

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 24, 2022

11 11:17 a.m.

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13
14 REGULAR SESSION

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16
17 SENATOR SHELLEY B. MAYER, Acting President

18 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT MAYER: West Point
9 Chaplain Captain Raymond Akeriwe will give the
10 invocation.

11 CHAPLAIN AKERIWE: Let us pray.

12 Almighty God, here we stand before
13 You in this august Senate. We ask Your blessing
14 on our nation, on our leaders, and especially
15 those gathered here today.

16 Bless this chamber and all who work
17 here. Imbue in it Your spirit's presence,
18 enlighten the hearts of our Senators, and grant
19 them wisdom, discernment, Your Holy Spirit's
20 discernment, that they may have the heart of a
21 good shepherd, to be good stewards of this
22 mission to which You have called and conferred on
23 each of them.

24 May they never forget the dignity
25 and awe with which You created man. May the laws

1 they consider be just, fair and productive. May
2 they respect human dignity, and may they have at
3 their core the common good of the citizens of
4 this state.

5 May they continue to be selfless in
6 their giving of self, but most especially may
7 integrity be their creed.

8 Bless this long-standing friendship
9 between this State Senate and the United States
10 Military Academy at West Point. May we continue
11 to build the legacy left for us and find mutual
12 benefit in this ongoing relationship.

13 God bless the New York State Senate,
14 God bless the United States Military Academy,
15 God bless the United States Army, which we all so
16 proudly serve, and God bless our nation and the
17 work of our hands.

18 Amen.

19 (Response of "Amen.")

20 ACTING PRESIDENT MAYER: Reading of
21 the Journal.

22 THE SECRETARY: In Senate,
23 Wednesday, March 23, 2022, the Senate met
24 pursuant to adjournment. The Journal of Tuesday,
25 March 22, 2022, was read and approved. On

1 motion, the Senate adjourned.

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

4 Presentation of petitions.

5 Messages from the Assembly.

6 The Secretary will read.

7 THE SECRETARY: Senator Parker
8 moves to discharge, from the Committee on Energy
9 and Telecommunications, Assembly Bill Number 7987
10 and substitute it for the identical Senate Bill
11 7087A, Third Reading Calendar 714.

12 ACTING PRESIDENT MAYER: So
13 ordered.

14 Reports of standing committees.

15 Reports of select committees.

16 Communications and reports from
17 state officers.

18 Motions and resolutions.

19 Senator Gianaris.

20 SENATOR GIANARIS: Good morning,
21 Madam President.

22 We're going to begin by taking up
23 previously adopted Resolution 2118, by
24 Senator Skoufis. We're going to read that
25 resolution's title, and we're going to start by

1 having Leader Stewart-Cousins address us on the
2 resolution.

3 ACTING PRESIDENT MAYER: The
4 Secretary will read.

5 THE SECRETARY: Senate Resolution
6 2118, by Senator Skoufis, memorializing Governor
7 Kathy Hochul to proclaim March 24, 2022, as
8 West Point Day in New York State.

9 ACTING PRESIDENT MAYER: Leader
10 Stewart-Cousins on the resolution.

11 SENATOR STEWART-COUSINS: Thank you
12 so much, Madam President.

13 I want to first thank you,
14 Senator Skoufis, for bringing this resolution
15 forward. But I really, really want to thank our
16 guests.

17 Chaplain Captain Raymond Akeriwe,
18 thank you for your beautiful prayer and your
19 blessing. It is most welcome and most needed.

20 And of course we'll be hearing from
21 Colonel Kwenton Kuhlman after the proceedings,
22 but you honor us and grace us by being here.

23 Thank you so much, all of you, for
24 being part of this amazing day.

25 I love this day. And this day has a

1 70-year history in this chamber. It transcends
2 leadership and leaders and so on because of the
3 value that you bring to the State of New York, to
4 the nation, and to the world.

5 The concept of this great
6 institution dates back to President George
7 Washington. It was created under President
8 Jefferson and formalized by Brigadier General
9 Sylvanus Thayer. West Point has become
10 synonymous with Eisenhower and Patton, Bradley,
11 Ulysses S. Grant, "Black Jack" Pershing, the
12 first female graduate, who shared my first name,
13 Andrea Hollen, and of course here in this chamber
14 the late, great Colonel William Larkin -- and so
15 many others.

16 And I look at this class of young
17 cadets and I see the same dedication, courage,
18 and honor that West Point has cultivated over the
19 centuries. Despite the uncertainties that we may
20 face, you've all taken decisive action to be a
21 positive force in the journey ahead.

22 I hope that you know we're
23 incredibly proud of you, and I hope that you also
24 feel incredibly proud of what you represent in
25 your accomplishments.

1 As many in this chamber know, I
2 have, you know, a military family. My dad was a
3 decorated World War Two veteran. My brother
4 served in the Marines in Vietnam. And they set
5 an example for me and our family of what service
6 looks like -- the bravery, the selflessness has
7 profound effects on me and my life and my
8 children and their children.

9 And it's a reminder of how important
10 it is for us to invest in ensuring the greater
11 good. I know that's what you represent here
12 today, that your accomplishments prove your
13 conviction and underscores the commitment to do
14 just that, to manifest the greater good.

15 The path forward may not always be
16 easy, but it certainly is worthwhile. With every
17 challenge that we face lies an opportunity to
18 strengthen our resolve and dig deeper on the
19 values that we hold dear.

20 I hope and wish that your strength
21 going forward will be not only, you know,
22 important to you, but will continue to positively
23 influence all around you. And while I'm thinking
24 about that, I'm thinking about the moment that we
25 are in. You know, although many of us here have

1 had, again, exposure to the military, family
2 members in the military, people who have
3 served -- as I said, my dad and my brother served
4 in wars -- I know, however, that none of us have
5 watched the unfoldment of war on a day-to-day
6 basis in the way that we are watching the horror
7 of the tragic war in Ukraine.

8 And that's why your presence here in
9 this chamber today really resonates on such a
10 deep, deep level. Because as we watch this, as
11 we hold our great nation and our democracy so
12 dear, we know that the difference in our nation
13 being free and being as great as it is is because
14 of people like you -- people who are on the front
15 line, who are willing to give of their lives for
16 their fellow man, for the greater good,
17 regardless of what that means.

18 Your being here today underscores
19 what it is that we must protect and we must
20 preserve and we must respect and celebrate.

21 So I, for one, will promise that on
22 behalf of the Senate that we will continue to
23 work on your behalf, and that we will always back
24 our words, our passionate words, with real action
25 that will protect you as you do the work that you

1 have to do.

2 So again, I thank you, I
3 congratulate you. You inspire all of us. I hope
4 you have a wonderful day here. You're going to
5 go to the Assembly, you're going to come back
6 here to eat. And we'll take pictures and we will
7 again continue to celebrate you and wish you the
8 best as you hold our highest values in front of
9 everyone.

10 I know your parents, your families
11 are proud, and just know that you have a loving
12 and proud family here as well.

13 So thank you so much,
14 Madam President.

15 ACTING PRESIDENT MAYER: Thank you,
16 Leader Stewart-Cousins.

17 Senator Skoufis on the resolution.

18 SENATOR SKOUFIS: Thank you very
19 much, Madam President.

20 And thank you, Madam Majority
21 Leader, for hosting this auspicious day and your
22 eloquent words.

23 It is wonderful to be back here in
24 the chamber with West Point cadets after a
25 two-year absence due to the pandemic. Welcome to

1 all of you.

2 Before I get to my remarks, I do
3 have the privilege of acknowledging and welcoming
4 the officers who accompanied the cadets, as well
5 as a few special thanks.

6 First, as we heard from just a
7 moment ago, Chaplain Captain Raymond Akeriwe.
8 We're also joined by Colonel Kwenton Kuhlman,
9 Director of the Simon Center for the Professional
10 Military Ethic; Lieutenant Colonel Beth Smith,
11 Public Affairs Officer; Sergeant First Class
12 Luisito Brooks, Non-Commissioned Officer in
13 Charge; Captain Nicholas Tritone, United States
14 Corps of Cadets, Tactical Officer, Company C-4;
15 Jim Fox, United States Military Academy Community
16 Engagement Chief.

17 And I also want to express thanks to
18 another cohost, Senator John Brooks, who I think
19 we'll hear from in just a few moments, as chair
20 of the Veterans Affairs Committee, as well as
21 Gary Ginsberg and his team in Senate Services, as
22 well as the indomitable Secretary of the Senate,
23 Ale Paulino, who this day would not have happened
24 without her support and her team.

25 So on the resolution,

1 Madam President.

2 It is my great honor and privilege
3 to rise today as the Senator from the
4 39th District, home to the United States
5 Military Academy at West Point. West Point's
6 long and decorated history along the Hudson River
7 dates back to the American Revolution.

8 Conceived by President Washington at
9 a time of great uncertainty for a budding
10 democratic nation, West Point stands as a beacon
11 of duty, honor and country and has launched the
12 careers of some of America's finest military and
13 civilian leaders.

14 In preparing to greet these young
15 cadets today, my mind also couldn't help but
16 consider what's happening in Eastern Europe. As
17 we watch what's unfolding in Ukraine, I am struck
18 by the unity and indefatigable resolve of the
19 Ukrainian people. Their fight is one borne not
20 just of necessity, but of pride -- in their
21 homes, in their heritage, in the democratic
22 ideals they're battling so diligently to protect.

23 Though we're a world away, I know
24 that the same pride and patriotism courses
25 through each of us. If met with an existential

1 threat akin to Russia's brutal, foolhardy
2 display, I have no doubt that the American people
3 would cast aside our differences, however
4 unbridgeable they may seem from time to time, in
5 defense of our democracy -- and we would be led
6 by the cadets we see before us.

7 These young men and women represent
8 the bright future of American diplomacy and
9 strength. As a representative in this hallowed
10 chamber, I believe I can safely speak for all of
11 my colleagues in vowing to never lose sight of
12 their sacrifices -- past, present or future --
13 and their commitment to defend the hard-won
14 freedoms we so often unfortunately take for
15 granted.

16 Cadets, my colleagues and I are
17 profoundly grateful to each of you for dedicating
18 your lives to our liberty, whether in peace or in
19 peril. We hope this day serves as a small token
20 of our gratitude. Know that the lawmakers
21 gathered before you respect and honor your
22 service.

23 Thank you. And of course, Go Army,
24 Beat Navy!

25 (Laughter.)

1 SENATOR SKOUFIS: Thank you,
2 Madam President.

3 ACTING PRESIDENT MAYER: Thank you.
4 Senator Skoufis, thank you.

5 It is now my pleasure to introduce
6 Colonel Kwenton Kuhlman, director, Simon Center
7 for the Professional Military Ethic.

8 Please join us.

9 COLONEL KUHLMAN: President
10 Pro Tem and Majority Leader Stewart-Cousins,
11 Senator Skoufis, Senator Brooks, Senate Services
12 Director Ginsberg and his team of coordinators,
13 and other members of this distinguished Senate.
14 Good morning, and thank you for having us here
15 today.

16 My name is Colonel Kwenton Kuhlman,
17 and on behalf of our superintendent, Lieutenant
18 General Darryl Williams, I am honored to address
19 you this morning on behalf of the entire team at
20 the United States Military Academy. We thank you
21 for this recognition.

22 I'm joined today by Cadet Diego
23 Soto, Second Regimental Commander in the Corps of
24 Cadets, and eight cadets from across New York
25 State, representing more than 4,000 members of

1 the Corps of Cadets, 275 of whom call the
2 Empire State home.

3 It is wonderful to be able to join
4 you in person for the first time in several
5 years. COVID impacted us all profoundly the last
6 two years. The leaders at West Point wish to
7 express our appreciation for the support we
8 received throughout the pandemic from state,
9 local and county leaders in New York. The spirit
10 of collaboration and cooperation made
11 successfully navigating COVID possible.

12 Throughout our history, New Yorkers
13 have stepped forward to do their duty, to serve
14 their country and stand in the gap in defense of
15 this great nation.

16 The day I in-processed into the
17 82nd Airborne Division as a captain in 2004, my
18 paperwork was being completed by an enlisted
19 soldier, a specialist, who's normally fairly
20 young, but in this case was visibly older than
21 most -- white-haired, a person who had a bit of
22 life under his belt.

23 I recall asking, "Specialist, what
24 is your story? You're a bit older than most of
25 our troopers."

1 He proceeded to tell me that he was
2 an investment banker on Wall Street when 9/11
3 happened, and he knew that he had to do his part.
4 He walked away from a very lucrative job to serve
5 his nation during wartime.

6 His story and the story of other
7 selfless New Yorkers is the strength of our
8 nation. From the regiments of the New York Line
9 during the American Revolution to units like the
10 Fighting Irish of the 69th Infantry Regiment in
11 Iraq and Afghanistan, New Yorkers have fought and
12 served with valor and distinction, with some
13 making the ultimate sacrifice.

14 The United States Army has always
15 had a strong presence in New York, to include
16 West Point, from its early days as a strategic
17 garrison in the fight against the British in the
18 defense of the American colonies, to our role
19 today as the world's preeminent leader
20 development institution.

21 And just as West Point has been an
22 important thread in the fabric of the Empire
23 State, so too have New Yorkers been an important
24 thread in the fabric of West Point and the
25 Academy. In addition to the 275 cadets currently

1 attending, more than 7700 graduates -- nearly
2 10 percent of the Long Gray Line -- claim
3 New York as their birthplace, and many of them
4 have earned their place in the history books as
5 leaders not only in the Army, but in government,
6 business, academia and more.

7 Our mission at West Point is to
8 enhance the readiness of the United States Army
9 by developing leaders of character who are ready
10 to fight and win our nation's conflicts. This
11 very day, over 100 West Point graduates are
12 currently serving in Eastern Europe, to include
13 four battalion and brigade commanders.

14 Developing leaders of character
15 requires strong relationships and partnerships
16 with many outside stakeholders, particularly
17 those throughout New York State, which is really
18 what today is all about.

19 We would not be successful without
20 the tremendous support of state, local and county
21 leaders. A Staten Island Advance op-ed -- it was
22 published just today -- was written by Lieutenant
23 Colonel Adam Scher, and it highlights the
24 importance of those strong relationships.

25 Adam Scher is a West Point graduate

1 who was introduced on the floor of the State
2 Assembly as a cadet on West Point Day in 2004, at
3 the very event that we're attending today. Two
4 years later, he would find himself leading troops
5 in Iraq. And on 12 February, 2006, an enemy
6 sniper killed one of his soldiers,
7 Corporal Andrew Kemple.

8 Unfortunately, Andrew Kemple's
9 funeral in Minnesota was protested. Adam Scher
10 wrote Assemblyman Cusick about Corporal Kemple's
11 funeral experience, and Assemblyman Cusick then
12 sponsored, and Governor Paterson signed, a bill
13 protecting military funerals in the State of
14 New York.

15 This is just one example of the
16 powerful relationships that come from a day such
17 as this. And we'd like to thank this esteemed
18 body for helping preserve the dignity of our
19 service members and their families.

20 Our commitment to strong
21 partnerships means that we are also committed to
22 being good neighbors with towns and communities
23 across the state. We're always looking for ways
24 to connect and build relationships and partner
25 together on opportunities that will not only

1 enhance the leader development experiences at
2 West Point, but also benefit the communities as
3 well.

4 Military members are often thanked
5 for their service, but I'd like to take this
6 opportunity this morning to thank you for your
7 service. A strong civil-military relationship
8 and the mutual trust between the military and the
9 society it serves is a cornerstone for our
10 democracy.

11 On behalf of the entire West Point
12 community, and especially the men and women of
13 the Corps of Cadets, thank you for your continued
14 support and thank you for honoring us today. We
15 are greatly appreciative of your support.

16 Go Army!

17 (Standing ovation.)

18 ACTING PRESIDENT MAYER: Thank you,
19 Colonel Kuhlman.

20 And now next to speak, Senator
21 Brooks on the resolution.

22 SENATOR BROOKS: Thank you,
23 Madam President.

24 Thank you, Leader Stewart-Cousins,
25 our sponsor, Senator Skoufis. Thank you,

1 Colonel, for your remarks.

2 We are all very fortunate today to
3 be here with these young men and women who
4 represent a very unique segment of the
5 United States Army. As a veteran, West Point is
6 the cornerstone of the United States Army. As I
7 look up to you, I see the future leaders of the
8 United States Army.

9 In these days right now with the
10 situation here in this world, we are reminded so
11 vividly of why nations must retain an army, why
12 it must be prepared. And you will eventually
13 lead that army.

14 I congratulate you for being
15 accepted to one of the most outstanding
16 educational facilities in the world, West Point.
17 We thank you for the commitment that you're
18 making. And we take great comfort and pride in
19 the leadership that you will provide to the Army
20 following completion of your degree at
21 West Point.

22 All of us on the Veterans Committee
23 have worked hard to try to recognize all of our
24 veterans who have served this nation, and try to
25 address some of the needs they have. But we also

1 recognize the commitment you are making now and
2 the commitment you make to the future so that
3 this nation is fully protected and we can provide
4 defense of this nation in the kind of events that
5 we are seeing in the world today.

6 All of us pray for your safety and
7 the safety of all those that serve in the
8 military, and all of us look forward to your
9 continued growth and eventual leadership of this
10 nation, carrying on the great tradition of all
11 those who have gone through West Point and gone
12 out to lead this nation and this world.

13 Thank you very much for being here.
14 And once again, congratulations.

15 Thank you, Madam President.

16 ACTING PRESIDENT MAYER: Thank you,
17 Senator Brooks.

18 Minority Leader Ortt on the
19 resolution.

20 SENATOR ORTT: Thank you,
21 Madam President.

22 I want to thank, first of all, my
23 colleagues in the Majority for bringing this
24 resolution and for continuing this important
25 tradition. I think we can all agree it is one of

1 the better days we get to be a part of here in
2 the Senate chamber, in the Capitol, where we get
3 to thank and pay tribute and recognize the brave
4 men and women who run and operate the
5 United States Military Academy at West Point, but
6 also are reminded why some of the very best and
7 brightest that this nation has to offer, and that
8 this state has to offer -- who could go to any
9 school, who could pursue any career -- choose to
10 produce a career of service. Which I think
11 should resonate with all of us, because we have
12 chosen service to others, and they are choosing
13 the same.

14 And I want to thank them for being
15 willing to do so. I don't know that it's ever
16 been easy to raise your hand when you're 18 years
17 old and say, Send me. But I don't know that
18 it's -- I don't know that it's easy today.
19 There's a lot of other things going on out there
20 in the world, and there's a lot of things that
21 reinforce that it's all about you. But you get
22 it; it's not all about you.

23 And you only need turn on the news
24 today to remember the seriousness of the job, the
25 seriousness of the profession of arms that these

1 men and women are embarking on. Because this
2 isn't just about service or just about spending
3 time in the Army, the U.S. Military Academy at
4 West Point really is designed -- was founded --
5 to train the future leaders of the United States
6 military. That's why it exists. It's not just
7 there for all these folks to just go four years
8 and out. These are the future joint chiefs of
9 staff. Somewhere in there is the future DOD
10 secretary or the future leader of the United
11 States Army or the future leader of the
12 82nd Airborne or maybe SOCOM.

13 That's what West Point is designed
14 to do. It produces the future leaders and
15 visionaries who inform and advise Presidents and
16 Senators and members of Congress, the civilian
17 part of our government, on the best path forward
18 for our future soldiers, sailors, airmen and
19 marines.

20 And so that is a really awesome
21 responsibility. It's really an awesome thing to
22 think that someone sitting up there -- don't get
23 big heads, but someone sitting up there could be
24 the next joint chief of staff. But that's what
25 West Point was founded on.

1 And I'll just close by -- we all
2 have an image of West Point, and some of us I
3 know have been there. It's a great, great place
4 to go visit, a lot of history. But for me, I
5 happen to have -- I had one privilege to serve or
6 one opportunity to serve with a West Point
7 graduate in Afghanistan, Lieutenant Colonel James
8 Walton, Class of '89. He was absolutely the best
9 leader that I came across in the United States
10 Army. And at the time he could have been at a
11 cushy job -- and he was, at the Pentagon -- he
12 could have been in a cushy job -- and he was, in
13 Kabul -- but he wanted to be out on the front
14 lines. He wanted to be out where he thought, as
15 he said to his father in a letter home, he wanted
16 to be where he could do the most good.

17 So I would encourage all of you to
18 go be where you can do the most good. And I
19 would certainly think we could all remember that
20 phrase here in this role, in our jobs, to be
21 where we can do the most good.

22 So Madam President, thank you for
23 allowing me a few minutes to speak on the
24 resolution.

25 ACTING PRESIDENT MAYER: Thank you,

1 Senator Ortt.

2 Senator Martucci on the resolution.

3 SENATOR MARTUCCI: Thank you,
4 Madam President.

5 I want to begin by thanking my
6 colleague Senator Skoufis for bringing this
7 resolution to the floor, and the Majority for
8 continuing the tradition of this important day.

9 I'm proud to rise and speak in favor
10 of this resolution as we honor the cadets and
11 leadership from the Military Academy at
12 West Point.

13 I am very fortunate to represent a
14 portion of Orange County. And while my district
15 is not home to West Point, West Point certainly
16 plays a very important role in my district and in
17 the area that I was privileged to grow up.

18 You know, when I think of West Point
19 I can't help but think back to his speech to the
20 Corps of Cadets on May 12, 1962, when
21 General Douglas MacArthur paid tribute to the
22 Academy and its ideals with an eloquence and
23 brevity that I could never capture, so I will
24 quote his speech:

25 "Duty, honor, country -- those three

1 hallowed words reverently dictate what you ought
2 to be, what you can be, and what you will be.
3 They are your rallying points to build courage
4 when courage seems to fail, to regain faith when
5 there seems to be little cause for faith, to
6 create hope when hope becomes forlorn."

7 Create hope when hope becomes
8 forlorn. There's no better way to describe the
9 United States, the United States Army -- in fact,
10 all of our service members and what they bring to
11 this world. They represent freedom. They
12 represent hope. They stand against the enemies
13 of not only our country but also enemies to peace
14 of this world.

15 More than anything, I want to say
16 thank you, thank you to all of our service
17 members, including the cadets that are here with
18 us today.

19 I also want to pause for a minute to
20 say thank you and we miss you to someone who I
21 admire very much, someone who I personally knew,
22 and someone who cherished this day in a very big
23 way: Colonel Bill Larkin.

24 Colonel Larkin was one of the rare
25 kinds of politicians -- as we know, a Senator who

1 served right in this chamber who cared far more
2 about service that he did about politics. Bill
3 Larkin began his career at the age of 16 as a
4 private and saw combat in the Korean War as well
5 as during World War Two. He was a decorated
6 soldier, as we all know.

7 And on his final West Point Day in
8 this chamber in 2018, Colonel Larkin called this
9 day "A great day in our lives. Everyone should
10 be in this chamber giving respect to those
11 willing to put their life on the line for the
12 protection of this great country."

13 The leadership of West Point is
14 second to none. Colonel Larkin reminded us that
15 West Point is only for the elite, and he said:
16 "We're looking for the best of the best."

17 Indeed, Colonel Larkin was right,
18 Madam President. No one could have said it
19 better. The cadets of West Point are the best,
20 the very best our nation has to offer. And
21 Colonel Larkin was one of the greats of this
22 chamber.

23 There's no question that
24 Colonel Larkin's spirit dwells with us here
25 today -- but, more importantly, along the side of

1 every cadet, every man and woman at West Point.
2 May God bless Colonel Larkin. May God bless the
3 Corps of Cadets. May God bless the United States
4 military. And may God bless our great country.

5 Thank you, Madam President.

6 ACTING PRESIDENT MAYER: Thank you.

7 Senator Helming on the resolution.

8 SENATOR HELMING: Thank you,
9 Madam President. I rise today in support of this
10 resolution.

11 First I'd like to start by thanking
12 Leader Stewart-Cousins for continuing this
13 tradition of recognizing the United States
14 Military Academy Day here in the Senate chamber.
15 It's so incredibly important.

16 I also want to thank her for
17 recognizing Colonel Bill Larkin, who I had the
18 pleasure of serving with. Just an incredible
19 person.

20 To the members of the United States
21 Military Academy at West Point, welcome to the
22 Senate chambers. It's such a pleasure and a true
23 honor to have you with us today.

24 To the leaders who are here, I want
25 to thank you for the work that you do to educate

1 and to inspire our next generation of leaders.

2 Thank you for your tremendous commitment.

3 To the cadets, I want you to know
4 that your hard work and dedication are truly
5 inspiring, and your commitment to our country is
6 worthy of our recognition, our gratitude, and our
7 praise.

8 It's truly one of my greatest honors
9 as a New York State Senator to recognize all of
10 the men and women who have served or are serving
11 in the United States armed forces.

12 As a member of a military family, my
13 father was a U.S. Air Force veteran who served
14 during the Korean War. And I'm so proud of my
15 son-in-law, who was a 2011 graduate of the
16 United States Military Academy. Sorry, I get a
17 little choked up, I'm so proud. This is just --
18 it's truly a special day. It holds a special
19 place in my heart.

20 And to the cadets, I know
21 Graduation Day and Commissioning Day, it's not
22 that far out in the future for you. I want to be
23 one of the first to say congratulations to all of
24 you on this tremendous accomplishment.

25 Your future is so bright, and the

1 opportunities are endless. They're endless.
2 Being a West Point graduate has provided so many
3 life-enhancing opportunities for my son-in-law,
4 and I know it's going to do the same for you.

5 Traveling the world, you'll have
6 opportunities to lead, to train and to inspire
7 other soldiers and civilians. Attending
8 Ranger School, completing Captains Career Course,
9 becoming a member of the elite Special Forces,
10 pursuing advanced educational studies -- these
11 are just some of the many wonderful opportunities
12 you have to look forward to.

13 I'm eternally grateful to each and
14 every one of you here today. You are to be
15 commended for your patriotism, for selflessly
16 dedicating your lives to protecting our freedoms.
17 We thank you, we support you, and we are so proud
18 of you. May God bless all of you and your
19 families.

20 Madam President, just one more note
21 that I'd like to make. I'd like to give a
22 special shout out to McKenzie Schaertl. She's in
23 her second year at West Point. Her mother Donna
24 works in my district office. She's my case
25 manager. Two amazing women. But to McKenzie, I

1 wish you all the best.

2 Thank you, Madam President.

3 ACTING PRESIDENT MAYER: Thank you.

4 Senator Harckham on the resolution.

5 SENATOR HARCKHAM: Thank you very
6 much, Madam President.

7 I want to thank our Majority Leader
8 for hosting this event. I want to thank
9 Senator Skoufis for bringing forth the
10 resolution, Chairman Brooks for his continued
11 service chairing the Veterans Committee.

12 Welcome. I want to first of all
13 welcome all of you and welcome one of my
14 constituents, Cadet Giovanni Biondo, from Pound
15 Ridge, actually five minutes from where I live.
16 I'm in South Salem, you're in Pound Ridge. So
17 next time I have the grill fired up and you're
18 home, feel free to come over.

19 (Laughter.)

20 SENATOR HARCKHAM: I just want to
21 say I grew up in the shadows of West Point and
22 spent many, many fond Saturdays tailgating and
23 watching Army football, watching cadets parachute
24 into the 50-yard line, the parades, the
25 pageantry.

1 And my father was a World War Two
2 veteran, and my mother's father was a World War
3 One veteran, and there wasn't a lot of
4 conversation about what happened. But I think
5 bringing us to West Point on a regular basis was
6 a way of kind of passing on some family heritage,
7 as it were. And it was only as I got later in
8 life that all the pageantry was just an
9 expression of the values and the hard work that
10 you do there.

11 And as many colleagues have said,
12 you are the future leaders, not just of the
13 military but of this country. And it's at times
14 like this when we as civilians need to remember
15 how deadly serious the work you are doing is and
16 how vitally important the studies you are
17 undertaking right now are. And it's important
18 for you to know that we appreciate the sacrifices
19 you've made. As many people have said, you could
20 have gone into any field you wanted to, you could
21 be making money on TikTok. And instead --

22 (Laughter.)

23 SENATOR HARCKHAM: -- you've chosen
24 to serve your country in a real and meaningful
25 way and in a way that few of us will imagine as

1 you move forward in your careers.

2 So we just want you to know that we
3 value everything you're doing, we support you,
4 and we thank you.

5 God bless you. I vote aye.

6 ACTING PRESIDENT MAYER: Thank you,
7 Senator Harckham.

8 Senator Bailey on the resolution.

9 SENATOR BAILEY: Well, thank you,
10 Madam President. I have to follow Pete Harckham.

11 (Laughter.)

12 SENATOR BAILEY: I don't know about
13 TikTok. I don't even know how to download that.

14 (Laughter.)

15 SENATOR BAILEY: But what I do know
16 about is impressive leadership and bravery and a
17 laser-sharp focus that you have, knowing that you
18 want to save lives -- and you are saving lives,
19 whether you believe it or not. Your presence
20 here is saving lives. You are an inspiration to
21 those in your high school that you graduated
22 from. You are an inspiration to your classmates.
23 You are an inspiration to your family members.

24 There are many things in this state
25 and in this world that you have to be a certain

1 age to do. You have to be a certain age to play
2 the Lottery, to vote, to drink -- a number of
3 different things.

4 There is no age for leadership.
5 You're born a leader. And you are carrying your
6 leadership to West Point.

7 And I'm grateful for your sharp
8 focus, because folks like me who have never
9 served in the hallowed branches of the military,
10 we get to assume the freedoms and the great
11 liberties that you provide us -- make no mistake
12 about it, that you do provide us. Even though
13 you have not completed your term at West Point,
14 you are a part of the fabric of this country.

15 And make sure that you understand
16 that in every day that you're there. Because
17 when you're growing up the Bronx, New York, and
18 you see West Point, which you consider West Point
19 is -- you know, the football. And you know --
20 you haven't had the pleasure of tailgating, like
21 Senator Harckham. You know Army versus Navy.

22 But as you grow up and as you learn
23 and as you pay more attention to what's happening
24 in the world, you realize that your presence
25 saves us, your presence permits us the ability to

1 be on this very floor. Your presence, no pun
2 intended, is a gift to us.

3 And so in this chamber, under the
4 leadership of Andrea Stewart-Cousins -- and I
5 want to make sure I thank the Senator of the
6 area, Senator Skoufis, for bringing this
7 resolution and bringing you all here, and
8 Chairman Brooks -- in this chamber what we don't
9 do is just pay attention to veterans on
10 Veterans Day or Memorial Day.

11 Because quite frankly, to those who
12 have served, you're worth more than 10 percent
13 off at a restaurant or a free meal. What you do
14 for us is invaluable.

15 And what you will do, as Senator
16 Ortt mentioned, it's not possible. You speak
17 words, and you speak them into existence. They
18 say in my church if you -- you speak it into
19 existence. So one of you will be in those
20 hallowed ranks. One of you will be leading the
21 U.S. Army. But you have to believe it. The
22 beautiful thing about this is that we believe it.
23 Because we see it, and we're grateful for it.

24 And I just want to say, as I close,
25 the concept of freedom is a nebulous one. Right?

1 And the concept of leadership is also nebulous.
2 Leadership is really easy to do for people that
3 you know and people that you're friends with and
4 people that you kind of meet. Leadership is
5 impossibly difficult when you're doing things for
6 people that you will never meet.

7 What you are doing is remarkable
8 because the lives that you will save, you'll
9 never know them, they'll never know you. But you
10 know why you did it.

11 Thank you for doing what you do.
12 Thank you for coming today. God bless you all in
13 your future endeavors, and I look forward to
14 seeing you one day on that dais making similar
15 speeches.

16 Thank you, Madam President. I vote
17 aye.

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

20 Senator Mattera on the resolution.

21 SENATOR MATTERA: Thank you,
22 Madam President.

23 This is a very, very special day, a
24 proud moment for me. And I just want to commend
25 and thank Senator Skoufis and Leader

1 Stewart-Cousins for making sure this day is
2 possible for all of us to be here, especially
3 with these very special eight cadets that are
4 here for us, that are leaders, that are the
5 elite.

6 You know, I have somebody in my
7 district that I'm proud of that is here today,
8 and that is Cadet Jessica Desena. She's
9 actually, right now -- she is Army Intelligence.
10 She's a squad leader. You are definitely
11 somebody special to our community, that you make
12 sure that you are here for our future, to protect
13 us from harm's way.

14 With these unprecedented times that
15 we're going through, I can imagine what's going
16 through every cadet that's up there right now, to
17 sit down and say, You know what, the fear that is
18 going through our whole world and what's going
19 on -- we just went through a pandemic, that was
20 one thing, and now we're going through what's
21 happening with Ukraine and what's happening to
22 all people that we care about. And I just know
23 that you are our future, to serve and protect all
24 of us.

25 We are all proud of you, Jessica,

1 for what you have done -- not just when you went
2 to Centereach High School, soccer player,
3 fencing, violin player. We must -- your parents
4 and your family have to be so proud of you for
5 what you have accomplished.

6 You are an outstanding young woman
7 with a bright future, and again, to serve and
8 protect us. And that is so honorable, and I
9 appreciate that so much.

10 Again, I welcome you to the Senate
11 and I wish you the best as you achieve your
12 dreams. And again, thank you that you are going
13 to be serving in the U.S. Army after you
14 graduate.

15 So, Jessica, I want to say God bless
16 you and all you cadets. I want to say God bless
17 the U.S. Army and all military and all the
18 Americans that are serving, and especially God
19 bless the United States of America.

20 Thank you.

21 ACTING PRESIDENT MAYER: Thank you.

22 Senator Kennedy on the resolution.

23 SENATOR KENNEDY: Thank you,

24 Madam President.

25 I just want to rise and honor these

1 young men and women, these brave cadets from
2 West Point today.

3 I want to thank the Majority Leader
4 for bringing this resolution to the floor; to
5 Senator Skoufis for continuing this extraordinary
6 tradition as we honor the best of the best; of
7 course to Chairman Brooks, for his leadership as
8 it pertains to veterans. For him and Senator
9 Ortt and all the other veterans that have served
10 so nobly in the United States military, we thank
11 them.

12 To Colonel Kuhlman, thank you for
13 those wonderful words; to the chaplain, for
14 leading us in prayer.

15 You know, I come from a family of
16 veterans -- grandfathers who were veterans, a
17 great-uncle who died in World War Two, a father
18 who served in the U.S. Army. And as a son of the
19 American Legion, it's always been instilled in me
20 since I was a child the importance of honoring
21 our veterans, those that are serving today so
22 nobly abroad and domestically, as well as those
23 that have previously served. We have to honor
24 those that put the military uniform on and go
25 into battle.

1 I think some of the words of
2 Colonel Kuhlman, bringing up George Washington,
3 the fact that West Point was created upon the
4 creation, the bedrock or the foundation of the
5 State of New York and this country. You know,
6 oftentimes we take for granted the position of
7 the State of New York, the Empire State, and its
8 relationship to the United States of America --
9 leading our country in the Revolution, leading
10 our country in sending Union soldiers to war in
11 the Civil War. As was mentioned, the Fighting
12 69th, led by William Donovan from Buffalo, that I
13 represent. His congressional Medal of Honor
14 hangs in the armory in Manhattan at the Fighting
15 69th Infantry today, along with many other brave
16 recipients of that auspicious award.

17 We stand on your shoulders today,
18 like we stand on the shoulders of those that have
19 come before all of us, that have been the brave
20 men and women that have served this United States
21 military, that have given us the freedoms that we
22 celebrate here and that we take advantage of here
23 on this floor each and every day to serve the
24 democracy that you protect and that you have
25 given your life today, and sacrificed it, to go

1 out and nobly serve this country, to put your
2 life in harm's way so that we can make the laws
3 which govern this great democracy and this great
4 land in New York and across the United States of
5 America.

6 So thank you. Thank you for being
7 who you are. Thank you for being so brave.
8 Thank you for being so visionary and such great
9 leaders.

10 And I said, about Senator Skoufis
11 leading this today from his district, that
12 West Point represents the best of the best. You
13 can't just be a West Point cadet. You can't just
14 be a West Point graduate. We know, as many of my
15 colleagues here have already articulated, that
16 these that sit before us here today are those
17 leaders that we in our nation depend upon today
18 and into the future to protect our democracy. So
19 again, thank you.

20 And I heard Senator Harckham talk
21 about inviting all of us to his place when he has
22 that barbecue grill going in the summer. I just
23 want to say -- because I know Senator Harckham
24 very well -- I think that was a very backwards
25 way of saying that he wants to be invited to your

1 house when your family is having its barbecue.

2 (Laughter.)

3 SENATOR KENNEDY: But in all
4 seriousness, Madam President, I'm excited to
5 honor these West Point leaders here today, and
6 just to be a part of this extraordinary occasion
7 once again on the Senate floor. So again, thank
8 you for your leadership.

9 And with that, Madam President, I
10 vote aye.

11 ACTING PRESIDENT MAYER: Thank you,
12 Senator Kennedy.

13 Senator Krueger on the resolution.

14 SENATOR KRUEGER: Thank you,
15 Madam President.

16 Good afternoon. Thank you for being
17 here.

18 So I have a nephew, Andy Gordon,
19 West Point 2002. He went off to the
20 101st Air Corps -- excuse me, Infantry. I think
21 his group was one of the first into Iraq. And he
22 did three tours in Iraq, ended up leaving the
23 military after about eight years, now is a lawyer
24 with family and two children living in Milwaukee,
25 Wisconsin.

1 And I remember when I first got to
2 the Senate and Bill Larkin was a -- I don't know.
3 You know, he was almost an unreplaceable person
4 and his commitment to West Point was so
5 extraordinary. And we were not from the same
6 political ideology, Bill and I, and so we started
7 to have a couple of arguments.

8 And Andy was actually listening one
9 day at West Point, and he called me and he said,
10 "What you have to tell Senator Larkin is that
11 what you're doing on the floor debating the
12 fundamental issues of democracy and what our laws
13 should be, that's what we do at West Point.
14 We're here to protect democracy so that you two
15 can fight on the floor of the New York State
16 Senate."

17 And I thought it was so brilliant
18 that this young man, who was just I think a
19 college maybe junior at the time, to realize the
20 connection between what we do here and what we
21 sometimes ask you to do, which is to go and lay
22 your lives on the line so that we can have a free
23 democracy and fight about issues here on the
24 floor of the Senate.

25 So I want to thank everyone at

1 West Point for what you do every day. I want to
2 thank you as the representatives of your
3 generation. And I wanted to thank my nephew
4 Andy, who I'm very proud of, and who served this
5 country so well.

6 And of course I want to thank
7 Senator Skoufis for bringing this resolution, and
8 our leader, Andrea Stewart-Cousins, who
9 understands exactly the debate that Bill Larkin
10 and I were having that day -- and sometimes my
11 colleagues across the aisle and I have right now.

12 So again, what you do is critically
13 important. And you had many other options. And
14 just know we are so proud -- so, so proud of you.
15 Thank you.

16 Thank you, Madam President.

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

19 Senator Biaggi on the resolution.

20 SENATOR BIAGGI: Thank you,
21 Madam President.

22 I'm really grateful to be able to be
23 here today to address all of the West Point
24 cadets. And I am especially proud, as the
25 representative from District 34 in the Bronx and

1 Westchester, to honor Yusen Zhang, who is my
2 constituent from the Bronx.

3 There is really nothing more
4 exciting than being able to see young people be
5 inspired by service to their communities and also
6 to their country. And so for that I want to say
7 congratulations to all of you.

8 There are very few things, it seems,
9 these days that my colleagues on the other side
10 of the aisle and us agree with, but I think that
11 this is one area where we can all agree that the
12 service that all of you are committed to every
13 single day is something that we can all be proud
14 of. Because you are what represents the best,
15 the absolute best of our communities and our
16 country. And you also are role models for all of
17 the next generation who is coming before you, so
18 don't forget that.

19 I want to also just say to Yusen,
20 you represent truly the resilience of the
21 district that you come from, a district that has
22 been through some of the most difficult times
23 that we have all ever seen, a district that has
24 had the highest number of COVID deaths, the
25 greatest amount of need, some of the highest

1 amount of homelessness and food insecurity. And
2 so your service will also be a contributing
3 factor to helping to deal with a lot of those
4 issues as well.

5 I will also say that I am confident
6 in all of you that your time at West Point
7 absolutely has served you well. I don't even
8 have to talk to any of you to know that. We know
9 that by the caliber of what West Point
10 represents. And it will also make sure that
11 whether or not you continue to want to serve your
12 country in this way, or your communities in this
13 way, that no matter where you go you will always,
14 always be a leader. So don't forget that.

15 And to my colleague Senator Skoufis,
16 thank you so much for gathering us today and for
17 making sure that we are always committed to
18 really honoring all of the leaders who are
19 committed to service.

20 Thank you.

21 ACTING PRESIDENT MAYER: Thank you,
22 Senator Biaggi.

23 The resolution was previously
24 adopted on March 22nd.

25 I'd like to now acknowledge the

1 following cadets in attendance, ask that you rise
2 and be recognized: Giovanni Biondo. Micaela
3 Choi. Jessica Helen Desena. Anthony Carl Marco
4 III. Holland Pratt. Christopher Dante
5 Ricciardi. Steven Gerard Trombetta. Amya Ariel
6 White. Yusen Zhang. And Diego Soto.

7 Please rise and be recognized.

8 (Standing ovation.)

9 ACTING PRESIDENT MAYER: Senator
10 Gianaris.

11 SENATOR GIANARIS: Madam President,
12 I know the cadets are hungry because they told me
13 so an hour ago when I saw them on the stairs.

14 (Laughter.)

15 SENATOR GIANARIS: So let me remind
16 everyone that there will be a luncheon in their
17 honor in the Majority Conference Room, Room 332,
18 at the conclusion of session, which should not be
19 too much longer, I don't think.

20 And the resolution has been opened
21 by Senator Skoufis for cosponsorship.

22 ACTING PRESIDENT MAYER: There will
23 be a post-session reception in honor of our
24 guests from West Point in the Majority Conference
25 Room, 332.

1 The resolution is open for
2 cosponsorship. Should you choose not to be a
3 cosponsor of the resolution, please notify the
4 desk.

5 Senator Gianaris.

6 SENATOR GIANARIS: I also have a
7 motion to get in quickly.

8 On behalf of Senator Bailey, on
9 page 6 I offer the following amendments to
10 Calendar Number 86, Senate Print 3526A, and ask
11 that said bill retain its place on Third Reading
12 Calendar.

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

16 Senator Gianaris.

17 SENATOR GIANARIS:

18 Let's take up the reading of the
19 calendar now, please.

20 ACTING PRESIDENT MAYER: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number
23 257, Senate Print 1847, by Senator Skoufis, an
24 act to amend the Executive Law.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Senator
8 Borrello to explain his vote.

9 SENATOR BORRELLO: Thank you,
10 Madam President.

11 First of all, I'd like to thank
12 Senator Skoufis for bringing this bill forward to
13 honor and to create a Tuskegee Airmen
14 Commemoration Day.

15 It was almost 30 years ago, when I
16 was a young business owner attending my first
17 National Restaurant Association show in Chicago,
18 where I had the pleasure of meeting one of the
19 Tuskegee Airmen from that area. He told me some
20 amazing stories about what it was like to serve
21 his country in that time and how proud, how
22 patriotic he was.

23 And although I cannot remember his
24 name, I do recall that he could drink Scotch like
25 nobody's business.

1 (Laughter.)

2 SENATOR BORRELLO: It was really an
3 amazing experience for me because I'd never met
4 anyone -- anyone quite like that. And his life
5 afterwards was even more amazing, as he told me
6 his stories.

7 But today here we are standing on
8 the fourth Thursday of March, and we still do not
9 have a Tuskegee Airmen Commemoration Day here in
10 New York State. And that's kind of sad, because
11 we're actually voting on this bill for the second
12 time. And I'm wondering to myself, What could
13 possibly stop someone from wanting to make this
14 happen in New York State?

15 So I would ask that this will
16 hopefully be taken up in the other house, in the
17 Assembly. And something as noncontroversial as
18 this could become a day to honor these brave men
19 who we've lost so many of already.

20 So in my opinion, this is kind of an
21 example of government dysfunction at probably its
22 finest. And I would hope that we could actually
23 do something as simple as this and truly honor
24 these brave men who served so well to defend our
25 nation.

1 Thank you, Madam President.

2 ACTING PRESIDENT MAYER: Senator
3 Borrello to be recorded in the affirmative.

4 Announce the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 316, Senate Print 161, by Senator Gounardes,
10 Concurrent Resolution of the Senate and Assembly
11 proposing an amendment to Section 6 of Article 5
12 of the Constitution.

13 ACTING PRESIDENT MAYER: Read the
14 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 359, Senate Print 6232, by Senator Kennedy, an
2 act to amend the Real Property Tax Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 430, Senate Print 7861A, by Senator May, an act
18 to direct the Department of Agriculture and
19 Markets to develop and produce guidance and
20 educational materials on the use of agrivoltaics
21 in farming.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

24 THE SECRETARY: Section 6. This
25 act shall take effect immediately.

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 453, Senate Print 2012, by Senator Jackson, an
11 act to amend the Administrative Code of the
12 City of New York.

13 ACTING PRESIDENT MAYER: Read the
14 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Senator
21 Jackson to explain his vote.

22 SENATOR JACKSON: Thank you,
23 Madam President.

24 My colleagues, I rise this afternoon
25 to speak on my bill, S2012, sponsored in the

1 Assembly by my colleague -- our colleague
2 Assemblymember Jeffrey Dinowitz, who I wanted to
3 thank for his partnership.

4 Programs that reduce costs for
5 rent-burdened New Yorkers are essential. This
6 bill will end the normal practice of charging
7 tenants a fee for installing air-conditioning
8 units in their apartments.

9 New York City landlords
10 increasingly are increasing costs for
11 rent-stabilized tenants by charging for the
12 installation of their own tenants' appliances,
13 even though these tenants pay for utilities.

14 Eliminating such non-rent fees like
15 the surcharge for tenant-installed
16 air-conditioning units, will help reduce the
17 strain New Yorkers feel every day during the
18 ongoing pandemic.

19 I trust you agree that fees for
20 tenant-installed appliances should be eliminated.
21 They merely serve as a back-door mechanism for
22 landlords of rent-stabilized buildings to raise
23 additional income. In the spirit of rent reform
24 and affordable housing policies, I hope you will
25 join me in voting aye to end these fees.

1 Thank you, Madam President.

2 ACTING PRESIDENT MAYER: Senator
3 Jackson to be recorded in the affirmative.

4 Announce the results.

5 THE SECRETARY: In relation to
6 Calendar Number 453, those Senators voting in the
7 negative are Senators Akshar, Borrello, Boyle,
8 Gallivan, Griffo, Jordan, Lanza, Martucci,
9 Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath,
10 Ritchie, Serino, Stec, Tedisco and Weik.

11 Ayes, 43. Nays, 19.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 540, Senate Print 7107A, 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 ninety days from the date
21 that the regulations issued in accordance with
22 Section 1 of this act appear in the New York
23 State Register.

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT MAYER: Announce
3 the results.
4 THE SECRETARY: Ayes, 62.
5 ACTING PRESIDENT MAYER: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 634, Senate Print 1131, by Senator Liu, an act to
9 amend the Tax Law.
10 ACTING PRESIDENT MAYER: Read the
11 last section.
12 THE SECRETARY: Section 2. This
13 act shall take effect immediately.
14 ACTING PRESIDENT MAYER: Call the
15 roll.
16 (The Secretary called the roll.)
17 ACTING PRESIDENT MAYER: Announce
18 the results.
19 THE SECRETARY: In relation to
20 Calendar Number 634, voting in the negative:
21 Senator Lanza.
22 Ayes, 61. Nays, 1.
23 ACTING PRESIDENT MAYER: The bill
24 is passed.
25 THE SECRETARY: Calendar Number

1 699, Senate Print 2204, by Senator May, an act to
2 amend the Education Law.

3 ACTING PRESIDENT MAYER: Read the
4 last section.

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

7 ACTING PRESIDENT MAYER: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MAYER: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar Number 699, voting in the negative:
14 Senator Lanza.

15 Ayes, 61. Nays, 1.

16 ACTING PRESIDENT MAYER: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 700, Senate Print 6517, by Senator Stavisky, an
20 act to amend the Education Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT MAYER: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 714, Assembly Print Number 7987, by
10 Assemblymember Cusick, an act to amend the
11 Insurance Law.

12 SENATOR LANZA: Lay it aside.

13 ACTING PRESIDENT MAYER: The bill
14 is laid aside.

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

17 SENATOR GIANARIS: On to the
18 controversial calendar, please, Madam President.

19 ACTING PRESIDENT MAYER: The
20 Secretary will ring the bell.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 714, Assembly Print Number 7987, by
24 Assemblymember Cusick, an act to amend the
25 Insurance Law.

1 ACTING PRESIDENT MAYER: Senator
2 Lanza, why do you rise?

3 SENATOR LANZA: Madam President, I
4 believe there's an amendment at the desk.

5 I waive the reading of that
6 amendment and ask that you recognize Senator Weik
7 to be heard.

8 ACTING PRESIDENT MAYER: Thank you,
9 Senator Lanza.

10 Upon review of the amendment, in
11 accordance with Rule 6, Section 4B, I rule it
12 nongermane and out of order at this time.

13 SENATOR LANZA: Accordingly,
14 Madam President, I appeal the ruling of the chair
15 and ask that you recognize Senator Weik.

16 ACTING PRESIDENT MAYER: The appeal
17 has been made and recognized, and Senator Weik
18 may be heard.

19 SENATOR WEIK: Thank you,
20 Madam President.

21 I rise to appeal the ruling of the
22 chair.

23 The proposed amendment is germane to
24 the bill at hand because the bill addresses
25 issues related to New York's essential

1 infrastructure. Similarly, the proposed
2 amendment also addresses our infrastructure by
3 holding the state liable for costs associated
4 with the poor state of repair.

5 Our state roadways are in dire need
6 of repair, and particularly major portions of the
7 Long Island Expressway in Suffolk County. The
8 LIE is littered with potholes for miles,
9 particularly in areas surrounding the exits and
10 entrances.

11 The New York State Department of
12 Transportation reports that a third of the
13 pavement on Long Island is now rated fair or
14 poor. Statewide, the percentage of the state
15 highway surface rated poor or fair has increased
16 from 36 percent in 2016 to 45 percent in 2020.
17 Over the same period, pavement rated good to
18 excellent has decreased from 64 percent to
19 55 percent.

20 These conditions increase
21 New Yorkers' vehicle operating costs by
22 \$7.7 billion annually, and a significant
23 financial burden for drivers.

24 The State Highway Law provides that
25 the state is liable for damages caused by the

1 state of its roadways, but only during the warmer
2 summer months. Presumably the state sought to
3 limit its liability in the winter months when
4 more potholes occur -- however, limiting
5 motorists' ability to be reimbursed for damages.

6 These damages are only for certain
7 times of the year, and it's unfair to the
8 motorists whose vehicles are damaged throughout
9 the year. This bill would hold the state liable
10 for damages year-round to compensate drivers for
11 the damage done to their vehicles.

12 It would ensure the state is
13 accountable to the people for poor road
14 conditions and spur greater focus on properly
15 investing in our essential infrastructure.

16 For these reasons, Madam President,
17 I strongly urge you to reconsider your ruling.

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

20 I want to remind the house that the
21 vote is on the procedures of the house and the
22 ruling of the chair.

23 Those in favor of overruling the
24 chair, signify by saying aye.

25 SENATOR LANZA: Request a show of

1 hands.

2 SENATOR GIANARIS: Madam President,
3 we've agreed to waive the showing of hands and
4 record each member of the Minority in the
5 affirmative.

6 ACTING PRESIDENT MAYER: Without
7 objection, so ordered.

8 Announce the results.

9 THE SECRETARY: Ayes, 20.

10 ACTING PRESIDENT MAYER: The ruling
11 of the chair stands, and the bill-in-chief is
12 before the house.

13 Are there any other Senators wishing
14 to be heard?

15 Seeing and hearing none, debate is
16 closed. The Secretary will ring the bell.

17 Read the last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Announce
24 the results.

25 THE SECRETARY: Ayes, 63.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

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

5 SENATOR GIANARIS: Is there any
6 further business at the desk?

7 ACTING PRESIDENT MAYER: There is
8 no further business at the desk.

9 SENATOR GIANARIS: Move to adjourn
10 until Monday, March 28th, at 3:00 p.m.,
11 intervening days being legislative days.

12 ACTING PRESIDENT MAYER: On motion,
13 the Senate stands adjourned until Monday,
14 March 28th, at 3:00 p.m., with the intervening
15 days being legislative days.

16 (Whereupon, at 12:23 p.m., the
17 Senate adjourned.)

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