteacher and he's a devoted
25 community activist. I know that Jabari will

1 bring his years of work and passion to help the
2 community and he will be a fierce representative.

3 We have Senator Reichlin-Melnick.

4 And it's wonderful to welcome Senator
5 Reichlin-Melnick, who's moved from the side
6 benches of this chamber to a well-deserved desk.
7 It's also special to have a member of the Senate
8 family reach the height. And I know that your
9 work as a staffer and as a local official will be
10 a great tool in getting the job done.

11 I also want to welcome Senator
12 Michelle Hinchey, who will be representing the
13 46th District, which stretches from Ulster County
14 to Montgomery County. You all may remember that
15 district.

16 Michelle is the daughter of the late
17 and beloved Congressman Maurice Hinchey. And
18 we're excited for the new generation of
19 leadership she brings to the Senate and her
20 passion for helping upstate communities thrive.

21 Senator John Mannion. Senator
22 Mannion had to run what seemed like a race that
23 would never have a finish line. But Senator
24 Mannion, you're here, and we are thrilled to have
25 you bringing your experience as a high school

1 teacher and a union leader to this chamber.

2 Senator Samra Brouk. I'm excited to
3 welcome Samra Brouk. She's the daughter of
4 Ethiopian immigrants who was born and raised in
5 the community she will now be representing.
6 Excited for her to bring her life experiences
7 from the Peace Corps, to help build more
8 environmentally sustainable communities, to this
9 body.

10 I also welcome Senator Jeremy
11 Cooney. It is incredible to imagine that
12 Senator Cooney was born in an Indian orphanage,
13 and today sits here representing parts of the
14 great City of Rochester. Senator Cooney's an
15 attorney, and he's dedicated his career to public
16 service. And I know that this is the start of a
17 new and successful chapter.

18 And finally, last but not least,
19 Senator Sean Ryan. Many of us already know
20 Senator Ryan from his great work in the Assembly
21 since 2011, fighting for the economic well-being
22 of Buffalo and Western New York. Welcome,
23 Senator Ryan, and I look forward to your ongoing
24 leadership.

25 And welcome to all of the new

1 members of this body. Our work will be enhanced
2 by your efforts, so thank you all.

3 And of course my returning members,
4 thank you for continuing to work alongside of me.

5 So this day, the kickoff of a
6 two-year term, is always a day filled with hope
7 and promise. Usually the chamber would be
8 buzzing with activity, the hallways filled with
9 smiling faces. This year, as you know, it's
10 different. But while we don't have the crowds in
11 the gallery or our friends and families roaming
12 the hallways, we're still holding on to that hope
13 and that promise.

14 I think everyone understands from
15 the last year how challenging it's been for all
16 of us. We've seen the COVID pandemic ravage our
17 communities, our state, our nation and the world.
18 It is chilling to think about what all of us have
19 been through in these last 10 months.

20 Here in New York, tens of thousands
21 of our family members, friends, colleagues and
22 constituents have died. Businesses have closed.
23 Jobs have been lost. People are hurting. We're
24 a changed state, and we're a changed nation.

25 But, Madam President, there is hope

1 and promise on the horizon. Vaccines have begun
2 to be distributed. A new president that we can
3 trust to help New York, not hurt us, will soon be
4 in office.

5 And we get to say goodbye to Mitch,
6 because we won Georgia. And my good friend Chuck
7 Schumer, from New York, who aspires, he always
8 says, to be me, the Majority Leader, will be the
9 Majority Leader. And Chuck, we need you.

10 And today, despite the seditious
11 actions of a few extremists, we are confident
12 Congress will do its job and allow the government
13 to get back to work.

14 We need a functional, effective
15 federal government if we are going to climb out
16 of this economic and health crisis New York
17 faces -- in fact, our whole country faces. And
18 we all have to understand that. But we in the
19 Senate also have our part to play, and we have
20 shown and will continue to show that we are ready
21 to push a bold progressive agenda to meet the
22 challenges of the times.

23 I think back to that March, that
24 night when we came back into session to provide
25 immediate funding to fight this pandemic. It was

1 the first time that I as Majority Leader called
2 back the session after we had gaveled out. But
3 no one on that night could have imagined the
4 horror that we would see over the next few
5 months -- more than a million New Yorkers
6 infected, and more than 30,000 who have lost
7 their lives to this pandemic.

8 But despite these overwhelming
9 conditions, the members of this chamber stepped
10 up time and time again to help the people of our
11 state make it through this unprecedented
12 catastrophe. In the earliest days of the
13 pandemic, Senators took on the responsibilities
14 none of them likely ever imagined as part of
15 their jobs when they took office. They secured
16 refrigerated trucks for local hospitals, set up
17 massive food banks for constituents, checked on
18 people stuck in quarantine, held Zoom town halls,
19 fought to get an unprecedented number of
20 unemployment claims approved, and delivered PPE
21 to our front-line workers and to our communities.

22 And as our members stepped up in
23 their communities, they also stepped up in the
24 halls of government. As a body, we held hearings
25 on the effects of COVID on our workforce, on

1 small businesses, on hospitals, on nursing homes,
2 on schools, on minority- and women-owned
3 businesses. We passed legislation providing help
4 for small businesses struggling, for workers, and
5 for our front-line responders who were desperate
6 for resources. We passed laws to make sure our
7 democracy continued to function and voting would
8 be accessible and safe for everyone.

9 Just last week we enacted the
10 strongest eviction moratorium in the nation while
11 at the same time helping homeowners, small
12 landlords, and our seniors. We need to do the
13 same for our small businesses too, and we will.

14 I said in my first remarks as
15 Majority Leader we must always take the path of
16 creating opportunities rather than the path of
17 putting up barriers. We need look no further
18 than Washington over the past four years to see
19 what devastation can occur when a government
20 chooses the latter path.

21 But here in New York this Senate,
22 working with our partners in government, has
23 shown what we can do when we take the path of
24 creating opportunities. And I know Senator
25 Gianaris mentioned some of them, but it's worth

1 mentioning again that we strengthened voting
2 rights, we passed campaign finance reform, we
3 made sure that New York's laws recognize women's
4 rights as human rights.

5 We stood up for our LGBTQ community.
6 We stood up for immigrant brothers and sisters.
7 We stood up for victims of abuse and harassment.
8 We stood up for tenants and homeowners. We stood
9 up for Black and Brown New Yorkers who have
10 disproportionately suffered because of inequities
11 in policing in our criminal justice system. We
12 stood up for victims of gun violence who have
13 been ignored by Washington for decades.

14 We did all this while battling a
15 horrific pandemic that has devastated our
16 communities, our economy, and our way of life.

17 And now as we begin a new year and a
18 new legislative session, we have more work to do
19 and more opportunity to create. Our state's
20 finances are in desperate shape, and we have a
21 budget deficit to tackle. We are up to the task,
22 and we can do it without moving towards austerity
23 or balancing our budget on the backs of our
24 working families.

25 We need to get serious about making

1 sure that everyone shares the burden. We need to
2 make sure that more of the millionaires and
3 billionaires who have gotten even richer step up
4 during this pandemic. We need to create new
5 revenue streams by legalizing mobile sports
6 betting and marijuana.

7 But even with these measures, our
8 economy cannot fully recover until we put the
9 COVID-19 crisis behind us once and for all. We
10 must continue to improve our testing capacity and
11 speed, while ensuring that our vaccination
12 rollout reaches as many New Yorkers as quickly as
13 possible.

14 And we need to help our small
15 businesses stay open. As we did with our
16 tenants, we have to protect those that have lost
17 revenue due to COVID-19 from eviction.

18 We must ensure all our students are
19 able to learn virtually, and that means broadband
20 access across New York State.

21 And while we fix our economy, we
22 must continue improving our democracy, which is
23 the heart of everything else we do. Universal
24 mail-in voting, early voting helped bring record
25 numbers of New Yorkers out in November. And

1 while we celebrate this historic turnout, we must
2 also fix the problems that led to long lines and
3 weeks of vote counting that left our elections
4 unresolved long after the rest of the country's
5 were over.

6 And finally, we must continue to, as
7 Dr. King -- who we will be celebrating later this
8 month -- might say, bend the arc of the moral
9 universe towards justice. That means that the
10 Senate will continue to look for ways to tear
11 down barriers, to create new opportunities for
12 the marginalized, the persecuted, the
13 disenfranchised, and to combat systematic
14 inequality that has gotten -- has really been
15 exacerbated during this pandemic.

16 This is a bold mandate and a
17 daunting list of priorities to take on. But bold
18 action is what the times require and what the
19 people who sent us here demand. And from
20 everything I've seen from my colleagues in this
21 chamber over the past year, I know, working
22 together, we are up to the challenge.

23 Thank you again, Madam President.

24 (Applause.)

25 THE PRESIDENT: Thank you, Senator

1 Stewart-Cousins, for those much-needed and
2 appreciated words of hope and promise. Very
3 inspirational.

4 Senator Gianaris.

5 SENATOR GIANARIS: On behalf of
6 Majority Leader Stewart-Cousins, I hand up the
7 following committee conference and leadership
8 assignments for the Majority Conference and ask
9 that it be filed in the Journal.

10 THE PRESIDENT: The hand-up is
11 received and shall be filed in the Journal.

12 SENATOR GIANARIS: On behalf of
13 Majority Leader Stewart-Cousins, in consultation
14 with Senator Ortt, I hand up the following
15 committee and conference assignments of the
16 Minority Conference and ask that it be filed in
17 the Journal.

18 THE PRESIDENT: The handup is
19 received and shall be filed in the Journal.

20 SENATOR GIANARIS: Is there any
21 further business at the desk, Madam President?

22 THE PRESIDENT: There is no further
23 business at the desk at this time.

24 SENATOR GIANARIS: There being no
25 further business, I move we adjourn until Monday,

1 January 11th, at 3:00 p.m., intervening days
2 being legislative days.

3 THE PRESIDENT: On motion, the
4 Senate shall stand adjourned until Monday,
5 January 11th, at 3:00 p.m., intervening days
6 being legislative days.

7 The Senate is adjourned.

8 (Whereupon, at 1:28 p.m., the Senate
9 adjourned.)

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