NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 21, 2023

3:28 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: 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 MAYER: 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 MAYER: Reading of the Journal.

THE SECRETARY: In Senate, Monday, March 20, 2023, the Senate met pursuant to adjournment. The Journal of Friday, March 17, 2023, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

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: Good afternoon, Madam President.

Amendments are offered to the following Third Reading Calendar bills:

By Senator Thomas, Calendar Number 325, Senate Print 358;

By Senator Mayer, Calendar Number 417, Senate Print 2299;

And by Senator Webb, Calendar Number 506, Senate Print 4266.

ACTING PRESIDENT MAYER: The amendments are received, and the bills will retain their place on the Third Reading Calendar.

Senator Gianaris.

SENATOR GIANARIS: I now move to adopt the Resolution Calendar.

ACTING PRESIDENT MAYER: All those in favor of adopting the Resolution Calendar please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed?

(No response.)

ACTING PRESIDENT MAYER: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, let's begin by taking up previously adopted Resolution 541, by Senator Breslin, have that resolution read in its entirety, and recognize Leader Stewart-Cousins on the resolution.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 541, by Senator Breslin, mourning the death of James E. Long, former Commissioner of the New York State Legislative Bill Drafting Commission, renowned attorney, and devoted public servant.

"WHEREAS, There are certain outstanding members of our community who, through their selfless commitment and dedication, have served to better the quality of life in our community and have had a measurable positive impact on the lives of its residents; James E. Long was one such individual; and

"WHEREAS, It is with profound sorrow and deep regret that this Legislative Body records the passing of James E. Long, noting the significance of the loss of a man whose altruistic spirit will be greatly missed; and

"WHEREAS, James E. Long of Albany, New York, died on Tuesday, March 7, 2023, at the age of 71; and

"WHEREAS, Born on November 15, 1951, James Edward Long was the son of the late Edward J. Long and Antonia Bruno Long; and

"WHEREAS, James E. Long received his bachelor's degree from the State University of New York at Albany in 1974; he went on to earn his law degree from the University of New Hampshire Franklin Pierce School of Law in 1978, and was admitted to the New York State Bar in 1979; and

"WHEREAS, James 'Jim' Long began his illustrious career with the New York State Legislative Bill Drafting Commission after his appointment by the leader of the Senate as a commissioner on January 11, 2010, serving until January 11, 2011; he was reappointed commissioner of the Legislative Bill Drafting Commission by

Senate Leader Andrea Stewart-Cousins on January 2, 2019, where he remained until his official retirement on January 5, 2023; and

"WHEREAS, In addition to his work with the New York State Legislative Bill Drafting Commission, James E. Long served as the Albany County Public Defender and as a former special counsel to the New York State Senate Democratic Conference; he also served as law clerk for late New York State Supreme Court Justices the Honorable Paul Cheeseman and the Honorable Daniel Prior, as well as Albany County Surrogate Raymond Marinelli; and

"WHEREAS, Furthermore, James E. Long served as an attorney in private practice for more than 45 years, specializing in criminal defense, election law, labor law, and trial practice, and for many years he represented the Construction and General Laborers Local 190 (LIUNA); and

"WHEREAS, Having tried over 100 cases to verdict in state and federal court, James E. Long developed an impeccable reputation for his balanced temperament, noble dedication, and superior litigation skills; and

"WHEREAS, Widely respected and greatly admired for his unremitting commitment to the field of law, James E. Long was cited on a number of occasions for his prolific contributions, including his selection to Super Lawyers (2011-2013), a peer designation awarded only to a select number of accomplished attorneys in each state; and

"WHEREAS, James E. Long was a tireless advocate for those in recovery for alcohol and substance use issues and he was especially passionate in assisting those in the legal profession navigating sobriety while balancing their careers; and

"WHEREAS, James E. Long's spirit and zest for life was apparent by his embrace of culture through worldly travels, time spent reading historical novels, mentoring countless loved ones, and fueled by his passion for convertibles; and

"WHEREAS, Throughout James E. Long's many endeavors, his daughter Darcy, son-in-law Mike, and granddaughter Madeline consistently remained the most fundamental, supportive, and cherished part of his life; and

"WHEREAS, James E. Long served the Legislative Bill Drafting Commission and the New York State Senate with dependability, honor and integrity, earning him the respect and affection of his staff and peers, while effectively fulfilling the duties of his position and contributing significantly to the legislative process of this great Empire State; and

"WHEREAS, Every person in New York State has most certainly benefited, in one way or another, from the deep dedication, intelligence and commitment that James E. Long brought to his work as an attorney, commissioner, and public servant; a loyal friend and trusted advisor who had a profound effect on the many lives he touched, he will be deeply missed and truly merits the grateful tribute of this Legislative Body; and

"WHEREAS, Armed with a humanistic spirit, and imbued with a sense of empathy, James E. Long's life was a portrait of service, a legacy which will long endure the passage of time and will remain as a comforting memory to all who were privileged to have known and loved such an amazing man; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to mourn the death of James E. Long, and express its deepest condolences to his family; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of James E. Long."

ACTING PRESIDENT MAYER: Leader Stewart-Cousins on the resolution.

SENATOR STEWART-COUSINS: Thank you so much, Madam President.

And I want to thank Senator Breslin for bringing this resolution before this body.

It is a very sad day that we have to mourn the death of one of our family members, and that's how we considered James Long. He was here for many of us in so many ways, and it was a privilege for me to be able to appoint this amazing man as our bill draft commissioner.

A lot of times in that role you never saw him, but everything went just as it had to go in order to make sure that the people of New York were served.

But as they say in the Bible, you know them by their fruit. And James Long left a

lot, a lot, a lot of wonderful, wonderful, wonderful mentees who have gone on to carry on the spirit of his compassion, his passion for the law, his passion for justice, his passion for just making sure he could make someone else's life a little better.

When I talked to the Secretary of the Senate, Ale Paulino, and we talked about her experiences as a young lawyer and how, no matter what, he could give her direction or say, Look, you need a little something, come work for me.

If it was there was a lawyer that was a little down on their luck, he would make sure that cases went their way. There was no distance that was too far for James Long to go.

And so you've got, I think as evidence, in the gallery so many who have come to hear us pay tribute. We can only hope that on this floor we articulate what is in your hearts and your minds as we remember this great individual, as we send condolences to his family, but also in this body let his family know that he will never be forgotten, that we are all the beneficiaries of what he had to teach.

And the other thing that he tried to

teach us is that, you know, try and make time for yourself, make time for family, make time, try and grab a little time and sit by that seaside. It didn't work out for him. I mean, he left at the end of January, he retired, and before we knew it, he had fallen ill and has departed.

So he meant to spend that moment, but the fact is some people just have a life of service. And the life of James Long is a life of service, and we are forever grateful that he shared his life with us.

Thank you so much, Madam President.

ACTING PRESIDENT MAYER: Thank you, Madam Majority Leader.

Senator Breslin on the resolution.

SENATOR BRESLIN: Thank you very much, Madam Chairman. And those are hard words to follow.

Jim Long was a special friend who -- I'll fill in some of the blanks -- who has a background being from Albany, Irish neighborhood much like the one I was in. We went to the same high school. I was somewhere a little bit behind him. But he became an orphan when he was 17 years old, and he had at that time a little older

brother and a little younger brother. So he was in high school when that happened.

He worked so many different jobs to get through the University at Albany, to get through law school, to come back and start a life as a lawyer. And boy, did he start a life that's memorable.

He worked for three of the best judges in the area as a law clerk. And for the lawyers in the room, they know what a law clerk is. We know why judges hire them. We hire them to write decisions, because some judges know that they might even be smarter than the judge themself. And so for those three judges, he became a law clerk.

And while I'm at it, I should recognize a number of people in the audience, many of whom are judges, including Carmelo Loquidara; Will Little, who worked in here as our counsel; Ryan Donovan; Christina Ryba; Mike Mackey; Richard McNally; Tom Marcelle; Pat and Laura Jordan; Allison Polemeropolous; Francisco Calderon -- and it doesn't end there, if I can turn the page.

Don Boyajian, who he practiced law

with; Matt Hauf; Mary Pat Donnelly, the district attorney of Rensselaer County; District Attorney David Soares and his former staff; members of the Bill Drafting Commission; and finally, Assembly and Senate Revision Committee.

And I'm sure there are others who are here that we acknowledge you and thank you for your attendance at this very, very special occasion.

And after his law clerk days he worked in various jobs, but he became a very, very important part of the fabric of our community. You know, election law -- I always think of election law as being a phenomenon that has 50 elected officials, and only one knows anything about election law. The other 49 went to Jim Long.

(Laughter.)

SENATOR BRESLIN: And just so you understand, both sides, Democrats and Republicans, Jim Long was responsible for the election of Republican judges, Republican DAs. He never, ever, ever, to me or anyone I know, turned around and said, I'm not helping him.

And he wasn't a millionaire by any

means, and the people went without being charged for their help in those political situations. I know many times I'd call him on the phone just to ask a question about it. He was always there.

And the number of lawyers and judges who have called me in the last few days to talk about the fabric and character and love that he had for the law and for his fellow man was unlike anyone you had ever met.

And he went then to work for the New York State Senate. The same thing happened. He was always trying to help somebody, and he had the heart to help them. Unfortunately he did help them with his heart, but his own suffered for the last number of years, including a very advanced procedure at the Cleveland Clinic about two years ago.

And all he longed for, all he longed for in his life -- remember, he was -- you know, he became an orphan at 17. His two brothers predeceased him. He had one daughter. And that one daughter -- who was also a former chief of staff in the New York State Senate, and I enjoyed her working for me. But one daughter and one grandchild who lived in South Carolina. And all

he could think of, time after time again, all he could think of was his ability to retire.

And he had a special house right down the street from his daughter. And what happened? He got to Carolina, his troubles began, and within a month he passed.

It's unfair. I say it out loud, it's unfair that he's not here with us. And I can tell you from the bottom of my heart, this has been one of the most trying couple of days getting up to speak about my friend Jim Long. It isn't as -- it's pretty easy if you're standing up and you're talking about a general who you've never met and giving him a great deal of praise. When it's someone who's been next to you for -- and he practiced over 40 years and did so much, just so much in between.

And when Ale talked about Jim -- Ale became like a daughter to Jim Long. And everyone was his friend.

He never, ever, ever gave any indication that I or anyone else owed him for the work that he had done. And how many of our legislators and people in government treat us that way? They expect, if you do something, many

of us expect a favor in return. Jim didn't operate that way. He didn't operate politically that way.

And to me, it's such a tremendous, tremendous loss. And I pray and grieve for his daughter; I pray and grieve for his son-in-law, Michael. I pray and grieve for their daughter, Madeline. It's a special, special tribute to Jim Long, my dear friend who I will always remember.

And he had some little side thing. He did so much for people in recovery. And there are literally -- I know hundreds, I think hundreds of people who he voluntarily helped in recovery, never asking for anything. And his only -- only reward was helping them get back to a normal life.

And as you know, recovery acts I think among lawyers to a greater extent than it might happen to other professions because of the pressure we're under.

I never saw Jim under pressure. I never saw Jim get upset and mad. I always saw Jim Long trying to do the best.

And, you know, I always remember,

with someone like a Jim Long, George Bernard Shaw saying: People say things that they see, he dreams things that never will be.

And so I hold my head up high when I say Jim is watching down on us. He knows that we were there for him at every step of the way and that he gave his heart to all of us, both physically, literally, absolutely.

Thank you very much.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Gianaris on the resolution.

SENATOR GIANARIS: Thank you, Madam President.

It is a rare individual in this business that we're in who is universally beloved by friend and foe alike. And that was Jim Long.

When I think of Jim, the picture that comes to mind is one that Senator Breslin just referenced -- just calm. In the face of a storm, when everyone else is pulling their hair out, you go and ask Jim a question and all of a sudden you feel like everything's going to be okay.

He was involved in so many of our --

of our political combats here in this chamber. You know, it took us a while to get here to the majority, as many of my colleagues know. And he was involved in the what sometimes felt like hand-to-hand combat of these court battles after elections. We've had races decided by 18 votes. We've had one decided by 10 votes.

And when you're in those kinds of situations, you're looking at every piece of paper, you're arguing about a little tear or a mark on the paper. And Jim was always the one who would center us and say "It's going to come out the way it's supposed to come out. The will of the voters will be respected." And you end up just finding a way to get through it all.

He brought that with him to his work here in the Senate as well. Someone who was a role model for many of us. And I daresay, at least speaking for myself, I don't live up to the standard that Jim Long set. I say that with a chuckle because many of my colleagues know that many of us fall short of that ideal of working for the people without getting caught up in the combat.

And so I will always remember Jim

for that. I will always appreciate him for that. And I will always try and remember, as we do our best to set policy in this state, how would Jim react and how would he want us to react.

And so I thank him for that example and give my condolences and best wishes to his family.

And thank you for the opportunity to speak, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Madam Leader.

I have the distinguished privilege of theoretically having Jim Long work for me when I became the counsel to the Senate Minority in the early 2007s and '08s. But really I worked for Jim Long. Because Jim Long had both the actual knowledge of how every detail of courts worked and how our laws would apply in real life, and he brought that to us.

And also the equanimity that you described, Senator Breslin. This incredible sense of calm and that we all play by the rules.

The rules are the things that govern us. Our job is to be fair. Our job is to be decent. Our job is to treat each other with respect.

And he taught me so much. In the first place, he taught me about how this legislature worked, which really, you know, to someone who comes here, is a pretty up uphill battle. And so he taught me that.

Then he also taught me about how the laws we adopt would work out in City Court, in Supreme Court, in Surrogate's Court -- all the real life implications, based on his real experience.

And then, third, he set such a high bar for ethical standards. Really for the highest practice of law, that practicing law was something that you held in high regard, both personally and you expected others to do so. That there was this sense of calm and that fairness would prevail. And at the end of the day that we were involved in a very esteemed profession here, being lawmakers, something that he personally respected greatly and took so seriously.

Yes, he was involved in all of our

partisan fights, but he did it with remarkable skill as well as calmness that very few people, as Senator Gianaris said, actually exhibit in these combats that we sometimes engage in.

So I was incredibly just so fortunate to have had Jim Long as a leader, as a teacher, and as someone who set the highest example of the ethical standards that we as lawmakers should strive for. May his memory be a blessing.

And I send my love and condolences to his family and to all those who are here today to honor his memory.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Mannion on the resolution.

SENATOR MANNION: Thank you, Madam President.

I want to make some brief comments regarding being involved in three close elections.

One great thing about running for political office when you're not a part of the political world is that you meet great people and

you establish new friendships. Well, Jim Long was there for me when I needed him.

And most people don't want an election lawyer around in almost any circumstance, but I needed one and he was there. And as Senator Gianaris said, he was the calm in the face of a storm. And for somebody new to the political world, he was very reassuring to me and my wife, who he referred to as my bride.

And with that, God bless you, Jim, and thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The resolution was previously adopted on March 15th.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President. We're now going to move on to previously adopted Resolution 544, by Senator Hinchey. Please read that resolution's title and recognize Senator Hinchey.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 544, by Senator Hinchey, memorializing

Governor Kathy Hochul to proclaim March 20-24, 2023, as Agriculture Week in the State of New York.

ACTING PRESIDENT MAYER: Senator Hinchey on the resolution.

SENATOR HINCHEY: Thank you, Madam President.

I want to start first just sending my condolences for Jim Long and to his family. A long legacy that will not be forgotten. Thank you to my colleagues for their beautiful words.

But I rise today to wish everyone a Happy Ag Day and Ag Week.

When people think about New York, they don't necessarily think about agriculture. And yet New York is an ag state. Many of my colleagues have heard me say that before. And looking to the future, our agriculture here is going to be more important than ever.

With the impacts of the climate crisis, we are going to continue to see major agricultural production states across our country -- Florida, California and states in the midwest -- underwater and facing severe droughts. And that sets up New York to become the

breadbasket of our country once again. And so making sure that we are supporting our agricultural businesses and our farmers is paramount.

Here in New York we have over 9 million acres of farmland -- 54 percent of that is nationally significant farmland. And these farm businesses produce $44 billion of economic stimulus.

We are number one in dairy here in New York. Our farms are primarily small and mid-sized family-owned farms. And we are really leading the way across the country in making sure that we are leading on the climate crisis and that we are actually protecting our natural resources, stewarding our land, protecting our water, and sequestering carbon.

We have so much more to do to support our agricultural businesses. And for this Ag week and Ag Day today, I am rising to say thank you to our farmers and to support them in everything they need to do here across New York.

Thank you.

ACTING PRESIDENT MAYER: Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Madam President.

I'd like to start off by thanking the chair of Agriculture, Senator Hinchey, for this resolution today. And Happy Agriculture Day, Happy Agriculture Week here in New York State.

You know, I am the grandson of grape farmers. My grandfather supplied grapes to household names like Welch's and others. We are proud of our history here of agriculture in New York State.

Ninety-eight percent of the farms in New York State are family-owned farms, some of them for hundreds of years, dating back to the Revolution. New York State is an agriculture state, and New York State is driven, our economy is driven by agriculture.

We are number one in so many things, like dairy. We are number one in the production of things like yogurt and cottage cheese and other dairy products. We are number two for maple and snap peas.

We produce thousands of jobs, billions of dollars in economic impact, and it is

indeed the backbone of our economy.

The bottom line, folks, is without farms, there is no food. No farms, no food. So if you ate today, thank a farmer.

And let's continue to make New York State a strong agricultural state and support them with good legislation that strengthens our agriculture industry.

Happy Agriculture Week, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Borrello.

The resolution was previously adopted on March 15th.

Senator -- Serrano, I'm sorry. A change of course here.

SENATOR SERRANO: Yes. Thank you, Madam President.

Let's please take up previously adopted Resolution 463, by Senator Kennedy, let's read the resolution title only, and recognize Senator Kennedy on the resolution.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution

463, by Senator Kennedy, memorializing Governor Kathy Hochul to proclaim March 2023 as Irish American Heritage Month in the State of New York.

ACTING PRESIDENT MAYER: Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Madam President.

It is on this emotional day that we share in this chamber that I stand to celebrate March as Irish American Heritage Month here in the great State of New York.

Just this past Friday we celebrated St. Patrick's Day on the 17th. And from New York City to Long Island to Buffalo and everywhere in between, we celebrated the great Irish culture, the Irish roots that we all have come to know and love -- something that I personally am very proud of in my own family ancestry.

But something that oftentimes is overlooked as we celebrate Irish American Heritage Month is the indelible, unique and intimate impact that the Irish have played in all of our lives throughout the course of history -- human history, dating back tens of thousands of

years, to American history over nearly 250 years here, Madam President.

When we talk about American history, we also talk about Irish history because the two are intertwined. Many immigrants that poured their blood, sweat and tears into the passion of this country, from the very inception of this country -- even before it, from the very earliest days of the fight for freedom, as George Washington's generals, 20 of which were native-born Irish. A quarter of the American Revolutionary Army was Irish-born.

It was on April 2, 1784 -- 239 years ago, almost to the date -- that Lord Mountjoy on the floor of the English Parliament stated that America was lost by Irish immigrants, that it was the Irish language spoken among the Revolutionary Army just as much as the English language.

And it was in every successive war over the course of American history that the Irish have played an extraordinary role in, including from the War of 1812 to the great Civil War, where hundreds of thousands of Irish off the boat went and fought for the Union Army with the famed "Fighting 69th" Infantry of

New York, who fought with courage and sacrifice on the battlefields of that American Civil War.

I wear this tie here today. It is a tie dedicated to the 69th Battalion, the Fighting 69th, the Irish battalion. The Armory down on Third and 28th in Manhattan has in it incredible American history. That same brigade, the Fighting 69th, was led by an individual, a great American leader, Thomas Francis Meagher, who in 1848, in the Rebellion, flew the first tricolor, the green, white and orange -- the green that represented the Irish Catholics, the orange that represented the English Protestants, and the white that represented the peace.

One hundred seventy-five years ago, Thomas Francis Meagher led a rebellion against the English Crown, was captured with others, sentenced to death. His sentence was commuted. He was sent to Tasmania, modern-day Australia, escaped prison, came to New York and shortly thereafter became a brigadier general of the Union Army, of the Fighting 69th.

He became a confidant of Abraham Lincoln and went on to become the first appointed governor of the great State of Montana.

Shortly after, he was murdered, thrown off a ship in the Missouri River, in his early forties. Just one example of Irish history and its impact, not just on our great country here in the United States, but on New York.

Fast forward, World War I. That same battalion, the 69th, the same Armory. "Wild Bill" Donovan, born in my neighborhood -- the Old First Ward in South Buffalo -- a general in World War I, took his soldiers into the fight on the frontlines. Won the Congressional Medal of Honor. And when he won that medal, he pinned it up in the Armory down in Manhattan. It still sits there today.

And he put a note on there, and it said "This medal is for those soldiers that were left behind." Every single Congressional Medal of Honoree that's won that medal in the 69th Battalion has since pinned their Congressional Medal of Honor underneath Bill Donovan's.

World War II. All of those that enlisted that made the ultimate sacrifice, that came home, that set up roots that then became a part of the fabric of our country in every way.

That rose to the highest heights of our government, like John Fitzgerald Kennedy, for example, and all the Kennedy family. They came over during the Great Hunger, An Gorta Mór, in the mid-19th century. A manufactured famine by the oppressors. And as he rose in the ranks to the highest levels of government, so does his family and became the great pride of the nation across the pond.

Today, President Joe Biden, Joe Finnegan Biden, represents our country as the president of the United States, the second Irish Catholic in the history of our country, the first since John F. Kennedy. And on March 1st, President Biden declared Irish Heritage Month nationally.

In every single military event in the United States history -- including recently the conflict in Afghanistan, where Navy Seal Lieutenant Michael P. Murphy of Smithtown, New York, made the supreme sacrifice and received the first Congressional Medal of Honor in that conflict -- the Irish have played a pivotal role.

Make no mistake, our country exists today, the United States of America, because of

the Irish. But make no mistake, Ireland is the land it is today because of America. And just over a century ago, when Pádraig Pearse stood on the front steps of the GPO and unfurled his vision for peace and freedom for the Irish people that had been oppressed for about 800 years, since they were first invaded in 1166 by the English occupiers -- the United States has played an instrumental role to the extent, when Pádraig Pearse read those words, he cited the men and women of the great United States of America, those that fled the homeland in Ireland.

It was the geography of Ireland that has undoubtedly played this critical role in the relationship between our two great lands: Ireland, an island between Western Europe and the Western Hemisphere. The Irish came over in a great movement during The Hunger, but of course before then and after then. Many of our collective ancestors in this room, and throughout the diaspora -- 32 million-plus across our country, nearly 10 percent of our country's population base some of their lineage back to Ireland.

And what is it that makes us Irish?

You know, you never forget where we come from, right? All of us. You know, this auspicious body is made up of an extraordinarily diverse group of people. What we represent -- Democrat and Republican, men and women from all across this great state -- is the diversity not just of our state but of our nation.

And so we all, in our own regard, in our own ethnicity and ancestry, are often celebrating our ethnicity and where we come from. Being Irish, we've had a troubled past. And I talk about the last 800-plus years of oppression. But you know, Ireland is the land of saints and scholars, an ancient land. Over 30,000 years occupied by the human race; still today, across Ireland, they find ancient burial grounds or ancient cities that have been buried over time.

But, you know, as history would have it, and as colonization happened across the globe, and oppression happened, over the centuries it was the denial of human rights, the human rights that we take for granted every single day today in this great state and in this great country that were denied of the Irish, in our homeland. The right to free speech, speaking

our native language, practicing our religion, celebrating our culture -- even dancing -- outlawed. And certainly we didn't even merely consider the right to vote that was stripped away.

But it was those injustices that drove the Irish to rebel against the Crown. And as we moved across the globe, 80 million strong, in the diaspora, it was that fight for human rights and for justice, the sense of justice, that drove us and drove us every day. The very heart that millions of Irish arrived in New York City and Boston and up into Canada and across the Eastern Seaboard and down into South America, escaping that hunger and injustice in hopes of a better life.

But here in America, building the United States brick by brick, laying railroads, building bridges, building the skyscrapers, building the infrastructure, investing in human capital, fighting for rights -- but celebrating the arts and science, sports, education, law -- every facet of American life has been impacted by the Irish, and dare I say even politics.

We will continue to fight for those

human rights. We will call out those that deny those human rights.

And Ireland over the years has evolved as well. And as we celebrate our Irishness, we have to consider how Ireland has evolved. Ireland today is one of the most progressive countries in the entire world. Today the LGBTQ community celebrates its rights with great pride, and we stand with them. Women in Ireland celebrate their rights to get their own healthcare, and we stand with them. The Irish have directed not only us here in this state and in this country how to stand up for each other and human rights, but to stand up across the globe.

When you think about Ireland, you also think about the difficult history that has cut the country in two: The 26 counties in the Republic, the six counties in the North. You know, I talk about that 800-year injustice of the occupation of the Crown in Ireland. That was the independence and the fight back in 1916 through the early 1920s that resulted in the treaty that made the island broken into two, that resulted, throughout the many decades to come, in the

Troubles -- that were finally, finally put to rest with the great Good Friday Peace Agreement of 1998.

This year, just next month, we celebrate 25 years of peace in the North. And we are on track to once and for all unify the island for the first time in nearly a millennium. We're excited for that day, and that day will come. And we will be standing there together as New Yorkers, as Americans, and as fellow Irish diaspora to celebrate how far the great island of Ireland has come, how far we've come together to as two great nations.

As the Taoiseach, Leo Varadkar, stood with President Biden on Friday night in the White House and they exchanged a bowl of shamrocks for the 75th year in a row since 1948, when Harry Truman was president, to recognize that incredible strength and power of our two countries coming together -- for love, for peace, for justice, for human rights.

And as a proud Irish-American, Madam President, on this day and throughout this month I want to thank my colleagues for recognizing the impact Ireland and the Irish have

had on our state, on our nation, and on society across the globe. And I thank you for your indulgence as we recognize right here in this great chamber, here in the State of New York, Irish American Heritage Month.

Thank you, Madam President.

(Applause.)

ACTING PRESIDENT MAYER: Thank you, Senator Kennedy.

The resolution was previously adopted on February 28th.

Senator Serrano.

SENATOR SERRANO: Thank you. At the request of the sponsors, the resolutions are open for cosponsorship.

ACTING PRESIDENT MAYER: The resolutions are open for cosponsorship. Should you choose not to be a cosponsor on the resolutions, please notify the desk.

Senator Serrano.

SENATOR SERRANO: Thank you. Let's please take up the reading of the calendar.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Calendar Number

201, Senate Print 724, by Senator Serrano, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator May to explain her vote.

SENATOR MAY: Thank you, Madam President.

Yesterday we had a spirited discussion about the idea of green energy leasing on state forestlands. And while I disagreed with some of the criticisms of my bill, I was thrilled to hear my colleagues across the aisle expressing enthusiasm for carbon sequestration as a way to promote -- or to combat global warming.

And I'm thrilled to be able to support this bill, and I thank the sponsor, Senator Serrano, for this bill because it promotes carbon sequestration in two absolutely critical ways.

The first, and by far the best way to do carbon sequestration, is to keep fossil carbon from ancient forests in the ground. This bill prevents leases of -- for gas exploration on state forestlands, and so will keep fossil carbon in the ground.

The other way that it's important for carbon sequestration is because our living forests today are under immediate threat from global warming -- threat from droughts and wildfires, from extreme weather, from the migration of pests that are killing off species like our ash trees and hemlock trees right now. Threats from acid rain from the burning of fossil fuels. And just the gradual change in temperature that is threatening a lot of species.

In fact, our maple trees probably will not be able to survive in New York State. Certainly within some of our lifetimes we won't have -- we won't see maple trees anymore in New York State.

So this bill is one piece of a big puzzle of trying to promote carbon sequestration and to reverse global warming. And so I'm very proud to vote aye on this bill.

Thank you.

ACTING PRESIDENT MAYER: Senator May to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 201, those Senators voting in the negative are Senators Oberacker, O'Mara and Ortt.

Ayes, 59. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 211, Senate Print 1979, by Senator Cleare, an act in relation to requiring the Empire State Development Corporation.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Madam President.

The average cost of installing even the simplest commercial kitchen can be $20,000 or more, which is prohibitive for so many entrepreneurs who have a unique product to bring to the marketplace, especially in communities of color.

It is proven that shared commercial kitchens are a viable solution to this challenge, but we do not have nearly enough of them, and access is not prioritized to those who need it the most.

The purpose of this bill is to require a study and action plan concerning the transformative effects of locating small kitchen incubators on public and private college campuses and in public housing developments.

In addition, Empire State Development is charged with further developing comprehensive business and advisory services to fully complement kitchen incubator services to help ensure that start-ups have every opportunity to succeed.

As we move as a state to push forward to recover from the various impacts of COVID, I believe that we must be smart and target

our investments in economic development, and this bill represents the very best kind of concept, utilizing existing community partners and proven shared resources to further and support the economic strength and viability of the residents of our state.

I proudly vote aye.

ACTING PRESIDENT MAYER: Senator Cleare to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar Number 211, voting in the negative: Senator Skoufis.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 212, Senate Print 395, by Senator Cleare, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Cleare to explain her vote.

SENATOR CLEARE: One of the critical pieces of information we've learned from listening to experts and advocates and survivors of human trafficking is that a tremendous amount of victims are recruited via social media.

This connection is demonstrable when you consider the following facts. According to Human Trafficking Institute's 2020 report from 2000 to 2020, at least 30 percent of sex trafficking victims were recruited online. In 2020 alone, at least 41 percent of victims were recruited online. Online solicitation accounted for 81 percent of all federal sex trafficking prosecutions filed since 2000.

We have focused this session on eradicating human trafficking through a number of pipelines such as transportation centers, and today we turn our proactive efforts to ending human trafficking at its most emergent source, social media. This bill will require the New York State Interagency Task Force on Human Trafficking, which has existed since 2007,

to investigate the connection between social media and human trafficking and issue an actionable report thereon.

It is believed that a multi-agency and multidisciplinary report will give us a comprehensive blueprint to not only fight but stop human trafficking through social media.

I proudly vote aye.

ACTING PRESIDENT MAYER: Senator Cleare to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 213, Senate Print 799, by Senator Comrie, an act to amend the Social Services Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce

the results.

THE SECRETARY: In relation to Calendar 213, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 47. Nays, 15.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 259, Senate Print 2518, by Senator Ramos, an act to amend the Labor Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

(Discussion off the record.)

THE SECRETARY: In relation to

Calendar Number 259, voting in the negative: Senator Palumbo.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 266, Senate Print 1360, by Senator Kennedy, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 324, Senate Print 1124, by Senator Cooney, an act in relation to conducting a study of public and private museums in New York State.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 324, voting in the negative: Senator Skoufis.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 403, Senate Print 1160, by Senator Skoufis, an act to amend the Education Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 421, Senate Print 1748, by Senator Sanders, an act to amend the Banking Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 90th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 421, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 46. Nays, 16.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 427, Senate Print 4305, by Senator Parker, an act to amend the Public Service Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Walczyk to explain his vote.

SENATOR WALCZYK: Thank you, Madam President.

This Senate Bill 4305 will require cell providers or anyone who owns a cellphone tower to make a report to the Public Service Commission by 2025 on how they're going to fully electrify that tower. And they have to do that by 100 percent renewable energy to power the cellphone tower by 2031.

On its face -- I know with a lot of

the goals that the Climate Action Council has laid forward, on its face this may sound like it's in line with where New York State is going.

I don't believe that this is a well-intentioned bill. I think this is actually -- and I know we often say that -- oh, this bill has great intent, if only you changed a couple of things. In this case I think we've missed it entirely. We're once again missing the forest for the trees, and this is dangerous.

In rural areas of New York State backup generators are often required exactly for the reasons that long transmission lines to a cellphone tower way out in a remote area, if they go down, they are way late on the priority list for emergency services who are concerned with urban areas where densely populated areas need to get the power back on. They're not as concerned about sending power out to those areas. And likely you, for your constituents, want them concerned about the urban areas before they're concerned about long transmission lines out into the woods to power a cellphone tower.

So the solution is already out there. Backup generators already exist and, like

I said, in many areas are required. Some of these cellphone towers have somewhere between four and 48 hours of backup batteries. But as we know, after long-term power outages, backup generators are required. Once again, these could be diesel, they could be propane, they could be natural gas depending on what the area has.

This bill has the unintended consequence, I believe, of putting some of the forestlands in New York State in danger because -- look at the options. Some towers are actually completely off-grid currently. Members of this body, before they vote, might not know that. But there are some completely detached from the grid.

So that means if it sits in a Forest Preserve area like the Adirondack Park, that tower will need transmission lines, which means you're going to require trees to be cut down to get to that tower in order to connect it. Or it will need to cut trees down in a larger footprint to allow for the renewable energy that may be required by 2031 in this legislation.

This bill is much more than just a study on how to power cellphone towers. It's

setting a very dangerous precedent. You don't want to mess with this. Right now counties, emergency services, cellphone towers are working in concert to make sure that there's connectivity for your emergency services and for constituents that need to call those emergency services.

And, listen, when the power goes out you want to make sure that your police officers, your firefighters and your EMS can get connected to people who are in emergency situations.

This is ill-advised and can be very dangerous for a lot of areas of New York State. So, Madam President, I'll be voting no, and I encourage my colleagues to do the same.

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

Announce the results.

THE SECRETARY: In relation to Calendar 427, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Helming, Lanza, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik. Also Senator Martins. Also Senator Mattera.

Ayes, 42. Nays, 20.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 431, Senate Print 3114, by Senator Mannion, an act to amend the State Technology Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 442, Senate Print 4647, by Senator Kennedy, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the 90th day after it

shall have become a law.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 467, Senate Print 2450, by Senator Krueger, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of November.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Scarcella-Spanton to explain her vote.

SENATOR SCARCELLA-SPANTON: Thank you, Madam President.

In today's modern world we need to be vigilant in protecting people against all

forms of harassment, especially when it comes to electronic communication. This commonsense legislation will close the loophole that would allow perpetrators to weaponize technology -- whether it be harassing and threatening text messages, unsolicited photos, or menacing emails -- to face the penalty of aggravated harassment in the second degree.

This bill will further protect victims of harassment, especially those who are experiencing domestic violence. As technology has advanced, so too has the means in which abusers use this tactic to maintain power and control of their victims. Among phone calls, individuals who are intent on harassment will often use technology as a weapon to taunt, bully and monitor their victims.

According to the National Network to End Domestic Violence survey of survivor networks, an alarming but unsurprising 96 percent of victims reported that their abusers were also harassing them via text.

Whether you are the victim of physical or emotional abuse, chances are you are being coercively controlled using technology in

the process.

I thank and commend Senator Krueger for introducing this legislation and proudly vote aye.

ACTING PRESIDENT MAYER: Senator Scarcella-Spanton to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 467 --

ACTING PRESIDENT MAYER: I'm sorry.

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Madam President.

Well, I want to thank my colleague for getting up and giving the speech I intended to give. So thank you very much.

And also would urge that all my colleagues vote for this commonsense bill that is truly critical in people's lives in this day and age.

Thank you, Madam President. I vote yes.

ACTING PRESIDENT MAYER: Senator Krueger to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 467, those Senators voting in the negative are Senators Brisport and Salazar.

Ayes, 60. Nays, 2.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 468, Senate Print 2922, by Senator Cleare, an act to amend the Penal Law.

ACTING PRESIDENT MAYER: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of November.

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: In relation to Calendar Number 468, voting in the negative: Senator Lanza.

Ayes, 61. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 479, Senate Print 4354, by Senator Breslin, an act to amend the Insurance Law.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number 481, Senate Print 623, by Senator Kavanagh, an act authorizing and directing the Committee on Open Government to study proactive disclosure as a means of increasing transparency.

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT MAYER: The bill is passed.

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

SENATOR SERRANO: Thank you.

Is there any further business at the desk?

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

SENATOR SERRANO: Okay. I move to adjourn until Wednesday, March 22nd, at 3:00 p.m.

ACTING PRESIDENT MAYER: On motion, the Senate stands adjourned until Wednesday, March 22nd, at 3:00 p.m.

(Whereupon, at 4:30 p.m., the Senate adjourned.)