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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 4, 2023

12:32 p.m.

REGULAR SESSION

LIEUTENANT GOVERNOR ANTONIO DELGADO, President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

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

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

14 (Laughter.)

15 PASTOR ANGELOV: Dear Senator  
16 Stewart-Cousins and legislative members of the  
17 New York State Senate, thank you for inviting me  
18 here today, as you take your oath to represent  
19 20 million residents of New York State.

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

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

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

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

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

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

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

1 the wisdom to make the right decisions."

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

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

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

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

21 Amen.

22 (Response of "Amen.")

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

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

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

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

8 ALL SENATORS: I do solemnly  
9 swear --

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

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

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

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

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

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

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

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

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

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

5                   THE PRESIDENT:    So help me God.

6                   ALL SENATORS:    -- so help me God.

7                   THE PRESIDENT:    Congratulations on  
8 your election to the Senate.

9                   (Appause.)

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

13                  THE SECRETARY:    Senator Addabbo.

14                  SENATOR ADDABBO:    Here.

15                  THE SECRETARY:    Senator Ashby.

16                  SENATOR ASHBY:    Here.

17                  THE SECRETARY:    Senator Bailey.

18                  SENATOR BAILEY:    Present.

19                  THE SECRETARY:    Senator Borrello.

20                  SENATOR BORRELLO:    Here.

21                  THE SECRETARY:    Senator Breslin.

22                  (No response.)

23                  THE SECRETARY:    Senator Brisport.

24                  SENATOR BRISPORT:    Here.

25                  THE SECRETARY:    Senator Brouk.

1                   SENATOR BROUK:    Here.  
2                   THE SECRETARY:    Senator  
3 Canzoneri-Fitzpatrick.  
4                   SENATOR CANZONERI-FITZPATRICK:  
5 Here.  
6                   THE SECRETARY:    Senator Chu.  
7                   SENATOR CHU:       Here.  
8                   THE SECRETARY:    Senator Cleare.  
9                   SENATOR CLEARE:    Here.  
10                  THE SECRETARY:    Senator Comrie.  
11                  SENATOR COMRIE:     Here.  
12                  THE SECRETARY:    Senator Cooney.  
13                  SENATOR COONEY:    Present.  
14                  THE SECRETARY:    Senator Felder.  
15                  (No response.)  
16                  THE SECRETARY:    Senator Fernandez.  
17                  SENATOR FERNANDEZ:   Present.  
18                  THE SECRETARY:    Senator Gallivan.  
19                  SENATOR GALLIVAN:    Here.  
20                  THE SECRETARY:    Senator Gianaris.  
21                  SENATOR GIANARIS:    Here.  
22                  THE SECRETARY:    Senator Gonzalez.  
23                  SENATOR GONZALEZ:    Here.  
24                  THE SECRETARY:    Senator Gounardes.  
25                  SENATOR GOUNARDES:   Present.

1 THE SECRETARY: Senator Griffo.  
2 SENATOR GRIFFO: Here.  
3 THE SECRETARY: Senator Harckham.  
4 SENATOR HARCKHAM: Here.  
5 THE SECRETARY: Senator Helming.  
6 SENATOR HELMING: Here.  
7 THE SECRETARY: Senator Hinchey.  
8 SENATOR HINCHEY: Present.  
9 THE SECRETARY: Senator Hoylman.  
10 SENATOR HOYLMAN: Here.  
11 THE SECRETARY: Senator Jackson.  
12 SENATOR JACKSON: Here.  
13 THE SECRETARY: Senator Kavanagh.  
14 (No response.)  
15 THE SECRETARY: Senator Kennedy.  
16 SENATOR KENNEDY: Here.  
17 THE SECRETARY: Senator Krueger.  
18 SENATOR KRUEGER: Here.  
19 THE SECRETARY: Senator Lanza.  
20 SENATOR LANZA: Here.  
21 THE SECRETARY: Senator Liu.  
22 SENATOR LIU: Here.  
23 THE SECRETARY: Senator Mannion.  
24 SENATOR MANNION: Here.  
25 THE SECRETARY: Senator Martinez.

1                   SENATOR MARTINEZ:    Here.

2                   THE SECRETARY:     Senator Martins.

3                   SENATOR MARTINS:    Here.

4                   THE SECRETARY:     Senator Mattera.

5                   SENATOR MATTERA:    Here.

6                   THE SECRETARY:     Senator May.

7                   SENATOR MAY:        Here.

8                   THE SECRETARY:     Senator Mayer.

9                   SENATOR MAYER:     Here.

10                  THE PRESIDENT:    A quorum is

11 present, and the Senate may proceed.

12                   Good afternoon --

13                   (Response of "Good afternoon.")

14                  THE PRESIDENT:    -- Majority Leader

15 Senator Andrea Stewart-Cousins, to the

16 Deputy Leader Mike Gianaris, Minority Leader

17 Robert Ortt and the Deputy Minority Leader

18 Andrew Lanza, and to the entire body here today.

19                   As is tradition, as president of the

20 Senate, it is my distinct honor to welcome you to

21 the 2023 legislative session.

22                   Now, before I go any further, I must

23 certainly take a moment to acknowledge my amazing

24 partner in the room, the Second Lady of New York,

25 Lacey Schwartz Delgado.

1 (Applause.)

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

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

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

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

1 dedicated to.

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

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

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

23           And with that, I call on  
24 Senator Gianaris.

25           SENATOR GIANARIS: Thank you,

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

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

5 THE PRESIDENT: Senator Ortt.

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

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

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

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

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

6 (Laughter.)

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

11 (Laughter; applause.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24           (Several voices: "One more.")

25           SENATOR ORTT: Senator Dean Murray.

1 (Laughter.)

2 SENATOR ORTT: I only counted to  
3 six.

4 (Laughter; inaudible comments.)

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

8 (Laughter.)

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

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

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

25 And I would just close -- if we

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

4 (Members rose and observed a moment  
5 of silence.)

6 SENATOR ORTT: Thank you,  
7 Mr. President.

8 THE PRESIDENT: Thank you, Senator  
9 Ortt.

10 Senator Gianaris.

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

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

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

22 THE PRESIDENT: The Secretary will  
23 read.

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

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

3 THE PRESIDENT: Senator Gianaris.

4 SENATOR GIANARIS: Thank you,  
5 Mr. President.

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

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

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

25 And let me give you some context to

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

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

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

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

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

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

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

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

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

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

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

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

14 (Laughter.)

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

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

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

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

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

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

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

9 Thank you, Mr. President.

10 (Applause.)

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

14 (Response of "Aye.")

15 THE PRESIDENT: Opposed?

16 (No response.)

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

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

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

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

8                   (Cheers; applause.)

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

12                   (Laughter; applause.)

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

15                   (Applause.)

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

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

20                   JUDGE DAVIDSON:    -- do solemnly  
21    swear --

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

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

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

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

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

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

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

11                   JUDGE DAVIDSON:        -- as Temporary  
12 President --

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

15                   JUDGE DAVIDSON:        -- and Majority  
16 Leader --

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

19                   JUDGE DAVIDSON:        -- of the State  
20 Senate --

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

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

25                   SENATOR STEWART-COUSINS:    -- to the

1 best of my ability --

2 JUDGE DAVIDSON: -- so help me God.

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

5 JUDGE DAVIDSON: Congratulations to  
6 you.

7 SENATOR STEWART-COUSINS: Thank you  
8 so much.

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

11 THE PRESIDENT: Congratulations,  
12 Majority Leader Stewart-Cousins.

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

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

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

1 (Applause.)

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

5 (Applause.)

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

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

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

17 (Applause.)

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

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

24 Thank you, Kathie, for swearing me  
25 in today.

1 (Applause.)

2 SENATOR STEWART-COUSINS:

3 Westchester in the house.

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

7 (Applause.)

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

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

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

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

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

5 (Applause.)

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

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

14 (Applause.)

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

24 (Applause.)

25 SENATOR STEWART-COUSINS: Thank

1 you, George.

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

4 (Applause.)

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

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

14 So thank you so much, Senator  
15 Gianaris.

16 (Applause.)

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

23 Senator Monica Martinez.

24 (Applause.)

25 SENATOR STEWART-COUSINS: Senator

1 Iwen Chu.

2 (Applause.)

3 SENATOR STEWART-COUSINS: Senator

4 Jessica Scarcella-Spanton.

5 (Applause.)

6 SENATOR STEWART-COUSINS: Senator

7 Nathalia Fernandez.

8 (Applause.)

9 SENATOR STEWART-COUSINS: Senator

10 Lea Webb.

11 (Applause.)

12 SENATOR STEWART-COUSINS: Senator

13 Kristen Gonzalez.

14 (Applause.)

15 SENATOR STEWART-COUSINS: We keep

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

24 And I know that Senator

25 Scarcella-Spanton has a Senator in waiting --

1 (Laughter.)

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

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

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

13 (Applause.)

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

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

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

25 (Applause.)

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

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

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

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

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

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

7 (Applause.)

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

11 (Applause.)

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

15 (Laughter; applause.)

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

18 And our director of  
19 intergovernmental affairs, Loren Amor.

20 (Applause.)

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

24 (Applause.)

25 SENATOR STEWART-COUSINS: And my

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

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

7 (Loud applause.)

8 SENATOR STEWART-COUSINS: So  
9 important to do.

10 And also the keeper of this chamber  
11 and making sure it all goes smoothly is my  
12 Secretary of the Senate, Alejandra Paulino.

13 Where's Ale? Where is Ale? Oh --

14 (Cheers; applause.)

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

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

20 (Applause.)

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

25 Today marks the beginning of the

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

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

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

1 demonstrate since day one.

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

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

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

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

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

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

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

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

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

25                  Not only will we be expanding our

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

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

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

25 Our approach casts a wide policy net

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

11 That's why I'm eager to open this  
12 2023 legislative session. And as we roll up our  
13 sleeves and start on another year, we will make  
14 sure that we are always focused on serving our  
15 constituents.

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

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

22 (Extended standing ovation.)

23 THE PRESIDENT: Senator Gianaris.

24 SENATOR GIANARIS: Thank you,  
25 Mr. President.

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

4                   THE PRESIDENT:    The Secretary will  
5 read.

6                   THE SECRETARY:    Senate Resolution  
7 2, by Senator Stewart-Cousins, Senate Resolution  
8 to adopt the rules of the Senate for the years  
9 2023-2024.

10                  THE PRESIDENT:    Senator Lanza, why  
11 do you rise?

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

15                  THE PRESIDENT:    Senator Palumbo.

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

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

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

22                  THE PRESIDENT:    Does the sponsor  
23 yield?

24                  SENATOR GIANARIS:   Yes.

25                  THE PRESIDENT:    The sponsor yields.

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

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

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

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

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

17                   THE PRESIDENT:    Does the sponsor  
18   yield?

19                   SENATOR GIANARIS:    Yes.

20                   THE PRESIDENT:    The sponsor yields.

21                   SENATOR PALUMBO:    Thank you,  
22   Senator.

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

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

9 Is that accurate?

10 SENATOR GIANARIS: That's accurate.

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

13 THE PRESIDENT: Does the sponsor  
14 yield?

15 SENATOR GIANARIS: Yes.

16 THE PRESIDENT: The sponsor yields.

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

20 SENATOR GIANARIS: Through the  
21 committee change? No.

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

25 SENATOR GIANARIS: No.

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

3                   THE PRESIDENT:    Does the sponsor  
4   yield?

5                   SENATOR GIANARIS:    Yes.

6                   THE PRESIDENT:    The sponsor yields.

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

11                  SENATOR GIANARIS:    No.

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

14                  THE PRESIDENT:    Does the sponsor  
15   yield?

16                  SENATOR GIANARIS:    Yes.

17                  THE PRESIDENT:    The sponsor yields.

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

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

25                  SENATOR PALUMBO:    Second.

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

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

10                  THE PRESIDENT:    Does the sponsor  
11 yield?

12                  SENATOR GIANARIS:    Yes.

13                  THE PRESIDENT:    The sponsor yields.

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

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

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

1 usually proportionate to the membership in the  
2 body. So I know words are our tools in this  
3 chamber, but I can do a little bit of math. And  
4 42 members -- because the Democratic Committee  
5 shrunk just a little bit, by one. We have  
6 42 Democrats and we have 21 Republicans, which is  
7 exactly a two-to-one ratio.

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

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

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

20 THE PRESIDENT: Does the sponsor  
21 yield?

22 SENATOR GIANARIS: Yes.

23 THE PRESIDENT: The sponsor yields.

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

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

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

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

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

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

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

4 SENATOR PALUMBO: Thank you,  
5 Senator Gianaris.

6 On the resolution, please,  
7 Mr. President.

8 THE PRESIDENT: Senator Palumbo on  
9 the resolution.

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

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

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

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

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

9 Thank you.

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

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

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

16 (Response of "Aye.")

17 THE PRESIDENT: Opposed?

18 (Response of "Nay.")

19 THE PRESIDENT: The resolution is  
20 adopted.

21 Senator Gianaris.

22 SENATOR GIANARIS: Thank you,  
23 Mr. President.

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

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

3 THE PRESIDENT: The Secretary will  
4 read.

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

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

13 (Response of "Aye.")

14 THE PRESIDENT: Opposed?

15 (No response.)

16 THE PRESIDENT: The resolution is  
17 adopted.

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

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

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

1 your name --

2 MS. PAULINO: Alejandra Paulino.

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

5 MS. PAULINO: I, Alejandra Noel  
6 Paulino --

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

9 MS. PAULINO: -- do solemnly  
10 swear --

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

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

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

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

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

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

25 SENATOR STEWART-COUSINS: So help

1 you God.

2 MS. PAULINO: -- so help me God.

3 SENATOR STEWART-COUSINS:

4 Congratulations.

5 (Cheers; standing ovation.)

6 THE PRESIDENT: Senator Gianaris.

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

11 (Applause.)

12 THE SECRETARY: Senate Resolution  
13 4, by Senator Stewart-Cousins: RESOLVED, That  
14 Benjamin M. Sturges III be, and he hereby is,  
15 elected Sergeant-at-Arms of the Senate for the  
16 years 2023-2024.

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

20 (Response of "Aye.")

21 THE PRESIDENT: Opposed?

22 (No response.)

23 THE PRESIDENT: The resolution is  
24 adopted.

25 For the record, Benjamin Sturges has

1       been elected Sergeant-at-Arms for the years  
2       2023-2024.

3                       (Cheers; standing ovation.)

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

7                       (Laughter.)

8                       THE PRESIDENT:    Big Ben.

9                       (Laughter.)

10                      THE PRESIDENT:    Senator Gianaris.

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

15                      THE PRESIDENT:    The Secretary will  
16       read.

17                      THE SECRETARY:    Senate Resolution  
18       5, by Senator Stewart-Cousins:  RESOLVED, That  
19       Catherine Kirkland be, and she hereby is, elected  
20       the Official Stenographer of the Senate for the  
21       years 2023-2024.

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

25                      (Response of "Aye.")

1 THE PRESIDENT: Opposed?

2 (No response.)

3 THE PRESIDENT: The resolution is  
4 adopted.

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

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

10 (Standing ovation.)

11 THE PRESIDENT: Senator Gianaris.

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

16 THE PRESIDENT: The Secretary will  
17 read.

18 THE SECRETARY: Senate Resolution  
19 6, by Senator Stewart-Cousins, providing for  
20 hours of meeting by the Senate for the years  
21 2023-2024.

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

25 (Response of "Aye.")

1 THE PRESIDENT: Opposed?

2 (No response.)

3 THE PRESIDENT: The resolution is  
4 adopted.

5 Senator Gianaris.

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

9 THE PRESIDENT: The Secretary will  
10 read.

11 THE SECRETARY: Senate Resolution  
12 7, by Senator Stewart-Cousins: RESOLVED, That  
13 the Temporary President appoint a committee of  
14 two, comprised of Senator Martinez and  
15 Senator Weik, for the purpose of informing the  
16 Governor that the Senate is organized and ready  
17 to proceed with business.

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

21 (Response of "Aye.")

22 THE PRESIDENT: Opposed?

23 (No response.)

24 THE PRESIDENT: The resolution is  
25 adopted.

1 Senator Gianaris.

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

5 THE PRESIDENT: The Secretary will  
6 read.

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

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

18 (Response of "Aye.")

19 THE PRESIDENT: Opposed?

20 (No response.)

21 THE PRESIDENT: The resolution is  
22 adopted.

23 Senator Gianaris.

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

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

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

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

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

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

16 THE PRESIDENT: The Secretary will  
17 read.

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

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

1                   "Very truly yours, Governor Kathy  
2 Hochul."

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

5                   Senator Gianaris.

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

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

11                  SENATOR GIANARIS:    In that case, I  
12 move we adjourn until Monday, January 9th, at  
13 3:00 p.m., intervening days being legislative  
14 days.

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

19                  The Senate is adjourned.

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

22

23

24

25