

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 January 20, 2022

11 11:38 a.m.

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13
14 REGULAR SESSION

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18 SENATOR SHELLEY B. MAYER, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate
will come to order.

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

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

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

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

ACTING PRESIDENT MAYER: Reading of
the Journal.

THE SECRETARY: In Senate,
Wednesday, January 19, 2022, the Senate met
pursuant to adjournment. The Journal of Tuesday,
January 18, 2022, was read and approved. On
motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

6 SENATOR GIANARIS: Thank you,
7 Madam President.

8 Can we take up the reading of the
9 calendar, please.

10 ACTING PRESIDENT MAYER: The
11 Secretary will read.

12 THE SECRETARY: Calendar Number 57,
13 Senate Print 7729, by Senator Skoufis, an act to
14 amend the Real Property Law.

15 ACTING PRESIDENT MAYER: Read the
16 last section.

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

19 ACTING PRESIDENT MAYER: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT MAYER: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar Number 57, those Senators voting in the

1 negative are Senators Griffo, Lanza, Oberacker
2 and Tedisco.

3 Ayes, 59. Nays, 4.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number 51,
7 Senate Print 7780, by Senator Skoufis, an act to
8 amend the Executive Law.

9 ACTING PRESIDENT MAYER: I believe
10 you mean Calendar 151, correct?

11 THE SECRETARY: Oh, excuse me.
12 Excuse me.

13 Calendar Number 151, Senate Print
14 7780, by Senator Skoufis, an act to amend the
15 Executive Law.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

18 THE SECRETARY: Section 7. This
19 act shall take effect immediately.

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 151, those Senators voting in the
2 negative are Senators Borrello, Griffo and Lanza.

3 Ayes, 60. Nays, 3.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 153, Senate Print 7784, by Senator Ramos, an act
8 to amend the Alcoholic Beverage Control Law.

9 ACTING PRESIDENT MAYER: Read the
10 last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect on the same date and in the
13 same manner as a chapter of the Laws of 2021.

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Senator
18 Ramos to explain her vote.

19 SENATOR RAMOS: Yes, thank you,
20 Madam President.

21 You know, I'm really happy that the
22 discussion about these chapter amendments is
23 finally over and we can finally implement this
24 law.

25 I rise in defense of our

1 restaurants. Restaurants have been tremendously
2 hit by the pandemic, by policies that have
3 dissuaded people from going out, of course, in
4 order to keep everyone safe. But we know that
5 there is a bigger problem at hand and that there
6 are multinational companies like Amazon that are
7 causing blights in our economic corridors in any
8 district here in New York State.

9 And that's why we want to protect
10 restaurants as our most viable small businesses
11 in our community, in order to keep our retail
12 corridors vibrant, in order to keep people at
13 work.

14 Look, I represent District 13, the
15 northwestern corner of Queens, where we have some
16 of the best food in the world due to our
17 diversity. But I actually represent the largest
18 cohort or concentration of food workers in New
19 York City. The closure of many restaurants in
20 Manhattan has hurt us tremendously as well.

21 And so being able to give New York
22 City restaurants some parity with the upstate and
23 Long Island restaurants in being able to obtain
24 temporary liquor licenses is of utmost
25 importance. This will allow new restaurants to

1 be able to make money much quicker and hopefully
2 be able to reach that financial solvency that
3 they all dream about.

4 But look, there's going to be a lot
5 more work that has to be done in order to help
6 salvage our restaurants. I'm looking forward to
7 discussions about unfairness with triple-net
8 leases. I want to discuss making sure that we're
9 making the Governor's call for to-go drinks a
10 reality. And I want to make sure that every
11 single one of my neighbors that dreams of opening
12 a small business, especially a restaurant, is
13 able to do so and that they are helped by the
14 state, not hindered by red tape or any
15 bureaucracy.

16 So I wanted to thank all of my
17 colleagues who have voted for this bill. And I
18 thank you -- I want to thank the Majority Leader
19 also for her leadership in making sure that we're
20 ushering in this huge transformational change for
21 restaurants today.

22 Thank you.

23 ACTING PRESIDENT MAYER: Senator
24 Ramos to be recorded in the affirmative.

25 Senator Borrello to explain his

1 vote.

2 SENATOR BORRELLO: Thank you,
3 Madam President.

4 Certainly want to -- I am supporting
5 this, and I'd like to thank the sponsor for her
6 support for restaurants. But I can tell you that
7 this is a small step in what is a major gutting
8 of our restaurant industry, especially here in
9 New York State.

10 As a restaurant owner I can tell you
11 that we have much bigger problems to address than
12 this, and I hope the sponsor will look at those
13 problems.

14 For example, our unemployment
15 insurance rates have doubled and tripled thanks
16 to the state's refusal to use excess federal
17 funding to do what other states have done, and
18 that's shore up our Unemployment Insurance Fund.
19 Through no fault of our business owners,
20 including restaurant owners, that fund has been
21 gutted, and other states have used that funding
22 to shore it up.

23 Our restaurants, our hospitality
24 industries, our businesses in general should not
25 be paying the price for government's mistakes

1 when it comes to the Unemployment Insurance Fund.

2 We still have the highest workers'
3 compensation costs in the nation -- five times or
4 more what it is in the State of Pennsylvania. We
5 should address that if we would like to help our
6 restaurants and hospitality industry.

7 We should look at the rising costs
8 of doing business in general, in a city,
9 particularly, that has become less and less safe.
10 People are afraid to go out to those restaurants.

11 So while I applaud the idea of this
12 bill, and it certainly does create parity with
13 upstate when it comes to these temporary
14 licenses, we have much bigger problems to save
15 the hospitality industry in New York State.

16 Thank you.

17 ACTING PRESIDENT MAYER: Senator
18 Borrello, how do you vote?

19 SENATOR BORRELLO: Up. I'm up.

20 (Laughter.)

21 ACTING PRESIDENT MAYER: Senator --
22 I wanted to be clear.

23 Senator Borrello to be recorded in
24 the affirmative.

25 Announce the results.

1 THE SECRETARY: Ayes, 63.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 165, Senate Print 7799, by Senator Comrie, an act
6 to amend a chapter of the Laws of 2021.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar Number 165, those Senators voting in the
18 negative are Senators Akshar, Borrello, Gallivan,
19 Helming, Jordan, Lanza, Martucci, Oberacker,
20 Palumbo, Rath, Ritchie, Serino, Stec and Weik.

21 Ayes, 49. Nays, 14.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 188, Senate Print 7826, by Senator Persaud, an

1 act to amend a chapter of the Laws of 2021.

2 ACTING PRESIDENT MAYER: Read the
3 last section.

4 THE SECRETARY: Section 3. This
5 act shall take effect on the same date and in the
6 same manner as a chapter of the Laws of 2021.

7 ACTING PRESIDENT MAYER: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MAYER: Announce
11 the results.

12 THE SECRETARY: Ayes, 63.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 196, Senate Print 7838, by Senator Breslin, an
17 act to amend the Insurance Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

20 THE SECRETARY: Section 16. This
21 act shall take effect immediately.

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar Number 196, those Senators voting in the
4 negative are Senators Akshar, Borrello, Boyle,
5 Gallivan, Griffo, Helming, Jordan, Lanza,
6 Martucci, Mattera, Oberacker, O'Mara, Ortt,
7 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
8 Weik.

9 Ayes, 43. Nays, 20.

10 ACTING PRESIDENT MAYER: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 201, Senate Print 7845, by Senator Myrie, an act
14 to amend Chapter 249 of the Laws of 2021.

15 SENATOR LANZA: Lay it aside.

16 ACTING PRESIDENT MAYER: The bill
17 is laid aside.

18 THE SECRETARY: Calendar Number
19 202, Senate Print 7846, by Senator Brisport, an
20 act to amend the Social Services Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the same date and in the
25 same manner as a chapter of the Laws of 2021.

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar Number 202, those Senators voting in the
8 negative are Senators Akshar, Borrello, Boyle,
9 Griffo, Jordan, Mattera, Oberacker, O'Mara, Ortt,
10 Palumbo, Rath, Ritchie, Stec and Weik.

11 Ayes, 49. Nays, 14.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 204, Senate Print 7848, by Senator Mannion, an
16 act to amend the Mental Hygiene Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

19 THE SECRETARY: Section 2. This
20 act shall take effect on the same date and in the
21 same manner as a chapter of the Laws of 2021.

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Announce

1 the results.

2 THE SECRETARY: In relation to
3 Calendar Number 204, those Senators voting in the
4 negative are Senators Gallivan and Skoufis.

5 Ayes, 61. Nays, 2.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 207, Senate Print 7870, by Senator Rivera, an act
10 to amend the State Finance Law.

11 ACTING PRESIDENT MAYER: Read the
12 last section.

13 THE SECRETARY: Section 5. This
14 act shall take effect on the same date and in the
15 same manner as Chapter 190 of the Laws of 2021.

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: Ayes, 63.

22 ACTING PRESIDENT MAYER: The bill
23 is passed.

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

1 SENATOR GIANARIS: Thank you,
2 Madam President.

3 Can we now move to the controversial
4 calendar, please.

5 ACTING PRESIDENT MAYER: The
6 Secretary will ring the bell.

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 201, Senate Print 7845, by Senator Myrie, an act
10 to amend Chapter 249 of the Laws of 2021.

11 ACTING PRESIDENT MAYER: Senator
12 Borrello, why do you rise?

13 SENATOR BORRELLO: Thank you,
14 Madam President. Will the sponsor yield for a
15 question?

16 ACTING PRESIDENT MAYER: Senator
17 Gianaris, do you yield?

18 SENATOR GIANARIS: Madam President,
19 the sponsor is not in the chambers, but I will be
20 answering questions.

21 ACTING PRESIDENT MAYER: Senator
22 Gianaris yields.

23 SENATOR BORRELLO: Thank you,
24 Senator Gianaris. Appreciate it.

25 This bill is obviously going to

1 create essentially -- or expand a new
2 infrastructure. Is there funding available for
3 our local boards of elections to execute this and
4 execute it effectively?

5 SENATOR GIANARIS: There is funding
6 proposed in the Governor's budget proposal that
7 we just received this week.

8 SENATOR BORRELLO: Madam President,
9 will the sponsor continue to yield.

10 ACTING PRESIDENT MAYER: Will you
11 continue to yield?

12 SENATOR GIANARIS: Yes.

13 ACTING PRESIDENT MAYER: The
14 Senator yields.

15 SENATOR BORRELLO: Thank you,
16 Madam President.

17 So we just voted on and passed 7799,
18 which is essentially -- even though this is
19 extending it till April 1st, I believe, doesn't
20 7799 essentially do the same thing but make it
21 permanent? So why are we passing a temporary
22 extension when 7799 makes this permanent?

23 SENATOR GIANARIS: There's two
24 things that this bill does. It takes the system
25 that's been in place during the course of the

1 pandemic and extends that out to April 1st. And
2 then it would impose a more stringent system that
3 would require an E-signature from April 1st going
4 forward.

5 And the reason we are playing with
6 the dates like that is because the boards of
7 elections have suggested they need this extra
8 three or four months, whatever it is, to get the
9 permanent system in place.

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

12 ACTING PRESIDENT MAYER: Do you
13 continue to yield, Senator Gianaris?

14 SENATOR GIANARIS: Yes.

15 ACTING PRESIDENT MAYER: The
16 Senator yields.

17 SENATOR BORRELLO: So you mentioned
18 an E-signature. Are you saying there will be an
19 E-signature required for the application for the
20 absentee ballot, or just the ballot itself?

21 SENATOR GIANARIS: For the
22 application. You still need a wet signature for
23 the actual ballot.

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

1 ACTING PRESIDENT MAYER: Do you
2 continue to yield, Senator Gianaris?

3 SENATOR GIANARIS: Yes.

4 SENATOR BORRELLO: So as far as
5 creating an E-signature, do we have -- where is
6 that in the legislation that it's required? I
7 didn't recall seeing an E-signature.

8 SENATOR GIANARIS: It's in earlier
9 legislation. It's on Bill Number 6482,
10 subdivision 2(ii) on page 3. And it says that
11 the applicant must affirm, subject to penalty of
12 perjury, by means of electronic or manual
13 signature, that the information in the
14 application is true.

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

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR GIANARIS: Yes.

20 ACTING PRESIDENT MAYER: The
21 Senator yields.

22 SENATOR BORRELLO: Yes, thank you
23 for that information.

24 Now, the question is, would they be
25 able to pull a signature from the existing voter

1 rolls, as opposed to a new E-signature, and still
2 validate that application?

3 SENATOR GIANARIS: The legislation
4 authorizes the use of signatures that are already
5 in the custody of the state, whether it's the
6 Department of Motor Vehicles or the State Board
7 of Elections or potentially other agencies that
8 may be designated in the future.

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

11 ACTING PRESIDENT MAYER: Do you
12 continue to yield?

13 SENATOR GIANARIS: Yes.

14 ACTING PRESIDENT MAYER: The
15 Senator yields.

16 SENATOR BORRELLO: So really we're
17 not requiring a new electronic signature, we're
18 just saying we can take an existing signature on
19 file.

20 How does that help in the security
21 of ensuring that it's actually the voter that
22 requested the ballot?

23 SENATOR GIANARIS: It requires the
24 person filling out the application to consent to
25 the use of their signature that's on file with

1 other agencies.

2 And just like someone who forges
3 your signature manually, the person doing so
4 would be subject to criminal penalties if they're
5 doing it fraudulently.

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

8 ACTING PRESIDENT MAYER: Do you
9 continue to yield, Senator Gianaris?

10 SENATOR GIANARIS: Yes.

11 ACTING PRESIDENT MAYER: He yields.

12 SENATOR BORRELLO: Well, I
13 appreciate the fact that, you know, we do convict
14 people of forging signatures. I don't think the
15 state should be essentially creating a more
16 fertile environment for that to happen.

17 But that being said, what is to stop
18 someone, therefore, from applying for an absentee
19 ballot on behalf of someone else? Where is the
20 security measure there, assuming that someone
21 would have to give consent but we have no real
22 proof that that's the person -- that's the actual
23 voter that's giving that consent?

24 SENATOR GIANARIS: The same
25 mechanism in place that prevents someone from

1 filling out an application manually and signing
2 your name to it: Criminal penalties.

3 And let me remind Senator Borrello
4 also that the ultimate fail-safe is the -- we're
5 just talking about the application. The absentee
6 ballot itself needs a wet signature by the voter
7 which can be checked.

8 SENATOR BORRELLO: Madam President,
9 on the bill.

10 ACTING PRESIDENT MAYER: Senator
11 Borrello on the bill.

12 SENATOR BORRELLO: Senator
13 Gianaris, thanks once again for pinch-hitting.
14 I'm sure the sponsor appreciates it.

15 You know, all of these laws we've
16 been passing lately, whenever we bring up the
17 issue of why do we need to do this, it's -- the
18 answer is, well, it's about voter suppression.
19 And when I bring up concerns with the integrity
20 of our elections, the response is, Well, prove to
21 me that there has been election fraud.

22 Well, first and foremost, where is
23 the voter suppression we're talking about? The
24 2020 presidential election was by far the -- a
25 record turnout by far. More people voted in

1 New York State and across the nation in the 2020
2 presidential election than ever in the history of
3 our nation. In every category, every
4 demographic.

5 So where is the voter suppression
6 that the loosening of these laws, the greasing of
7 the wheels of potential fraud, is justified in
8 doing? I don't see that.

9 But let's talk about election fraud.
10 I stood on the floor of this Legislature with a
11 stack of more than a thousand examples of
12 election fraud that occurred. But probably one
13 of the most egregious in the history was actually
14 perpetrated right here in New York State. In
15 2014, an Assembly race in the Bronx, Hector
16 Ramirez running for the Assembly in a fraud case
17 that involved, you guessed it, absentee ballots.

18 And to the point of what happens and
19 what are the safeguards -- having a wet
20 signature, as Senator Gianaris said -- well, what
21 the New York Daily News called massive voter
22 fraud charges, 242 counts of voter fraud. And
23 according to the district attorney, the ADA, the
24 victims said, in those 242 counts, that people
25 from the Ramirez campaign, including Hector

1 Ramirez himself, showed up at people's doors and
2 said: You don't have to go to the polls to vote,
3 just sign here. And then his campaign aides and
4 himself filled out the ballots on their behalf.

5 This is when we still actually
6 had -- still had a signature requirement for the
7 absentee ballot. Now we're removing that.

8 Hector Ramirez was almost a member
9 of the New York State Legislature -- a criminal
10 who committed election fraud using an absentee
11 ballot scheme. And we're about to make it even
12 easier for guys like Hector Ramirez to do that,
13 to commit that fraud.

14 Now, here's probably the worst part.
15 Because we talked about the fail-safe, the
16 safeguards, the justice system. What started out
17 as 242 counts of voter fraud, what did
18 Mr. Ramirez and his counterparts actually get
19 convicted of?

20 Well, his aide got convicted of a
21 misdemeanor charge of disorderly conduct. Did
22 she commit election fraud, or did she spit on the
23 sidewalk? I don't know. That will never show up
24 in any data about election fraud because she
25 wasn't convicted of actually an election fraud

1 violation. She was convicted of a misdemeanor
2 charge for something unrelated to elections.

3 And how about Mr. Ramirez himself --
4 the man who with three more fraudulent votes
5 would have been sitting in the Assembly chamber
6 right now -- what was he convicted of? He was
7 convicted of possession of a forged instrument.
8 The same thing we charge a 19-year-old who has a
9 fake I.D. to buy beer. That's what Mr. Ramirez
10 was convicted of.

11 So the safeguards here in New York
12 State are clearly not working. It's very
13 concerning, as I've said many times before. This
14 is about the integrity of our elections. We are
15 removing the safeguards. We are taking the
16 safety valve off of the system. And we already
17 had proven election fraud prior to that. It's a
18 concern.

19 And for those folks who say we have
20 suppression -- and I agree that if there is a
21 perception of suppression, something should be
22 done about it. Then we should be ensured that
23 we're also addressing the integrity issue. And
24 if people no longer have faith that our
25 elections are fair and honest, that is a major

1 threat to the foundation of our republic.

2 So, Madam President, I am very
3 concerned about once again loosening the
4 restrictions and once again making New Yorkers
5 less secure and certainly less confident that our
6 elections are actually legitimate. So I'll be
7 voting no.

8 Thank you.

9 ACTING PRESIDENT MAYER: Are there
10 any other Senators wishing to be heard?

11 Seeing and hearing none, debate is
12 closed. The Secretary will ring the bell.

13 Read the last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar Number 201, those Senators voting in the
23 negative are Senators Akshar, Borrello, Boyle,
24 Gallivan, Griffio, Helming, Jordan, Lanza,
25 Martucci, Mattera, Oberacker, O'Mara, Ortt,

1 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
2 Weik.

3 Ayes, 43. Nays, 20.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

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

8 SENATOR GIANARIS: Thank you,
9 Madam President.

10 I believe there's a report of the
11 Finance Committee at the desk. Can we please
12 take that up at this time and recognize
13 Senator Krueger.

14 ACTING PRESIDENT MAYER: The
15 Secretary will read.

16 THE SECRETARY: Senator Krueger,
17 from the Committee on Finance, reports the
18 following nomination:

19 As Commissioner of the Department of
20 Health, Dr. Mary Bassett.

21 ACTING PRESIDENT MAYER:
22 Senator Krueger.

23 SENATOR KRUEGER: Thank you very
24 much, Madam President.

25 I would first like to offer anyone

1 else who would like to speak on Mary Bassett's
2 behalf, and then maybe I will close on her.

3 Thank you.

4 ACTING PRESIDENT MAYER: Senator
5 Rivera on the nomination.

6 SENATOR RIVERA: Thank you,
7 Madam President.

8 I wanted to take this moment to
9 thank Governor Hochul for sending us such a
10 qualified nominee: Dr. Mary Bassett, who is a
11 scholar, a former commissioner of health in the
12 City of New York, and somebody who not only cares
13 deeply about public health but has made it her
14 career to deal with health inequities. Most of
15 the work that she has done in the years of her
16 life and the decades that she has been working in
17 public health has been always about trying to
18 erase those health inequities which exist in
19 health systems all across our country and our
20 state.

21 And so I'm incredibly happy to say
22 that I moved her nomination yesterday and I do so
23 on the floor today.

24 And I also want to say that the
25 conversations that we had yesterday that were

1 around not only, Madam President, the fact that
2 she -- not only her level of expertise, but the
3 fact that she recognizes, much like the new
4 Governor does, that cooperation and collaboration
5 between the Legislature and the Executive is
6 incredibly important, but also something I'd like
7 to underline, particularly considering what we
8 had to deal with in the last couple of years, was
9 the fact that she said very clearly that she
10 would never do something which she felt, even if
11 she was given -- even if it was said to her, This
12 is something that you need to do for political
13 reasons, that she would never do something that
14 would put the health and well-being of
15 New Yorkers at risk.

16 And so I am incredibly proud that
17 she has been nominated, and I am looking forward
18 to working with her for many years to come to
19 make sure we can make New York healthier and a
20 better place to live. So I proudly vote in the
21 positive on the nomination.

22 Thank you, Madam President.

23 ACTING PRESIDENT MAYER: Senator
24 Krueger.

25 SENATOR KRUEGER: Thank you very

1 much, Madam President.

2 First I want to highlight that I
3 needed to say "I move the nomination of Dr. Mary
4 Bassett to the floor."

5 Appreciate Senator Rivera's comments
6 as the chair of the Health Committee.

7 I want to simply point out that
8 Dr. Bassett came before the Finance Committee
9 yesterday, and we had extensive questioning of
10 her back and forth. And it was a strong support
11 for her -- not universal, but strong support for
12 her. But I think that even if people don't agree
13 on everything, no one wasn't impressed with her
14 credentials, her expertise in these areas, and
15 the importance of this job.

16 I think one thing that came across
17 was the fact that so many Senators care in so
18 many ways about health issues, public health,
19 frustrations with what hasn't been happening at
20 the Department of Health, and very, very high
21 expectations for Dr. Bassett. And she was very
22 honest in how short a time she'd been here and
23 that she has not actually learned everything
24 about her own agency and all the responsibilities
25 within law of the agency, but was very open to

1 hearing from us in the Legislature, for doing her
2 due diligence, and for getting down to the
3 problems and the solutions.

4 And happening to be a representative
5 from New York City, I also had the opportunity to
6 see her at work when she was with the New York
7 City Department of Health. And I just want to
8 thank Governor Hochul for sending us such an
9 excellent nominee. This is probably one of the
10 hardest jobs in government. Certainly at this
11 time, during a pandemic, it is multiplied in the
12 impacts. And so I am very glad that we have
13 somebody who's going to move from acting to the
14 actual commissioner, with all the authority she
15 needs to do the right things for 20 million
16 New Yorkers.

17 Thank you, Madam President. I urge
18 everyone to vote yes.

19 ACTING PRESIDENT MAYER: Thank you,
20 Senator Krueger.

21 Senator Jackson on the nomination.

22 SENATOR JACKSON: Thank you,
23 Madam President.

24 My colleagues I rise today to
25 explain my support for the nomination of Dr. Mary

1 Bassett for Commissioner of the Department of
2 Health.

3 Dr. Bassett has more than 30 years
4 of experience in public health, having served
5 four years as commissioner for health for the
6 City of New York. Dr. Bassett has had a track
7 record that highlights her dedication to social
8 justice and health throughout her career.

9 Her approach to health equity is
10 holistic, understanding the impact of our
11 environment, housing, race, and gun violence on
12 health outcomes for all New Yorkers.

13 Dr. Bassett served as the director
14 of the Francois-Xavier Bagnoud, known as FXB,
15 Center for Health and Human Rights at Harvard
16 University, and FXB professor of the Practice and
17 of Health and Human Rights in the Department of
18 Social and Behavioral Sciences at the Harvard
19 T.H. Chan School of Public Health.

20 And she received the Frank
21 A. Calderone Prize, one of the most prestigious
22 honors in the field of public health in our
23 nation.

24 Because we have known each other for
25 some time -- her family for many, many years

1 lived in northern Manhattan, and still her mother
2 and sister and other family members reside there.
3 But she is a constituent, and I know her to be a
4 good person and an honorable person. And as a
5 resident of Inwood in District 31, Dr. Bassett
6 understands the value of solidarity, real love,
7 and neighbors helping to protect neighbors --
8 community choosing to preserve community, to cite
9 her own words.

10 While I can't say when the pandemic
11 will end, I can tell you this. When we do
12 succeed, it will be because family chose to
13 protect family, neighbors chose to protect
14 neighbors, and community chose to protect
15 community.

16 Currently the acting commissioner,
17 Dr. Bassett will become the 17th Commissioner of
18 the State Health Department. Our recovery from
19 this pandemic requires tested leadership and
20 experience to improve health equity and access
21 across our state. Dr. Bassett is perfectly
22 equipped to lead the New York State Department of
23 Health during this critical moment.

24 And for these reasons,
25 Madam President, I vote yes to confirm Dr. Mary

1 Bassett for Commissioner of the Department of
2 Health. Thank you.

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

5 Senator Boyle on the nomination.

6 SENATOR BOYLE: Thank you,
7 Madam President. To explain my vote on the
8 nomination of Mary Bassett for New York State
9 Commissioner of Health.

10 We screened -- as Health Committee
11 members, we screened Dr. Bassett yesterday and
12 were very impressed. A very nice person, no
13 doubt about it, a dedicated, committed healthcare
14 professional through her entire life, and we
15 commend her for that.

16 But the Commissioner of the New York
17 State Health Department is a policy position. It
18 is the number-one advisor to the Governor on
19 healthcare issues. And that's where myself and
20 members of my caucus and conference have great
21 differences with Dr. Bassett.

22 I point out, first, one of the first
23 things I did when I came to the New York Senate,
24 I was the chairperson of the Heroin and Opioid
25 Task Force. We held 18 hearings around the state

1 and had thousands of people attend all over, from
2 Buffalo to Montauk. Dr. Bassett has come out
3 very clearly, in an op-ed in the Daily News and
4 other places, in support of the decriminalization
5 of drugs, like the State of Oregon, and all --
6 heroin and cocaine included.

7 This is not what the people in my
8 district and most parts of New York State think
9 we should do.

10 She's also supportive of injection
11 sites. This is really on the fringe, I would
12 say, of healthcare professionals. Where are the
13 only two injection sites in the entire United
14 States? New York City. Dr. Bassett supports
15 this policy. We do not.

16 Finally, and the thing that I
17 probably feel most strongly about, I asked
18 Dr. Bassett in the screening yesterday if she was
19 going to support vaccine mandates for our
20 students. Didn't give a direct answer, but I got
21 the general gist that yes, she's going to advise
22 Governor Hochul that we're going to need to
23 vaccinate our students to go in schools starting
24 whenever.

25 This is going to create more chaos

1 in New York State than we have ever seen probably
2 in our time in the State Legislature. The vast,
3 vast majority of parents do not want to mandate
4 the vaccination of their children. In all parts
5 of the political spectrum, too. We're not just
6 talking about conservatives, we're talking about
7 everybody.

8 That's the wrong policy. We should
9 not mandate our students. And people watching
10 around the state, if you ask how people feel
11 about vaccine mandates for students, watch how
12 people vote on this nomination.

13 I wish Dr. Bassett good luck. I
14 know this nomination is foregone conclusion for
15 confirmation. I wish her good luck. But I have
16 to vote in the negative.

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

19 Senator Cleare on the nomination.

20 SENATOR CLEARE: Thank you,
21 Madam President.

22 I rise to give my support to
23 Dr. Mary Bassett as the Commissioner of our
24 New York State Health Department. We are so
25 fortunate to have someone like Dr. Bassett with

1 the expertise, experience, empathy, racial and
2 social economic sensitivity that she has
3 demonstrated throughout her career.

4 New Yorkers are going through one of
5 the worst health crises ever. Having
6 Dr. Bassett at the helm of our state's health
7 agency gives me the confidence that all
8 New Yorkers will receive the best guidance and
9 information related to public health.

10 Recognizing issues like gun violence
11 as a health crisis, lack of housing, and her
12 commitment to transparency and equity, I look
13 forward to working with her and her office to
14 address the health issues and disparities that
15 plague many of our neighborhoods.

16 So I vote yes on Dr. Mary Bassett.
17 Thank you.

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

20 Senator Serino on the nomination.

21 SENATOR SERRANO: Thank you,
22 Madam President.

23 You know, I went into the
24 Finance Committee yesterday with high hopes that
25 we would hear from a new health commissioner with

1 a fresh perspective, an open mind, and a desire
2 to right the wrongs of the past administration.

3 Instead, I was totally disturbed to
4 hear Dr. Bassett answer that she made the
5 decision not to look back or, in her words,
6 unravel what happened with the former
7 administration in regards to the pandemic
8 response in nursing homes.

9 We cannot afford to repeat the
10 mistakes of the past, and that starts by
11 unraveling exactly what went wrong. And to have
12 accepted this job without even having read the
13 most controversial order of the pandemic, as she
14 claimed during the committee meeting yesterday,
15 simply defies logic. By the way, that order is
16 only one page long. One page.

17 For too many New York families who
18 were impacted by the state's horrible pandemic
19 policies, they don't get the luxury of not
20 looking back. Too many of them are reliving
21 their nightmare every day, and they are
22 desperately seeking answers and closure.

23 I understand Dr. Bassett's desire to
24 look forward and move into the future. We all
25 share that desire. But in order to do that

1 effectively, as all scientists know, we have a
2 duty to evaluate and learn from past practices.

3 I hope that Dr. Bassett reconsiders
4 her response and stance on this. But due to her
5 opposition to taking this basic step, I'll be
6 voting no today. And I can only hope that
7 Dr. Bassett finds it in her heart to do the right
8 thing by these families and by the healthcare
9 heroes who put their lives on the line and were
10 the ones who held the hands of residents and
11 comforted them as they took their last breath,
12 after the state had shut their families out.

13 Thank you, Madam President.

14 ACTING PRESIDENT MAYER: Thank you,
15 Senator Serino.

16 Senator Borrello on the nomination.

17 SENATOR BORRELLO: Thank you,
18 Madam President.

19 I certainly agree with
20 Senator Krueger that she is -- has an impressive
21 resume, Dr. Bassett, and that she is -- certainly
22 seems qualified. But this job is to be the chief
23 public health officer of New York State. Public
24 health should be something that's not
25 politicized. And unfortunately, what we've seen

1 is her taking some very political stances on what
2 should be a public health issue.

3 It has already been mentioned about
4 her support for injection sites and the
5 decriminalization of all illicit drugs. New York
6 State has been suffering with a crisis of
7 overdoses, people are dying literally every day,
8 and we have a public health official that
9 believes that we should be decriminalizing the
10 very drugs that people have succumbed to. That's
11 concerning for me.

12 She's also politicized the office
13 already by making a recommendation that doctors,
14 instead of looking at a patient individually,
15 based on -- solely on their need for lifesaving
16 therapeutics for COVID treatment, that we should
17 consider superficial issues like the person's
18 skin color or ethnicity. And while those are
19 certainly factors from an epidemiological
20 standpoint, at the end of the day doctors are
21 supposed to deliver lifesaving medication to the
22 people that need it the most, and not based on
23 superficial determinations.

24 And then we hear talk about creating
25 an Office of Gun Violence within the Department

1 of Health. And when she was asked about this in
2 one of the hearings, she kind of cavalierly said,
3 but I'll have to come up with a different name
4 than the Office of Gun Control {sic}, because
5 some of our legislators are allergic to talking
6 about gun violence.

7 Not only was that a divisive comment
8 to the people that were supposed to be voting on
9 her nomination, it's quite frankly pretty untrue.
10 We all would like to talk about gun violence.
11 Where we differ is what causes the gun violence.
12 I firmly believe it's the people behind the
13 gun -- the people that we're not putting in jail,
14 the people that we're letting out over and over
15 again.

16 What is the public health answer to
17 revolving-door criminal justice? I suggest that
18 this is not a public health issue but is a poor
19 policy issue that has been spread like a disease
20 by this body.

21 So I would ask Dr. Bassett to set
22 aside the politics, her far left background, and
23 instead focus on the very important job of
24 protecting the health and welfare of New Yorkers.
25 Which by the way, has been cratered in the last

1 two years in this pandemic, and also with the
2 very bad policies that have come out of Albany.

3 So I'll be voting no, but still
4 being hopeful that she can turn that ship around.

5 Thank you.

6 ACTING PRESIDENT MAYER: Senator
7 Lanza on the nomination.

8 SENATOR LANZA: Thank you,
9 Madam President.

10 I rise in opposition to this
11 nomination.

12 I agree with my colleagues on this
13 side of the aisle and with Senator Krueger in
14 terms of the credentials that Dr. Bassett brings
15 to the table, if you will. They are without
16 question impressive. She's eminently qualified
17 in terms of credentials.

18 And listening to Senator Jackson, my
19 good friend, speak from a personal point of view
20 in terms of knowing her as a good and honorable
21 person, well if Senator Jackson says so, that's
22 good enough for me. I take him at his word.

23 And those are important
24 qualifications for anyone we consider in terms of
25 serving the State of New York and the people.

1 But as Senator Boyle mentioned, and
2 Senator Borrello, perhaps the most important
3 function from the Commissioner of Health in the
4 State of New York is to set policy concerning
5 health. And, you know, by the numbers in terms
6 of what has happened during this pandemic here in
7 New York, the New York State Health Department
8 has failed the people of New York miserably.

9 The Department of Health here in
10 New York has done a better job destroying
11 businesses and families than it has destroying
12 the COVID virus. The Department of Health and
13 the administration's policies over the last two
14 years has done a better job in depriving students
15 from one end of the State of New York to another
16 of an adequate, safe, fair, quality education
17 than it has in saving lives.

18 And listening to Dr. Mary Bassett,
19 she's telling the people of New York that not
20 only is she not going to alter the course in
21 terms of policy here in New York concerning the
22 COVID pandemic, but she's going to double down.
23 Double down with mandates that have failed the
24 people of New York. Double down on vaccine
25 mandates for 5-year-olds and 6-year-olds, as

1 Senator Boyle said, for students all the way out
2 to September, when we don't know what's going to
3 be happening with this pandemic.

4 But here's what we do know today.
5 In New York over the last several months we have
6 seen record numbers of COVID-19 cases. That is
7 after all those mandates. That is after the
8 majority of the population being vaccinated.
9 Before vaccinations we had a number of cases;
10 after vaccine mandates, the number of cases in
11 New York have exploded. You cannot get around
12 those numbers.

13 It seems to me that intelligence
14 would dictate that we analyze what it is we're
15 doing, because what we are doing is not working.
16 By the numbers. We've had an explosion of COVID
17 cases here in New York, record numbers of cases.
18 And she wants to keep doing exactly the same
19 thing, which clearly is not working.

20 And there's one thing that has been
21 mentioned that for me perhaps even stands above
22 all that in terms of why I unfortunately cannot
23 support this nomination. The number-one cause of
24 death for people under the age of 50 in the State
25 of New York is not COVID. Not by a long stretch.

1 It's drug overdose. That is what is killing
2 New Yorkers every single day. And we've become a
3 sanctuary state for, among other things,
4 Fentanyl, which is taking more lives every single
5 day -- and it's usually people who are just at
6 the beginning and the start of their lives.

7 And so what does the commissioner,
8 the soon-to-be Commissioner of Health want to do
9 about that? She wants people to be able to walk
10 into an office and be handed a needle by the
11 government of the City of New York and the State
12 of New York and be allowed to put poison in their
13 arms. While the good government of the State of
14 New York, the good Health Department of the City
15 of New York, the good Health Department of the
16 State of New York stands by and watches.

17 One of the reasons I've heard in
18 support of this policy is because at least we'll
19 get them off the street. I guess it's a little
20 tough to look at if you live in Manhattan. You
21 don't want to really be bothered by the prospects
22 of walking by -- past someone who is in the
23 throes of addiction, who more than anything else
24 needs you to help them, needs the Health
25 Department of the City of New York and the State

1 of New York to help them, not tuck them away out
2 of sight and give them poison.

3 And then I had to cry after the
4 first day that that sick center was opened, that
5 the people who support it like Dr. Mary Bassett
6 cried victory. Because in the first day they
7 said five people were saved. Here's what they
8 define as saved. Five people under supervision
9 in these needle sites overdosed, convulsed, were
10 seconds away from dying. All under the watchful
11 eye of the State of New York's Department of
12 Health. All under the watchful eye of these
13 compassionate supervisors. And so they
14 administered Narcan and they saved them, they
15 picked them off the floor, and they said what a
16 success.

17 Dr. Mary Bassett, the New York City
18 Health Commissioner, the State of New York, is
19 effectively saying if you're struggling with
20 addiction, we've given up on you. You don't
21 matter enough for us to roll up our sleeves and
22 save your life. Go and die, just die with a
23 clean needle.

24 This alone, to me, says the world is
25 so upside down that perhaps we are lost in the

1 State of New York. But we can't keep doubling
2 down on things that don't work. And we can't
3 give up on each other. And we can't tell people,
4 you're addicted, here's a clean needle, go put
5 poison in your arms. And that's what
6 Dr. Bassett is saying is okay.

7 And of all the reasons for me, that
8 is the primary reason why I unfortunately,
9 Madam President, cannot support this nomination.

10 ACTING PRESIDENT MAYER: The
11 question is on the nomination.

12 All those in favor signify by saying
13 aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT MAYER: Opposed,
16 nay.

17 (Response of "Nay.")

18 ACTING PRESIDENT MAYER: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Commissioner of the Department of Health Dr. Mary
22 Bassett, the following Senators voting in the
23 negative: Senators Akshar, Borrello, Boyle,
24 Gallivan, Griffo, Helming, Jordan, Lanza,
25 Martucci, Mattera, Oberacker, O'Mara, Ortt,

1 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
2 Weik.

3 Ayes, 43. Nays, 20.

4 ACTING PRESIDENT MAYER: The
5 nominee is confirmed, Dr. Mary Bassett, as
6 Commissioner of the New York State Department of
7 Health.

8 The Secretary will continue to read.

9 ACTING PRESIDENT MAYER: As chair
10 and CEO of the Metropolitan Transportation
11 Authority, John "Janno" Lieber.

12 And as a member of the Metropolitan
13 Transportation Authority Elizabeth Velez.

14 ACTING PRESIDENT MAYER: Senator
15 Krueger.

16 SENATOR KRUEGER: Thank you very
17 much, Madam President.

18 I rise to move the nomination of
19 both Janno Lieber and Elizabeth Velez to the
20 floor.

21 Please recognize any Senator wishing
22 to speak on the nominations, and then I will come
23 back to close.

24 Thank you, Madam President.

25 ACTING PRESIDENT MAYER: Senator

1 Kennedy on the nominations.

2 SENATOR KENNEDY: Thank you,
3 Madam President.

4 First of all, I'd like to recognize
5 and thank Governor Hochul for bringing such a
6 wonderful nominee to the floor for confirmation
7 here today, Elizabeth Velez, as a member of the
8 board of the MTA.

9 I also want to thank Majority Leader
10 Andrea Stewart-Cousins for fast-tracking this
11 nomination, our great head of the Finance
12 Committee, Senator Krueger, and the head of the
13 Committee on Corporations and Authorities, our
14 colleague Senator Comrie.

15 Yesterday we hosted a three-way
16 meeting between our committees and that that I
17 chair, Transportation, and Ms. Velez came before
18 us and spoke very eloquently about her vision for
19 the future of the MTA.

20 Her work in construction, her work
21 in the City of New York, her leadership role on
22 many different organizations, the diversity that
23 she brings to the table, both gender and ethnic
24 diversity, is very much welcomed to the board of
25 the MTA. Her commitment to work with organized

1 labor, to ensure that the workforce has that
2 voice on the board, was met with great support.

3 And again, her willingness to
4 communicate with each and every one of us that
5 represent the region of the MTA and those of us
6 that do not -- because we know the significance
7 that the MTA system plays not just in the economy
8 of the tristate area and downstate New York and
9 the MTA region, but certainly that of the economy
10 of our entire state, and of course is the
11 lifeblood and the heartbeat of the economy of our
12 entire nation.

13 So with that, I'd like to second the
14 nomination of Ms. Elizabeth Velez and count my
15 vote in the affirmative.

16 Thank you, Madam President.

17 ACTING PRESIDENT MAYER: Senator
18 Krueger on the nomination.

19 SENATOR KRUEGER: Thank you very
20 much.

21 So I want to thank Senator Kennedy
22 and Senator Leroy Comrie, who participated in a
23 three-committee extended meeting yesterday, much
24 of it taken up by asking questions of both
25 Janno Lieber and Elizabeth Velez.

1 And what was clear was how important
2 this organization, the MTA, is to New Yorkers not
3 just from the 12-county region that the MTA
4 oversees public transportation in, but across the
5 board in the State of New York. The recognition
6 that whether we rise or fall as a 21st-century
7 state, whether our economy comes back, whether
8 workers can move from Point A to Point B, whether
9 businesses want to stay here or move here is all
10 heavily dependent on the Metropolitan
11 Transportation Authority.

12 And the facts also were clear this
13 agency is under enormous stress and strain,
14 structurally and financially, and that we need to
15 help it get past all of this for all of our
16 constituents' sake.

17 And you sometimes wonder why there
18 are people like Janno Lieber or Elizabeth Velez
19 who want these jobs. Ms. Velez, it's not even a
20 paying position. And actually Mr. Lieber came
21 out of the private sector, where I'm quite sure
22 he was making more money than he does at the MTA.

23 These are 24/7 jobs with enormous
24 responsibilities. And guess what? And it was
25 reflected in the questions. Pretty much

1 everyone's always angry at them, because
2 everybody thinks that the MTA isn't working for
3 them and must be working for someone else. And
4 the truth is it struggles along with problems for
5 everyone, whether you're a rider on the
6 Long Island Rail Road or Metro-North or you're a
7 New York City resident taking the subway or the
8 bus every day or wondering why there aren't any
9 subways or buses that come to where you live or
10 go to where you need to get.

11 And so I find that both of these
12 individuals are extraordinarily impressive,
13 extraordinarily right for the jobs that they're
14 being asked to continue to do -- because Janno
15 Lieber has been in this position for an acting --
16 as the acting head for quite a while now. And I
17 just think that the people of New York and the
18 people of this Senate actually should be thanking
19 them for their willingness to actually take on
20 jobs where their job description includes "and be
21 abused by people."

22 And it's not that people want to be
23 mean, but they're upset because if they don't
24 have a functioning public transportation system,
25 it impacts everyone's lives on a daily basis.

1 And they want it to be better, they need it to be
2 better -- we all need it to be better.

3 And we, the Legislature of the State
4 of New York, need to be committed, as if with one
5 voice, to helping them accomplish their goals.
6 And I think it's critical that we have faith in
7 the people running that agency to be giving us
8 the direction of what they need us to do for us
9 all to accomplish these shared goals.

10 And so it is my pleasure to be
11 asking everyone in this chamber to vote yes on
12 both of these nominees.

13 Thank you, Madam President.

14 ACTING PRESIDENT MAYER: Thank you,
15 Senator Krueger.

16 The question is on the nomination of
17 Elizabeth Velez to the board of the MTA.

18 All those in favor signify by saying
19 aye.

20 (Response of "Aye.")

21 ACTING PRESIDENT MAYER: Opposed,
22 nay.

23 (No response.)

24 ACTING PRESIDENT MAYER: Call the
25 roll on the nomination of Elizabeth Velez.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Member of the Metropolitan Transportation
6 Authority Elizabeth Velez, those Senators voting
7 in the negative are Senators Akshar, Helming and
8 Tedisco.

9 Ayes, 60. Nays, 3.

10 ACTING PRESIDENT MAYER: The
11 nomination of Elizabeth Velez to the board of the
12 Metropolitan Transportation Authority is
13 confirmed.

14 Senator Krueger on the nomination of
15 John Lieber.

16 SENATOR KRUEGER: Thank you.

17 So originally the paperwork sort of
18 happened together, but we need to vote
19 separately.

20 So I now want to move the nomination
21 of Janno (John) Lieber as the head of the MTA.

22 And I don't know whether anyone
23 would like to speak -- I believe Senator Kennedy
24 also would like to speak on Mr. Lieber.

25 Thank you, Madam President.

1 ACTING PRESIDENT MAYER: Senator
2 Kennedy on the nomination of John Lieber.

3 SENATOR KENNEDY: Thank you once
4 again, Madam President.

5 And again, it bears repeating, I
6 want to start by thanking the Governor for
7 bringing such an exceptional candidate to the
8 floor of the Senate today for consideration for
9 confirmation in John "Janno" Lieber.

10 I want to thank the Majority Leader,
11 Andrea Stewart-Cousins, again for fast-tracking
12 this process, as well as the chair of Finance,
13 Liz Krueger, and the chair of Corporations and
14 Authorities, Senator Comrie, both for their hard
15 work, dedication, focus and partnership in moving
16 this through as I again, as chair of
17 Transportation, played a hand in moving this
18 process through to today.

19 I say Janno Lieber is exceptional in
20 the truest sense of the word. And I'm thrilled
21 that we have such an individual with great
22 history and commitment to the City of New York,
23 to the MTA region, to the State of New York, and
24 to our country.

25 Now, he started his career with Ed

1 Koch, went on to work with the Clinton
2 administration in transportation, and then
3 oversaw the rebuild of the World Trade Center
4 site before being named to the head of
5 construction and development at the MTA.

6 So we've been working with Janno
7 Lieber in a number of different capacities for
8 many years in government. So I have had the
9 great opportunity to work and meet with him on so
10 many different occasions prior to his work with
11 the MTA.

12 But over the course of the last five
13 years that we've worked together with the MTA,
14 the vision of the reconstruction of the MTA has
15 been taking root. And so major projects that he
16 has overseen -- the East Side Access project; the
17 Penn redesign; the Second Avenue Subway redesign,
18 now coupled with Governor Hochul's new bold
19 vision for the Interborough Express; the
20 completion of existing Penn and the Gateway
21 project -- are going to be monumental projects
22 through part of a \$55 billion capital investment
23 that the MTA is undertaking over the next several
24 years, only because of the diligence and the work
25 of this house and this Legislature, in concert

1 with the leadership of the MTA, that Mr. Lieber
2 played such an intimate role in.

3 There's so much more that I could
4 talk about as far as the construction goes. You
5 know, whether we talk about the Long Island Rail
6 Road and Metro-North, whether we talk about all
7 of the projects that are going to be undertaken
8 to implement the new bridge system, the new
9 signal system. There is so much work that needs
10 to be done, tangible evidence of construction and
11 investment, now coupled with an investment from
12 the federal government.

13 We're excited about the future of
14 the MTA and what it's going to look like from
15 daily use and bringing it into the next century.
16 It started in 1904, the first subways began. So
17 we're talking about a system 118 years old that
18 needs critical investment. And we talk about
19 things like accessibility issues and so many
20 other issues that need that investment. There's
21 no question in our minds, based upon his
22 experience and work already with the MTA, that
23 Mr. Lieber is right for that aspect of the job.

24 But it doesn't end there. That's
25 just the tip of the iceberg. It's essential that

1 we have a system that works for the riders, most
2 importantly. That people have confidence in
3 their ride to and from work, to and from home,
4 whether they're coming from the Island, whether
5 they're coming from the Hudson Valley, whether
6 traversing within the five boroughs. Outer
7 borough transportation issues have been an issue,
8 the transit deserts. We could go on and on.
9 There are issues aplenty.

10 And the riders need to know that the
11 individual at the helm has their best interests
12 in mind. Mr. Lieber has proven that, and
13 yesterday through the marathon session answered
14 all of the questions to the support of our
15 respective committees.

16 There are many more issues that need
17 to be addressed, whether we're talking about west
18 of Hudson issues, whether we're talking about the
19 expansion of bus rapid transit, whether we're
20 talking about the safety issues. And we call to
21 mind the poor soul of Michelle Alyssa Go, who was
22 killed just this past week at the Times Square
23 station. We're all heartbroken. We all have to
24 do better. We all must demand better.

25 We know, with the work of Janno

1 Lieber and the commitment that he's given us, he
2 will ensure that the MTA does better.

3 That all being said, it was very
4 important to myself and our colleagues here that
5 the labor issues were addressed and continue to
6 be addressed. Firsthand, front and center, is
7 that we have a commitment to work with organized
8 labor, the representatives and the leadership
9 that represent the tens of thousands of workers
10 in the system, to make the system go each and
11 every day. The heroes everyday, the men and
12 women of organized labor, the men and women that
13 make that system function on a daily basis, that
14 we all depend upon.

15 It is extremely important to us that
16 we have a partner in that leadership role, and
17 Janno Lieber has committed to us and he has
18 committed to labor to work to ensure that the men
19 and women of that system that make it function
20 everyday have that voice in the process.

21 So with all of that said, there is
22 much to do. There is much responsibility. And
23 certainly we are all going to continue to work to
24 make the system the greatest system in the world.
25 And we ensure, by putting forward Mr. Lieber's

1 nomination today and confirming him, that that
2 process continues.

3 With that, Madam President, I second
4 the nomination. And please count my vote in the
5 affirmative for Janno Lieber as chair of the MTA.

6 Thank you.

7 ACTING PRESIDENT MAYER: Thank you,
8 Senator Kennedy.

9 The question is on the nomination of
10 John "Janno" Lieber as chair and CEO of the
11 Metropolitan Transportation Authority.

12 All those in favor signify by saying
13 aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT MAYER: Opposed,
16 nay.

17 (Response of "Nay.")

18 ACTING PRESIDENT MAYER: Call the
19 roll on the nomination of John "Janno" Lieber.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT MAYER: Announce
22 the results.

23 THE SECRETARY: In relation to the
24 nomination of John "Janno" Lieber as Chair and
25 CEO of the Metropolitan Transportation Authority,

1 those Senators voting in the negative are
2 Senators Akshar, Helming, Lanza, Ortt, Serino and
3 Tedisco.

4 Ayes, 57. Nays, 6.

5 ACTING PRESIDENT MAYER: The
6 nominee, John "Janno" Lieber, as chair and CEO of
7 the Metropolitan Transportation Authority, is
8 confirmed.

9 Senator Gianaris.

10 SENATOR GIANARIS: Is there any
11 further business at the desk?

12 ACTING PRESIDENT MAYER: There is
13 no further business at the desk.

14 SENATOR GIANARIS: I move to
15 adjourn until Monday, January 24th, at 3:00 p.m.,
16 intervening days being legislative days.

17 ACTING PRESIDENT MAYER: On motion,
18 the Senate stands adjourned until Monday,
19 January 24th, at 3:00 p.m., with the intervening
20 days being legislative days.

21 (Whereupon, at 12:45 p.m., the
22 Senate adjourned.)
23
24
25