NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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REGULAR SESSION

LIEUTENANT GOVERNOR ANTONIO DELGADO, President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

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

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

THE PRESIDENT: Today's invocation will be delivered by the Reverend Archpriest Kiril Angelov, of St. Michael the Archangel Ukrainian Catholic Church in Yonkers.

PASTOR ANGELOV: I was going to say good morning, but it's already good afternoon.

(Laughter.)

PASTOR ANGELOV: Dear Senator Stewart-Cousins and legislative members of the New York State Senate, thank you for inviting me here today, as you take your oath to represent 20 million residents of New York State.

Creating just law is difficult at best, as it must serve the benefit of a given society. Just ask Moses. Those tablets were heavy, were heavy.

We understand the weight of your responsibilities, which is why we not only vote

for you, we also pray for you. In the Ukrainian Catholic Church we petition God three specific times during our services.

This petition -- "For our nation under God, for our government, and for all the military" -- is in between a petition for peace throughout the world and a petition for the city in which we live.

This position speaks to the government's role in providing peace and justice in our communities. When these are in order, greater peace becomes possible.

For years, one of our -- I'm going to say youngest bishops in the Ukrainian Catholic Church, Stepan Sus, ministered to the young men and women of the armed forces of Ukraine, many -- many -- with no spiritual upbringing. He taught these young recruits how to pray.

And recently Bishop Stepan asked a Ukrainian general, who was once himself one of those young recruits, he asked him: "Do you still pray?" "Yes," the general replied. "What do you pray for?" asked the bishop, knowing he could pray for anything. The Ukrainian general replied: "Every day I pray to God for one thing,

the wisdom to make the right decisions."

And when the weight of your responsibilities bears down -- and it will -- remember we pray for you each single day.

Now, for the finish of my invocation, and for you to start the brand-new year, we'll pray a short prayer of the famous St. Francis of Assisi.

"Lord, make me an instrument of your peace. Where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

O Divine Master, grant that I may not so much seek to be consoled as to console, to be understood as to understand, to be loved as to love. For it is in giving that we receive; it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life.

Amen.

(Response of "Amen.")

THE PRESIDENT: The chair now hands down a message from the State Board of Elections, being the duly official certification of the

members of the Senate, and directs the same be filed. So handed down and so ordered.

I now ask all Senators present to please rise at this time to take the ceremonial oath of office.

Please raise your right hands and repeat after me: I do solemnly swear --

ALL SENATORS: I do solemnly swear --

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

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

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

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

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

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

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

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

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

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

THE PRESIDENT: So help me God.

ALL SENATORS: -- so help me God.

THE PRESIDENT: Congratulations on your election to the Senate.

(Applause.)

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

THE SECRETARY: Senator Addabbo.

SENATOR ADDABBO: Here.

THE SECRETARY: Senator Ashby.

SENATOR ASHBY: Here.

THE SECRETARY: Senator Bailey.

SENATOR BAILEY: Present.

THE SECRETARY: Senator Borrello.

SENATOR BORRELLO: Here.

THE SECRETARY: Senator Breslin.

(No response.)

THE SECRETARY: Senator Brisport.

SENATOR BRISPORT: Here.

THE SECRETARY: Senator Brouk.

SENATOR BROUK: Here.
THE SECRETARY: Senator Canzoneri-Fitzpatrick.
SENATOR CANZONERI-FITZPATRICK: Here.
THE SECRETARY: Senator Chu.
SENATOR CHU: Here.
THE SECRETARY: Senator Cleare.
SENATOR CLEARE: Here.
THE SECRETARY: Senator Comrie.
SENATOR COMRIE: Here.
THE SECRETARY: Senator Cooney.
SENATOR COONEY: Present.
THE SECRETARY: Senator Felder.
(No response.)
THE SECRETARY: Senator Fernandez.
SENATOR FERNANDEZ: Present.
THE SECRETARY: Senator Gallivan.
SENATOR GALLIVAN: Here.
THE SECRETARY: Senator Gianaris.
SENATOR GIANARIS: Here.
THE SECRETARY: Senator Gonzalez.
SENATOR GONZALEZ: Here.
THE SECRETARY: Senator Gounardes.
SENATOR GOUNARDES: Present.

THE SECRETARY: Senator Griffo.
SENATOR GRIFFO: Here.
THE SECRETARY: Senator Harckham.
SENATOR HARCKHAM: Here.
THE SECRETARY: Senator Helming.
SENATOR HELMING: Here.
THE SECRETARY: Senator Hinchey.
SENATOR HINCHEY: Present.
THE SECRETARY: Senator Hoylman.
SENATOR HOYLMAN: Here.
THE SECRETARY: Senator Jackson.
SENATOR JACKSON: Here.
THE SECRETARY: Senator Kavanagh.
(No response.)
THE SECRETARY: Senator Kennedy.
SENATOR KENNEDY: Here.
THE SECRETARY: Senator Krueger.
SENATOR KRUEGER: Here.
THE SECRETARY: Senator Lanza.
SENATOR LANZA: Here.
THE SECRETARY: Senator Liu.
SENATOR LIU: Here.
THE SECRETARY: Senator Mannion.
SENATOR MANNION: Here.
THE SECRETARY: Senator Martinez.

SENATOR MARTINEZ: Here.
THE SECRETARY: Senator Martins.
SENATOR MARTINS: Here.
THE SECRETARY: Senator Mattera.
SENATOR MATTERA: Here.
THE SECRETARY: Senator May.
SENATOR MAY: Here.
THE SECRETARY: Senator Mayer.
SENATOR MAYER: Here.
THE PRESIDENT: A quorum is present, and the Senate may proceed.
Good afternoon --
(Response of "Good afternoon.")
THE PRESIDENT: -- Majority Leader Senator Andrea Stewart-Cousins, to the Deputy Leader Mike Gianaris, Minority Leader Robert Ortt and the Deputy Minority Leader Andrew Lanza, and to the entire body here today.
As is tradition, as president of the Senate, it is my distinct honor to welcome you to the 2023 legislative session.
Now, before I go any further, I must certainly take a moment to acknowledge my amazing partner in the room, the Second Lady of New York, Lacey Schwartz Delgado.

(Applause.)

THE PRESIDENT: I also want to, in that same vein, acknowledge all of the spouses, the partners and the families, the children, in this space that are so supportive as we serve in these critically important roles.

We know, and I certainly know, the strain that this lifestyle can bring upon a family and the amount of love and support that is required for each and every one of us in this room to do the job to the very best of our abilities. So thank you all of you in this room today.

I cannot express enough how thankful and how honored I am -- and excited -- to work with each of you to deliver results for all the folks that we represent across this state.

Now, during my time in Congress I made it a point to do everything I could to try to find common ground. And I see some familiar faces in this room, on both sides of the aisle, that I was able to work with and build together and get things done. That's the spirit that I hope to continue to bring to bear and I hope that we all in this body are committed to and

dedicated to.

At the end of the day, I believe each and every single one of us in this room cares and wants to deliver results for the people that we represent, and it is incumbent on all of us to do all that we can to cooperate for the people that we represent. I think New Yorkers expect that, and that expectation should be fulfilled. It is certainly a top priority of mine, and I believe for all of you, to listen, to advocate, and to deliver for the communities that you represent.

I, along with Governor Hochul, share that same sentiment, and we are eagerly, eagerly looking forward to partnering with you to deliver these results.

And I'll just say it is mighty, mighty good to be in each and every one of your company as public servants. Public servants. I thank you again for your dedication, for your commitment, and for your willingness to serve, to serve.

And with that, I call on Senator Gianaris.

SENATOR GIANARIS: Thank you,

Mr. President. Welcome to our chamber. Happy New Year to you and to all our colleagues.

And as we begin the 2023 session, I ask that you call on Senator Ortt for remarks.

THE PRESIDENT: Senator Ortt.

SENATOR ORTT: Thank you very much, Mr. President, Mr. Lieutenant Governor. I want to welcome my colleagues back here to Albany. I want to wish all of you a Happy New Year.

It is great -- this is a great day, even when you've been here for several terms, this is a day that is a special day, it's a fun day.

I first of all want to thank my members of the Republican Conference for their support in me and belief in me to lead our conference. Next to leading people in combat, getting selected by your colleagues and your peers to lead them and be able to speak for them is a -- it's an awesome responsibility and one that I do not take very lightly. So I want to thank you for your support and your belief in me.

I certainly want to thank my colleagues for working alongside us. I want to thank Majority Leader Stewart-Cousins for our

relationship that we've built over the past several years. Senator Gianaris, I want to thank him for his leadership on the floor and also dealing with Senator Lanza, which is not an easy task but --

(Laughter.)

SENATOR ORTT: And I think there's also -- just as a reminder, see, Republicans can elect a leader on the first ballot. So that's, you know --

(Laughter; applause.)

SENATOR ORTT: For those who don't know that are here in the gallery as families, I was reminded today -- my wife is here, and I was reminded -- I want to thank her for her support and for being here. But I was reminded our families often come into these chambers, this building, and they see it through a different lens than we do.

This is the office for a lot of us. Right? And there's days where it very much feels like going to the office. And we can lose sight of how blessed and lucky we are to be able to come here and do the people's business, but also that we have expectations to live up to.

The family members and the visitors who are here, they know and believe that what we do is important. That's why they supported us on the campaign trail. That's why they're here today. And it's up to us to live up to those expectations as elected leaders. And it's up to us to be worthy of their votes, of their support, and of being in these hallowed chambers.

For those who don't know, I'm from the Western New York area. I represent Niagara County, Orleans County, and parts of Monroe County. And over the past -- when we weren't here, the past several weeks and months, I was reminded, as I think a lot of us were -- most certainly my colleagues from Western New York: Senator Gallivan, Senator Kennedy, Senator Ryan, Senator Borrello -- we were reminded of the importance of what we do here and what is expected.

You know, we have a lot of debates here in this chamber. We have debates on social media. Some of it's entertainment to some degree, some of it's very important. It ranges on the issues. But the truth is what we do has very real life-and-death consequences.

There was a major snowstorm, a blizzard that hit Western New York, the City of Buffalo and surrounding area. And in spite of living there my whole life, I have never seen a storm of this magnitude in my lifetime. And in spite of our elected leaders -- not casting blame, but in spite of elected leaders who have also lived there their whole life, we weren't as maybe prepared as we could or should have been. And that's a collective "we."

Residents made decisions that maybe cost people or them their lives. First responders were out there in unbelievable conditions. Nurses and healthcare professionals worked days on end -- during Christmas Eve, Christmas. And it was a stark reminder about the importance that we have here, the important role, and the level that we should bring to these jobs.

There are people out there who are depending on us to bring a level of seriousness to our debates, to these discussions. First responders, healthcare workers, regular folks, they expect government to work in those critical moments. They don't want to hear there's a blizzard. They expect us to be ready for that.

And so -- and I know the Erie County executive, the mayor of Buffalo, Niagara County political leadership, everybody was working very hard. And it was very hard. But it's just a reminder of the consequences, sometimes, and the seriousness and importance of the work that we do.

And then just two nights ago I was watching the Buffalo Bills football game, as a significant Bills fan -- but I'm sure a lot of you were watching it, because it was a nationally televised game. And we saw a young man, Damar Hamlin, fight for his life on a football field, almost lose his life on a football field.

And there's a lot of, you know, certainly discussions and a lot of emotions that come with that, certainly, that we all have, and that's good. But what struck me was they started to talk about -- you hear a lot of folks talk about very often we see these people only as football players. They play for the Bills, they play for the Patriots, they play for the Giants, the Jets. We forget that it's somebody's son, it's somebody's brother, a husband, a friend. It's a human being in those jerseys.

And the families that are here today made me think that the same can be sometimes true in politics. Sometimes we see each other only as Democrats or Republicans, as elected officials, and we forget -- and today is a good reminder -- that everybody here is a son, a brother, a wife, a husband, a sister, a daughter, a friend.

And we should -- if we can look at a football player, and we should, as a human being -- there's plenty of football players. There's only one Damar Hamlin. And there's plenty of elected officials out there, but there's only one of each and every one of you.

And so hopefully maybe we can bring that spirit to this body, even in periods of hot debate, to remember that each of us come here with the best of intentions, supported by our loved ones, as human beings.

I'll just close by saying our members in the Republican Conference are obviously, as everyone here knows, the Minority Conference. But that does not mean that we simply are here to oppose anything that comes out of the Majority. We are here to do the job that we were elected to do by our constituents --

millions of New Yorkers, when you add it up. And they expect us to do the job that we were elected to do, to represent their values, to represent their issues, to represent them here.

And sometimes that means working together, bipartisanship. Not for the sake of anyone in this room, but for the sake of the people in this state. Sometimes that will mean voicing opposition. And that's important in a democracy. It is important that the values of our constituents are heard. Because we have eight new members, eight new folks here in our conference that I do want to mention very briefly: Senator Patricia Canzoneri-Fitzpatrick, we have Senator Steven Rhoads, Senator Jack Martins, Senator Mark Walczyk, Senator Rob Rolison, and Senator Bill Weber.

These folks are new; they're ready to go. And I know you all have some new folks who are raring to go as well. And they should be. And sometimes those new individuals -- oh, and Senator Jake Ashby. I knew I'd forget somebody. Senator Jake Ashby.

(Several voices: "One more.")

SENATOR ORTT: Senator Dean Murray.

(Laughter.)

SENATOR ORTT: I only counted to six.

(Laughter; inaudible comments.)

SENATOR ORTT: But each -- yeah. I don't know if you want Murray, I don't know. You know.

(Laughter.)

SENATOR ORTT: We're happy to have Murray. I don't know if you -- if he would fit in over there.

But -- but we're happy to have these eight new members. All of them bring something very unique and special to this body, not just our conference. And we are prepared to get to work, both in a bipartisan way and obviously, at times, in an opposition voice. But let that voice again never rise to the level of open hostility.

And I certainly welcome the opportunity to once again work alongside Senator Stewart-Cousins, Senator Gianaris and your entire conference, my colleagues from Western New York.

And I would just close -- if we

could do a moment of silence, Mr. Lieutenant Governor, for Damar Hamlin for just a brief moment.

(Members rose and observed a moment of silence.)

SENATOR ORTT: Thank you, Mr. President.

THE PRESIDENT: Thank you, Senator Ortt.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

Let me congratulate Senator Ortt on uniting his Republican caucus on the first vote. Our House of Representatives is currently in the midst of its fourth vote, and suffice to say there's going to be a fifth because the numbers are still not there as we stand in our chamber.

Mr. President, I have a resolution at the desk. I ask that the resolution be read and move for its immediate adoption.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution Number 1, by Senator Gianaris, providing for the

election of Andrea Stewart-Cousins as Temporary President of the Senate for the years 2023-2024.

THE PRESIDENT: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

I wanted to take this opportunity -- well, first of all, I should say that this resolution is to nominate Andrea Stewart-Cousins to continue as our Temporary President and Majority Leader of the State Senate. It has been a privilege to give this nominating speech in the past and to do so once again today.

And I want to give our members -- some of us have been here quite some time; some are brand-new. But I want to give everyone a sense of the history that we are living here in the State Senate.

This is an esteemed body. It's been around a couple of hundred years. And yet we are in this body at a time of unprecedented achievement and change. And that all comes down to the woman who has served as our leader for the last four years and I will nominate to continue for another two.

And let me give you some context to

all of that. It was a little over 10 years ago Andrea Stewart-Cousins became the first-ever leader of a conference when we were in the Minority. You can imagine, in the State of New York, there has never been a female leader of a conference -- Assembly or Senate, between by the way -- until Andrea Stewart-Cousins became the Democratic leader in 2013 -- 2012, I guess it was. The end of 2012.

Four years ago she became the first ever woman to lead a legislative body in New York State history when we took the majority in 2019.

Two years ago -- we'll take it out of just the gender achievements, but two years ago she became the first leader ever to lead a supermajority in the State Senate in New York's history.

And after the vote today she will be the first-ever leader to preside over the reelection of a supermajority in State Senate history in New York. That is quite something. That has never happened in the couple of centuries of the existence of this body.

And lest you think these achievements are just breaking the ceilings that

she's broken, there are real consequences for the people of this states, real benefits for the people of this state that we have enacted in those four years.

Just to name the highlights -- and this may take a little bit, because there are so many. At this critical moment in history, in this critical moment in the national discourse, New York has stood strong and said women in New York will always have the rights that we've come to expect over the last several decades when we codified Roe versus Wade in New York State. We're in the process of enshrining it in the Constitution.

We have passed gun laws to protect the people in this state from the violence that has plagued our nation. We have enacted voting reforms, including automatic voter registration and Senator Myrie's John Lewis Voting Rights Act here in New York.

We've passed GENDA. We banned conversion therapy. We abolished the "gay and trans panic defense." We repealed the Walking While Trans crimes. We enacted the Child Victims Act, and we followed it up by enacting the

Adult Victims Act. We enacted the DREAM Act. We improved the ethics in this state. We enacted the Green Light Law. We combated wage discrimination. We expanded the Equal Rights Amendment. We protected farmworkers. We protected tenants more so than they've ever been protected in state history.

Criminal justice reforms. We legalized marijuana. We prevented wage theft. We combated domestic violence and human trafficking under the leadership of this amazing woman to my right.

Think I'm done? I'm not done.

(Laughter.)

SENATOR GIANARIS: Let's talk about how the resources of this state are allocated. We have fully funded Foundation Aid to provide a good education for our children. We have taken steps to provide universal childcare in this state. Pre-K statewide we are moving towards. Record funding for SUNY and CUNY and our institutions of higher education. Working on even more for the MTA, but we enacted significant funding to help the MTA's capital plan to be enacted. And of course we have record funding

for the environment, including through the Bond Act that we have advanced.

There's a lot more, but I'm not here to make a speech about all that she has done. She's going to tell us about her vision for this state in her remarks to our body.

But I can't tell you what an incredible privilege it is for me. And what I want to impress upon everyone in this room, if I haven't already, is that we should just take a step back. We fight our fights, we get into the politics day to day, we're so in the scrum that sometimes we lose sight of the bigger picture. Decades from now, centuries from now, people will look back and say the State Senate at this point was doing something that had never been done before, and we changed the trajectory of this state as a result. And that is because of the leadership of Andrea Stewart-Cousins.

One last point -- and then I will advance the nomination -- is that upon the conclusion of this term, there will be no Democrat in New York State history that will have served longer as leader of this body. Man, woman, white, black, whatever you have, Andrea

Stewart-Cousins will be the longest-serving Democrat to ever serve as leader of the State Senate in New York history.

I move, my colleagues, that we let her continue that job, let her continue leading us the way she has, and let her continue making history for all of us and for the people of this state.

Thank you, Mr. President.

(Applause.)

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(No response.)

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

I now call on Senator Andrea Stewart-Cousins to come forward to be sworn in as Temporary President of the Senate by Judge Kathie Davidson.

(Standing ovation, and Judge Davidson and Senator Stewart-Cousins move to the center of the chamber.)

SENATOR STEWART-COUSINS: I'm joined by my family, my daughter -- is this on? Yes. So this is my daughter, Candice. This is Carter Bear. Carter Bear is representing the younger group. My son Kevin; his wife, Kecia. And my football player, from Howard University, Kendall --

(Cheers; applause.)

SENATOR ORTT: And his younger brother, Kyle, who's the physical therapist who's going to help Kendall --

(Laughter; applause.)

SENATOR STEWART-COUSINS: -- as he goes on. Thank you. Thank you.

(Applause.)

JUDGE DAVIDSON: "I," state your name --

SENATOR STEWART-COUSINS: I, Andrea Stewart-Cousins --

JUDGE DAVIDSON: -- do solemnly swear --

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

JUDGE DAVIDSON: -- to uphold the Constitution of the United States --

SENATOR STEWART-COUSINS: -- to uphold the Constitution of the United States --

JUDGE DAVIDSON: -- and the Constitution of the State of New York --

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

JUDGE DAVIDSON: -- and to faithfully discharge my duties --

SENATOR STEWART-COUSINS: -- and to faithfully discharge my duties --

JUDGE DAVIDSON: -- as Temporary President --

SENATOR STEWART-COUSINS: -- as Temporary President --

JUDGE DAVIDSON: -- and Majority Leader --

SENATOR STEWART-COUSINS: -- and Majority Leader --

JUDGE DAVIDSON: -- of the State Senate --

SENATOR STEWART-COUSINS: -- of the State Senate --

JUDGE DAVIDSON: -- to the best of my ability --

SENATOR STEWART-COUSINS: -- to the

best of my ability --

JUDGE DAVIDSON: -- so help me God.

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

JUDGE DAVIDSON: Congratulations to you.

SENATOR STEWART-COUSINS: Thank you so much.

(Extended standing ovation, and Senator Stewart-Cousins ascends the dais.)

THE PRESIDENT: Congratulations, Majority Leader Stewart-Cousins.

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

It has been a long time since we have been together in an opening ceremony. I hope you are as excited about not only this day, but the prospects of our working here together for -- in a safe, healthy environment, for the entire term. So welcome back to everyone. So good to see you.

And this is wonderful for us to kick off the new year and a new session with our new Lieutenant Governor, Antonio Delgado. Give him a round.

(Applause.)

SENATOR STEWART-COUSINS: Joined by his wonderful partner, his wife, Lacey. Good to see you again.

(Applause.)

SENATOR STEWART-COUSINS: We have something in common. They have twin boys; I have twin grandsons. So we already bonded over all of that.

But I want to thank you and congratulate you, and looking forward to working with you.

And of course I want to congratulate the Governor, Governor Hochul, on her historic victory and inauguration as, again, the first woman to ever be elected as Governor in New York.

(Applause.)

SENATOR STEWART-COUSINS: It's a remarkable note to start 2023 with.

And of course, talking about remarkable women, I want give a special thanks to my friend, Judge Kathie Davidson. She is the dean of the Judicial Institute.

Thank you, Kathie, for swearing me in today.

(Applause.)

SENATOR STEWART-COUSINS: Westchester in the house.

And also from my home city, Yonkers, my friend Reverend Kiril. Thank you so much, Father Kiril -- and it's Father Kiril Angelov --

(Applause.)

SENATOR STEWART-COUSINS: -- for your opening prayer and for reminding us that not only do you pray for us every day, but we pray, all of us, for wisdom.

And certainly we join you as you mark one year of this terrible war in Ukraine. I wanted you here because it's important that we remember the tremendous struggle and sacrifice that ordinary people endured and continue to endure to protect these freedoms.

So I know all of us hope that the courage of the Ukrainian people continues, and certainly continues to remind us of the importance of our institutions and that none of this can be taken for granted.

Father Kiril, again, thank you. You know, God bless Ukraine, God bless the people of Ukraine, God bless all of us in America. But

also, Ukrainian Christmas is happening this -- right, this -- on Sunday, so Merry Christmas as well. Thank you. Thank you so much for being here.

(Applause.)

SENATOR STEWART-COUSINS: We can all use an extension of Christmas, right?

And, you know, we talk about the institution, so, you know, we talk about this chamber. And part of what makes this institution so strong is our incredible members. A special shout out to my outstanding supermajority. Yay! That would be you.

(Applause.)

SENATOR STEWART-COUSINS: And again, I want to welcome everybody, Senators, staff, to our chamber in this new session. And also I want to give a special, special, you know, welcome to another person who is in this chamber who used to -- who used to serve with us, my county executive from Westchester -- I've got to go back to Westchester -- former Senator George Latimer, Westchester County.

(Applause.)

SENATOR STEWART-COUSINS: Thank

you, George.

And of course to my extraordinary deputy, Senator Mike Gianaris. Thank you --

(Applause.)

SENATOR STEWART-COUSINS: Thank you for your work on the floor. You and Senator Lanza manage to keep these things going, and I do thank you.

And I thank you, as you know, for the partnership that we've had and continue to have and will always have over these many, many years. So much of the good things that happen, happen because of the work that you do as well.

So thank you so much, Senator Gianaris.

(Applause.)

SENATOR STEWART-COUSINS: And so while many of you are familiar faces, I wanted to -- you know, we talked about history and context, so I wanted to welcome our newest, first all-woman class of Democratic Senators. Have my ladies stand up.

Senator Monica Martinez.

(Applause.)

SENATOR STEWART-COUSINS: Senator

Iwen Chu.

(Applause.)

SENATOR STEWART-COUSINS: Senator Jessica Scarcella-Spanton.

(Applause.)

SENATOR STEWART-COUSINS: Senator Nathalia Fernandez.

(Applause.)

SENATOR STEWART-COUSINS: Senator Lea Webb.

(Applause.)

SENATOR STEWART-COUSINS: Senator Kristen Gonzalez.

(Applause.)

SENATOR STEWART-COUSINS: We keep making history in this chamber. And I said I know that we have welcomed I don't know how many all-male classes into the Senate and into the Assembly. So this is a historic first -- not that great men didn't run and win, but on the Democratic side we have all -- you know, six brand-new all female Senators. And so thank you for, again, keeping that history going.

And I know that Senator Scarcella-Spanton has a Senator in waiting --

(Laughter.)

SENATOR STEWART-COUSINS: -- you brought your daughter. So thank you so much.

Each of them bring a unique and diverse perspective to the conference, and I am just excited to continue to work with them and, again, all of you, you know, in making sure that we continue with our history-making sessions.

I'm going to thank my colleagues across the aisle and welcome your new members as well. Let me just -- you know, wave, so -- because you -- he just said your names, but --

(Applause.)

SENATOR STEWART-COUSINS: -- some of you are returning. Hi. Hi. Don't be shy.

You know, the last time we got sworn in, it was COVID, and so I didn't see anybody, I didn't know you. And I felt like -- you know, I'd run into you in the elevator or hall and I wouldn't know that. But again, hopefully we will all be able to gather together often, and I will get to know all of you as well.

And again special thanks to your leader, Senator Ortt. It has --

(Applause.)

SENATOR STEWART-COUSINS: You know, we have developed a relationship, basically because I take your calls and you take mine and we -- we always, you know, try -- I try not to blindside folk, and I think that makes sense, in order to make sure that we are doing what we have to do on behalf.

But thank you also for your remarks. You know, we all grieve the loss of life in Western New York. And, you know, again, when you were talking about the football player, I believe, you know, all of us realize how fragile life is and how important it is that we do the best we can every day -- but also remember that everybody doesn't -- you know, you just never know.

So -- so thank you for, you know, the words. And I think that it's a good way to start remembering not only the fragility but also our families. And that's why I said I wanted to introduce every single one of mine, because, yes, they each have a special place, as all of you do. So thank you for being here.

None of what we will embark upon could be possible, and I know all of us as

legislators know this, without the powerhouse of our staffs. And I want to just make sure everybody knows my senior staff and their teams, because they work so hard.

So let me point out my counsel, Eric Katz -- wave, Eric.

(Applause.)

SENATOR STEWART-COUSINS: My finance director, David Friedfel. Where's Dave? Dave.

(Applause.)

SENATOR STEWART-COUSINS: Communication director Mike Murphy, the guy everybody blames --

(Laughter; applause.)

SENATOR STEWART-COUSINS: I know, hiding in the back.

And our director of intergovernmental affairs, Loren Amor.

(Applause.)

SENATOR STEWART-COUSINS: And I want to give a shout out to Jonathan Alvarenga, who keeps my train going.

(Applause.)

SENATOR STEWART-COUSINS: And my

staff in both my Albany office and my district office, because you all make my life so much easier and you help me to represent my constituents in the way that they expect me to.

So again, let's give a clap for all of our staffs.

(Loud applause.)

SENATOR STEWART-COUSINS: So important to do.

And also the keeper of this chamber and making sure it all goes smoothly is my Secretary of the Senate, Alejandra Paulino. Where's Ale? Where is Ale? Oh --

(Cheers; applause.)

SENATOR STEWART-COUSINS: Thank you, Alejandra. She'll be sworn in again later.

And of course, you know, we all need to be safe, and so I thank our Sergeant-at-Arms, Ben Sturges III, and your crew.

(Applause.)

SENATOR STEWART-COUSINS: Also known -- I'm going to do this to him -- also known as Big Ben. So he makes sure that we are all safe.

Today marks the beginning of the

fifth legislative session under our current majority. New Yorkers sent us here to change the way business is done in Albany, and we have risen to the challenge. We've passed historic legislation; Senator Gianaris was ticking some of it off. We passed this legislation to strengthen our voting laws, to protect women's reproductive rights, protecting women's rights and freedoms. We protected our LGBTQ+ New Yorkers, immigrants. We fully funded our public schools. And we laid the foundation for a modern green economy that grows from the bottom up and the middle out.

With the help of our federal government, we guided our state through a devastating pandemic and on the path to emerging from its wreckage even stronger. The people of our great state responded to our transformative agenda by sending us back to Albany -- not only with a historic majority, but with two unprecedented supermajorities in a row.

Now we return to this chamber with more work to do. There are new challenges, new opportunities ahead of us, and New Yorkers have given us a mandate to tackle them with bold, thoughtful approaches that we've been able to

demonstrate since day one.

Today we know some of our issues: We see families across our state being stretched from both ends. We know that they feel uncertain about how to protect themselves and secure their livelihoods as the cost of living continues to surpass average incomes. The affordability crisis touches every nerve in our communities and underpins most of the hardships New Yorkers are facing.

We see it most acutely in the current housing shortage that's devastating New Yorkers across the state, leaving many to wonder if they'll be able to make rent, let alone buy a house. The current market is failing to provide adequate supply and leaving too many families without a roof over their head. It's time for we as lawmakers to step in with corrective actions that will keep real estate development competitive and meet the growing need, while protecting tenants and homeowners from being priced out of their neighborhoods.

We need a transformative statewide housing policy that can address this issue and its spillover effects from New York City, to my

home county of Westchester, to Long Island, to upstate and everywhere in between. This is the only way to guarantee that supply can continue to meet the people's demand. Having shelter and a rent you can afford and a mortgage you can pay off are the building blocks for a safe and prosperous life.

If we can tackle this problem, we will inevitably solve its offshoots as well, which includes ongoing concerns regarding crime and public safety. We're listening to the real fears New Yorkers have about their communities, and we understand that perception is powerful. But we have to remember that crime will not be solved with a single solution. Public safety and justice can go hand in hand. And it's important to ensure that true criminals are the only ones being punished.

For that to happen, we need a multifaceted approach that targets the sources of crimes as well as its symptoms. You can't address the public safety crisis if you don't also address the educational crisis. Access to high-quality schooling is a key to greater prosperity and stability for our children.

Through our conference's work on expanding Foundation Aid and finally paying the money owed to our schools under the CFE lawsuit, allocating billions to SUNY and CUNY, and fighting for greater diversity in school staffing, we've begun to transform public education in our state and to help make communities better off.

We've also invested historic funds in providing both daycare services and pre-K for working families, all to help ease the pressure on parents and kids. We'll continue to fight for increased funding, modernized infrastructure, staffing support, and stronger resources to ensure that every child has access to a world-class education and a pathway to a brighter future.

Supporting our communities from the ground up -- stopping crime before it starts -- is the surest way to build a better New York. But it requires additional resources, including to our healthcare system and medical infrastructure, so that everyone receives help as soon as they need it.

Not only will we be expanding our

efforts to support safety-net hospitals and essential workers, but we'll be reinforcing our investments in mental health treatment and crisis care, because people should be treated in hospitals before prison cells.

Investing for tomorrow has always been at the core of our efforts. That's why we fought to pass some of the strongest climate legislation in the country, because we can't give our children the world if our planet is uninhabitable. Last year the voters passed our monumental $4.2 billion Environmental Bond Act, and we made notable headway on our ambitious emission-reduction goals. This year we will continue to pass protective legislation that cleans up our landscapes, prioritizes sustainable energy, improves our infrastructure, and builds a greener future for generations to come.

And we broaden our efforts to strengthen New York from the base by injecting greater resources into small businesses and local economies, supporting our families, creating new jobs and opportunities for everyone at every turn.

Our approach casts a wide policy net

and targets the central issues affecting New Yorkers. We will embrace real solutions while rejecting false choices. In the Senate Majority Conference we believe that you can encourage more development and protect tenants and homeowners. We believe that you can have safety and justice. We believe you can invest in improving our present circumstances and build a more prosperous, sustainable future for our children and grandchildren.

That's why I'm eager to open this 2023 legislative session. And as we roll up our sleeves and start on another year, we will make sure that we are always focused on serving our constituents.

I look forward to working with this impressive Senate, our remarkable staff, and our partners in government to continue accomplishing the people's work.

Happy New Year. Let's get to work. Thank you.

(Extended standing ovation.)

THE PRESIDENT: Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

There's another resolution at the desk adopting the rules of the Senate. Can we take that up at this time.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 2, by Senator Stewart-Cousins, Senate Resolution to adopt the rules of the Senate for the years 2023-2024.

THE PRESIDENT: Senator Lanza, why do you rise?

SENATOR LANZA: Mr. President, I ask that you call upon Senator Palumbo for a question on the rules resolution before us.

THE PRESIDENT: Senator Palumbo.

SENATOR PALUMBO: Thank you, Mr. President. Happy New Year.

Colleagues, Happy New Year. Good to be back. It's good to get back to work.

Would the sponsor yield for a few questions, please, on this resolution.

THE PRESIDENT: Does the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator Gianaris. Happy New Year.

Would you please describe to the body what specific changes this resolution makes to the current rules of the house?

SENATOR GIANARIS: Very few. It codifies in the Senate rules the existing policy on government mail blackout periods. So in other words, to ensure that we're not sending government mail during election season, that -- which was normal practice of the Senate -- would now be enshrined in the rules.

Beyond that, I believe there are typical changes to committee compositions.

SENATOR PALUMBO: Would the sponsor yield for another question, please.

THE PRESIDENT: Does the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator.

And with those committee changes, the way I read it -- and I guess there was a typo in revenue. So other than codifying the blackout

period and the revenue typo, which are ministerial, it looks as though the changes were to the Banks Committee and the Judiciary Committee. That three Democratic members came off the Banks Committee, and one Republican member came off the Banks Committee, and those three and one are now being added to the Judiciary Committee.

Is that accurate?

SENATOR GIANARIS: That's accurate.

SENATOR PALUMBO: Would you yield for another question, please.

THE PRESIDENT: Does the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR PALUMBO: So have the duties of the Judiciary Committee changed in any fashion as a result of this new rule change?

SENATOR GIANARIS: Through the committee change? No.

SENATOR PALUMBO: Duties as far as what they generally do or even providing advice and consent with regard to judicial nominees?

SENATOR GIANARIS: No.

SENATOR PALUMBO: Would you yield for another question, please.

THE PRESIDENT: Does the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR PALUMBO: Have there been any changes to any of the other committees with respect to the amount of members on each side, other than these two that I just mentioned?

SENATOR GIANARIS: No.

SENATOR PALUMBO: Would you yield for another question, please.

THE PRESIDENT: Does the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR PALUMBO: So, Senator Gianaris, could you please explain to me how the numbers of three and one, from one committee to the next, came about?

SENATOR GIANARIS: Yeah, this is -- Senator Palumbo, this is your second term, if I'm not mistaken.

SENATOR PALUMBO: Second.

SENATOR GIANARIS: So this is something that is typical when we adopt the rules based on member interest. Our leader does a very good job of asking members what committees they would like to serve on. And based on the interest levels, the numbers, the raw numbers on the committees do change routinely.

SENATOR PALUMBO: Would you yield for another question, please, Senator.

THE PRESIDENT: Does the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

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

And I appreciate that explanation, Senator Gianaris. And I know this was done in -- prior to my -- now this is my second term, now, my two years -- now going to be four, hopefully, in the Senate. I was seven years down the hall in the Assembly. And a member of the Judiciary Committee all of those years; the ranker over there, and now the ranker here.

So can you reconcile for me that -- the proportionate numbers of committee members is

usually proportionate to the membership in the body. So I know words are our tools in this chamber, but I can do a little bit of math. And 42 members -- because the Democratic Committee shrunk just a little bit, by one. We have 42 Democrats and we have 21 Republicans, which is exactly a two-to-one ratio.

So you can reconcile for me why, just for this one committee, we have included now a net gain of two for the Democrats?

SENATOR GIANARIS: What I can tell you, Senator Palumbo, is there is a formula for respective committee memberships that has been in existence for some time. And when -- given the makeup of the body and the formula that's applied and was applied when you all were in the majority, this is how the numbers come out.

SENATOR PALUMBO: Would the sponsor yield for another question, please.

THE PRESIDENT: Does the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR PALUMBO: Thank you, Senator. And I appreciate that. And I think I'm

just having trouble with why we aren't doing this to all the committees if the breakdown between the parties has changed in some respects.

But with regard to the process of nominating, for example -- or advice and consent regarding a nominee for the Court of Appeals, we have seen some controversy and we've seen several members -- and I believe including yourself -- who have indicated they are not going to currently vote for Justice LaSalle, who is the Governor's appointee.

So I just find it curious that we're only making changes really to the Judiciary Committee that provides advice and consent, and we're doing so at a disproportionate ratio. Can you reconcile that for me, please?

SENATOR GIANARIS: First of all, we have not handed up the committee memberships at this time. So I know members have varied opinions on whatever issues might come before the committee. So I wouldn't know how the committee might decide on a particular issue before it.

But if you're asking why the ratios within the committees are the way they are, I ask you to ask your own leadership why they came up

with that formula when they were in the majority. We're just applying the same formula that has been in existence.

SENATOR PALUMBO: Thank you, Senator Gianaris.

On the resolution, please, Mr. President.

THE PRESIDENT: Senator Palumbo on the resolution.

SENATOR PALUMBO: Thank you, Mr. President.

And just very briefly, I understand that this is something done. It's not done as typically as we would be led to believe. The rules changes are usually ministerial, my friends.

So in light of the fact that with what's going on in the public and with what what's going on regarding a current judicial nominee, unfortunately I find it quite curious that something that seems pretty dry and usually mundane, an adoption of rules, has one extremely important and very significant change, which is to now change the numbers on the Judiciary Committee not in a proportionate manner, but to

give the net gain to two members on the majority side, when they already have a proportionate number of members and a majority and a supermajority number on the committee.

So for those reasons, Mr. President, unfortunately I'm going to be voting nay on this resolution, and I urge my colleagues to do the same.

Thank you.

THE PRESIDENT: Does any Senator desire to be heard further?

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

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(Response of "Nay.")

THE PRESIDENT: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

There's now another resolution at the desk calling for the election of the

Secretary of the Senate. Will you please call that up.

THE PRESIDENT: The Secretary will read.

THE PRESIDENT: Senate Resolution Number 3, by Senator Stewart-Cousins: RESOLVED, That Alejandra Paulino, of Albany, New York, be, and she hereby is, elected Secretary of the Senate for the years 2023-2024.

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(No response.)

THE PRESIDENT: The resolution is adopted.

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

(Applause as Ms. Paulino and Senator Stewart-Cousins move to the center of the chamber.)

SENATOR STEWART-COUSINS: Raise your right hand and repeat after me: "I," state

your name --

MS. PAULINO: Alejandra Paulino.

SENATOR STEWART-COUSINS: You have to say "I."

MS. PAULINO: I, Alejandra Noel Paulino --

SENATOR STEWART-COUSINS: Ah, well -- do solemnly swear --

MS. PAULINO: -- do solemnly swear --

SENATOR STEWART-COUSINS: -- to uphold the Constitution of the United States --

MS. PAULINO: -- to uphold the Constitution of the United States --

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

MS. PAULINO: -- and the Constitution of the State of New York --

SENATOR STEWART-COUSINS: -- and that I will faithfully discharge my duties of the office of Secretary of the Senate --

MS. PAULINO: -- and that I will faithfully discharge my duties as Secretary of the Senate to the best of my ability --

SENATOR STEWART-COUSINS: So help

you God.

MS. PAULINO: -- so help me God.

SENATOR STEWART-COUSINS: Congratulations.

(Cheers; standing ovation.)

THE PRESIDENT: Senator Gianaris.

SENATOR GIANARIS: Mr. President, there's another resolution pertaining to the appointment of Benjamin Sturges as Sergeant-at-Arms. Please take that up.

(Applause.)

THE SECRETARY: Senate Resolution 4, by Senator Stewart-Cousins: RESOLVED, That Benjamin M. Sturges III be, and he hereby is, elected Sergeant-at-Arms of the Senate for the years 2023-2024.

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(No response.)

THE PRESIDENT: The resolution is adopted.

For the record, Benjamin Sturges has

been elected Sergeant-at-Arms for the years 2023-2024.

(Cheers; standing ovation.)

THE PRESIDENT: I was supposed to say it is my honor to present you the Sergeant-at-Arms, but --

(Laughter.)

THE PRESIDENT: Big Ben.

(Laughter.)

THE PRESIDENT: Senator Gianaris.

SENATOR GIANARIS: There is a resolution at the desk appointing Catherine Kirkland as Senate Stenographer. Let us take that up, please.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 5, by Senator Stewart-Cousins: RESOLVED, That Catherine Kirkland be, and she hereby is, elected the Official Stenographer of the Senate for the years 2023-2024.

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(No response.)

THE PRESIDENT: The resolution is adopted.

For the record, Catherine Kirkland has been elected Official Stenographer of the Senate for the years 2023-2024.

It is my honor to present to you the Official Stenographer of the Senate.

(Standing ovation.)

THE PRESIDENT: Senator Gianaris.

SENATOR GIANARIS: There is a resolution at the desk setting forth the hours of the Senate for the years 2023-2024. Please take that up.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 6, by Senator Stewart-Cousins, providing for hours of meeting by the Senate for the years 2023-2024.

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Please take up the resolution appointing a committee of two to inform the Governor.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 7, by Senator Stewart-Cousins: RESOLVED, That the Temporary President appoint a committee of two, comprised of Senator Martinez and Senator Weik, for the purpose of informing the Governor that the Senate is organized and ready to proceed with business.

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: There is a resolution concerning the committee of two to inform the Assembly. Please take that up.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 8, by Senator Stewart-Cousins: RESOLVED, That the Temporary President appoint a committee of two, comprised of Senator Fernandez and Senator Walczyk, for the purpose of waiting upon the Assembly and informing that body that the Senate is assembled and ready to proceed with business.

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(No response.)

THE PRESIDENT: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: On behalf of Leader Stewart-Cousins, I hand up the following

conference and leadership assignments of the Majority Conference and ask that it be filed in the Journal.

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

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

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

SENATOR GIANARIS: Please go back to messages from the Governor.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: "Dear Majority Leader Senator Stewart-Cousins:

"I would appreciate the privilege of appearing before your Honorable Bodies in Joint Session on January 10, 2023, at 1:00 p.m., or as soon thereafter as may be convenient, to personally deliver my annual message on the State of the State, to the Legislature.

"Very truly yours, Governor Kathy Hochul."

THE PRESIDENT: The invitation will be noted in the Journal.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President. Is there any further business at the desk?

THE PRESIDENT: There is no further business at the desk.

SENATOR GIANARIS: In that case, I move we adjourn until Monday, January 9th, at 3:00 p.m., intervening days being legislative days.

THE PRESIDENT: On motion, the Senate will stand adjourned until Monday, January 9th, at 3:00 p.m., intervening days being legislative days.

The Senate is adjourned.

(Whereupon, at 1:38 p.m., the Senate adjourned.)