NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 6, 2024

3:18 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: 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.)

ACTING PRESIDENT PERSAUD: Bishop Philip Elliott, of the Antioch Baptist Church of Hempstead, New York, will deliver's today's invocation.

BISHOP ELLIOTT: God, I stand in the gap in this moment of prayer for the leaders in our community, our state, our region, our country, and especially for those whom You have raised to exact the business of our fair State of New York.

I ask Your blessings upon every person and position that has been appointed or elected.

I pray that You, O God, would sever all cords that would cause principalities, powers, rulers of the darkness of this world and spiritual wickedness in high places, to control the positions and offices of our generation.

Father, give us -- and we thank You for that -- godly leaders, who will carry on the heritage of the dedication of our nation and our beloved state.

Lord, let our leaders be guided by the voice of their conscience, and grant that they may never veer off from the foundation of the essence of this nation.

We thank You that You have given us leaders who will cause the families of our state and communities to be blessed.

Lord, let Your glory be declared among the people, and let the healing waters flow in every village, every community, every hamlet, every city, every town, every municipality, and every citizen or stranger within the gates of our great State of New York.

I pray that the leaders of this New York State Senate will submit their rule to the rule of law and to the reign of Your will, O God. I pray that the government and peace of God will bring continual increase to our country and our state. Let every veil of deception be removed. And as deception is removed, allow laws to be passed where our children may have hope for

all their future.

And Lord, grant that our economy will be healed through decisions made in these very chambers, so that people will be able to build affordable houses and inhabit them, plant vineyards and eat the fruit of them, and enjoy the work of their hands.

Hear our prayer, O Lord. Hear our prayer, O Lord. Incline Thine ear to us and grant us Thy shalom, peace.

Amen.

(Response of "Amen.")

ACTING PRESIDENT PERSAUD: Reading of the Journal.

THE SECRETARY: In Senate, Monday, February 5, 2024, the Senate met pursuant to adjournment. The Journal of Sunday, February 4, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Mannion

moves to discharge, from the Committee on Rules, Assembly Bill Number 8530 and substitute it for the identical Senate Bill 8077, Third Reading Calendar 198.

ACTING PRESIDENT PERSAUD: 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: I move to adopt the Resolution Calendar, with the exception of Resolutions 1689, 1753, 1765 and 1769.

ACTING PRESIDENT PERSAUD: All those in favor of adopting the Resolution Calendar, with the exception of Resolutions 1689, 1753, 1769 and 1765, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, we're going to begin with previously adopted Resolution 1747, by Leader Stewart-Cousins. Please read that resolution in its entirety and recognize Senator Parker to speak on the resolution.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1747, by Senator Stewart-Cousins, memorializing Governor Kathy Hochul to proclaim February 2024 as Black History Month in the State of New York.

"WHEREAS, Black History Month, previously known as Negro History Week, was founded by Dr. Carter G. Woodson, and was first celebrated on February 1, 1926; since 1976, it has become a nationally recognized month-long celebration, held each year during the month of February to acknowledge and pay tribute to African-Americans neglected by both society and the history books; and

"WHEREAS, The month of February

observes the rich and diverse heritage of our great state and nation and encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past, and understand the factors that have shaped and guided the course of our present-day experiences; and

"WHEREAS, Black History Month seeks to emphasize that Black history is American history; and

"WHEREAS, Black History Month is a time to reflect on the struggles and victories of African-Americans throughout our country's history and to recognize their numerous valuable contributions to the protection of our democratic society in war and in peace; and

"WHEREAS, Some African-American pioneers whose many accomplishments, all which took place during the month of February, went unnoticed, as well as numerous symbolic events in February that deserve to be memorialized include: John Sweat Rock, a noted Boston lawyer who became the first African-American admitted to argue before the U.S. Supreme Court on

February 1, 1865, and the first African-American to be received on the floor of the U.S. House of Representatives; Jonathan Jasper Wright, the first African-American to hold a major judicial position, who was elected to the South Carolina Supreme Court on February 1, 1870; President Abraham Lincoln submitted the proposed 13th Amendment to the U.S. Constitution, abolishing slavery, to the states for ratification on February 1, 1865; civil rights protester Jimmie Lee Jackson died from wounds inflicted during a protest on February 26, 1965, leading to the historic Selma, Alabama, civil rights demonstrations, including Bloody Sunday, in which 600 demonstrators, including Martin Luther King, Jr., were attacked by police; Autherine J. Lucy became the first African-American student to attend the University of Alabama on February 3, 1956; she was expelled three days later 'for her own safety' in response to threats from a mob; in 1992, Autherine Lucy Foster graduated from the University of Alabama with a master's degree in education, the same day her daughter, Grazia Foster, graduated with a bachelor's degree in corporate finance; the Negro Baseball League was

founded on February 3, 1920; Jack Johnson, the first African-American World Heavyweight Boxing Champion, won his first title on February 3, 1903; and Reginald F. Lewis, born on December 7, 1942, in Baltimore, Maryland, received his law degree from Harvard Law School in 1968, and was a partner in Murphy, Thorpes & Lewis, the first Black law firm on Wall Street, and in 1989 he became president and CEO of TLC Beatrice International Food Company, the largest Black-owned business in the United States; and

"WHEREAS, Furthermore, the impact of African-American contributions to the moral fabric and history of this great nation are ever-growing and unprecedented; more recently, on January 20, 2009, Barack Obama became the first Black President of the United States, earning his wife, Michelle Obama, the same distinction in her role as First Lady; Lloyd J. Austin has the unique distinction of being the first Black United States Secretary of Defense, sworn in on January 22, 2021; Ketanji Brown Jackson made history in her becoming the first Black woman to serve on the United States Supreme Court, on June 30, 2022; and

"WHEREAS, More notable African-American trailblazers who serve as a testament to the success, growth, and strength of our nation are: Carole Gist, the first Black Miss USA of 1990; Toni Morrison, the first Black person to win the Nobel Prize for Literature in 1993; Robert Stanton, the first Black director of the National Park Service in 1997; Venus Williams, the first Black woman to be ranked number-one in tennis in the United States in 2002; Sophia Danenberg, reaching unprecedented heights, was the first Black woman to reach the peak of Mount Everest in 2006; Cheryl Boone Isaacs, who became the first Black president of the Academy of Motion Picture Arts and Sciences in 2013; Paulette Brown, the first Black woman to become the American Bar Association president in 2015; Dr. Carla Hayden, the first Black Librarian of Congress in 2016; Jennifer King, the first full-time Black woman NFL coach, heading the Washington Commanders in 2020; Maya Angelou, the first Black woman to appear on U.S. currency in 2022; and Sika Henry, the first Black woman to be recognized as a professional triathlete in the United States in 2021, and inductee of the

National Black Distance Running Hall of Fame in 2022, all of whom encompass the many more powerful Black individuals who pushed through countless obstacles to earn the respect of their peers and this great state and nation; and

"WHEREAS, In recognition of the vast contributions of African-Americans, a joyful month-long celebration is held across New York State and across the United States with many commemorative events to honor and display the cultural heritage of African-Americans; and

"WHEREAS, This Legislative Body commends the African-American community for preserving, for future generations, its centuries-old traditions that benefit us all and add to the color and beauty of the tapestry which is our American society; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to memorialize Governor Kathy Hochul to proclaim February 2024 as Black History Month in the State of New York; and be it further

"RESOLVED, That copies of this resolution, suitably engrossed, be transmitted to the Honorable Kathy Hochul, Governor of the State

of New York, and to the events commemorating Black History Month throughout New York State."

ACTING PRESIDENT PERSAUD: Senator Parker on the resolution.

SENATOR PARKER: Thank you, Madam President.

I rise today to give a little bit of a conversation that we should be having not just during the month of February, but throughout the year, around Black history.

I want to begin by thanking the leader, Andrea Stewart-Cousins, for bringing this forth and always bringing her leadership and being a great exemplar of Black history within the midst of this august body.

We all know that -- and in past years I've gotten up and had the privilege of speaking on this resolution, and we've talked about Negro History Week that was created in 1926 by Carter G. Woodson that has now evolved into what we now celebrate as Black History Month or African-American History Month.

This is not just a month that is celebrated in New York State, but around this nation. And not just around this nation, but in

about 15 or 16 countries around the world, including Canada and Mexico, that have adopted some form of Black History Month.

Carter G. Woodson, the second Black graduate of Harvard -- everybody remembers W.E.B. Du Bois, but when you're the second guy, you kind of fade into the ether. One of my favorite things about Carter G. Woodson is that he was a teacher. He wasn't a college professor. He wasn't like, you know, somebody who did something grand. He went to Harvard and then went back to his community and like taught high school.

And an amazing exemplar of what is important both about this history and about the community. Right? That at the base of understanding African-American history is the idea of education.

And even at a time when people of African descent were brought to the shores of the Americas and they were banned and forbidden, by penalty of death, to learn and to read, they read anyway. And they taught themselves and they had other folks help them learn how to read and to write. And you develop people like, you know, Phyllis Wheatley and David Walker, who become,

you know, significant writers even in the early 1700s because of this thirst around knowledge.

February was chosen not because it's the shortest month -- it was actually chosen because there's two important dates that happened in February. One was the birth of Lincoln on the 12th, and the other was the birth of Frederick Douglass on the 14th. Right? And they were actually -- and by the way, I know everybody's like, On Valentine's Day? Frederick Douglass was born before Valentine's Day. There was no Valentine's Day. The 14th was his birthday.

And there was actually a number of celebrations in African-American communities in the colonies during that time around Douglass's birthday. Right? Because he was not big -- you know, he's been supplanted to a large degree in current times by Martin Luther King, the Reverend Dr. Martin Luther King, Jr. But at his time he was -- he was King and Sharpton and those people all in one. Right? And his birth was something that was celebrated in a real significant way in the country.

I also always want to bring the point that African-American history doesn't begin

in 1619 when the first ships bring African people onto the shores of Virginia. That, you know, that there is literally thousands of years of the history of people of African descent. And we kind of focus, during this time, on the history of African people here in the Americas, right? But that history really is a longer history.

And at times I like to point people to a book that you should check out -- there's actually two. One is by Larone Bennett Jr. called Before the Mayflower. Right?

And another is Ayi Kwei Armah's book called Two Thousand Seasons. And in that book he documents the length of time that African people have been walking on this planet and had accomplished great things. And not accomplished great things because they were better than anybody else. They accomplished great things because they were first.

That in fact, if there is -- you know, I don't know what people's faiths are here, but if there is a Garden of Eden, that Garden of Eden exists on the continent of Africa.

They say that the first people, right, that we see -- not just the first

humanoids, but the first people, the first homo sapien sapiens -- which we are, right, anthropologically, right -- are found in a valley that they say, you know, sits beneath the Mountain of the Moon, which is Kilimanjaro. Right? It was never Mount Kilimanjaro. Kilimanjaro means "Mountain of the Moon." Right?

And so it's in that valley that they believe that the first people, the Khoi people or the San people, were the first groups of folks that you begin to understand as human beings. So to the degree that there is an Adam and Eve and there is a garden, that is where the garden exists at.

And so in -- so just through African culture, which becomes the precursor for the African people which we have descended from, we have amazing empires, Madam President. You have the Empire of Kemet that people may know as ancient Egypt. You have the Empire of Kush that comes out of Nubia. You have the Mali Empire, the Zimbabwe Empire, right? Understand that the country of Zimbabwe is named after the empire that preceded it. The Empire of Mali also, again, named -- the country of Mali named after

the empire that preceded it. The Empire of Benin. The Zulu Empire. The Songhai Empire. The Ghana Empire. You know, early on, after the imperialization of what was called the Gold Coast, it becomes Ghana. Named after, again, the Empire of Ghana.

And so we in this time during this month, we lean on the concept of "sankofa." Right? So sankofa, in the language that comes out of Ghana, West Africa, amongst the people called the Twi, you have a set of symbols called the Adinkra symbols. And one of those symbols is the symbol of a bird looking back at itself. And the symbol literally means "go fetch."

It means that for you to know where you're going, you have to know where you've been. And so you go back and you look at what your ancestors have done.

And so this moment, for particularly people of African descent, becomes a time in which we in fact look back and remember those who have come before us -- both in our families and in our communities, but also in the larger society -- that have given birth to our ability to be here at this place and at this time.

And we remember those who went through the great Maafa. And if you have not heard of that before, it is the African Holocaust. Right? We're over -- they believe something like 200 million people were lost during the century of enslavement of African people and then being brought across from the African continent.

And so we remember those nameless people who decided that -- that simply died on the voyage or decided that they were going to fight and were killed in resistance. Or just simply said that they would not be prisoners and they jumped overboard and gave their fate to the ocean.

That in this moment, this month and this celebration of African-American history becomes particularly critical because of the retrenchment that we see around the country. That there is in fact a determined and intentional attempt to wipe out the history of African people and of African-Americans. And it's not one that we can allow.

But if you know your history, you should know that past is prologue. And so when

you read W.E.B. Du Bois's book, right, Black Reconstruction, and you read what happened when they started -- when African-Americans are released from bondage and start running for office and start owning property and start running businesses and getting married -- that in fact this is what happens when you have Black advancement, that you then have white retrenchment. Or an attempt, at least, at white retrenchment. Right?

And so those of us of good heart must understand and fight against the -- the -- you know, the forces of evil. I don't know how to put it any other way. Because you have to be truly evil to literally dismiss other people's humanity. And that when you erase people's history, that's exactly the activity that you're involved in, is erasing other people's humanity.

And that understanding that this whole movement around white supremacy or what you want to call racism was a sociological device, Madam President, that was literally created to justify the enslavement of African people. Because those first people who took -- you know, who brought African people from the shores of

West Africa knew who they were. They knew who they were. There was no -- there was no, We don't think these people are smart or educated, we don't think that they're human beings, we don't think that they're the same people who have -- literally we created here in America the whole field of study of anthropology that literally got created in order to justify enslavement of African people. Right?

The first anthropological studies they used to use they used to call cranial capacity tests. And they would take a skull that they claimed was a white skull and a skull that they claimed was a Black skull and they would fill it with beans. And then they would count the beans and say, Oh, you know, the white skull held more beans. That means it had greater cranial capacity, and that means a greater intelligence. And the Black one had less, and so that means it had less intelligence. And that proves that these were essentially a different species. Right?

And you look and see that they used different beans. They used actually smaller beans in the white skull, and so of course there

were more.

Outside of the fact that we also know scientifically that cranial capacity has nothing to do with intelligence. Right? A lot of people walking around here with big heads and not that many brains.

(Laughter.)

SENATOR PARKER: Right?

And so, you know, we look at, you know, the work of anthropology historically and understand what it's about.

Now, conversely, the field of sociology was actually created by W.E.B. Du Bois, the first Black Ph.D. graduate from Harvard. Right? And he writes the first sociological examination we've ever seen, which is an examination of the Philadelphia Negro. Right? And that becomes the basis of literally sociology. So anybody who was a sociology major, say "You're welcome" to Dr. Du Bois. Right?

These understandings of who we are as people is critical for us, because it dictates how we interact with each other. And that all of us -- black, white, blue, green -- all need to understand each other's history. And today we

begin here because this becomes a jumping-off point for the access for other people to gain rights in understanding their history and creating space for other folks to step up. Right?

You don't get Puerto Rican studies unless you have Black studies. You don't get, you know, LGBTQ+ studies without Black history. You don't get women's studies without Black studies. Right? All these things kind of -- they exist in tandem and amongst one another.

And so that those of us who stand in this moment and say, Oh, they're just stopping black history from being taught -- you're next. Because they're not going to stop at just erasing the humanity of Black people. That those who don't think that everybody's deserving, that everyone who is deserving of the resources of the state or the society, who think that they're the only ones who should have it and that there's not enough, are not going to stop at just erasing Black people's humanity.

And so we must bond together and understand that if you know nothing else about Black history, that it is an independent history.

Black history is American history. Part of what you heard in the resolution are numbers of people who have, you know, contributed to the American experience and experiment. Right? And so that must become an important part of how we move forward.

In past years I have talked about just the history of this great state and how even in this moment we are living in a virtual Wakanda, with a Black Lieutenant Governor, Black heads of the two houses of the State Legislature, a Black Attorney General, a Black Chief Judge. More Black women are serving right this moment in the State Legislature than have served in any other state legislature in the history of the United States.

Not to talk about the city, where we have now the second Black mayor, the first Black woman to be Speaker of the City Council. Right? You talk about Darcel Clark, you know, first African-American woman to be a DA in the State of New York. Right? Huge important things. You know, Alvin Bragg, who is the first African-American to be a DA in Manhattan. Right?

These moments are historical. And

many of my colleagues now who are serving in committees, oftentimes you are the first person of color, sometimes the first non-male, you know, to be in these positions.

And so all those histories are connected. Right? And so in this moment, I ask people who don't feel like they're connected because they think that, I'm not Black, that you're connected to that history in some way. There's something that you are doing, something that you're involved in, something you're engaged in has been made possible by the contributions of people of African descent. And as you get deep in that, you'll see that that has led to other people who have also been contributing to our society.

And so today, as I take my seat, the theme that we have spoke about this year more than anything else has been the issue of -- has been the categories of arts and culture. And so we have made a attempt to kind of uplift the names of those who have been engaged in that area. People like Jean-Michel Basquiat. Right? A Haitian artist from Brooklyn. We've got to start with Basquiat because, you know -- just for

no reason. If you don't know Basquiat, get on it twice before you all blow it once.

James Baldwin, novelist, playwright, essayist, poet, activist.

Oprah Winfrey. I mean, how do you get more iconic and historical than somebody like Oprah Winfrey, who's a media mogul, actress, talk show host, television producer, philanthropist.

Zora Neale Hurston. Author, anthropologist, filmmaker. If you don't know who Zora Neale Hurston is and you like Alice Walker, you've got to check out Zora Neale Hurston. Because Alice Walker, you know, essentially adopts her style and extends the legacy of Zora through her work. And if you've seen The Color Purple, that way that they engage in dialect comes out of Zora's work as a historian.

Zora Neale Hurston also wrote for the Black Star News, which is the newspaper that Garvey created when he created the UNIA, the Universal Negro Improvement Association, the largest organization of Black people in the history of the world, actually.

You have Langston Hughes, who was a poet, social activist, novelist, playwright,

columnist. One of my favorite writers. You should check out his writing about a character called Simple. Simple, by Langston Hughes, really good.

Sidney Poitier, who was an actor, film director, activist. Carl Weathers, who we recently lost, said he became an actor after being an NFL linebacker for the Raiders, became an actor after receiving his degree in drama because of the work of Sidney Poitier, and particularly in The Defiant Ones. Later on Carl Weathers, who was also African-American, if you don't know who Carl Weathers is -- you know, you should know. Apollo Creed, Rocky. You all seen that, familiar with that movie?

SENATOR GIANARIS: He was also in The Mandalorian.

SENATOR PARKER: Also in Mandalorian, yes.

But Carl Weathers actually gets to play the same role as Sidney Poitier in a remake of The Defiant Ones. Right? So amazing piece there.

Jacob Lawrence, who's an amazing painter, somebody you should check out if you are

into artwork.

Miles Davis, influential jazz trumpeter, band leader and composer. He was the Jay-Z of my father's time. My father like always talked about Miles Davis. And at that time jazz wasn't what it is right now. Right? It was, you know, Cordell, like when we were coming up, what hip-hop was. Like you'd go somewhere, like a small place, and there'd be, you know, one guy rapping. Like, you know, he'd just be there and there would be like a band and like 10 chairs, right, 20 chairs. You know, it wasn't the way we think of Miles Davis now.

But that music has been influential in all of our lives, as we talk about jazz as one of the only, you know, truly American musical art forms.

August Wilson, who's a black playwright who's written and composed a number of real significant dramatic pieces.

Misty Copeland, who's a ballerina for the American Ballet Theatre.

You know, in this time as we think through how we're going to celebrate this month, find a book, find a play. Right? Listen to some

music from your favorite black artist. This is the moment to bask in it. You know, because this month everybody gets to be part of Black history. Even you, Andy Lanza.

(Laughter.)

SENATOR PARKER: And so, Madam President, I want to thank you for the opportunity.

I want us to remember that, particularly those of us who are people of African descent, that we are the people who were here the day before yesterday. Right? And we're going to be the people who're going to be here the day after tomorrow. And that historical line may not be broken if we continue to live and love and laugh with one another.

Thank you so much.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Webb on the resolution.

SENATOR WEBB: Thank you, Madam President.

I want to thank Senate Majority Leader Andrea Stewart-Cousins for bringing this resolution forward, and Governor Hochul for

proclaiming the month of February as Black History Month in the State of New York.

So I have the privilege of representing the Southern Tier in the State Senate, and I am proud to celebrate not only Black History Month but a legacy of courage, resilience, and the unwavering spirit of countless African-American individuals from my district who have greatly contributed to our state's role in Black History Month and also our country.

So I'm from Binghamton originally, and we recently celebrated the inception of the Freedom Trail, which was started by Dr. Anne Bailey and Dr. Sharon Bryant, two educators who are also Black women. This was their brain child, to serve as a 365-day-a-year educational reminder and experience with respect to the importance of Harriet Tubman and our collective human story here in America.

And so the fact that it's in my district in Binghamton, which folks may not be aware of, this trail is a two-mile trail. And it's more than a pathway, it is a journey through time, marked by the courage of numerous

individuals who worked to advance Black history, which is also part of American history.

And where our City Hall stands in Binghamton, it was once a location on the Underground Railroad that aided escaped slaves and embedded the essence of freedom in the very soil of our city.

And this trail, as I mentioned before, which was founded by Binghamton University in 2019, continues to lift up the importance of addressing racial disparities that we collectively work to create and foster an inclusive environment.

Also from Binghamton we draw inspiration from Frances M. Beal, a luminary in the realms of feminism, racial justice and peace. Her seminal work, Double Jeopardy: To Be Black and Female, is not merely literature, it's a blueprint for understanding the intricate interplay of race, class and gender, a narrative that resonates with the struggles and triumphs of countless individuals.

Across my district in Ithaca, we are reminded of the profound impact of Alex Haley. Some of you are familiar with him. He was born

there, and his pen etched the ionic books Roots and The Autobiography of Malcolm X, which are vivid testimonies of our collective journey marked by perseverance in the fight for justice and freedom.

And lastly, in Cortland, the legacy of Abraham Lincoln DeMond shines as a beacon of hope and achievement. He was the first Black graduate of the Cortland Normal School, now known as SUNY Cortland. His eloquence and advocacy resonate through his seminal oration: The Negro Element in American Life, a treasure rightfully enshrined in the Library of Congress.

I was proud to celebrate the inaugural Abraham Lincoln DeMond Day in 2023 and again this year. And this is a day that reaffirms our commitment to acknowledging contributions and embracing the diverse perspectives of every Black individual who's been a part of SUNY Cortland's rich history.

And as the first Black person to represent the Southern Tier in the New York State Senate, I stand before you not just as a Senator but as a testament to the resilience and indomitable spirit of our Black community. And

at the same time, it serves as a reminder of the collective work that needs to be done to achieve equity in all of our institutions.

New York State is a mosaic of cultures, which we all know. We often celebrate our diversity, the richness of it, and it is enriched by the threads of Black history. And the Southern Tier in New York holds a special place in this narrative, a narrative not only celebrated during Black History Month, but it is paramount that we cherish and uphold every single day, that we work to ensure that our communities are treated with the fundamental need for human dignity and respect.

Again, I want to thank Senate Majority Leader Andrea Stewart-Cousins for bringing forth this resolution. I am very proud to be voting in favor of it, and I hope my colleagues will do the same.

Happy Black History Month.

ACTING PRESIDENT PERSAUD: Thank you.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

Let me also thank Majority Leader Andrea Stewart-Cousins for this critically important resolution, and my colleagues Senator Parker and Senator Webb for their perspective on Black history.

I come to you from the Book of KRS-One. In 1989 he said:

"I believe that if you're teaching history
Filled with straight-up facts no mystery
Teach the student what needs to be taught
'Cause Black and White kids both take shorts
When one doesn't know about the other ones' culture
Ignorance swoops down like a vulture
'Cause you don't know that you ain't just a janitor
No one told you about Benjamin Banneker
A brilliant Black man that invented the almanac
Can't you see where KRS is coming at
With Eli Whitney, Haile Selassie
Granville Woods made the walkie-talkie
Lewis Latimer improved on Edison
Charles Drew did a lot for medicine
Garrett Morgan made the traffic lights

Harriet Tubman freed the slaves at night
Madam C.J. Walker made the straightening comb
But you won't know this if you weren't shown
The point I'm gettin' at it, it might be harsh
'Cause we're just walkin' around brainwashed
So what I'm sayin' is not to diss a man
We need the {new} school system
One that caters to a Black return because
You must learn."

That's KRS-One in 1989. In 1989, Kris Parker was saying the same things that we are saying today. If we do not learn more about each other's cultures, we are doomed to repeat the failures of the past. And even more so.

But there's positivity in this message. I come to you in the spirit of Ubuntu. Ubuntu is an African phrase means "I am because you are." All of us that walk in a path walk in a path because of our ancestors.

We are our ancestors' wildest dreams. They couldn't contemplate people that look like us sitting in these seats. And books have been written about the Harlem Renaissance, with Countee Cullen and Langston Hughes. And I

dare to say, Madam President, in the future they're going to write a book about this time, about this renaissance in this building. Because at no other time in history have we seen the Black renaissance of what we've seen in this building.

When you have a leader in Andrea Stewart-Cousins, a speaker in Carl Heastie, an Attorney General in Tish James, and so many more -- this is our renaissance here. So when they learn about this in the future, we're all part of this living history. We are all part of it.

And I'm proud. I'm proud. Pac said it. I remember Marvin Gaye used to sing to me, he had me feeling like Black was the thing to be. I may not be a Senator forever, I may not be a lawyer forever, but I'm going to be Black till the day I die, Madam President.

And that -- that history, that feeling, that pride that I have -- I consider it incumbent upon me to share the good news with everybody else, about what it means, about what my blackness means.

We can't define other people's

blackness, Madam President. Because we play a game called Oppression Olympics. We start talking about, well, I'm a little bit darker than you in skin tone, so that means I'm blacker.

Madam President, we all know that in the Middle Passage we were all in the same ship, they just dropped us off in different places.

So your skin tone, the way that you orate, the way that you wear your hair, the way that you dress does not define your blackness. There is no metric for blackness. There is no metric for the definition of who you are. But it's important to make sure that we continue to teach about the accomplishments that Black folks have done -- have made in this country, Madam President.

We know about Jackie Robinson. Right? And we know about -- you may know about Larry Doby. Larry Doby was the first Black person in the American League. But do we know about Willie O'Ree, the first Black man to play in the NHL?

So many -- so many firsts. Arthur Ashe. The greatest athlete of all time, Serena Williams. Michael Jordan. LeBron James.

Jalen Brunson. The Knicks are ballin' now. Jalen, he -- yes, Black history. Jalen Brunson.

But in all seriousness, so many cultural contributions have been made by Black folks in this country. And I think that Senator Parker really hit the nail on the head when we talk about Black history is American history. And that so while we may have -- the beautiful thing again, Madam President, this year we got an extra day of Black history. Some people call it Leap Day. I don't call it Leap Day. It's an extra Black history day. There are more Black history facts that you can learn.

And I would ask that my -- not just colleagues, but anybody that's watching or learning, do yourself a favor. Find an unsung Black hero, somebody that did something. My youngest daughter, Carina, came home the other day and she had to do something about Black history. And she was going to choose somebody -- and, you know, I wasn't sure who she was going to choose.

She chose a famous artist that I had to learn about by the name of Alma Woodsey

Thomas. She was a famous Black artist, the first Black woman to have her art in the Whitney Museum. I learned that from a 7-year-old.

It is time for us to continue to learn about Black history. About the struggle, about the power, the prosperity, the love. And most importantly, the accomplishments. We are living in a time where we can say we were a part of the Albany renaissance.

Madam President, I proudly vote aye on the resolution.

ACTING PRESIDENT PERSAUD: Senator Cleare on the resolution.

SENATOR CLEARE: Thank you, Madam President.

And I want to thank our leader, Andrea Stewart-Cousins, for bringing this very important resolution.

And I never thought I would say this, but I could have listened all day to Senator Parker.

(Laughter.)

SENATOR CLEARE: And I thought, why? Why? It's because we are so thirsty. Even

at this age in life, so thirsty for our history. I'm learning something new every day. And why? Because we were not complete. We didn't learn what we were supposed to learn. They didn't give us what we were supposed to be given. But we've learned many of these things on our own.

And I thought I wouldn't speak today, but I said, No, I think I will. I represent probably the most historic Black community in the world: Harlem. I'm proud of Harlem. Proud of Langston and Zora. Proud of Thurgood and Malcolm. Adam, Rangel, Baker Motley. Sutton. Paterson. Dinkins. Garvey.

Proud. Proud of Ossie and Ruby. Belafonte. Angelou. Kareem Abdul-Jabbar. A. Philip Randolph. Bayard Rustin. The birthplace of the March on Washington.

Black people have and continue to contribute to every part of humanity all over this country and throughout the world. We have to continue to celebrate and teach this rich culture to people of all races and all ethnicities, to battle the misconceptions, the preconceived notions held by others and sometimes, sadly, even by ourselves, due to the

lack of information and positive imagery and inclusion that some of us have been missing throughout our lives.

So today, this is Black History Month. But I continue to do more to make sure that we teach our children more, all of our children more about the great contributions. It's -- it's a deficit to all of us, not to have the education of knowing about Black history.

So I'm going to keep on learning myself. I learned some things here today, I'm not ashamed to say. But we have to continue to teach that, and we have to continue to represent that.

And that is why I feel I come here with a great sensitivity to inclusion, a great sensitivity to others and their history. And I'm very proud of my Black history. And I want to share it with everyone and make sure we share it with the state.

I thank you. And today I proudly vote aye and echo the words of all my colleagues that spoke here today. This is a great day.

Thank you.

ACTING PRESIDENT PERSAUD: The

resolution was adopted on January 30th.

A luta continua.

Senator Gianaris.

SENATOR GIANARIS: Madam President, speaking of Black history, we are joined today by a distinguished former member of this chamber and the first Black mayor of the City of Buffalo, Byron Brown.

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Let's move on now to Resolution 1765, by Senator Hinchey, read its title and recognize Senator Hinchey.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution 1765, by Senator Hinchey, memorializing Governor Kathy Hochul to proclaim February 17-24, 2024, as National Future Farmers of America Organization Week in the State of New York.

ACTING PRESIDENT PERSAUD: Senator Hinchey on the resolution.

SENATOR HINCHEY: Thank you, Madam President.

FFA does two important things. First, it promotes the importance of agriculture across our state. Agriculture is a $6 billion industry. It's one that supports our state's economy, it supports our rural economies. But more importantly, it nourishes us. We all know: No farms, no food.

But second, FFA is a leadership organization, teaching our students how to be the best versions of themselves, bringing them out of their comfort zones, teaching them public speaking, and giving them the tools and the skill sets that they need to be successful in the rest of their lives.

Today was FFA Day here at the Capitol. And it is absolutely one of my favorite days. We have 150 FFA students here walking these halls, engaging with government. Some walking these halls, taking legislative meetings for the first time. Others may be seeing themselves in the offices that they visit, in the rooms that we occupy today that many of them will be occupying in the future.

We have a number of FFA students with us today watching our session. And in that

group are the state FFA officers. These are students that represent the entire FFA organization from across the state.

We have Courtney Taibi, state vice president, from Greenville, my district. We've got Eric Heath, state treasurer, also from Greenville, the beautiful 41st. We have Ella Underberg, the state president; Jacob Lucak, the state secretary; Ellie Tarrants, the state reporter; and Kealy Schilde, the state sentinel.

In my district, across the 41st, we have eight incredible FFA chapters. And I'm really proud to share that in 2023, FFA in our state saw a 27 percent increase in membership. That's exactly what we need to see and we hope to see, and we're incredibly proud of that. And we know that in the future that number will continue to rise.

FFA is an incredible organization, and I'm incredibly honored and proud to sponsor the resolution designating February 17th through 24th as National FFA Week in the State of New York.

Thank you very much.

ACTING PRESIDENT PERSAUD: Thank

you, Senator.

Senator Borrello on the resolution.

SENATOR BORRELLO: Thank you, Madam President.

This is, as Senator Hinchey said, a great day, to see the blue jackets all over the Capitol today. The Future Farmers of America have descended on the Capitol, and they're here to tell their story.

And it's an important story. As someone who represents probably more farms than any other Senate district, I am proud of the fact that agriculture is not only the cornerstone of our economy, but we have young people like those that are here today to advocate.

You know, what struck me the most is so many members of FFA are actually not from farm families. They are those who became interested in agriculture and decided to join this organization. A great leadership organization, as Senator Hinchey said, that builds great citizens and future leaders in this state.

And they are here to express their concerns and their hopes for the future of agriculture in New York State. They are young,

articulate, motivated, and they are here to tell everyone that agriculture is important to the future of New York State.

Thank you all in FFA for being here. God bless you. And welcome to Albany.

ACTING PRESIDENT PERSAUD: Thank you.

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

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The resolution is adopted.

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

(Standing ovation.)

ACTING PRESIDENT PERSAUD: Senator Gianaris.

SENATOR GIANARIS: Next up, Madam President, Resolution 1753, by Senator Chu. Read that resolution's title and recognize

Senator Chu.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1753, by Senator Chu, commemorating the Asian-American community's celebration of the Lunar New Year, the Year of the Dragon, on February 10, 2024.

ACTING PRESIDENT PERSAUD: Senator Chu.

SENATOR CHU: Thank you, Madam President.

Today is truly a day to honor our history, to celebrate our heritage, and to be proud of ourselves.

So for those who celebrate Lunar New Year in this chamber, and for the families back in our districts who celebrate Lunar New Year, or if you got invited by a friend, by a community member to celebrate with them, I want to say Happy New Year, Xin Nian Kuai Le!

Beginning on this coming Friday, Friday night, hundreds of thousands of Asian-American families throughout the state with a heritage from China, Indonesia, Japan,

South Korea, Vietnam, Thailand, Malaysia, Singapore, Taiwan and the Philippines will begin their 30-day-long celebrations to ring in the Year of the Dragon.

2024 is the Year of the Dragon, which symbolize greatness, leadership, and wisdom. As we enter a period of festivities for the Lunar New Year, let us all remember the diverse contributions brought into the fabric of our lives as New Yorkers by not only the individual Asian nation communities and cultures, but also our contribution as a totality of the Asian-American Pacific Islanders community.

It is truly my honor to carry such an important resolution, and I want to encourage you all to continue your support for all Asian-Americans in New York State and celebrate our Lunar New Year all together.

May this new year bring everyone prosperity, success and happiness. I would like to wish you a Happy New Year.

Xin Nian Kuai Le! Wan Shi Ru Yi! Xie Xie!

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank

you, Senator.

Senator Martins on the resolution.

SENATOR MARTINS: Thank you, Madam President. I too rise to wish everyone a Happy Lunar New Year.

It's a special year for us. It's the Year of the Dragon, something I think we should all take inspiration from. It means success, perseverance. But I think for all of us it should all embody good luck for our communities in all four corners of our great state.

You know, I had an opportunity to attend a number of Lunar New Year celebrations over the past week. And Madam President, it was described to me as a combination between New Year's and Thanksgiving. And so I think if we think about it that way, those celebrations -- and I understand the opportunity we have, through Lunar New Year, to not only look backwards, as Senator Bailey mentioned earlier, the opportunity to go back and think about the past and consider where we are historically, our ancestors, the path that they took to get here, and to appreciate where we are, but also an opportunity

to look forward with hope.

And so a Happy Lunar New Year to everyone here, to all of our communities, and Godspeed.

I'm happy to vote aye, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Gounardes on the resolution.

SENATOR GOUNARDES: Thank you, Madam President.

It's a pleasure to be able to join my colleagues here in wishing those who celebrate the Lunar New Year a very happy New Year this year.

I am proud to represent a very large Asian community in both my old district and my new district, and so I know the coming weeks are going to be filled with joyous celebrations. It's great that we are celebrating the Year of the Dragon, which is typically associated with positive qualities such as strength, good luck, and wisdom.

It is said that those born under the Sign of the Dragon are often celebrated for their

innovative thinking and inquisitive nature -- qualities that I think we can all stand to benefit from.

Luminaries born in the Year of the Dragon include Martin Luther King, Jr., Michelle Obama, John Lennon, and Bruce Lee, just to name a few. Not bad company, if you ask me.

The Lunar New Year is an opportunity for families to celebrate, gather together to enjoy food, give gifts, and enjoy each other, watch Lion Dances and Dragon Dances, and to welcome the year as a community.

I was proud that last year we were able to pass the law that made Lunar New Year an official school holiday, because that long-overdue change will allow millions of New Yorkers who celebrate to be able to do so with dignity and without having to choose between their education and their heritage.

This holiday is also a reflection of the great diversity of the people who call New York home. And it does come at a time when that diversity and community feels under threat. It's been a number of challenging years for many in the Asian community, particularly in the

Chinese community, who are worried about their safety and about facing bias in New York and elsewhere.

As we celebrate in the streets and homes in the coming weeks, I remain committed to ensuring that all New Yorkers feel truly safe and comfortable within their communities. We will fight back against hate with all of the resources we have and truly build a state built on a strong foundation of love and community.

I want to thank Senator Chu for introducing this resolution, and I want to offer my -- extend my best wishes to all who celebrate a very happy Lunar New Year.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you.

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

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Next up is Resolution 1769, by Senator Bailey. Please read its title and recognize Senator Bailey.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Resolution 1769, by Senator Bailey, mourning the death of Luciel Boles-Wilson, distinguished citizen and member of her community.

ACTING PRESIDENT PERSAUD: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

We come to you with a heavy heart but a joyous heart to commemorate the life and legacy of Luciel Bowes-Wilson. On Saturday I was today years old, as they say, to see that her name was actually pronounced Lucy-el. But we all called her Lucille. She was Miss Lucille.

She was one of those constituents who was everybody's constituent. Whether you represented her in your specific district or not, she came to every event. I wonder who her scheduler was, because she would often be at more

events than the elected officials, and she would be there before we were. And she didn't drive. She didn't ambulate pretty well, she walked on a walker, but she was able to get anywhere. She had such a positive spirit, and she was truly a one-of-a-kind individual.

So, Madam President, we had her home-going this past Saturday, and usually at home-goings there's more crying than laughing. There was a lot more laughter at this one, because her spirit was so positive.

Miss Lucille would -- she didn't have a filter, like many seniors in our community. And she said what she wanted to when she wanted how she wanted to, regardless of where she was at. So that made for some really interesting times from time to time.

But there was one particular time that we -- when Senator Fernandez was in the Assembly and we did a Thanksgiving giveaway, a dinner at Lexa Bar. I will never forget this. Miss Lucille comes there, comes to the back, and she asks me, "Do you want to rap battle?" And I'm like, "What?" Then she starts battling. She starts rapping and she starts going on and on,

and she has the whole crowd there, people -- people -- she had that ability to let you forget about your troubles because her vibe was so positive.

For the record, Madam President, yes, she beat me in the battle. And she would always threaten to battle me again, and I said I didn't want any parts of her.

But she was an advocate for seniors, advocate for grandparents around the world. She was an advocate for people with disabilities. She just -- any cause that needed to be championed, Miss Lucille was your champion. And she did so in style. Her favorite color was purple, and she used to wear these extravagant hats, all while doing that while using a walker. She had the strength to ambulate.

And I keep bringing that up, because there are some people who don't -- who are able-bodied, so to speak, and they don't want to go anywhere. Miss Lucille made sure she was everywhere. She didn't miss a thing.

And the last time I saw her was at a -- was at a -- was in the middle of December, it was at a Christmas party. And she was still

Miss Lucille. Despite, you know, what we now know about her then-failing health, she never hesitated to dance, to laugh, to joke.

And she was the unofficial poetess laureate of the Bronx. If she saw you, she'd make up a poem on the spot about you, using the letters of your name.

So to Miss Luciel: L is for the love that you gave; U is for how understanding you were; C is for how courageous you were; I is for how intelligent you were; E is because you were everywhere; and L, because of the legacy you leave.

God rest the soul of Miss Luciel Bowes-Wilson.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Fernandez on the resolution.

SENATOR FERNANDEZ: Thank you, Madam President.

And thank you, Senator Bailey, for reviving all the memories that I have with Miss Lucille.

She may have been your actual constituent. But like it was said, she was my

constituent. And she was one of my biggest fans when I first started in this political world, coming to me in her walker, in her beautiful hat and outfit, saying: "I see you. And I'm going to be your grandmother, because you need someone to pray for you, guide you, and show up for you. And I'm going to do that."

And she really did that to all of us. And it was amazing, because she was in her walker. First one there, last one out. First one on the dance floor, first one to remind you of what you just did as a leader, "Don't forget this leader did that one."

She was the biggest cheerleader for all of us. And one of the most amazing moments that I remember about her, that I'm like, My God, this woman has so much tenacity, so much dedication, energy to what she was doing that day.

And it was our District Attorney Darcel Clark's 5K for domestic violence. And I show up in my actual like running outfit, because I'm like, you know what, I need a workout, I'm going to run. And we're going down the Grand Concourse, and before we start she was

there, sitting in, you know, the waiting area.

And she's like, "Good to see you here, Fernandez. You're going to run, right?" And I was like, "Well, I got my sneakers on, yes." And she's like, "Well, me too. I'll be right behind you." And I'm like, "In your walker? Really?" And she was like, "Of course. We've got to do this. We've got to show up."

And she ran the Grand Concourse from 161 to I think it was 180th, the last one of this 5K, but she did it -- in her walker and all, her hat and all, and the spirit still there.

So I'm going to miss her. And I really thought -- I didn't want to cry, but -- and I'm not going to cry. But she really did leave a legacy of what it means to be supportive, of what it means to care. Showing up.

And, you know, it's said all the time, half the job is just showing up. And she did that tenfold. And for all of us in the Bronx. She has a part of all of our successes. And I know we're all going to miss her.

And to live with her energy every day, like that's something I'm going to take back with me. To be like Luciel, be happy that we are

here today. Be happy that we are together and working, and extend that happiness to someone who may not have it.

So God bless her. And rest in peace. I'm going to miss her very much.

Thank you, Luciel.

ACTING PRESIDENT PERSAUD: Senator Sepúlveda on the resolution.

SENATOR SEPÚLVEDA: Thank you, Madam President, for allowing me to speak about just an incredible individual, an incredible human being.

In politics -- 31, 33 years in this business for me. And you remember people over those years, but you remember people especially those who brighten your day, people who you wish you could be like. We saw Luciel at many of our events. As my colleague just said, first one there, last one out. And always telling us to keep working hard. Always offering us encouraging words.

And unlike most of us in our lives, I never heard her utter a negative word about any individual during the time that I met her. And I knew Lucille for many years.

We miss -- we're missing a -- we're going to miss a wonderful soul. We're going to miss someone that everyone in the Bronx, anyone who knew her loved her. We're going to miss her extravagant outfits, her beautiful hats, and the energy. Even during her illness, she was always there. When I found out about Luciel's death, I felt like I lost a family member.

And even though she was Senator Jamaal Bailey's constituent, the reality is that she was everyone's constituent in the Bronx. Everyone loved her. And the world has lost just a wonderful human being, and she will be sorely missed.

Thank you.

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

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, at the request of the various sponsors, all the resolutions we took up today are open for cosponsorship.

ACTING PRESIDENT PERSAUD: 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: Please take up the reading of the calendar.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 110, Senate Print 363, by Senator Thomas, an act to amend the Personal Property Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 110, voting in the negative: Senator Rhoads.

Ayes, 61. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 111, Senate Print 932C, by Senator Persaud, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: 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 PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 113, Senate Print 7783B, by Senator Gianaris, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of January.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 113, those Senators voting in the negative are Senators Ashby, Borrello, Martins, Mattera, Ortt, Palumbo, Stec and Tedisco. Also Senator Helming.

Ayes, 53. Nays, 9.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 114, Senate Print 492B, by Senator Comrie, an act to amend the Public Authorities Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT PERSAUD: Lay it aside.

THE SECRETARY: Calendar Number 116, Senate Print 1242A, by Senator Felder, an

act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 116, those Senators voting in the negative are Senators Ashby, Borrello, Gallivan, Griffo, Helming, Krueger, O'Mara, Ortt, Stec and Weik.

Ayes, 52. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 117, Senate Print 1361A, by Senator Kennedy, an act to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 119, Senate Print 177, by Senator Gianaris, an act to amend the Banking Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 119, those Senators voting in the negative are Senators Borrello, Gallivan, Griffo, Helming, Oberacker, O'Mara, Ortt, Palumbo, Stec

and Tedisco.

Ayes, 52. Nays, 10.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 121, Senate Print 1065, by Senator Mayer, an act to amend the Banking Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar 121, those Senators voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Griffo, Oberacker, O'Mara, Palumbo, Stec and Tedisco.

Ayes, 54. Nays, 8.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 124, Senate Print Number 2601A, by Senator Hoylman-Sigal, an act to amend the Banking Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal to explain his vote.

SENATOR HOYLMAN-SIGAL: Thank you, Madam President.

I rise to thank my colleagues for their support of this legislation and our Majority Leader, Andrea Stewart-Cousins, for this package which is meant to stop the nickel-and-diming of so many New Yorkers. Each and every one of these bills goes to that problem.

This bill would prevent banks, health clubs, the DMV, or anyone else from taking money out of the pockets of New Yorkers without

them even knowing.

Our bill would prevent banks from imposing fees on the use of electronic benefit transfer cards, EBTs, issued by the state or other government agencies that is part of this package.

Among the many striking and stark scenes we saw during the pandemic in the spring and summer of 2020 were the hundreds of New Yorkers lined up on streets in Midtown Manhattan every day, waiting in line to use a Key Bank ATM machine.

Key Bank, which at that time of the pandemic had a contract with the state to provide debit cards for unemployment insurance and other state benefits, had just one location in New York City. Because Key Bank charged a $1.50 fee to withdraw from any non-network ATM, hundreds of New Yorkers descended on this one Midtown location every day to access their state assistance without fees.

We wrote a letter to Key Bank asking them to waive those fees, to relieve New Yorkers from this nuisance at the time of the crisis. And weeks later, we introduced this legislation.

I'm glad that the New York State Department of Labor has already moved since 2023 to transition to a new debit card provider for unemployment insurance, which appears to have more locations in the city for no-fee withdrawals.

Regardless, we can't rely on contractors and big banks to protect consumers from nuisance fees. This legislation, which many of you voted for today, will help prevent that moving forward.

I vote aye. Thank you.

ACTING PRESIDENT PERSAUD: Senator Hoylman-Sigal to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 124, those Senators voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Gallivan, Griffo, Lanza, Martins, Mattera, Oberacker, O'Mara, Ortt, Stec, Tedisco, Weber and Weik.

Ayes, 47. Nays, 15.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

198, Assembly Bill Number 8530, by Assemblymember Magnarelli, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2023.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 62.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR GIANARIS: Let's please move on to the controversial calendar now.

ACTING PRESIDENT PERSAUD: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 114, Senate Print 492B, by Senator Comrie, an act

to amend the Public Authorities Law.

ACTING PRESIDENT PERSAUD: Senator Lanza, why do you rise?

SENATOR LANZA: Madam President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize Senator Martins.

ACTING PRESIDENT PERSAUD: Thank you, Senator Lanza.

Upon review of the amendment, in accordance with Rule 6, Section 4B, I rule it nongermane and out of order at this time.

SENATOR LANZA: Madam President, accordingly, I appeal the ruling of the chair and ask that Senator Martins be heard on the appeal.

ACTING PRESIDENT PERSAUD: The appeal has been made and recognized, and Senator Martins may be heard.

Senator Martins.

SENATOR MARTINS: Thank you, Madam President.

I rise to appeal the ruling of the chair. The proposed amendment is germane to the bill at hand because both the bill at hand, Madam President, and the proposed amendment

relate to consequences for violating the law.

Madam President, I think we all have seen recently videos of migrants who are here in New York City attacking New York City police officers in Times Square. In some instances, kicking them in the head, interfering with their enforcement of our laws.

And, Madam President, I can't see or think of a certain -- of any place in the world where someone who is not in that country lawfully -- visiting, a tourist or otherwise -- would be permitted to attack law enforcement officials wantonly and yet face no consequence.

You know, all of us in this chamber, we should be outraged. We have a long and proud tradition of respecting and proactively supporting those who keep us safe in law enforcement.

We also have a very long tradition of supporting immigrants. As the son of immigrants myself, Madam President, I can tell you firsthand what that looks like, the journey that that is, and how important that is, and that we continue to embrace all cultures. And we spoke about that just earlier today when we were

discussing resolutions. All cultures.

But when there are attacks on law enforcement and there are no consequences, the message that that sends to every law-abiding citizen, resident of our state, is something that we should all take very, very seriously.

Not to mention, Madam President, the message that was sent by those who committed those crimes as they were leaving, to every law-abiding resident and citizen of this state. I think we're all very much aware of that.

And it's a call to action of everyone in this chamber that we can and should do better.

We heard just a few moments ago a concern about safety in our communities, and that we have communities within our districts that feel unsafe. Well, this is why, Madam President. And this amendment will allow us the opportunity to stop talking about it and actually do something about it.

The fact that these defendants were released to their own recognizance, the fact that there was no bail set, and that the fact that most if not all of them have already absconded,

should be a concern for everyone in this chamber. Because we're called upon to do something about that and to enforce the rule of law.

It's not just in New York City. It's in Western New York. It's in other urban areas. It's in our communities. And we should all be aware of it.

Our judges and our district attorneys, Madam President, deserve the tools they need to keep our communities safe. There must be statewide standards set to ensure that any migrant who assaults a first responder remains in custody pending prosecution.

And then, yes, after they've served their time, after they've paid their service to the community for breaking our laws wantonly, yes, then, as the Governor has suggested, yes, they should be deported.

But first they owe a debt to society for having assaulted our law enforcement officials here in New York.

We simply cannot risk the chance of these violent offenders harming anyone else in our communities or moving into entirely different communities. It is a disservice to all of our

residents.

And you know, Madam President, I hear words like xenophobia, that we should all be concerned. And let me be clear. I don't make this amendment because of the background of the people who committed these crimes. I don't care who they are. I don't care what their background is, I don't care what their race is, I don't care what their religion is, I don't care what their ethnicity is.

They committed these acts in broad daylight against law enforcement officials, in Times Square, in the center of our city, and they were released by a district attorney who should have been fired years ago, and is still in office -- and that's a travesty. We have an opportunity in this chamber to do something about it.

For that reason, Madam President, I strongly urge you to reconsider your ruling.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

I want to remind the house that the vote is on the procedures of the house and the ruling of the chair.

Those in favor of overruling the chair, signify by saying aye.

(Response of "Aye.")

SENATOR LANZA: Show of hands.

ACTING PRESIDENT PERSAUD: A show of hands has been requested.

Announce the results.

THE SECRETARY: Ayes, 20.

ACTING PRESIDENT PERSAUD: The ruling of the chair stands, and the bill-in-chief is before the house.

Senator Gianaris.

SENATOR GIANARIS: Madam President, can we please restore this bill to the noncontroversial calendar by agreement.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 7. This act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to

Calendar 114, those Senators voting in the negative are Senators Borrello, Helming, Murray, O'Mara and Palumbo.

Ayes, 57. Nays, 5.

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Wednesday, February 7th, at 11:00 a.m.

ACTING PRESIDENT PERSAUD: On motion, the Senate stands adjourned until Wednesday, February 7th, at 11:00 a.m.

(Whereupon, at 4:38 p.m., the Senate adjourned.)