

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 February 1, 2023

11 11:13 a.m.

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13
14 REGULAR SESSION

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18 SENATOR JEREMY A. COONEY, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT COONEY: The
Senate will come to order.

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

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

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

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

ACTING PRESIDENT COONEY: The
reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

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 hoopers 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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