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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: We invite Pastor Heinrich Arnold, from the Bruderhof Church in Rifton, New York, to join us today.

PASTOR ARNOLD: Good afternoon, Senators and members of the public.

Let's call on the name of our God, the Lord, the Higher Power, to help us, and pray.

Lord, we thank You today for this opportunity to come together. We ask for Your special blessing and strength to these wonderful Senators gathered here, to the members of the government, and to the members of the public.

We thank You, Lord for so many people that are serving, giving their efforts to others. And we ask for Your strength, for Your grace, for Your help. You know, there are some difficult things happening in the world today, and we need -- we need Your help, Lord, to help

us lift our hearts away from division and disunity towards a common good, towards love, towards forgiveness, maybe today some extra help to work towards passing a budget, so send us some heavenly money, if You would.

And we thank You for the real dedication and service of our veterans -- many are here today -- and God bless them and keep them and protect them, and we thank You for their service.

And for our students, from the Mount Academy, and the future, Lord, give them special wisdom.

Also for members of the medical EMS community, for their putting their lives on the line every day.

So we thank You for all these things. We ask for Your grace, for Your wisdom, for Your strength. This we ask in Jesus' name, amen.

(Response of "Amen.")

ACTING PRESIDENT COONEY: Thank you, Pastor.

The reading of the Journal.

THE SECRETARY: In Senate, Tuesday,

March 28, 2023, the Senate met pursuant to adjournment. The Journal of Monday, March 27, 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 Judiciary, Assembly Bill Number 1771A and substitute it for the identical Senate Bill 5025, Third Reading Calendar 503.

Senator Myrie moves to discharge, from the Committee on Rules, Assembly Bill Number 5057B and substitute it for the identical Senate Bill 5818A, Third Reading Calendar 571.

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, I wish to call up the following bills, which were recalled from the Assembly and are now at the desk: Senate Bills 612 and 2518.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 11, Senate Print 612, by Senator Mayer, an act to amend the Election Law.

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

SENATOR GIANARIS: Move to reconsider the vote by which these bills were passed.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55.

ACTING PRESIDENT COONEY: The bills are restored to their place on the Third Reading Calendar.

SENATOR GIANARIS: I offer the

following amendments.

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

SENATOR GIANARIS: Mr. President, let's move on now to previously adopted Resolution 615, by Senator Bailey, read that resolution's title, and recognize Senator Bailey.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senate Resolution 615, by Senator Bailey, memorializing Governor Kathy Hochul to proclaim March 2023 as Athletic Training Month in the State of New York.

ACTING PRESIDENT COONEY: Senator Bailey.

SENATOR BAILEY: Thank you, Mr. President.

So this is happy Athletic Trainers Month. And -- but I want us to center ourselves on something that we all saw on January 2nd. We were all watching -- most of us were watching when a Buffalo Bill by the name of Damar Hamlin was very seriously injured on the field.

Now, as a point of notice,

Damar Hamlin's birthday was last week. He would not have made it to that birthday if not for these two men here. He would not have made it to this birthday.

So we were in a state of shock and confusion. And as true heroes do, they perform best when the cameras were off. For those of us who were watching that game, they cut away. Because we didn't get a chance to see the customary thumbs-up when the player is carted off the field.

This was life or death. And Denny and Nate literally and figuratively brought life back to Damar Hamlin.

We do a lot of things in this chamber, and we've spoken about heroes and there are a lot of heroes who have served. And we will certainly recognize you at some point today. But heroes are thrown out sometimes in ways that they don't deserve it. A man would not have made it to his birthday if not for Denny and Nate.

And I want you to realize something, that those of you who follow football, if you watched the MVP voting this year, there were lots of votes for MVPs I'm not going to mention,

depending on what your football alliance or what your team may be.

But for the first time a nonplayer, someone who doesn't play football, was given an MVP vote. That was Denny Kellington. He received an MVP vote. Because the reality is -- and if you hear Denny or Nate or any of the other athletic trainers who I'm going to mention as well who have come here to our Capitol, during our press conference this morning, they never said "I." They spoke about the team concept, what it is to be a team player, and the "we" as opposed to the "me."

Sports is the world's greatest social currency. You might not agree on policy, you might not agree on much else -- but if you can agree on a team, you have a foundation to build on. Just ask those of who us play bipartisan basketball on Tuesday nights.

(Laughter.)

SENATOR BAILEY: Not good bipartisan basketball, but it's bipartisan basketball nonetheless, Mr. President.

But it's really important to recognize athletic trainers and what they do. It

is far more than just giving someone an ice pack and telling them to go about their merry way or giving someone a couple of Advils and call their primary doctor in the morning. This is a life's work of dedication that Denny and Nate have dedicated their lives to.

And again, I keep coming back to the point that they saved a man's life. It was like back in the day when TV went off -- you all remember that, when TV went off? That's what it was like on that telecast. Because we didn't know what the outcome would be. Dare I say these gentlemen changed the outcome of life based upon what they've done.

But it's important to recognize that we have other heroes and -- most importantly, I want to underline it -- sheroes here in the audience too, Mr. President. Athletic trainers are critical at every level, not just the highest levels -- at the Tuesday-night levels of basketball and beyond. We have Aimee Brunelle. We have Caite Bucco. We have Lisa Geiger, Jessica Lappe, Rachel Leahy, Megan O'Grodnik, Kurt Pfaffenbach, Kent Scriber, and Bridget Ward. Heroes and sheroes in their own right.

We want to talk about sheroes, we think about the -- when we brought Title 9, how to make sure that we involve more women in sports. And if you heard about the way that these incredible women were speaking about the saves that they had. They've saved lives also, Mr. President. And when you think about, again, athletic trainers, we should just make sure that we give them the proper deference and respect.

I just want to underline a finer point about some of the things that have been happening. So they've employed their skills ranging from cardiac, heat stroke, brain injuries, and severe lacerations, amongst a number of other injuries.

So I think not just as a sports fan, but as a fan of life in general, we owe a debt of gratitude to Denny, Nate, and every athletic trainer from elementary school on up. I thank you for your service. We appreciate what you do. Tim Kennedy might say something along the lines of "Go, Bills" later, or Sean Ryan might say that. As a Giants fan, I am contractually obligated not to say that.

(Laughter.)

SENATOR BAILEY: But I will say we were all Bills fans on January 2nd.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Senator Ryan on the resolution.

SENATOR RYAN: Thank you.

And let me start by thanking Senator Bailey for, you know, bringing this up, and Assemblymember Solages for their work that that they've done in this field. So happy to be joined today, from the Buffalo Bills family, Nate Breske and Athletic Trainer Denny Kellington, for the work they do.

You know, we heard it, it's National Athletic Training Month. But let me tell you, I learned a few things today at the press conference. I thought we were really going to be here to talk about these two heroic folks from the Buffalo Bills who made a save on national TV that we all saw. But I learned a few things. I learned that the athletic trainers, they are members of a huge family, and they treat each other as equal. I saw Nate and Denny interacting with high school athletic trainers, and I realized they're all on the same team. It was

heartwarming.

And then I heard sort of anecdote after anecdote about an athletic trainer, you know, going to be at a softball game and recognizing somebody in distress in the bleachers. Saved a life. You know, that's what they do. Then I heard about a trainer who saved somebody who was going to die from heat stroke. And then you hear about a fortuitous trainer who just happened to go to a softball game that she wasn't scheduled to go to, and somebody was hit in the chest and their heart stopped. Another save.

So what we saw on national TV, you know, played out over the whole country, you know, from Nate and Denny, turns out is played out in school districts and high school sports and college sports all over America all the time.

So, you know, thank you to Nate and Denny for doing what you did on national TV. But thank you to the people who do this week in and week out, whether you're working for the Buffalo Bills or Tappan Zee High School, you are out there and you are keeping athletes safe and you're keeping people who come to spectate safe.

So as Senator Bailey, you know, called it, usually I would end these statements by saying "Go, Bills." So I will say Go, Bills, but also to say, Go, athletic trainers, and thank you, athletic trainers.

Thank you.

ACTING PRESIDENT COONEY: Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Mr. President.

First of all, let me start by thanking our colleague and my dear friend Senator Jamaal Bailey for introducing this resolution and for honoring these extraordinary heroes that are here with us today, because that's what they are: Heroes.

We saw firsthand this year when, during the first quarter of a game between the Buffalo Bills and the Cincinnati Bengals, Damar Hamlin, a 24-year-old safety with the Bills, went into cardiac arrest after being tackled. Athletic trainers on both sides jumped into action, administering CPR and restoring his heartbeat as his teammates prayed and cried around him.

Those players witnessed a life being saved that night. Damar Hamlin is with his family today because of the quick response from the Bills' medical personnel and athletic training team.

Now, Athletic Trainer Nate Breske is here with us, along with Assistant Athletic Trainer Denny Kellington: They will be the first ones to tell us that it was a team effort that saved his life. I think that's telling about the type of people these two gentlemen are. Along with them that evening, Physical Therapist Joe Micca, Assistant Athletic Trainer Tabani Richards, Medical Director Dr. Leslie Bisson, Team Internist Dr. Tom White, Team Internist Dr. Mark Kim, Team Orthopedist Dr. Marc Fineberg, Director of Sports Performance Joe Collins, Team Sports Psychologist Dr. Desaree Festa, Athletic Training Intern Marissa Figueroa, Team Chiropractor Dr. Zachary Musial, Coordinator of Player Services Kelsey Harkins, and Equipment Assistant Kori Reblin.

Some of these very heroes are with us here in Albany in this chamber today, and I ask that we honor them in this Senate body. I

call these individuals heroes, but they humbly decline that label every single time that it's used. Because even though they've saved lives, including Damar's on that January night, they'll be the first to tell you that they were simply doing their job.

Athletic trainers are in the business of decreasing the risk of injuries and rehabilitating those who have been hurt. As an occupational therapist myself, I know how critical the work they do is to the wellness of athletes. But more than anything, they're in the business of helping people. And quite frankly, we could use a lot more helpers in this world.

Which is why, for so many reasons, I'm honored to join Senator Bailey and our colleagues here today in recognizing March as Athletic Training Month here in New York.

And as a lifelong Buffalonian and Bills fan, I have to remind my colleagues that there is only one NFL team in the State of New York, the Buffalo Bills. With that, Mr. President, I say "Go, Bills," and I vote aye.

ACTING PRESIDENT COONEY: Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Mr. President.

As a proud Bills fan and Western New Yorker, I'm proud to stand here today to support this resolution. Thank you, Senator Bailey.

You know, we talk about pressure sometimes in life, and maybe a pressure to be here and doing this job as a Senator. The pressure of being in a football game in the Super Bowl, that's a lot of pressure. I can't imagine the pressure on January 2nd. Denny Kellington and Nate Breske performed under probably the most stressful situation ever, a playoff game being watched by hundreds of thousands of people around the world. A stadium filled with tens of thousands of people. All of us watching on TV didn't know what was going on. We actually assumed the worst. While, under all that pressure, they performed.

I can't think of a more valuable member of the team that day than those folks that saved the life of Damar Hamlin and really ensured that people around the world knew that even under that intense pressure, they could do their job.

Thank you all for what you've done.

God bless you all, and I'm happy to vote aye.

Thank you.

ACTING PRESIDENT COONEY: Senator Gallivan on the resolution.

SENATOR GALLIVAN: Thank you, Mr. President.

I stand up also to say "Go, Bills" and thank Senator Bailey for bringing this resolution forward to recognize all of the athletic trainers in the state and the work that they do.

But in particular, I would like to join my colleagues in recognizing the representatives from the Bills, the work that they did as part of the team that they were a part of in saving Damar Hamlin's life -- a tragic situation that turned extremely positive.

And one of the good things I think it did for the athletic trainers and those people that are first responders who respond to things like that in general is that they call attention to the work that you do, even though you don't want the attention called to you.

But you deserve the attention. You deserve our thanks. And you deserve our

congratulations for a job well done.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized, and Go, Bills.

(Standing ovation.)

ACTING PRESIDENT COONEY: The resolution was previously adopted on March 28th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, we're going to move now to previously adopted Resolution 466, by Senator Harckham. Let's have that resolution's title read and recognize Senator Harckham.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senate Resolution 466, by Senator Harckham, memorializing Governor Kathy Hochul to proclaim March 29, 2023, as Vietnam Veterans Day in the State of New York.

ACTING PRESIDENT COONEY: Senator Harckham on the resolution.

SENATOR HARCKHAM: Thank you, Mr. President.

First I'd like to thank our Majority Leader, Senator Andrea Stewart-Cousins, for moving this resolution to the floor. I want to thank the chair of the Veterans Committee, Senator Scarcella-Spanton, for her leadership. I want to thank Senator Mayer for her leadership in helping make this day possible.

Today is National Vietnam Veterans Day. It's the 11th anniversary of its first commemoration back in 2012.

From the time the United States carried out its first combat mission against the Viet Cong on January 12, 1962, until the last American troops left Vietnam on March 29, 1973, more than 3 million Americans served our country and more than 58,000 sacrificed their lives during the war. Three hundred thousand Americans were wounded, and 75,000 permanently disabled. And, sadly, 1200 still remain missing and unaccounted for.

The names of those 58,318 lives lost forever are engraved in the black granite panels of the Vietnam War Memorial in Washington, D.C.

But today we pay homage to the brave men and women who served in Vietnam, knowing full well that they all served with tremendous bravery, courage and sacrifice.

And we know full well that many of them returned home alive with physical and emotional scars, many of them life-lasting.

Now, history will judge the wisdom of the geopolitical decisions that were made around the Vietnam War, and that is not why we're here today. We're here today to honor the sacrifice and the heroism of the men this nation -- and women this nation asked to serve our country.

And the stain of our country and the stain on our history is not that geopolitical mistakes were made, but how our society treated these brave men and women when they returned home from war. They were disparaged, they were dishonored. They unfairly faced blame and shame. They were denigrated and vilified. That was a disgraceful period in our history.

And today we know better. And today we honor and respect and give them gratitude that they deserve for putting on the uniform of our

nation, with the flag on their shoulder, and traveling to the far side of the globe to carry out their missions.

And today we understand how Vietnam veterans back then protected each other and how they serve each other and their communities today.

And when the next generation came back from the Middle East, from Iraq and Afghanistan, it was the Vietnam veterans who said "Never again." It was the Vietnam veterans who stood at airports and said "Welcome home." It was our Vietnam veterans who pushed the Dwyer program that we fund here in this chamber and that we fought to expand, in a bipartisan way, statewide.

So today we enter into the proceedings here a resolution that all of us here in the State of New York wish to show our Vietnam veterans all across the state the respect and appreciation that they've always deserved but did not always receive when they returned home.

So today we have veterans from all over the state. I'm proud to introduce some who are here from my district: Michael DeGloria,

Michael O'Conner, James Mecca, Robert Somerville, Kevin O'Sullivan, Charles McKay, Bill Wasser, Louis Ferrari, Patricia Ephraim, Luigi Villani and his wife Susan, who are here; Robert Anderson, Lu Caldara, Steve Kucerak, Neil Gross, Jack Litchauer, Hilton Ortiz, John Pagliuca and Chester Edwards.

And I've just got to say how moving it was when we sat upstairs and we had lunch together, and to hear them sharing their stories. And some of them didn't know each other, and the connections they made and the emotional bonds and the support were remarkable.

So today we say thank you, we say welcome home, and you are true heroes.

Mr. President, I'm proud to vote aye.

ACTING PRESIDENT COONEY: Minority Leader Ortt on the resolution.

SENATOR ORTT: Thank you, Mr. President.

I want to thank my colleague Senator Harckham for bringing this resolution to the floor.

Fifty years is a long time. But

I'll be willing to bet that the veterans who sit up there remember it like it was yesterday. I bet they remember the faces of their brothers in arms who didn't come home like they saw them yesterday.

Fifty years since the withdrawal of troops from Vietnam. And the geopolitical environment -- while that's not what we're here to remember, it's impossible to divorce it from the men and women who went to Vietnam, because they did so amongst a lot of political turmoil, social turmoil. They did not have a unified country behind them, they had a very divided country behind them. We as a nation made the mistake, we -- we attacked the soldiers, like my father-in-law and others, who went to Vietnam -- many of whom were drafted. They simply responded to the call. They felt it was their patriotic duty to go and serve their country: 18-year-old boys, 19-year-old Americans.

And there were, there were real questions about policy, was it the right policy, was the escalation of the war the right policy. But we should never mistake the policymakers for 18- and 19- and 20-year-olds who are simply doing

what they believe their country asked them to do.

They didn't get a vote in Congress. They didn't get a vote in the U.S. Senate. They weren't in President Johnson's war cabinet. They were raised -- no doubt by the greatest generation, the World War II generation -- to believe that when your country calls you, you go. And they did. And 58,000 -- more -- never came back home.

And for those that did, they returned to a nation that -- there's no other way to put it -- that was not appreciative of their service and of the sacrifice of their brothers and sisters in arms.

And I can't imagine what that would be like, Mr. President. I can't imagine what it would be like to come home, like I did from Afghanistan, and instead of coming home to people at the airport applauding you, with parades, with parties, with the, you know, thank-a-vet programs and discounts to honor your service the best way we can -- instead of that, it was quite the opposite. Couldn't get a job, called names, spit on. Those wounds last a lifetime.

And so while the 58,000 are

enshrined in granite -- or right across the street here in Albany. I would encourage my colleagues to visit that memorial. I didn't even know that was there. There's a great Vietnam memorial right here across State Street. While their names are enshrined forever, the folks who came home, they bear those wounds for the rest of their lives.

And Senator Harckham said something that was very true: My generation owes a debt of gratitude to the Vietnam generation. It's because of them that I got people at the airport applauding us when we came home. It's because of Vietnam veterans that when I returned home, there were all kinds of programs, there were added additional benefits through the VA. It's Vietnam veterans -- because they took that horrible experience and they made sure that there would not be a future generation of veterans, so long as they live, that that would happen to again.

So everything that Iraq and Afghanistan veterans have today, we really owe in large part to our brothers who served in the Vietnam War, and sisters.

And so I want to thank the veterans

who are here today. From one veteran to another, I want to thank you for your service, I want to thank you for your sacrifice, I want to thank my colleagues for supporting this resolution and I want to say welcome home.

ACTING PRESIDENT COONEY: Senator Scarcella-Spanton on the resolution.

SENATOR SCARCELLA-SPANTON: Thank you, Mr. President.

I would like to thank Senator Harckham for introducing this important resolution today.

Vietnam Veterans Day commemorates the sacrifices of Vietnam veterans and their families and is part of a national effort to recognize the men and women who were denied a proper welcome upon returning home more than 40 years ago.

The Department of Veteran Affairs estimates that today there are more than 7 million U.S. Vietnam veterans living in America and abroad, along with 10 million families of those who served during this time.

I had the privilege to meet with many of these Vietnam veterans this afternoon and

hear their stories -- the trauma of war, how it still affects them to this day, and the disrespect they were shown upon their return.

I had the good fortune of attending two welcome-home ceremonies for my own husband when he was returning home from Afghanistan. And I'm proud to say that we've come a long way as a nation in giving respect to the veterans that they deserve, and we really have our Vietnam-era veterans to thank for that.

Today I am proud to give our Vietnam vets a proper thank you and welcome home, and I'm proud to support this resolution.

Thank you.

ACTING PRESIDENT COONEY: Senator Ashby on the resolution.

SENATOR ASHBY: Thank you, Mr. President.

I want to thank the veterans and their families that are here today. And so much has been said already about the environment of when our Vietnam veterans returned home. And I remember the resolution that we passed not too long ago celebrating the 50th anniversary of Operation Homecoming.

They weren't celebrated, they were literally assaulted. And I can remember even as a young child hearing about a neighbor who served in the Marine Corps during Vietnam, and he decided to march in our Memorial Day Parade. And this is a very, very small village. And his high school English teacher spit on him during the parade. And that's just -- that's one of many, many stories. And for those veterans who were Black and minorities, it was often much worse.

And to think of how far we've come from that is -- it's because of them. They could have, in one turn, become bitter, understandably so, and not tried to make things better for future generations. But instead of doing that, instead of harboring resentments, they decided to make it better. They decided to dig deeper than that and understand that this mistake would eat at our nation's core had they not decided to do the right thing.

They've improved the lives of future veterans and their families. Oftentimes when veterans are away, whether overseas or serving stateside, their families can be left in limbo in

certain regards. And it's our Vietnam veterans and the veteran community that oftentimes step in and help out with a variety of things that, you know, so often come to mind. And they help with the reintegration process.

I can tell you personally that I would not be in this chamber today -- and I think of so many other veterans -- wouldn't be in here today without for the help of Vietnam veterans. Think of our dear friend down the hall, Mr. Wayne Jackson. How many people has he helped over his time here? It's remarkable. And I'm grateful to be a part of it, and I'm grateful to carry on your tradition.

I proudly vote aye.

ACTING PRESIDENT COONEY: Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Mr. President.

And a special thank you to Senator Harckham for sponsoring this resolution honoring Vietnam veterans.

Today, March 29, 2023 -- I remember the day before -- marks the 50th anniversary of U.S. troops returning home from the Vietnam War.

And the date is also recognized annually as National Vietnam War Veterans Day, when we pause to give thanks to Vietnam veterans for their service. But that's really not enough.

For each of us in our districts who are privileged to have Vietnam veterans as part of their communities, a day is not enough. A resolution is not enough. We owe you an outstanding debt of gratitude for your service, but also to make up for the terrible errors of our nation when you returned. And also for our failures, frankly, to do as much as we need to do to recognize what a war really does to an individual.

Today, like my colleagues, I was privileged to hear many of your stories during lunch, when you acknowledged that whether you were there for a year or longer, the experience that you had transformed the rest of your life. And here we are 50 years later, not only saying we honor and recognize you, but it is our job to ensure that whatever trauma or experience changed you, we must do our best to serve you.

And so I'm honored to be part of this resolution, and I want to acknowledge

someone from my district who is here, Colonel Chet Edwards, who is a U.S. Navy veteran whose service included combat duty in Vietnam as an assault support patrol boat coxswain with the Mobile Riverine Force.

And after the tragic events of 9/11, Chet reenlisted in the New York State Guard in 2003, and he served until his retirement in 2018.

And when we were speaking today, Chet reminded me: "This is what I do, help other veterans. This is my life's work." And I want to point out that Chet, in addition to many other things, has been a leader in the Honor Flight, which takes many of our World War II veterans and our Korean War veterans, and now our Vietnam veterans, to D.C. for the day, all expenses paid, to honor them and to allow them to celebrate some of the best things in our nation's capital.

So I want to shout out my constituent, Chet Edwards, Colonel Chet Edwards, for his devotion to all the veterans that we have. Let us not leave any of them behind. We honor and thank you all for being here, for your service. And we will not forget. We will never forget.

Thank you.

ACTING PRESIDENT COONEY: Senator Helming on the resolution.

SENATOR HELMING: Thank you, Mr. President.

I too rise in support of this resolution and in support of our Vietnam veterans. I'd like to thank Senator Harckham for bringing this resolution to the floor.

As the resolution reads, from the first mission in January 1962 to the last in March of 1973, over 58,000 Americans sacrificed their lives for our freedoms and liberties. Sixteen hundred servicemembers remain missing.

It's with deep gratitude and respect that we honor the heroic sacrifice of these brave men and women. As we all know, as we've heard on the floor today, those who returned home, the Vietnam veterans who were lucky enough to return home, never received the warm welcome home or the thanks that they deserve. That's why it's so important that we hold public recognition ceremonies like today. They're a part of what we should be doing to right those wrongs.

What some of you may not realize is

that today is the 15th year since the passage of the bill establishing March 29th as Vietnam Veterans Day. New York State, our state, was one of the first states in the nation to officially designate a day set aside to honor, recognize and welcome home our Vietnam veterans.

And although I know he's not going to be happy with me saying this, I wanted to thank Senator Andrew Lanza for his leadership and his unwavering support in making sure that this happened for our Vietnam veterans. Thank you, Senator Lanza.

As legislators we must continue to find ways to assist and recognize veterans in our communities. Senator Harckham mentioned the importance of the funding in the budget for programs like the Dwyer program. I couldn't agree more. But recently I was reminded that this assistance can be as simple as helping a veteran secure their high school diploma.

I want to tell you a story about a Vietnam veteran who lives in my district: Mr. Rudolph van der Velden. He lives in Farmington, New York. Rudy was born in the Netherlands. He moved to the United States with

his family in 1960. Seven years later, before he was an American citizen, he was drafted into the United States Army.

He served in Vietnam as a Specialist 4 and returned home in October 1969. Six months later, Rudy became a proud United States citizen.

Last year I had the privilege of recognizing Rudy as one of my Veterans Hall of Fame nominees. Two weeks ago, Rudy's wife Diana -- they've been married for more than 50 years -- reached out to me for help. She let me know that Rudy was in hospice and he was really hoping to secure his high school diploma.

I have to say, it was an honor to help them. Yesterday was Rudy's 79th birthday, and with the help of representatives from the Town of Farmington and Victor Schools, we were able to deliver an early birthday present to Rudy. I take a breath, because I wish you could have all been there for that moment. He was so overcome with joy and emotion. He said, "This is all I ever wanted my entire life."

So I share this story because, like so many veterans, Rudy reminds us of the meaning

of patriotism and service, of putting others first, of loyalty to God, to one's community, country, and family. And that it's never too late to realize your dreams.

Once again, Mr. President, I rise in support of this resolution. And from the bottom of my heart, I thank all of our Vietnam veterans and I extend to you a warm welcome home.

Thank you.

ACTING PRESIDENT COONEY: Senator Webb on the resolution.

SENATOR WEBB: Thank you, Mr. President.

I rise and thank my Senate colleagues for supporting this resolution memorializing Governor Kathy Hochul to proclaim March 29, 2023, as Vietnam Veterans Day in the State of New York, in conjunction with the observance of the National Vietnam Veterans Day.

I am proud to stand today to lift up and acknowledge all the members of the armed forces and their families here in New York who have given so much, and in some cases making the ultimate sacrifice for their country.

On this day we acknowledge the more

than 3 million Americans who served the country during the Vietnam War, and we remember the more than 58,000 servicemembers who lost their lives during the conflict.

Mr. Speaker, we pause today to recognize that for many of those servicemembers, as my colleagues have already illustrated, the path home was difficult, especially for those veterans who were veterans of color, and in some cases because their communities did not welcome them home with open arms or due to physical or mental health struggles resulting from their service.

It is important that we are recognizing our Vietnam veterans by marking this day and encouraging the people of our great state to do the same. And as I always like to emphasize, that while it's important to mark days, where we also have impact is in the resources and the policies that we provide.

And so it is my hope that we will continue to support our veterans by improving access to the resources that they need and deserve from our state and beyond.

I want to thank our veterans that

are here, and their families, for their service. And I especially want to thank Senator Harckham for bringing forth this resolution.

I proudly vote aye, and I encourage my colleagues to do the same.

Thank you.

ACTING PRESIDENT COONEY: Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Mr. President.

I rise also to honor our Vietnam War veterans today, and I want to thank Senator Harckham for this.

My grandmother only had two children: My father, Tony Borrello, and his brother, Frank. Both were drafted, and both served in Vietnam at the same time.

You know, this is a war that was fought by the working class, by the poor, by people of color. That's who went to Vietnam. And my father and his brother suffered as a result. It was early on in the war, and my father was a plumber and his skills were needed in areas where they were clearing, using Agent Orange, digging trenches, running pipes.

And then when he came home, he wasn't really recognized, because it was a covert part of the war that he fought in. It took years, many years, to recognize the damage that was done. Both he and my uncle suffered from Agent Orange. And when we'd go to the VA and we'd talk to them, we actually had a representative from the VA say to me and my father that the only way he could get benefits is if they could find the tail number of the airplane that my father took to Vietnam.

Can you believe that? It took decades. And there are still many Vietnam veterans that are not getting the benefits they deserve.

This is a war fought over a lot of things, but it was not a war caused by the people that fought for it. And we did not honor them properly. And still to this day, they fight hard for recognition, for benefits -- but they have also fought, as was said before, for the veterans after them, to ensure that the same thing never happened to them.

So we say thank you to them all. Thank you to my father and his brother, who are

now passed -- he has now passed on, his brother. And we say welcome home to our Vietnam veterans.

Thank you.

ACTING PRESIDENT COONEY: Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you, Mr. President.

And thank you, Senator Harckham, for introducing this very needed and meaningful resolution.

And thank you to the brave men and women who have served in our military over the years. And on this day in particular, we highlight the sacrifices made by the veterans of the Vietnam War.

New York is home to 200,000 Vietnam veterans, and that is nearly one-third of the state's entire veteran population. New York unfortunately suffered the most casualties in Vietnam, second to California. For those of us born after the war in Vietnam and when it ended, it is important that we do not view this as an abstract moment in U.S. history, but through the veterans who are here with us today as parents, grandparents, friends and neighbors.

During a time of unprecedented societal and political upheaval, an entire generation of young people found themselves half a world away trying to stay alive so they could return to their families. Unlike today, those fortunate to return home from Vietnam were not met with the same praise and honor that we are accustomed to today. I can only imagine how such an environment exacerbated the physical and psychological injuries of so many of them.

When days of significance like this come around, I try to reflect -- not just on who and what we are honoring, but on what I can do to make a difference. What we can do to make a difference. And when we try to help, my first move is to always listen, listen to the veterans and hear directly from the source what they need to assimilate back into society and live healthy and happy lives.

In these conversations so many veterans are advocating for alternative mental health treatments, for PTSD, severe depression and anxiety, and even substance use disorders. The VA has already begun extensive trials finding the benefits of psychedelic-assisted treatment

for mental health. Medical psilocybin mushrooms in particular have been shown to severely impact the lives of veterans for the better.

But we cannot afford to wait while a proven treatment method can be saving lives. When we lose nearly 20 veterans a day to suicide, I refuse to sit by and let it continue.

We need to raise awareness and we need to amplify the voices of the veteran advocates. They know what they need, and it is time that we let them lead the conversation.

But to end, I thank our veterans. I thank you for the freedom you've allowed me and my neighbors and my community and this country to live. I thank you for your service, and I thank you for your blessing. And I welcome you home, today and every day, and forever keep you in my fight to better New York State.

Thank you.

ACTING PRESIDENT COONEY: Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Mr. President.

First of all, I want to start by acknowledging our friend, colleague, Senator

Harckham for bringing this resolution to the floor.

I want to recognize the chairwoman of the Veterans Affairs Committee, who is also a family member of a two-time active military veteran, Senator Scarcella-Spanton.

I want to recognize the veterans on the floor that join us here -- Senator Sanders, Senator Ortt, Senator Ashby, Senator Stec. If there are others, please charge it to my head, not my heart.

I want to, most importantly, rise to acknowledge these heroes among us, true heroes, American heroes. Combat veterans. Those that stopped their lives in its tracks as they knew it and went off to war. And as the saying goes, all give some, some give all. It's been 50 years since the last -- 50 years ago today since the last American combat veteran left the Republic of Vietnam.

I'm 46 years old. That means, because of your service and sacrifice, I grew up in a world where my generation didn't have to go off to the war like you did.

I cannot begin to tell you how

grateful I am for your service to this great country, how indebted our country is to your sacrifices and those that didn't make it home. We owe you a debt of gratitude we can never repay, but it's absolutely essential that each and every one of us, both here in New York and across this country, remember the sacrifices that you made, and continue to make.

And as my colleagues on both sides of the aisle have so articulately said today, we have to continue to do more. We have to continue to tell the story of those that went off and fought in the war in Vietnam, and those that went off and fought in all of these military events that allow us the freedom to stand here and debate without bloodshed.

You are the heroes that give us the ability to do what it is that we do each and every day in this chamber and in this Capitol. I honor you, I thank you.

And with that Mr. President, I vote aye.

ACTING PRESIDENT COONEY: Senator Stec on the resolution.

SENATOR STEC: Thank you,

Mr. President.

I too rise to give my thanks to our Vietnam veterans that are here with us today. Senator Harckham, for bringing this resolution forward to recognize 50 years ago today was when the last American forces left Vietnam.

I thank everyone for their eloquent remarks, and I want to just extend them all. Also, this is a personally important topic to me. Senator Borrello mentioned his father and uncle had served in Vietnam. My father is one of 12 children. Him and all six of his brothers served in the military.

My father, George Stec, and his oldest brother, Henry Stec, were both Marines that served in Vietnam. My father was -- went into Vietnam March 8, 1965, as part of the first American battle forces that -- ground forces that entered Vietnam as part of the 9th Marine Expeditionary Battalion. And fortunately for me -- and maybe for the rest of you, maybe -- he survived okay and went on to have a family, and I was born a few years later.

But his brother likewise was career Marines. He retired from the Marine Corps as a

sergeant major. And again, also fortunate to come home safely from Vietnam. But unfortunately 58,318 other Americans, men and women, were not so fortunate to come home. And their families lost something that was near and dear to them.

And as so many of you have already remarked on the floor here today, unfortunately this particular war of our country's, our returning veterans were maltreated, unlike any conflict before or since. It's a national embarrassment the way that these people were treated when they returned home. Not all of them went of their own desire. Some of them, as was brought up, did it as a sense of duty, patriotic duty. I think you probably can tell from my family's history, you know, that this was something that was part of the family. Polish immigrants came over, it's our job to learn the language, to assimilate, to serve. And we took that on, and it's carried forward at least a couple of generations now.

In the Marines, they weren't -- at least in my father's case, I don't know what the policy was, but my understanding was they were not drafted, they enlisted. They raised their

hand. I asked my dad, "Why did you join the Marines? You know, you weren't drafted, why did you enlist in the Marines?" "I wanted to be with the best." That's what he said.

But a lot of them were over there because it was that -- because that was the law of the land, they were drafted, they were told to go there. They weren't -- not only weren't they policymakers, they didn't have a vote on the floor of Congress whether or not to send kids over to Vietnam. You know, the Neil Young song, right, about "senator's son." They were ordered to go there. And if they didn't go there, they went to prison.

So whether you went there because you felt it was your duty or because that was the law of the land, they served. And they risked all. And no one deserved to come back and be treated the way that they were.

And so we always, and I think rightly so -- and I think as Senator Ortt pointed out earlier, we as a country have done a much better job in recent conflicts of paying the respect that's due and showing the gratitude that's deserved to our men and women that served.

And it's largely because of the Vietnam veterans that experienced that and said "never again." And thank God that for the most part we, our fellow Americans, have learned that lesson and have taken that inside and are doing right by our servicemen and -women. But we still have tens of thousands of Vietnam veterans in the country here today, and that's -- yes, it's 50 years ago that they left, that we pulled out. And yes, it's right that we stop every chance we do, especially on Memorial Day, on Veterans Day, on days like Vietnam Veterans Day and say thank you to them that served.

But in the case of the Vietnam veteran, we as a country can never say thank you enough after the way they were treated when they came home, and were called names or spit on by their English teacher from high school. That is disgraceful and un-American behavior. Again, for people that were going over there to do what they felt was their patriotic duty, or they were ordered by their country to do.

So I ask that we all internalize that, remember that. And again, to my fellow veterans that are here today, thank you for your

service, for your sacrifice. I hope that you look back on your life now and are proud of your service. I hope that you look back on your life now at our country and feel it was worth the sacrifice.

But thank you all, and God bless you all. Thank you again, Senator Harckham, for bringing this forward.

ACTING PRESIDENT COONEY: Senator Comrie on the resolution.

SENATOR COMRIE: Thank you, Mr. President.

I rise today to support the resolution of Senator Harckham to honor our Vietnam veterans on the 50th anniversary and the 12th anniversary of the state providing an opportunity for them to be recognized.

I don't want to be repetitive and recite all of the history that has been recited. I just want to echo and say that it's important that we never forget, we never forget the mistake that was done to them when they came back. We should never forget that they wanted to serve, many of them. Many of them were drafted, but they went willingly because they believed in a

greater America. They believed in this country's desire to have a presence in this world.

They went to fight admirably, and we need to never forget that. We need to make sure that we do everything we can within our state budget to help Vietnam veterans, no matter what stage they are in their life, making sure we provide opportunities for them and their children to be part of this state, because they gave to us.

We should also continue to make sure that we work to fund and fix the veterans' halls that are -- most of them are in disrepair now. We need to make sure we utilize state monies to fix the VFWs and the other facilities that the veterans are using, because that's where they socialize, that's where they are able to tell their stories and talk to each other in a setting where they can be understood.

We need to make sure that their health benefits are taken care of. We need to make sure that we do everything we can as a state to ensure that our veterans understand that we now respect their service in a real way.

I'm proud to work with the veterans

groups in my district because the veterans in my area are working hard to provide opportunities for people that have come out of service now. We can't forget the people that are serving to make our country strong to allow us to be here, as was said, to have positive debate with each other about the needs of our country.

We should do everything we can to ensure that all veterans that have served our country get everything that they need from this state.

I proudly vote aye. Thank you, Senator Harckham.

ACTING PRESIDENT COONEY: Senator Lanza on the resolution.

SENATOR LANZA: Thank you, Mr. President.

First I want to thank Senator Harckham for bringing this resolution to the floor.

Of course I want to thank all of my colleagues in this chamber for the wonderful words, words that, as has been said, are necessary and deserved by our great Vietnam veterans.

You know, Senator Helming mentioned me, and so I rise in order to make sure -- and I appreciate it, Senator Helming. But I rise to make sure that the gratitude is placed where it belongs.

We have this day here in New York because of a Staten Islander by the name of Lester Modelowitz. He was deployed in Vietnam in the First Aviation Brigade Assault Helicopter Company. In my first year here in the Senate, he came to me and he said, "I need you to do something that is very important, if you can." And he presented the idea of creating Vietnam Veterans Day here in the State of New York.

And of course my first thought was why isn't that already the case. We agreed. My job was simple, we just put words on a page. At that time Assemblyman Titone, my good friend from Staten Island, was in the Assembly. He carried it there. You would think it would have been a no-brainer. There was some resistance -- not from any of my colleagues in the Legislature, but from certain quarters who said, Why do we need Vietnam Veterans Day? We have Veterans Day, we have Memorial Day, why do we need another day?

And of course we all in this chamber know the reason. It is because what happened to our Vietnam veterans when they arrived home was unbefitting of the courage and valor they demonstrated over there. Something very tragic and something very shameful.

And so I believed, and I believe now -- I know you all do as well -- that we needed to do something different in order to recognize what happened so that, as Lester Modelowitz told me, this would, as Senator Comrie just mentioned, never happen again.

So what did happen? On March 29, 1973, the last combat troops were pulled out of Vietnam. They came home, and as has been mentioned and as we all know by historical accounts, they were spat on, they were mistreated, they were not welcomed home. That was not the message that they heard when they came back to America, when they came back to the ports of New York.

Why did this happen? I think it is important to mention so that it does not happen again. It happened because people here were misled, were lost. We had those from academia,

those from the media, those in Hollywood and really across the country who lost their way, who turned away from what is right and turned against those who fought for and delivered the very freedom that allowed them to become so lost.

One of the things I wasn't taught in school -- I don't think it is taught even now -- was what it is they did there. We know that in 1962 President Kennedy, as he said, drew a line in the sand, escalated the war, sent the first combat American troops there, and then we know the rest. If you read the accounts and you look at how they were treated, you would have thought that somehow they let America down. They did not.

To the contrary, there were many battles, 30 major battles -- battles like la Drang, Khe Sanh, the Tet Offensive, the Easter Offensive, Quang Tri, Operation Linebacker, and many more. And if I listed every battle fought in the Vietnam War by American soldiers, you know what they would all have in common? They won every single one of them. I didn't learn that until I did the research for the bill some 15 years ago in my

first year here.

They didn't let us down. They held us up. And yet they came home to this shameful treatment.

And so you say, Why do we do it every year? I had a ceremony back on Staten Island this past Saturday. And I can tell you, I'm not big on ceremonies. You don't hear me rise too often when it comes to resolutions here on the floor. It's not my cup of tea, as they say. I generally get up to speak on the Martin Luther King resolution because I believe it is that important. And I rise every year, or I try to rise every year, with respect to this.

But we do it every year because I think it is important for three reasons. First, my faith teaches me that you need to show contrition. When you do something wrong, you acknowledge it, you say you're sorry, and you do your best to fix it.

America did wrong, America made a mistake, America did harm when it came to our Vietnam War veterans. And so we do this every year together, my colleagues, because we say we are sorry, as a nation and a state, for what

happened. And I think it's important to do that.

We do that, again, as Lester Modelowitz and Vietnam veterans say all the time: Never again. Never again. And I think by doing this together, and doing this every year, we do our part to make sure that it is never again. Because we don't do this just because we want to hear ourselves speak. But really, together, my brothers and sisters, we do it because we want to educate each generation of Americans that something happened here that should never have happened and must never happen again.

And so we hope by doing this -- and I believe we will be doing that -- we will do our part to ensure that it doesn't happen again.

And finally, we do it because they deserve it. They deserve it. I think we all agree that every day ought to be a day that we honor our veterans. We live in the greatest, freest nation on earth. We have a Constitution that guarantees our individual liberties. That Constitution would not be worth the paper it is printed on if not for every generation of American soldier who has stood up and said, I will defend your freedom, my fellow American. I

will go to the corners of the earth, I will put my life on the line and even sacrifice it so that you and your children and, God willing, your grandchildren can continue to live free.

And so our Vietnam veterans are no different than every veteran and every soldier that has ever fought to defend that freedom. So because of what happened to them, we must say we're sorry, welcome home, you deserve this recognition. I think it is important. And at a time when we disagree about so much -- and that is okay, and that is the American way. And that is what we do here, and we mix it up. And sometimes it's rough and tumble and bare knuckles. We wouldn't have it any other way. It's the American way. It is the freedom we have to do that, again, because of the Constitution as defended by the American soldier.

But on today, I also believe that it is wonderful and great that the people of the State of New York see us, Republican and Democrat, standing together in unanimity, being brought together by our love for our country, our love for our veterans, and our love for our Vietnam War veterans. And so we say, together:

Welcome home, welcome home, welcome home.

And I just have one last point. Last year -- I apologize, I don't know who it was on that side of the aisle who brought legislation to create a Vietnam War recognition medal, and we passed that. And it is a great idea, and we all supported it. I've been told that it has not yet been created because the money is not yet in the budget. It hasn't been funded.

I made a promise to the Vietnam veterans this past Saturday that when it is created, that I, together with my colleagues on Staten Island, Senator Scarcella-Spanton and the rest of the Staten Island delegation, will personally hand that medal to each and every Vietnam War veteran on Staten Island and beyond, if they so desire.

So please, my Democratic friends across the aisle, please make sure that funding is in this budget whenever it may be passed.

Mr. President, thank you.

ACTING PRESIDENT COONEY: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

I want to thank the heroes in the crowd. I want to thank you for doing what we couldn't do, what many of us would never dream to do.

And Senator Ortt often asks the vets when he comes here, unofficially -- and I think that this will probably go for all of you -- you would probably go back in a second. You'd probably do it all over again just to make sure that you defended your country. That kind of courage and valor is not something that you can create in a statute or in a vacuum or in a laboratory. That's all in your heart. So I thank you for having that. And I thank you for keeping that.

You know, when they say life imitates art or art imitates life, it really is depending on the situation. When I was learning about the -- when I was going through, as a preteen, the war in Iraq, I was learning about the Vietnam War by virtue of popular culture. I saw a movie called "Dead Presidents." And I saw the movie "Dead "Presidents" was loosely based on a book by Wallace Terry about the experience of African-American veterans in the Vietnam War.

And they came home, and the film was based about veterans coming back to the Bronx and having little to no opportunity.

But a small ember can spark a big flame, and that caused me to research more. Once upon a time they had these things called encyclopedias, before the internet. Or it was during the AOL internet. And I was doing some research about the Vietnam War. And as Senator Ashby so astutely pointed out, yes, most definitely, people of color were adversely affected in a major way.

I want to read an excerpt from that book by Wallace Terry: "You know, they decorated me, awarded me for bravery in Vietnam. Two Bronze Stars. Yes, they did. I was wounded three times. The officers, the generals, and whoever came out to the hospital to see you, they respected you and they'd pat you on the back. They said, You're brave and you're courageous. You're America's finest, America's best. But back in the States, the same officers that pat me on the back wouldn't even speak to me." That's by Specialist Richard J. Ford III, of the U.S. Army.

You know, and Senator Ashby brought up Wayne Jackson. When I started here as an intern in 2004, Wayne Jackson showed me so much love. And I think that it was by virtue of his experiences in the armed forces, and understanding that in order for us to exist today, that we had to have somebody that paved the way for us. And I'm grateful to you all for paving the way.

And all this talking about how I could have never done, never served, because I couldn't have gone through what you've gone through, I just thought about the concept of the phrase "basic training." Basic training. To my colleagues that are vets, I've never served, but I'm sure that there is nothing basic about basic training. It is teaching you how to represent your country. It is teaching you how to represent your fellow man or woman. It is teaching you at the same time to utilize every God-given talent that you have, physical, mental and otherwise, to make sure that you are fighting for people that you are never going to meet. There's nothing basic about it.

I want to thank you for going

through that and more. I want to thank you for coming home. I want to thank you for not letting us forget. Some of my favorite times are when I see you all with those hats, because it makes me stop, pay attention, and say thank you.

So many of my colleagues have said it's not enough, thank-yous will never be enough. But I can thank the Senate sponsor, Senator Harckham, for making sure that this is not going to be forgotten in any county in the State of New York, by any member of this body, by anybody with some sense that understands how the world actually works and not in theoretical practice. So I just want to say thank you. I want to say thank you for inspiring us. I want to say thank you for continuing to simply just inspire by your presence.

And so I'll leave you with this. Wallace Terry, the writer of that book, at some point when he was shopping the book around, people wouldn't even buy the script, because they didn't want to hear about the stories of what you went through in Vietnam. Whether you agree with the reason why this country is occupying something, let us be very clear. We always must

stand with those who are helping us do it.

Thank you for everything that you've done. God bless you.

I vote aye, Mr. President.

ACTING PRESIDENT COONEY: Senator Ryan on the resolution.

SENATOR RYAN: Thank you, Mr. President.

And thank you, Senator Harckham, for bringing this resolution and for your comments today.

So I stand today to support the resolution, to thank all the Vietnam veterans.

But, you know, during the Vietnam conflict there was a draft, and that brought people from all different economic sectors into the conflict and into the war. And the Vietnam conflict really touched every American, regardless of your class or your educational status. And I've got, you know, three quick stories about how Vietnam affected, you know, my community.

My uncle, Billy McQuillen, he was a Marine. He served in Vietnam and came home safely. We're all very happy of that.

But in my high school, just next to the case with all the trophies, was also a picture of another Lackawanna High School graduate named Joseph Urbanczyk. He graduated from my high school, went over to Vietnam in the late '60s, and he was one of the 58,000 who didn't come back. He's buried in Holy Cross Cemetery, and his relatives still miss him dearly.

I have another family friend who has a totally different story of Vietnam. Her name is Mary Lee Slakowsky. And Mary Lee was a nurse. And she was a combat nurse and, you know, spent a lot of time patching people up. And she came home and continued to be a nurse, but as she got into her later adulthood, she started recognizing that other nurses that she served with in Vietnam were suffering.

So she ended up working extensively with nurses, you know, who were home 20 years by then, and helped them. But she also fought to make sure that nurses were recognized and women who served in the theater were recognized.

Two hundred sixty-five thousand women served in Vietnam. None were drafted, all

were volunteers -- everything from nurses to supply chain people to air traffic controllers. But after Mary Lee stopped doing advocacy around helping nurses in need, she turned her advocacy toward making sure that women were recognized for their service in Vietnam.

And, you know, I'm very happy to report that there is a woman's monument now in Washington, D.C. But it's because of the advocacy of people like Mary Lee, and many other women who served, that there's also a recognition of them through the Vietnam Women's Memorial.

So I stand today to support the resolution, to thank everybody, man and woman, who served in Vietnam in service to their country.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Mr. President.

Thank you, Senator Harckham.

Thanks to all of the vets. But I didn't come here to blow taps for you, my friends. I came here to blow the charge.

Let me explain myself. I come from a military family. My father served, my uncle served in World War II. My brother served in the Vietnam War. I am a post-Vietnam grunt. I am a Marine. I served in the Old Breed, the most decorated branch of the Marine Corps. My nephew -- my brother served in the 82nd Airborne, but my nephew takes the cake. He did two tours Afghanistan, one tour Iraq, one tour DMZ, one tour that he can't tell me about. And he's still serving. So I come from a military family. We serve.

Now, I have learned a couple of things, and I think that General Colin Powell is one that we should learn from. And Colin Powell said Before the nation goes to war, any war, a couple of things need to happen. First, we shouldn't go into any war that doesn't threaten the American interests or the world's interests. If it does not threaten our interests, we should not be there.

Second, that we have to unite a nation before you go into war. Don't go running into war and you haven't united a nation.

Vietnam shows us the necessity --

let me give you your charge, my veterans. Vietnam shows you the necessity of veterans involving themselves in this. We need to vote as veterans, and we need to run and be -- be there.

Here's your charge. Civilians are more willing to send people into harm's way than veterans are. Civilians who have never been and never will be and won't allow their children to go are far more willing to go into war than veterans. Because veterans who have been -- the closer you've been to war, the more you love peace. It's those folk who perhaps have never been that are the most warlike people that you could ever meet. The closer you've been, the more you like peace.

We need to -- it's -- it's -- we're not here to blow -- we should not be here to blow taps for you. You're not through. You got a couple more rounds left in you. Otherwise, you wouldn't have come to this place where there's fights up here. We need you and need you desperately to go back to the American people and tell them to rouse themselves and involve themselves in the life of their country.

To me, it doesn't matter what you

are as long as you believe in this country and you're willing to fight for it. Believe in it. You need to go back and tell them that we're not done yet. Our greatest days are not behind us, but ahead of us. And anybody talking about America is beaten and all this is down in the dumps -- that's not the America that I know about, and that's not the one that we were willing to fight for. And I encourage you to fight for the better America. We're not done yet.

It is true, my friends, as I close, that all gave some and some gave all. But it's also true that we took an oath to defend this country from enemies foreign and domestic. And if there ever was a time that we need to live up to that oath, that time is now.

I blow the charge that we need to not put America on the shelf, but we need to make America that shining star for the world that we need to have. Welcome home. Let's get to work.

Thank you.

ACTING PRESIDENT COONEY: Senator Krueger on the resolution.

SENATOR KRUEGER: Thank you very

much, Mr. President.

I have to say -- first off, thank you, Pete Harckham, for bringing this resolution. But thank you to all my colleagues for everything you've said on the floor today. Every one of you was moving and accurate.

And so thank you for being here, the members of the Vietnam veterans I'm looking up at now, to remind us of who we are as a country and what our jobs are here in the Legislature.

And I'd just like to add one other point. You make us remember back 50 years, what happened in this country. You make us remember the tragedy that you experienced when you came home.

But as I'm sitting here and I'm reading back about Vietnam, you also should make us remember what a fragile concept democracy is, how it goes wrong. It can go wrong. We can name it going wrong here any day of the week, trust me. But in Vietnam, what we learned from something like the Pentagon Papers, was that our national leaders were wrong. You didn't make the mistakes being soldiers going off to war. Our leaders made the mistakes, in both lying to our

country, lying to each other through two administrations, Republican and Democrat. Everybody had blame there. And as was said here many times, 58,000 Americans died. And all of the analysis after the war teaches us that very bad decisions were made by our leaders.

Now, that's reality. It's reality throughout history, because we do go into wars. And it is the most complicated issue any government can deal with, sending its young people out to fight and risk their lives for our concept of democracy. Which means -- and I think my colleague Senator Sanders said it so well -- that we better be damn sure that we're doing the right thing before we're asking our young men and women to go and put their lives on the line for us.

And so I know that 50 years after the war, "welcome home" sounds like a funny thing to say. So I'm going to say thank you for reminding me that I need to always be reminded of history, both the victories and the failures of our concept of democracy. Because if we don't remember those things and if we're not prepared to confront them and talk about them, I can

guarantee you we will lose our democracy.

So I thank you for reminding all of us to look at the whole picture. Because our job here in New York is to try to protect 20 million New Yorkers every day of every year, and it is crucial that we are willing to look at the hard issues, just like we look at the easier-to-understand issues.

So again, thank you to my colleagues. Thank you to everyone who's served -- Vietnam, and my colleagues here who obviously were post-Vietnam. And really thank you for being willing to come up here today and participate with us.

Thank you, Mr. President. Of course I am aye.

ACTING PRESIDENT COONEY: Senator Hoylman-Sigal on the resolution.

SENATOR HOYLMAN-SIGAL: Thank you, Mr. President.

I guess if there is a day to pile on, it is today, in honor of our guests. And thank you, Senator Harckham and Senator Scarcella-Spanton, for your work in this area.

I'm moved also because of the

history, but also knowing that you served when at the same time so many others who were privileged did not. They chose deferments due to educational opportunities. They said they had bad feet. They lied, they lied to get out of going to Vietnam.

Some of them were conscientious objectors, of course. That's a completely different category.

Some outright lied, and some said they were gay when they weren't, because the Department of Defense at that time viewed homosexuality as a moral defect.

So I want to call out those LGBTQ veterans who served in silence, who would have received that deferment or be deemed ineligible to serve but chose not to because they wanted to make certain that they represented their nation.

And so many of those veterans then returned to the United States after the war and were deemed dishonorable after their sexuality was revealed.

And I just want to point out that here in the State Senate we've tried to address their needs in particular. We passed the

Restoration of Honor Act, which restored 50 state benefits to those LGBTQ veterans who were dishonorably discharged. That's one small thing we've done here in Albany. We need to do that in Washington, at the federal level.

But we also need to continue to address veterans' homelessness and mental health and addiction. And hopefully in this budget we'll take strides in that area once again.

So I'm proud to support this resolution, Mr. President, and thank all of you for being here. But mostly, thank you for your service.

ACTING PRESIDENT COONEY: Senator Cleare on the resolution.

SENATOR CLEARE: Thank you, Mr. President.

I rise to thank Senator Harckham. Thank you to all my colleagues and everyone who had a part in bringing this resolution forward.

This recognition has been long overdue. Our neighbors and family members who returned were all deserving of so much more, so much better than they were given. They should have received our gratitude, our love, our pride

and respect, but instead they were greeted with hostility.

The poor treatment and the impact of the lack of resources and support had and still has deep and lasting effects on Vietnam veterans and their families. As mentioned by many of my colleagues accurately, for Blacks and other people of color who served, the effects were even worse. Many even commented while overseas about what was laying wait for them here in their country.

Though this is late and certainly long after the fact, I really hope today as we commemorate your service, we impart on you our deepest gratitude and respect. But I thank you for your sacrifice, for your willingness to serve this country, that we all have the opportunity here today to make our state and this country the country I hope that you were fighting to see.

So I thank you for your service, and you have my gratitude.

I vote aye.

ACTING PRESIDENT COONEY: Senator Stavisky on the resolution.

SENATOR STAVISKY: Thank you.

Mr. President, I'm here also to really join everybody in this room in thanking our veterans for what they have done.

The difficulty that they experienced on their return in no way reflects the feeling of people. We appreciate what you did, what you've done. The services that you deserve, I hope you are taking advantage of it -- the Veterans Administration, the hospitals and so forth.

And I just want to join my colleagues in saying we are very grateful for the sacrifices that you've made.

Thank you.

ACTING PRESIDENT COONEY: Majority Leader Stewart-Cousins to close.

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

And I too want to thank Senator Harckham for bringing this resolution. I want to thank the new leader of our Veterans Committee, Senator Scarcella-Spanton, and certainly all of the great veterans who serve in this body.

I was just commiserating with Senator Breslin, whose brother was a major in Vietnam. And we were talking and he was saying

that his brother said that his only job was to make sure he brought young kids home. Which I'm sure he was devastated when some of those kids were lost.

We were commiserating about brothers because my brother served in the Marines during Vietnam as well. And he doesn't talk much about the experience. He talks about Agent Orange. He talks about how he knew he was going to get home. He talks sometimes about those who he grew up with who didn't come home.

But he knew that there was so much more for him to do. He knew that the legacy of service to this country was, above all, his duty. And he knew that duty because of our dad, who served in World War II. And I usually stand on this floor talking about Robert Lucius Stewart who served in the Army during World War II and how, when he came home as a Black soldier, he was deprived of the GI bill.

When my brother came back, he, like other Vietnam veterans, was deprived of the very dignity that they should have had for serving in a war that our nation sent them to serve in. We had no compassion, but our Vietnam veterans did.

They not only had compassion for a nation of people that didn't get it, but they had compassion for the next generation who would serve. And they made sure when they came home that they instilled in all of our communities the importance of what must be done to preserve our democracy and our freedom.

And that's why, on a day where we would normally be in and out of here, we are thanking you and thanking you and thanking you for the lessons you've taught us before, during and after. And our continuing to thank you and taking all this time to say that is your assurance that we will not forget.

When I was texting my brother, I said, "I'm going to thank you on the floor, Bobby." And I said, "It's 50 years." And he's like, "Wow, I can't believe it." I'm sure you who served can't believe it either.

But the reason why is because you've continued to serve. You're not checking off days, you're not checking off months, you're not checking off years; your service has never stopped.

Thank you, God bless you, and our

tribute here is to say that we will always be mindful of your service and our recognition for what you've done and what others continue to do now and in the future, and our responsibility to make sure that they are felt and held in high esteem, the way you should have been -- we will not forget.

Thank you for your patience in listening to all of us. Thank you for your service. Travel safely. And until we meet again, God bless.

ACTING PRESIDENT COONEY: Thank you, Madam Leader.

To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Sustained standing ovation.)

ACTING PRESIDENT COONEY: The resolution was previously adopted on March 9th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, there is a privileged resolution at the desk, Resolution 664. Let's take that up, please, and read its title only.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senate Resolution 664, by Senator Stewart-Cousins, celebrating the life and accomplishments of Robert G. Wasiczko, distinguished citizen, family man and devoted member of his community.

ACTING PRESIDENT COONEY: Majority Leader Stewart-Cousins on the resolution.

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

And again, I rise -- it was just this morning that I'd heard that a wonderful friend and someone dear to our community, who was also a soldier who served in World War II, 94 years old, Robert Wasiczko passed over the weekend, surrounded by his family.

And I just heard about that this morning, and I wanted to make sure that again, as we were honoring servicepeople, that I got a chance on behalf of the Senate and certainly all who he served -- he never stopped serving the community, and he was especially active in the VFW Post 375. He had a million different titles, none was too small or too large.

And so we all mourn Robert Wasiczko and again send condolences to his family and, again, thank him not only for his service during World War II but his continued service to our beloved community in Yonkers.

So thank you so much.

ACTING PRESIDENT COONEY: Thank you, Madam Leader.

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

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, Nay.

(No response.)

ACTING PRESIDENT COONEY: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

At this time we're going to have an introduction of some guests in the chamber by Senator Hinchey.

ACTING PRESIDENT COONEY: Senator Hinchey for an introduction.

SENATOR HINCHEY: Thank you. Thank

you, Mr. President.

I rise to welcome a great community group in our district and across New York State.

But I want to start by thanking Pastor Arnold for his wonderful invocation today and for the blessings that he's bestowed upon the members of this body, our veterans, and all New Yorkers.

The Bruderhof Community is a community that is integral not just to the 41st District, but to State of New York. They were members who manned our COVID vaccination pods at the height of the pandemic. They constantly participate in nearly every community event that I have been to and, even more, lending their time and their talents to support and help others. Many are volunteers with an organization called Mentor Me, and so much more.

As chair of the Agriculture Committee, I personally appreciate all of their work with fresh food and in their growing season, sharing the food that they grow with food banks and food pantries across their communities, because they truly believe that everyone should eat locally sourced food. And I've tasted their

food and their pies specifically are the best. I should bring them for everybody here, because they are delicious.

The Bruderhof Community leads with love. They lead with respect. They lead with unity. And we are a better community, we are a better state because we have their leadership in our areas.

And so I rise to welcome them to our chamber today. And Mr. President, I'd like to ask for you to recognize the members of the Bruderhof Community and extend to them the privileges of this chamber.

ACTING PRESIDENT COONEY: To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: Senator Gianaris.

SENATOR GIANARIS: Now let's move on to previously adopted Resolution 507, by Senator Helming, read that resolution's title, and recognize Senator Helming.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senate Resolution 507, by Senator Helming, congratulating Sophie Pollack upon the occasion of capturing the 185-pound Division wrestling title at the first-ever New York State Public High School Athletic Association Girls State Wrestling Invitational on January 27, 2023.

ACTING PRESIDENT COONEY: Senator Helming on the resolution.

SENATOR HELMING: Thank you, Mr. President.

It is truly my honor to introduce Sophie Pollack, an incredible young woman from my hometown of Canandaigua.

The opportunity to celebrate Sophie's accomplishments during Women's History Month makes today's recognition even more meaningful. Sophie is a high school senior attending Canandaigua Academy. She has earned four varsity letters in wrestling, one of the most physically, mentally and emotionally demanding sports, composed predominately of young men.

My first meeting with Sophie happened about nine years ago. I was the MC of the annual Cheshire Memorial Day Commemoration ceremony. As the MC of the event, I invited all the young children who were interested to come up front with me and lead the Pledge of Allegiance. I remember Sophie as being the only young woman brave enough to step up. She took her role very seriously, and I could see she took great pride in performing the pledge.

Sophie, I'll never forget that day. I was so impressed with you as a young girl. And it's no surprise to me that now as a young woman you continue to be a trailblazer, paving the way for other young women in our community across the state and truly across the entire nation.

Sophie is a pioneer in wrestling, both in Section 5 and for Canandaigua Academy, wrestling in dual matches against males and females. She is an All-American and ranks in the top 10 in our nation, defeating all of her opponents via pin, with the final match lasting just 47 seconds.

This past January Sophie captured the 185-pound Division wrestling title at the

first ever -- first ever -- New York State Public High School Athletic Association Girls State Wrestling Invitational. Immediately after she won, a reporter asked her about how she felt about participating in the first ever women's invitational. And Sophie commented that it was so cool because as a senior athlete she thought the wrestling championship was never going to happen during her career.

Well, Sophie, it did happen. No one knows that better than you. It happened because of your drive, your determination, and your willingness to push forward even in times of adversity. You made that happen not only for yourself, but for so many other young women. And I want to thank you for that. That is a life lesson that you will carry with you forever.

The most successful people are usually backed by a strong support system. Sophie's supporters include her mother Jill; her father and stepmother Kevin and Jennifer, who are here; her coach, Eric Mullen; and Athletic Director Caroline Chapman, who is also here with us this afternoon.

I want to thank all of you for

encouraging Sophie to pursue her dreams and her passions, and thank you for being champions of women's athletics.

And to AD Chapman, I want to say a special congratulations on your new appointment. It's very exciting to me; Caroline is the first female director of athletics since the school's founding in 1791.

And Mr. President, I know you carry a special amount of pride too, being an HWS alumni.

Next year Sophie will be pursuing wrestling at Delaware Valley University. And Sophie, know that we'll be watching you and cheering you on.

And I want you to know, finally, as a woman, as a mother, and as your New York State Senator, I commend and thank you for your example to young women everywhere. Never, ever, ever be afraid to step up, come forward, and pursue your dream.

Mr. President, I ask you to please welcome Sophie Pollack to the New York State Senate chamber.

ACTING PRESIDENT COONEY: Thank

you, Senator Helming.

To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: The resolution was previously adopted on March 9th.

Senator Gianaris.

SENATOR GIANARIS: Next up is previously adopted Resolution 514, by Senator O'Mara. Please read that resolution's title and recognize Senator O'Mara.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senate Resolution 514, by Senator O'Mara, congratulating David Miller upon the occasion of his retirement after 27 years of distinguished service as executive director of the New York State Trappers Association.

ACTING PRESIDENT COONEY: Senator O'Mara on the resolution.

SENATOR O'MARA: Yes, thank you, Mr. President, for this opportunity to recognize

the career and service of Mr. David Miller, executive director of the New York State Trappers Association, upon his retirement.

Unfortunately Mr. Miller was unable to join us today as he had intended. But we have representatives from the New York State Trappers Association with us today up in the balcony, from a reception they had earlier today.

Throughout Mr. Miller's career, he worked diligently to preserve the ideals of the New York State Trappers Association, which is comprised of men and women and children who are dedicated to protecting and preserving our heritage as well as the tradition of trapping in the State of New York.

In 1987, Mr. Miller became the Region 8 director of the State Trappers Association and has continually worked to increase membership and, continuing the service to the association, serving as vice president and president before being named executive director, where he served, prior to his retirement, for 27 years.

David was an educator who was committed to protecting and promoting trapping as

a part of an effective and necessary wildlife conservation management plan in New York State. Through his passion and experience, he informed the New York State Legislature and the public about the role trapping plays in a successful wildlife conservation model.

And he also partnered with the New York State Department of Environmental Conservation, working on improving regulations to reduce and eliminate the incidental capture of dogs and birds of prey while still allowing trappers of New York State practical and effective means of trapping.

Prior to his retirement he was inducted into the New York Outdoorsmen Hall of Fame in 2007.

So thank you, Mr. President, for the opportunity to recognize Mr. Miller for his dedication, career and service to this important tradition in New York State.

And please welcome the members of the association that are with us here today.

ACTING PRESIDENT COONEY: Thank you, Senator O'Mara.

To our guests, I welcome you on

behalf of the Senate. We extend to you the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT COONEY: The resolution was previously adopted on March 15th.

Senator Gianaris.

SENATOR GIANARIS: And now previously adopted Resolution 616, by Senator Scarcella-Spanton. Please read its title and recognize Senator Scarcella-Spanton.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senate Resolution 616, by Senator Scarcella-Spanton, memorializing Governor Kathy Hochul to proclaim April 9, 2023, as Yellow Ribbon Day in the State of New York.

ACTING PRESIDENT COONEY: Senator Scarcella-Spanton on the resolution.

SENATOR SCARCELLA-SPANTON: Thank you, Mr. President.

How befitting that here on Vietnam Veterans Day that I have the opportunity to introduce the Yellow Ribbon Day resolution, which is a bipartisan effort to express support for the

designation of April 9th as National Yellow Ribbon Day, a day for all Americans to honor and celebrate our active-duty troops and their families.

The yellow ribbon has historical significance and has been used in poetry and marching songs related to our U.S. military, dating back to the late 19th century.

Yellow ribbons traditionally represent the message of "Support Our Troops."

The yellow ribbon symbol was first used in the U.S. to mark national unity and remembrance for the 52 Americans held hostage for 444 days in Iran beginning on November 4, 1979.

Active-duty troops risk their lives to protect our freedom. Some 1.3 million active-duty military members and 800,000 reservists protect this country. Army troops are often deployed multiple times -- on average, between six and 18 months -- leaving their children and spouses as part of their duty to serve this country.

Forty-four-point-two percent of active-duty troops have dependent children living at home. More than 80 percent of the children of

active-duty troops are 14 years old or younger. With my family personally, my husband deployed to Afghanistan for the second time when our daughter was just 10 days old.

I know firsthand the sacrifices that our veteran families make every day to support their loved ones in the armed forces. I am honored to introduce this resolution to commemorate April 9, 2023, as Yellow Ribbon Day in New York State.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Scarcella-Spanton.

The resolution was previously adopted on March 28th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at the request of the many sponsors of all these resolutions, they are all open for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: And now let's

take up the reading of the calendar.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 173, Senate Print 579, by Senator Hoylman-Sigal, an act to amend Chapter 174 of the Laws of 1968.

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: Senator Hoylman-Sigal to explain his vote.

SENATOR HOYLMAN-SIGAL: Thank you, Mr. President.

I'll be very brief, knowing the hour is late.

I just want to thank my colleagues for their support of small independent arts contractors. You know that arts and culture contribute $119 billion annually to the economy of New York State. That's more than construction and educational services and a whole host of

other sectors.

Our arts community, though, was particularly hit hard by the pandemic, and we have worked through this legislation to allow independent arts contractors, including touring musicians, the opportunity to take part in the newly created small business seed funding grant program.

I want to thank the Music Workers Alliance and all the advocates and artists that make sure that this issue was brought to our attention, as well as James Katz from the Governor's office and Empire State Development for spending hours working with our staffs and musicians to ensure as many independent arts contractors as possible can benefit from this grant program.

I vote aye, Mr. President. Thank you.

ACTING PRESIDENT COONEY: Thank you.

Senator Hoylman-Sigal to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to

Calendar Number 173, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Skoufis, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 223, Senate Print 449, by Senator Gianaris, an act to amend the Criminal Procedure Law and the Civil Practice Law and Rules.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 4. 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 223, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,

Lanza, Martinez, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Scarcella-Spanton, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 39. Nays, 23.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 382, Senate Print 2391, by Senator Rivera, an act to amend the Social Services 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, 62.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 412, Senate Print 3436, by Senator Skoufis, an act to amend the Civil Practice Law and Rules.

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 412, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk and Weik.

Ayes, 45. Nays, 17.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 453, Senate Print 308, by Senator Salazar, an act to amend the Correction 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: Senator Salazar to explain her vote.

SENATOR SALAZAR: Thank you, Mr. President.

Temporary release programs, such as work release or educational release, can serve an essential role in an incarcerated individual's growth and rehabilitation, having demonstrated benefits for individuals both during their incarceration and after being released from prison to community supervision.

Participating in a temporary release program can be deeply meaningful for people and can bring lasting positive change to their lives. Temporary release programs can strengthen family ties, they can provide skills and tools that may help people obtain housing or employment after their release, and they generally contribute to a smoother reentry process for incarcerated individuals when they eventually return home.

However, participation in temporary release programs is unfortunately quite low. The

vast majority of incarcerated individuals in our state prisons are not granted the ability to participate in temporary release programs. For example, according to DOCCS Temporary Release Reports issued from 2014 to 2020, a total of only 23 individuals applied to participate in educational release, and zero were approved.

DOCCS does not currently report on factors that contribute to low participation rates, such as the availability of programs or the rates or reasons for application approvals and denials.

The goal of this bill is to require DOCCS to report data regarding temporary release programs so that the state can determine why program participation is so low and take steps to increase it.

Mr. President, I vote aye.

ACTING PRESIDENT COONEY: Senator Salazar to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 453, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Griffo, Helming, Lanza,

Martins, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 44. Nays, 18.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 495, Senate Print 1730, by Senator Sanders, an act to amend the Elder Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 120th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Mr. President.

As chair of the Aging Committee, I rise to thank my colleague Senator Sanders for this very important bill.

I was proud to pass this thoughtful

bill out of committee a few weeks ago. It will create an elder abuse awareness and prevention training program within SOFA. This program will proactively disseminate educational and awareness materials, as well as help to develop a direct training program for service providers, employees, and senior centers so situations of elder abuse can be proactively detected, reported, and prevented.

Elder abuse is a growing issue that affects over 300,000 older New Yorkers each year, and is an insidious practice that leads to heartbreaking outcomes. This bill should significantly lower the incidence of elder abuse in our state, and as such it deserves our full support.

I vote aye.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 503, Assembly Print Number 1771A, by

Assemblymember McDonald, Concurrent Resolution of the Senate and Assembly proposing an amendment to Section 4 of Article 8 of the Constitution.

ACTING PRESIDENT COONEY: Call the roll on the resolution.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 503, voting in the negative are Senators Griffo and Palumbo.

Ayes, 60. Nays, 2.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 538, Senate Print 224, by Senator Myrie, an act to amend the Tax 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 538, voting in the negative are Senators O'Mara and Walczyk.

Ayes, 60. Nays, 2.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 546, Senate Print 2359, by Senator Brouk, an act directing the Commissioner of Mental Health to establish a maternal mental health workgroup.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Brouk to explain her vote.

SENATOR BROUK: Thank you, Mr. President.

Many of you have heard there is a maternal mortality crisis in this country. Again, the U.S. remains one of the deadliest

places to give birth. And here in New York State, Black women continue to be five times more likely to die in childbirth.

But perhaps what you don't know is that the number-one most common complication in pregnancy are maternal mental health disorders, affecting one in five birthing people.

In fact, here in New York State we have the Maternal Mortality Review Board to review such things, and by their data we see that not only are maternal mental health conditions the third leading cause of death during pregnancy or childbirth, but that they are 100 percent preventable.

So what does that tell us? We have the data. We know that something's wrong. But we have not been able to come up with solutions to help people facing maternal mental health conditions. And that's why this workgroup is so important.

New York State has done a lot around maternal health, but when we are faced with statistics like this, deadly statistics like this, it tells us that something is not enough. And so that's why I'm grateful to my colleagues

for bringing forth this legislation again, and that's why we really will need to put investment behind workgroups like this to make sure that we finally change these deadly statistics.

For that reason, I vote aye. Thank you.

ACTING PRESIDENT COONEY: Senator Brouk to be recorded in the affirmative.

Senator Webb to explain her vote.

SENATOR WEBB: Thank you, Mr. President. I rise to explain my vote.

I want to first thank Senator Brouk for bringing forth this important legislation and, equally important, for her impactful advocacy for these critical services.

In thinking about the premises and the need for this legislation, what it is doing is it is directing the Office of Mental Health to establish a maternal mental health workgroup. This legislation will improve postpartum outcomes for mothers and birthing people and families impacted by maternal mental health disorders and depression annually.

And one of the things that, you know, Senator Brouk always points out is that we

have to treat the totality of our mothers and their experience and their birthing experience, and this legislation will strengthen our capacity to diagnose and treat women, especially underrepresented and vulnerable populations. Black and brown mothers are most likely to experience postpartum depression and least likely to receive treatment, with a staggering number of cases estimated to go undiagnosed or unreported.

This disparity in care puts Black and brown mothers and their families at even more risk for the worst mental health outcomes. And as a state, we can and must do better.

As the chair of the Women's Issues Committee, I am proud of the work that we are doing to increase safety and improve outcomes for mothers and birthing people both during birth and during the postpartum period.

And again, I want to thank Senator Brouk for her leadership on this issue.

I proudly vote aye, and I encourage my colleagues to do the same.

ACTING PRESIDENT COONEY: Senator Webb to be recorded in the affirmative.

Senator Scarcella-Spanton to explain

her vote.

SENATOR SCARCELLA-SPANTON: Thank you, Mr. President.

And thank you, Senator Brouk, for introducing this legislation that will help support and prioritize maternal mental health.

Last year in my district a struggling mother in Coney Island tragically drowned her three children in the ocean due to a postpartum mental breakdown. The health and well-being of our expecting and postpartum mothers is so important, and that includes their mental health.

This bill will save countless mothers by directing the Commissioner of Mental Health to establish a maternal mental health workgroup. The workgroup will then study and issue recommendations related to maternal mental health.

Postpartum mood and anxiety disorders affect countless mothers nationwide during pregnancy and through the first postpartum year. This bill will not only provide these mothers with support, it will also provide them with insight and clarity and let them know that

they are not alone in their feelings of perinatal anxiety and depression, and hopefully prevent worst-case scenarios like the issue we saw in Coney Island.

Thank you again, Senator Brouk, for your advocacy on this. I vote aye.

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

Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you very much.

I'm so glad to be able to stand in support of Senator Brouk's bill and to hear my other colleagues talking about something that when I first brought a bill to require screening for women with perinatal or postpartum depression, people looked at me like, what are you talking about?

But in fact, now we have had on the books for many years the fact that pediatricians during the well-baby visits in the first year of a baby's life are supposed to be screening the mothers for whether they are suffering from depression.

Because it was actually a group of OB-GYNs who came to me and said -- excuse me, it was a group of pediatricians who came to me and said: You know, the number-one health issue we see for new babies is the mother going through such serious depression that we have to be worried about whether she will be able to take care of her child, whether she is a risk to herself. And in fact if babies aren't able to bond with their mothers in that first year, there are problems for the rest of their lives.

So they begged us in the Legislature to take some action. And yet now, maybe seven, eight years later, we find that we still see a growing rate of this problem. And it requires us to come up with new models, new ideas, and much greater awareness.

Because as I think one of my colleagues said, one of the amazing things about depression that is correlated to being pregnant or recently giving birth, a huge percentage of the time it is hormonally related and responds incredibly easily and well to treatment with appropriate drugs.

And so when women don't know what is

going on, when their doctors don't understand what's going on, they don't get the care they need, and the risk is not just to them, it's to their new babies and in fact to their relationship in the family perhaps for the rest of their lives.

So this is a simple and important piece of legislation that will hopefully bring New York State into a new era of making sure that women get the services they need.

Thank you, and thank you, Senator Brouk. I vote yes.

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

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 549, Senate Print 1714, by Senator Martinez, an act to amend Chapter 397 of the Laws of 1996.

ACTING PRESIDENT COONEY: There is a home-rule message at the desk.

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 549, voting in the negative: Senator Skoufis.

Ayes, 61. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 550, Senate Print 2200, by Senator Thomas, an act authorizing New York Kali Mandir, Inc., to receive retroactive real property tax exempt status.

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 530, voting in the negative: Senator O'Mara.

Ayes, 61. Nays, 1.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 551, Senate Print 2574, by Senator Gounardes, an act to amend the Real Property Tax Law.

ACTING PRESIDENT COONEY: 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 COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 571, Assembly Print Number 5057B, by

Assemblymember Bores, an act to amend the Election 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: Senator Murray to explain his vote.

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

And thank you, Senator Myrie, for bringing this bill forward and allowing for the observance of Passover. A very important bill. I very much appreciate it.

But I have had a couple of calls with concerns, and I have a concern myself that at a time when we should be doing all we can to ensure the integrity of the election process and the public trust, I'm afraid that this bill might leave a little wiggle room for unscrupulous activities.

So with the window of the four days

between the filing deadline for getting the signatures and the filing deadline itself, there's a little window there for those that may have fallen a bit short to continue gathering the signatures and simply back-date to allow them to get onto the petition when otherwise they may not.

So there is that concern. I do support the bill, and I appreciate the reason for it, but I would hope that if the need arises in the future, we'll take that concern into consideration.

With that, I vote aye. Thank you.

ACTING PRESIDENT COONEY: Senator Murray to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT COONEY: The bill is passed.

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

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Thursday, March 30th, at 11:00 a.m.

ACTING PRESIDENT COONEY: On motion, the Senate stands adjourned until Thursday, March 30th, at 11:00 a.m.

(Whereupon, at 5:49 p.m., the Senate adjourned.)