

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 29, 2022

11 3:29 p.m.

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14 REGULAR SESSION

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18 SENATOR JAMAAL T. BAILEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

2 ACTING PRESIDENT BAILEY: The
3 Senate 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 BAILEY: In the
9 absence of clergy, let us bow our heads in a
10 moment of silent reflection or prayer.

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

13 ACTING PRESIDENT BAILEY: Reading
14 of the Journal.

15 THE SECRETARY: In Senate, Monday,
16 March 28, 2022, the Senate met pursuant to
17 adjournment. The Journal of Sunday, March 27,
18 2022, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 Messages from the Governor.

25 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: Good afternoon,
7 Mr. President.

8 We're going to simultaneously go
9 through some resolutions while the Finance
10 Committee is meeting.

11 So please call an immediate meeting
12 of the Finance Committee in Room 332.

13 ACTING PRESIDENT BAILEY: There
14 will be an immediate meeting of the
15 Finance Committee in Room 332.

16 Senator Gianaris.

17 SENATOR GIANARIS: And now let's
18 move on to adopt the Resolution Calendar, with
19 the exception of Resolution 2169.

20 ACTING PRESIDENT BAILEY: All those
21 in favor of adopting the Resolution Calendar,
22 with the exception of Resolution 2169, please
23 signify by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT BAILEY: Opposed,

1 nay.

2 (No response.)

3 ACTING PRESIDENT BAILEY: The
4 Resolution Calendar is adopted.

5 Senator Gianaris.

6 SENATOR GIANARIS: Now let's begin
7 with previously adopted Resolution 1940, by
8 Senator Harckham, read its title, and recognize
9 Senator Harckham.

10 ACTING PRESIDENT BAILEY: The
11 Secretary will read.

12 THE SECRETARY: Senate Resolution
13 1940, by Senator Harckham, recognizing March 29,
14 2022, as Vietnam Veterans Day.

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

17 SENATOR HARCKHAM: Thank you,
18 Mr. President.

19 And today, as mentioned, is National
20 Vietnam Veterans Day. This is the
21 10th anniversary of the first occasion of this
22 event, which was proclaimed by then
23 President Obama back in 2012.

24 I want to thank the Majority Leader
25 for supporting us bringing this event back to the

1 chamber. We were off for two years because of
2 COVID, and I'm so glad that we could welcome our
3 veterans back here today.

4 I want to thank Senator Kaplan for
5 visiting with us and spending some time with our
6 veterans as well.

7 So today I want to welcome all
8 veterans of the Vietnam War. And today we have
9 nine veterans from my district, the 40th Senate
10 District, who proudly served.

11 So here today with us: Karl Rohde,
12 director of the Putnam County Veterans Services
13 Agency; Art Hanley, deputy director of the
14 Putnam County Veterans Services Agency;
15 Steve Seid, assistant at the Putnam County
16 Veterans Services Agency; William Nazario,
17 national senior vice commander for the Military
18 Order of the Purple Heart; Rob Rottkamp,
19 commander of the Brewster VFW Post 672;
20 Harry Sherblom, quartermaster of the Brewster
21 VFW Post 672; Eugene Lang, a Purple Heart
22 recipient; Bob Matuszewski, James Mecca, and
23 Tor Heskesta -- all veterans of the Vietnam War
24 who are with us here today.

25 From the time the United States

1 carried out its first combat mission on
2 January 12, 1962, until when the last American
3 troops left Vietnam on March 29th of 1973, more
4 than 3 million Americans served in that theater
5 and more than 58,000 sacrificed their lives
6 during that conflict; 300,000 were wounded and
7 more than 75,000 permanently disabled. And 1200
8 remain missing and unaccounted for, and we pray
9 for them on a daily basis.

10 But today we pay homage to the brave
11 men and women who served in that conflict and are
12 here with us, today knowing full well that they
13 served with tremendous courage and sacrifice,
14 knowing full well that when they returned home
15 alive, they bore physical and psychological
16 scars, many of which were life-lasting.

17 If anything, we must acknowledge
18 that that era, the Vietnam era in our nation, was
19 a scar on our history -- not because of the men
20 and the women who left their homes to volunteer
21 their services or when they were called to duty,
22 but because how these brave men and women were
23 treated when they returned from the war. They
24 were disparaged. They were dishonored. They
25 unfairly faced blame and shame. They were

1 denigrated, and they were vilified.

2 And today we know better. And we
3 know how much honor and respect and gratitude
4 they all deserve for putting on the uniform, for
5 wearing the flag on their arm and traveling to
6 the other side of the globe and serving our
7 country.

8 And today we understand that our
9 Vietnam War veterans learned to protect each
10 other and to continue to protect each other
11 today. And as I mentioned, many of them are
12 involved in veterans services, working with each
13 other and also working within the community.

14 And today we see Vietnam veterans at
15 airports all across the country, welcoming back
16 the men and women of our armed services as they
17 return home from combat, knowing full well that
18 we were not there for them when they came back
19 home, and yet they are there with their arms
20 open.

21 And these are the types of leaders
22 we talk about when we debate the funding, the
23 increase of funding that we all support in this
24 chamber for the Dwyer Vet2Vet program.

25 So today we enter into the record of

1 the proceedings a resolution that New York State
2 wishes to show all of our Vietnam veterans the
3 respect and the appreciation that they did not
4 always get when they returned home. Welcome
5 home, and thank you for your service.

6 So today we pause our deliberations
7 to recognize March 29th as Vietnam Veterans Day,
8 and to thank our brave Vietnam veterans for their
9 honorable and noble service to this country.

10 Thank you, and God bless you.

11 I vote aye, Mr. President.

12 ACTING PRESIDENT BAILEY: Thank
13 you, Senator Harckham.

14 Senator Brooks on the resolution.

15 SENATOR BROOKS: Thank you,
16 Mr. President.

17 Thank you, Senator Harckham, for
18 introducing this resolution.

19 You know, as we think back to the
20 Vietnam days and what we went through -- and for
21 those of us who were in the service during those
22 years, the war unfortunately took a very, very
23 political turn. The gentlemen and people that we
24 honor today, men and women who served in that
25 war, did their duty and followed the orders they

1 were given. And in many, many ways they became
2 victims of the political drama, if you will, that
3 was going on in our country.

4 Whether these individuals were
5 drafted or enlisted, they were following out the
6 orders of their country. And unfortunately,
7 many times they were effectively held liable for
8 things they had nothing to do with.

9 There was a point during the war
10 that if you were traveling and you were in
11 uniform, you'd often take it off, change into
12 civilian clothes.

13 When these soldiers returned home,
14 they weren't welcomed home. They weren't
15 respected for the responsibilities they had and
16 they carried out. It was a sad commentary on our
17 nation.

18 We, as the free citizens of this
19 country, all of what we hold and enjoy, all of
20 our rights and privileges, in the end come from
21 the services of those who are in the military,
22 particularly during wartime.

23 I served in the military during the
24 Vietnam War. I never was activated to go to
25 Vietnam, and I often felt that I didn't have the

1 right to say that I'm a veteran, because I saw
2 what those who were engaged in the war had to go
3 through and carry out, the physical scars and the
4 mental scars that they had.

5 I can still remember hearing of the
6 loss of different friends over there and how you
7 felt. Today, so many years after the war, we're
8 still -- we're still dealing with the damage from
9 that war, psychological and physical injuries,
10 exposures to chemicals.

11 Today we have an opportunity to say
12 to the gentlemen and ladies that served in this
13 war: Thank you. Thank you for protecting our
14 nation. Thank you for carrying out the orders
15 that you were directed to carry. And the
16 legislative bodies of this country and this state
17 need to recognize the responsibilities we have to
18 those who served this nation.

19 I think in this body we've done a
20 great job expanding programs to help and protect
21 and serve those individuals. But we can never,
22 ever make up for how these men and women were
23 treated when they returned home.

24 So to the veterans that gather with
25 us today, I say to all of you: Welcome home, and

1 thank you for your service to this nation.

2 Thank you, Mr. President. I vote
3 aye.

4 (Applause.)

5 ACTING PRESIDENT BAILEY: Thank
6 you, Senator Brooks.

7 Senator Addabbo on the resolution.

8 SENATOR ADDABBO: Thank you,
9 Mr. President. Tough act to follow.

10 Good afternoon, everyone. I too
11 want to thank Senator Harckham for the resolution
12 giving us the opportunity to express our
13 appreciation and recognition for our Vietnam War
14 veterans on this Vietnam War Veterans Day.

15 And as a proud member of the
16 Senate Veterans Committee, so ably chaired by
17 Senator Brooks, it is an honor to say thank you.

18 You know, actually in my town -- or
19 my district of Elmhurst today, the Vietnam --
20 Chapter 32 of the Vietnam Veterans of America did
21 a memorial about the Vietnam Veterans Memorial
22 there today, and we thank them for that as well.

23 You know, as was mentioned, so many
24 of our Vietnam veterans who returned home were
25 not respected and were not given the

1 accommodations that they should have done, and
2 that was unacceptable and wrong then and forever
3 will be unacceptable and wrong. And so that's
4 why it's so important to have this resolution
5 today to again express the appropriate
6 recognition and appreciation.

7 You know, I remember a quote from
8 President Calvin Coolidge that said "A nation
9 which forgets its defenders will be itself
10 forgotten." We will never forget, from here on
11 in, we will never forget the sacrifices made by
12 our Vietnam veterans.

13 I'm of the opinion every day is
14 Veterans Day. We thank our veterans every day.
15 But on this day we take that special moment to
16 thank our Vietnam veterans for returning home,
17 and we say -- appropriately -- welcome home, and
18 thank you for your service.

19 May God bless you and all the
20 veterans across this world. Thank you so much.

21 I vote aye.

22 ACTING PRESIDENT BAILEY: Thank
23 you, Senator Addabbo.

24 Senator Mayer on the resolution.

25 SENATOR MAYER: Thank you,

1 Mr. President.

2 And thank you, gentlemen, for being
3 here today. Thank you for your service. And
4 thank you for honoring us with your presence and
5 this opportunity, awarded by Senator Harckham's
6 resolution, for us to speak about not only you,
7 but all your comrades and colleagues who served.

8 Today in preparing for this
9 resolution, I read a number of letters written
10 home from Vietnam vets. There's quite a
11 collection. The letters are extraordinary of how
12 tough it was, how difficult to write to your
13 loved ones and tell the stories of what was
14 happening -- the loss of colleagues and comrades,
15 the brotherhood and the sisterhood that was
16 fostered there.

17 It is a reminder that the intensity
18 of that war was so great that those of us here in
19 the comfort of home, and not in Vietnam, will
20 never understand what it was like.

21 And so I commend to everyone to read
22 those letters and to get the feeling of what it
23 was like for someone in the Army or in one of the
24 services to write home to their loved ones.

25 But then I was prompted to read the

1 speech -- part of the speech by then
2 President Obama when this day was created. And
3 he was far more artful than I was, and I just
4 wanted to read a little bit of what he said:
5 "Let us tell a story of a generation that came
6 home and how, even though some Americans turned
7 their back on you, you never turned your back on
8 America. Like generations before you, you took
9 off the uniform but you never stopped serving.
10 You became teachers and police officers and
11 nurses, the folks we count on every day. You
12 became leaders and public servants from town
13 halls to Capitol Hill, lifting up our
14 communities, our state and our nation. You
15 reminded us of what it was like to serve, what it
16 meant to serve."

17 And so you have given us the example
18 of what true service is. Even when our country
19 failed to do right by you, you have kept up with
20 service. And whether you serve in your local
21 veterans organization -- and I think some of you,
22 I'm from Southern Westchester, may come down to
23 Yonkers or New Rochelle occasionally with your
24 veteran brothers -- today is a day when it is our
25 obligation not only to say we will never allow

1 what happened to you to happen again, but at the
2 same time we acknowledge your long-lasting
3 service, which came after your service in
4 Vietnam.

5 You continued to serve this country
6 so well, and we are so honored today to be able
7 to have this day and have the opportunity to
8 thank you for your service from a very meaningful
9 place and to say God bless you and God bless
10 America, and thank you for standing for our
11 country.

12 Thank you, Mr. President.

13 ACTING PRESIDENT BAILEY: Thank
14 you, Senator Mayer.

15 Senator May on the resolution.

16 SENATOR MAY: Thank you,
17 Mr. President.

18 And I want to thank my colleague
19 Senator Harckham for bringing this resolution and
20 to our guests as well. Thank you, as
21 Senator Mayer said, for honoring us with your
22 presence.

23 I also rise to thank the
24 200,000 New Yorkers who served in Vietnam and the
25 one out of every nine soldiers who was wounded in

1 that war. Out of those who were wounded, one in
2 four sustained permanent disabilities. And that
3 means that they have carried, for their whole
4 lives, the sacrifice every day, the sacrifice
5 that we called on them to make in the
6 Vietnam War.

7 We owe them all of our gratitude and
8 our support. And I especially want to lift up
9 the organizations that support our veterans, in
10 particular Clear Path for Veterans, which has an
11 amazing facility on the border of Onondaga and
12 Madison counties, where they provide space for
13 fellowship, hot meals, wellness programs, and
14 they train service dogs who provide, in their
15 turn, an incredible service to veterans who need
16 the -- whether it's help with PTSD or with
17 activities of daily life or just raising their
18 quality of life.

19 So I want to thank all of our
20 veterans and those who support them, because you
21 are doing the work that our country owes to you
22 and to all who served in this war.

23 Thank you. I vote aye.

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

1 Senator Stec on the resolution.

2 SENATOR STEC: I rise too to extend
3 and associate myself with the remarks of my
4 colleagues before on this Vietnam Veterans Day.

5 I wanted to add a little detail to
6 it I thought was worth mentioning. According to
7 the VA: 8.7 million American served during the
8 era from 1964 to 1973; 3.4 million were deployed
9 to Southeast Asia and 2.7 million served in the
10 Republic of Vietnam; 58,220 Americans were killed
11 in Vietnam; and at the war's end, 2,646 were
12 listed as POW or MIA and, as of today, 1,584 are
13 still unaccounted for.

14 So I think it's important for us to
15 pause and remember that we left a lot of good
16 people behind, good Americans that were serving
17 their country, they were following orders, they
18 were doing what elected officials sent them to
19 do.

20 And of course, as has been mentioned
21 on this floor before but I think is worth
22 emphasizing, it's important to remember the
23 disgrace that was shown them when they returned
24 home -- uncalled-for, certainly un-American, to
25 treat people that many of them volunteered but,

1 back then, many of them did not volunteer. They
2 were there against their will, they were forced
3 to go there by their government.

4 And their thanks for that, for that
5 service and sacrifice, was to be spit upon,
6 discriminated against, refused employment,
7 refused housing because they served this nation.
8 It's a national embarrassment. And it's worth
9 remembering and it's worth pointing out today.

10 One of those veterans is near and
11 dear to my heart. My father, who's a United
12 States Marine, served from 1962 to 1965, and he
13 served in Vietnam in 1965 in artillery. And he's
14 talked about his service, and he's proud of his
15 service. And fortunately I think spared a lot of
16 the indignation that a lot of his fellow soldiers
17 and sailors, airmen and marines, experienced when
18 they came back home.

19 And so to the nine that are here
20 blessing us with their presence today, I say
21 thank you -- thank you -- God bless you. Our
22 country should be sorry for the way that you were
23 treated for serving your country, your duty.

24 And I'm thankful for all of our
25 veterans' service, but today Vietnam Veterans

1 Day, is about those that served and sacrificed
2 and got very little thanks and gratitude in
3 return from this nation.

4 So with that, I will be in favor of
5 this resolution. And again, I thank my colleague
6 Senator Harckham for bringing it forward and for
7 all my colleagues' remarks earlier today on this.

8 Thank you.

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

11 Senator Borrello on the resolution.

12 SENATOR BORRELLO: Thank you,
13 Mr. President.

14 I too am proud to stand here today
15 for Vietnam War Remembrance Day. I want to thank
16 Senator Harckham, and also I would like to thank
17 Senator Brooks for his heartfelt remarks from
18 someone who lived through that era.

19 My father, Tony Borrello, was one of
20 those folks that was drafted to serve in the
21 Vietnam War, as was his only brother -- his only
22 sibling -- Frank Borrello. Both served in
23 Vietnam.

24 It was something that was very
25 difficult for my grandparents. My grandmother

1 worried every day. We didn't have the
2 communication then that they have now. And God
3 smiled upon her one day because by chance, in all
4 that went on, all the places that people were
5 deployed, one day my father and my uncle were in
6 the same mess hall together. They weren't even
7 in the same section, but they got to see each
8 other, and my grandmother got to hear that they
9 knew each other were okay.

10 But the scars were permanent. And
11 again, what they suffered was most because of how
12 they were treated when they came home. Many
13 family friends as well as family members served
14 in Vietnam. My father and his brothers and
15 cousins all got together at the VFW, talked about
16 it. It was a difficult time. Thank God we now
17 understand the importance of what they've done
18 and what every veteran has done to secure this
19 nation's freedom.

20 Thank God that people like that,
21 that were told by their government to go fight in
22 a war on the other side of the world, did it.
23 They didn't escape to Canada or whatever else;
24 they did it. And quite frankly, like many other
25 wars, this was a war fought largely by

1 working-class people and people of color. And
2 they did it proudly to serve this nation.

3 So to my father, thank you. And to
4 all of you, welcome home.

5 ACTING PRESIDENT BAILEY: Thank
6 you, Senator Borrello.

7 Senator Lanza on the resolution.

8 SENATOR LANZA: Thank you,
9 Mr. President.

10 First, of course, I would like to
11 thank Senator Harckham for the resolution. It's
12 as important a resolution as we will see here on
13 the floor, in my estimation.

14 You know, by operation of law, every
15 year on March 29th in the State of New York it is
16 Vietnam Veterans Day. I know that because I was
17 the author of the law in my first year here in
18 the Senate. And we sometimes, as Senators, like
19 to go around and say, you know, I wrote that law
20 or this law. But I didn't write this one.

21 In my first year I was approached by
22 a Staten Islander, a Vietnam veteran, Lester
23 Modelowitz, who came to me and said: "Here in
24 New York, of all the states, which gave so much
25 in that war, so much blood, so much sacrifice, we

1 need to establish March 29th as Vietnam Veterans
2 Day." And of course, as anyone in this room
3 would have said, I responded by saying "We're
4 going to do it."

5 We wrote the law. Senator Savino
6 was a cosponsor. Assemblyman Titone in the
7 Assembly introduced it there. We eventually
8 passed it on this floor, unanimously -- Democrat
9 and Republican -- because it was the right thing
10 to do. And the Governor signed it.

11 You know, a lot of people came to us
12 and said, Why do we need Vietnam Veterans Day?
13 We have Veterans Day, we have Memorial Day, why
14 do we need another one? People actually came to
15 us in our offices and asked why we needed to do
16 it. And of course everyone in this room knows
17 why we needed to do it.

18 And the simple answer was because
19 something different happened to Vietnam veterans
20 as they returned home that did not happen to
21 others in other conflicts in prior wars. Why do
22 we need this law? For me, it's four simple
23 reasons.

24 Let me go back for a minute. We
25 were one of the first states in America to do it.

1 The origin of this day occurred back in 1974, the
2 year after the last American troops came home.
3 President Nixon issued a proclamation saying that
4 March 29th ought to be a day of recognition of
5 what happened. But it lasted one year.

6 After we passed the law in this
7 state, Senator Savino and I and Vietnam veterans
8 lobbied the Obama administration to make it a
9 national law. We weren't able to do it, but
10 President Obama did take the first step in 2012
11 and again issue a proclamation honoring
12 March 29th as Vietnam Veterans Day. But again,
13 it was a one-year event.

14 Finally, in 2017, our efforts
15 continued, and President Trump in 2017 signed the
16 law that makes every single year on March 29th
17 here in America Vietnam Veterans Day. We were
18 among the first to do that, here in New York.
19 I'm proud of that.

20 So why do we need it? Four reasons,
21 as far as I'm concerned. First, in a way, it's
22 an act of contrition. I was raised to believe
23 that when you make a mistake, you say you're
24 sorry. And this is one way for us to say we are
25 sorry for what happened.

1 I listened to the pain -- and we all
2 did -- in Senator Brooks' words as he described
3 his honorable service to this nation. There
4 should be no pain associated with that, only
5 honor. And I applaud you and thank you and
6 respect you for what you've done for our country.

7 Second, we need to educate each
8 other. I firmly believe that if we don't
9 understand our history, if we don't understand
10 that which we have done, and if we don't embrace
11 our mistakes, they will be repeated. Every
12 generation needs to know what happened so that it
13 doesn't happen again.

14 I tell young people all the time, be
15 careful of adults who don't want you to know your
16 history, because it's your future that they're
17 trying to steal. Today, we teach each other that
18 this can never happen again.

19 Finally, this day allows us to do
20 that which should have happened then. What
21 happened, as many have said here -- and I
22 associate myself with all the remarks of all of
23 my colleagues -- was a very shameful chapter in
24 American history. And today we get to do what
25 should have been done then, which is to say:

1 Welcome home, welcome home, welcome home.

2 We all have Vietnam veterans in our
3 districts. You all know them. Some of the most
4 courageous, honorable, decent humans you'll ever
5 meet. When you see them, say thank you. Senator
6 Brooks, thank you. Thank you (to gallery).

7 You know, we cherish the freedom we
8 have in America. I said four reasons, right? I
9 only said three. I'll go back to the fourth.

10 The fourth is -- I'll take any
11 excuse to say thank you to veterans. If it's a
12 law or if it's another day, every day, I'll never
13 turn down an excuse to say thank you to
14 veterans -- in particular, Vietnam veterans. You
15 mean so much to us today, you meant so much to us
16 then. You think about what happened and why it
17 happened because of some warped people, weak
18 politicians, Jane Fonda, misguided academic
19 world -- I don't know what all came together to
20 contribute to this shameful tragedy, but it did.
21 And we need to embrace it so we can stand up
22 against it and make sure it doesn't happen again.

23 So to you, Vietnam veterans, we
24 cherish our freedoms here in America. The
25 principle is embodied in our founding documents,

1 the Constitution, the Declaration of
2 Independence. We all know they wouldn't be worth
3 the paper they're printed on if not for our
4 soldiers, our veterans, our Vietnam veterans.

5 So again, I will say: Thank you.
6 Welcome home.

7 ACTING PRESIDENT BAILEY: Thank
8 you, Senator Lanza.

9 Senator Hinchey on the resolution.

10 SENATOR HINCHEY: Thank you,
11 Mr. President.

12 And thank you, Senator Harckham, for
13 bringing forward this resolution.

14 And Senator Brooks, I too want to
15 say thank you for your honest and heartfelt
16 words.

17 The call to service is something
18 that you are born with. And the call to listen
19 to your country when your country calls you to
20 service is a duty that no one can ever repay.
21 I'm here to say thank you for giving us really
22 the shoulders to stand on, because it is your
23 service to our country and hearing those calls
24 that allows many of us to continue to do what we
25 do here in this room.

1 One Vietnam veteran I'd like to call
2 attention to is Colonel Roger Donlon, a
3 Saugerties native -- my hometown -- who was
4 awarded the first Medal of Honor ever presented
5 to a Vietnam veteran, by President Johnson, for
6 his heroism during the war.

7 Colonel Donlon was a historic figure
8 growing up in Saugerties. We often spent much of
9 our time after school at the Donlon, making --
10 and that always instilled in us the importance of
11 service to our country, for standing up for our
12 communities and making sure that we never forget
13 the challenges and the pain that many of our
14 veterans have experienced, especially those who
15 did not get the recognition they deserved, our
16 Vietnam veterans, when they came home from the
17 war.

18 And it's often -- as we've heard in
19 this room, it's often our Vietnam veterans,
20 because of the lack of recognition, the lack of
21 respect, the lack of attention they received,
22 they're the ones who are the first ones welcoming
23 other veterans back into our communities.
24 They're the ones leading the charge for veterans'
25 flags and recognition, for veterans dinners in

1 our community. They've never forgotten the
2 importance of honoring and recognizing people
3 when they come home.

4 So I'm here to say thank you for
5 your service, thank you for being here with us
6 today. And to all of the veterans across our
7 state and those in the 46th District, thank you
8 for your service.

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

11 Senator Reichlin-Melnick on the
12 resolution.

13 SENATOR REICHLIN-MELNICK: Thank
14 you very much, Mr. President.

15 I rise as a proud member of the
16 Senate's Veterans Committee in support of this
17 resolution.

18 I want to thank Senator Harckham for
19 introducing it; Senator Brooks, our Vets
20 Committee chair, for your heartfelt words; and of
21 course all of the veterans who have joined us
22 today as we celebrate and recognize and honor
23 your service on Vietnam War Veterans Day.

24 You know, over 2.7 million Americans
25 served in the Vietnam War, and that is more than

1 all those who have served in our wars since. And
2 we need to acknowledge them. And we need to
3 acknowledge not only those who served, we need to
4 remember the more than 58,000 who did not come
5 home, the 153,000 who were wounded, 75,000 who
6 were severely disabled, and those who served with
7 incredible bravery, nearly 240 of whom earned the
8 Medal of Honor, the nation's highest award.

9 And though this day, Vietnam War
10 Veterans Day, was only officially established a
11 decade ago, only signed into law five years ago,
12 we've been recognizing and we've been celebrating
13 those who served in New York for so many years.

14 In my district in Rockland and
15 Westchester, we honor the service of our veterans
16 of the Vietnam War and of other wars each year on
17 Veterans Day, and we honor the service of those
18 who paid the ultimate price on Memorial Day. We
19 support veterans programs like the Joseph P.
20 Dwyer Vet2Vet program, that provides such
21 invaluable support to veterans who are dealing
22 with PTSD and other after-effects of this
23 horrible conflict.

24 The Vietnam War was controversial
25 when it was being waged. Many questioned whether

1 the U.S. role in the conflict was appropriate, or
2 they questioned the tactics used to try to secure
3 victory. But regardless of the answers to those
4 questions, all Americans should be able to come
5 together to salute those who served. Some
6 Vietnam vets chose to serve; others were drafted.
7 But all who I have ever met served with
8 distinction and dedication and bravery, making
9 the best of an impossibly dangerous and a
10 difficult environment.

11 The Vietnam War changed our history,
12 making a generation of Americans more skeptical
13 of foreign interventions and hesitant to project
14 our power abroad. But as we watch today as a
15 murderous tyrant invades and seeks to subjugate a
16 neighboring country, and we see Ukrainian
17 soldiers fighting for their homeland with weapons
18 supplied by the U.S., it is an invaluable
19 reminder that the U.S. can't retreat from the
20 world. We still have a vested interest, as we
21 did 50 years ago, in standing up to dictators and
22 to hostile foreign powers.

23 And so once again I want to thank
24 every veteran of the Vietnam era for your
25 service. We are eternally grateful, and I

1 proudly support this resolution.

2 ACTING PRESIDENT BAILEY: Thank
3 you, Senator Reichlin-Melnick.

4 Senator Kaplan on the resolution.

5 SENATOR KAPLAN: Thank you,
6 Mr. President.

7 I rise today to say welcome, but
8 more importantly to say thank you for the Vietnam
9 veterans we have before us here today and
10 throughout this state.

11 To all the brave individuals, your
12 state and your country never truly repaid you for
13 your service. But we can thank you for your
14 sacrifice, your bravery, and the example you set
15 for us all. Your selfless dedication to the
16 ideals of this great nation continues the course
17 we as people follow.

18 Thank you again to Senator Harckham
19 for bringing this resolution to the floor today.

20 And thank you, Mr. President. And I
21 proudly vote aye.

22 ACTING PRESIDENT BAILEY: Thank
23 you, Senator Kaplan.

24 Senator Kennedy on the resolution.

25 SENATOR KENNEDY: Thank you,

1 Mr. President.

2 I want to take this moment to
3 recognize these extraordinary heroes in our
4 presence today in this chamber. I want to start
5 by thanking you for your service to this great
6 country and to the world.

7 I want to recognize my colleague
8 Senator Harckham for bringing this to the floor,
9 our colleague Senator Brooks, all of my
10 colleagues on both sides of the aisle who have
11 spoken so eloquently already. This is clearly an
12 emotional day for everybody here in this chamber.

13 We are humbled by your presence, and
14 I think we're humbled by this resolution,
15 reminding us all of our country, of our history,
16 of our state, of where we came from, whose
17 shoulders we stand on, and the price that each
18 and every one of you paid in giving up your youth
19 to put on the colors of the United States
20 military to go to a foreign land and fight a war
21 that you were asked to fight.

22 Some of you enlisted yourselves;
23 some of you were drafted -- many were drafted.
24 Millions of people went off to war. Fifty-eight
25 thousand never made it home. Many who did make

1 it home suffered the hidden tolls of war and
2 continue to suffer those hidden tolls and were
3 met by a government and a people that
4 disrespected and dishonored your service to the
5 flag. That is reprehensible. It should have
6 never happened, and it should never happen again.

7 So I was born in 1976, three years
8 after the last soldier was pulled out of active
9 duty in Vietnam. So when I was coming up and
10 learning about the world and learning about
11 veterans and their service to this country, and
12 learning about the heroes who gave it all so that
13 we could have debates like this in peace on this
14 Senate floor and in the halls of the nation's
15 Capitol and in communities across this great
16 country, and lead across the globe -- the stories
17 of Vietnam came to me in waves as I was coming
18 up, born in the '70s, a child of the '80s,
19 learning more through the '90s and even today.

20 It was a few years back that one of
21 the greatest documentaries I think has ever been
22 created, by Ken Burns, detailed the story from
23 start to completion -- before the start of
24 America's involvement in Vietnam, to completion,
25 and through to today. And Ken Burns told of the

1 story in real life and the horrors that you all
2 had to face and the difficulties that you all had
3 to come home with.

4 And it broke my heart to think about
5 the fact that this country and the people of this
6 country in so many ways mistreated you and your
7 fellow soldiers.

8 So I take upon myself, and I think
9 from what you've heard in this chamber here
10 today, we take it upon ourselves as a government
11 and as individuals and as leaders throughout this
12 state to recognize you, particularly those that
13 served in the Vietnam War. And know that this
14 country is grateful for your service. Know that
15 my generation recognizes the sacrifices that you
16 have made and continue to make. And know that we
17 recognize and honor those that never made it
18 home.

19 Thank you for your courage, for your
20 bravery, for your service to this country and to
21 all of us. May God bless each and every one of
22 you.

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

25 ACTING PRESIDENT BAILEY: Thank

1 you, Senator Kennedy.

2 Senator Mattera on the resolution.

3 SENATOR MATTERA: Thank you. Thank
4 you, Mr. President.

5 First of all, I'd like to commend
6 Senator Harckham and our Senator Brooks, because
7 I know what kind of heart you have and what
8 you've -- you know, what you have done.

9 You know, Vietnam Veterans Day is
10 just so, so important -- and you know what, I
11 want to face everybody here -- that you protected
12 us all from harm's way.

13 You know, one thing I'm proud of,
14 that I belong to "Heroes 4 Our Heroes." Back in
15 Smithtown we have Donato Panico, and what we do
16 is we give meals -- we give meals to our veterans
17 but especially our Vietnam vets, in other words
18 that need, they need our help. They were there
19 for us, and we need to show how grateful we are
20 for what all has been done.

21 Me being a labor leader with the
22 Plumbers Union, we have our Helmets to Hardhats
23 program, so when our veterans come home, you
24 know, they have a place if they want to go into
25 the trades. We have the red carpet, I am so

1 proud of that, and -- when they come in, and they
2 come in and we make sure that we go -- and they
3 want to get into the Plumbers Union or any of the
4 other trades, with builder trades. And it's been
5 so, so important to me.

6 You know when I was growing up, my
7 parents -- and I'm very proud of this -- we would
8 watch the news, you know, after dinner, and my
9 parents made sure that we sat and we watched the
10 news. And back when I was younger, you know, I
11 was like, Wow, we're watching -- and we would
12 watch the news about Vietnam and all the soldiers
13 that were over there and doing it.

14 And my parents would sit there and
15 they would educate us to see how important this
16 was, that in other words our soldiers are over
17 there fighting for our freedoms. And, you know,
18 I was just so proud of that. And that was almost
19 every night that we would do that. And, you
20 know, it just made me -- made me what I am today
21 about what it is about our soldiers.

22 You know, history is so important,
23 that we teach history in our schools. And I
24 think that we need to make sure, as elected
25 officials, we all make sure that history is being

1 taught in our schools. And I really, really feel
2 that we got away from that in a lot of ways. And
3 one thing as an elected official, I am making
4 sure that that is happening, that we speak about
5 what happened, and you know what, and that we're
6 proud of what happened and we're proud that our
7 soldiers protected us.

8 You know one thing about everybody
9 that's a Vietnam vet, I know what's happening
10 with Ukraine right now, and I know everybody up
11 there would go sign up tomorrow morning or today,
12 right now today, you would sign up to go fight
13 for our country. And you know what? I'd be
14 right there with you. And I am so proud to say
15 that today, because -- I know you're shaking your
16 head because that is so true. And that's what
17 America is about. And you are Americans.

18 And I am saying this today: Thank
19 you. God bless all our Vietnam veterans. God
20 bless all that are serving right now. And
21 especially God bless the United States of
22 America.

23 Thank you so much.

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

1 Senator Ortt on the resolution.

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

4 I want to add my voice to thank
5 Senator Harckham for bringing forward this
6 resolution today.

7 I want to thank my colleague Senator
8 Brooks, who I had the privilege to serve
9 alongside on the Veterans Committee for a couple
10 of years there. Senator Brooks was always a
11 gentleman. He always ensured that there was --
12 not even bipartisanship, it was nonpartisanship.
13 It was really about veterans, veterans issues.
14 It was a great community to be a part of, and I
15 want to thank him on for his leadership on that.

16 But that's not an accident. It's
17 because he did wear the uniform. And he served
18 at a time when wearing the uniform was a partisan
19 issue. And that's really what we're talking
20 about here today, because that's unique. And it
21 should never be, but yet it became that way at a
22 very dark time in our country's history.

23 And it was a dark time across the
24 board. There are many things that we can look
25 back on in that period and we can probably agree

1 that that was not -- that was at the height of
2 American history.

3 But I want to thank Senator Brooks
4 for his service both then and now, and I want to
5 thank him for his words.

6 I want to thank our Vietnam veterans
7 that are up there today, because you represent so
8 many other Vietnam veterans who could not be here
9 today. You represent so many other Vietnam
10 veterans who actually never came back home, as
11 well as the ones who came back home -- because
12 every veteran believes in their bones that the
13 real heroes were the ones who never made it back,
14 the ones whose names are inscribed on that black
15 wall in Washington, D.C.

16 But it's sort of fitting, maybe,
17 that we're here today just a few days after we
18 had West Point Day, where we had cadets from
19 West Point who were here. I know all of you I'm
20 sure were struck by the age of those cadets and
21 how young they looked. And maybe it was a
22 reminder how older we were getting too, but
23 that's a different story.

24 (Laughter.)

25 SENATOR ORTT: But you all know how

1 young they were. And to think that maybe a year
2 from today, maybe a few months from today, those
3 young men and women could be in combat.

4 And that was the age of these men
5 and our Vietnam veterans. And how we always
6 think of -- you know, I always think of World War
7 II veterans or Vietnam veterans, and you think of
8 them as veterans, right, you think of them as
9 older people. But I can promise you, when they
10 were getting dropped into hot LZs in Vietnam,
11 when they were engaging with the Viet Cong or the
12 North Vietnamese army, they were every bit the
13 kids that we saw in this chamber last week.

14 And we tend to think of the
15 Vietnam War -- and this is unfortunate, in my
16 view, but we tend to think of the Vietnam War as
17 a war that we lost. And maybe politically that's
18 true, maybe politically we lost that war. But
19 militarily, make no mistake, every single
20 engagement with the enemy between United States
21 forces and enemy forces, the North Vietnamese
22 army, every single engagement, we won. The men
23 up there and all the Vietnam veterans across this
24 country, they won. They did their job
25 militarily. They won all those engagements.

1 They brought honor to the United States and their
2 job. It was -- it was us who brought dishonor
3 when they returned.

4 But I want to just sort of close on
5 a perspective -- so when I came back home from
6 Afghanistan, there was people at the airport.
7 There were parades in your hometown. There were
8 all kinds of programs. You know, you go to the
9 Home Depot and there's discount programs, there's
10 Thank a Vet program at your county clerk's
11 office. There's license plates that we authorize
12 for different conflicts to recognize your
13 service.

14 I was at a Buffalo Sabres game the
15 other night, and they recognized a veteran in the
16 crowd -- 18,000 people stood up and applauded
17 that veteran for his service.

18 That's all because of the Vietnam
19 veterans. There is no way all those things are
20 happening today but for this generation, who
21 decided that they were never going to let that
22 happen to another generation of American fighting
23 men and women.

24 There's all kinds of programs today.
25 Think about it -- and all of you have dealt with

1 this. World War II veterans, when they came
2 back, they were just, you know, happy to get back
3 alive. They didn't ask for the medals or this or
4 that, they just went back to work.

5 But it's the Vietnam veterans who
6 make sure that today, when soldiers return, they
7 get the medals they're owed. They're the ones
8 who make sure the VA is a lot better about
9 medical services and treating veterans. They
10 have collectively made us appreciate the American
11 men and fighting women, because we didn't
12 appreciate it when they came back home. And
13 they've made sure that that will never happen
14 again, not on their watch.

15 When I go to a funeral of a veteran
16 from Iraq or Afghanistan, it was always Vietnam
17 veterans who were out holding the flags on the
18 roadway. It was the Vietnam veterans who
19 escorted that fallen soldier to their final
20 resting place. See, they have made a decision, a
21 conscious decision, that this nation was better
22 than what we gave them when they came back.

23 And I think it's awesome that we are
24 here today, that you get to be here today to
25 see -- it took a lot of time. But we can make --

1 as a country, as a state, as a community, we can
2 make the decision that, you know what, we were
3 wrong then. And I know -- I know people who were
4 there at that time who didn't serve, who
5 protested, who were part of the dishonor and
6 disrespect shown, and they will tell me today:
7 You know what? That was wrong. That was wrong.

8 I think that speaks also to who we
9 are as a country, that we can overcome those dark
10 moments, that we can -- we can reconcile that and
11 apologize, and we can make good that which we
12 screwed up.

13 So I want to thank all of you for
14 being here today. I want to thank you for never
15 forgetting that even after you took that uniform
16 off, you never forgot your oath to this country,
17 you never forgot your oath to the men and women,
18 your brothers and sisters in arms, whether they
19 never came home or they did come home.

20 And, you know, it's a unique -- I
21 also want to -- I should mention the Vietnam
22 Veterans -- certainly organizations out there --
23 Vietnam Veterans Chapter 77 back home in Western
24 New York, where I represent.

25 But it is a unique -- when this

1 generation is gone, it's going to be up to us to
2 remind future generations that that happened and
3 that it can't happen again, that we recognize and
4 honor our veterans not because they're rock
5 stars, but because they choose to raise their
6 hand and serve their country even at risk of
7 their life. And that should always, regardless
8 of how you feel about the political decision to
9 go to war, any war, the service and sacrifice
10 should always be honored and respected.

11 So to all of you, I say thank you
12 for your service, welcome home, and God bless
13 you.

14 ACTING PRESIDENT BAILEY: Thank
15 you, Senator Ortt.

16 Majority Leader Andrea
17 Stewart-Cousins to close.

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

20 And I just want to add my voice to
21 the chorus of voices that (A) thank Senator
22 Harckham for making sure that this resolution
23 happened.

24 Thank you, Senator Brooks, for being
25 outstanding as chair of our committee and for the

1 service that you continue to render on behalf of
2 veterans throughout this state.

3 And again, thank you to Leader Ortt,
4 because you too are a veteran and you spend a lot
5 of time talking about others. And, you know,
6 sometimes people don't, you know, put the
7 spotlight on themselves, so I get that.

8 And to all who have had the honor
9 and the privilege to wear a uniform in service of
10 this great nation.

11 As I listened to people talk -- you
12 know, I get to date myself because I remember the
13 Vietnam War. You know, I stand up and I talk
14 about my dad, who was a World War II veteran,
15 Purple Heart, Bronze Star, amazing man. And at
16 that time he served in a segregated army. And
17 when he came home, it wasn't all sunshine for
18 him. The GI bills didn't apply to black
19 soldiers. And so the benefits that happened for
20 so many didn't happen for my family and my dad.

21 But that didn't stop my brother, who
22 when it came to serve in Vietnam, to don the
23 uniform of the Marines and go to Vietnam. And I
24 remember that he wasn't old enough to vote then,
25 because the voting age was 21 and Bobby was 18.

1 But he went. And he thought it was a duty and a
2 privilege.

3 And he wasn't the only one that left
4 our housing project to go. A lot of his friends
5 didn't come back. He didn't know why he was
6 there, but he knew it was in service of the
7 country.

8 And my brother, he said he heard on
9 the plane -- he heard God speak to him. He said:
10 Do not fear, you will not die here. And every
11 day when he went out, he somehow knew he wouldn't
12 die, although death was all around him.

13 But he came back. And unlike what
14 happened to my dad, who had to go back to his
15 segregated life with few opportunities, my
16 brother came back and experienced what you
17 experienced -- a different kind of segregation.
18 The kind that said that you were in this
19 unpopular place doing this unpopular thing, and
20 therefore you're not worthy.

21 And it was the camaraderie and the
22 respect that you had one for another, and for the
23 valor that you had, that rallied around each
24 other and built each other up in every way you
25 could.

1 And as we matured in our
2 understanding that things aren't always this way
3 or that way, and as we matured in our
4 understanding of our rights and, yes, letting
5 18-year-olds vote so that they could have a
6 say -- and allowing for the power of your example
7 to seep into our collective psyche -- because of
8 that we stand here in this chamber, in chambers
9 across the nation, on this day to say thank you.

10 Thank you for teaching us better.
11 Thank you for showing us better. Thank you for
12 representing all those who did not come back.
13 Thank you for not allowing their memory to be
14 lost. And thank you for making us promise that
15 that injustice will never happen again.

16 God bless you for being here and
17 gracing our chamber. God bless you for your
18 service. And please understand that your example
19 will never be forgotten. And if we get it right,
20 if we get it right, this will never, ever
21 happen -- but, even better, we will never have to
22 go to senseless war. Thank you so very much.

23 I vote aye.

24 ACTING PRESIDENT BAILEY: Thank
25 you, Leader Stewart-Cousins.

1 So our distinguished and honored
2 guests, I welcome you on behalf of the Senate.
3 We extend to you the privileges and courtesies of
4 this house. Thank you for your perseverance,
5 your courage, your bravery, your service then and
6 now.

7 Please rise and be recognized.
8 (Prolonged standing ovation.)

9 ACTING PRESIDENT BAILEY: The
10 resolution was previously adopted on March 1st.
11 Senator Gianaris.

12 SENATOR GIANARIS: Thank you,
13 Mr. President.

14 And thanks once again to our
15 distinguished guests.

16 Let's move on now to previously
17 adopted Resolution 2042, by Senator Kennedy, read
18 that resolution's title, and recognize
19 Senator Kennedy.

20 ACTING PRESIDENT BAILEY: The
21 Secretary will read.

22 THE SECRETARY: Senate Resolution
23 2042, by Senator Kennedy, memorializing Governor
24 Kathy Hochul to proclaim March 2022 as
25 Bleeding Disorders Awareness Month in the State

1 of New York.

2 ACTING PRESIDENT BAILEY: Senator
3 Kennedy on the resolution.

4 SENATOR KENNEDY: Thank you very
5 much, Mr. President.

6 I rise to recognize March 2022 as
7 Bleeding Disorders Awareness Month in New York
8 State.

9 Bleeding disorders affect hundreds
10 of thousands of people here in New York -- one in
11 100 New Yorkers -- and include a variety of
12 genetic conditions, including hemophilia, Von
13 Willebrand disease, sickle cell anemia, and
14 platelet disorders.

15 As recently as the 1960s, there was
16 no treatment for people with bleeding disorders.
17 Those with serious symptoms such as prolonged
18 bleeding, debilitating joint and muscle damage
19 and organ failure, often had a life expectancy of
20 only 40 years.

21 Fast forward to today, and there's
22 far more hope. With the right treatment, people
23 diagnosed with bleeding disorders are leading
24 full, productive lives. Part of that is due to
25 the advances in medicine and research that have

1 profoundly impacted what we know about these
2 disorders and how we treat them.

3 And the other part is credited to
4 early diagnosis, proper care, and ensuring
5 patients have access to the medication and
6 services that they need to survive.

7 By recognizing March as Bleeding
8 Disorders Awareness Month, New York is aligning
9 with the observance of National Bleeding
10 Disorders Awareness Month and fostering public
11 awareness and understanding of these disorders,
12 with the hope of educating New Yorkers about the
13 symptoms and encouraging early detection and
14 treatment.

15 The National Hemophilia Foundation
16 is encouraging our greater community and our
17 state and other states across the nation to start
18 the conversation this month. And that's exactly
19 what we're doing here today, Mr. President. I
20 encourage our colleagues to join me in bringing
21 attention to these disorders, with the hope that
22 we can provide resources and start a conversation
23 that could potentially save lives.

24 With that, Mr. President, I vote
25 aye. Thank you.

1 ACTING PRESIDENT BAILEY: Thank
2 you, Senator Kennedy.

3 The resolution was previously
4 adopted on March 15th.

5 Senator Gianaris.

6 SENATOR GIANARIS: And now let's
7 take up Resolution 2169, by Senator Mayer, read
8 that resolution's title, and recognize
9 Senator Mayer.

10 ACTING PRESIDENT BAILEY: The
11 Secretary will read.

12 THE SECRETARY: Senate Resolution
13 2169, by Senator Mayer, memorializing the death
14 of Beverly L. Ouderkirk, renowned member of the
15 New York State Board of Regents, distinguished
16 citizen, and devoted member of her community.

17 ACTING PRESIDENT BAILEY: Senator
18 Mayer on the resolution.

19 SENATOR MAYER: Thank you,
20 Mr. President.

21 It's truly my honor to speak on
22 behalf of this resolution mourning the death of
23 Beverly Ouderkirk. Beverly Ouderkirk was a
24 distinguished member of the Board of Regents.
25 She had been appointed on April 1, 2015. She

1 passed away last week at the age of 82.

2 Beverly Ouderkirk had an
3 extraordinary career -- 50 years in public
4 education -- and through it all, an incredible
5 commitment to the people not only of her
6 community but all the students of New York. In
7 the Regents she proudly represented the
8 11 counties comprising the major geographic
9 portion of the North Country.

10 But I would say, having met with her
11 and worked with her, that her commitment was to
12 students everywhere. It didn't matter whether
13 you were from Ogdensburg or you were from
14 Brooklyn; she understood the role of public
15 education, and she was extraordinarily committed
16 to it.

17 She served as an educator for
18 17 years, working her way up through several
19 school districts, ultimately to becoming deputy
20 superintendent in the Gouverneur Central School
21 District. And then she kept going and became
22 ultimately a BOCES district superintendent at
23 Genesee Valley in Western New York.

24 After she accomplished all that over
25 a period of 17 years, working -- seriously --

1 every step of the way up the ladder, she retired.
2 But she didn't retire. She then took on
3 additional roles as an interim superintendent.
4 And she had really a job that I think is pretty
5 extraordinary, we never give it credit: She was
6 the shared superintendent of the St. Regis Falls
7 and Brushton-Moira Central School Districts, a
8 first in New York State.

9 And for those of us in government
10 and politics, to be a superintendent, a shared
11 superintendent of two districts, I can't think of
12 a more challenging thing -- which she did
13 extraordinarily well.

14 She also was very active in her
15 community on top of all this. She was a member
16 of the Morristown Village Board, the Morristown
17 Chamber of Commerce, the Morristown Public
18 Library Board, the festival planning committee.
19 She had three very successful adult sons, a
20 foster mother to a child with disabilities, a
21 host parent to two AFS foreign exchange students,
22 a grandmother to six unique grandchildren, one of
23 whom is hard of hearing.

24 She was both individually and
25 collectively a force for the power of public

1 education.

2 I had the distinct honor of working
3 with her as she was cochair of the State Aid
4 Subcommittee on the Board of Regents. She came
5 to roundtables throughout the state as we tried
6 to determine how to address the failure to fully
7 fund Foundation Aid prior to the pandemic. And
8 up to the date of her death, she was still
9 fighting for public education, for public
10 students, for equality of opportunity, for seeing
11 education through the lens of equity, and for
12 ensuring that New York lived up to its model of a
13 top place for public education.

14 We mourn her death. We mourn her
15 passion and her commitment. And we honor her by
16 this resolution.

17 So I'm very proud that I could bring
18 this resolution to the floor. I look forward to
19 presenting it to her family.

20 Thank you, Mr. President. I proudly
21 vote aye.

22 ACTING PRESIDENT BAILEY: Thank
23 you, Senator Mayer.

24 The question is on the resolution.
25 All those in favor signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT BAILEY: Opposed,
3 nay.

4 (No response.)

5 ACTING PRESIDENT BAILEY: The
6 resolution is adopted.

7 Senator Gianaris.

8 SENATOR GIANARIS: At the request
9 of the various sponsors, the resolutions we took
10 up today are open for cosponsorship.

11 ACTING PRESIDENT BAILEY: These
12 resolutions are open for cosponsorship. Should
13 you choose not to be a cosponsor of the
14 resolutions, please notify the desk.

15 Senator Gianaris.

16 SENATOR GIANARIS: Mr. President,
17 there's a report of the Finance Committee at the
18 desk. Please take that up.

19 ACTING PRESIDENT BAILEY: The
20 Secretary will read.

21 THE SECRETARY: Senator Krueger,
22 from the Committee on Finance, reports the
23 following bill:

24 Senate Print 8002, Senate Budget
25 Bill, an act making appropriations for the legal

1 requirements of the state debt service.

2 The bill reports direct to third
3 reading.

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

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

9 (Response of "Aye.")

10 ACTING PRESIDENT BAILEY: Opposed,
11 nay.

12 (No response.)

13 ACTING PRESIDENT BAILEY: The
14 report of the Finance Committee is adopted.

15 Senator Gianaris.

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

18 ACTING PRESIDENT BAILEY: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number
21 248, Senate Print 1826A, by Senator Skoufis, an
22 act to amend the State Finance Law.

23 ACTING PRESIDENT BAILEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the first of January.

2 ACTING PRESIDENT BAILEY: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BAILEY: Announce
6 the results.

7 THE SECRETARY: Ayes, 63.

8 ACTING PRESIDENT BAILEY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 336, Senate Print 5280, by Senator Parker, an act
12 to amend the Administrative Code of the City of
13 New York.

14 ACTING PRESIDENT BAILEY: Read the
15 last section.

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

18 ACTING PRESIDENT BAILEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BAILEY: Announce
22 the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 355, Senate Print 2972, by Senator Harckham, an
3 act to amend Chapter 668 of the Laws of 1977.

4 ACTING PRESIDENT BAILEY: Read the
5 last section.

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

8 ACTING PRESIDENT BAILEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BAILEY: Announce
12 the results.

13 THE SECRETARY: Ayes, 63.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 356, Senate Print 2973, by Senator Harckham, an
18 act to amend Chapter 606 of the Laws of 2006.

19 ACTING PRESIDENT BAILEY: Read the
20 last section.

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

23 ACTING PRESIDENT BAILEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT BAILEY: Announce
2 the results.

3 THE SECRETARY: Ayes, 63.

4 ACTING PRESIDENT BAILEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 409, Senate Print 7501, by Senator Hinchey, an
8 act to amend the Public Health Law.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

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

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Senator
17 Borrello to explain his vote.

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

20 I rise to support this bill today,
21 largely because I have a somewhat personal
22 experience with the rabies vaccine issue.

23 A few years ago I traveled to a
24 conference in the country of Panama, and my wife
25 came along with me. And as part of the trip we

1 took a tour of the Panama Canal by boat, a very
2 small boat. The boat went up to something called
3 Monkey Island, where we could see monkeys moving
4 about the trees.

5 However, one of those wild monkeys
6 actually jumped onto the boat and started running
7 around the boat. And my wife decided that she
8 wanted to try to pet the monkey, which turned out
9 to be a really bad idea, because the monkey sunk
10 her teeth into her hand. It was a pretty big
11 wound, bled profusely. My wife, to her credit,
12 wanted to continue the tour despite the fact that
13 she was bleeding profusely. But we turned the
14 boat around and went back to the mainland.

15 Long story short, we went to a
16 hospital in the mega-opolis of Panama City. I
17 was a little concerned, but I will say the
18 healthcare in Panama is actually quite good.
19 They took very good care of my wife. They
20 actually called in a plastic surgeon to stitch
21 her up.

22 And I said to the doctor, "Well,
23 this must happen all the time, right?" And the
24 answer was "No, actually I've never seen this
25 before. I've never seen anybody get bit by a

1 monkey."

2 (Laughter.)

3 SENATOR BORRELLO: So long story
4 short, they did stitch my wife up, gave her some
5 antibiotics and really said -- we didn't get an
6 opinion on whether or not she should have a
7 rabies shot.

8 So on the flight home, we decided it
9 would be good for her to actually get the rabies
10 vaccine. Because rabies is incurable and deadly.
11 You will die of a very painful neurological
12 disorder. And there's no way to know in any case
13 if the animal actually has rabies unless they
14 actually have that animal and can dissect its
15 brain. We found all this out as a result of this
16 situation.

17 So thank goodness our county health
18 department was on the ball. They did a fantastic
19 job. But the rabies vaccine is a multiple
20 injection and very, very expensive. It doesn't
21 happen often, as I found out, but it does happen.
22 And it is serious.

23 So I think it's important that
24 insurance companies do step up and pay for this
25 vaccine. I do think it is important that people

1 feel that despite the fact that this might be
2 something they're unsure of, it is very important
3 that you do, should you ever be exposed to the
4 rabies virus.

5 And as my wife found out, it is
6 certainly a interesting experience, as she had
7 several injections, to add a little bit of insult
8 to injury with her monkey bite.

9 So I laugh about it now,
10 Mr. President, because everything was fine and my
11 wife handled it like the trooper that she is.
12 But an interesting experience.

13 And I want to thank Senator Hinchey,
14 who I gave video evidence of to prove that I am
15 not exaggerating my story here. I did put the
16 camera down after she got bit, I want to be clear
17 about that, so I could help my wife.

18 But Mr. President, I proudly vote
19 aye. Thank you.

20 ACTING PRESIDENT BAILEY: Senator
21 Borrello to be recorded in the affirmative.

22 Announce the results.

23 THE SECRETARY: Ayes, 63.

24 ACTING PRESIDENT BAILEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 476, Senate Print 4703A, by Senator Kaplan, an
3 act requiring the Commissioner of Taxation and
4 Finance to conduct a study on how successful
5 property tax grievances have been over the prior
6 three years throughout the state.

7 ACTING PRESIDENT BAILEY: Read the
8 last section.

9 THE SECRETARY: Section 5. This
10 act shall take effect immediately.

11 ACTING PRESIDENT BAILEY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BAILEY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar Number 476, voting in the negative:
18 Senator Akshar.

19 Ayes, 62. Nays, 1.

20 ACTING PRESIDENT BAILEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 481, Senate Print 7549, by Senator Gaughran, an
24 act authorizing St. Mark Coptic Church Center to
25 retroactively apply for a real property tax

1 exemption for certain property.

2 ACTING PRESIDENT BAILEY: Read the
3 last section.

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

6 ACTING PRESIDENT BAILEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT BAILEY: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar Number 481, those Senators voting in the
13 negative are Senators Akshar and O'Mara.

14 Ayes, 61. Nays, 2.

15 ACTING PRESIDENT BAILEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 554, Senate Print 1025, by Senator Ramos, an act
19 to amend the Labor Law.

20 ACTING PRESIDENT BAILEY: Read the
21 last section.

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

24 ACTING PRESIDENT BAILEY: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BAILEY: Announce
3 the results.

4 THE SECRETARY: Ayes, 63.

5 ACTING PRESIDENT BAILEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 559, Senate Print 7429, by Senator Gounardes, an
9 act directing the Commissioner of Labor to
10 conduct a comprehensive study on immigrant and
11 refugee participation in adult education.

12 ACTING PRESIDENT BAILEY: Read the
13 last section.

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

16 ACTING PRESIDENT BAILEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BAILEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar Number 559, those Senators voting in the
23 negative are Senators Akshar, Borrello, Gallivan,
24 Griffo, Helming, Lanza, Martucci, Oberacker,
25 O'Mara, Ortt, Rath, Ritchie, Serino and Tedisco.

1 Also Senator Stec. Also Senator Jordan.

2 Ayes, 47. Nays, 16.

3 ACTING PRESIDENT BAILEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 617, Senate Print 5025A, by Senator Serrano, an
7 act creating a legislative task force on outdoor
8 environmental education.

9 ACTING PRESIDENT BAILEY: Read the
10 last section.

11 THE SECRETARY: Section 5. This
12 act shall take effect immediately.

13 ACTING PRESIDENT BAILEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BAILEY: Announce
17 the results.

18 THE SECRETARY: In relation to
19 Calendar Number 617, voting in the negative:
20 Senator Akshar.

21 Ayes, 62. Nays, 1.

22 ACTING PRESIDENT BAILEY: The bill
23 is passed.

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

1 SENATOR GIANARIS: Let us take up
2 the supplemental calendar now, please.

3 ACTING PRESIDENT BAILEY: There is
4 a substitution at the desk.

5 The Secretary will read.

6 THE SECRETARY: Senator Krueger
7 moves to discharge, from the Committee on
8 Finance, Assembly Bill Number 9002 and substitute
9 it for the identical Senate Bill 8002, Third
10 Reading Calendar 741.

11 ACTING PRESIDENT BAILEY: The
12 substitution is so ordered.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 741, Assembly Bill Number 9002, Assembly Budget
16 Bill, an act making appropriations for the legal
17 requirements of the state debt service.

18 SENATOR LANZA: Lay it aside.

19 ACTING PRESIDENT BAILEY: Lay it
20 aside.

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

23 SENATOR GIANARIS: Let's take up
24 the controversial calendar, please.

25 ACTING PRESIDENT BAILEY: The

1 Secretary will ring the bell.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number
4 741, Assembly Print Number 9002, Assembly Budget
5 Bill, an act making appropriations for the legal
6 requirements of the state debt service.

7 ACTING PRESIDENT BAILEY: Senator
8 O'Mara.

9 SENATOR O'MARA: Thank you,
10 Mr. President. If Senator Krueger would yield
11 for some questions on this bill.

12 ACTING PRESIDENT BAILEY: Will
13 Senator Krueger yield for some questions?

14 SENATOR KRUEGER: With pleasure,
15 Mr. President.

16 ACTING PRESIDENT BAILEY: The
17 sponsor yields.

18 SENATOR O'MARA: Thank you, Senator
19 Krueger.

20 This bill before us deals with the
21 debt service and the fulfillment of our
22 obligations to our creditors going forward and
23 making payments.

24 However, it also has new debt in it
25 that has not been appropriated yet by this

1 Legislature and is assumed to be coming forth in
2 subsequent budget bills not before us or even in
3 print yet.

4 Can you tell us how we have -- you
5 have estimated the increasing of the debt -- or
6 new debt coming forth of about \$9.3 billion?

7 SENATOR KRUEGER: Thank you,
8 Mr. President.

9 My colleague is correct. We think
10 there's potential for up to 9.3 billion in
11 additional debt. And we are building into this
12 bill, because it is the debt service bill and we
13 want to make sure that we get it done on time so
14 that we show our creditors that we make good on
15 what we owe and that there's no lapse.

16 And the truth is if we support in
17 this bill debt that we don't take on, not to
18 worry. We won't have to pay it.

19 SENATOR O'MARA: Through you,
20 Mr. President, if the Senator will continue to
21 yield.

22 ACTING PRESIDENT BAILEY: Will the
23 sponsor yield?

24 SENATOR KRUEGER: Yes.

25 ACTING PRESIDENT BAILEY: The

1 sponsor yields.

2 SENATOR O'MARA: Can you explain to
3 us how the Majority came up with the 9.3 billion
4 in projected bonds to be issued in the next
5 fiscal year?

6 SENATOR KRUEGER: We've accepted
7 the Executive's proposal, which would be 9.3
8 billion, pending final negotiations with the two
9 houses as to whether that is the ultimate number
10 or not.

11 SENATOR O'MARA: Through you,
12 Mr. President, will Senator Krueger continue to
13 yield?

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR KRUEGER: Certainly.

17 ACTING PRESIDENT BAILEY: The
18 sponsor yields.

19 SENATOR O'MARA: Senator Krueger,
20 why do we not pass this bill today committing to
21 our obligations to make the payments on current
22 debt, and then come back and amend it after the
23 budget for whatever new money we actually
24 appropriate in the budget?

25 SENATOR KRUEGER: I'm not sure that

1 there's a legal answer that we wouldn't have that
2 option. I think it's just become the model of
3 this Legislature every year to pass the debt
4 limit bill first, make sure we get that under our
5 belts, even if we're not a hundred percent sure
6 we're going to be on time with the full budget.

7 And then, again, if we've put
8 something in here that we don't ever go to market
9 and bond, then we don't owe it and we avoid the
10 future problem of needing to come back and amend.

11 But I don't know if there's a legal
12 reason why we don't do amendments to budget
13 bills.

14 SENATOR O'MARA: Through you,
15 Mr. President, if the Senator will continue to
16 yield.

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR KRUEGER: Certainly.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR O'MARA: Would you agree,
23 Senator Krueger, that it's certainly not unusual
24 for this body to come back and do chapter
25 amendments on bills that have been passed even

1 before bills are signed by the Governor?

2 SENATOR KRUEGER: Yes, we do
3 chapter amendments even -- well, even before
4 bills are passed {sic} by the Governor? That I'm
5 not sure --

6 SENATOR O'MARA: -- done it last
7 year, as a matter of fact.

8 SENATOR KRUEGER: But I'm not sure
9 there's that much of a pattern of doing that on
10 budget bills themselves.

11 SENATOR O'MARA: Through you,
12 Mr. President, if the sponsor will continue to
13 yield.

14 ACTING PRESIDENT BAILEY: Will the
15 sponsor yield?

16 SENATOR KRUEGER: Certainly.

17 ACTING PRESIDENT BAILEY: The
18 sponsor yields.

19 SENATOR O'MARA: But you would
20 agree that chapter amendments on pieces of
21 legislation other than budget bills is common
22 practice?

23 SENATOR KRUEGER: Absolutely. We
24 make mistakes, things change all the time. And
25 the great thing about democracy is that there is

1 an ability to come back to the floor of both
2 houses, come to new agreements, and have new
3 bills passed and signed.

4 SENATOR O'MARA: Through you,
5 Mr. President, if Senator Krueger will continue
6 to yield.

7 ACTING PRESIDENT BAILEY: Will the
8 sponsor yield?

9 SENATOR KRUEGER: Absolutely.

10 ACTING PRESIDENT BAILEY: The
11 sponsor yields.

12 SENATOR O'MARA: Last year,
13 Senator Krueger, the state made some significant
14 prepayments on bonding -- on bonds that were
15 outstanding. What in this debt service bill this
16 year is there in regards to any prepayments of
17 bonds that are outstanding?

18 SENATOR KRUEGER: (Reading.) The
19 financial plan increases prepayments of debt by
20 1.5 billion in fiscal year '22, to a total of
21 2.9 billion. These payments will reduce debt
22 service costs in fiscal years 2026 and later.
23 Five hundred million reduced service costs in
24 '26, one billion reduced service costs in '27.

25 SENATOR O'MARA: Through you,

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

3 ACTING PRESIDENT BAILEY: Does the
4 sponsor yield?

5 SENATOR KRUEGER: Yes.

6 ACTING PRESIDENT BAILEY: The
7 sponsor yields.

8 SENATOR O'MARA: Senator Krueger,
9 this debt service bill that is anticipating
10 9.3 billion in new bonding, bond issuance, what
11 does this -- at that level of 9.3 billion, what
12 will that increase our outstanding state debt to?

13 SENATOR KRUEGER: So our
14 outstanding debt currently is 62.9 billion. And
15 the 9.1 -- or three billion, sorry, would bring
16 us up to 69.3 billion.

17 SENATOR O'MARA: Through you,
18 Mr. President, if Senator Krueger will continue
19 to yield.

20 ACTING PRESIDENT BAILEY: Will the
21 sponsor yield?

22 SENATOR KRUEGER: Yes.

23 ACTING PRESIDENT BAILEY: The
24 sponsor yields.

25 SENATOR O'MARA: Senator Krueger,

1 that -- those figures account for about a
2 6.4 billion increase in the debt to New Yorkers.
3 That's in excess of a 10 percent increase in
4 debt. How can this Majority -- how does it feel
5 appropriate to be increasing our debt by
6 10 percent at this time, particularly in light of
7 the fact that we have billions and billions of
8 dollars of federal COVID relief funds and
9 billions and billions of dollars of surplus
10 revenues that have come into the state coffers
11 throughout this fiscal year.

12 SENATOR KRUEGER: Through you,
13 Mr. President, I think some of this is an
14 ideological discussion, and that's healthy.

15 I think that the Governor and my
16 colleagues on the Democratic side believe that
17 there is a reason for debt. When you need to
18 invest in long-term-infrastructure capital costs,
19 you go to the bond market and you borrow. But
20 you pay it back, which is really the underlying
21 theme of this bill, the guarantee that we will
22 continue to make our debt payments.

23 The good news is we have been
24 continuing to make our debt payments, good years
25 and bad years, and we have a bond market that,

1 quote, unquote, rewards us with pretty high
2 grades, allowing us to borrow at fairly low
3 levels compared to most other places in this
4 country, because they recognize that we don't
5 borrow beyond our means, we are able to repay it.

6 And the truth is that the future of
7 our state is far more dependent on whether we've
8 got the infrastructure in place, the capital
9 undergirding, so to speak, of our economy, to
10 make sure that we can continue and move forward.

11 So perhaps we would all love to be
12 able to never be in debt, but I actually think
13 that's very uncommon for anyone either as
14 individuals, and it's certainly unheard-of in
15 government.

16 And in the realm of the amount of
17 debt we're talking on and our ability to repay it
18 and the interest rates we are able to borrow
19 money at, I'm very, very confident that New York
20 State can in fact absorb this debt, continue to
21 make its payments and, most importantly, purchase
22 the capital and infrastructure items that we need
23 to, to continue to be the great State of
24 New York.

25 SENATOR O'MARA: Thank you,

1 Senator.

2 Mr. President, through you, if
3 Senator Krueger will continue to yield.

4 ACTING PRESIDENT BAILEY: Will the
5 sponsor yield?

6 SENATOR KRUEGER: Certainly.

7 ACTING PRESIDENT BAILEY: The
8 sponsor yields.

9 SENATOR O'MARA: Senator Krueger,
10 of the -- assuming this bill is going to pass,
11 which I'm sure it's going to, the amount of
12 outstanding debt and bonds owed by the State of
13 New York will be approximately 69.3 billion. How
14 much of that 69.3 billion has actually been
15 approved by the voters? I mean to the voters of
16 New York State with a bond resolution on the
17 ballot.

18 (Pause.)

19 SENATOR KRUEGER: So outstanding,
20 of our obligated debt, \$2.2 billion was through
21 bonds that went to the voters for a vote. I
22 don't know which bonds at this moment.

23 SENATOR O'MARA: Through you,
24 Mr. President, if the sponsor will continue to
25 yield.

1 ACTING PRESIDENT BAILEY: Will the
2 sponsor yield?

3 SENATOR KRUEGER: Yes.

4 ACTING PRESIDENT BAILEY: The
5 sponsor yields.

6 SENATOR O'MARA: So by my
7 calculation, that's somewhere around 2 percent of
8 all outstanding debt owed by New York State.
9 Only 2 percent of that has actually been approved
10 by the voters of New York State.

11 SENATOR KRUEGER: As individual
12 bond acts that went to the voters. Yes, I think
13 we agree with you.

14 SENATOR O'MARA: Through you,
15 Mr. President, if Senator Krueger will continue
16 to yield.

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR KRUEGER: Yes.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR O'MARA: Senator Krueger,
23 of the anticipated \$9.3 billion we mentioned,
24 which is anticipated new debt being approved to
25 be paid in this bill, of which will be

1 appropriated in forthcoming budget bills, how
2 much of that is anticipated to be approved by the
3 voters of New York State?

4 SENATOR KRUEGER: Between 4 and
5 6 billion.

6 We have a Green Bond Act for
7 4 billion in the Governor's budget, which the
8 Senate has proposed become a \$6 billion bond act.
9 I believe that's the only bond act going before
10 the public planned in this budget.

11 SENATOR O'MARA: Okay, thank you,
12 Senator Krueger.

13 Through you, Mr. President, if
14 Senator Krueger would continue to yield.

15 ACTING PRESIDENT BAILEY: Will the
16 sponsor yield?

17 SENATOR KRUEGER: Yes.

18 ACTING PRESIDENT BAILEY: The
19 sponsor yields.

20 SENATOR O'MARA: Senator, of this
21 9.3 billion of new debt to be incurred -- other
22 than the environmental bond act, whether that's
23 4 to 6 billion where that ends up -- how much of
24 this new debt is going to pay our debt to the
25 federal government on the Unemployment Insurance

1 Fund?

2 SENATOR KRUEGER: That doesn't go
3 through the state General Fund, so that wouldn't
4 be included in this. The Unemployment Fund is a
5 separate fund. It is not General Fund money and
6 does not go through the budget the way we talk
7 about other funds.

8 SENATOR O'MARA: Thank you.

9 Through you, Mr. President, if
10 Senator Krueger would yield.

11 ACTING PRESIDENT BAILEY: Will the
12 sponsor yield?

13 SENATOR KRUEGER: Yes.

14 ACTING PRESIDENT BAILEY: The
15 sponsor yields.

16 SENATOR O'MARA: So then the total
17 anticipated debt of the state of 69.3 billion
18 does not include the 9-plus billion we owe the
19 federal government for unemployment insurance.

20 SENATOR KRUEGER: That's correct.

21 SENATOR O'MARA: Through you,
22 Mr. President, if the sponsor will continue to
23 yield.

24 ACTING PRESIDENT BAILEY: Will the
25 sponsor yield?

1 SENATOR KRUEGER: Yes.

2 ACTING PRESIDENT BAILEY: The
3 sponsor yields.

4 SENATOR O'MARA: Senator Krueger,
5 can you explain to us how that in excess of
6 \$9 billion in unemployment insurance debt owed to
7 the federal government, how New York will pay for
8 that or how they're obligated to pay for that?

9 SENATOR KRUEGER: Through you,
10 Mr. President. It's a repayment to the federal
11 government on a loan on our unemployment, because
12 in bad economic times when we draw down more in
13 unemployment we sometimes find ourselves maxing
14 out the funds that are in that account.

15 And happily, the federal government
16 has set up a system where you can, any state, go
17 to the federal government and take a loan to make
18 sure that you can make good on your unemployment
19 benefit payments.

20 Then in good times you're expected
21 to be able to repay those loans over time. And
22 this is a system that has been set up for decades
23 and decades and decades and is really an
24 arrangement between employers and employees where
25 the state is basically a centralized middleman,

1 so to speak, in the process. But it's actually
2 not state funds, and it's the federal government
3 loaning to our unemployment fund with the
4 expectation that businesses will repay.

5 SENATOR O'MARA: Thank you.

6 Through you, Mr. President, if the
7 Senator would continue to yield.

8 ACTING PRESIDENT BAILEY: Will the
9 sponsor yield?

10 SENATOR KRUEGER: Yes, I will.

11 ACTING PRESIDENT BAILEY: The
12 sponsor yields.

13 SENATOR O'MARA: So it's the
14 position of this Majority that the 9-plus billion
15 owed to the federal government for unemployment
16 insurance will be paid back on the backs of
17 businesses who employ workers in New York State
18 via increased workers' compensation rates?

19 SENATOR KRUEGER: I don't think
20 it's the position of this conference. It's
21 federal law and state law that has been in effect
22 for -- since the -- for decades, if not soon
23 after the Great Depression of the '30s, I
24 believe. I don't know exactly when unemployment
25 started.

1 But it is a -- literally an
2 arrangement set up in federal law, and all states
3 follow the federal law. And all states find
4 themselves in some variation on this storyline
5 depending on whether we're coming out of a bad
6 economic period or a better economic period.

7 And thank goodness we have this
8 program so that in tougher times, as everyone
9 knows our economy goes through, we have an
10 ability to make sure that workers are left with
11 not nothing, but some reasonable benefit rate to
12 help tide them over until they can find
13 employment again.

14 SENATOR O'MARA: Thank you.

15 Through you, Mr. President, if the
16 sponsor will continue to yield.

17 ACTING PRESIDENT BAILEY: Will the
18 sponsor yield?

19 SENATOR KRUEGER: Yes, certainly.

20 ACTING PRESIDENT BAILEY: The
21 sponsor yields.

22 SENATOR O'MARA: I'm aware,
23 Senator Krueger, and you may be as well -- it's
24 certainly been reported that many states are
25 utilizing their federal COVID relief funds to pay

1 down their unemployment insurance debts that were
2 brought about because of the COVID pandemic.

3 Is there anything -- well, there's
4 nothing in this debt service bill to do that.
5 But is there anything anticipated in the budget
6 bills to be coming forward that's going to
7 utilize any of the COVID relief funds or our
8 surplus funds to help New York State businesses
9 by paying down this Unemployment Insurance Fund?

10 SENATOR KRUEGER: So,
11 Mr. President, my understanding is that that is
12 still an open discussion in three-way
13 negotiations continuing to take place.

14 But even if we're not, I just want
15 to remind everyone, there's not a deadline on
16 when we have to pay back the federal government.
17 And that this is the model that the program is
18 set up to deal with. So I don't think anybody
19 should get too nervous about the problem of our
20 having outstanding debt in repaying the federal
21 government from UIB.

22 SENATOR O'MARA: Thank you,
23 Senator Krueger.

24 And Mr. President, on the bill for a
25 moment, please.

1 ACTING PRESIDENT BAILEY: Senator
2 O'Mara on the bill.

3 SENATOR O'MARA: You know, I'm
4 concerned with the process here and the timing of
5 this bill. And certainly we want to ensure to
6 our creditors that we're going to pay on our
7 obligations of the bonds that are outstanding.

8 That's not necessarily due until
9 midnight this Thursday, a couple of days away.
10 And perhaps by then, more of the budget could
11 have been agreed to or maybe actually be put in
12 print for us to look at and be considering what's
13 going to be forthcoming on the spending,
14 particularly the new part of this spending, a
15 10.2 percent increase in the amount of debt
16 that's going to owed by New Yorkers that we
17 should know at the time we're voting on this bill
18 what that specific amount is going to be, what
19 it's going to be for, in determining -- and then
20 have a bill that includes all of that and not a
21 big piece of guesswork on what may or may not be
22 in the budget forthcoming.

23 Certainly I'm encouraged that of the
24 9.3 billion in proposed increase debt, 4 to
25 6 billion of that will go to the ballot for voter

1 approval. It's a far greater percentage of debt
2 than is currently approved by the voters of
3 New York, of only 2 percent of our outstanding
4 debt.

5 So I believe at this point, at this
6 stage of our budget process, we should not be
7 bringing this bill up at this point. And that at
8 a minimum, the bill should not include
9 anticipated new debt that hasn't even been put on
10 budget bills yet, and that that could easily be
11 added through a chapter amendment after we pass
12 the budget.

13 So for that reason, I'll be voting
14 no on this bill and I encourage other members to
15 join me in that.

16 Thank you.

17 ACTING PRESIDENT BAILEY: Thank
18 you, Senator O'Mara.

19 Are there any other Senators wishing
20 to be heard?

21 Seeing and hearing none, debate is
22 closed. The Secretary will ring the bell.

23 Read the last section.

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

1 ACTING PRESIDENT BAILEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BAILEY: Senator
5 Akshar to explain his vote.

6 SENATOR AKSHAR: Mr. President,
7 thank you.

8 Today really we start what can be
9 described as a long and arduous process of
10 passing an on-time budget.

11 And for me, I arrived here in 2016.
12 The budget that that particular year was adopted
13 was \$148 billion. If you look this year, in
14 2022, as proposed by the Governor it's
15 \$216 billion. That's an increase in the last six
16 years of \$68 billion. The last two years alone,
17 this budget has increased by a staggering
18 23 percent.

19 I would ask all of us in this house,
20 have you met a constituent in your district whose
21 income has grown by 28 percent, their household
22 income? Certainly not in mine. New Yorkers
23 continue to struggle.

24 And I align myself with something
25 Senator O'Mara said. I in fact believe that we

1 should pay our debt. We owe people money, we
2 in fact should pay them. But the reality is in
3 this particular debt service bill there is an
4 additional \$9.3 billion in projected spending,
5 and frankly we have no idea what that money is
6 going to be spent on.

7 Now, I'm sure there will be some
8 debate about do we have a surplus, do we not have
9 a surplus. If there is one, have we already
10 spent it, as proposed by the Executive.

11 The reality is is that the state's
12 receipts are \$22 billion over the enacted
13 projections. So rather than bond for an
14 additional \$9.3 billion, it is my suggestion that
15 we use some of that surplus money rather than
16 continuing to borrow.

17 I agree wholeheartedly with the
18 sponsor, with something that she said. She
19 said -- she referred to the state, the great
20 State of New York. I agree, it is in fact a
21 great state. I'm proud to live here, I'm proud
22 to represent the people back in Senate
23 District 52.

24 But the reality is is that many
25 New Yorkers, not only in my Senate district but

1 throughout this great State of New York, are
2 quickly referring to the State of New York as the
3 "unaffordable State of New York." And reckless
4 borrowing like that is contributing to that.

5 Mr. President, I vote no.

6 ACTING PRESIDENT BAILEY: Senator
7 Akshar to be recorded in the negative.

8 Senator Krueger to explain her vote.

9 SENATOR KRUEGER: Thank you,
10 Mr. President.

11 You know, we were having a nice
12 discussion, and I think it's really about
13 legitimate concerns about what order we do our
14 budget bills in. And I would agree, it would be
15 better if we knew all the answers and had all the
16 bills ready to go on one day. But we don't. And
17 I also have lived through many years here where
18 we've been here as late as August still trying to
19 get budgets done.

20 So I've learned to live with the
21 doable, not the impossible. And what I do know
22 about this bill, this is the bill that assures
23 people who we have borrowed money from that we
24 are going to pay our bills. And I frankly don't
25 understand anyone who does vote no against this,

1 because that means you have to go home and tell
2 people, I voted for us not to pay our debts.

3 So you can agree or disagree that
4 the State of New York spends too much money, not
5 enough money, has borrowed too much, hasn't
6 borrowed enough, that no one listens to you. But
7 at the end of the day, do we really want to go
8 home and say, We borrowed money but now we've
9 decided to vote down the legislation that
10 guarantees that the State of New York continues
11 to make good on the promises we have made?

12 Because when we're not paying our
13 bondholders, that really means we're not paying
14 our own constituents, who actually are the
15 bondholders. So I truly don't understand, even
16 if we want to disagree on every dollar that's in
17 the budget coming up, how we would vote against
18 our obligation to make the payments on the money
19 we have already borrowed and spent.

20 So please, everyone, think about
21 that when you make your vote. I certainly
22 urge a yes vote.

23 Thank you, Mr. President.

24 ACTING PRESIDENT BAILEY: Senator
25 Krueger to be recorded in the affirmative.

1 Senator Lanza to explain his vote.

2 SENATOR LANZA: Mr. President, to
3 explain my vote.

4 I'm going to help people understand
5 what's happening here. It's one thing to vote on
6 a debt bill to satisfy past debt obligations.
7 It's another thing to vote on a debt -- so-called
8 debt bill that incurs new debt and puts that on
9 the backs of the taxpayers of the State of
10 New York.

11 And that would be bad enough, to
12 say, Well, now given the times that we are seeing
13 here and the difficulties that our
14 constituents are facing, that we're going to take
15 on new debt for new spending when we haven't paid
16 off our old debt. But this even goes one step
17 further in a ridiculous fashion. We're saying
18 we're going to borrow -- we're going to make the
19 taxpayers of the State of New York borrow between
20 4 and 9 billion dollars in additional borrowing,
21 and we don't even know what it's going to spent
22 on. And they don't even know what it's going to
23 be spent on.

24 And, Mr. President, in good
25 conscience I can't vote in favor of legislation

1 that creates between 4 and 9 billion dollars of
2 new debt that the taxpayers will have to shoulder
3 over the next 10, 20, 30 years, when we don't
4 even know what it's going to be spent on. That
5 would be irresponsible, as far as I'm concerned,
6 and that's why I'll be voting in the negative.

7 ACTING PRESIDENT BAILEY: Senator
8 Lanza to be recorded in the negative.

9 Senator Stec to explain his vote.

10 SENATOR STEC: Thank you,
11 Mr. President, to explain my vote.

12 I'd like to go one step farther than
13 my colleague and say in addition to having up to
14 \$9 billion that hasn't been identified yet being
15 taken on and authorized as new debt here, and the
16 wisdom on that, but certainly the lack of
17 transparency of what exactly that money is going
18 to be borrowed for -- that is supposed to be
19 approved by the voters of the State of New York.

20 And on debate today we asked, out of
21 the \$69 billion, less than 10 percent of that has
22 been or will be actually voter-approved. The
23 Constitution requires that debt taken on by the
24 State of New York be voter-approved, and almost
25 none of it is in this budget.

1 For that reason and other reasons,
2 I'll be voting against this bill.

3 ACTING PRESIDENT BAILEY: Senator
4 Stec to be recorded in the negative.

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar 741, those Senators voting in the
8 negative are Senators Akshar, Borrello, Boyle,
9 Gallivan, Griffo, Helming, Jordan, Lanza,
10 Martucci, Mattera, Oberacker, O'Mara, Ortt,
11 Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and
12 Weik.

13 Ayes, 43. Nays, 20.

14 ACTING PRESIDENT BAILEY: The bill
15 is passed.

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

18 SENATOR GIANARIS: Is there any
19 further business at the desk?

20 ACTING PRESIDENT BAILEY: There is
21 no further business at the desk.

22 SENATOR GIANARIS: Move to adjourn
23 until tomorrow, Wednesday, March 30th, at
24 3:00 p.m.

25 ACTING PRESIDENT BAILEY: On

1 motion, the Senate stands adjourned until
2 Wednesday, March 30th, at 3:00 p.m.

3 (Whereupon, the Senate adjourned at
4 5:12 p.m.)

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