NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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11:13 a.m.

REGULAR SESSION

SENATOR JEREMY A. COONEY, Acting President

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

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

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

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

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

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

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

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

ACTING PRESIDENT COONEY: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

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

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

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 37,

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

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT COONEY: The bill is passed.

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

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

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

Ayes, 41. Nays, 9.

ACTING PRESIDENT COONEY: The bill is passed.

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

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

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

Ayes, 49. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

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

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT COONEY: The bill is passed.

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

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 50.

ACTING PRESIDENT COONEY: The bill is passed.

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

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

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

Ayes, 32. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

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

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 52.

ACTING PRESIDENT COONEY: The bill is passed.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: Lay it aside.

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

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

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

Ayes, 57. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

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

SENATOR SERRANO: Lay it aside for the day.

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

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

SENATOR SERRANO: Thank you.

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

ACTING PRESIDENT COONEY: The Secretary will read.

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

ACTING PRESIDENT COONEY: Senator Parker on the resolution.

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

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

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

(Laughter.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

H. Carl McCall when he was the state comptroller.

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

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

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

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

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

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

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

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

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

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

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

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

building blocks that make up our American history.

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

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Parker.

Senator Myrie on the resolution.

SENATOR MYRIE: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Myrie.

Senator Lanza on the resolution.

SENATOR LANZA: Thank you, Mr. President.

You know, Senator Parker and I, we

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

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

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

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

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

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

ACTING PRESIDENT COONEY: Thank you, Senator Lanza.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

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

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

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

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

(Catcalls; laughter.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Happy Black History Month.

ACTING PRESIDENT COONEY: Thank you, Senator Bailey.

Senator Comrie on the resolution.

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

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

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

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

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

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

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

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

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

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

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

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

(Laughter.)

SENATOR COMRIE: I'm getting

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

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Comrie.

Senator May on the resolution.

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

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

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

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

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

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

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

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

I proudly support this resolution. Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator May.

Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Mr. President.

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

And it is a universal nature, but

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

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

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

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

In 1921, which was not a good year

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

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

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

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

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

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

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

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

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

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

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

(Laughter.)

SENATOR SANDERS: It was aimed to

be a compliment.

(Laughter.)

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

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

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

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

(Laughter.)

ACTING PRESIDENT COONEY: Senator Kennedy on the resolution.

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

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

(Laughter.)

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

honor and celebrate Black history with this resolution.

I want to thank our great, historic leader, Majority Leader Andrea Stewart-Cousins, for bringing this to the floor; for all of my colleagues that have spoken thus far.

Senator Parker, you're always fun to listen to. It's always educational. I always learn a little something more. Senator Myrie, thank you for those profound words. Senator Comrie.

Senator Bailey. You know, I can't rap like Senator Bailey -- unless, of course, the cameras are off.

(Laughter.)

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

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

(Laughter.)

SENATOR SANDERS: It's a good thing.

SENATOR KENNEDY: But you know --

and Senator Lanza, thank you for those words.

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

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

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

But the indelible connection between

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

his face.

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

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

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

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

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

With that, Mr. President, I vote aye.

ACTING PRESIDENT COONEY: Thank you, Senator Kennedy.

Senator Ramos on the resolution.

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

I love being Latino. One of the

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

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

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

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

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

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

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

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

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

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

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

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

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

enough.

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

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

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

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

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

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Ramos.

Senator Cleare on the resolution.

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

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

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

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

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

Senator.

(Laughter.)

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

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

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

I appreciate Senator Ramos for

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

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

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

including the planning of the great March on Washington.

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

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

ACTING PRESIDENT COONEY: Thank you, Senator Cleare.

Senator Brisport on the resolution.

SENATOR BRISPORT: Thank you, Mr. President.

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

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

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

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

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

Onwards and upwards, together.

Thank you.

ACTING PRESIDENT COONEY: Thank

you, Senator Brisport.

The resolution was previously adopted on January 31st.

Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

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

ACTING PRESIDENT COONEY: The Secretary will read.

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

ACTING PRESIDENT COONEY: Senator Webb on the resolution.

SENATOR WEBB: Thank you, Mr. President.

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

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

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

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

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

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

(Laughter.)

SENATOR WEBB: But folks are very familiar.

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

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

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

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

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

While it is certainly true that we

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

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

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

Thank you so much.

ACTING PRESIDENT COONEY: Thank you, Senator Webb.

Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Mr. President.

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

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

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

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

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

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

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

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

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

And thank you for letting me speak. I vote aye on the resolution.

ACTING PRESIDENT COONEY: Thank you, Senator Mayer.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

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

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

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

the greatest athlete of all time.

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

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

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

right?

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

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

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

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

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

I vote aye.

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

This resolution was previously adopted on January 31st.

Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

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

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

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

Senator Serrano.

SENATOR SERRANO: Thank you.

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

ACTING PRESIDENT COONEY: The Secretary will ring the bell.

The Secretary will read.

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

ACTING PRESIDENT COONEY: Senator Walczyk.

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

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

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

this chamber, is that right?

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

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

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

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

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

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

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

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

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

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

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

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

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

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

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

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

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

SENATOR WALCZYK: And through you,

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

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

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

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

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

But we have learned, through --

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

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

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

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

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

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

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

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

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

If the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The sponsor yields.

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

Why -- why would we -- why would we

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

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

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

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

SENATOR HARCKHAM: Thank you.

ACTING PRESIDENT COONEY: Thank you.

Senator Borrello.

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

Would the sponsor yield for a question.

SENATOR HARCKHAM: Absolutely.

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

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

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

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

SENATOR BORRELLO: Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR HARCKHAM: Absolutely.

ACTING PRESIDENT COONEY: The

sponsor yields.

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

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

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

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

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

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

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

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

SENATOR BORRELLO: Mr. President, on the bill.

ACTING PRESIDENT COONEY: Senator Borrello on the bill.

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

consistent.

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

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

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Borrello.

Are there any other Senators wishing to be heard?

Seeing and hearing none, the debate is closed.

Senator Serrano.

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

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

SENATOR SERRANO: Can you take that up.

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

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Harckham to explain his vote.

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

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

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

So with that, I vote aye. Thank you.

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

Senator Walczyk to explain his vote.

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

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

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

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

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

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

Announce the results.

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

Ayes, 56. Nays, 7.

ACTING PRESIDENT COONEY: The bill

is passed.

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

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

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

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

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

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