NEW YORK STATE SENATE

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REGULAR SESSION

LIEUTENANT GOVERNOR ANTONIO DELGADO, President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

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

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

THE PRESIDENT: Reverend DeForest L. Raphael, of the AME Zion Church on the Hill, New York, will deliver today's invocation.

PASTOR RAPHAEL: In the name of the Father, Son, and the Holy Ghost, amen.

Eternal God, on this third day of January of the year 2024, we gather in this august body -- but we cannot gather unless You gather with us.

In a season when all of our institutions are under attack and when more and more of the citizens of this great land feel as though those who represent them do not in fact represent them, we ask that You would help us to understand that this is not a job, but it is a privilege to serve.

We ask You to wrap your loving arms of protection and safety around all of those,

regardless of whether they are believers or not. Help them help us to understand that the work that we do we do not just for ourselves, but we do for one another.

Help us to see, O Lord, that the lie of the zero-sum game has no place here; that we all thrive when any one of us thrives, and when any one of us is brought low, we are all brought low.

So help us, O Lord, to govern, govern first ourselves and our own anxieties, but to govern that which the people who have elected us to govern. Be with them, strengthen them, help them to do what it is that they need to do, knowing that they are not their brothers -- they are not just their brothers' and their sisters' keepers, they in fact are their brothers and they are their sisters.

This we ask in Your name and for Your sake and glory.

And then the whole house said amen.

(Response of "Amen.")

THE PRESIDENT: The Secretary will now call the roll to ascertain a quorum.

THE SECRETARY: Senator Addabbo.

SENATOR ADDABBO: Here.
THE SECRETARY: Senator Ashby.
SENATOR ASHBY: Here.
THE SECRETARY: Senator Bailey.
SENATOR BAILEY: Here.
THE SECRETARY: Senator Borrello.
SENATOR BORRELLO: Here.
THE SECRETARY: Senator Breslin.
SENATOR BRESLIN: Here.
THE SECRETARY: Senator Brisport.
SENATOR BRISPORT: Here.
THE SECRETARY: Senator Brouk.
(Senator Brouk present.)
THE SECRETARY: Senator Canzoneri-Fitzpatrick.
SENATOR CANZONERI-FITZPATRICK: Here.
THE SECRETARY: Senator Chu.
SENATOR CHU: Here.
THE SECRETARY: Senator Cleare.
SENATOR CLEARE: Here.
THE SECRETARY: Senator Comrie.
SENATOR COMRIE: Here.
THE SECRETARY: Senator Cooney.
SENATOR COONEY: Here.

THE SECRETARY: Senator Felder.
(No response.)
THE SECRETARY: Senator Fernandez.
SENATOR FERNANDEZ: Here.
THE SECRETARY: Senator Gallivan.
SENATOR GALLIVAN: Here.
THE SECRETARY: Senator Gianaris.
SENATOR GIANARIS: Here.
THE SECRETARY: Senator Gonzalez.
SENATOR GONZALEZ: Here.
THE SECRETARY: Senator Gounardes.
SENATOR GOUNARDES: Here.
THE SECRETARY: Senator Griffo.
SENATOR GRIFFO: Here.
THE SECRETARY: Senator Harckham.
SENATOR HARCKHAM: Here.
THE SECRETARY: Senator Helming.
SENATOR HELMING: Here.
THE SECRETARY: Senator Hinchey.
SENATOR HINCHEY: Here.
THE SECRETARY: Senator Hoylman-Sigal.
SENATOR HOYLMAN-SIGAL: Here.
THE SECRETARY: Senator Jackson.
SENATOR JACKSON: Present.

THE SECRETARY: Senator Kavanagh.
SENATOR KAVANAGH: Here.
THE SECRETARY: Senator Kennedy.
SENATOR KENNEDY: Here.
THE SECRETARY: Senator Krueger.
SENATOR KRUEGER: Here.
THE SECRETARY: Senator Lanza.
SENATOR LANZA: Here.
THE SECRETARY: Senator Liu.
SENATOR LIU: Here.
THE SECRETARY: Senator Mannion.
SENATOR MANNION: Here.
THE SECRETARY: Senator Martinez.
SENATOR MARTINEZ: Here.
THE SECRETARY: Senator Mattera.
SENATOR MATTERA: Here.
THE PRESIDENT: A quorum is present, and the Senate may proceed.

Let me start by acknowledging Majority Leader Andrea Stewart-Cousins, Deputy Leader Gianaris, Deputy Minority Leader Lanza.

As president of the Senate, it is my distinct honor to welcome all of you to the 2024 legislative session.

With every new year comes a new set of challenges, and with those challenges a new set of opportunities. And with this in mind, my hope is that we collectively seek out the opportunity to serve the good people of New York with a renewed sense of genuine service.

What I mean by this is a form of service that is grounded in commitments that go well beyond personal interest or party affiliation. Rather, we orient ourselves towards a higher purpose, with our eyes set on achieving the greater good for the benefit of all New Yorkers.

In my estimation, this requires focusing on what the great Dr. King, Jr., once called, quote, unenforceable obligations. Dr. King explained these obligations are "beyond the reach of laws of society. They concern inner attitudes, genuine person-to-person relations, and expressions of compassion that law books cannot regulate and jails cannot rectify."

Dr. King continues, quote: Such obligations are met by one's commitment to an inner law written on the heart. Manmade laws assure justice, but a higher law provides --

produces, I should say -- love.

These are powerful words that resonate, particularly so given the divisive violence and hate-filled times we are living through. And as leaders, as leaders, as leaders, it is incumbent upon all of us to set the example and to lead with the light of love and the spirit of unity.

I don't believe any of us here were inspired to serve by the opportunity to stoke fear and anger in people. We serve because we are inspired, in one way or the other, by love: Love of God, love of humanity, love of country, love of state, love of community, love of family, love of freedom, love of equality, love of truth, love of justice, and love of democracy.

So as we commence the 2024 legislative session and take on the awesome responsibility of making enforceable laws in this body, let us do so while committing ourselves to that inner unenforceable law written on each of our hearts, and in so doing assure that our work here is anchored in our capacity to love.

This, my friends, is how I plan to step into 2024, along with Governor Hochul, ready

to collaborate, cooperate, and build with each and every one of you in the spirit of genuine service. So let's get to work.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

Before we proceed to regular business, I just want to recognize that as we all know, this is Senator Kennedy's final session with us. And Senator Kennedy is always thinking about the future, so he's brought with him a potential replacement in the future --

(Laughter.)

SENATOR GIANARIS: -- his son, Connor Kennedy, is with us.

So if we could all welcome Connor here to the proceedings.

(Applause.)

SENATOR GIANARIS: And now let's proceed with regular business, Mr. President.

THE PRESIDENT: Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

The Secretary will read.

THE SECRETARY: "Dear Majority Leader Stewart-Cousins:

"I would appreciate the privilege of appearing before your Honorable Bodies in Joint Session on January 9, 2024, at 1:00 p.m., or as soon thereafter as may be convenient, to personally deliver my Annual Message on the State of the State to the Legislature.

"Very truly yours, Governor Kathy Hochul."

THE PRESIDENT: The message shall be filed in the Journal.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, we may notice that the Minority Leader, Senator Ortt, is not with us -- he's a little bit under the weather today -- so please recognize Senator Lanza for opening remarks.

THE PRESIDENT: Senator Lanza.

SENATOR LANZA: Thank you,

Mr. President. Thank you, Senator Gianaris.

Majority Leader Stewart-Cousins, Minority -- Majority Floor Leader Senator Gianaris, to all my colleagues, Connor, all those --

(Laughter.)

SENATOR LANZA: -- all those present in this body today, Mr. President, Lieutenant Governor, Happy New Year. Happy New Year.

It is always exciting to be back. It's exciting to be in this chamber. It's exciting, and I think we are all grateful to have the opportunity to do the people's work, and that's what we are here to do.

You may notice that myself and my colleagues -- I notice a lot of people in the body -- are wearing blue today. I don't want Senator Gianaris to get too excited. We are not converting to the Democratic Party.

(Laughter.)

SENATOR LANZA: The Majority Leader was getting excited about a super-duper majority.

(Laughter.)

SENATOR LANZA: We wear blue in

solidarity with Israel and with our -- and for our Jewish and Israeli neighbors here in New York and in America, as they withstand the evil that was unleashed upon them on October 7th. The same evil that crept into the Garden of Eden thousands of years ago, which has gone by many names -- fascism, racism, and today names like Hezbollah and Hamas. Whatever form it takes and whatever name it goes by, we stand united in opposition and we stand in solidarity with our friends in Israel.

That is why in this conference -- and I know in your conference, Majority Leader -- we have traveled the state and met with groups, and we have an antisemitism task force. We need and we must make a priority in the new year legislation and policy that will once and for all end the blight of hate and antisemitism in this state.

So it's a new year. As Senator Borrello would say, it's a new hope. Senator Gianaris, it's a new hope. And a new beginning. Some might call it a clean slate.

(Laughter.)

SENATOR LANZA: The difficulty with

new beginnings and clean slates is that while you can erase the words from the blackboard, you must still deal with the consequences of the policies and the words that were written there before.

And unfortunately, Mr. President, here in New York New Yorkers are doing just that. We see crime at historic levels. And remember, with every crime there is a victim. We see the price of everything out of control. Hundreds of dollars do not come close to filling the cart at the grocery store anymore. We see the fentanyl crisis not getting better but getting worse as we watch thousands of New Yorkers every year losing their life to this terrible blight.

People can't afford to make ends meet in New York. There are a lot of reasons, but they are being gouged most by the government itself, the government which is here allegedly to help.

Taxes are off the chart in this state. If you are a working family in New York, you pay more taxes than anywhere else in America. And people, people do not believe -- talk to people across New York, they don't believe they're getting anywhere close to value for the

taxes they pay.

We have a migrant craze in New York. Not only my characterization, but my good friend Mayor Adams calls it just that. The Governor rolls out the welcome mat, says come to this state from anywhere in the world, we're going to give you free stuff. And then acts surprised when people take her up on the offer.

In my neighborhood on Staten Island, the Governor and her party evicted -- so much for good cause eviction -- evicted seniors and veterans from a home and then opened that home up to migrants. And neighbors there need to watch Amazon trucks roll up all day long, delivering goods and services which the citizens in that neighborhood -- whose only crime is that they're American citizens -- cannot even afford to pay for themselves.

So we have a new beginning, but the only thing good about a new beginning is that we use it to solve problems.

So all is not lost. The spirit of New York is still alive. It's weary, it's beaten down, but I truly believe that it is yearning to rise again. It is deprived of the oxygen it

needs, but just as we believe it is policies of this state which has deprived it of that oxygen, we believe that new policies can reverse that course and make things better.

And yes, Mr. President, I don't want you to think I'm a Negative Nelly. There are many things that we on this side of the aisle agree with our colleagues on that side of the aisle. It's just that it's more fun to talk about the disagreements.

(Laughter.)

SENATOR LANZA: More importantly, it's important to talk about them because that's where the action is. That's where we are going to hammer out and decide the future of this state.

We look forward to working with our colleagues. We will embrace every opportunity where there is agreement. We will roll up our sleeves. We vow to you that we will act in a bipartisan fashion.

But we also, Mr. President, have a solemn vow to express our disagreement, to debate the issues, and to advance the policies that we believe are better for the State of New York when

that happens. I hope we can do it civilly. I hope we can do it in friendship. But under Senator Ortt's leadership, we on this side of the aisle will do just that.

Again, thank you, Majority Leader.

Thank you.

THE PRESIDENT: Thank you, Deputy Minority Leader. It's good to know that love has the last word.

And Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

Let me thank our own personal Phantom Menace, Senator Lanza.

(Laughter.)

SENATOR GIANARIS: Please recognize Supermajority Leader Andrea Stewart-Cousins for her opening remarks.

(Laughter.)

SENATOR STEWART-COUSINS: Happy New Year.

(Response of "Happy New Year.")

SENATOR STEWART-COUSINS: Again, to the Lieutenant Governor, it's really good to have you in the chamber. Thank you for your

insightful words and for your message. You're always welcome here -- happily, not to break any ties, but just to preside and remind us again of the love that we must bring to this chamber.

And I want to thank my good friend Reverend DeForest Raphael, who's accompanied by his lovely wife Veronica. Thank you for giving us a message that we can certainly take with us not only today but throughout.

And then, of course, to the Deputy Minority Leader, I did think that this was a mass conversion.

(Laughter.)

SENATOR STEWART-COUSINS: I said, Look at all this blue -- they must be ready to join and go forward together.

It's good to see all of you, no matter what color you're wearing.

And, you know, when you were talking about the terrible, terrible situation in Israel and this war with Hamas, I know each and every one of us are praying, as we continue to do, for peace and for an opportunity really to create an environment that allows for each of us to not deal with the hatreds and the isms.

Part of why we don't deal with international things in this conference is because we could spend a lot of time talking about the ills of the international community. Personally, and I think collectively, we are better off spending our time presenting an example right here in this great state, in this chamber, that hopefully will be a model for not only the people we represent and our state, for the country and the world.

So I appreciate everything that's been said. I feel like it's more of a prayer that we've begun with.

So as you were saying, Deputy Leader Lanza, I guess it's more fun to talk about how we disagree, but it's more productive, I think, for the people of New York to talk about how we agree.

So I will begin with doing the things that we normally do, which is to welcome everyone back, and to certainly welcome our staff back. I hope you are well rested, because, you know, you know it's going to be a --

(Laughter.)

SENATOR STEWART-COUSINS: -- it's

going to be a very, very fun and productive year.

I also want to give a special welcome -- we've talked about this before, but we have one of our newest fathers here in the chamber. Deputy Leader Mike Gianaris and his wife welcomed a baby girl.

(Applause.)

SENATOR STEWART-COUSINS: So when we talk about being well rested, we know somebody's not well rested.

(Laughter.)

SENATOR STEWART-COUSINS: So Senator Lanza, in your capacity, please be kind to him, because he's going to need -- he's going to need a little extra until we get past those all-nighters.

This session marks an opportunity for us to reaffirm our commitment to the principles that have defined the Democratic Majority and our mission. And again, I often say we've only been in charge for five years. The Republicans in blue had the better part of a hundred years. I'm just looking for parity.

So our Majority and our mission, we've always fought for the middle and working

class, and our conference proudly represents the diversity within our ranks, a diversity that mirrors the tapestry of New York.

As we embark on this legislative journey, we must remember why we're here. And it's been said over and over again: We're here to serve the people of New York, to address their needs, to make their lives better. We're here to build an economy that helps all New Yorkers and works for everyone. It's our responsibility to prioritize the issues that matter most to working people across this state.

Over the past few years we've made significant strides in tackling the most pressing concerns facing our constituents and have fought to make our state a more equitable place where everyone can prosper. We always knew that the key to New York's success lay in the advancement of our working- and middle-class families.

From the very beginning, we recognized the importance of paid family leave, ensuring that New Yorkers can take care of their loved ones without jeopardizing financial stability.

We made a steadfast commitment to

fully fund our schools, understanding that education is the cornerstone of opportunity and social mobility. And we expanded access to childcare, helping parents better juggle the demands of work and family.

Our investment in universal prekindergarten brought us one step closer to leveling the playing field for every child in this state. And our historic funding of free school meals helps ensure that more children today, their most basic needs are met during the school day.

We also increased the earned income tax credit to provide a much-needed boost to low-income families. We raised the minimum wage so that our workers can now make a living wage across the state.

We've also made it clear that public safety and justice are not mutually exclusive, and we will continue to make that very important point.

Our conference has always looked to ease daily burdens and strengthen our fundamental support systems. However, despite these accomplishments, we must acknowledge that many

New Yorkers are still struggling and they feel the pinch in their wallets. The most significant cost burden facing our constituents today is housing. The soaring cost of living in New York threatens the very essence of our state's identity. It's time for us to develop a comprehensive plan that not only protects tenants, including the principles of good cause -- (to Senator Lanza) and I'm glad you talked about this eviction situation I know you'll be supporting.

(Laughter.)

SENATOR STEWART-COUSINS: -- but also paves the way for construction of new affordable housing.

And while every New Yorker deserves a safe, affordable place to live, we also believe that the location of your home should not dictate the quality of your child's education. Our conference has fought tirelessly to invest in public education and ensure every school, regardless of zip code, receives adequate funding.

We cannot ignore the crucial role that education plays in creating pathways to the

middle class. Our commitment to childcare and to after-school programs is essential for working parents who need support to provide for their families.

We must continue to fully fund our schools while also keeping higher education within reach for people of all socioeconomic backgrounds. It's imperative that we continue investing in our public colleges and universities because an advanced degree shouldn't have to be a financial burden, but rather a steppingstone towards a brighter future for all.

Central to our state's future is our commitment to fighting climate change and promoting energy affordability so that our necessary green transition will not be at the expense of working-class households and small businesses.

For too long, too many of the big utility companies have wasted ratepayer dollars through unjust billing practices and exploitative rate increases. It's time to keep that money where it belongs, in people's pockets, by holding these corporations accountable.

As a conference we've made great

strides towards helping all New Yorkers get access to low-cost renewable energy with the expansion of tax credits for solar and geothermal, and with our landmark legislation last year to allow New York to build its own publicly owned renewables.

We also know that our clean energy future comes in partnership with our brothers and sisters in labor, who have been and will continue to be a key part of these solutions. Their tireless efforts have been the bedrock of our state's progress and prosperity.

We'll remain staunch advocates for fair wages, safe working conditions, and workers' rights. Through this ongoing partnership, New York will meet its climate goals while generating the economic growth and prosperity that our working-class families deserve.

We must continue to build a strong economy and support small businesses. Under our leadership, New York will also continue to lead the nation in supporting new and expanding industries, like we did with the groundbreaking Green Chips legislation, that will lead to up to $100 billion in investment by Micron in Central

New York. This will be transformative for the economy of upstate New York.

In this session we will again push forward strong economic policies that attract growing industries.

We've also provided increased funding for transportation systems across New York, including our roads and transit systems. We understand for our economy to continue to grow, we need real investments in infrastructure, and we'll continue that commitment this year.

As we gather here today to mark the start of the year, we also cannot turn a blind eye to the difficult years that we face. The events of the past years have tested our democracy, challenged our fundamental rights, but we've emerged stronger than ever.

We face -- and again, it was spoken about -- a refugee crisis that is not of our making, but one we certainly will have to continue to confront. We have provided over $2 billion in state aid to deal with our asylum seekers. But we cannot do this alone. New York has always been a place where we welcome our

neighbors and help them to find jobs and prosperity. However, we need help from our federal partners to ensure the American dream remains alive.

We stand resolute in protecting the reproductive rights of our constituents. It's our duty to ensure that New York remains a safe haven for individuals to make their own choices about reproductive health. We will continue to champion policies that safeguard a person's right to choose, and we will resist any attempts to roll back the progress we've made.

Every person in New York should have access to comprehensive reproductive healthcare without fear or interference, and we will fiercely defend these rights from national attacks that seek to undermine the autonomy and dignity of our residents.

And as always, we believe the core of all personal freedoms lies in robust democratic institutions. We have all seen threats to our very democracy and freedom gain unsettling traction over the past few years, jeopardizing the precious progress we've made.

Therefore, as the Senate Majority

has done every year, we will prioritize ensuring the right to vote is protected across New York. We must safeguard our democracy at all costs by guaranteeing that every citizen's voice is heard and that their vote counts.

My friends and colleagues, we have an incredible responsibility before us. The people of New York have placed their trust in us to address their concerns, to improve their lives, and to shape the future of our great state.

Together we will continue to build a New York where everyone can afford a decent home, where energy is affordable and sustainable, where education is a gateway to opportunity. We will uphold the principles of democracy and ensure the voices of all New Yorkers are heard. We will continue our commitment to building a stronger economy that uplifts us all. Let us work together across party lines to forge a New York that reflects and respects the greatness of our people.

As we begin this legislative session, let us remember what we've heard from the very beginning of today, that we are here to

serve the people. And together, I'm sure we will continue to make a positive difference in the life of all New Yorkers.

Thank you very, very much.

(Standing ovation.)

THE PRESIDENT: Thank you, Majority Leader.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

It seems that the families of our colleagues who think Washington is better than Albany are here to soak up the last few months in this beautiful chamber. So please recognize Senator Mannion's wife, Jennifer, is also with us today.

(Applause.)

SENATOR GIANARIS: Can we recognize our guests from the Assembly, please.

THE PRESIDENT: Members are recognized.

(Assemblymembers Glick and Ra entered the chamber, greeted Senate leaders, and conveyed that the Assembly is organized and ready to proceed with business.)

(Applause.)

THE PRESIDENT: Senator Gianaris.

SENATOR GIANARIS: It's our turn to appoint our committees, so please take up the legislation to appoint a committee of two to inform the Governor.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 1458, directing the Temporary President to appoint a committee of two to inform the Governor that the Senate is organized and ready to proceed with business.

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(Response of "Nay.")

THE PRESIDENT: The resolution is adopted.

Senators Kennedy and Canzoneri-Fitzpatrick are appointed to inform the Governor that the Senate is assembled and ready to proceed with business.

Senator Gianaris.

SENATOR GIANARIS: Can we now take up the resolution appointing the committee of two to inform the Assembly.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senate Resolution 1459, directing the Temporary President to appoint a committee of two to wait upon the Assembly and inform that body that the Senate is assembled and ready to proceed with business.

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

(Response of "Aye.")

THE PRESIDENT: Opposed?

(No response.)

THE PRESIDENT: The resolution is adopted.

Senators Chu and Ashby are appointed to inform the Assembly that the Senate is assembled and ready to proceed with business.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, the last introduction for today, I promise.

Please recognize someone who has two very important jobs right now; one is as the deputy county executive of Westchester. Ken Jenkins is with us.

(Applause.)

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

THE PRESIDENT: There is no further business at the desk.

SENATOR GIANARIS: I move to adjourn until Monday, January 8th, at 3:00 p.m., with the intervening days being legislative days.

THE PRESIDENT: On motion, the Senate stands adjourned until Monday, January 8th, at 3:00 p.m., with the intervening days being legislative days.

(Whereupon, the Senate adjourned at 1:21 p.m.)