

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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8  
9 ALBANY, NEW YORK

10 February 1, 2023

11 11:13 a.m.

12  
13  
14 REGULAR SESSION

15  
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17  
18 SENATOR JEREMY A. COONEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

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

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

13 ACTING PRESIDENT COONEY: The  
14 reading of the Journal.

15 THE SECRETARY: In Senate, Tuesday,  
16 January 31, 2023, the Senate met pursuant to  
17 adjournment. The Journal of Monday, January 30,  
18 2023, was read and approved. On motion, the  
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Mayer moves

1 to discharge, from the Committee on Rules,  
2 Assembly Bill Number 626A and substitute it for  
3 the identical Senate Bill 828A, Third Reading  
4 Calendar 37.

5 Senator Palumbo moves to discharge,  
6 from the Committee on Rules, Assembly Bill  
7 Number 601 and substitute it for the identical  
8 Senate Bill 1339, Third Reading Calendar 107.

9 Senator Parker moves to discharge,  
10 from the Committee on Rules, Assembly Bill  
11 Number 998 and substitute it for the identical  
12 Senate Bill 1344, Third Reading Calendar 112.

13 Senator Skoufis moves to discharge,  
14 from the Committee on Rules, Assembly Bill  
15 Number 613 and substitute it for the identical  
16 Senate Bill 1354, Third Reading Calendar 121.

17 Senator Scarcella-Spanton moves to  
18 discharge, from the Committee on Investigations  
19 and Government Operations, Assembly Bill  
20 Number 609 and substitute it for the identical  
21 Senate Bill 2223, Third Reading Calendar 160.

22 Senator Martinez moves to discharge,  
23 from the Committee on Rules, Assembly Bill  
24 Number 986 and substitute it for the identical  
25 Senate Bill 2224, Third Reading Calendar 161.

1                   Senator Thomas moves to discharge,  
2                   from the Committee on Rules, Assembly Bill  
3                   Number 1008 and substitute it for the identical  
4                   Senate Bill 2232, Third Reading Calendar 169.

5                   ACTING PRESIDENT COONEY:     So  
6                   ordered.

7                   Messages from the Governor.

8                   Reports of standing committees.

9                   Reports of select committees.

10                  Communications and reports from  
11                  state officers.

12                  Motions and resolutions.

13                  Senator Gianaris.

14                  SENATOR GIANARIS:     Mr. President,  
15                  first of all, welcome to your first day of  
16                  presiding over the Senate.  It's a pleasure to  
17                  have you in that role.

18                  We're going to begin by taking up  
19                  the noncontroversial calendar, and then we have a  
20                  couple of resolutions after that before we move  
21                  on to any debate.  So let's take up the calendar,  
22                  please.

23                  ACTING PRESIDENT COONEY:     The  
24                  Secretary will read.

25                  THE SECRETARY:     Calendar Number 37,

1 Assembly Print 626A, by Assemblymember Otis, an  
2 act to amend the Executive Law.

3 ACTING PRESIDENT COONEY: Read the  
4 last section.

5 THE SECRETARY: Section 2. This  
6 act shall take effect on the same date and in the  
7 same manner as a chapter of the Laws of 2022.

8 ACTING PRESIDENT COONEY: Call the  
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT COONEY: Announce  
12 the results.

13 THE SECRETARY: Ayes, 50.

14 ACTING PRESIDENT COONEY: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number 41,  
17 Senate Print 832, by Senator Brisport, an act to  
18 amend the Public Health Law.

19 ACTING PRESIDENT COONEY: Read the  
20 last section.

21 THE SECRETARY: Section 2. This  
22 act shall take effect on the same date and in the  
23 same manner as a chapter of the Laws of 2022.

24 ACTING PRESIDENT COONEY: Call the  
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT COONEY: Announce  
3 the results.

4 THE SECRETARY: In relation to  
5 Calendar Number 41, those Senators voting in the  
6 negative are Senators Borrello, Griffo, Lanza,  
7 Oberacker, O'Mara, Ortt, Stec and Walczyk. Also  
8 Senator Gallivan.

9 Ayes, 41. Nays, 9.

10 ACTING PRESIDENT COONEY: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 107, Assembly Print 601, by Assemblymember  
14 Thiele, an act to amend a chapter of the Laws of  
15 2022.

16 ACTING PRESIDENT COONEY: Read the  
17 last section.

18 THE SECRETARY: Section 2. This  
19 act shall take effect on the same date and in the  
20 same manner as a chapter of the Laws of 2022.

21 ACTING PRESIDENT COONEY: Call the  
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT COONEY: Announce  
25 the results.

1                   THE SECRETARY:    In relation to  
2   Calendar Number 601, voting in the negative:  
3   Senator Skoufis.

4                   Ayes, 49.   Nays, 1.

5                   ACTING PRESIDENT COONEY:    The bill  
6   is passed.

7                   THE SECRETARY:    Calendar Number  
8   112, Assembly Print 998, by Assemblymember  
9   Rosenthal, an act to amend the Public Service Law  
10   and the General Business Law.

11                  ACTING PRESIDENT COONEY:    Read the  
12   last section.

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

15                  ACTING PRESIDENT COONEY:    Call the  
16   roll.

17                  (The Secretary called the roll.)

18                  ACTING PRESIDENT COONEY:    Announce  
19   the results.

20                  THE SECRETARY:    Ayes, 50.

21                  ACTING PRESIDENT COONEY:    The bill  
22   is passed.

23                  THE SECRETARY:    Calendar Number  
24   118, Senate Print 1350, by Senator Rivera, an act  
25   to amend the Insurance Law.

1                   ACTING PRESIDENT COONEY:    Read the  
2   last section.

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

5                   ACTING PRESIDENT COONEY:    Call the  
6   roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT COONEY:    Announce  
9   the results.

10                  THE SECRETARY:    Ayes, 50.

11                  ACTING PRESIDENT COONEY:    The bill  
12   is passed.

13                  THE SECRETARY:    Calendar Number  
14   120, Senate Print 1353, by Senator Brisport, an  
15   act to amend the Social Services Law.

16                  ACTING PRESIDENT COONEY:    Read the  
17   last section.

18                  THE SECRETARY:    Section 3.  This  
19   act shall take effect on the same date and in the  
20   same manner as a chapter of the Laws of 2022.

21                  ACTING PRESIDENT COONEY:    Call the  
22   roll.

23                  (The Secretary called the roll.)

24                  ACTING PRESIDENT COONEY:    Announce  
25   the results.



1                   THE SECRETARY:    In relation to  
2   Calendar Number 120, those Senators voting in the  
3   negative are Senators Ashby, Borrello,  
4   Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,  
5   Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt,  
6   Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk,  
7   Weber and Weik.

8                   Ayes, 32.   Nays, 20.

9                   ACTING PRESIDENT COONEY:    The bill  
10   is passed.

11                  THE SECRETARY:    Calendar Number  
12   121, Assembly Print 613, by Assemblymember  
13   Gunther, an act in relation to requiring monthly  
14   status reports of community investments.

15                  ACTING PRESIDENT COONEY:    Read the  
16   last section.

17                  THE SECRETARY:    Section 3.   This  
18   act shall take effect on the same date and in the  
19   same manner as a chapter of the Laws of 2022.

20                  ACTING PRESIDENT COONEY:    Call the  
21   roll.

22                  (The Secretary called the roll.)

23                  ACTING PRESIDENT COONEY:    Announce  
24   the results.

25                  THE SECRETARY:    Ayes, 52.

1                   ACTING PRESIDENT COONEY:    The bill  
2   is passed.

3                   THE SECRETARY:     Calendar Number  
4   159, Senate Print 2222, by Senator Harckham, an  
5   act to amend the Environmental Conservation Law.

6                   SENATOR LANZA:     Lay it aside.

7                   ACTING PRESIDENT COONEY:   Lay it  
8   aside.

9                   THE SECRETARY:     Calendar Number  
10   160, Assembly Print 609, by Assemblymember  
11   Dinowitz, an act to amend the Executive Law.

12                   ACTING PRESIDENT COONEY:   Read the  
13   last section.

14                   THE SECRETARY:     Section 2. This  
15   act shall take effect on the same date and in the  
16   same manner as a chapter of the Laws of 2022.

17                   ACTING PRESIDENT COONEY:   Call the  
18   roll.

19                   (The Secretary called the roll.)

20                   ACTING PRESIDENT COONEY:   Announce  
21   the results.

22                   THE SECRETARY:     Ayes, 55.

23                   ACTING PRESIDENT COONEY:   The bill  
24   is passed.

25                   THE SECRETARY:     Calendar Number

1 161, Assembly Print 986, by Assemblymember  
2 Sayegh, an act to amend the Public Service Law.

3 ACTING PRESIDENT COONEY: Read the  
4 last section.

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

7 ACTING PRESIDENT COONEY: Call the  
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT COONEY: Announce  
11 the results.

12 THE SECRETARY: In relation to  
13 Calendar Number 161, voting in the negative:  
14 Senator Walczyk.

15 Ayes, 57. Nays, 1.

16 ACTING PRESIDENT COONEY: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 169, Assembly Print 1008, by Assemblymember Ra --

20 SENATOR SERRANO: Lay it aside for  
21 the day.

22 ACTING PRESIDENT COONEY: The bill  
23 will be laid aside for the day.

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

1                   SENATOR SERRANO:    Thank you.

2                   May we please return to motions and  
3    resolutions.  Please take up previously adopted  
4    Resolution 314, by Leader Stewart-Cousins, read  
5    the resolution title only, and recognize  
6    Senator Parker on the resolution.

7                   ACTING PRESIDENT COONEY:    The  
8    Secretary will read.

9                   THE SECRETARY:    Senate Resolution  
10   314, by Senator Stewart-Cousins, memorializing  
11   Governor Kathy Hochul to proclaim February 2023  
12   as Black History Month in the State of New York.

13                  ACTING PRESIDENT COONEY:    Senator  
14   Parker on the resolution.

15                  SENATOR PARKER:    Thank you,  
16   Mr. President, on the resolution.

17                  As we all know, today is the first  
18   day of February, marking the beginning of Black  
19   History Month.  And I'm just happy to be able to  
20   speak on this resolution brought forward by our  
21   leader Andrea Stewart-Cousins.

22                  Black History Month is obviously  
23   personal to me, not just because I happen to be  
24   African-American.  I'm not sure if anybody  
25   noticed in the room.

1 (Laughter.)

2 SENATOR PARKER: But May of this  
3 year will mark 30 years that I've actually been  
4 teaching Africana studies in various CUNY and  
5 SUNY universities across our great state. And I  
6 really want to shout out Dr. Rejila Tatu {ph},  
7 who actually gave me my first opportunity at  
8 Brooklyn College to teach Africana studies.

9 And this month is important, because  
10 African-American history is part of American  
11 history. And that's one of the things that we  
12 really should all understand, that this becomes a  
13 time for us to look at the particular  
14 achievements and the contributions of  
15 African-Americans in our society.

16 The first thing we should understand  
17 is that those contributions don't just begin in  
18 1619 when the first ships arrived here with  
19 African people who were in bondage. Right? The  
20 history of African people starts much further  
21 than that. Right? In fact, they're the first  
22 people. Right? When you look at not just the  
23 first, you know, people of our kind, right, but  
24 when you look at the very first person, right --  
25 they call her Alice. I don't know if her name

1 was actually Alice. She was in East Africa, but  
2 they call her Alice. Found on the African  
3 continent, right?

4 So when we look at human  
5 civilization and the development of all of the  
6 things that we think about: Math, arts,  
7 sciences, politics, you know -- you know,  
8 cuisines, language -- all developed on the  
9 African continent. Right?

10 And so the notion that Black people  
11 have come to this place tabula rasa, or as a  
12 blank slate, is just patently wrong. Right? In  
13 fact, just the opposite. People from the African  
14 continent were brought to America exactly because  
15 they had skills, exactly because they understood  
16 things about agriculture. Right? And obviously,  
17 you know, chattel enslavement was a dark part of  
18 the history of African people, but a darker part  
19 for the history of this country and the world.

20 African-American history started  
21 here, in the United States, but now is actually  
22 celebrated in various forms across the world,  
23 including Ireland and England that have their own  
24 African-American History Month, which they  
25 celebrate in October. Right? But various

1 countries including Canada, Germany, and  
2 countries on the African continent also celebrate  
3 this month.

4 It becomes important for us to kind  
5 of understand the history of the history. Right?  
6 Or, as we say in academia, historiography.  
7 Right? That this month didn't come out of  
8 nowhere. And I'd actually like my colleagues on  
9 the other side of the aisle to note that as a  
10 kind of formal dynamic, it actually first got  
11 celebrated by Republican President Gerald Ford in  
12 1976, during the Bicentennial, in which he  
13 encouraged Americans to learn more about  
14 African-Americans during this time. That became  
15 the kind of official kickoff in this country of  
16 African-American history being kind of a -- a --  
17 as we call it now, a thing. Right?

18 But it begins really with Negro  
19 History Month in 1926, with Carter G. Woodson.  
20 Right? Now, a lot of people don't know who  
21 Carter G. Woodson is. If you do know, most of  
22 the time he's known for writing The Mis-Education  
23 of the Negro, which is a good read. People  
24 should check it out, particularly those who are  
25 interested in education.

1                   But he gets left behind. Everybody  
2 knows W.E.B. Du Bois, right? First  
3 African-American graduate from Harvard, right?  
4 Carter G. Woodson was the second. And they both  
5 got Ph.D.s, right?

6                   What I always say that's interesting  
7 about Carter G. Woodson is that he was a teacher.  
8 He wasn't a college professor. He wasn't like,  
9 you know, an endowed chair somewhere. He was an  
10 everyday P.S. 193 teacher. Right? Obviously in  
11 a black school. How amazing would it be if all  
12 of our teachers had Ph.D.s from Harvard, right?  
13 Well, I'll take a Ph.D. from the University at  
14 Albany. Like I'll take it where we can get it.  
15 But that's the kind of education that -- that he  
16 provided.

17                   And he saw that there was a lack of  
18 access to the history of African-Americans in his  
19 classroom and in the curriculum that he was being  
20 given to teach. And so he actually created an  
21 organization on the study and advancement of  
22 Negro history, and out of that he started Negro  
23 History Week. And it actually began the second  
24 week in February, because that week is the week  
25 that -- both Lincoln and Frederick Douglass were



1 both born that week. Right? And so at that  
2 time, going back to 1926, you know, two of the  
3 kind of giants in terms of both the abolition of  
4 enslavement but also advancing the right of  
5 African-Americans. Right?

6                   And so during this month, I want to  
7 encourage us all to be focused a little bit more  
8 on the history of African-Americans and to  
9 understand that history to be a broad history.  
10 And that includes people from the Caribbean,  
11 like, Marcus Garvey, who created the largest  
12 organization of Black people in the entire world,  
13 you know, back in 1924. Right? The Universal  
14 Negro Improvement Association. You don't have --  
15 you don't have the Harlem Renaissance without  
16 Garvey, right, because there's much of Garvey's  
17 work that becomes the precursor to what we  
18 understand in terms of the Harlem Renaissance.

19                   You know, Garvey is somebody who  
20 created the first Black church, right? The first  
21 Black denomination was created by Garvey. One of  
22 the first Black newspapers, Black Star News, was  
23 created by Garvey.

24                   Garvey is the predecessor of  
25 Black Nationalism, the idea of self-help and the

1     idea that African-Americans can work socially  
2     with the larger society but, you know, in  
3     terms -- sorry, they should work economically  
4     with the larger society but socially they should  
5     build their own, in order to be kind of on an  
6     equal footing. You see that idea played out in  
7     other organizations, but you see it also  
8     academically within the context of Black Power,  
9     if you read that book by Charles V. Hamilton and  
10    Stokely Carmichael. Right? This notion that we  
11    have to get our act together before we can work  
12    with other people. Right?

13                 But it is -- it is -- I should have  
14    worn one today; I didn't, I wasn't thinking. You  
15    know, we have Bow Tie Tuesdays around here. I've  
16    been kind of falling off. But the notion of  
17    wearing a bow tie has to do -- is connected with  
18    this notion of Black Nationalism. I know a lot  
19    of people didn't realize that. And it's part of  
20    the reason why I wear bow ties.

21                 Garvey's mentor was Booker T.  
22    Washington, who was an educator who famously  
23    literally built the school the Tuskegee  
24    Institute, which is now Tuskegee University,  
25    right, in Alabama. And at the time the fashion

1     was bow ties, and Booker T. Washington wore bow  
2     ties. And Garvey, kind of knowing of him in  
3     Jamaica, where he was from, came here literally  
4     to meet him. He left Jamaica in 1913 --  
5     obviously there were no flights, there was no  
6     Caribbean Air at the time, and so it took him a  
7     while to get here. And actually, unfortunately,  
8     Booker T. Washington passed before he got here,  
9     so he never got a chance to meet him. But he had  
10    always started wearing bow ties because of him.  
11    Right?

12                 Garvey builds his empire here, which  
13    later on is taken down by J. Edgar Hoover and the  
14    FBI. But we'll talk about that on another day.

15                 But one of the people in Garvey's  
16    army was somebody who we later on get to know as  
17    the Honorable Elijah Muhammad. And so it is the  
18    Nation of Islam that actually grows out of  
19    Garvey's movement. One of the people who comes  
20    out of the Nation of Islam, of course, is Malcolm  
21    X. And so when you see the brothers, you know,  
22    in the Nation and they're wearing bow ties, that  
23    is a direct connection, literally, to Booker T.  
24    Washington. But more importantly than the  
25    fashion is this notion of nationalism and

1 Pan-Africanism. Right? This idea that African  
2 people in the Diaspora, no matter what country  
3 you are, are connected. Right? And that we have  
4 a responsibility to each other to help build our  
5 own communities in whatever way that we define  
6 those things. Right?

7 And so that's been an important part  
8 of the building of this nation and the build --  
9 and so when we see movies like Rosewood and when  
10 you hear about Black Wall Street, those dynamics  
11 get built out of people like Booker T.  
12 Washington, Garvey, the Honorable Elijah  
13 Muhammad, and Malcolm X.

14 And so as I close, I want us to also  
15 understand that we are making history as we are  
16 living history. That history is nothing but the  
17 record of human events. And so, in this moment,  
18 we stand here as part of history. And certainly  
19 we've seen a lot of history over our time here in  
20 New York State, particularly in New York State  
21 politics, where many of us had an opportunity to  
22 serve under the first Black governor in the State  
23 of New York, David Paterson. I had a chance to  
24 work a number of years for the first  
25 African-American elected statewide, which was

1 H. Carl McCall when he was the state comptroller.

2 You know, we now have an  
3 African-American woman as attorney general,  
4 Letitia James. We have an African-American  
5 lieutenant governor. We're actually now on our  
6 fourth African-American lieutenant governor,  
7 believe it or not. Right? From Basil Paterson  
8 to David Paterson to Brian Benjamin, who was a  
9 part of this body, and now Antonio Delgado.  
10 Right?

11 I remember, coming into this body  
12 20 years ago, we used to talk about, you know,  
13 three men in a room. Now "three men in a room"  
14 are two women and a black guy. Right? And that  
15 didn't happen by accident. It happened because  
16 of the work of the people of our great state.

17 And we have an African-American  
18 Speaker in the Assembly in the personage of Carl  
19 Heastie. And certainly our leader, Andrea  
20 Stewart-Cousins, both first woman and first --  
21 first woman and first African-American woman to  
22 lead a legislative body here in our great state.

23 We have now our second Black mayor.  
24 Right? And you would think in the history -- and  
25 we talk about how liberal New York City is.

1 We've only had two Black mayors. And again,  
2 we -- we recognize and honor our mayor, Eric  
3 Adams, who was a member of this -- is a former  
4 member of this body. But, you know, as you're a  
5 member of the Senate, you're always a member of  
6 the Senate.

7 We have, you know, only our first  
8 Black public advocate in Jumaane Williams. The  
9 first Black woman to be speaker in Adrienne  
10 Adams. Lot of Adamses. It's a good name to  
11 have, apparently. Right?

12 And so the -- the history that we  
13 talk about is huge here. And we currently now  
14 have more African-American women serving in the  
15 State Legislature than any time in our history.  
16 And in fact, so many that we actually are one of  
17 the highest numbers of Black women serving in any  
18 legislature in our country at any time in the  
19 history of our country. We are living history  
20 right this moment.

21 And so we should understand how that  
22 has contributed to the way that we are moving as  
23 a country. And it is really those dynamics that  
24 you see here on the state level and the local  
25 level that have now contributed to us having a,

1     you know, African-American woman as the vice  
2     president. And, for the first time, having an  
3     African-American woman as a Supreme Court  
4     justice.

5                     And then also where many of us are  
6     excited about having Hakeem Jeffries, the first  
7     African-American to lead a legislative body on  
8     the federal level. Who, by the way, was a  
9     classmate of mine in high school. Right? Great  
10    things are coming out of Brooklyn, just wait.  
11    I'm a little stunted, don't -- you know, other  
12    people are coming along there (laughing).

13                    And so all of this has become part  
14    of our -- of our great history. And so  
15    understand that the, you know, Negro firsts of  
16    the past are part of that history. The great  
17    movements that developed this country are part of  
18    that history. That the people who are serving  
19    now, who are doing things even in this moment for  
20    the very first time, are part of that history.  
21    And certainly each one of the narratives that  
22    make up the stories of each one of our families  
23    is a part of that African-American history.

24                    And all those things are the  
25    building blocks that make up -- part of the

1 building blocks that make up our American  
2 history.

3 And so I want to thank you,  
4 Mr. President, for this moment. I want us to  
5 remember that all of us are the people who were  
6 here before -- you know, were here the day before  
7 yesterday. And we're going to continue to be  
8 here the day after tomorrow. So as we celebrate  
9 this month, all of us must rededicate ourselves  
10 not just to learning this history, but bringing  
11 good into the world and letting no good be lost.

12 Thank you.

13 ACTING PRESIDENT COONEY: Thank  
14 you, Senator Parker.

15 Senator Myrie on the resolution.

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

18 And thank you, Professor Parker, for  
19 walking us through some of the history.

20 I love being Black. I love being  
21 Black. There is nothing else I'd want to be. I  
22 am grateful to God that I was made Black.

23 So we are celebrating our history  
24 this month, and there's a lot to be celebrated,  
25 as we just heard and as we will hear from some of



1 my colleagues. But the unfortunate reality is  
2 that history, as we know, repeats itself. And  
3 the history of Black people in this country  
4 continues to repeat itself up until this day.

5 And I'd be remiss if I did not bring  
6 up Tyre Nichols, brutally murdered at the hands  
7 of law enforcement. And for those of us who are  
8 Black, it is a complicated thing to watch,  
9 because it is both hurtful and devastating and  
10 not at all surprising. Because we see it over  
11 and over and over and over and over and over and  
12 over.

13 Even in my own personal history, in  
14 the wake of the murder of George Floyd, I went to  
15 join my constituents to protest and I was  
16 pepper-sprayed, assaulted, arrested, even with a  
17 bright neon shirt that had "Senator Myrie" on the  
18 back. So my title did not protect me from our  
19 history.

20 The incident was investigated. The  
21 CCRB just came up with a ruling, and the officer  
22 was exonerated. Even with video evidence, even  
23 with what the world saw happened.

24 So I sit -- or rather, I stand here  
25 with very conflicted feelings. Because we have

1 much to celebrate but we have much, much, much  
2 more work to do. And when I say "we," I'm not  
3 talking about Black people. Because we live, we  
4 exist, we do the work. I'm talking about the  
5 systems in our country that continues to harm,  
6 continues to deprive, continues to suppress the  
7 beauty and magic of being Black.

8 So I'm going to keep loving being  
9 Black. I'm going to keep enjoying the company of  
10 my Black brothers, my Black sisters, my Black  
11 people. And I'm going to continue to fight until  
12 the day where we are surprised and we are shocked  
13 that our people are being killed in the streets.  
14 When we are shocked when we're not being  
15 successful.

16 So I proudly, proudly vote in  
17 support of this resolution to uplift our history  
18 and to look to our future.

19 Thank you, Mr. President.

20 ACTING PRESIDENT COONEY: Thank  
21 you, Senator Myrie.

22 Senator Lanza on the resolution.

23 SENATOR LANZA: Thank you,  
24 Mr. President.

25 You know, Senator Parker and I, we

1 go back a long ways. And I always enjoy  
2 listening to him speak, even on a getaway day.  
3 One of these days I'm going to enroll in  
4 Dr. Parker's class.

5 He reminds us of so much that is so  
6 important whenever he speaks about Black History  
7 Month. He reminds us that we can all learn from  
8 each other, that we all the power to teach but,  
9 more importantly, we have the power and the  
10 capacity to learn and to advance and improve.  
11 And I thank him for that.

12 And one of the things I'm always  
13 struck by when he talks about Black History Month  
14 is when he reminds us that present-day science  
15 believes and/or has proven that we all descend  
16 from the same woman who resided in Africa. Which  
17 means we all have, every one of us, the same  
18 great-great-great-great-great-great-grandmother.

19 And that restores my hope whenever I  
20 am reminded of that fact, but it also saddens me  
21 because we live in a world -- more than ever,  
22 perhaps -- when there are so many who want us to  
23 forget that fact. There are so many and too  
24 many politicians, college professors, media  
25 pundits, and people in general, who would rather

1 we forget that we are all truly, as proven  
2 scientifically, brothers and sisters. They would  
3 rather divide and conquer and oppress. They  
4 would rather use hate than love. And that is  
5 truly, I believe, what is keeping "we" from  
6 really achieving what we can achieve.

7                   And so Dr. Parker, Teacher Parker,  
8 Senator Parker, thank you for reminding us that  
9 we all have and hail from one mom, and that we  
10 are all brothers and sisters. And if we remember  
11 that not just one day a year, but every day, I  
12 think we would all -- black and white, Asian,  
13 Latino, every child under the sun -- be better  
14 for it.

15                   ACTING PRESIDENT COONEY: Thank  
16 you, Senator Lanza.

17                   Senator Bailey on the resolution.

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

20                   Thank you, Teacher Parker. You  
21 know, KRS-One, famous hip-hop artist, is also  
22 known as The Teacher. We'll get back to KRS-One.

23                   Rest in peace to Tyre Nichols. We  
24 lay him to rest on the first day of Black History  
25 Month, which is, as Senator Myrie mentioned, that

1     cruel irony of being Black. And sometimes it's  
2     hard. But as they said, there's nothing better  
3     than being Black.

4                 I was Black before I got elected,  
5     I'll be Black after I got elected. My blackness  
6     is beautiful. The blackness of our people is  
7     beautiful, no matter what hue you are,  
8     Mr. President. My blackness, our blackness, is  
9     strength.

10                James Baldwin, in 1961, was asked by  
11     a radio host about being Black in America, and he  
12     said: "To be a Negro in this country and to be  
13     relatively conscious is to be in a state of rage  
14     almost all of the time -- and in one's work. And  
15     part of the rage is this: It isn't only what is  
16     happening to you, but it's what's happening all  
17     around you, and all of the time in the face of  
18     the most extraordinary and criminal indifference,  
19     indifference of most white people in this  
20     country, and their ignorance.

21                "Now, since this is so, it is a  
22     great temptation to simplify the issues under the  
23     illusion that if we simplify them enough, people  
24     will recognize them. I think this illusion is  
25     very dangerous because, in fact, it isn't the way

1     it works. A complex thing can't be made simple.  
2     You simply have to try to deal with it in all of  
3     its complexity and hope to get that complexity  
4     across."

5                 James Baldwin said that in 1961, but  
6     he could have said it yesterday. And I know many  
7     of us have heard the beginning of that quote, but  
8     I don't know if we've heard that full quote in  
9     its context. We've heard about the rage, but  
10    where does the rage come from, Mr. President?  
11    Where does the frustration come from? It comes  
12    from seeing televised murders. It comes from  
13    wondering: Damn, am I next?

14                I don't think people understand that  
15    when many of us see those things, it takes you to  
16    a point where, you know, this -- this really  
17    could happen to me. This traffic stop, it really  
18    could happen to me. This interaction, this  
19    really could happen to me.

20                Well, why do you run? Well, we run  
21    because we don't have faith that if we are in the  
22    grasp, that we're going to be treated fairly.  
23    Why do we run?

24                Now, running is a literal and a  
25    metaphoric thing in this context, Mr. President.

1 We're running towards glory. You know, I spoke  
2 about sampling in hip-hop during MLK Day. And if  
3 you've heard this song by Grandmaster Flash and  
4 the Furious Five, it's called "The Message."  
5 Melle Mel is the modern-day Baldwin in that when  
6 he says: "Don't push me 'cause I'm close to the  
7 edge/I'm trying not to lose my head/It's like a  
8 jungle sometimes/It makes me wonder how I keep  
9 from going under/It's like a jungle sometimes/It  
10 makes me wonder how I keep from going under."

11 You know, it's the first day of  
12 Black History Month, and I live through the lens  
13 of my daughters and I promised my oldest -- this  
14 was her idea. Her Black History Month topic was  
15 the history of hip-hop. So we came up with a  
16 trivia game, we came up with a trivia game, and  
17 we talked about a couple of things, most notably  
18 where the birthplace of hip-hop was, Senator  
19 Comrie.

20 (Catcalls; laughter.)

21 SENATOR BAILEY: The BX. Also the  
22 location of the first hip-hop museum, scheduled  
23 to open up in 2024.

24 And I got a chance to be at the  
25 Hip-Hop Museum where we were announcing some

1 funding this past Sunday, and I got to be around  
2 some legends. The Teacher, KRS-One.

3 So now back to my oldest, her rap  
4 name is GB Gold. And my youngest, Carina --  
5 Giada's GB Gold, and Carina, her rap name is  
6 Control C. They -- you know, we were -- we  
7 were -- you know, they're part of the culture.

8 And when I met KRS-One, KRS-One said  
9 something, he said, "Rap is something you do, but  
10 hip-hop is something you live." And hip-hop has  
11 not only helped to raise me, but hip-hop has been  
12 that -- like our flare, our alarm system, our  
13 rapid response team to societal unrest or  
14 injustice. Sam Cooke wrote "A Change is Gonna  
15 Come" because he was denied accommodations at a  
16 hotel. Papoose, the rapper, took the Sam Cooke  
17 beat from "A Change is Gonna Come" in response to  
18 Sean Bell being shot at 50 times in Queens.  
19 Rapid response team.

20 "Fight the Power," by Public Enemy.  
21 One of the greatest works of art in hip-hop  
22 history. It defined the movie Do the Right  
23 Thing. Now, in Do the Right Thing, remember, a  
24 couple of things happened. Radio Raheem was  
25 brutally murdered, but before he was murdered, he



1 was silenced. The music that he carried around,  
2 his boom box, he was silenced. So it was "Fight  
3 the Power."

4 You know, "Self Destruction," by  
5 Boogie Down Productions, one of the first rap  
6 videos I remember watching on Video Music Box,  
7 spoke about the societal ills and the response  
8 that we needed to be better as a society to each  
9 other.

10 The aforementioned KRS-One and  
11 Boogie Down Productions had a song called "You  
12 Must Learn," where he breaks down so many Black  
13 leaders that we haven't heard of, and he says:  
14 "'Cause Black and White kids both take  
15 shorts/When one doesn't know about the other  
16 ones' culture/ Ignorance swoops down like a  
17 vulture/'Cause you don't know that you ain't just  
18 a janitor/No one told you about Benjamin  
19 Banneker/A brilliant Black man that invented the  
20 almanac/Can't you see where KRS is coming at/With  
21 Eli Whitney, Haile Selassie/Granville Woods made  
22 the walkie-talkie/Lewis Latimer improved on  
23 Edison/Charles Drew did a lot for  
24 medicine/Garrett Morgan made the traffic  
25 lights/Harriet Tubman freed the slaves at

1 night/Madam C.J. Walker made the straightening  
2 comb;/But you won't know this if you weren't  
3 shown."

4                   You won't know unless you're shown.  
5 That's why this month is important. And even if  
6 it's one month, we can take the lessons that we  
7 learned from this month and take them over time.

8                   And, you know, at one point, you  
9 know, they said Black people couldn't play  
10 quarterback, Mr. President. They said that we  
11 were mentally inferior, and they charted -- they  
12 said, no, you played in high school, you played  
13 in college -- no, but you're going to play  
14 receiver. They -- they -- they blackballed Colin  
15 Kaepernick. I got my Colin Kaepernick Uptowns on  
16 right now, Mr. President.

17                   But for the first time in the  
18 history of the NFL, we have two Black  
19 quarterbacks facing off in the Super Bowl. From  
20 being told that you can't understand the  
21 playbook. They used to say that, Mr. President.  
22 They said that Black men couldn't understand the  
23 playbook because it was too complex. That they  
24 didn't understand the routes or they didn't  
25 understand the mechanics of the offense. At the

1     greatest stage in the world, the highest level of  
2     competition, we have two Black men in the  
3     Super Bowl.

4                     And I -- and I -- and I think that  
5     it's kind of awesome that we had a -- we had a  
6     mini-huddle a little while ago. And when you  
7     think about how Black men and Black women have  
8     been disenfranchised so much -- the committees  
9     that we are in charge of, the committees that we  
10    get to lead in this great body, things that have  
11    been historically disenfranchised, we now have  
12    the power to be a part of the change. We are our  
13    ancestors' wildest dreams, Mr. President.

14                    You know, in 2004 then-Senator,  
15    future President Barack Obama had a legendary DNC  
16    speech, but he came out to the song by Curtis  
17    Mayfield and the Impressions, "Keep on Pushing."  
18    "Keep on pushing/I've got to keep on pushing/I  
19    can't stop now/Move up a little higher/Some way,  
20    somehow/'Cause I've got my strength/And it don't  
21    make sense/Not to keep on pushing."

22                    We've got to keep on pushing -- for  
23    the ancestors, for the current day, but most  
24    importantly for the future. Not just for my  
25    daughters, but the generations that we can't even

1       foresee. Generations that didn't foresee an ASC,  
2       a Speaker Heastie, a Hakeem Jeffries, a Tish  
3       James, an Eric Adams, an Adrienne Adams, a  
4       Crystal Peoples-Stokes. Like this is -- these  
5       are thanks we couldn't imagine, we couldn't  
6       imagine that even 10 years ago. Even 10 years  
7       ago, one decade ago, you couldn't imagine it. We  
8       didn't see all of these Black folks in positions  
9       of power, Darcel Clarks and Vanessa Gibsons  
10      and -- man, like this is -- it's something to be  
11      here. I don't take this for granted. I do not  
12      take this opportunity for granted.

13               As I close, Public Enemy said it,  
14      "It takes a nation of millions to hold us back."  
15      That was their second album. And I dare to say,  
16      Mr. President, we can't be held back anymore.

17               Happy Black History Month.

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

20               Senator Comrie on the resolution.

21               SENATOR COMRIE:    Thank you,  
22      Mr. President. It's hard to follow such eloquent  
23      speakers, but I'm going to try.

24               Good afternoon -- good morning,  
25      colleagues. I'm proud to be here today to talk

1 about Black history, and I want to thank our  
2 leader, Andrea Stewart-Cousins, and our  
3 professor, Professor Parker, for inspiring all of  
4 us to note the issues and majesty of Black  
5 history and Black culture.

6           You know, as I want to chronicle and  
7 give voice and resonance and significance to the  
8 immense pioneering and worthy contributions of  
9 African-Americans over the past four centuries,  
10 it is not only necessary from the standpoint of  
11 understanding the past but even more critical for  
12 inspiring the future.

13           Black history, as we all know, is  
14 not confined to the history books. As was said  
15 by my earlier speakers, Black history is  
16 happening every day and every moment. We all  
17 have an opportunity to impact all of the people  
18 around us by how we act towards each other, by  
19 how we treat our children, and how we educate our  
20 children by our deeds, by our actions and by our  
21 responsibilities.

22           Black history encompasses the  
23 virtues and values we bring to spaces like this.  
24 Black history informs and animates our advocacy  
25 and our activism today.

1                   There are many, many  
2     important avenues that advocacy and activism can  
3     take. I want to talk about a couple, but first I  
4     want to just let us all continue to hold the  
5     families of Tyre Nichols, the families of the  
6     people in Buffalo that were shot down this year  
7     by a young man that was never taught civics in  
8     our schools -- and I understand that we have a  
9     responsibility to change that dynamic. We should  
10    never allow for civics not to be taught in our  
11    schools, starting in this curriculum year. We  
12    should never have a student in New York State not  
13    understand the history and majesty of a state  
14    that was developed to encompass immigrants, to  
15    allow the immigrants to come to New York and to  
16    understand that the immigrant life in New York is  
17    something that everybody, whether you were  
18    Italian in the '50s, whether you were Irish in  
19    the '30s -- whatever your timeline is, we are all  
20    immigrants to this country. We were all  
21    immigrants to New York State. Only people that  
22    were born in the last two generations can say  
23    they were New York State-born.

24                   We should not have a school system  
25    that is not making sure that there is

1 multiculturalism taught in our schools, where we  
2 have young people that are taught by their  
3 phones, and understanding that they think they  
4 need to go shoot somebody because they don't have  
5 an appreciation of what the majesty of New York  
6 State is. We have to now focus on making sure  
7 that multiculturalism and that the entire budget  
8 reflects what this state needs to make sure that  
9 all people in this state get an opportunity to  
10 benefit from this New York State budget.

11                   And I'm going to take from Black  
12 history to budget, because the Governor in a  
13 couple of minutes is talking about her budget.  
14 She's going to talk about her budget, and I want  
15 to make sure that this year, more than ever, we  
16 create an opportunity to ensure that there is  
17 multiculturalism reflected through the entire  
18 budget, that minorities can get higher than the  
19 3 percent share that they're getting out of  
20 procurement out of state agencies, that they can  
21 do better than contracting in the 5 percent that  
22 they're getting across the board in contracts.

23                   We as legislators need to do better  
24 for our entire state. We need to make sure that  
25 upstate gets the opportunities that they need to

1 improve their roads, to develop businesses, to  
2 continue to make sure our manufacturing in  
3 upstate gets done, that our farming gets done,  
4 and that we can allow multiculturalism through  
5 upstate. We need to make sure that this state in  
6 this budget reflects the needs and concerns of  
7 everyone here, everyone that lives in this state,  
8 even the asylum seekers that have come here to  
9 try to find a better life. We need to use this  
10 moment in Black history to remember that we are  
11 all one people, as Senator Lanza said, my good  
12 friend and colleague that I've been working with  
13 for a couple of years now, since we were in the  
14 City Council together. You know, we understand  
15 that at the end of the day, we're here to try to  
16 do better for our districts. We're here to try  
17 to create opportunities for everyone to be  
18 uplifted so that we can be proud of our children,  
19 we can be proud of our schools, and we can be  
20 proud of the opportunities to bring new business,  
21 new ideas, new technology -- but we can also make  
22 sure that we have inclusion -- inclusivism. Let  
23 me slow down.

24 (Laughter.)

25 SENATOR COMRIE: I'm getting



1 excited about our opportunities. I'm getting  
2 excited about what we can do in this budget to  
3 create opportunities for every New Yorker in  
4 New York State to be more inclusive than ever  
5 before, because we have more people that are  
6 woke.

7 And my new class of members that are  
8 here, and the members that are already here,  
9 understand at the end of the day we all want the  
10 same thing: A more inclusive New York with  
11 opportunities so that we can never be embarrassed  
12 nationally with an incident in Buffalo again,  
13 that we can have something to do for our young  
14 people by creating after-school programs in every  
15 junior high school and high school in this state,  
16 so that our kids don't get out of school at  
17 1 o'clock and they're trained by their  
18 cellphones. That they're getting educated by  
19 people that want to embrace them -- because we  
20 don't have schools open, we don't have positive  
21 things for them to do.

22 We've got to give our children  
23 positive things to do so they're not educated by  
24 TikTok. We've got to change that opportunity.  
25 And in this New York State budget that I hope the

1 Governor brings up will be inclusive, will be  
2 opportunity, will celebrate not just Black  
3 history but the history of this state to make our  
4 state better.

5 Thank you, Mr. President.

6 ACTING PRESIDENT COONEY: Thank  
7 you, Senator Comrie.

8 Senator May on the resolution.

9 SENATOR MAY: Thank you,  
10 Mr. President. A lot of tough acts to follow  
11 here, but I want to go back to what Senator Myrie  
12 said about how history keeps repeating itself and  
13 talk a little bit about how controversies over  
14 the teaching of African-American history keep  
15 repeating themselves.

16 Back when the Civil Rights Act  
17 passed in 1964, a lot of state's boards of  
18 education started looking for new textbooks that  
19 were more inclusive, that would be able to teach  
20 their students about American history in a -- in  
21 a more forthright and truthful and -- and  
22 complete way.

23 And my grandfather was a professor  
24 of American history at the time, and my  
25 grandmother was a schoolteacher and social

1 worker, and they collaborated on a new textbook  
2 of American history that really made an effort to  
3 cover slavery and reconstruction and Jim Crow and  
4 the civil rights movement and a lot of other  
5 aspects of American history that had been left  
6 out of textbooks before.

7 This textbook was adopted in the  
8 California schools in 1967 when I was 10 years  
9 old. And my grandparents, whom I adored, started  
10 receiving death threats. White mothers started  
11 pulling their kids out of history class in  
12 eighth grade so they wouldn't have to learn about  
13 Harriet Tubman and Frederick Douglass and  
14 Dr. Martin Luther King, Jr.

15 My grandparents died about 30 years  
16 ago, and I miss them all the time. But part of  
17 me is really glad they're not here to see this  
18 controversy rearing its ugly head again, to see  
19 someone who's probably going to be a candidate  
20 for president in the next election outlawing AP  
21 African-American history in his state, to see the  
22 kinds of vitriol that we are seeing all across  
23 the country at school board meetings, in efforts  
24 to take books out of libraries, in -- on cable  
25 news and talk radio about how somehow dangerous

1       it is to teach our children about  
2       African-American history.

3               I wish every child could hear the  
4       speeches we've heard today and hear the beauty,  
5       the richness, the passion, the power of  
6       African-American history in this country. And I  
7       hope that this month, this African-American  
8       History Month, will bring some of that to kids  
9       all across our country.

10              I proudly support this resolution.  
11       Thank you.

12              ACTING PRESIDENT COONEY:    Thank  
13       you, Senator May.

14              Senator Sanders on the resolution.

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

17              You've heard it all. You've  
18       heard -- we've gone everywhere from discussion of  
19       the budget to hip-hop to the many facts that the  
20       professor has given us. We've gone to hear from  
21       the other professor, Professor Lanza. He teaches  
22       at the University of Staten Island, I believe.  
23       He spoke of the universal nature of -- of Black  
24       history.

25              And it is a universal nature, but

1     it's more than that. It has to be remembered that  
2     Black history is American history. And American  
3     history is Black history. You cannot separate  
4     the two. Just trying to, as we're seeing down in  
5     Florida, is a perversion of American history.  
6     It's a -- it's an insult to American history akin  
7     to a book burning that he's trying to do. And  
8     I'm speaking about Governor DeSantis.

9                 It's a perversion of American  
10    history that every American should be -- should  
11    stand up and say, You know what, we're going to  
12    tell the truth whether it's lovely or ugly or  
13    whatever, but it all helped get us here.

14                This nation is a nation that's not  
15    finished. We're on a journey somewhere. And  
16    what we do around this table, these tables right  
17    here, is part of the history of this great  
18    nation. We're going to someplace better. It may  
19    be painful, it may be something, but we're going  
20    to someplace better.

21                Let me show you just some examples,  
22    one or two examples of -- of the choices that all  
23    Americans will have to make over the question of  
24    our own history, the question of history.

25                In 1921, which was not a good year

1     for many people, especially for Black people,  
2     down in Houston, Texas, there was a Klan rally  
3     taking place, and it had more than 20,000 people  
4     in it. And the speaker was late, so the MC was  
5     joking around trying to kill some time, and he  
6     said, Is there anyone in here who wants to speak  
7     against the Klan? The whole place started  
8     laughing, and laughter, and until one white guy  
9     strode through the aisles, went up on the stage,  
10    and for the next 20 minutes blasted the Klan and  
11    said that what they had was nothing to do with  
12    America, et cetera.

13                 All of these things, my friends, are  
14    part of American history. A part of American  
15    history that we need to teach, we need to  
16    celebrate. All was not -- in the history of the  
17    Klan, many whites took a very positive position,  
18    and that needs to be celebrated too.

19                 Black history is American history.  
20    American history cannot be divorced from Black  
21    history, no matter how many times the book  
22    burners want to do it.

23                 We have choices. My last example,  
24    my friends. We all have seen this picture of  
25    Rosa Parks, she's on a bus, there's -- folk are

1     about to arrest her. There were two white folk  
2     who were finally on that bus. Two choices, now.  
3     One of them was a bus driver, James Blake. And  
4     his position was the rules are the rules, and  
5     he's happy about enforcing the rules, everybody  
6     knows orders are orders and they must be  
7     followed, and he was happy to push through  
8     segregation.

9                 But there was another patriot -- if  
10    you look at that picture carefully, there's  
11    another white guy sitting in back of Rosa Parks.  
12    Silent, he doesn't get much credit. He's sitting  
13    there to make sure that she -- that she survives  
14    the incident. He didn't plan on it. He was not  
15    part of that. He was just a good American -- who  
16    happened to be white, in this case -- who said,  
17    You know what, I'm not going to sit and let  
18    injustice take place. I'm simply not going to do  
19    it.

20                And he stayed. And maybe that's why  
21    we hear of Rosa Parks today. She could have been  
22    killed. He stayed to make sure. He gets no  
23    credit.

24                America will always have this  
25    choice. You will always have a choice of you can

1 be silent and let things happen, or you can say:  
2 You know what? Not on my watch. Not on my  
3 watch. Maybe I couldn't stop stuff a hundred  
4 years ago, 200 years ago, but I'll be danged if I  
5 let injustice take place today.

6 And so therefore these days, this  
7 type of history is good, because it gives us all  
8 a chance to learn a little bit more about the  
9 "Other," whoever that is. I haven't found the  
10 "Other" yet. And -- but it allows us to find a  
11 little bit more so we can take upon ourselves the  
12 idea that out of many comes one. That is what we  
13 say about America, is it not? Out of many comes  
14 one. That all of us have the ability to get up  
15 there and finally say we are going to a greater  
16 America. Kicking and screaming, maybe; happy at  
17 other points. But we're going to get there.

18 And I conclude right before we hear  
19 from my esteemed colleague Senator Kennedy,  
20 who -- well, who can never say it the best way,  
21 so he continues. Langston Hughes once said --  
22 said it this way. Now, that certainly -- my  
23 friends, that certainly came out wrong.

24 (Laughter.)

25 SENATOR SANDERS: It was aimed to



1 be a compliment.

2 (Laughter.)

3 SENATOR SANDERS: Maybe I should  
4 have just said what Langston Hughes said, because  
5 he didn't mess up and I did.

6 Langston Hughes was speaking about  
7 America, and he said America -- I just want  
8 America to be America for everybody.

9 Thank you very much, Mr. President.  
10 Forgive me, Brother Kennedy, if it's possible.

11 ACTING PRESIDENT COONEY: Thank  
12 you, Senator Sanders. We'll see how Senator  
13 Kennedy does.

14 (Laughter.)

15 ACTING PRESIDENT COONEY: Senator  
16 Kennedy on the resolution.

17 SENATOR KENNEDY: Thank you very  
18 much, Mr. President.

19 Well, first of all I have to start  
20 by thanking my colleague Senator Sanders for that  
21 wonderful compliment.

22 (Laughter.)

23 SENATOR KENNEDY: But in all  
24 honesty, I'm so honored to stand here among all  
25 of my colleagues, both sides of the aisle, to

1 honor and celebrate Black history with this  
2 resolution.

3 I want to thank our great, historic  
4 leader, Majority Leader Andrea Stewart-Cousins,  
5 for bringing this to the floor; for all of my  
6 colleagues that have spoken thus far.  
7 Senator Parker, you're always fun to listen to.  
8 It's always educational. I always learn a little  
9 something more. Senator Myrie, thank you for  
10 those profound words. Senator Comrie.  
11 Senator Bailey. You know, I can't rap like  
12 Senator Bailey -- unless, of course, the cameras  
13 are off.

14 (Laughter.)

15 SENATOR KENNEDY: I can't dance  
16 like Senator Parker -- unless, of course, my  
17 friend Ms. Barbara Glover teaches me back home in  
18 Buffalo for the "Dancing with the Stars."

19 Thank you again. I did know what  
20 you meant, Senator Sanders. I don't know if  
21 that's a good thing or a bad thing.

22 (Laughter.)

23 SENATOR SANDERS: It's a good  
24 thing.

25 SENATOR KENNEDY: But you know --

1 and Senator Lanza, thank you for those words.

2           You know, we stand here and we're  
3 talking about Black History Month, celebrating  
4 Black history and talking about it being American  
5 history, which it is. Talking about it being  
6 global history, which it is. I think it's  
7 personal for all of us.

8           It's personal for me as an Irishman.  
9 Today we not only celebrate the beginning of  
10 Black History Month, but today is St. Brigid's  
11 Day in Ireland. And actually, this year will be  
12 the first year in the history of Ireland that  
13 they will officially celebrate St. Brigid's Day.  
14 St. Brigid, a millennium and a half ago, just  
15 after St. Patrick, was a patron saint of Ireland  
16 as well, and today we celebrate that day.

17           I think it's fitting because as we  
18 think about Black history, I think about Black  
19 history as it relates to Irish history and my own  
20 personal history: The Irish that came across the  
21 ocean in an oppressed state only to be yet  
22 oppressed here again, and have raised ourselves  
23 up, much like the African-American people in this  
24 great country have raised themselves up.

25           But the indelible connection between

1 Irish history and Black history cannot be  
2 underestimated. For example, in 1845, at  
3 27 years old, Frederick Douglass crossed the  
4 Atlantic to seek respite in Ireland. And in  
5 Ireland he befriended Daniel O'Connell, the great  
6 Irish emancipator. And Frederick Douglass went  
7 through the great country of Ireland -- in Cork,  
8 in Belfast, in Dublin, in Waterford, in other  
9 areas of the country, talking about scourge of  
10 slavery in this country. Raising attention,  
11 raising funds, and raising support against  
12 slavery in this country, and befriending the  
13 great Daniel O'Connell.

14 Frederick Douglass is still  
15 celebrated today in Ireland -- sadly, in my  
16 estimation, more so than he's celebrated here in  
17 our own country, and even here in our own state.  
18 Which is why I have a bill to celebrate Frederick  
19 Douglass, creating Frederick Douglass Heritage  
20 Trail in this state.

21 You know, when Frederick Douglass  
22 escaped slavery in Maryland, where did he go? He  
23 came to Chamber Street in the great City of  
24 New York, in the great State of New York. He  
25 eventually made his way west, to Rochester and to

1 Buffalo. And quite frankly, as far as I'm  
2 concerned, is one of the greatest American heroes  
3 ever to live.

4 And we need to celebrate Frederick  
5 Douglass more so than when we do. And I think  
6 that it is incumbent upon all of us to continue  
7 to tell his story.

8 You know, Douglas, whose life  
9 started in slavery, who found freedom and then  
10 rose to be a confidant of one of the greatest  
11 presidents, if not the greatest president to ever  
12 live, Abraham Lincoln -- lived up into his  
13 nineties.

14 His book from 1845 that he wrote,  
15 Narrative of the Life of Frederick Douglass, An  
16 American Slave, the words that he wrote over  
17 175 years ago still ring true today. If you  
18 haven't read it, do yourself a favor, give it a  
19 read. You will learn about society today, sadly.

20 And being from Buffalo and the great  
21 movement that started, the civil rights movement  
22 that started out of our great city of Buffalo,  
23 that we celebrate in this great State of  
24 New York -- you know, the NAACP, the precursor to  
25 that, the Niagara movement, over a century ago,

1 started in Buffalo. Reverend Nash, the  
2 Nash House, a historic structure that still  
3 exists today.

4 We're helping to build out, pull up  
5 and tell the story of the history of Buffalo, of  
6 New York, of America, that started right  
7 underneath our feet: The Michigan Street African  
8 American Heritage Corridor, the Michigan Street  
9 Baptist Church. I'm proud to say the state has  
10 just announced funding to support the Michigan  
11 Street Baptist Church, to sustain that structure  
12 for generations, hopefully centuries to come.

13 The Black-owned radio station, WUFO,  
14 Sheila Brown, in downtown Buffalo. The Freedom  
15 Wall. I could go on and on and on about the  
16 history in Buffalo, the history we celebrate and  
17 the tradition that we want to continue to tell.

18 But I also want to put that up  
19 against where we are as a society. Senator  
20 Comrie, in his beautiful words, mentioned the  
21 lives that were stolen from us on May 14th, where  
22 10 beautiful people, because of the color of  
23 their skin, living in our community were  
24 massacred because of a hate-filled, racist  
25 terrorist. Who reminded us of the underbelly of

1     this country, reminded us of where we came from  
2     in this country, of how the African-American  
3     people came to this country over 400 years ago,  
4     on those slave ships, and the work we still have  
5     to do.

6                     So when Senator May talks about  
7     education, I agree. When my staff member, head  
8     of diversity and inclusion, Zeneta Everhart --  
9     whose son was shot on May 14th through the neck  
10    and by the grace of God survived, the only  
11    Black survivor that day -- has started a book  
12    drive on diversity and inclusion for our young  
13    people. Over 15,000 books were donated by  
14    generous people from across the globe to that  
15    book drive, and it continues to tell the story of  
16    each other, of humanity, of society, of what  
17    makes us good as a people.

18                    About five years ago I had the  
19    wonderful opportunity to go to Belfast, in the  
20    north of Ireland, and listen to former  
21    President Bill Clinton speak when he was  
22    receiving an award at Queens University. And  
23    when he stood up to speak, the choir began  
24    singing "Danny Boy." And President Clinton began  
25    singing with them, and he had tears coming down

1 his face.

2 Now, we all know the wonderful  
3 orator President Clinton is. We've all seen him  
4 on his feet. He's second to none, as far as I'm  
5 concerned. A just extraordinary speaker. And he  
6 got up -- and I've got to believe it was ad lib,  
7 I'm sure it was -- he starts talking about  
8 Danny Boy and the humanity of it all and where we  
9 all come from. And he starts telling a story  
10 about when he was in the Oval Office one day, he  
11 got a report that said that the \$2 billion they  
12 had invested in the study of the human genome  
13 resulted in the findings that all of us share the  
14 same DNA. Going back to what Senator Parker  
15 mentioned, Alice, Great-Grandma Alice.

16 And he said, "When I saw Hillary, I  
17 said, 'Hillary, we studied the human genome, and  
18 we're all connected. We all go back to  
19 sub-Saharan Africa.' And she said, 'Bill, we  
20 didn't need to spend \$2 billion of taxpayer money  
21 for me to tell you you're a Neanderthal.' And he  
22 said, 'Yeah, but you know what's great? So are  
23 you.'"

24 The point is, we're all connected.  
25 We're all part of that same humanity. It is



1 imperative that we all lift each other. It's  
2 imperative that we all tell each other stories.  
3 It's imperative that we remind each other, as we  
4 start Black History Month, that yes, we are  
5 living this shared history. We are all a part of  
6 Black history in this country, in this state, in  
7 our respective communities, especially here in  
8 New York State, the birth of the civil rights  
9 movement in many ways, and in the global  
10 community.

11 And once again I want to thank my  
12 colleagues for all of their words, their passion,  
13 their vision, and their leadership. I want to  
14 thank you all for your indulgence. And I'm truly  
15 honored and privileged to stand here to support  
16 this resolution honoring Black history.

17 With that, Mr. President, I vote  
18 aye.

19 ACTING PRESIDENT COONEY: Thank  
20 you, Senator Kennedy.

21 Senator Ramos on the resolution.

22 SENATOR RAMOS: Thank you so much,  
23 Mr. President. I too rise to celebrate Black  
24 history.

25 I love being Latino. One of the

1 major reasons I love being a Latina is because we  
2 come in every single shade. But unfortunately,  
3 some of our families don't necessarily appreciate  
4 and value that heritage.

5 And so while I rise to celebrate  
6 Black history, I also rise today to denounce  
7 colorism, particularly in the Latino community.  
8 And I want to challenge my peers, my neighbors,  
9 my own family members at times, who I've heard  
10 throughout my lifetime say things like {in  
11 Spanish}: "Don't marry a Black person." {In  
12 Spanish}: "We have to improve our race." These  
13 are all very specific racist things to say.

14 And it is the racism in our own  
15 families that we have to root out first, in order  
16 to make sure that we are putting forth a much  
17 more inclusive society. And I know that that can  
18 be a very taboo and hard conversation to have,  
19 but it is one that is necessary in every single  
20 family. Because the truth is that Latino  
21 heritage owes a great lot to Black Latinos who  
22 came to the shores of South America, Central  
23 America, the Caribbean, against their will too.

24 We wouldn't have platanos, we  
25 wouldn't have yuca, we wouldn't have tamarindo,

1 things that so many of us enjoy, if it wasn't not  
2 only for their agricultural knowhow, but the  
3 seeds that they brought with them from Africa.

4 But perhaps my personal favorite  
5 contribution of Black people to Latino culture,  
6 particularly New York City Latino culture, isn't  
7 hip-hop. It's salsa. Salsa wouldn't be possible  
8 without the Congo, without so many instruments  
9 that converged with people from Cuba, from  
10 Puerto Rico, from Colombia on the streets of  
11 New York City, to put forth a different sound for  
12 all Latinos and all people to enjoy.

13 I am very proud to represent the  
14 most diverse district in the country. I always  
15 point that out. It includes two very strong and  
16 historic Black communities.

17 One, of homeowners, called  
18 East Elmhurst, right outside of LaGuardia  
19 Airport, with a very involved community,  
20 including the Ditmars Boulevard Association, my  
21 neighbors who so valiantly fought against an  
22 AirTrain that was going to serve the airport  
23 across the street from where they live -- which,  
24 by the way, took away their beaches; that was  
25 beachfront property that was taken away from them

1 during the era of redlining -- because they had  
2 been -- their needs for transportation continue  
3 to be ignored by the State of New York.

4 We're talking about a  
5 three-fare-zone neighborhood, the one where  
6 Malcolm X lived. Yes, the movie is wrong. The  
7 house that got cherry-bombed was not in Harlem,  
8 it was in East Elmhurst, Queens, where  
9 Malcolm X's house was cherry-bombed. It is a  
10 very important part of the history that every  
11 single child in my district should learn.

12 Louie Armstrong lived in  
13 North Corona. His house is there for everybody  
14 to visit, to celebrate, to listen to amazing jazz  
15 concerts over the summer.

16 I have the Langston Hughes Library  
17 on Astoria Boulevard and 100th Street, which this  
18 body -- I am so thankful to all of my colleagues  
19 who helped us secure funding in the budget to  
20 make sure that we can continue to teach  
21 Langston Hughes's history and so much  
22 African history to our neighbors.

23 Jimmy Heath, Harry Belafonte, all of  
24 these amazing musicians and leaders have lived in  
25 my district. And we don't get to talk about it

1       enough.

2                   And I fear that perhaps if we  
3       continue to hear allegations against the teaching  
4       of Black history in America, that children like  
5       mine won't know and won't learn to respect their  
6       fellow human beings.

7                   You know, today in the New York  
8       Times there's a story that talks about how Black  
9       families are leaving New York State. No, it's  
10      not billionaires, it's not the rich. It's people  
11      who are fighting to be able to buy a home in  
12      New York State and can't do it. They're not  
13      earning enough money.

14                  Discrimination continues to run  
15      amuck all over our state, especially when it  
16      comes to homeownership. We all remember those  
17      Newsday articles from Long Island a few months  
18      and years ago. There's a lot of work for this  
19      body to do to ensure that Black people are  
20      respected and afforded the opportunities that  
21      white people have been afforded since the  
22      beginning, since they stole the land that we  
23      stand on.

24                  So I thank you, Mr. President, for  
25      the opportunity to speak today to honor my

1 Black neighbors, my Black colleagues, and all  
2 Black people. And I vote aye on this resolution.

3 Thank you.

4 ACTING PRESIDENT COONEY: Thank  
5 you, Senator Ramos.

6 Senator Cleare on the resolution.

7 SENATOR CLEARE: This is a great  
8 day. Happy Black History Month, everyone.

9 I thought that I could not keep my  
10 seat, representing one of the most historic black  
11 communities in the world: Harlem. It is the  
12 mecca of the African Diaspora.

13 I sit in the seat formerly held by  
14 the first Black woman ever elected to the State  
15 Senate, Constance Baker Motley. And it is with  
16 great pride that I come and serve here every day.

17 I am thankful to our great leader,  
18 Andrea Stewart-Cousins, for bringing this  
19 resolution, and to all my colleagues who have so  
20 eloquently spoken today from all the  
21 universities.

22 We heard a lot today about the  
23 history we don't want to repeat. Facts, that's  
24 important. The history that we have to teach,  
25 that's important. And I'm not trying to rap,

1 Senator.

2 (Laughter.)

3 SENATOR CLEARE: But it's also the  
4 history that we have to preserve. It's the  
5 history that we have to protect, and some of the  
6 history that we have to undo.

7 When we're in this chamber we have  
8 to think about the long-lasting effects of racism  
9 that continue to this very day. We have to think  
10 about the long-lasting effects of redlining, the  
11 long-lasting effects and continuation of mass  
12 incarceration. The long-lasting and continuing  
13 effects of health and healthcare disparities.

14 We have a chance to make another  
15 history in this chamber. We have a chance to  
16 make another history in this budget. We have a  
17 chance to make another history, and not a history  
18 that continues environmental atrocities against  
19 Black communities -- the dumping of bus depots,  
20 hazardous waste plants. We have a chance in this  
21 body, with every single decision we make, with  
22 every single piece of legislation that comes  
23 forward, to make it right. To stop, to end those  
24 disparities.

25 I appreciate Senator Ramos for

1 bringing up Blacks leaving the State of New York.  
2 They're leaving my district by the thousands, a  
3 historical Black community leaving by the  
4 thousands, tens of thousands. Not because they  
5 want to. Harlem is a beautiful place. I am so  
6 proud to be from there. The history we've given  
7 to this city, the history we've given to the  
8 world -- the Apollo Theatre. The Arturo  
9 Schomburg Center for Research in Black Culture.  
10 The strides that have been made. Every leader,  
11 from Nelson Mandela, Thurgood Marshall,  
12 Malcolm X, they have all been in Harlem.

13 But Blacks are leaving because they  
14 can't afford to live there. They are being  
15 pushed out by aggressive and rapid  
16 gentrification. They are being pushed out  
17 because they can't afford to own anything. Black  
18 businesses are pushed out because they can't  
19 afford the capital. They can't afford the rent.

20 So when we are doing this work, let  
21 us remember Black history and how we can change  
22 it by protecting and creating affordable housing,  
23 by protecting and preserving and landmarking some  
24 of the great institutions and buildings that  
25 exist in Harlem, where so much has taken place,



1 including the planning of the great March on  
2 Washington.

3 Let us make sure that we are funding  
4 our schools equitably and appropriately, and  
5 making sure that every child gets a good  
6 education and a quality education in every part  
7 of this state.

8 So with that, I just ask you to  
9 protect the beauty of Black history, the beauty  
10 of Harlem. And I gladly vote aye on today's  
11 resolution. Thank you.

12 ACTING PRESIDENT COONEY: Thank  
13 you, Senator Cleare.

14 Senator Brisport on the resolution.

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

17 Thank you, Senator Parker, for  
18 introducing this resolution; to my colleagues,  
19 for your wonderful statements.

20 You know, every time of year when we  
21 celebrate Black History Month, I am reminded of  
22 the deep and inseparable connection between  
23 racism and capitalism. And as a proud Black  
24 socialist state senator, I reflect on the fact  
25 that Black people were brought to this country as

1 capital and that slavery was capitalism in  
2 action. And that Black people were commodified,  
3 bought and sold on markets, used as collateral at  
4 bank to enrich a select group of people. Because  
5 that's what capitalism does. It creates winners  
6 and a lot of losers.

7 And I am reminded that the attacks  
8 on Black people to enrich a few people under  
9 capitalism continued after, under sharecropping,  
10 Jim Crow, redlining, for-profit prisons,  
11 for-profit policing. These things, the ripple  
12 effects, all under capitalism.

13 I'm reminded that any journey  
14 towards ending racism in this country must come  
15 with the dismantling and abolition of a system  
16 that disenfranchises so many to make just a few  
17 very, very wealthy. And I urge us all to  
18 understand that as we know now, that it is wrong  
19 to commodify bodies. We must also work to  
20 decommodify healthcare, decommodify housing,  
21 decommodify energy, prevent education from being  
22 privatized.

23 Onwards and upwards, together.

24 Thank you.

25 ACTING PRESIDENT COONEY: Thank

1       you, Senator Brisport.

2                   The resolution was previously  
3       adopted on January 31st.

4                   Senator Serrano.

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

7                   Can we please take up previously  
8       adopted Resolution 306, by Senator Webb, read the  
9       resolution title only, and recognize Senator Webb  
10      on the resolution.

11                  ACTING PRESIDENT COONEY:    The  
12      Secretary will read.

13                  THE SECRETARY:    Senate Resolution  
14      306, by Senator Webb, memorializing Governor  
15      Kathy Hochul to proclaim February 1, 2023, as  
16      Girls and Women in Sports Day in the State of  
17      New York.

18                  ACTING PRESIDENT COONEY:    Senator  
19      Webb on the resolution.

20                  SENATOR WEBB:    Thank you,  
21      Mr. President.

22                  Also, Happy Black History Month.  I  
23      want to thank all my colleagues most certainly  
24      for sharing their sentiments.  And as I was  
25      listening, I was also reflecting on my own

1 journey to this seat, most certainly in just  
2 thinking about my own history in also being the  
3 first African-American, the first woman to  
4 represent my district in the Southern Tier here  
5 in this body. And so I most certainly appreciate  
6 Senator Parker's comment around that we are  
7 living history but, more importantly, what are we  
8 doing with what we know to make things better for  
9 the future.

10 And so as I rise to speak on this  
11 also great resolution recognizing girls and women  
12 in sports, I want to thank my Senate colleagues,  
13 Mr. President, for supporting this resolution  
14 memorializing Governor Kathy Hochul's  
15 proclamation stating February 1st as Girls and  
16 Women in Sports Day in the State of New York, in  
17 conjunction with the observance of National Girls  
18 and Women in Sports Day.

19 I am proud to stand today to  
20 celebrate the progress that we have made and the  
21 work that remains to be done to ensure equity for  
22 girls and women in sports. This day was first  
23 celebrated in 1987 to commemorate Olympic  
24 volleyball player and African-American Florence  
25 Jean, or Flo, Hyman. She was one of the best

1 athletes of her time who unfortunately died of a  
2 rare congenital heart disorder at the age of 31.

3 She was an incredible volleyball  
4 player. Not only did she serve the ball at  
5 speeds of 100 miles an hour, but she was known to  
6 have a spike shot at the net that was compared to  
7 a slam dunk by Julius Erving, also known as  
8 Dr. J, for folks who may know him in that manner.  
9 That was before my time.

10 (Laughter.)

11 SENATOR WEBB: But folks are very  
12 familiar.

13 And so when she was not on the  
14 volleyball court, and what I found to be equally  
15 fascinating about her story and her journey,  
16 Hyman worked tirelessly to promote equal  
17 representation of women in sports, in addition to  
18 fighting for civil rights, lobbying alongside  
19 civil right leader Coretta Scott King for the  
20 Civil Rights Restoration Act, and testifying  
21 before Congress in favor of strengthening  
22 Title IX legislation passed in 1972.

23 Twenty-five years ago, in my  
24 district in Tompkins County, Ithaca High School  
25 girls actually made history as the first girls'

1 hockey team in New York State. As they fought  
2 for access to the ice rink, they used the  
3 empowering acronym GREAT, which stands for Girls  
4 Really Expect A Team. Which is another way of  
5 saying that girls should not have to apologize  
6 for wanting the same opportunities as their male  
7 classmates.

8 I was disappointed to learn recently  
9 that they canceled this year's hockey season due  
10 to COVID-related dips in participation. However,  
11 I hope we will see a return of this historic team  
12 next year, as school-based teams, as we all know  
13 provide access to sports like hockey that are  
14 most certainly very expensive and traditionally  
15 dominated by male athletes and often very  
16 exclusionary.

17 And so in further reflection,  
18 50 years after the passage of Title IX, we are  
19 still striving for equitable access to federally  
20 funded programs, activities, and other resources.  
21 We must ensure that the public and private  
22 schools offer equitable sports opportunities to  
23 all students, regardless of their gender or race  
24 and ethnicity.

25 While it is certainly true that we

1     have made progress, there's much more work to be  
2     done to make sure that all girls have access to  
3     sports, so we can be -- we can ensure that the  
4     next Flo Hyman does not miss her chance to make  
5     her way onto a volleyball court or any other  
6     athletic space of her choosing.

7                     As those of us who have played  
8     sports -- and I also recognize some of us are  
9     more in the observant category, no judgment -- or  
10    have watched our favorite team play know very  
11    well, access to sports empowers young athletes  
12    and it builds a sense of teamwork, pride and  
13    accomplishment.

14                    And so I'm very happy to stand here  
15    today to vote in favor of this resolution, and I  
16    hope my colleagues will join me in celebrating  
17    girls and women in sports by voting aye.

18                    Thank you so much.

19                    ACTING PRESIDENT COONEY:     Thank  
20    you, Senator Webb.

21                    Senator Mayer on the resolution.

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

24                    And thank you, Senator Webb, for  
25    introducing this. And it's so fitting that we

1 are doing it on this day where we've heard these  
2 powerful reminders of the importance of Black  
3 history.

4 We need to publicly acknowledge some  
5 of the extraordinary Black women in the history  
6 of sports in our country who not only broke the  
7 gender barrier before and after Title IX, but  
8 clearly broke the race barrier. But their  
9 stories are not told.

10 You know, we know about Serena  
11 Williams and Simone Biles, Althea Gibson,  
12 Florence Joyner, Wilma Rudolph, Jackie  
13 Joyner-Kersey, and Flo Hyman. These are women  
14 who were so excellent in their sport and their  
15 craft that they were national leaders. And  
16 that's part of the story that we must tell as  
17 part of the full story of American success and  
18 failures. But these women were the epitome of  
19 success.

20 And I think it's particularly  
21 important that we talk about the value of sports  
22 for all women and girls. You know, the elements  
23 of sports that men have traditionally enjoyed and  
24 celebrated -- the ability to be publicly  
25 competitive, to have a team of people that you



1 work together with, to enjoy physical activity,  
2 and to learn the benefits of winning and, yes,  
3 losing -- these are the things that men have  
4 always enjoyed through sports. And for so many  
5 years, until Title IX 50 years ago, when we see  
6 the value of changing laws, women were really  
7 discouraged, if not prevented from enjoying.

8 So we celebrate today National Girls  
9 and Women in Sports Day, and aptly coinciding  
10 with this incredibly important Black History  
11 Month celebration, which we are reminded today  
12 should not be a month-long celebration but a  
13 year-long conversation.

14 And I also want to commend publicly  
15 the Women's National Soccer Team in the  
16 United States for raising the issue of pay parity  
17 in professional sports and finally achieving some  
18 victory -- with the help, I would say, of the  
19 men's national team, which did not fight them and  
20 understood the benefit.

21 But we have a long way to go to get  
22 parity. In the meanwhile, let's celebrate the  
23 girls, the young girls for whom the opportunity  
24 to participate in sports will be a life-changing,  
25 life-affirming activity.

1                   And thank you for letting me speak.

2           I vote aye on the resolution.

3                   ACTING PRESIDENT COONEY:    Thank  
4           you, Senator Mayer.

5                   Senator Bailey on the resolution.

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

8                   Senator Webb, thank you so much for  
9           introducing this resolution.

10                   First and foremost, let me say if  
11           Brittney Griner was paid what she was owed, if  
12           she was paid what she was worth, if she was paid  
13           what her basketball legendary skills are worth,  
14           she would have never had to go to Russia in the  
15           first place.  So like -- if we're going to talk  
16           about pay equity, let's center pay equity and  
17           make sure that women that are exceptional  
18           athletes are paid what they're worth.

19                   Serena Williams is the greatest  
20           athlete of all time.  I -- there is a -- I don't  
21           know if you know about -- you know, I don't know  
22           how you play in a major -- the Australian Open,  
23           seven months pregnant.  Couldn't do it.  A man  
24           couldn't do that.  She's the greatest of all  
25           time.  Not just the greatest tennis player, she's

1 the greatest athlete of all time.

2 But I want to center this on how  
3 far, you know, Title IX has -- has taken us,  
4 right? Just recently on a group chat a bunch of  
5 my friends and I were talking about Breanna  
6 Stewart, who today announced breaking news -- I'm  
7 breaking this here in the chamber, I'm not sure  
8 if you're aware, but Breanna Stewart is going to  
9 sign with the New York Liberty. Right?

10 I'm not sure how far you've come in  
11 that, the fact that a free agent acquisition in  
12 the WNBA is not only noteworthy, but we're having  
13 conversations about that. That's a huge deal.  
14 Maybe because my friends and I are huge WNBA  
15 fans, but I think that shows how far the game has  
16 evolved. And it doesn't evolve without the  
17 contribution of the women Senator Webb mentioned  
18 and Senator Mayer mentioned. That simply doesn't  
19 happen.

20 Over the summer there was a  
21 documentary on New York City point guards called  
22 Point Gods, it was by Kevin Durant. As we all  
23 know, Mr. President, New York City is the home of  
24 the greatest point guards on earth. We make the  
25 greatest point guards on earth, without question,

1 right?

2 In that documentary was a point  
3 guard that went -- was a -- was a guard that went  
4 to Riverdale Country School, her name was Niesha  
5 Butler. Niesha Butler was once the all-time  
6 scoring, you know, holder in New York State, not  
7 just -- not just for women, for men and women.

8 I had the -- I had the pleasure of  
9 meeting Niesha Butler after a DOE town hall the  
10 other night, and she's doing work trying to make  
11 sure that -- that young women get into -- get  
12 into STEM and STEAM. And she was like, "It's  
13 nice to meet you." I'm like, "No, it's nice to  
14 meet you. You are a New York City point god,  
15 Ms. Butler."

16 And I think it's so important to  
17 make sure that we center that women in sports are  
18 doing things not just on the court, but  
19 representing. Michele Roberts, Black woman from  
20 the Bronx, is the president of the National  
21 Basketball Players Association. She is  
22 phenomenal. She is incredible. And she is a  
23 woman in charge of a bunch of male professional  
24 athletes as their leader in the players  
25 association.

1                    Obviously there's so, so far that we  
2                    have to go in making sure that -- that we give  
3                    true pay parity and true equity. But I think  
4                    that conversations like this and resolutions like  
5                    this, Senator Webb, are critically important to  
6                    the conversation. And I proudly vote aye on the  
7                    resolution.

8                    And also, Mr. President, I've got to  
9                    make sure -- I've got to make sure I talk about  
10                   my daughters. They're hoopsters too. They love to  
11                   hoop, they love to get on the court. And I think  
12                   that's just a reflection of how far we've come.  
13                   And they dunk on me in the house all the time.

14                   I vote aye.

15                   ACTING PRESIDENT COONEY: Thank  
16                   you, Senator Bailey and Father Bailey.

17                   This resolution was previously  
18                   adopted on January 31st.

19                   Senator Serrano.

20                   SENATOR SERRANO: Thank you,  
21                   Mr. President.

22                   At the request of the sponsors, the  
23                   resolutions are open for cosponsorship.

24                   ACTING PRESIDENT COONEY: The  
25                   resolutions are open for cosponsorship. Should

1     you choose not to be a cosponsor of the  
2     resolutions, please notify the desk.

3                 Senator Serrano.

4                 SENATOR SERRANO:    Thank you.

5                 Can we please go to the reading of  
6     the controversial calendar.

7                 ACTING PRESIDENT COONEY:    The  
8     Secretary will ring the bell.

9                 The Secretary will read.

10                THE SECRETARY:    Calendar Number  
11     159, Senate Print 2222, by Senator Harckham, an  
12     act to amend the Environmental Conservation Law.

13                ACTING PRESIDENT COONEY:    Senator  
14     Walczyk.

15                SENATOR WALCZYK:    Thank you,  
16     Mr. President.    Would the sponsor yield for some  
17     questions.

18                ACTING PRESIDENT COONEY:    Does the  
19     sponsor yield?

20                SENATOR HARCKHAM:    Absolutely.

21                ACTING PRESIDENT COONEY:    The  
22     sponsor yields.

23                SENATOR WALCZYK:    Through you,  
24     Mr. President.    This is a chapter amendment to  
25     the 30 by '30 goal that was -- that came out of

1       this chamber, is that right?

2                   SENATOR HARCKHAM:     It is.   Through  
3       you, Mr. President.   First, it's great to see you  
4       up there.   Congratulations.

5                   Yeah, this is a chapter amendment,  
6       to answer the Senator's question, to the 20 by  
7       '30.   It's a goal.   It's a goal that is a  
8       national goal that the state is buying into,  
9       preserving 30 percent of our public lands and  
10      waters by 2030.

11                  SENATOR WALCZYK:     And through you,  
12      Mr. President, if the sponsor would continue to  
13      yield.

14                  ACTING PRESIDENT COONEY:   Will the  
15      sponsor yield?

16                  SENATOR HARCKHAM:     Absolutely.

17                  ACTING PRESIDENT COONEY:   The  
18      sponsor yields.

19                  SENATOR WALCZYK:     So the original  
20      bill, I notice, passed in May of 2022, May of  
21      last year.   It required a public hearing schedule  
22      to be posted by July of last year.   But then I  
23      also noticed that it wasn't sent to the Governor  
24      for her signature until December of last year,  
25      much past that deadline.   So I'm not surprised to

1     see a chapter amendment come through, because it  
2     was already past the deadline by the time it was  
3     chaptered.

4                     Why, though, in this chapter  
5     amendment was the public hearing schedule  
6     completely removed altogether?

7                     SENATOR HARCKHAM:     Through you,  
8     Mr. President.   The public hearing schedule for  
9     the acquisition of public lands is not removed.  
10    It was -- it was the public comment, and there is  
11    a guarantee of at least one public hearing and  
12    other public comment on the goal.

13                    So -- so to be -- to be clear,  
14    Mr. President, we don't want to confuse the  
15    current public input process for public  
16    acquisition of lands and the parallel legislation  
17    on the goals.

18                    So if there -- there is an ongoing  
19    acquisition program that DEC already had.   This  
20    was meant to just streamline the two to actually  
21    ease administrative burden and reduce costs to  
22    the state.

23                    So, for instance, the DEC in my  
24    region presented their East of Hudson scoping  
25    plan that included the acquisition of some new



1 land for parcels for the state. That required  
2 public input. There were two public hearings in  
3 my -- in my district.

4 So if -- if there is an acquisition  
5 proposal in any of our districts, there will  
6 still be public hearings. The restricted public  
7 hearing was just reduced on -- on the goal  
8 itself.

9 SENATOR WALCZYK: And through you,  
10 Mr. President, if the sponsor would continue to  
11 yield.

12 ACTING PRESIDENT COONEY: Does the  
13 sponsor yield?

14 SENATOR HARCKHAM: Absolutely.

15 ACTING PRESIDENT COONEY: The  
16 sponsor yields.

17 SENATOR WALCZYK: You just  
18 mentioned in your comments that there will be one  
19 public hearing still required. When and where  
20 will that be?

21 SENATOR HARCKHAM: That is supposed  
22 to be -- through you, Mr. President, that needs  
23 to be scheduled and posted on -- on the DEC  
24 website.

25 SENATOR WALCZYK: And through you,

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

3 ACTING PRESIDENT COONEY: Does the  
4 sponsor yield?

5 SENATOR HARCKHAM: Absolutely.

6 ACTING PRESIDENT COONEY: The  
7 sponsor yields.

8 SENATOR WALCZYK: There's a --  
9 there's a new line here, while the public hearing  
10 requirement was stricken from the original bill  
11 in this chapter amendment, that says "including  
12 and ensuring meaningful opportunities for public  
13 input and involvement."

14 Could that include things in  
15 addition to a public hearing? Or does one public  
16 hearing satisfy that requirement?

17 SENATOR HARCKHAM: No. Through  
18 you, Mr. President, that would include email  
19 submission of comments, that would include  
20 letters of comments, the gathering of public  
21 comments in -- in ways -- you know, having one  
22 public hearing in a certain part of the state is  
23 not necessarily adequate for the rest of the  
24 state.

25 But we have learned, through --

1 through the pandemic and just through modern  
2 technology, that it's much easier for comments to  
3 be submitted electronically. And some of our  
4 constituents prefer to do it the old --  
5 old-fashioned way through mail.

6 SENATOR WALCZYK: And through you,  
7 Mr. President, if the sponsor would continue to  
8 yield.

9 ACTING PRESIDENT COONEY: Does the  
10 sponsor yield?

11 SENATOR HARCKHAM: Absolutely.

12 ACTING PRESIDENT COONEY: The  
13 sponsor yields.

14 SENATOR WALCZYK: So the -- the  
15 original bill, which passed in -- in May of 2022,  
16 also required a report in July of 2023 to the  
17 Legislature.

18 Why, if -- if this bill was  
19 chaptered in last December -- I mean, we haven't  
20 hit July of 2023 yet. Why would the report of  
21 the plan need to be pushed, as you're proposing  
22 in this chapter amendment, to 2024?

23 SENATOR HARCKHAM: Through you,  
24 Mr. President, this is -- as we said, they're  
25 duplication of effort. So DEC already reports on

1     their land acquisition to the Legislature  
2     already. So to have two separate reports is  
3     duplicative.

4                 So again, this is just streamlining  
5     the process to make it less administratively  
6     burdensome and to save the taxpayers money.

7                 SENATOR WALCZYK: Thank you. And  
8     under -- understanding you weren't the sponsor of  
9     the original bill, I appreciate the explanation.

10                If the sponsor would continue to  
11     yield.

12                ACTING PRESIDENT COONEY: Does the  
13     sponsor yield?

14                SENATOR HARCKHAM: Absolutely.

15                ACTING PRESIDENT COONEY: The  
16     sponsor yields.

17                SENATOR WALCZYK: So in the -- in  
18     the original legislation that was passed by both  
19     houses, and the Governor has presented this  
20     chapter amendment, there was also a requirement  
21     of a report to the Legislature. This is a bill  
22     that was written by the Legislature requiring a  
23     report back from the Executive at all. And  
24     that's -- that's been stricken.

25                Why -- why would we -- why would we

1       amend the chapter to strike the report back to  
2       the Legislature?

3                   SENATOR HARCKHAM:     Through you,  
4       Mr. President.   Because those reports, as I  
5       explained before, on land acquisition already  
6       come to the Legislature.

7                   So DEC, through the Environmental  
8       Protection Fund, already does land acquisition  
9       and land preservation.   Of the \$400 million  
10      budget, about 40 million annually is spent on  
11      that.   And they report to -- to us and to the  
12      Governor on those activities.

13                   SENATOR WALCZYK:     Thank you,  
14      Mr. President.   Appreciate it.

15                   SENATOR HARCKHAM:     Thank you.

16                   ACTING PRESIDENT COONEY:   Thank  
17      you.

18                   Senator Borrello.

19                   SENATOR BORRELLO:     Thank you,  
20      Mr. President.   And welcome to the dais up there.

21                   Would the sponsor yield for a  
22      question.

23                   SENATOR HARCKHAM:     Absolutely.

24                   ACTING PRESIDENT COONEY:   Does the  
25      sponsor yield?   The sponsor yields.

1                   SENATOR BORRELLO:    Through you,  
2   Mr. President.  Thank you.

3                   I debated this bill last year with  
4   Senator Kaminsky, although I supported it.  And  
5   the key takeaway and the key concern of mine --  
6   particularly now that you're saying we're going  
7   to reduce the public comment to essentially just  
8   one meeting for the goals.  The question that I  
9   asked Senator Kaminsky that I'd also like you to  
10   answer is that would you consider land  
11   acquisition for the purposes of constructing  
12   green energy installations to be conservation or  
13   not?

14                  SENATOR HARCKHAM:    The purpose for  
15   this bill of conservation is for, as laid out in  
16   the law, things like protection of biodiversity,  
17   for protection of aquifer and drinking water, and  
18   for carbon sequestration.  It doesn't speak to  
19   the construction of clean energy.

20                  SENATOR BORRELLO:    Will the sponsor  
21   continue to yield?

22                  ACTING PRESIDENT COONEY:   Does the  
23   sponsor yield?

24                  SENATOR HARCKHAM:    Absolutely.

25                  ACTING PRESIDENT COONEY:   The

1 sponsor yields.

2 SENATOR BORRELLO: Through you,  
3 Mr. President, thank you.

4 So that's where I'm concerned, when  
5 you say carbon sequestration. We have a long  
6 history in this state of clear-cutting forests  
7 that are naturally sequestering carbon, in  
8 place -- to put in place solar panels that get  
9 covered with snow and actually don't generate any  
10 electricity.

11 I'm concerned that because there's  
12 only going to be one public hearing on the goals,  
13 that that goal may shift now -- which  
14 Senator Kaminsky said was not the intention -- to  
15 allow for this money and this land acquisition to  
16 be spent on acquiring land to clear-cut forests,  
17 to -- to attack natural habitats, so we can  
18 construct more senseless green energy boondoggle  
19 projects.

20 I just want to be clear that we're  
21 not going to do this, we're not going to shift to  
22 that. Because Senator Kaminsky said no, we are  
23 not, that is not the goal. So I want to -- as  
24 the new sponsor, I would like you to say that you  
25 agree that that is not -- should not be the

1 purpose of land acquisition, land preservation  
2 and conservation in New York State.

3 SENATOR HARCKHAM: Through you,  
4 Mr. President, no, that is not the intention of  
5 the law. That is certainly not my intent. I --  
6 just as an aside, I would perhaps disagree with  
7 the phrase "green energy boondoggle." But we can  
8 talk about that off the floor.

9 But really, you know, what we talk  
10 about also is resiliency. That's -- that's one  
11 of the things mentioned in the original law. And  
12 resiliency is using nature to protect us from  
13 storms. And when you're clear-cutting a  
14 mountainside, that -- that is not resiliency.

15 So -- so really while -- while I am  
16 very bullish on clean energy with other  
17 legislation, this is about protecting natural  
18 habitat.

19 SENATOR BORRELLO: Mr. President,  
20 on the bill.

21 ACTING PRESIDENT COONEY: Senator  
22 Borrello on the bill.

23 SENATOR BORRELLO: First of all,  
24 thank you very much for that engagement. And I  
25 appreciate your response, and am glad it was



1 consistent.

2 I still have concerns if we're only  
3 going to have one public hearing on the goals.  
4 We saw the Climate Action Council and their  
5 ridiculous, unachievable scoping plan that was  
6 filled with holes, as we discussed it in our  
7 public hearing a couple of weeks ago.

8 So I hope we continue to keep this  
9 pure, and that we do indeed keep this focused on  
10 conserving land, because we do need to do that in  
11 New York, particularly now that we are taking up  
12 thousands and thousands and thousands of acres,  
13 particularly in the beautiful upstate area that I  
14 live in, to construct these monstrosities that  
15 will do nothing, zero, to actually impact  
16 greenhouse gas emissions in New York State. So  
17 let's keep this one pure at least.

18 Thank you, Mr. President.

19 ACTING PRESIDENT COONEY: Thank  
20 you, Senator Borrello.

21 Are there any other Senators wishing  
22 to be heard?

23 Seeing and hearing none, the debate  
24 is closed.

25 Senator Serrano.

1                   SENATOR SERRANO:    Upon consent,  
2   Mr. President, can you please restore  
3   Calendar 159 to the noncontroversial calendar.

4                   ACTING PRESIDENT COONEY:   The bill  
5   is restored to the noncontroversial calendar.

6                   SENATOR SERRANO:    Can you take that  
7   up.

8                   ACTING PRESIDENT COONEY:   The  
9   Secretary will read.  Read the last section.

10                  THE SECRETARY:    Section 2.  This  
11   act shall take effect on the same date and in the  
12   same manner as a chapter of the Laws of 2022.

13                  ACTING PRESIDENT COONEY:   Call the  
14   roll.

15                  (The Secretary called the roll.)

16                  ACTING PRESIDENT COONEY:   Senator  
17   Harckham to explain his vote.

18                  SENATOR HARCKHAM:    Thank you very  
19   much, Mr. President.  Really just one last quick  
20   clarification.  I want to thank my colleagues for  
21   the -- the good discussion.

22                  I understand the concern about the  
23   reduced public hearing on the -- the goal.  But I  
24   just want to rest everyone -- rest assured that  
25   the local public input process for individual

1 land acquisition in our districts remains  
2 unchanged. So to the example Senator Borrello  
3 gave, if there were -- if there are land  
4 acquisitions in his district or in my district,  
5 as I referenced before, there will still be a  
6 robust public engagement plan.

7 So with that, I vote aye. Thank  
8 you.

9 ACTING PRESIDENT COONEY: Thank  
10 you. Senator Harckham to be recorded in the  
11 affirmative.

12 Senator Walczyk to explain his vote.

13 SENATOR WALCZYK: Thank you,  
14 Mr. President, to explain my vote.

15 So this is a chapter amendment to a  
16 bill that we put forward for land acquisition.  
17 That original bill required that there were  
18 public hearings across New York State. We've cut  
19 that out. We've said no, since we were late on  
20 our homework -- and this is practically what  
21 happened in the timeline. It was -- it was  
22 passed by both chambers in May. The delay of the  
23 Legislature, for no apparent reason whatsoever,  
24 was in December to send that bill to the  
25 Governor's desk. In that time frame, we were

1       supposed to have public hearings, announce them  
2       and have them.

3               Now the chapter amendment is brought  
4       before us today to say, well, we didn't announce  
5       the public hearings, we're late on our timeline.  
6       The Governor signed the bill, but with this  
7       chapter amendment saying that we're no longer to  
8       hear from the public, they can send us an email.  
9       We don't want to actually go into the communities  
10      where we will be acquiring land to meet these  
11      goals for 30/30 and hear from the people directly  
12      that are impacted by the land that the state will  
13      own in their communities.

14              I've got serious problems with that.  
15      For that reason, I'll be voting no.

16              ACTING PRESIDENT COONEY:     Senator  
17      Walczyk to be recorded in the negative.

18              Announce the results.

19              THE SECRETARY:     In relation to  
20      Calendar Number 159, those Senators voting in the  
21      negative are Senators Canzoneri-Fitzpatrick,  
22      Gallivan, Griffo, O'Mara, Walczyk and Weik.   Also  
23      Senator Rhoads.

24              Ayes, 56.   Nays, 7.

25              ACTING PRESIDENT COONEY:     The bill

1 is passed.

2 Senator Serrano, that completes the  
3 reading of today's calendar.

4 SENATOR SERRANO: Is there any  
5 further business at the desk?

6 ACTING PRESIDENT COONEY: There is  
7 no further business at the desk.

8 SENATOR SERRANO: I move that we  
9 adjourn until Monday, February 6th, at 3:00 p.m.,  
10 with the intervening days being legislative days.

11 ACTING PRESIDENT COONEY: On  
12 motion, the Senate stands adjourned until Monday,  
13 February 6th, at 3:00 p.m., with intervening days  
14 to be legislative days.

15 (Whereupon, at 1:02 p.m., the Senate  
16 adjourned.)

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