NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

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3:06 p.m.

REGULAR SESSION

SENATOR JEREMY A. COONEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT COONEY: The Senate will come to order.

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

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

ACTING PRESIDENT COONEY: In the absence of clergy, let us bow our heads in a moment of silent reflection or prayer.

(Whereupon, the assemblage respected a moment of silence.)

ACTING PRESIDENT COONEY: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, March 26, 2024, the Senate met pursuant to adjournment. The Journal of Monday, March 25, 2024, was read and approved. On motion, the Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Mr. President.

We're going to begin with some important resolutions. We have a number of important guests with us today.

And in deference to our colleagues across the aisle, I appreciate that they sent Senator Lanza out so we can get started.

But for our veterans in the chamber, we are waiting for the full chamber to be here before we honor you.

So we are going to start with previously adopted Resolution 2024, by Senator Bailey. Please read its title and recognize Senator Bailey.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 2024, by Senator Bailey, commemorating the 30th Anniversary of Nas's Illmatic album.

ACTING PRESIDENT COONEY: Senator Bailey.

SENATOR BAILEY: Thank you, Mr. President.

I imagine -- what were you doing when you were 20 years old? Many of us were in college, we were finding who we were. Nasir Jones, colloquially known as Nas, was making the greatest hip-hop album of all time, Illmatic.

1994 was the soundtrack to my youth, and many of our youth, and Nas as a storyteller has been ahead of his time. In the Why? (Remix) he spoke about the CROWN Act: "Why do schools care about your son's braids more than they care for his grades?" In "Legit," he spoke about the issues of black homeownership. In "I Gave You Power," he spoke about the issues of gun control and the relations.

Nas has been a griot, a hip-hop griot, the rapid-response system for the streets, for lack of a better term. And if you have a Top 5 without Nas in it, you shouldn't listen to rap music, Mr. President.

But we're here to talk about 30 years of Illmatic. 30 years ago -- again,

like I said, the greatest hip-hop album to ever be released was released. And there were so many gems, so many jewels in that album.

"The Genesis" -- it begins with the hip-hop sound, the sound of New York City, the trains happening. And when you heard the train happening, you knew that you were in for something. Eleven-year-old me knew I was in for something special. And then it goes on and on and on. And there's so many different amazing tracks.

And I have a lot of colleagues that want to speak on this, and so I just want to talk about five years ago I spoke on the floor about how Illmatic made it to the Kennedy Center and how far hip-hop has gone. And how Nas, who shares a birthday with my oldest daughter, September 14th, has been an inspiration to so many folks in hip-hop.

And as hip-hop turned 50, Nas turned 50. And we would not have hip-hop in its form without Nasir Jones.

And so I just want to say, you know, inspirationally just saying "That buck that bought a bottle could've struck the lotto" -- you

should think about your decisions.

And as I close I think about my -- the line from "The World is Yours": "My son, the star will be my resurrection, born in correction of the wrong things I did, he'll lead in right direction."

As my son prepares to come into the world next month, I think about the world being yours. To my future son, the world is yours.

And to Nas, thank you for making the world ours, brother.

Hip-hop forever.

ACTING PRESIDENT COONEY: Thank you, Senator Bailey.

Senator Ramos on the resolution.

SENATOR RAMOS: Thank you, Mr. President.

You know, it ain't hard to tell. Nasir Jones has been the epitome of humility, of talent, a perfect poet of what it's been like to grow up in Western Queens.

I got to talk to him a little bit this morning and tell him how I went to buy my copy of Illmatic at Sound City right off Steinway Street in Astoria so many moons ago.

But what an indelible mark it left on me and so many Queens kids and beyond.

You know, it wasn't just Illmatic that made the Kennedy Center -- Queens made the Kennedy Center, because through his lyrics he was able to convey what the generations of urban poverty have been for so many of us trying to make it in our own city.

And he would rap about the darkness not letting us see tomorrow, how sometimes we can be so enthralled and overwhelmed by our challenges, the challenges of our parents, and how we can still find hope and go beyond.

And that's really what Nas to this day represents for all of us. He's only 50 years old -- I hope you don't mind me saying that. But it's only because you have so much more life to live and so much more talent to give. Even your latest album has been a tremendous success.

And my only hope is that there are many more albums to come that will continue to tell the story of Queens and will continue to allow us to enter the annals of history in many, many more ways for generations to come.

Thank you for being such an amazing

ambassador of the world's borough, the best borough, Queens. And I know that you'll continue to be a role model for many, many more.

ACTING PRESIDENT COONEY: Thank you, Senator Ramos.

Senator Gianaris on the resolution.

SENATOR GIANARIS: Thank you, Mr. President.

I'm going to be brief, and I'm going to ask -- I know a number of my colleagues also want to honor Nas's presence here. He has to catch a trip out of town, so I'm going to ask everyone to speak for 30 seconds to a minute who needs to say something, and then we can release him and then properly honor the other guests who are with us today.

I just want to say we have a lot of conversation in this chamber about whether the Bronx or Queens is the bigger legacy for hip-hop. But tonight I think we all know, it's Queens is in the house here in the Senate chamber.

(Laughter; applause.)

SENATOR GIANARIS: And not just Queens, but Queensbridge Queens, which I represented for a decade.

And I told Mr. Jones earlier today I would see the giant mural of his face every time I would enter Queensbridge Houses, because they do love him there and appreciate the fact that he has not only become very successful, but he gives back. And he has all sorts of programs for the kids in that community to lift themselves up and live better lives.

And so I'm here to honor not just his music but also his legacy to Western Queens and Queensbridge in particular, and very happy to have you with us today.

ACTING PRESIDENT COONEY: Thank you, Senator Gianaris.

Senator Myrie on the resolution.

SENATOR MYRIE: Thank you, Mr. President.

I rise as a kid born and raised in Brooklyn, and we were on the business end of "Ether." And --

(Laughter.)

SENATOR MYRIE: -- even at the height of that competition, we had to recognize the greatness that was before us.

And so I just wanted to rise to say

thank you for everything that you have done for this city, everything that you have done for young Black men. Many of us walked through graduations with {singing} "I know I can/be what I wanna be."

And you have a lasting legacy that is more than hip-hop and more than music and means so much to so many of us. So thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Myrie.

Senator Comrie on the resolution.

SENATOR COMRIE: Thank you. I'll be brief also.

There will be a lot of things that have been said about Nas, and there are a lot of things that will be said about Nas, because he is now undertaking a major commitment to ensure the future of this state in a positive way.

He's -- I was -- hadn't had a chance to meet him before in person. I heard him today, and his passion for what he's doing and his passion for his community is to be commended.

And his passion for making sure that Queens leads the future in a major way is to be commended also. I don't think I can talk about

the specifics on the floor because I was told 30 seconds, but thank you, Nas, for continuing to be a great model.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Comrie.

Senator Sanders on the resolution.

SENATOR SANDERS: Thank you.

I won't speak of the mistaken view that some have had on the origin of hip-hop, so I will go straight to speaking of sometimes the voice of the streets can become the voice of a generation.

And we have managed to see that here today. The madness that created the conditions that created hip-hop were never so better enunciated than we had with Nas.

I would just finish by saying to everyone that there are seven established wonders of the modern world. Let me introduce you to Queens's eighth.

ACTING PRESIDENT COONEY: Thank you, Senator Sanders.

To our guest, I welcome you on behalf of the Senate. We extend to you the

privileges and courtesies of this house.

Please rise and be recognized.

(Extended standing ovation.)

ACTING PRESIDENT COONEY: The resolution was adopted on March 26th.

Senator Gianaris.

SENATOR GIANARIS: Now we move on to previously adopted Resolution 1589, by Senator Harckham, read that resolution's title and recognize Senator Harckham.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 1589, by Senator Harckham, memorializing Governor Kathy Hochul to proclaim March 29, 2024, as Vietnam Veterans Day in the State of New York.

ACTING PRESIDENT COONEY: Senator Harckham on the resolution.

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

First I'd like to thank Majority Leader Andrea Stewart-Cousins for bringing this resolution to the floor. I want to thank Senator Scarcella-Spanton, chair of the Veterans Committee, and Senator Shelley Mayer for

being co-lead sponsors of this resolution.

I'm proud to introduce this resolution every year. As we know, this Friday, March 29th, we will once again be observing National Vietnam Veterans Day. This will be the 12th anniversary of the commemoration, which started in 2012.

And we know that more than 3 million Americans served during that conflict, and more than 58,000 sacrificed their lives during the war. The names of those 58,318 lives lost are forever engraved on the black granite panels of the Vietnam Memorial in Washington.

But today is a different day, and we pay homage to the brave men and women who served in the Vietnam War, knowing full well that they served with tremendous courage and sacrifice.

And unfortunately our nation did not display those sentiments when they came home. They were not welcomed home, they were not treated well --

ACTING PRESIDENT COONEY: Can I ask for quiet in the house, please, while Senator Harckham has the floor. Please quiet and respect Senator Harckham.

Thank you, Senator.

SENATOR HARCKHAM: And they were the ones who took it upon themselves to take care of each other. And they were the ones who took it upon themselves to teach our nation that we would never forget succeeding generations of American warriors who came back.

And we thank you for that, that we will never, ever forget warriors who serve our country and come back to the shameful, disgraceful behavior that unfortunately you had to face when you came back.

And so today I would like to welcome several Vietnam veterans from the Hudson Valley today to join this recognition with us.

Mr. President, we have with us today Thom Newman, Jim McCarthy, Antonio Costella, Lu Caldara, Joseph Manna, Rob Rottkamp, Michael Bergin, Brenda Ephraim, Tom Brady, Harry Sherblom, Andrew Parr, Bob Anderson, Eugene Gallagher, Bill Tuttle, Frank Pusatere, Joseph Martinelli, James Mecca, Anthony Nazzaro, Chester Edwards, Robert Everett Jr., and Melvin Satchell.

The last few years that we've done

this resolution, in my remarks I focused I think more on the history of the conflict and the challenges our veterans faced when they came home.

Today I thought I would share some of the bipartisan commitment we have in this Legislature to our veterans, and some of the things that we've accomplished together.

We all recall that in years passed the Dwyer Peer-to-Peer/Vet-to-Vet Support Program was cut out by the Governor, and it was this body and our friends in the Assembly who banded together to fight to get that program back year after year. And now not only is that no longer the case, but the Dwyer Program is a fixture in the budget. We have expanded it to every county in New York State, and we have increased its funding.

Thanks to members in this chamber and our colleagues down the hall, we have elevated the Office of Veterans Affairs to a Department of Veterans Affairs, a cabinet-level position with appropriate financing.

We have passed legislation on the Council of Equity for the Office of Addiction

Services and Supports to represent previously underrepresented populations, and in that legislation we specifically mention our veterans, to get the attention that they deserve.

And finally, I just want to mention one piece of legislation that came through my veterans advisory group -- and this is the power of us meeting with our veterans -- is how do we reach our veterans in congregate-care settings. Whether they be in nursing homes, assisted living, or even if they're incarcerated, veterans are entitled to benefits. Their families are entitled to benefits.

And in a meeting with the former commissioner who came to our advisory group, we came up with a notion that on intake in all of these settings, one simple question: Were you ever a member of the armed forces? And if the answer is yes, a state veterans service officer is dispatched to that facility, and the paperwork and the process starts.

And that was a result of working with our veterans, it came directly from them, and through all of us.

So those are just a few examples of

our commitment that we have made to hold the bond with our veterans.

And so today I'm proud to enter into the record of the proceedings here the resolution that the State of New York wishes to show our Vietnam veterans the respect and appreciation they deserve but, as we mentioned, did not always get when they returned home. So let it be resolved that this body today, in its deliberations, will recognize March 29th as Vietnam Veterans Day, and to thank our brave veterans for your honorable service to our country.

Ladies and gentlemen, welcome home to a grateful nation. God bless.

(From the gallery: "Thank you.")

(Sustained standing ovation.)

ACTING PRESIDENT COONEY: Thank you, Senator Harckham.

Senator Comrie to be heard on the resolution.

SENATOR COMRIE: Thank you, Mr. President.

I also want to stand and thank Senator Harckham for continuing to make sure that

we recall and remember a segment of our society that was disrespected when they -- after they made their service to their country -- a group that was not given the opportunity to even speak properly to their issues for many years.

But I'm glad that we as legislators, since we've been here and since I've been in the Senate, every year we've worked hard to make sure that we created opportunities for our Vietnam veterans, that we found ways to create opportunities for them to get things that they were not getting from the state before.

And it's our obligation as elected officials to make sure that every issue that the veterans have, especially Vietnam veterans, are addressed.

So I just want to honor you today also. Thank you for continuing to stand up and be fighters, continuing to be examples in your community, and continuing to let people know that even when they were disrespected, they can continue to stand and fight for the things that are important to them.

I honor you. Thank you for your service.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Comrie.

(Applause from galleries.)

ACTING PRESIDENT COONEY: Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Mr. President.

And thank you to Senator Harckham and Senator Scarcella-Spanton and our Majority Leader for ensuring we have this opportunity to personally welcome and honor the Vietnam veterans who have come, mostly from the Hudson Valley, but throughout the state. We honor you today as we declare March 29, 2024, Vietnam Veterans Day in the State of New York.

You know, more than 3 million Americans served their country during that war. And the names of those lost, as said, are forever engraved in the black granite memorial in D.C. -- such a somber reminder of loss, commitment and sacrifice.

I assume everyone in this chamber has had the opportunity to visit that memorial and to reflect on the degree of loss that we had,

and the tremendously turbulent time in which you served.

You were young men and women in your teens and early 20s, and you carried the burden of our national division and policy struggles. And frankly, you came home and were failed by a nation. Today we are part of the process of making that up to you, as we will continue to do year after year to acknowledge your service, to honor you, and to welcome you home.

I want to quote President Jimmy Carter when he signed the legislation to permit the building of the memorial in 1980: "In honoring those who answered the call of duty, we do not honor war, but we honor the peace they sought, the freedoms they fought to preserve, and the hope that they held out to a world that's still struggling to learn how to settle differences among people and among nations without resorting to violence."

You served your country. We are extraordinarily proud and honored to have you here today. We are committed to serving you, not only then but as we go forward. We owe you a tremendous debt of gratitude. Thank you for

joining us. And we hope you have a productive day hearing and seeing how on a bipartisan basis this chamber honors your service.

Thank you.

(Applause from galleries.)

ACTING PRESIDENT COONEY: Thank you, Senator Mayer.

Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Senator Harckham, to the chair, to all gathered together.

As a young post-Vietnam-era Marine, I was taught by some of you coming back from Vietnam. And man, you guys were -- that was some tough lessons that you were teaching. But it was done with a type of love, love that said that we love you so much to teach you how to come home. And I guess that's the greatest love that you can give.

But I can say that you guys were some tough teachers in boot camp and other places. And I guess it had to be, because what you went through would toughen anyone up.

I want to alert everybody that many people, many people gave some, but some people

gave all. And every day that we walk, we have to remember those who gave the ultimate sacrifice to ensure that we all would be gathered here together. And even as our country seems to be tearing itself into pieces, I think that we should really think more about the sacrifice that people made that said that we can have a country where we can disagree without becoming disagreeable.

So I end by saying as long as America has sons and daughters who will stand on the wall -- and that's what we're really talking about. The military is kind of like folks who are standing on a wall. They're separating you from everybody who wants to take you out. They're trying to make sure that you are -- that you're safe. And sometimes they're in some terrible places to do it. And it's very, very lonely in many of these places.

But as long as America produces sons and daughters that will stand on a wall and uphold freedom for everybody, then we'll be able to celebrate freedom in here. And this is why we fight so hard for the freedom to disagree, which is part of what makes this country great.

Thank you for what you have done, for what we are doing and what we will do. God bless America.

(Applause from galleries.)

ACTING PRESIDENT COONEY: Thank you, Senator Sanders.

Senator Scarcella-Spanton on the resolution.

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

And thank you, Senator Harckham, Senator Mayer, for putting together this resolution today.

First and foremost, welcome home to all the Vietnam veterans here today and to all those veterans who have served New York State and this country.

As we approach March 29, 2024, National Vietnam Veterans Day, it is important to once again honor all those who bravely served in our Vietnam War and sacrificed, as did their families and caregivers, on behalf of this country.

Every service member of the Vietnam generation deserves a very warm welcome

and a thank you for your service. So that's what we're here to do today, and to make sure that's never forgotten.

I also would like to thank you for your service and dedication in creating the vet centers that we see across this country. This is such an important thing for our veterans today, and your legacy is helping veterans who are returning home. So for that, coming from a military family, I am eternally grateful and very proud to vote aye on this resolution.

Thank you for your service.

(Applause from galleries.)

ACTING PRESIDENT COONEY: Thank you, Senator.

Senator Ashby on the resolution.

SENATOR ASHBY: Thank you, Mr. President.

Thank you to the sponsor and everyone supporting this resolution.

And thank you to the Vietnam veterans who are in an overwatch position behind me, and continue to be. For many returning veterans like myself, it was the Vietnam veterans that helped us find a way

forward and continue to do so even now today.

And that is why I feel it's important to talk about how we could be doing more for them. It's important to recognize the past mistakes that our country has made, and I think it's important to act on them.

And when we look at how our state is making gains -- yes, we've been able to elevate the division to a department. But what if I told you that this department right now is so underfunded that when we look at the State of New Jersey, that has half the number of veterans that New York State does, it gets three times the amount of funding?

We can't let this happen. When we look at the vet centers that our chair was just talking about getting absorbed by the VA, we have an opportunity and a responsibility, again, to act in a bipartisan way to make sure that this doesn't happen, that we continue to fill these needs and move forward -- and not let it rot, not let it fall to the wayside despite the sacrifices of the men and women above me.

So I proudly vote aye on this resolution, and I proudly advance the ideals that

we stand for here, and continue, and hope that we can all act and move them forward.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Ashby.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

I just want to salute you all for your service -- but not just your service, what it takes to serve. When you were out there, I imagine that you weren't thinking about political affiliation, race, religion. You were thinking about making sure that that person to the left or the right of you came home safe, that you were defending the flag, that you were defending people that you never met and likely never would meet because of an oath that you took. An oath that many of us don't get a chance to take. And to my colleagues here who have served, thank you.

But thank you for doing something that was unpopular, to say the least. But your work was strenuous, it was difficult. It was -- I quite frankly don't know how you did it. But I know that we are all the more better for it, and

how we look back at what you've done and how you've served and the example that you've set moving forward.

So I just wanted to take my time and thank you, Senator Harckham. Thank you, Senator Mayer. And Madam Chair, thank you for the work that you do for everybody here.

But you're not forgotten, not in this chamber. You know, not by those of us on this -- in this chamber, regardless of political affiliation, under the leadership of Andrea Stewart-Cousins, this chamber has done a lot for vets and I think we will continue to do a lot for vets -- not I think, I know we will continue to do a lot for vets.

Because, quite frankly, you deserve it. You deserve more than 10 percent off on that Applebee's. You deserve more than just a "thank you for your service." You deserve Veterans Day to be, quite frankly, every single today. Because that's the life that you lived and quite frankly how you served.

So thank you, thank you, thank you for serving when people like me could not.

Thank you, Mr. President.

(Applause from galleries.)

ACTING PRESIDENT COONEY: Thank you, Senator Bailey.

Senator Webb on the resolution.

SENATOR WEBB: Thank you, Mr. President.

I want to thank all of the veterans that are here today. And thank you to Senator Harckham for bringing forth this resolution.

As it has already been shared by Senator Mayer with regards to the more than 3 million Americans that served our country during the Vietnam War, I think it's important -- and I've said this in our chamber before -- that it is our responsibility to not only recognize your sacrifices, but your continued service that you and your families provide to our communities.

And so I want to thank all of you that are here, and of course all of the Vietnam veterans in my district in Broome, Cortland and Tompkins counties. Thank you all for your continued leadership. As your -- those who were lost in the war, their names are engraved in granite at the Vietnam Memorial in

Washington, D.C., I wanted to say that your contributions are also engraved in our hearts, our minds, and our commitment to advancing more policies that lift you up and support you and your families.

I proudly vote aye with regards to this resolution, and I encourage my colleagues to also do the same.

Thank you.

(Applause from galleries.)

ACTING PRESIDENT COONEY: Thank you, Senator Webb.

Senator Kennedy on the resolution.

SENATOR KENNEDY: Thank you, Mr. President.

I'm honored to stand here to recognize this extraordinary group of men and women. I'm honored to be in your presence.

I want to thank our Majority Leader, Andrea Stewart-Cousins, for bringing this resolution to the floor and for our champions Senator Harckham, Senator Mayer, for continuing to bring on the tradition of celebrating here in this chamber the heroes of the Vietnam War on March 29th.

Words cannot describe our gratitude -- not just here in this chamber, but as a state and as a nation -- for the sacrifice that you all made many years ago. I was born post-Vietnam in 1976, so I grew up in an era that didn't know the battles that you fought. I only heard about the war that was raging halfway around the globe and of the fights that had transpired here in our communities across this state and nation.

As I've gotten older and learned more and studied more about the war itself, how it came to be, the United States' involvement and the heroes that donned the uniform and went off to fight in a distant land in your youth, I've become more and more grateful as time has gone by about the sacrifices that you have all made to make this nation what it is today.

And so we celebrate you today, but we celebrate you each and every day. And I am forever thankful for what you've done for our nation and every veteran that has donned the uniform and has sacrificed so much -- some that have paid the ultimate sacrifice -- and your families and their families, to make this nation

the greatest nation in the history of the world.

The Vietnam veterans deserve a special recognition because, as has been mentioned, when you came home things were different. It wasn't all pomp and circumstance. It was a lot of negativity. It was a lot of political turmoil. That is unacceptable. You deserved better.

And so on behalf of the grateful community, a grateful state and a grateful nation, I say thank you. And we are forever indebted to your heroism, to your sacrifice, and to your service.

And I can tell you that myself and our colleagues here are forever motivated by the work that you've done to make this nation what it is, and we'll do everything in our power, inasmuch as we can never do enough, to repay your service and sacrifice to this nation. And us being forever indebted, we are called upon to do what is necessary to make sure that you are in the forefront of the decisions that are made here in New York State and in this great nation.

So again, I honor you, pay tribute to you, and thank you all for your service. God

bless each and every one of you.

(Applause from galleries.)

ACTING PRESIDENT COONEY: Thank you, Senator Kennedy.

Senator Weik on the resolution.

SENATOR WEIK: Thank you, Mr. President.

I'm very grateful to have this resolution here today, and I want to say thank you to all of our Vietnam veterans.

I thank you for your service to our country. I thank you for the way that you've shaped our country. I thank you for the forgiveness in your heart and the fact that despite the way you were received home, you've continued to shape our communities, to donate your time, and to be outstanding citizens.

And for that I thank you so much. May God bless you all.

(Applause from galleries.)

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

Please rise and be recognized.

(Sustained standing ovation.)

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

SENATOR GIANARIS: Next up is previously adopted Resolution 1965, by Senator May. Please read its title and recognize Senator May.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Resolution 1965, by Senator May, honoring Coach Felisha Legette-Jack upon the occasion of her designation for special recognition by the Atlantic Coast Conference as the 2024 Women's Basketball Coach of the Year on March 5, 2024.

ACTING PRESIDENT COONEY: Senator May on the resolution.

SENATOR MAY: Thank you, Mr. President.

I hope there are some people in this chamber who had a chance to watch the Syracuse Women's Basketball Team in the NCAA championships this year. If you saw their games, you saw fabulous talent, you saw some tremendous teamwork and, most importantly, you saw a team that never

gave up. All of that is a testament to their extraordinary Coach Felisha Legette-Jack, who this year became the first Syracuse basketball coach, man or woman, to be named ACC Coach of the Year.

Coach Jack's basketball career began at Nottingham High School -- go, Bulldogs -- on the East Side of Syracuse before becoming 1985's Big East Rookie of the Year for the Syracuse Orange. At Syracuse she scored 1526 points, became the program's all-time leading scorer at the time, and helped lead the team to their first Big East championship and first appearance in the NCAA tournament.

She became the first women's basketball player to have her jersey number retired in 2021, making her one of the inaugural three female athletes at Syracuse to receive that honor.

After graduating from Syracuse University, Coach Jack served as assistant coach for the Boston College Eagles and head coach for Hofstra University and Indiana University.

In 2016, as head coach at the

University of Buffalo, Coach Jack led her team to their first appearance in the NCAA Division I tournament. In 2018, Buffalo made its first appearance in the Sweet 16 and returned to the Division I tournament again in 2019 and 2022. She is the all-time winningest coach in the Bulls' women's basketball program's history.

At the end of the 2022 season, Coach Jack returned to her native Syracuse, bringing with her athletes Saniaa Wilson, Georgia Woolley, and now fourth all-time leading scorer point guard Dyaisha Fair.

In just two seasons in Syracuse, Coach Jack has completely revamped the program. They were projected to finish 9th this season, but the Orange finished tied for second in regular season standings and then staked a claim to future glory in their post-season tournament.

Not only has Coach Jack inspired a new generation of Syracuse basketball players, she has inspired a new generation of female athletes across the board and raised the profile of women's sports in Syracuse.

I invite my colleagues to join me in congratulating Coach Jack on being named

ACC Coach of the Year in 2024.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator May.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

Quite a day here in the chamber. Hip-hop and basketball together in one day, it is an incredible achievement. And to be the ACC Coach of the Year, Coach Jack, is really one heck of an accomplishment.

The women's game, as you well know, if we're being honest, is a better product than the men's collegiate basketball game right now. It's getting the attention that it's deserved for quite some time.

And I've said in different contexts, and I'll say it again, if Brittney Griner was paid what she was worth, she would never have had to be in Russia in the first place.

But I just want to say to Coach Jack, thank you for your leadership. I've tried to coach like my now 9-year-old, and it didn't really work out. And I can imagine how

hard it is to coach women with incredible talent at the collegiate level, and to be able to do so -- to come back to your hometown to do so at the excellent level.

Excited for you, and I look forward to seeing the Orange in the Final Four very soon, in the very near future.

Senator May, thank you for introducing this resolution. Go, Orange!

ACTING PRESIDENT COONEY: Thank you, Senator Bailey.

Senator Mannion on the resolution.

SENATOR MANNION: Thank you, Mr. President.

Thank you to Senator May for bringing forth this resolution.

And thank you to Coach Legette-Jack for leading the Orange over these past two years, representing our area so, so well. We thank you. As a former teacher at Nottingham High School, I'm proud to say that I coached a few Bulldogs.

And the Orange are back. It's amazing to be part of the identity of Syracuse, New York. And when the teams are playing well, it seems like we have a mild winter. And we had

one this year, and that was due to the women's team.

So thank you, Coach Legette-Jack. And thank you -- go, 'Cuse!

ACTING PRESIDENT COONEY: Thank you, Senator Mannion.

The resolution was adopted on March 19th.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at the request of the sponsors, the resolutions we took up today will be open for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Mr. President, there's a report of the Finance Committee at the desk. Please take that up at this time.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Senator Krueger, from the Committee on Finance, reports the following nominations.

As commissioners of the Public Service Commission: Uchenna Bright and Denise Sheehan.

As members of the Job Development Authority: Calvin Corriders and Javier Zapata.

As members of the Citizens' Policy and Complaint Review Council: Roy M. Diehl and Troy Adrian Lavern'e Hurley.

As a member of the Correction Medical Review Board: Judith Cox.

As a member of the Finger Lakes State Park, Recreation and Historic Preservation Commission: James C. Smith.

As a member of the State Board for Historic Preservation: Molly Garfinkel.

As a trustee of the City University Construction Fund: Lorraine Grillo.

And as a trustee of the Higher Education Services Corporation: Jennessa Perez.

ACTING PRESIDENT COONEY: Senator Gianaris.

SENATOR GIANARIS: Move to accept the report of the Finance Committee, and ask that you please recognize Senator Krueger.

ACTING PRESIDENT COONEY: All those

in favor of accepting the report of the Finance Committee, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT COONEY: Opposed, nay.

(No response.)

ACTING PRESIDENT COONEY: The report of the Finance Committee is accepted.

Senator Krueger on the nominations.

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

I'm very pleased to say that all of the nominees that were just read out, nominated by the Governor, were accepted through their committees of origin and the Finance Committee.

Only two were actually interviewed by the committees, because they are paid, and that is both Uchenna Bright, commissioner of the Public Service Commission, and Denise Sheehan, commissioner of the Public Service Commission.

I think most of the people in this chamber understand how critical a role the PSC plays for us in the 21st century to ensure that our utility system is safe, reliable and moving as quickly as possible to renewable as widely as

possible.

I think both of these candidates proved to be extraordinary, both in their own training and experience in and out of government.

And we always appreciate -- including all the remaining candidates listed today -- the fact that New Yorkers are willing to serve in these very often difficult and challenging positions, many of whom are not paid but do it because of their belief in our government and where we are trying to go and the understanding, including with the commissioners here today -- hi. I think we just have one here today. We're being joined by Denise Sheehan, right up there.

That they understand while they might be able to do other things with their lives, there's perhaps nothing more valuable than committing to public service and the differences they can make in the lives of almost 20 million New Yorkers by taking employment or taking volunteer positions throughout the state, county by county, in important positions.

And so many people will never hear these names again, and many people won't even

know what these specific commissions do -- but they all play an extremely role in making sure that we have the great democracy that we do and continue to be representative of the people of New York and continue to deliver, as best we can, the best government for the people of New York.

So I hope all of my colleagues will join me in voting yes today. And again, on behalf of the Senate, I want to thank every one of them on this list for agreeing to serve, even though we are just represented by one of them today in the chamber.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Krueger.

The question is on the nominations.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Murray to explain his vote on the nominations.

SENATOR MURRAY: Thank you, Mr. President.

You know, it's interesting, we were sitting here and I sat and I listened to some very, very important resolutions that we did,

individual resolutions. We recognized a music superstar. We thanked countless incredible veterans. We talked about a basketball coach with great accomplishments. And each day we do these, we do different resolutions naming different days, different things, individuals.

What we didn't do, we didn't do a resolution saying let's pass a resolution recognizing a bunch of people who did a bunch of things for a bunch of reasons, and let's just -- one resolution, we're good with it.

Yet here we are nominating multiple people for multiple positions, as the chair just recognized the importance of some of these positions, the PSC and other positions. But yet we are taking one vote, up or down. We're not considering each individual candidate. It's one vote, up or down. That is absurd.

For that reason, I'm voting no. Thank you.

ACTING PRESIDENT COONEY: Senator Weik on the nominations.

SENATOR WEIK: Thank you, Mr. President.

Recently a lithium-ion battery

storage facility in my area was approved despite the concerns of neighbors and local fire departments. The New York State Public Service Commission cited the facility plan with fire safety concerns, yet approved the application anyway. And without the completion or approval of the emergency plan for that facility, the application was approved.

The New York State Public Service Commission is tasked with the role of not only regulating electric, gas, steam, telecommunications and private water utilities, but also providing assistance to consumers in resolving disputes with these utilities. The very nature of this commission is to work with the community. And yet they stood by and not only ignored the public outcry, but quietly approved the application for this facility.

For these reasons, I'm voting no. And I truly hope that that sends a message that the Public Service Commission needs to work harder to become better partners with the community in order to fulfill their responsibilities.

Thank you.

ACTING PRESIDENT COONEY: Thank you, Senator Weik.

Announce the results.

THE SECRETARY: In relation to the nominations, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Weber and Weik. Also Senator Oberacker.

Ayes, 43. Nays, 16.

ACTING PRESIDENT COONEY: The nominees are confirmed.

Please congratulate our nominee confirmed.

(Standing ovation.)

ACTING PRESIDENT COONEY: Senator Gianaris.

SENATOR GIANARIS: Let's take up the reading of the calendar, please.

ACTING PRESIDENT COONEY: The Secretary will read.

THE SECRETARY: Calendar Number 158, Senate Print 1738, by Senator Hoylman-Sigal, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT COONEY: Read the

last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.

You know, it's important that we pass this bill in general, but even more when we had one of the greatest hip-hop artists, without argument, of all time in the chamber today.

Again, as I've mentioned before -- and it bears repeating -- hip-hop and many other forms of music are ways of storytelling. They are ways of expressing emotion, expressing artistry through things that they see or that they create or that may be a combination.

Art should not be criminalized to the level that it seems to be right now when it comes to hip-hop music being on trial. We know Carrie Underwood didn't do all those things she said in her song. And the reality is why do we

believe that is the case when certain rappers speak about certain things.

And so I am glad that we're passing this bill in this house once again. It's a critically important bill. But in light of all of these things -- and I thank Senator Hoylman-Sigal for being an incredible cosponsor here in the State Senate. And I'm looking forward to getting this done and signed into law.

I vote aye, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 158, those Senators voting in the negative are Senators Ashby, Canzoneri-Fitzpatrick, Gallivan, Helming, Lanza, Martinez, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik. Also Senator Griffo.

Ayes, 40. Nays, 20.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 274, Senate Print 545, by Senator Gianaris, an

act to amend the Urban Development Corporation Act.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 456, Senate Print 2714, by Senator Kennedy, an act to amend the Highway Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: The bill is laid aside.

THE SECRETARY: Calendar Number 529, Senate Print 2976, by Senator Mayer, an act to amend the Labor Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 579, Senate Print 3607, by Senator Webb, an act to amend the General Business Law.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 12. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Webb to explain her vote.

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

This legislation amends the General Business Law to ensure that laser hair removal technicians receive state-approved education and training to practice in New York State.

This is a straightforward piece of legislation that ensures that laser hair removal technicians will follow the same licensing schedule and regulations as the fields of nail speciality, waxing, natural hair styling, esthetics, and cosmetology.

Laser hair removal is widely available in New York State and employs approximately 20,000 estheticians. Many of the med spas and small businesses that offer this service are minority and women-owned and operated businesses.

By streamlining the licensure process and providing a transition to a more regulated industry, we can ensure that these businesses can continue to operate in the context of greater public protection.

This is a commonsense measure intended to provide oversight and public protection by adding laser hair removal technicians to the group of appearance

enhancement professionals that are already regulated by the state. We will ensure that New Yorkers seeking this cosmetic procedure can do so safely.

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

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 583, Senate Print 4071, by Senator Salazar, an act to amend the Correction Law.

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT COONEY: Lay it aside.

THE SECRETARY: Calendar Number 613, Senate Print 3315A, by Senator Sepúlveda, an act to amend the Surrogate's Court Procedure Act.

ACTING PRESIDENT COONEY: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the 30th day after it shall have become a law.

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 613, those Senators voting in the negative are Senators Ashby, Gallivan, Griffo, Helming, Lanza, Martinez, Oberacker, O'Mara, Ortt, Palumbo, Stec, Tedisco, Weber and Weik.

Excuse me. Senator Ashby in the affirmative.

Ayes, 47. Nays, 13.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 649, Senate Print 2922, by Senator Cleare, an act to amend the Penal Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Mr. President.

Certain formal power relationships in society leave all the discretion and control to one party or one group. And unfortunately, it can invite manipulation and collusion. This is true in the case of interactions between a probation officer and an individual on probation.

This bill builds upon existing law which provides that an individual on parole is incapable of consent to sexual conduct with a parole officer who directly supervises them.

The bill before us simply extends this same important protection to an individual on probation vis-a-vis their direct supervisory probation officer.

Our justice system serves all of us better when it is fair, equitable, transparent, and decisions made and actions taken are beyond reproach. This bill makes the system more equitable and humane, and I enthusiastically vote

aye.

Thank you.

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

Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 660, Senate Print 7376, by Senator Jackson, an act to amend the Civil Service Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 660, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mattera,

Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 43. Nays, 17.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 666, Senate Print 4530, by Senator Harckham, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 673, Senate Print 4505A, by Senator Liu, an act to amend the Education Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 688, Senate Print 1730, by Senator Sanders, an act to amend the Elder Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill

is passed.

THE SECRETARY: Calendar Number 689, Senate Print 2144, by Senator Persaud, an act to amend the Social Services Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 690, Senate Print 2935D, by Senator Parker, an act enacting the Just Energy Transition Act.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 690, those Senators voting in the negative are Senators Ashby, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 43. Nays, 17.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 692, Senate Print 4393, by Senator Martinez, an act to amend the Public Health Law.

ACTING PRESIDENT COONEY: Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce

the results.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT COONEY: The bill is passed.

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

SENATOR GIANARIS: Please go to the reading of the controversial calendar.

ACTING PRESIDENT COONEY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 456, Senate Print 2714, by Senator Kennedy, an act to amend the Highway Law.

ACTING PRESIDENT COONEY: Senator Oberacker, why do you rise?

SENATOR OBERACKER: Thank you. I was wondering if the bill's sponsor would answer some questions, please.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR KENNEDY: Thank you, Mr. President. Of course.

ACTING PRESIDENT COONEY: the sponsor yields, Senator Oberacker.

SENATOR OBERACKER: Thank you. Thank you. And thank you, Senator.

I'll start off with, Senator, what was the genesis for this piece of legislation?

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

Back in 2011 this state passed a new Complete Streets Law. And that law said that when new projects were undertaken here in New York, Complete Streets principles must be considered, creating an environment where not just automobiles but also pedestrians, cyclists and other forms of transportation are accommodated, including pedestrian access.

This sort of design was put in place as a major component of 21st-century thinking as we are encouraging transportation choices; raising property values; increasing connectivity between communities, including vulnerable communities; ensuring that our kids have safer routes to school; providing local families with more opportunities to walk and bike safely.

Complete Streets are designed to ensure that safety, mobility, convenient access for all roadway users -- not just a focus on the

vehicles -- are taken into consideration. This includes, as I mentioned, our children, our older adults and individuals with disabilities.

When this bill was originally passed, there was a component that was excluded that runs contrary, I believe, to the original intent of the bill. And this bill today closes that loophole. And it will expand the scope of the law to ensure that more infrastructure projects include Complete Streets design features and will extend to resurfacing, maintenance, and road preservation projects in our communities across New York State.

SENATOR OBERACKER: Will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR KENNEDY: Of course.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR OBERACKER: Thank you.

Senator, in 2022 the Association of New York Town Superintendents of Highways opposed this on the basis of that language, for multiple reasons.

So first, were any of the town highway departments or the Association of New York Town Superintendents, were they consulted as we moved forward with the language in this new piece of legislation?

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

Yes, of course. We listened to every partner across New York State. Our local community leaders in the transportation industry, including our superintendents, are always a part of these conversations.

And while some may be opposed, I believe that is actually -- that opposition is based upon a misunderstanding of actually the intent of the bill and how it will be implemented in those local communities.

What I will say, though, is the level of support of this bill is great. It is part of the 2022 Crash Victim Safety Act agenda, supported by Families for Safe Streets, Albany Bicycle Coalition, Bike Walk Tompkins, Go Bike Buffalo, the National Safety Council, the New York Biking Coalition, Open Plans, Parks & Trails New York, Reconnect Rochester,

Rochester Bicycling Club, Slow Roll Syracuse, Transportation Alternatives, Tri-State Transportation Campaign; and Walkable Albany, among many, many others.

And I will also mention that this has bipartisan support, Mr. President.

SENATOR OBERACKER: Mr. President, through you, would the bill sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR KENNEDY: Of course.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR OBERACKER: Thank you.

So would you agree that there potentially would be increased costs, by up to one-third, by having these projects having to complete the Complete Street design? Most of the counties, most of the smaller municipalities do not have in-house services when it comes to consult -- or engineering is where I was going, thank you. For engineering.

So would you agree that there would be or could be an increase in costs to the local

municipalities and some local counties?

SENATOR KENNEDY: Through you, Mr. President, I disagree that this cost could rise to a third of the costs of the overall project. As a matter of fact, quite the contrary.

The bill back in 2011 that we're expanding on today actually puts in place protections ensuring that the costs cannot exceed 20 percent of the overall costs of the project, to ultimately seek controlling the cost potentially of these improvements that will enhance our local communities.

That also being said, what we are asking for local communities to do here is to consider these Complete Streets aspects of a particular road project. So the costs may be minimal, depending on the project, if any at all -- it may cost nothing -- when you're talking about repainting lines to make access for bicyclists or enhancing street lighting at a crosswalk or a number of other traffic-calming methods that are either low-cost or no cost.

We believe considering these as a part of these projects is extremely important.

SENATOR OBERACKER: Through you, Mr. President, would the bill sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR KENNEDY: Yes.

ACTING PRESIDENT COONEY: The Senator yields.

SENATOR OBERACKER: So in light of -- we've seen a period of like record inflation, including 58-plus-percent increases of construction costs. And taking into account maybe the ruralness of some districts, some municipalities, some areas where the actual physical construction of a potential bike lane would be required -- again, I go back to the comment that these costs would be minimal.

Is there any consideration for, say, the ruralness of some areas, some counties? In my County of Otsego we have a lot of farmland. I'm sure that we could get by without having a bike path. So again, I'm concerned about costs and pricing to our local municipalities.

SENATOR KENNEDY: Yeah, once again -- yeah, through you, Mr. President, thank

you.

Once again, there are exemptions built into the original underlying bill that protects these communities, not only from any potential increase in costs but, you know, potential for exempting communities based on population density or a lack of the need for putting in bike lanes in a far-off, rarely used rural road.

What I will say is that we've seen traffic violence since 2020 increase extraordinarily across the country and across this state. It's become a very real problem. We hear of deaths and injuries and people being maimed almost on a daily basis.

According to the National Complete Streets Coalition, more than 1600 of these Complete Streets policies have been passed all across the United States, so we're not alone here in New York. And there are dozens of these programs across the state -- across the country that have been put in place in response to this increase in traffic violence.

The National Highway Traffic Safety Administration statistics show that there has

been an increase of nearly 20 percent in fatalities nationwide in just the last few years. And it's these days at the highest rate in nearly two decades. So that's just unacceptable we have to do something about it.

This is legislation that we know is actually working. I can tell you, based upon my own personal work on a project two miles long -- now, this is going back about a decade and a half, Mr. President -- South Park Avenue in the City of Buffalo. It was two lanes in both directions, parking on each side. And it was very unsafe. You couldn't even cross at certain times of the day.

There was a resurfacing project, a mill-and-fill, a maintenance project that was done, low cost. You know what we did? We enhanced the lighting, we put in new striping at the crosswalks, we put in new bike lanes. And this project was enhanced. The community has benefited immensely because of it. And, you know, we're proud of that project; it's one of many projects adhering to these Complete Streets design protocols.

And again, this is not a mandate,

but for considering these traffic-calming safety standards that are supported not only on a bipartisan basis but I've read into the record, you know, many of the dozens of organizations across the state that have supported this legislation.

And I will also point out that the AARP New York also has put forward a memorandum of support.

SENATOR OBERACKER: Mr. President, on the bill.

ACTING PRESIDENT COONEY: Senator Oberacker on the bill.

SENATOR OBERACKER: Great. Thank you, Senator Kennedy, for taking the time to clarify some of the questions that I had.

You know, first and foremost, I'm not against safety. I think it is extremely important all throughout the seven counties and the rural counties that I represent. And as a former chairman of public works for Otsego County, I actually took a moment to reach out to my former superintendent of highways, and I asked -- I said, Do we have a calculation as to what this could potentially add to the county, to

the county paving budget?

He informed me in the best estimates with the numbers that he has right now, that this would at least add $50,000 per mile when we're talking about just a straight resurface. And that's just for the simple -- what we call an overlay.

There are 477 center lane miles in my county. If you start doing the math, we would have to look at reducing the number of miles that we would look to resurface because of these added costs. Not only simply the added cost, but the added paperwork, the added meetings, which would already affect a shortened climate, a certain time in my rural counties that we have due to weather to actually have our paving season. And which, again, will contribute I think ultimately to reducing the number of miles paved.

Senator, I would suggest if we could potentially think about a carveout to municipalities, and we could base that on population. I'll throw out maybe less than 500,000 population could be potentially exempt, allowing our counties, our local highway supers who know best how to not only continue to design

with safety in mind, but more importantly to take into account the tax dollars that will be expended for that.

Again, I'm not against safety. But in this case, Mr. President, I will be voting in the negative. Thank you.

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

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Announce the results.

THE SECRETARY: In relation to Calendar 456, those Senators voting in the negative are Senators Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads,

Stec, Tedisco and Weber.

Ayes, 45. Nays, 15.

ACTING PRESIDENT COONEY: The bill is passed.

THE SECRETARY: Calendar Number 583, Senate Print 4071, by Senator Salazar, an act to amend the Correction Law.

ACTING PRESIDENT COONEY: Senator Rolison, why do you rise?

SENATOR ROLISON: Mr. President, through you, would the sponsor yield for a couple of questions?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR SALAZAR: Certainly.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR ROLISON: Through you, Mr. President. Under the provisions of this bill, there is a provision that says "except under exceptional circumstances when to do so would create an unacceptable risk to the safety and security of the incarcerated individual or staff."

This has to do, obviously, with a

notification being made prior to the movement of an individual.

Who actually within the facility or with DOCCS would make that determination of exceptional risk?

SENATOR SALAZAR: Through you, Mr. President, that would be at the discretion of the department. The superintendent of a facility could make that determination, for example.

SENATOR ROLISON: Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR ROLISON: Thank you.

In the event that an incarcerated individual did not want, prior to his or her transfer, a notification, I don't see in the bill where they would be able to say no, I don't want that made. Am I correct in that assumption?

SENATOR SALAZAR: Through you, Mr. President, this legislation would simply

allow for the incarcerated individual to make a personal phone call before the transfer and also for the department to, through an electronic notification such as an email, notify the incarcerated individual's next of kin or their family of the transfer.

But there is nothing in this bill that says that if the incarcerated individual did not want someone to be informed outside of DOCCS that they were being transferred, that that wouldn't be a possibility.

SENATOR ROLISON: So through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR ROLISON: So if I'm reading this correctly, and if I understand your explanation, an incarcerated individual could not say to the Department of Corrections that they did not want an electronic notification made prior to them being moved.

SENATOR SALAZAR: Through you, Mr. President, there's nothing in this legislation that precludes an incarcerated individual from saying "I do not want my family or next of kin to be notified."

SENATOR ROLISON: Mr. President, on the bill.

ACTING PRESIDENT COONEY: Senator Rolison on the bill.

SENATOR ROLISON: I don't see -- I don't read it that way. There is a provision in the bill that says under an exceptional circumstance where notification can't be made, that the incarcerated individual, after being received at the other facility -- actually, a member of corrections would make that notification unless, at the end of the bill, the incarcerated individual declines to have such a call made.

That, to me, says once they've already been moved. I don't see it where the incarcerated individual would be able to say "I don't want anybody notified prior."

However, the most dangerous time for corrections staff and incarcerated individuals is

when they are being moved, especially when they are being moved outside of the facility, whether to court, whether to the hospital, or whether to another facility.

And because of that reason, and I believe some of the vagueness in this bill, I'll be voting no.

ACTING PRESIDENT COONEY: Thank you, Senator Rolison.

Senator Stec, why do you rise?

SENATOR STEC: Will the sponsor yield, please.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR SALAZAR: Certainly.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Thank you, Senator.

Why is it important to allow an inmate the opportunity to call prior to their transfer? Why is that important?

SENATOR SALAZAR: Through you, Mr. President. Often under current law an individual's family is unaware even after, actually, they have been transferred to another

facility. They're unaware beforehand.

And this is a problem because especially for families who maintain close contact with their loved one who is incarcerated, who want to visit their loved one who is incarcerated, they may show up at the facility to try to visit their loved one -- maybe they have to travel a great distance to do so and are inconvenienced by this -- when they show up at the facility to try to visit their loved one, they then learn that their loved one has already been transferred, that they're not even there.

That would obviously cause them a lot of distress. We've heard these reports from the families and loved ones of incarcerated individuals, and that is something that this bill seeks to address.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Under current law,

inmates are allowed to make contact to loved ones upon arrival at a transferred facility?

SENATOR SALAZAR: Through you, Mr. President, they are permitted within 24 hours of arriving at the facility, after they've arrived. However, that does not always happen.

And additionally, if they are only allowed to make one personal phone call 24 hours after arriving at a facility, this still could fail to inform their family, provide them adequate notice so that they would actually know where the incarcerated individual is or even that they simply have been moved from the previous facility.

SENATOR STEC: If the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: So we're talking about a 24-to-36-hour window, from the day before they move to the day they get to where they're going, that they may not have the opportunity --

do you have any knowledge -- does DOCCS have data or do you or your advocates have any data as to how often it happens that ships cross in the night and a family members finds out, after traveling hundreds of miles, that I just missed him by a day and now they've been -- I mean, how often does that happen? Once, twice, a hundred times a year?

SENATOR SALAZAR: Through you, Mr. President. While we do not have data on this, it happens often enough that anecdotally we hear about this being a problem from the loved ones and families of incarcerated individuals.

SENATOR STEC: Will the sponsor continue to yield.

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Do you have any reason -- do you understand why the current law is the way it is? Is there a reason why presently inmates are not allowed to make a phone call before they're transferred -- transported?

SENATOR SALAZAR: Through you, Mr. President. I don't know why the current law fails to provide for this, but that is exactly why it's important for us to pass this bill and seek to change the law.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Can you imagine a reason why corrections, in the interests of public safety, might not want dangerous convicted felons from making a phone call prior to their transfer to another facility? Can you imagine that?

SENATOR SALAZAR: Through you, Mr. President, I absolutely can imagine that.

Which is exactly why in the text of the legislation it says "except under exceptional circumstances when to do so would create an unacceptable risk to the safety and security of incarcerated individuals or staff in the

facility."

SENATOR STEC: If the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Yes, will the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Is this proposed legislation in the interests of public safety, or is public safety at all compromised with this legislation?

SENATOR SALAZAR: Through you, Mr. President, public safety is not at all compromised with this legislation.

I think it's very important -- we know, actually, that it is important for individuals while incarcerated to maintain contact with their support system, and that that is in the interests of public safety. It certainly is in the interest of making sure that a family -- people who are supporting an incarcerated individual from the outside, it's in their interest.

And so I absolutely think that this

is in the interest of public safety for us to do this.

SENATOR STEC: Will the sponsor continue to yield?

ACTING PRESIDENT COONEY: Will the sponsor continue to yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: In preparation for this legislation, have you spoken with anyone that is in the employ of the Department of Corrections that has advocated or requested this legislation? What is the commissioner in his office have to say about this proposal? Were they consulted? And do they agree?

SENATOR SALAZAR: Through you, Mr. President, the commissioner of DOCCS typically does not comment on pending legislation and did not comment either in support or in opposition to this legislation.

And that's typical also for others who are employed by the Department of Corrections.

SENATOR STEC: Will the sponsor

yield for one more question.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR STEC: Are you aware of any instances in the country that have been in the news that have involved phone calls that were made by inmates prior to transport and then involving that phone call arranging for their -- for an escape, where people were killed recently?

SENATOR SALAZAR: Through you, Mr. President, no.

Certainly not -- and I will note just again that this bill does make an exception in circumstances when making the call, allowing for the call to be made, allowing for the notification to be made would create a risk to the safety and security of individuals or staff.

SENATOR STEC: Mr. President, on the bill.

ACTING PRESIDENT COONEY: Senator Stec on the bill.

SENATOR STEC: In my 12 years in

the Legislature, and in four years here in this chamber, I've seen a constant erosion of our public safety and an attack on our criminal justice system, specifically in the area of corrections.

I am not at all concerned with whether somebody gets to make a phone call 24 hours sooner or later. To me, it's -- that's not important to me. What's important is public safety, the safety of our corrections officers, the safety of the public.

I am tired of kowtowing to criminals, a criminal element, the takers of society, and putting our own residents' lives and safety at risk, to hell with the taxpayer attitude and the crime victims.

This has got to end. This is a ridiculous bill. I'll be voting no.

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

Are there any other Senators wishing to be heard?

Seeing -- Senator Krueger, why do you rise?

SENATOR KRUEGER: Would the sponsor

please rise for a question or two?

ACTING PRESIDENT COONEY: Does the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR KRUEGER: Thank you.

So I'm confused, because I think you were asked multiple times and answered that if there is any concern that allowing a prisoner a call to a family member prior to movement, that that potentially would put anyone at risk, that they would not be able to do it.

As I -- was I understanding your answer correctly?

SENATOR SALAZAR: Through you, Mr. President. Yes, that is correct.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT COONEY: Will the sponsor yield?

SENATOR SALAZAR: Yes.

ACTING PRESIDENT COONEY: The sponsor yields.

SENATOR KRUEGER: So I've seen data on how much better people do when they return to the community if they've been able to continue relationships with their family. And it's actually very impressive how much better they do with not going back to a life of crime if they've been able to continue a relationship with their family.

And I know you answered the question was there a recent incident where your law would have put someone at risk. But are there any stats on how many prisoners are moved per year in New York State and how many of them in fact then successfully escape during those moves?

SENATOR SALAZAR: Through you, Mr. President. While I don't readily have data on this, I am not aware of any incident in recent history where as a result of someone being transferred or their family being notified after the fact of their transfer, that there was any risk posed to public safety or any other negative consequence to the public as a result.

SENATOR KRUEGER: On the bill, Mr. President.

ACTING PRESIDENT COONEY: Senator

Krueger on the bill.

SENATOR KRUEGER: I appreciated the debate because it made clear to me why this is actually an excellent bill: That it will increase the possibility of prisoners to be able to continue relationships with their family when they move from place to place, which happens during incarceration, and increases the likelihood that they will be able to be reabsorbed into their family structure when they leave prison, which absolutely decreases the likelihood they become a recidivist.

And while I've seen TV shows and movies that seem to be based on someone being moved and then -- I don't know, usually there are cartels involved, not family members, in the TV shows I've watched, where the cartel comes and helps them escape. I just don't think that is a public service crisis or a public safety crisis in our state. I'm not even sure that that ever happens, other than it makes for a good TV show.

So I have to say I think it is in the best interests of public safety. And of course we also know that when prisoners understand that there is a future ahead of them,

that good behavior in prison will increase the chances they get out, that doing things that improve their understanding of their responsibility for why they ended up in prison, but what it will take for them to actually be released back into the community, increases safety for corrections officers when they're in prison and decreases the risk of recidivism when they leave prison.

And I think that this is a very thoughtful and carefully constructed bill. And I'm not concerned at all about any new risks to public safety. And I want to thank the sponsor for the bill, and I'm proud to vote for it.

Thank you, Mr. President.

ACTING PRESIDENT COONEY: Thank you, Senator Krueger.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is now closed. The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT COONEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT COONEY: Senator Cleare to explain her vote.

SENATOR CLEARE: Thank you, Mr. President.

I want to thank Senator Salazar for bringing forward this very important bill.

All too often in my district I have had families, mothers, travel great distances with children, leaving at early hours in the morning, incurring great costs and great difficulty, only to get to a facility and be told that their loved one was moved the night before, days before.

This is a major inconvenience. It's a lot of money to travel. Families should not be punished because they want to be in touch with their loved ones. I've heard stories of grandmothers, elderly, getting on buses, traveling hours at a time to find out that their loved one is gone, without the courtesy of even a phone call.

I think this is a very important

bill. It will allow families to be able to stay united, and it won't bring further costs and further hardship on very, very impoverished and distressed families to begin with.

I thank you, and I proudly vote aye.

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

Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Mr. President.

Just a couple of comments. It seems that some of my colleagues, sadly, will never leave the mentality that says that someone should be judged for the worst thing that they ever did.

Some of my colleagues also seem to believe that every single person who has ever committed a crime and been convicted of one -- let's assume that the criminal legal system is perfect, so therefore every single person who's ever been incarcerated is absolutely at guilt for whatever they did -- they assume that they are to be forgotten, that they should be thrown away, that they should be locked in a box and never to be spoken of again.

Some of my colleagues continue to

ignore the fact that the overwhelming majority of people who are incarcerated are going to return to our neighborhoods. They are our neighbors. Most of them are our neighbors, not y'alls. But some of them are our neighbors. They're our family members.

And their connection to their families means that they're going to be able to stay within the boundaries of society. I've said it many times: If somebody has paid for the mistakes that they have made, they should not be judged strictly by the last or the worst thing that they ever did. But apparently my colleagues, some of them, can't seem to forget that.

So I'm very thankful for Senator Salazar's bill on this. I'm voting in the affirmative. And I'm thankful for her leadership and the leadership of many others in definitely changing the policy and the mindset that has driven policy that for many years has just made it so that people who are incarcerated should be thrown away. They're not. They're people. They're incarcerated people.

Thank you, Mr. President.

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

Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Mr. President.

We have a responsibility to balance public safety with what's going on. The bill requires, it says the word "shall." There is a requirement to notify family even if the inmate doesn't want it, regardless of what the sponsor said. Looking at the language of the bill, that's what it says. There's a requirement. So even if the inmate says no, they must notify them.

Number two, if we are putting this bill on the floor, we should have information, statistics, something to show that there is a need for this bill, that there's been a request, and that there's data to support what we're doing.

Yes, there's some people that have had this experience, and that's terrible. But unless we have some data, why are we putting people at risk? What about the correction

officers that are put at risk when you move a transferred inmate? We have to balance those things.

And I think it's irresponsible to be passing legislation without data to support it. I'll be voting in the negative.

Thank you.

ACTING PRESIDENT COONEY: Senator Canzoneri-Fitzpatrick to be recorded in the negative.

Senator Ramos.

SENATOR RAMOS: Thank you, Mr. President.

You know, so many of us in this chamber are parents, and we hope to raise our children to be the best possible members of society. But sometimes, unfortunately, people end up engaging in wrongdoing and paying the price for it.

And I think for those who are voting in the negative, it is my hope that none of your children and none of your family members find themselves in these situations, because then your negative vote is going to come back and bite you.

Thank you.

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

Senator Salazar to explain her vote.

SENATOR SALAZAR: Thank you, Mr. President.

I will remind my colleagues that the bill does account for situations when the superintendent of the facility can say, I think that there is an unreasonable risk to the safety of individuals or to staff in the facility to allow for this, and therefore I'm not going to allow for this.

That includes the safety of the incarcerated individual themself. So that's a very important consideration.

But I think that our -- we really need to consider how painful it is for family members, for loved ones of an incarcerated individual, when not only are they inconvenienced, maybe they -- it's costly for them to go across the state to visit their loved one. Maybe they had to take time off of work in order to do so. They show up at the facility and not only do they not get to see or communicate with their loved one who's incarcerated, but they

don't even know where they are.

That is a pain that I cannot imagine experiencing if I were a parent with a child who was incarcerated. And that's a pain that we don't want people to have to experience. It's unnecessary, and it's preventable. And that is one of the things that this legislation seeks to prevent.

And I thank the Majority Leader and my colleagues for their support in once again passing this legislation.

Thank you.

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

Senator Rhoads to explain his vote.

SENATOR RHOADS: Yeah, every situation that involves the transport of a prisoner is a situation that puts correction officers at risk. It is their most vulnerable time.

And I don't see how allowing a prisoner to make a phone call to their family members after they've arrived at the destination breaks down the family nexus and makes it impossible for them to have a productive life

once they get out of whatever correctional center or prison that they're in.

It is placing unnecessary risk on correction officers. It provides the opportunity to signal where they're going, potential routes that may be taken.

And while the bill may provide exclusions for situations where the warden or administration at a particular facility may think that it places the officers at extraordinary risk, it ignores the fact that anytime there's the transport of a prisoner it puts correction officers at risk.

So I will be voting against this bill.

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

Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.

Not one person in this chamber would make a trip of over 100 miles or over 50 miles without notifying one of their loved ones. How dare we like cast aspersions upon individuals who want to do that.

And again, I'm going to read from the statute again. Senator Salazar, thank you for the bill. I just want to be very clear and read the statute again: "Except under exceptional circumstances when to do so would create an unacceptable risk to the safety and security of incarcerated individuals or staff."

None is as blind as who will not see. I vote aye, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 538, those Senators voting in the negative are Senators Ashby, Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming, Martins, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber and Weik.

Ayes, 43. Nays, 18.

ACTING PRESIDENT COONEY: The bill is passed.

Senator Gianaris, that completes the reading of the controversial calendar.

SENATOR GIANARIS: Is there any

further business at the desk?

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

SENATOR GIANARIS: Move to adjourn until tomorrow, Thursday, March 28th, at 11:00 a.m.

ACTING PRESIDENT COONEY: On motion, the Senate stands adjourned until Thursday, March 28th, at 11:00 a.m.

(Whereupon, at 4:46 p.m., the Senate adjourned.)