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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 7, 2024

3:15 p.m.

REGULAR SESSION

SENATOR JEREMY A. COONEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT COONEY: The
3 Senate will come to order.

4 I ask everyone to please rise for
5 the presentation of the colors.

6 Color Guard, parade the colors.

7 (Whereupon, the 10th Mountain
8 Division Color Guard entered the chamber through
9 the rear doors and proceeded to the center of the
10 chamber, presenting the colors.)

11 ACTING PRESIDENT COONEY: I ask
12 everyone present to please join me in reciting
13 the Pledge of Allegiance.

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

16 ACTING PRESIDENT COONEY: I invite
17 Colonel James Key, Senior Command Chaplain of the
18 10th Mountain Division at Fort Drum, who will
19 deliver today's invocation.

20 Colonel.

21 CHAPLAIN KEY: Thank you.

22 Let us pause for a word of prayer as
23 we bow our heads and close our eyes.

24 Almighty God, we come to You today
25 asking that You bless today's Senate session and

1 the lawmakers of this august body. On this day,
2 give these leaders the capacity to be tough
3 enough to fight, tender enough to cry, human
4 enough to make mistakes, humble enough to admit
5 them, strong enough to absorb the pain, and
6 resilient enough to bounce back and keep on
7 moving.

8 Compel all of us gathered here today
9 to be thankful for the common things of life --
10 for the sun that marches every morning from the
11 east to west, chasing darkness with a legion of
12 light, and for the stars and planets that form a
13 highway to heaven.

14 And finally, dear God, may this day
15 remind all of us to never forget those who made
16 the ultimate sacrifice, who stood in harm's way
17 to secure for our nation the blessings of life,
18 liberty, and the pursuit of happiness. For it is
19 in Your liberating and sustaining name that we
20 pray.

21 And we all say together on this day:
22 amen and amen.

23 (Response of "Amen.")

24 (Whereupon, the Color Guard lowered
25 the colors and marched to the rear doors, exiting

1 the chamber.)

2 ACTING PRESIDENT COONEY: It is now
3 my honor to introduce Brigadier General
4 Matthew Braman to deliver opening remarks.

5 General.

6 BRIGADIER GENERAL BRAMAN: Well,
7 thank you once again for hosting us today for
8 10th Mountain Day and Fort Drum Day. We call it
9 Albany Day up there, but down here it's Fort Drum
10 and 10th Mountain Day.

11 And it is my privilege to represent
12 Major General Anderson, our division commander
13 and senior commander at Fort Drum, and the
14 18,000 Alpine Troopers of the 10th Mountain
15 Division as well their families and our civilian
16 workforce that call Fort Drum home and work each
17 day.

18 I'm joined here by a great crew of
19 compadres. I'm here with our Division Command
20 Sergeant Major Nema Mobar, our garrison
21 commander, Colonel Matt Myer, as well as our
22 garrison senior chaplain, Chaplain James Key, who
23 just gave that awesome prayer.

24 I'm also joined here today by your
25 constituents here, our soldiers from Fort Drum

1 that grew up here and called this place home even
2 when they were -- before they were in the Army.

3 And so how about a round of applause
4 for these guys from New York?

5 (Standing ovation.)

6 BRIGADIER GENERAL BRAMAN: It's not
7 lost on me that this day -- it means a lot to us,
8 but it wouldn't happen without a lot of great
9 folks and support here in the Senate, so I do
10 want to thank the leadership.

11 Had a great meeting today with
12 Senator Stewart-Cousins and Senator Ortt.
13 Appreciate the invitation once again. Thank you
14 for inviting us back into your house, and we will
15 say yes again next year. So thank you very much.

16 Thank you for your father's service
17 as part of the Greatest Generation.

18 And Senator Ortt, thank you for your
19 service as a member of the New York National
20 Guard, combat veteran. Thank you, thank you as
21 well.

22 I'd also like to thank the chair of
23 the Veterans, Homeland Security and Military
24 Affairs Committee, Senator Scarcella-Spanton, and
25 the ranking member as well, Jacob Ashby.

1 But I will tell you, last year I
2 stood up here and I gave you all an invitation to
3 come up to Fort Drum, an open invitation -- and
4 she did. She said yes. And so she got up to see
5 Fort Drum, got to see our families, got to see
6 our soldiers and veterans. And we put her in a
7 helicopter and gave her the best view of
8 Fort Drum you could possibly see.

9 So the invitation remains open. You
10 just have to call us and come up and visit us;
11 we'll take great care of you. So thanks for
12 coming up and representing -- seeing our soldiers
13 and our families.

14 I'd like to personally thank the
15 staff of our local Senator, Mark Walczyk, who's
16 deployed currently to Kuwait and will be back
17 later on this fall. His staff has taken great
18 care of us today to get us to all the places we
19 need to be and has made us really feel at home.
20 So thank you to the team there.

21 A year ago I got to stand up here
22 and tell you about all the great things that
23 Fort Drum and the 10th Mountain Division was
24 doing or about to do. If you remember -- you
25 probably remember I was pretty excited, because I

1 got the greatest job in the Army. But I think I
2 undersold the accomplishments of what our
3 families and soldiers accomplished this past
4 year, so let me recap a few of those things to
5 tell you all about it.

6 Just last week we officially
7 welcomed back our 2nd Brigade Combat Team that
8 was led by Colonel Scott Wence and Sergeant Major
9 Chris Donaldson. Nine months in Iraq, Syria,
10 Kuwait and Jordan. They led over 2,000 soldiers
11 there, and their mission was to ensure the
12 destruction of ISIS and to build stability in the
13 region. This is a mission that's not new to
14 Fort Drum or to the 10th Mountain Division, as we
15 are the active-duty component assigned against
16 that mission pretty much continuously, with one
17 exception. We were relieved by the 44th IBCT
18 recently, out of New Jersey. So it's safe to say
19 that there are constituents from that brigade all
20 across this part of the country that are in
21 harm's way tonight and doing the nation's
22 business until the 10th Mountain gets back there
23 again this fall.

24 This is a tough mission over there,
25 but none of us could have predicted the events of

1 October 7th and the impact it would have on that
2 region. And our soldiers were front and center
3 in the center of all that chaos. They endured
4 over 170 one-way drone attacks, ballistic missile
5 strikes, and rocket attacks the originating from
6 Iranian proxies in the region.

7 They pioneered the Army's
8 counter-UAS capabilities: How do we shoot down
9 drones? They were the ones experimenting on the
10 frontlines out of necessity for their lives, and
11 now they're teaching it to the rest of the Army
12 and doing it with -- light years ahead of where
13 we thought we'd be in technology advancement in
14 an extremely critical area.

15 And last spring our division
16 headquarters, led by Major General Anderson,
17 deployed for nine months to Romania as part of
18 the Assure, Deter and Assist mission in Southeast
19 Europe. While there, we reestablished our
20 partnership with our newest NATO allies in the
21 High North, Sweden and Finland. And part of our
22 division headquarters went to Southeast Poland as
23 an element of the Security Assistance Group
24 Ukraine, ensuring the rapid delivery of material
25 aid to Ukraine in helping them win the fight.

1 We also had the opportunity to
2 reestablish our Alpine roots through partnerships
3 with the National Ski Patrol, which originated
4 here in the State of New York, and the
5 National Outdoor Leadership School, started by a
6 10th Mountain Division soldier.

7 And people always tell us up at
8 Fort Drum, like, you're the 10th Mountain
9 Division. Where are the mountains? Well, in
10 conjunction with our partners in the New York
11 State Department of Environmental Conservation
12 and multiple Adirondack Park organizations, we
13 developed multiple training lanes in the
14 Adirondack Mountains for all soldiers to go and
15 maneuver in that terrain to set them up for the
16 next Climb to Glory.

17 And interestingly enough, we sent
18 soldiers then around the world, to Slovenia,
19 Norway, Finland, Bulgaria and Italy and Chile, to
20 train with their alpine troops. And while there
21 in Chile, skiing in Portillo, they run into no
22 one else but the U.S. Women's National Team,
23 because that's where they go in July to ski,
24 right alongside our soldiers. And they met
25 Mikaela Shiffrin, who's prepping for the next

1 Olympics.

2 So they had some very interesting
3 conversations about the history of the
4 10th Mountain Division as the Army ski division
5 and how it's translated into the modern ski world
6 and industry, and with these athletes. Very
7 great discussion about the origins of the
8 division, fighting in Northern Italy and
9 liberating the north part of Italy through
10 breaking the Gothic Line and freeing the
11 Apennines.

12 And if you don't know this, the
13 Winter Olympics in 2026 will be in Milan. And
14 because of that relationship established with the
15 U.S. Ski Team and the Olympic Committee -- I'll
16 give you some inside baseball here -- there's a
17 high probability you're going to see a
18 10th Mountain patch on the Olympians as they
19 march into Milan 81 years after that patch
20 liberated Northern Italy. It's going to be a
21 pretty amazing moment, so keep your eyes out for
22 that.

23 Additionally, we had -- back here in
24 the North Country we served alongside our
25 community during an unprecedented water outage in

1 Watertown, New York. I mean, we had to call
2 Watertown just "Town" for about a couple of days.

3 (Laughter.)

4 BRIGADIER GENERAL BRAMAN: But in
5 partnership with the local community,
6 relationships already built and established
7 because that's where we work and live, we were
8 able to provide rapid water services until that
9 could be reestablished. But that's nothing new
10 to the North Country.

11 We held our annual Mountainfest
12 celebration, which is where we open our doors to
13 Fort Drum and invite the community to see what we
14 do through a series of ceremonies,
15 demonstrations, culminating in fireworks and a
16 concert.

17 So please, come up and see us at
18 Mountainfest again. This year it's July 17th
19 through the 20th.

20 Today our 3rd Brigade Combat Team is
21 in Finland, our second-newest NATO partner,
22 participating in Defender '24, which is the
23 largest U.S. Army exercise in Europe.
24 Defender '24 is designed to deter adversaries,
25 transform operational mission command, and build

1 readiness and strengthen the NATO Alliance.

2 Defender '24 is the largest exercise
3 since the end of the Cold War, and it's
4 specifically focused this year on the High North
5 and Eastern Flank countries. What was most
6 amazing was our soldiers just last week met their
7 equipment at a port in Narvik, Norway, and then
8 convoyed 900 kilometers across Scandinavia to
9 link up with our Finnish allies on the
10 Russian-Finnish border. And they're there for a
11 reason.

12 We're weeks away from our Combat
13 Aviation Brigade deploying to Iraq, Syria and
14 Kuwait to support the 44th IBCT. We flew all of
15 our helicopters to the port about a month ago,
16 and soon 1500 aviation soldiers will be the true
17 aviation support for the entire CENTCOM region
18 for the next nine months. And late this fall our
19 1st Brigade Combat Team will be trained and ready
20 to deploy at the needs of the National Command
21 Authority.

22 So as we like to say about the most
23 deployed division in the Army since 1985, just
24 another day for the 10th Mountain Division and
25 Fort Drum.

1 So what else is the state's largest
2 single employer doing when it's not deploying or
3 redeploying its most valuable assets, our
4 soldiers, and taking care of our families?

5 We'll, we're working with the Army on proposals
6 to reestablish energy independence at Fort Drum
7 as part of the Army's climate strategy.

8 We have seen our STARBASE STEM
9 program at Fort Drum grow. We brought in this
10 year 68 fifth-grade classes to our academy for a
11 week with us from our 14 surrounding school
12 districts. This year we'll reach nearly 3,000
13 students that have attended that academy in the
14 last two years.

15 The Army recently announced a new
16 major restructuring initiative that began this
17 spring which will transform our current division
18 structure of the 10th Mountain Division to adapt
19 to large-scale combat operations from where we've
20 been as a counterinsurgency-centric structure for
21 the past two decades. This will bring new
22 organizations to the North Country, to include
23 the Army's newest Multi-Domain Task Force and
24 Long Range Precision Fires units, who get to
25 maximize the capabilities of our brand-new

1 railhead that we recently opened and the largest
2 Power Projection airfield in the Northeast to
3 rapidly deploy at the needs of our leadership.

4 We've begun partnering with our tech
5 corridor along the I-90 corridor to leverage
6 Fort Drum's facilities, its ranges, to be the
7 center of excellence in fighting within and
8 against the electromagnetic spectrum through a
9 series of experiments and exercises run by our
10 Division Artillery Headquarters. But larger than
11 that, we're looking for ways to innovate across
12 all domains, and you have folks in your districts
13 that can help us.

14 So once again, thank you for
15 allowing us to be here today. Thank you for all
16 you do to make Fort Drum and the North Country a
17 place that soldiers and families want to call
18 home for the long game. And please, please come
19 visit us.

20 Climb to Glory! Be all you can be.

21 (Standing ovation.)

22 ACTING PRESIDENT COONEY: The
23 reading of the Journal.

24 THE SECRETARY: In Senate, Monday,
25 May 6, 2024, the Senate met pursuant to

1 adjournment. The Journal of Sunday, May 5, 2024,
2 was read and approved. On motion, the Senate
3 adjourned.

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

6 Presentation of petitions.

7 Messages from the Assembly.

8 The Secretary will read.

9 THE SECRETARY: Senator Persaud
10 moves to discharge, from the Committee on
11 Children and Families, Assembly Bill Number 8322A
12 and substitute it for the identical Senate Bill
13 7452A, Third Reading Calendar 823.

14 ACTING PRESIDENT COONEY: So
15 ordered.

16 Messages from the Governor.

17 Reports of standing committees.

18 Reports of select committees.

19 Communications and reports from
20 state officers.

21 Motions and resolutions.

22 Senator Gianaris.

23 SENATOR GIANARIS: Good afternoon,
24 Mr. President.

25 I move to adopt the

1 Resolution Calendar, with the exception of
2 Resolutions 2214, 2257, 2278, 2296 and 2300.

3 ACTING PRESIDENT COONEY: All those
4 in favor of adopting the Resolution Calendar,
5 with the exception of Resolutions 2214, 2257,
6 2278, 2296 and 2300, please signify by saying
7 aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT COONEY: Opposed,
10 nay.

11 (No response.)

12 ACTING PRESIDENT COONEY: The
13 Resolution Calendar is adopted.

14 Senator Gianaris.

15 SENATOR GIANARIS: Let's begin with
16 the resolution honoring our special guests today,
17 Resolution 2214, by Senator Scarcella-Spanton.
18 Read that resolution's title and recognize
19 Leader Andrea Stewart-Cousins.

20 ACTING PRESIDENT COONEY: The
21 Secretary will read.

22 THE SECRETARY: Resolution 2214, by
23 Senator Scarcella-Spanton, memorializing Governor
24 Kathy Hochul to proclaim May 7, 2024, as
25 10th Mountain Division and Fort Drum Day in the

1 State of New York.

2 ACTING PRESIDENT COONEY: Majority
3 Leader Andrea Stewart-Cousins.

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

6 And I want to thank you,
7 Brigadier General Braman, and certainly the
8 10th Mountain Division for making this day,
9 Fort Drum Day, very, very special.

10 We look forward to your coming. We
11 look forward to thanking you for your service.
12 And one of the things the Brigadier General said
13 to me is that he was trying to figure out what
14 you say, because we all say "thank you for your
15 service." And then he looked it up and credited
16 someone else who gave the perfect answer. What
17 he says back to us now is "You're worth it."

18 This is a mutual admiration society.
19 So you're worth our celebrating what you do and
20 how you do it: The partnership that we've had
21 since 1974; the 80,000 troops that you train; the
22 deployment; the support of families; the ability
23 to of course contribute to the economic growth
24 and development of New York. But more than that,
25 inspiring us each and every day because of your

1 courage and your commitment to be, yes, all that
2 you can be on behalf of all of us.

3 So we know not only from our own
4 families -- and again, thank you for
5 acknowledging my dad and my brother -- but also
6 right here. Senator Walczyk who I know would be
7 lauding Fort Drum, is also deployed. So we are
8 very, very, very much touched by what you do, and
9 the fact that you call it Albany Day and it's
10 part of your calendar.

11 I'm also happy that there's so many
12 guests and visitors here today, many of whom will
13 also be lauded. But the fact that you've told
14 the history, you've talked about the things that
15 you continue to do not just here, but across the
16 world, across the globe, gives us all a really
17 good opportunity to know that when we talk about
18 service, we are talking about service in ways
19 that we could never, ever imagine, most of us.

20 And we thank you, thank you, thank
21 you for, again, continuing to serve, continuing
22 to inspire us.

23 And I want to thank
24 Senator Scarcella-Spanton for presenting the
25 resolution, for actually visiting Fort Drum,

1 which we're going to have to do because she did
2 the helicopter ride. I was wondering if we could
3 take small kids, because, you know, I have the
4 grandkids. He says no, they're not going to be
5 able to get on the helicopter.

6 However, I'm told that their video
7 games are like none other. So there is something
8 for everyone at Fort Drum.

9 And also I just want to personally
10 say he's on his way back, the brigadier general,
11 to the Pentagon. He was promoted just in
12 January. He'd been acting for about two years or
13 so, and so he was here last year. And so now
14 he's been promoted, and as soon as he's gotten
15 promoted he's going to go back to D.C.

16 But again, we are encouraged because
17 of you and because of the great men and women
18 that serve in the 10th Mountain Division that
19 whether you're here or whether you're in D.C. or
20 across the globe, we are in very, very good
21 hands.

22 Thank you again for your service.
23 And yes, you're also worth all of the benefits
24 that we in this Legislature can extend to support
25 you.

1 So thank you, Mr. President.

2 ACTING PRESIDENT COONEY: Thank
3 you, Majority Leader.

4 Senator Scarcella-Spanton on the
5 resolution.

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

8 And thank you, Leader, for that
9 wonderful introduction for Fort Drum.

10 Welcome, Fort Drum. Thank you so
11 much. I promised Senator Walczyk that I would
12 try to make this a success, and it really seems
13 like it came together. I know he wishes that he
14 could be here. This day was really important to
15 him as well, because he represents the area. But
16 I feel honorary because I did come to visit,
17 so --

18 (Laughter.)

19 SENATOR SCARCELLA-SPANTON: I
20 wanted to say a special thank you to
21 Brigadier General Braman for showing me just what
22 it means to have a military base like this in
23 New York. I was able to get it from a bird's-eye
24 view up in a helicopter, which was an amazing
25 experience.

1 But really walking away from that, I
2 could see how integral this is to that community
3 overall, to see how they integrate with the
4 civilian life, with the hospital. What they do
5 for the military spouses on that base, making
6 sure that the small businesses look to hire them.
7 I was just so impressed and blown away.

8 And I really do encourage all of my
9 colleagues to go visit if you have an
10 opportunity, because it's a wonderful experience.
11 And I think it's important to see that this is
12 happening right here in New York.

13 And with that, I wanted to also say
14 that today really does hold significant meaning
15 as we commend the remarkable efforts of the men
16 and women stationed at Fort Drum and within the
17 10th Mountain Division, many of whom are
18 constituents of our own.

19 As a matter of fact, some of the
20 gentlemen back there just returned from a
21 deployment recently. So give a round of applause
22 for them. They deserve it again.

23 (Standing ovation.)

24 SENATOR SCARCELLA-SPANTON: For
25 many years Fort Drum has been the proud home of

1 the renowned 10th Mountain Division, a division
2 distinguished as one of the most deployed units
3 in the United States Army.

4 Braving the harsh climate and
5 terrain of the Adirondacks, truly the best of the
6 best of our armed services have come out of this
7 remote installment.

8 Today and every day we pay tribute
9 to the 10th Mountain Division for their
10 invaluable contributions to our defense overseas
11 and their unwavering valor, especially in
12 the aftermath of the September 11th attacks.

13 Beyond this critical role in
14 national defense, Fort Drum stands as the largest
15 employer in Northern New York, serving as our
16 state's largest single-site employer in the
17 entire state.

18 The 33,000 soldiers and family
19 members of Fort Drum have become an integral part
20 of Northern New York, enriching our communities
21 as neighbors, coworkers, classmates, friends and
22 fellow New Yorkers. I can say, coming from a
23 military family, I understand the challenges of
24 deployment, and that's why my takeaway to seeing
25 the work you do for those families when their

1 significant other is deployed is so incredibly
2 important. And it was really refreshing to see
3 the work that you do with that as well.

4 The supportive community fostered
5 within Northern New York, particularly during
6 these deployments, is what truly sets Fort Drum
7 apart from other installations. I'm honored to
8 have had the opportunity to shine a spotlight not
9 only on the brave soldiers of the 10th Mountain
10 Division, but also on every service member family
11 member, and the entire Fort Drum community here
12 in the State Senate today.

13 Thank you to my esteemed colleagues,
14 and I proudly vote aye.

15 ACTING PRESIDENT COONEY: Thank
16 you, Senator.

17 Senator Ortt on the resolution.

18 SENATOR ORTT: Thank you,
19 Mr. President.

20 I want to thank Majority Leader
21 Stewart-Cousins. I want to thank Senator
22 Scarcella-Spanton, the sponsor of this resolution
23 today.

24 I certainly want to thank Senator
25 Walczyk -- who is not here today, but as has been

1 mentioned several times, is currently deployed.
2 He is extremely proud, as we all are of our
3 districts. As I know Senator Skoufis is of
4 West Point, Senator Walczyk is equally proud of
5 representing Fort Drum and all that it means, not
6 only to the North Country, not only to New York
7 State, but to the United States of America and, I
8 would argue, the globe. The 10th Mountain
9 Division has probably done more to protect free
10 peoples and protect the interests of the
11 United States than most.

12 And I certainly want to thank
13 Brigadier General Braman for his leadership, for
14 being here today, for his kind words.

15 I also want to recognize Sergeant
16 Major Mobar, because of course as we all know,
17 any officer in the United States military knows,
18 when you're on post, when you're in cantonment at
19 the barracks, it is the sergeant major who is --
20 they are running the show there. And I'm sure
21 Brigadier General Braman would not mind me saying
22 so -- in fact, I'm sure he would agree -- but I
23 want to thank both of them for their leadership
24 and everyone who helped make this day possible
25 and who showed up.

1 Fort Drum is important. It's
2 important economically to the North Country. The
3 economic impact is -- really, you can't really
4 overstate the economic impact in just dollars
5 alone to the North Country, to New York State.
6 And that's true for a lot of military
7 installations, having been to several. If those
8 installations were gone, the surrounding area
9 would really kind of dry up pretty quickly or be
10 negatively impacted.

11 A lot of members of the
12 10th Mountain, when they leave their service,
13 when they separate from service, a lot of them
14 stay in New York and become part of our
15 communities, whether it's in the North Country,
16 whether it's downstate, whether it's in Western
17 New York.

18 But it's broader than that. The
19 10th Mountain Division is the most-deployed
20 division since 9/11. When you think of the
21 United States' Global War on Terror, when you
22 think of the two conflicts in Iraq and
23 Afghanistan, when you think of all of our foreign
24 policy challenges since September 11, 2001, it is
25 the 10th Mountain Division that has been front

1 and center in all of that.

2 And it will be the 10th Mountain
3 Division who will be front and center going
4 forward. If you look at the faces here who just
5 came back from deployment, these are young
6 people. I always say the irony of who fights
7 America's wars -- it is not middle-aged folks, it
8 is not older men and women, it is young men and
9 women. Most people that we would call interns or
10 young staffers in this building, those are the
11 people leading platoons. Those are the
12 individuals leading squads under fire in combat
13 with the 10th Mountain on their arm.

14 And so we should be proud that this
15 division, a storied unit in every major conflict
16 in the United States, they call New York home.
17 They call this state their home. And that is why
18 we are proud to recognize you, your service, your
19 sacrifice. But it's why we are proud to
20 recognize that Fort Drum is a New York
21 installation, and we want to keep it that way for
22 the foreseeable future.

23 So I certainly want to thank all of
24 you for your service. I want to thank you for
25 being here. Brigadier General Braman I know is

1 off, as the leader said, to the Pentagon. So a
2 mix of congratulations and condolences, but
3 congratulations on the promotion. That is almost
4 an equally as dangerous deployment, I'm sure he
5 would agree, as somewhere overseas.

6 (Laughter.)

7 SENATOR ORTT: So be careful,
8 Brigadier General. I'm sure you will. And I'm
9 sure and I know the 10th Mountain and Fort Drum
10 will be in good hands going forward.

11 And again, we look forward to having
12 you here next year. And I look forward, even
13 though I was there several times, I never got a
14 bird's-eye view. I was usually in the woods or
15 out in the field, and I was miserable and I
16 wanted to go home.

17 (Laughter.)

18 SENATOR ORTT: But I'm looking
19 forward to going back in a different kind of way,
20 and I would love to get the Senator
21 Scarcella-Spanton tour, as it were, when I
22 return.

23 (Laughter.)

24 SENATOR ORTT: So thank you again
25 for your service.

1 Mr. President, thank you for your
2 indulgence.

3 ACTING PRESIDENT COONEY: Thank
4 you, Senator.

5 Senator Ashby on the resolution.

6 SENATOR ASHBY: Thank you,
7 Mr. President.

8 I want to thank the Majority Leader.
9 I want to thank our chairwoman. Thank you,
10 General. Thank you, Sergeant Major.

11 And it should come as no surprise
12 that the most storied unit in our nation's
13 history just got back from deployment and is
14 looking to go out again.

15 And I can tell you that not just on
16 Fort Drum Day, you are remembered here in this
17 chamber. Last year and years prior, we passed
18 the Staff Sergeant Alex Jimenez Family Legacy
19 Act, who was a member of the 10th Mountain
20 Division. And I believe that this bill will do
21 more good than many of the things that we come
22 across in this chamber, and it is a bipartisan
23 effort. And it stems from Fort Drum. It stems
24 from the desire to serve and sacrifice, which is
25 what you all represent, for the betterment of our

1 country and our state.

2 And even though our Governor decided
3 not to sign it into law, I am calling on her
4 again today to do so on Fort Drum Day. And I'll
5 do it every day. Because it's the right thing to
6 do. It's the right message to send.

7 And I want to thank you for coming
8 here to remind us what we stand for each and
9 every day, and to continue that fight and taking
10 it overseas.

11 Thank you to the enlisted for being
12 the backbone of the Army. As a junior officer, I
13 relied on you guys a lot. And myself, I had
14 those same views as our leader did at Fort Drum
15 in the woods. Sometimes lost as a junior
16 officer, I had to lean on my enlisted to find my
17 way.

18 And hopefully someday I'll get the
19 Senator Scarcella-Spanton tour as well, from the
20 sky.

21 Thank you, Mr. President.

22 ACTING PRESIDENT COONEY: Thank
23 you, Senator.

24 To our guests from Fort Drum, I
25 welcome you on behalf of the Senate.

1 We extend to you the privileges and
2 courtesies of this house. Please rise and be
3 recognized.

4 (Extended standing ovation.)

5 ACTING PRESIDENT COONEY: As we are
6 adopting the resolution, the question is on the
7 resolution. All in favor signify by saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT COONEY: Opposed,
10 nay.

11 (No response.)

12 ACTING PRESIDENT COONEY: The
13 resolution is adopted.

14 Senator Gianaris.

15 SENATOR GIANARIS: Let's move on.
16 We have a robust agenda of resolutions and
17 introductions today, so let's move on now to
18 previously adopted Resolution 2026, by
19 Senator Stavisky, read that resolution's title,
20 and recognize Senator Stavisky.

21 ACTING PRESIDENT COONEY: The
22 Secretary will read.

23 THE SECRETARY: Resolution 2026, by
24 Senator Stavisky, memorializing Governor
25 Kathy Hochul to proclaim May 7, 2024, as

1 Queens Day in the State of New York.

2 ACTING PRESIDENT COONEY: Senator
3 Stavisky on the resolution.

4 SENATOR STAVISKY: Thank you,
5 Mr. President.

6 And thank you, Deputy Majority
7 Leader, from the Queens delegation.

8 First let me welcome our friends
9 from the Queens Chamber of Commerce, particularly
10 Tom Grech, the executive director; Joanne Persad,
11 the chief operating officer; and Howard Graf, the
12 chair of the Queens Chamber of Commerce Board --
13 but also the people who came up to Albany today
14 to celebrate the rich cultural heritage that
15 Queens represents.

16 And I must tell you I am so proud to
17 represent a district in Queens County which
18 covers a good chunk of area from Astoria to the
19 Nassau County line, and then south to
20 Jamaica Avenue, representing so many different
21 communities.

22 And Queens is a county of
23 neighborhoods. People don't say, Where do you
24 live? Oh, I live in New York City, or I live in
25 Queens. They say: I live in Astoria, I live in

1 Laurelton, I live in Queens Village. I live in
2 Whitestone. We are neighborhoods with a sense of
3 community, which I think is so unique to our
4 city.

5 There are a lot of people in
6 Queens County, 2.4 million people. We are the
7 largest borough in the City of New York,
8 approximately 108 square miles. And yet we know
9 each other, we work together with each other.
10 The Queens delegation is united. We're all
11 friends, we look out for one another, and I think
12 Queens benefits as a result.

13 The other -- a number of other
14 things that I do want to mention. We have an
15 amazing school system where over 130 languages
16 are spoken in our schools. And in fact, of the
17 almost 2.5 million people, most or many were not
18 born in Queens. And I was not born in Queens. I
19 am a resident by choice. I moved to Queens when
20 I got married. But I've been in the Senate, and
21 as I said, I am so proud to represent
22 Queens County.

23 Queens was settled back in the
24 17th century, interestingly, by the Lenape Native
25 Americans who came from New Jersey and

1 Pennsylvania. They were part of the
2 Algonquin Tribe. And they moved into Queens and
3 settled here. Until the Dutch came along, and
4 then the British. And in fact, Queens was named
5 after the queen consort for Charles II back in
6 the 17th century.

7 Queens is considered the birthplace
8 of religious freedom, for example. The Flushing
9 Remonstrance was issued to establish religious
10 freedom. In fact, Peter Stuyvesant was the
11 person to whom it was addressed. And in Albany,
12 if you go across to the -- I can't remember if
13 it's the library -- the State Library or the
14 State Museum, it exists there. We brought it
15 down a number of years ago on the -- on an
16 anniversary. But it is sitting partially
17 damaged, unfortunately, here in Albany, which I
18 think is significant.

19 In fact, Queens was a separate town.
20 It was called the Town of Newtown when it was
21 first organized, until 1898, when it became part
22 of the City of New York when all of the five
23 boroughs became part of the city.

24 And I know there are a lot of people
25 who wish to speak, and we have a lot of

1 resolutions today. So let me just close by
2 thanking everybody for coming. I know my
3 colleagues are going to talk about the -- I'm
4 sure the sports teams that we're so proud of, but
5 also the restaurants. And tonight at 5 o'clock
6 at the Hart Lounge, the Queens Chamber of
7 Commerce has brought along some samples for you
8 to try. It's Taste Queens -- A Taste of Queens,
9 and we invite everybody to join us.

10 So, Mr. President, I thank you.

11 ACTING PRESIDENT COONEY: Thank
12 you, Senator.

13 Senator Gianaris on the resolution.

14 SENATOR GIANARIS: Thank you,
15 Mr. President.

16 I rise once again to remind all my
17 colleagues that of the 62 great counties in New
18 York State, Queens is the greatest.

19 (Laughter; applause.)

20 SENATOR GIANARIS: We could talk
21 about the food, the entertainers. I'll let
22 Senators Comrie and Sanders talk about the
23 hip-hop artists that stem from Queens. Political
24 figures, except for one guy who we don't talk
25 about on this side of the aisle. We'd like to

1 disown him, but that's a whole separate
2 conversation.

3 (Laughter.)

4 SENATOR GIANARIS: But Queens
5 really does have it all. You see that reflected
6 in our own delegation here in the Senate as well
7 as in the Assembly. All of the world is
8 represented in Queens County. And I don't think
9 there's a place on earth that can say that the
10 way that Queens can. And we have some great
11 leaders from Queens with us today. There's going
12 to be a great sampling of the food I just
13 referenced at the Taste of Queens, if we can make
14 it out of here on time. And I'm sure we will,
15 because we don't want to miss out on the great
16 expression of all that Queens has to offer.

17 My colleagues are going to talk at
18 length, I'm sure, about the additional greatness
19 that you should all be thankful for. And I'll
20 leave that to them. But for today, as Queens Day
21 here in the State Senate, I thank our friends
22 from back home who have journeyed up to see us
23 today and look forward to catching up with them
24 over at the Egg a little bit later.

25 Thank you, Mr. President.

1 ACTING PRESIDENT COONEY: Senator
2 Comrie on the resolution.

3 SENATOR COMRIE: Thank you,
4 Mr. President.

5 I rise today to speak on the
6 resolution because it's Queens Day. I said it,
7 I'll say it again. It's Queeeens Day.

8 (Hooting.)

9 SENATOR COMRIE: You know, I'll
10 second what Senator Gianaris said. Queens is the
11 best borough that's been. I've been proud to
12 have spent my entire life serving the borough, my
13 entire life in public service working on behalf
14 of Queens.

15 Queens reflects the world. Queens
16 is changing the world. Our borough boasts so
17 many renowned alumni, from Jerry Seinfeld to LL
18 Cool J to Leslie Odom to Richard Rodgers to
19 Idina Menzel, Louis Armstrong, Count Basie,
20 Tony Bennett, Martin Scorsese, Fran Drescher,
21 Lucy Liu, even Jon Favreau -- and so many more.

22 Queens has worked with so many
23 people that have transformed music, theater,
24 film, literature, journalism and politics.

25 Over the past few decades we've been

1 able to see so many new thriving businesses,
2 including a growing tech hub, including the
3 expansion of the stadiums, the ability to redo
4 and improve La Guardia Airport and now Kennedy
5 Airport, which is so needing of improvement, so
6 that we can deal with all of the folks --
7 everybody in New York comes through Queens.

8 You get to experience Queens traffic
9 and congestion, but then you get to experience
10 all of the restaurants and the diversity of
11 Queens. You can actually go on one block in
12 certain areas of Queens and see seven different
13 cultural types of restaurants and have a great
14 experience at each one.

15 I want to not forget taking time to
16 thank Tom Grech and the Queens Chamber of
17 Commerce. Thanks to them for making sure that we
18 continue to bring Queens to Albany so -- because
19 Queens is coming to Albany not just to show its
20 culture but to boast about its business. Not
21 just to give you an opportunity to have a taste
22 of great restaurants, but to show what we are
23 trying to do economically, what we are trying to
24 do to help young people, what we're trying to do
25 with the innovative and enterprising,

1 entrepreneuring spirit that we have with all of
2 our businesses in Queens that need help.

3 I see we have also partners in
4 government that are here today, everyone from
5 Citi Field, folks from Citi Field to folks from
6 Resorts World, folks from the hospitals that are
7 here today to show you what we have done in
8 Queens, how Queens is changing the world, how
9 Queens is becoming a major influence.

10 And I want to just say that also
11 while we have a diverse community, all Queens
12 residents want the same thing. They want to have
13 a better life, a great community, an opportunity
14 for their children to learn and thrive. Queens
15 people are New Yorkers. Queens people are
16 leading the way as New Yorkers because we are
17 trying to make sure that we are the best borough
18 to ensure that we work on things as a family, we
19 figure out things as a unit, and we do things to
20 make sure that the borough can continue to grow.

21 I will end by saying that while I
22 love being in Queens and it's been a great
23 opportunity for me and my colleagues, I look
24 forward to spreading the love of Queens
25 throughout the state today by having A Taste of

1 Queens, and also inviting you to come to Queens
2 so that we can show you what the best borough
3 has.

4 Thank you, Mr. President.

5 ACTING PRESIDENT COONEY: Thank
6 you, Senator.

7 Senator Sanders on the resolution.

8 SENATOR SANDERS: It's easy to
9 speak of this one, Mr. President, when you look
10 at some of the great things of Queens.

11 Before they leave, I encourage you
12 all to look at the greatness of Queens which is
13 rising above us, seems to rise above us at all.
14 Tom Grech, who stands above everyone,
15 seemingly -- but all of the greatness in Queens.

16 This way when you have trouble --
17 the world has so much trouble getting along,
18 having difficulty solving things from the
19 Middle East to Europe to wherever. They all need
20 to take a trip to Queens. Perhaps we should
21 insist that the UN return to Queens again, and
22 that way we can solve some of the problems of the
23 world. And that the Queens Chamber of Commerce,
24 of course, can teach us all.

25 And that's what we're going to learn

1 tonight in between some of the great food of
2 Queens. I absolutely give a Queens "Yes" to this
3 one.

4 ACTING PRESIDENT COONEY: Senator
5 Addabbo on the resolution.

6 SENATOR ADDABBO: Thank you,
7 Mr. President.

8 I want to thank Senator Stavisky for
9 this resolution, and certainly great work with my
10 Queens colleagues. And I want to welcome all
11 those who are coming from Queens. Again, born
12 and raised in Queens my whole life, I am very
13 proud of the borough.

14 And I think I said it last year.
15 With two airports in our borough, two major
16 airports, La Guardia and JFK, when you set foot
17 into Queens, you set foot into the world. With
18 half our residents in Queens foreign-born, and
19 over 800 languages spoken in our borough, it
20 truly is reflective of the world.

21 And I think that diversity is what
22 gets us through -- to Senator Sanders' point, it
23 gets us through a lot of our conflicts, a lot of
24 our troubled times. And I do want to thank those
25 colleagues, but also those here from Queens like

1 Tom Grech and the Queens Chamber and all those
2 who work with us throughout the year to make sure
3 that our residents in Queens are taken care of.

4 Some of the sports were mentioned --
5 Citi Field Mets. Let's go, Mets! Right,
6 Senator Gianaris? But also home to the U.S. Open
7 and the Billie Jean King Tennis Center. Home of
8 the new stadium for the New York City Football
9 Club, the soccer stadium. Still home to
10 Aqueduct, while we still have it for a couple of
11 years. The iconic Aqueduct. And right next to
12 Aqueduct, as chair of the Racing, Gaming and
13 Wagering Committee I want to thank Resorts World
14 for being such a great neighbor, not only for its
15 economic impact locally and to the state of
16 \$4 billion to education every -- to this point 11
17 years later. But during the pandemic, during
18 Hurricane Sandy, during any real issue that
19 happens in our borough, Resorts World has been
20 there, and I want to say thank you.

21 But again to the chamber, because we
22 have so many small businesses which are the
23 backbone for our borough, who provide so many
24 great local jobs -- I want to thank the Queens
25 Chamber also for guiding us through the pandemic,

1 but that these businesses have been through a
2 lot -- Hurricane Sandy, Hurricane Irene,
3 pandemics. And yet they are resilient in their
4 efforts to stay open.

5 And I want to thank those small
6 businesses. I want to again say thanks to the
7 chamber. But to all those who work with us to
8 make Queens a great place to live, work and raise
9 a family, thank you very much.

10 I'll be voting yes on the
11 resolution. Thank you, Mr. President.

12 ACTING PRESIDENT COONEY: Thank
13 you, Senator.

14 Senator Ramos on the resolution.

15 SENATOR RAMOS: Thank you. Happy
16 Queens Day to everyone.

17 You know, for my speech I usually
18 ask my constituents what their favorite things
19 about Queens are, and usually they just give me
20 back whatever their favorite restaurant is --
21 which is very controversial stuff, I've learned.

22 So this year I asked them what's
23 their favorite block. And people shouted out
24 some beautiful streets in Astoria and Sunnyside
25 and Forest Hills and Jackson Heights and beyond.

1 But after hearing from so many trolls trashing it
2 over the last few years, it filled my heart to
3 hear some love for Roosevelt Avenue. It's been
4 my favorite for as long as I can remember too.
5 And I want to dedicate this Queens Day to
6 everyone who makes Roosevelt Avenue the vibrant
7 place that it is.

8 I fell in love with Roosevelt Avenue
9 at an early age. Growing up, my father would
10 take us down to Roosie after church on Sundays to
11 our favorite restaurants and to help different
12 ongoing community organizing efforts. Even back
13 then, Roosevelt Avenue was poorly lit and teemed
14 with immigrant-owned businesses. I remember
15 these immigrants, among them my parents,
16 advocating for resources from their elected
17 officials, and then being largely ignored.

18 Then when I was 14, I started my
19 first job at a law firm right on Roosevelt Avenue
20 and 83rd Street. I worked there for seven years,
21 and throughout those years I met day laborers who
22 got hurt on construction sites, sex workers that
23 needed to be bailed out of jail and were scared
24 to report their traffickers, and all sorts of
25 immigrants applying to legalize their status in

1 our country.

2 Not much has changed. There's just
3 more immigrants now. People on Roosie work like
4 crazy to make their American dreams come true. I
5 call it the New York hustle. Day laborers,
6 street vendors, small business owners,
7 deliveristas and everyone else there are figuring
8 it out while they continue to be ignored by city
9 government, just like my parents and their
10 friends many decades ago.

11 Consistent city budget cuts have
12 slowed sanitation pickups and DOT seems fine
13 leaving the avenue riddled with potholes.
14 There's human trafficking and the city looks the
15 other way. I've lived off of Roosevelt Avenue in
16 Corona and Jackson Heights for nearly 20 years of
17 my life and counting. I love Roosevelt Avenue,
18 and I'll keep fighting until the city does their
19 job and we win immigration reform.

20 From the perspective of our work
21 here, I'm proud that we won MTA upgrades to the
22 seven train stations at 82nd Street, 103rd and
23 111, and I hope next year our one-house budget
24 win for a new 74th Street Station makes it into
25 the new MTA capital plan.

1 I'm so proud to be a daughter of
2 Queens today and every day. I vote aye.

3 Thank you.

4 ACTING PRESIDENT COONEY: Senator
5 Persaud on the resolution.

6 SENATOR PERSAUD: Thank you,
7 Mr. President.

8 How do I follow that? I'll just be
9 brief. You know, we've heard great things about
10 Queens. I am a representative of Queens, but I
11 have the smallest constituency of the Queens
12 delegation.

13 And there's this conversation about
14 which is the better borough. I straddle two
15 boroughs. And to me, they're both great
16 boroughs.

17 SENATOR RAMOS: But one's better.

18 SENATOR PERSAUD: No, they're no --
19 one is not better than the other.

20 (Laughter; catcalls.)

21 SENATOR PERSAUD: Today we're --
22 today we're celebrating Queens. Let me tell you,
23 today we're celebrating Queens. But both of my
24 boroughs are great boroughs.

25 Happy Queens Day to everyone.

1 (Laughter.)

2 ACTING PRESIDENT COONEY: Senator
3 Liu on the resolution.

4 (Laughter; overtalk.)

5 SENATOR LIU: Mr. President, the
6 food is served at 5:00 p.m. in the Hart Lounge.

7 I agree with everything that my
8 colleagues have said already, except they forgot
9 one thing, Queens being the birthplace of
10 hip-hop.

11 (Groans; overtalk.)

12 ACTING PRESIDENT COONEY: Senator
13 Gonzalez on the resolution.

14 SENATOR GONZALEZ: Thank you,
15 Mr. President.

16 I think my colleagues have said it
17 best. Queens, as one of the most diverse places
18 in the entire world, language capital of the
19 world, has really made me who I am. As someone
20 who was born and raised in Elmhurst, and has the
21 incredible opportunity of representing Astoria
22 and Long Island City, I do really want to speak
23 to the fact that growing up in Queens is what
24 taught me how to be an organizer. It is an
25 incredibly diverse community of immigrants that

1 work together to support each other in every
2 possible way, whether it was in a pandemic or
3 just helping each other every single day make our
4 way, navigate really complex systems.

5 And so it's of course the food, it's
6 of course the people. But it really is the
7 spirit of organizing, for me, that makes Queens
8 so special.

9 So I want to thank Senator Stavisky
10 for this resolution. I want to thank the
11 Queens Chamber of Commerce for all of the work
12 that they do organizing the small businesses in
13 our -- especially in our neighborhoods. And I
14 want to thank all of my colleagues for the
15 incredible Queens delegation that's been working
16 hard to bring back wins.

17 So thank you.

18 ACTING PRESIDENT COONEY: Thank
19 you, Senator.

20 Senator Bailey on the resolution.

21 SENATOR PERSAUD: Oh, no.

22 SENATOR BAILEY: Roxy, I gave you
23 -- I applauded you on your borough-straddling
24 discussion. And I will honestly state that
25 Queens is an incredible place. The Mets, the

1 Tennis Center, the people, the food -- so many
2 amazing things about Queens that are
3 indisputable, can't take away.

4 However, there seems to be a
5 continuous perpetuated incorrect rumor that we
6 need to put to bed today that Queens somehow had
7 a hand in the creation of hip-hop. Now, my
8 colleagues will say Queens made it better. And
9 yes, I will agree that there are so many
10 luminaries -- see, I'm using the Eminem 8 Mile
11 battle technique: I know what you're gonna to
12 say; I'm gonna say it first.

13 Yeah, there are great MCs in Queens.
14 But on August 11, 1973, at 1520 Sedgwick Avenue
15 in the Borough of the Bronx, in Senator Serrano's
16 district -- not at whatever location people
17 purport it to be in the great Borough of
18 Queens --

19 SENATOR RAMOS: Queensbridge.

20 SENATOR BAILEY: Didn't start in
21 there.

22 But even though the Bronx did once
23 say "The bridge is over, the bridge is over,
24 biddy-bye-bye, the bridge is over, the bridge is
25 over, hey, hey."

1 I will say that the relationship
2 between the Borough of Queens and the world is
3 not over. I do salute you all, Queens, my
4 colleagues, I appreciate the work that you do.
5 And most importantly, the people of the great
6 Borough of Queens, I salute you for all that you
7 do and all that you are. You are truly the
8 world's borough, even if you're not the creators
9 of hip-hop.

10 I vote aye, Mr. President.

11 ACTING PRESIDENT COONEY: Thank
12 you, Senator Bailey.

13 Senator Thomas on the resolution.

14 SENATOR THOMAS: Thank you,
15 Mr. President.

16 And thank you, Senator Stavisky, for
17 this resolution. There's been a lot of debate
18 from my colleagues about which is the best
19 borough. You know, whether it is Queens or
20 Brooklyn. But I just want to remind folks that
21 both Queens and Brooklyn are on Long Island. So
22 this is --

23 (Laughter.)

24 SENATOR THOMAS: -- this is about
25 Long Island. So happy Long Island Day. All

1 right?

2 (Laughter.)

3 SENATOR THOMAS: And we've got a
4 very diverse population, great food, amazing
5 elected officials. So please join us today for
6 some amazing food from Long Island.

7 And Happy Queens Day.

8 (Laughter.)

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

11 Senator Gianaris.

12 SENATOR GIANARIS: Please recognize
13 Senator Rivera for an introduction.

14 ACTING PRESIDENT COONEY: Senator
15 Rivera.

16 SENATOR RIVERA: Thank you,
17 Mr. President.

18 And no, I'm not going to wade into
19 this, although we all know that hip-hop was
20 created in the Bronx.

21 I will, however, Mr. President,
22 stand up. We're very lucky in this chamber to,
23 from time to time, welcome national leaders and
24 international leaders. And I'm very glad to
25 welcome Carlos Alvarado Quesada, former

1 president, the 40th president of the Republic of
2 Costa Rica.

3 He is -- when he became president
4 back in 2018, Mr. President, he was the
5 youngest -- he was 36 years old, I believe -- 38.
6 Thirty-eight. Still, president of a
7 Latin American country at 38.

8 He was somebody -- under his
9 leadership, Costa Rica contributed to the global
10 efforts against global climate change, defended
11 human rights, democracy, and multilateralism.

12 And in the case of President
13 Alvarado Quesada, in 2019 he was not only named
14 to Time's 100 Next Emerging Leaders from around
15 the world who are shaping the future and defining
16 the next generation, he also launched
17 Costa Rica's national decarbonization effort, the
18 first of its kind since the Paris Agreement of
19 2015. And in 2022 he was named -- received the
20 Planetary Leadership Award by the National
21 Geographic Society.

22 So I am glad that he is here in
23 Albany. He is talking to some of my colleagues
24 about an important piece of legislation that I
25 will talk to you about individually that could,

1 from the State of New York, shape what happens
2 around the world. But we wanted to make sure
3 that we welcomed him to the chamber this
4 afternoon.

5 Thank you, Mr. President.

6 ACTING PRESIDENT COONEY: Thank
7 you, Senator Rivera.

8 Mr. President, I welcome you on
9 behalf of the Senate. We extend to you the
10 privileges and courtesies of this house.

11 Please rise and be recognized.

12 (Standing ovation.)

13 ACTING PRESIDENT COONEY: Senator
14 Gianaris.

15 SENATOR GIANARIS: Please recognize
16 Senator Krueger for another introduction.

17 ACTING PRESIDENT COONEY: Senator
18 Krueger.

19 SENATOR KRUEGER: Thank you very
20 much.

21 I rise to introduce my guests from
22 my district, the Knickerbocker Greys. Why don't
23 you stand up, everyone. Thank you.

24 The Knickerbocker Greys, founded in
25 1881, is a not-for-profit charity and the oldest

1 after-school program for children ages six to 16
2 in New York City. Cadets are afforded
3 opportunities to develop character, confidence,
4 perseverance, social skills, and problem solving
5 in a fun and unique way unlike any other found in
6 the city and likely the country.

7 They operate out of a fabulous
8 armory on 67th and Park. They are -- well, I
9 guess the history of the Greys is fascinating,
10 since it's over 136 years old, with over 4500
11 New Yorkers who have been members of the Greys
12 Cadet Corps. But I just want to mention a few
13 names of previous cadets people probably will
14 know here: Nelson Rockefeller; David
15 Rockefeller; Douglas Fairbanks, Jr.; Pierpont
16 Morgan Hamilton; Cornelius Vanderbilt, Jr.;
17 John Lindsay; and Lowell Thomas.

18 Today they drill proudly in the
19 Seventh Regiment Armory on Park Avenue and
20 66th Street. Boys and girls from a diverse list
21 of independent, magnet, parochial and public
22 schools located in Manhattan, Brooklyn, the Bronx
23 and even Westchester County have participated in
24 the Greys.

25 I'm delighted they got to be here

1 today on Fort Drum Day. It seems very
2 appropriate that you young people got to see our
3 actual soldiers and the role that they play in
4 our state and government. And I'm very proud of
5 the work that all of you are doing. And I'm also
6 very proud of David Menegon, who runs the program
7 as a volunteer and has been doing an amazing job
8 with it for years.

9 And you might hear from me on some
10 of their issues, because for some reason the
11 armory which we in the State of New York rent to
12 an arts group now isn't sure they want to let the
13 Greys stay there, after 136 years. And that is
14 not acceptable.

15 So I am delighted they came today.
16 I know they got to participate at the Assembly
17 level also. I hope you had a good educational
18 day here in our beautiful Capitol. And thank you
19 for joining us.

20 Thank you, Mr. President.

21 ACTING PRESIDENT COONEY: Thank
22 you, Senator Krueger.

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

1 Please continue to rise and be
2 recognized.

3 (Standing ovation.)

4 ACTING PRESIDENT COONEY: Senator
5 Gianaris.

6 SENATOR GIANARIS: Please recognize
7 Senator May for an introduction.

8 ACTING PRESIDENT COONEY: Senator
9 May for an introduction.

10 SENATOR MAY: Thank you,
11 Mr. President.

12 I am thrilled to welcome the Moravia
13 Blue Devils, the Boys and Girls Basketball Teams
14 from Moravia, in the Finger Lakes. Both the Boys
15 and Girls Varsity Basketball Teams finished the
16 year this year with a 23 and 3 record. Both of
17 them went on to win with the Class C State
18 Basketball Championships. In the girls' case,
19 they came from behind and won by one point. In
20 the boys' case they were tied at the half and won
21 by three points.

22 And with those victories they became
23 the first time two teams from the same high
24 school have held the Class C championship.

25 I just want to congratulate you.

1 I'm thrilled that you are able to be here with
2 us. I know that you were in the Assembly before.
3 We at the Senate are very happy to welcome you
4 and congratulate you.

5 The Moravia Blue Devils are coached
6 by Head Coach Todd Mulvaney and Assistant Coaches
7 Gabe Short, Parker Dickenson, and Cory Langtry.

8 And I ask my colleagues to welcome
9 them and congratulate them.

10 Thanks for being here.

11 ACTING PRESIDENT COONEY: Thank
12 you, Senator May.

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

16 Please rise and be recognized.

17 (Standing ovation.)

18 ACTING PRESIDENT COONEY: Senator
19 Gianaris.

20 SENATOR GIANARIS: Now let's take
21 up Resolution 2257, by Senator Sepúlveda, read
22 that resolution's title and recognize
23 Senator Sepúlveda.

24 ACTING PRESIDENT COONEY: The
25 Secretary will read.

1 THE SECRETARY: Resolution 2257, by
2 Senator Sepúlveda, celebrating March 26, 2024, as
3 Bangladesh Day and commemorating the
4 104th birthday of Bangabandhu Sheikh Mujibur
5 Rahman, the founding father of Bangladesh, and
6 the 53rd anniversary of Bangladesh independence.

7 ACTING PRESIDENT COONEY: Senator
8 Sepúlveda on the resolution.

9 SENATOR SEPÚLVEDA: Thank you,
10 Mr. President, for allowing me to speak on this
11 resolution, something that I've done here in the
12 Assembly and the Senate for the last 12 years.

13 And it always makes me proud to
14 bring members from the Bangladeshi community,
15 many of them today are either from Queens or from
16 the greatest county in the world, the Bronx.

17 I must remind my confused deputy
18 leader that the greatest county has a team called
19 the New York Yankees that has 27 titles, as
20 opposed to two for the New York Mets; has the
21 greatest zoo in the world, the Bronx Zoo; has the
22 greatest botanical garden in the world, the Bronx
23 Botanical Garden. And as my colleague so
24 eloquently put it, the real place, the real birth
25 of hip-hop.

1 But today we're here to celebrate a
2 resolution of profound significance which
3 celebrates March 26th as Bangladesh Day in our
4 state.

5 We're joined by Consul General
6 Najmul Huda; Deputy Consul General Nazmul Hasan;
7 one of the true great leaders of the Bangladeshi
8 community, Abdus Shahid; Jamal Hussain; Abdur
9 Rahim Badsha; Mohiuddin Dewan; Nurul Islam; Reza
10 Abdullah; Maksuda Hamin -- I'm sorry, Maksuda
11 Ahmed; Rukan Ahmed; and Sakhawat Ali.

12 This resolution is not just a mark
13 on the calendar but a profound recognition of the
14 courage and determination that defines the spirit
15 of the Bangladeshi people. Fifty-three years ago
16 Bangladesh declared its independence, embarking
17 on a harrowing journey for freedom. This was a
18 fight not just for territory but for the
19 fundamental rights to equality, justice and
20 self-determination.

21 We also commemorate the 104th
22 birthday of Bangabandhu Sheikh Mujibur Rahman,
23 the revered father, founding father of
24 Bangladesh, whose vision for his people ignited
25 the flames of independence. His iconic words,

1 "Our struggle is for our freedom. Our struggle
2 is for our independence," resonated across the
3 villages, towns and hearts of millions in
4 Bangladesh.

5 This resolution also honors the
6 thousands who sacrificed their lives during the
7 nine-month-long liberation war. This is a
8 testament to the enduring spirit and resilience
9 of the Bangladeshi people. It was their
10 sacrifice that allowed the dawn of freedom to
11 break on December 16, 1971, when a new nation,
12 Bangladesh, was born.

13 Furthermore, this resolution
14 recognizes the vibrant community here in New York
15 whose contributions enrich our culture,
16 strengthen our economy, and enhance our
17 communities. From the bustling streets of
18 Jackson Heights to the vibrant gatherings in
19 Parkchester, the echoes of Bangladesh's rich
20 heritage and the contribution of its people are
21 evident throughout this state.

22 In celebrating Bangladesh Day we not
23 only recall the historic struggles and triumphs
24 of the Bangladeshi people, but also underscore
25 the values of diversity, perseverance and unity

1 that are so crucial to the fabric of New York
2 State. Let us pass this resolution with a
3 unanimous voice, affirming our solidarity with
4 the Bangladesh community, recognizing their
5 struggles and contributions and celebrating the
6 indomitable spirit of the freedom that guides us
7 all.

8 And to all my friends that are here,
9 I say (in Bangla).

10 ACTING PRESIDENT COONEY: Thank
11 you, Senator.

12 Senator Fernandez on the resolution.

13 SENATOR FERNANDEZ: (In Bangla),
14 Mr. President.

15 I wanted to stand and speak on this
16 great resolution. While a little late, it's
17 never a bad day to celebrate our beautiful
18 cultures and history, not just in the world but
19 again right here in New York State.

20 I now represent, proudly,
21 Parkchester, home of Bangla Bazaar, on
22 Starling Avenue. And I want to welcome our
23 guests here today, not just my constituents and
24 from even Albany, but our Consul General, who has
25 shared amazing progress of what Bangladesh has

1 become, is now, and the contributions to this
2 great state and city in all of our neighborhoods.

3 So I just wanted to express my
4 gratitude to their contributions, not just in
5 Parkchester but, as we mentioned, Jackson Heights
6 in Queens and probably every part of this state.

7 But the resolution, as Senator
8 Sepúlveda said, is important for highlighting,
9 again, the beautiful fabric that the city, the
10 state and the country is made up of, and the
11 Bangladesh community is a bright, beautiful piece
12 on that fabric.

13 So thank you so much for being here.
14 I proudly vote aye. And Happy Independence Day
15 from March.

16 ACTING PRESIDENT COONEY: Senator
17 Thomas on the resolution.

18 SENATOR THOMAS: Thank you,
19 Mr. President.

20 And thank you to Senator Sepúlveda
21 for introducing this resolution.

22 As the first South Asian to be
23 elected to this chamber, I stand here with
24 Senator Cooney to welcome the Bangladeshi
25 community to Albany. I know --

1 (Applause from the gallery.)

2 SENATOR THOMAS: I know the
3 sacrifices that all of you have made to be here
4 in this country. You know, the immigrant dream,
5 the dream that we work hard and we persevere and
6 we make New York great.

7 You know, it's been decades since
8 the first South Asian stepped foot here after the
9 immigration laws were changed. And when we came
10 to this country at that time, we were trying to
11 survive. We were trying to make things better
12 for our families back home. And now we are here,
13 we are entrepreneurs, we are, you know, major
14 professionals. We have so many links to the
15 community. And all of you make New York great.

16 Thank you. Thank you. Thank you.

17 (Applause from gallery.)

18 SENATOR THOMAS: And thank you to
19 my colleagues here for representing this amazing
20 community.

21 Thank you, and God bless.

22 ACTING PRESIDENT COONEY: Thank
23 you, Senator Thomas.

24 Senator Ramos on the resolution.

25 SENATOR RAMOS: Thank you.

1 I rise as the proud State Senator
2 representing the eastern side of Bangladesh
3 Street in Jackson Heights. I used to have more
4 of a corner of that part of Jackson Heights, but
5 I now have Senator Gianaris having the western
6 side of Bangladesh Street in Jackson Heights.

7 But it's very clear that the
8 community's imprint extends well beyond Queens
9 and well beyond New York City. And we couldn't
10 be prouder to have Bangladeshi students go to
11 school with the rest of our children, for us to
12 be able to share in the vibrancy of such an
13 incredible neighborhood.

14 And I'm only looking forward to what
15 the future may hold for the amazing Bangladeshi
16 community here in New York City and beyond.

17 Korbo Lorbo Jeetbo.

18 (Applause from gallery.)

19 ACTING PRESIDENT COONEY: Thank
20 you, Senator Ramos.

21 Senator Bailey on the resolution.

22 SENATOR BAILEY: Thank you,
23 Mr. President.

24 You know, I used to have a sizable
25 Bangla-speaking community in the previous

1 iteration of my district, the Norwood section,
2 204th Street. But since redistricting, they have
3 taken me from my brothers and sisters in the
4 Bangla-speaking community, but you will never
5 take me away from you.

6 Because when I ran for office, the
7 very first interview that I did, it wasn't on a
8 major network, it wasn't on public access, it
9 wasn't even on News 12. It was on Time TV, a
10 Bangla television station. That was my very
11 first interview when I was running for office. I
12 have never forgotten that, I have never forgotten
13 how you have embraced me. I have never forgotten
14 that you are, as Senator Thomas and everybody has
15 said, industrious, hardworking individuals who
16 truly make our borough, our city and our state --
17 because it's not just the Bronx. But in the
18 Bronx, there is a certain liveliness that you
19 provide to our community that it would not be the
20 same without you.

21 I am grateful for all of the work
22 that you do, for all of the innovation and the
23 friendships and the food and all of the
24 excellence that you bring to our community.

25 Thank you, Senator Sepúlveda, for

1 introducing the resolution. Dhonnobad.

2 (Applause from gallery.)

3 ACTING PRESIDENT COONEY: Thank
4 you, Senator Bailey.

5 Senator Liu on the resolution.

6 SENATOR LIU: Mr. President, I
7 agree with everything everyone has said already.

8 On Bangladeshi Day, I want to
9 welcome the Consul General, Ambassador Huda, our
10 old friend. I can say old because he is old,
11 like I am now.

12 (Laughter.)

13 SENATOR LIU: Abdus Shahid.

14 And all of the community members.

15 Thank you for everything you do for
16 New York.

17 ACTING PRESIDENT COONEY: Thank
18 you, Senator Liu.

19 (Applause from gallery.)

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

24 Please rise and be recognized.

25 (Standing ovation.)

1 ACTING PRESIDENT COONEY: The
2 question is on the resolution.

3 All in favor signify by saying aye.
4 (Response of "Aye.")

5 ACTING PRESIDENT COONEY: Opposed,
6 nay.

7 (No response.)

8 ACTING PRESIDENT COONEY: The
9 resolution is adopted.

10 Senator Gianaris.

11 SENATOR GIANARIS: Please recognize
12 Senator Webb for an introduction.

13 SENATOR WEBB: Thank you,
14 Mr. President.

15 I rise to lift up this resolution,
16 which is recognizing the contributions of
17 landscape architects to the well-being and
18 prosperity of New York State.

19 The American Society of Landscape
20 Architects, founded on January 4, 1899, has
21 reached the remarkable milestone of its
22 125th anniversary. And this is a chance for all
23 of us to reflect upon the significant
24 contributions of this incredible profession.

25 Landscape architects shape our

1 communities. They transform the built
2 environment to create accessible public spaces
3 for humans to live. Their work improves public
4 health, increases our safety, and enhances the
5 beauty of our surroundings and our neighborhoods.

6 Because of the work of landscape
7 architects, our communities are more accessible,
8 walkable, and bike friendly, just to name a few.
9 And with their thoughtful stewardship, landscape
10 architects have helped our communities adapt to
11 the changing climate, ensuring that our
12 neighborhoods incorporate innovative, resilient
13 and sustainable design practices.

14 For all of these reasons and more, I
15 vote aye on this resolution to commemorate and
16 recognize the 125th anniversary of the American
17 Society of Landscape Architects and the enduring
18 contributions of this profession to the
19 well-being of our state.

20 Additionally, Mr. President, I also
21 rise on the occasion of this resolution to
22 welcome our distinguished guests from the
23 American Society of Landscape Architects,
24 representing landscape design firms from across
25 our great state. And they are here with us here

1 in the chamber.

2 I also want to lift up in this
3 moment, if I wouldn't be remiss, folks here from
4 my district, Senate District 52: Scott Whitham,
5 who is the principal at Whitham Planning Design
6 Landscape Architecture out of Ithaca, New York;
7 and Michael Haas, who is the director of
8 landscape architecture at Delta Engineers,
9 Architects & Surveyors out of Endwell,
10 New York -- and all of our distinguished guests
11 here.

12 And with that, Mr. President, I ask
13 that you welcome our distinguished guests to our
14 chamber. Thank you.

15 ACTING PRESIDENT COONEY: Thank
16 you, Senator Webb.

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

20 Please rise and be recognized
21 (Standing ovation.)

22 ACTING PRESIDENT COONEY: Senator
23 Gianaris.

24 SENATOR GIANARIS: Please recognize
25 Senator Ramos for an introduction.

1 ACTING PRESIDENT COONEY: Senator
2 Ramos for an in -- troduction.

3 SENATOR RAMOS: I am here,
4 Mr. President.

5 ACTING PRESIDENT COONEY: Thank
6 you, Senator Ramos.

7 SENATOR RAMOS: Hi, Mr. President.
8 Thank you.

9 I'd like to welcome my friends and
10 constituents from the Lexington School for the
11 Deaf. It's a New York institution dating back to
12 1864, when it started as lessons with a private
13 tutor in a living room in downtown Manhattan.

14 By 1968, their student body grew so
15 much that they needed a permanent home. They
16 moved to East Elmhurst and have been an active
17 part of our community ever since.

18 And now it's become the largest
19 school for deaf children in the entire State of
20 New York. In addition to providing classes for
21 students from preschool through high school, they
22 offer support classes for parents of deaf
23 children, foreign language transition classes,
24 special needs classes, and a dormitory for
25 students requiring additional academic support.

1 Queens is very proud to have them as
2 a neighbor. And I am prouder still to say that
3 for the first time we allocated the
4 Lexington School their own line item of \$903,000
5 in addition to the 4201 School funding in the
6 final enacted budget.

7 I care about this institution not
8 only because they are a valued member of my
9 community, but because the support they provide
10 is quite personal. My mother is partially deaf,
11 and the support that the Lexington School
12 provides to families like mine is invaluable.

13 I'm looking forward to tonight's
14 basketball game, where I know that my neighbors
15 are going to make everyone who's #SeenIn13 proud.

16 Go, Blue Jays!

17 ACTING PRESIDENT COONEY: To our
18 guests, I welcome you on behalf of the Senate.
19 We extend to you the privileges and courtesies of
20 this house. Please rise and be recognized.

21 (Standing ovation, signed applause.)

22 ACTING PRESIDENT COONEY: Senator
23 Gianaris.

24 SENATOR GIANARIS: Next up,
25 Mr. President, is Resolution 2296, by

1 Senator Cleare. Please read that resolution's
2 title and recognize Senator Cleare.

3 ACTING PRESIDENT COONEY: The
4 Secretary will read.

5 THE SECRETARY: Resolution 2296, by
6 Senator Cleare, honoring longtime educational
7 professional Delores Roberts for a lifetime of
8 service upon the occasion of her retirement.

9 ACTING PRESIDENT COONEY: Senator
10 Cleare on the resolution.

11 SENATOR CLEARE: Thank you,
12 Mr. President.

13 I rise to speak on Senate Resolution
14 2296, which recognizes one of the true unsung
15 heroes of Senate District 30 and New York
16 City -- a woman so inspired by the education she
17 received as a youth at Wadleigh Secondary School
18 for the Performing and Visual Arts that she has
19 devoted her entire adult life to giving back to
20 the school and community in innumerable ways.

21 Delores Roberts adopted "The
22 Wadleigh Way" as her motto, and she would spend
23 her entire three decades as a teacher, mentor and
24 special education professional at Wadleigh. The
25 mission and goal for Delores was simple --

1 provide and support her students in all ways
2 possible, allowing them to succeed and grow
3 academically and emotionally.

4 During her three decades of
5 excellence, Delores was able to create and
6 develop many schoolwide initiatives, programs and
7 events aimed at developing successful global
8 productive citizens, including the Swap Students
9 Court, which was a peer-to-peer system to address
10 low-level infractions where students themselves
11 served as judges, lawyers and jurors. The
12 program was successful and helped students
13 resolve individual conflicts and disputes with
14 one another, while gaining firsthand knowledge of
15 how the legal system works.

16 She also created the Harlem LIFT
17 Wheel of Enhancement: Leadership, Innovation,
18 fundamentals, Teamwork, to guide the
19 interconnected and overall work of the school and
20 of life after school.

21 Delores was known to be so dedicated
22 to her students she would do whatever was
23 necessary to see them complete their education,
24 no matter if they were becoming new mothers or
25 even in pretrial detention under the presumption

1 of innocence.

2 Under the leadership of Delores
3 Roberts, Wadleigh students had the opportunity to
4 participate in college tours, the CFES, College
5 For Every Student program, foreign exchange
6 programs to Amsterdam and parts of Europe, Big
7 Brother/Sister Internship programs, and a variety
8 of extracurricular activity, including the local
9 precinct Youth Council and the FBI Unique Squad.

10 Wadleigh has been targeted for
11 closure no less than four times in the past few
12 decades, and each time Delores Roberts has
13 rallied the entire community around the school
14 and helped save it.

15 There are literally tens of
16 thousands of individuals from multiple
17 generations who have Delores Roberts to thank for
18 believing in them and helping them succeed in
19 life.

20 There's a story of Delores Roberts
21 that always sticks with me before it was ever
22 popular. A student had gotten in trouble. She
23 had had a fight. She was arrested and taken to
24 Rikers Island. She stayed there for the next
25 two and a half months until her trial came up.

1 She was a very bright young lady. Delores
2 Roberts believed in her so much that she wrote
3 the commissioner and asked that she could come
4 and send her work to her every day. And she
5 actually went to Rikers Island and got permission
6 to have her sit for her final exams.

7 That young lady came back to school
8 the day before graduation, and she walked. And
9 today she is now a business owner, a wife, a
10 mother of two, and living productively out her
11 life.

12 This is the type of dedication that
13 goes above and beyond. We thank you, Delores, on
14 today, which just happens to be National Teacher
15 Appreciation Day, in the heart of National
16 Teacher Appreciation Week. And we want you to
17 know exactly how we feel.

18 Joined in the gallery with her today
19 are her special guests: Her son, Troy Roberts;
20 Sam Douglass; Dr. Tawanna Gilford, a former
21 student and today a licensed psychologist;
22 Ruth McDaniels; and Linda Richardson.

23 Thank you, Mr. President.

24 ACTING PRESIDENT COONEY: Thank
25 you, Senator Cleare.

1 Senator Mayer on the resolution.

2 SENATOR MAYER: First I want to
3 thank Senator Cleare for using this wonderful
4 opportunity to celebrate Delores Roberts on
5 National Teacher Appreciation Day.

6 And the story that Senator Cleare
7 told, the extraordinary story of a teacher being
8 so devoted to a student, even in the toughest of
9 times, to help that student make it through, is a
10 story that I hear from teachers and students and
11 families across the state.

12 We have long not given teachers the
13 credit that they deserve for pouring their hearts
14 and souls into the students that they have, even
15 students with challenges, students with their ups
16 and downs, students who face life's own
17 vicissitudes.

18 So it was so very touching to have
19 Senator Cleare talk about Delores Roberts and her
20 impact on her school, on her students, on her
21 community, and a fitting tribute to this
22 particular day where we celebrate teachers and
23 honor them and remember that I suspect each one
24 of us has a teacher that we believe changed their
25 lives. Today we honor them, as we honor

1 Ms. Roberts.

2 I vote aye.

3 ACTING PRESIDENT COONEY: Thank
4 you, Senator Mayer.

5 To Ms. Roberts and her guests, I
6 welcome you on behalf of the Senate. We extend
7 to you the privileges and courtesies of this
8 house.

9 Please rise and be recognized.

10 (Standing ovation.)

11 ACTING PRESIDENT COONEY: The
12 question is on the resolution. All in favor
13 signify by saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT COONEY: Opposed,
16 nay.

17 (No response.)

18 ACTING PRESIDENT COONEY: The
19 resolution is adopted.

20 Senator Gianaris.

21 SENATOR GIANARIS: Next up is
22 Resolution 2278, by Senator Rivera. Read its
23 title and recognize Senator Gustavo Rivera.

24 ACTING PRESIDENT COONEY: The
25 Secretary will read.

1 THE SECRETARY: Resolution 2278, by
2 Senator Rivera, memorializing Governor Kathy
3 Hochul to proclaim May 2024 as STOP THE BLEED
4 Month in the State of New York.

5 ACTING PRESIDENT COONEY: Senator
6 Rivera on the resolution.

7 SENATOR RIVERA: Thank you,
8 Mr. President.

9 So obviously we've had a lot of
10 recognitions on the floor today. This one's an
11 important one. We have joining us -- and I'll
12 introduce a host of them in a little bit -- a
13 bunch of medical professionals here.

14 The resolution is to memorialize
15 STOP THE BLEED Month. Now, what this refers to,
16 Mr. President, is the training that happens
17 across the country to train all sorts of
18 different folks -- certainly medical
19 professionals, but others as well -- to be able
20 to stop any type of serious bleeding quickly.

21 And the goal here is to bring
22 attention to this issue, because if people can
23 get trained in this, that means that lives can be
24 saved. If there is someone who is bleeding
25 profusely, there are various ways in which one

1 can stop that bleeding, get that person to be
2 able to be treated by, if it's an emergency, an
3 EMT or taken to the hospital.

4 But the point is that this training
5 is incredibly valuable, saves lives every single
6 day. And so the resolution is to recognize this
7 month as STOP THE BLEED Month.

8 But to do that, we are joined by a
9 host of folks who I'll be introducing, and I'll
10 ask them to stand as I do. We are joined by many
11 folks from the American College of Surgeons,
12 start with Babette Atkins, its executive
13 director; Jacob Moalem, the president of the
14 New York Chapter of the American College of
15 Surgeons, from the University of Rochester, which
16 I believe that you are familiar with; Patrick
17 Timmins, from St. Peter's Hospital right here in
18 Albany; Shani Fruchter -- and I should say, I'm
19 sorry, Dr. Jacob Moalem, Dr. Patrick Timmins;
20 Dr. Shani Fruchter from Westchester -- she is a
21 Westchester trauma surgeon; Dr. Arthur Jenkins,
22 also from Westchester; Dr. Arthur Cooper,
23 pediatric surgeon from Columbia; Cory Bloom;
24 Dr. Mark Reiner; Dr. Anthony Vine;
25 Catherine Hendricks, all from the

1 American College of Surgeons. And lastly,
2 Dr. Omer Hassan, resident in training at
3 SUNY Downstate.

4 All these folks who are here to talk
5 about this issue, but who do work every day to
6 make people healthy across the State of New York
7 and to save lives across the State of New York.

8 So I thank them for coming and being
9 up here with us, and I'd ask that you give them
10 all the privileges of the house.

11 Thank you.

12 ACTING PRESIDENT COONEY: Thank
13 you, Senator Rivera.

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

17 Please rise and be recognized.

18 (Standing ovation.)

19 ACTING PRESIDENT COONEY: The
20 question is on the resolution. All in favor
21 signify by saying aye.

22 (Response of "Aye.")

23 ACTING PRESIDENT COONEY: Opposed,
24 nay.

25 (No response.)

1 ACTING PRESIDENT COONEY: The
2 resolution is adopted.

3 Senator Gianaris.

4 SENATOR GIANARIS: Next up is
5 previously adopted Resolution 1605, by
6 Senator Gallivan. Please read that resolution's
7 title and recognize Senator Gallivan.

8 ACTING PRESIDENT COONEY: The
9 Secretary will read.

10 THE SECRETARY: Resolution 1605, by
11 Senator Gallivan, memorializing Governor
12 Kathy Hochul to proclaim May 5-11, 2024, as
13 Correctional Officers and Employees Week in the
14 State of New York.

15 ACTING PRESIDENT COONEY: Senator
16 Gallivan on the resolution.

17 SENATOR GALLIVAN: Thank you,
18 Mr. President.

19 As I was sitting here listening to
20 my colleagues talk about the various boroughs and
21 counties in Long Island --

22 (Laughter.)

23 SENATOR GALLIVAN: -- I want
24 everyone to know there is another part of the
25 state from way out west. And even though Senator

1 Kennedy is not here, Western New York is doing
2 very well --

3 (Laughter.)

4 SENATOR GALLIVAN: -- and is a good
5 place. Which is not why I rise.

6 I rise today first to welcome
7 representatives of NYSCOPBA to my right, AFSCME
8 Council 82 to my left, the respective collective
9 bargaining organizations representing
10 correctional officers, supervisors from across
11 New York State. I want to thank them first for
12 being here, representing the over 16,000
13 correctional officers and supervisors that work
14 in the various prisons across New York State.

15 And many of you know, I think, my
16 background is in law enforcement as a state
17 trooper, former sheriff of Erie County, and
18 member of the Board of Parole. And my
19 experiences in my professional life have really
20 led to the point that gives me tremendous respect
21 for all of the components that make up our
22 criminal justice system.

23 Over the years I've visited many
24 correctional facilities, many prisons throughout
25 the state. I've met and spoke with hundreds if

1 not thousands of correction officers and
2 employees. I believe that those who work in our
3 jails and prisons have one of the most difficult
4 and challenging jobs in all of law enforcement.
5 Their work is demanding, it is difficult and very
6 often dangerous. It's a job that quite frankly
7 most of us would not do and we don't often think
8 about -- but it's critical to protecting our
9 communities and all of the residents of New York
10 State.

11 These dedicated officers and
12 employees are responsible for the care, custody
13 and security of the over 30,000 individuals
14 incarcerated across New York State. Many of
15 these hardworking men and women also work to help
16 the incarcerated individuals restore their lives
17 and to become productive members of society.
18 Many are involved, when off duty, in volunteering
19 and working with other like-minded citizens to
20 make their communities better for all of us.

21 Thank you to all of the correction
22 officers, all of the supervisors, all correction
23 employees and all correction families, for all
24 that you do. You should know you have my
25 tremendous respect and gratitude.

1 And I think it is most appropriate
2 that all of us in this body recognize these
3 public servants. And I'm very proud to call upon
4 the Governor to proclaim this week as
5 Correctional Officers and Employees Week in the
6 State of New York.

7 Thank you, Mr. President.

8 ACTING PRESIDENT COONEY: Thank
9 you, Senator Gallivan.

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

13 Please rise and be recognized.

14 (Standing ovation.)

15 ACTING PRESIDENT COONEY: The
16 resolution was adopted on January 17th.

17 Senator Gianaris.

18 SENATOR GIANARIS: Let's take up
19 Resolution 1799, by Senator Helming, read its
20 title, and recognize Senator Helming, please.

21 ACTING PRESIDENT COONEY: The
22 Secretary will read.

23 THE SECRETARY: Resolution 1799, by
24 Senator Helming, honoring Mary E. Ferris upon the
25 occasion of her retirement after 50 years of

1 distinguished service to Wood Library in
2 Canandaigua, New York, on March 1, 2024.

3 ACTING PRESIDENT COONEY: Senator
4 Helming on the resolution.

5 SENATOR HELMING: Thank you,
6 Mr. President.

7 We've had a lot of resolutions this
8 afternoon. And while Queens may have the
9 greatest food and Brooklyn may or may not be the
10 birthplace of hip-hop, I'm so proud to share with
11 this chamber that in Ontario County we have one
12 of the greatest librarians in New York State.
13 And it's my honor to welcome her to the chamber:
14 Mary Ferris.

15 Mary was the first ever children's
16 librarian at Wood Library in Canandaigua. She
17 recently retired after 50 incredible years of
18 service. Mary's work has touched generations of
19 families, including my own.

20 When I was a young mother, I was
21 just as excited as my two children to attend
22 Mary's Story Time programs. She really is so
23 incredibly innovative and just so engaging with
24 the children. But what was always so important
25 to me was how she also inspired the adults in

1 these children's classes to really learn how to
2 bring stories to life, to engage the listeners,
3 and to create readers for a lifetime.

4 I remember so often to get excited
5 about continuing their summer reading, Mary would
6 design and wear these really, really creative
7 costumes. They were unforgettable. Everyone in
8 the community looked forward to seeing what she
9 was going to reveal. I remember Mary being
10 dressed as a globe, a LEGO brick, a mad
11 scientist, a superhero, a pirate, a detective,
12 and even one year the Cran.

13 (Laughter.)

14 SENATOR HELMING: Mary really --
15 she has done so much for our community. She
16 brought reading beyond the walls of the library,
17 establishing a Story Walk at a local park, and
18 the Adventure Backpack program for children to
19 learn about and explore the great outdoors.

20 She cheered for kids every year at
21 the start of the school year. She would be there
22 to cheer on those kindergarten bus-run kids and
23 read stories at summer camp. She's the founding
24 member and longtime chair of the Community
25 Reading Partnership that offers literacy programs

1 and promotes reading in the home and in the
2 community.

3 Mrs. Ferris also served our state as
4 a 50-year member of the New York Library
5 Association, where she held numerous positions,
6 including that of president. Over her career
7 Mrs. Ferris has earned many well-deserved awards,
8 including the Pied Piper Award from the Youth
9 Services Section of the New York Library
10 Association, the Business Ethics Award from the
11 Canandaigua Rotary, the Woman of Distinction
12 Youth Services Award from the Canandaigua Chamber
13 of Commerce, and the Business and Professional
14 Women's Club.

15 And because Mary Ferris is so
16 amazing and so incredible and has such a
17 remarkable impact on the people of our community,
18 I honored her twice. At her retirement
19 celebration in March, I had the distinct
20 privilege of presenting Mary Ferris with the
21 New York State Senate Commendation Award. If you
22 think about it, over a half a century -- just
23 imagine the thousands and thousands of lives that
24 Mrs. Ferris has touched, whether with a good
25 book, a kind word or a gentle hug, and of course

1 that magical flannel board.

2 Mrs. Ferris is here today with her
3 husband, Kim, and several of her colleagues and
4 friends from Wood Library: Executive director of
5 the library, Jenny Goodemote; Executive Assistant
6 Cyndi Fordham; Adult Services Librarian Alexis
7 Lawrence; Volunteer Coordinator Stephanie Toomey;
8 Circulation Supervisor Carrie Magnan.

9 Mr. President, it's my honor to
10 bring forward this resolution and to recognize
11 Mary Ferris on her truly storied career.

12 Congratulations, Mary.

13 ACTING PRESIDENT COONEY: Thank
14 you, Senator Helming.

15 To Mrs. Ferris and her guests, I
16 welcome you on behalf of the Senate. We extend
17 to you the privileges and courtesies of this
18 house.

19 Please rise and be recognized.

20 (Standing ovation.)

21 ACTING PRESIDENT COONEY: The
22 resolution was adopted on February 13th.

23 Senator Gianaris.

24 SENATOR GIANARIS: Okay. Last but
25 certainly not least, previously adopted

1 Resolution 2195, by Senator Persaud. Please read
2 that resolution's title and recognize
3 Senator Persaud.

4 ACTING PRESIDENT COONEY: The
5 Secretary will read.

6 THE SECRETARY: Resolution 2195, by
7 Senator Persaud, memorializing Governor Kathy
8 Hochul to proclaim May 2024 as Amyotrophic
9 Lateral Sclerosis Awareness Month in the State of
10 New York.

11 ACTING PRESIDENT COONEY: Senator
12 Persaud on the resolution.

13 SENATOR PERSAUD: Thank you,
14 Mr. President.

15 ALS -- everyone has probably heard
16 of ALS, or the Lou Gehrig's disease. It's
17 something that -- it's a horrible, horrible,
18 horrible disease. I had a friend who passed from
19 it. And you see someone who is afflicted with
20 ALS, going through, they're there, they can --
21 they're functioning in every way other than the
22 body is paralyzed. Their mind is sound, and they
23 are going through all of this torture knowing
24 that there is no hope, there is no help, and they
25 are dying.

1 Just think of that. You're laying
2 there as strong as you know, but you know also
3 that you are on your deathbed. That's ALS.

4 It is predicted that approximately
5 70 percent of the world's population at some
6 point in the next 20 years is going to suffer
7 from ALS {sic}. It is not a disease that should
8 be taken lightly.

9 Many of you in here may have heard
10 of the Ice Bucket Challenge that mimics what the
11 body goes through when someone has ALS. I did
12 the Ice Bucket Challenge. The Ice Bucket
13 Challenge has been around since 1991. And it
14 shocks the system, and your body is paralyzed for
15 a few seconds. It's like your heart stops and
16 you have no control.

17 That's what someone with ALS goes
18 through. If you know anyone who's suffering from
19 ALS, spend as much time as possible with that
20 person. Because they are there. Their mind is
21 sound, and they know. They can do nothing for
22 themselves because they are dying.

23 The average lifespan of someone
24 who's afflicted with ALS is between one to
25 four years. Women, for some reason, are now

1 being affected by ALS more. ALS paralyzes the
2 body incrementally. It is not something that
3 anyone should go through.

4 There is no cure. There is no cure.
5 Someone with a diagnosis of ALS knows that they
6 have just been given their death sentence. There
7 are some people, though, who have lived with it
8 for approximately 10 years, even though the
9 general life expectancy is one to four years.

10 Think of that. You walk and you
11 just feel tremors in your body, you just feel
12 like a slight paralysis in the arm or in the leg.
13 You know, you have tingling and stuff. And you
14 go to the doctor, and they come back with this
15 diagnosis. And all you can walk out of the
16 doctor's office with is like, I am going to be
17 dead in a very short time. That's ALS. That's
18 the reality that families are living with if
19 their loved one is afflicted with ALS.

20 So I thank all of you for supporting
21 this resolution acknowledging ALS and making sure
22 that we continue to fight to find a cure.
23 Because as I said, there is no cure. It's a
24 death sentence.

25 And if anyone wants to try it just

1 to feel what that person goes through, have one
2 of your friends dump a bucket of ice -- cold,
3 cold, ice water on your head. And you will feel
4 what it felt like. That challenge by the young
5 man who started it raised, you know, over
6 \$100 million for the cause. But we need to
7 continue to keep it in the forefront.

8 He passed away, and I don't think
9 anybody's continuing that challenge. They're
10 not. Because it was really exciting for people
11 at the time to participate in that challenge.
12 But now no one is thinking about it. Everyone
13 says oh, yeah, Lou Gehrig's disease, yeah, Lou
14 Gehrig's disease. ALS, yeah. But do you really
15 know what it's about?

16 So again, I want to thank the ALS
17 Association for bringing this resolution to me
18 and asking me to carry it. And I want us all to
19 fight for those afflicted with ALS. Keep the
20 conversation alive. Let us fund research on
21 every level so that families will not go through
22 what families are going through right now when
23 their family member is diagnosed with ALS.

24 Thank you, Mr. President.

25 ACTING PRESIDENT COONEY: Thank

1 you, Senator Persaud.

2 Senator Canzoneri-Fitzpatrick on the
3 resolution.

4 SENATOR CANZONERI-FITZPATRICK:

5 Thank you, Mr. President.

6 And I want to thank my colleague
7 Senator Persaud for bringing this resolution to
8 the floor.

9 I know this disease all too well.
10 My brother-in-law, Glenn Fitzpatrick, was the
11 general manager of Esquire magazine -- a
12 brilliant, amazing, accomplished professional who
13 died at the age of 47 years old.

14 So in his memory, I just wanted to
15 mention him because this keeps his memory alive,
16 to know that we acknowledge his loss and how
17 research is needed to prevent this from
18 continuing.

19 Thank you so much.

20 ACTING PRESIDENT COONEY: Thank
21 you, Senator.

22 The resolution was adopted on
23 April 9th.

24 Senator Gianaris.

25 SENATOR GIANARIS: Mr. President,

1 all of the sponsors of the various resolutions we
2 took up today would like to open them for
3 cosponsorship.

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

8 Senator Gianaris.

9 SENATOR GIANARIS: Let's take up
10 the calendar, Mr. President.

11 ACTING PRESIDENT COONEY: The
12 Secretary will read.

13 THE SECRETARY: Calendar Number
14 139, Senate Print 3320, by Senator Sepúlveda, an
15 act to amend the Real Property Law.

16 ACTING PRESIDENT COONEY: Read the
17 last section.

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

20 ACTING PRESIDENT COONEY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT COONEY: Announce
24 the results.

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT COONEY: The bill
2 is passed.

3 Oh, Senator Sepúlveda.

4 SENATOR SEPÚLVEDA: On the bill?

5 ACTING PRESIDENT COONEY: On the
6 bill.

7 SENATOR SEPÚLVEDA: Thank you for
8 allowing me to speak on the bill.

9 So this bill we've been trying to
10 pass for a few years now because it's a vital
11 necessity for individuals that live in
12 condominiums.

13 One of the main issues that is
14 brought to my attention is a lack of transparency
15 with both for-profit and not-for-profit
16 condominiums. People don't have access to the
17 business records, financial records of these
18 condominiums, and sometimes -- or many times the
19 boards make it impossible for people to see the
20 information.

21 They lack prominent notice about
22 board meetings, and so decisions are made without
23 proper notice to the individual owners.

24 This bill is going to put a limit on
25 the expenses of condo boards. They can set their

1 expenses for five years, and if they want to
2 extend that, they have to have specific meetings
3 or go to the Attorney General's office.

4 This bill will allow any condominium
5 owner to go and inspect all of the records,
6 including bank records, bids for projects, bids
7 for goods, review them all in a very easy manner
8 so that transparency is elevated and people know
9 what is happening with the boards and the
10 financial health of their condominiums.

11 We want to make sure that everyone
12 gets accurate, up-to-date information. We want
13 to make sure that we increase transparency so
14 that individuals that own condominiums are in a
15 position to make good decisions and also
16 challenge bad decisions. And the bill will allow
17 the Attorney General to execute some of these
18 powers that we're going to give to them according
19 to the bill.

20 Thank you. I vote aye.

21 ACTING PRESIDENT COONEY: Senator
22 Sepúlveda to be recorded in the affirmative.

23 The bill has passed.

24 ACTING PRESIDENT COONEY: Calendar
25 Number 220, Senate Print 4305, by Senator Parker,

1 an act to amend the Public Service Law.

2 ACTING PRESIDENT COONEY: Read the
3 last section.

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

6 ACTING PRESIDENT COONEY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT COONEY: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar 220, those Senators voting in the
13 negative are Senators Ashby, Borrello,
14 Canzoneri-Fitzpatrick, Gallivan, Griffo, Helming,
15 Lanza, Martins, Mattera, Murray, Oberacker, Ortt,
16 Palumbo, Rhoads, Rolison, Stec, Tedisco, Weber
17 and Weik.

18 Ayes, 41. Nays, 19.

19 ACTING PRESIDENT COONEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 241, Senate Print 5642, by Senator Mannion, an
23 act to amend the Real Property Tax Law.

24 ACTING PRESIDENT COONEY: Read the
25 last section.

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

3 ACTING PRESIDENT COONEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT COONEY: Announce
7 the results.

8 THE SECRETARY: Ayes, 60.

9 ACTING PRESIDENT COONEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 279, Senate Print 1937, by Senator Comrie, an act
13 to amend the Public Authorities Law.

14 ACTING PRESIDENT COONEY: Read the
15 last section.

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

18 ACTING PRESIDENT COONEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT COONEY: Announce
22 the results.

23 THE SECRETARY: Ayes, 60.

24 ACTING PRESIDENT COONEY: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 336, Senate Print 724A, by Senator Serrano, an
3 act to amend the Environmental Conservation Law.

4 ACTING PRESIDENT COONEY: Read the
5 last section.

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

8 ACTING PRESIDENT COONEY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT COONEY: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 336, voting in the negative are
15 Senators Oberacker and Ortt.

16 Ayes, 58. Nays, 2.

17 ACTING PRESIDENT COONEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 338, Senate Print Number 1538A, by
21 Senator Hoylman-Sigal, an act to amend the
22 Environmental Conservation Law.

23 ACTING PRESIDENT COONEY: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 180th day after it
2 shall have become a law.

3 ACTING PRESIDENT COONEY: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT COONEY: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 338, voting in the negative:
10 Senator Oberacker.

11 Ayes, 59. Nays, 1.

12 ACTING PRESIDENT COONEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 460, Senate Print 5424A, by Senator Martinez, an
16 act to amend the Navigation Law and the Vehicle
17 and Traffic Law.

18 ACTING PRESIDENT COONEY: Read the
19 last section.

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

22 ACTING PRESIDENT COONEY: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT COONEY: Announce

1 the results.

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT COONEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 537, Senate Print 3328A, by Senator Fernandez, an
7 act to amend the Environmental Conservation Law.

8 SENATOR LANZA: Lay it aside.

9 ACTING PRESIDENT COONEY: Lay it
10 aside.

11 THE SECRETARY: Calendar Number
12 625, Senate Print 617, by Senator Myrie, an act
13 to amend the Election Law.

14 ACTING PRESIDENT COONEY: Read the
15 last section.

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

19 ACTING PRESIDENT COONEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT COONEY: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 625, those Senators voting in the

1 negative are Senators Borrello, Murray, Weber and
2 Weik.

3 Ayes, 56. Nays, 4.

4 ACTING PRESIDENT COONEY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 680, Senate Print 4621, by Senator Sepúlveda, an
8 act to amend the Correction Law.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

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

14 ACTING PRESIDENT COONEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT COONEY: Senator
18 Salazar to explain her vote.

19 SENATOR SALAZAR: Thank you,
20 Mr. President.

21 There is abundant research showing
22 that the effects of solitary confinement on
23 mental health are often fatal, both during and
24 after a person's incarceration. Half of all
25 suicides in prisons and jails unfortunately occur

1 in solitary confinement. Peer-reviewed studies
2 have shown us that the long-lasting health
3 impacts include, for individuals with mental
4 health conditions, that any amount of time spent
5 in solitary confinement increases their risk of
6 death by suicide or overdose within the first
7 year after release from incarceration.

8 And despite this reality,
9 individuals with mental health diagnoses are
10 still overrepresented in solitary special housing
11 units.

12 This undermines the spirit of the
13 HALT Solitary Confinement Law, and it threatens,
14 of course, the health of those individuals. This
15 is because DOCCS, in their wisdom, decided to
16 narrowly define what constitutes mental illness
17 to exclude many people from the definition of
18 special populations and avoid giving those
19 individuals access to programs that would improve
20 their mental health and edify them in other ways.

21 I want to thank Senator Sepúlveda
22 for introducing this bill and continuing to seek
23 to correct this problem. Doing so could save
24 lives.

25 Thank you, Mr. President.

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

3 Announce the results.

4 THE SECRETARY: In relation to
5 Calendar 680, those Senators voting in the
6 negative are Senators Borrello, Gallivan, Griffo,
7 Helming, Lanza, Ortt, Rhoads, Stec, Tedisco and
8 Weber.

9 Ayes, 50. Nays, 10.

10 ACTING PRESIDENT COONEY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 726, Senate Print 2994B, by Senator Harckham, an
14 act to amend the Environmental Conservation Law.

15 ACTING PRESIDENT COONEY: Read the
16 last section.

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

19 ACTING PRESIDENT COONEY: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT COONEY: Announce
23 the results.

24 THE SECRETARY: In relation to
25 Calendar 726, those Senators voting in the

1 negative are Senators Ashby, Borrello, Gallivan,
2 Griffo, Helming, Lanza, Martins, Mattera,
3 Oberacker, Ortt, Stec, Tedisco, Weber and Weik.

4 Ayes, 46. Nays, 14.

5 ACTING PRESIDENT COONEY: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 764, Senate Print 4459, by Senator Ashby, an act
9 to amend the State Law.

10 ACTING PRESIDENT COONEY: Read the
11 last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect on the first of January.

14 ACTING PRESIDENT COONEY: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT COONEY: Announce
18 the results.

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT COONEY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 767, Senate Print 7481, by Senator Cooney, an act
24 to amend the Cannabis Law.

25 ACTING PRESIDENT COONEY: Read the

1 last section.

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

4 ACTING PRESIDENT COONEY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT COONEY: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar 767, voting in the negative are
11 Senators Canzoneri-Fitzpatrick and Martinez.

12 Ayes, 58. Nays, 2.

13 ACTING PRESIDENT COONEY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 773, Senate Print 1836, by Senator Griffo, an act
17 to amend the Highway Law and the Vehicle and
18 Traffic Law.

19 ACTING PRESIDENT COONEY: Read the
20 last section.

21 THE SECRETARY: Section 4. This
22 act shall take effect on the 120th day after it
23 shall have become a law.

24 ACTING PRESIDENT COONEY: Call the
25 roll.

1 (The Secretary called the roll.)
2 ACTING PRESIDENT COONEY: Announce
3 the results.
4 THE SECRETARY: Ayes, 60.
5 ACTING PRESIDENT COONEY: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 805, Senate Print Number 7571, by
9 Senator Scarcella-Spanton, an act in relation to
10 authorizing the Silver Lake Foundation Inc. to
11 receive retroactive real property tax-exempt
12 status.
13 ACTING PRESIDENT COONEY: Read the
14 last section.
15 THE SECRETARY: Section 2. This
16 act shall take effect immediately.
17 ACTING PRESIDENT COONEY: Call the
18 roll.
19 (The Secretary called the roll.)
20 ACTING PRESIDENT COONEY: Announce
21 the results.
22 THE SECRETARY: Ayes, 60.
23 ACTING PRESIDENT COONEY: The bill
24 is passed.
25 THE SECRETARY: Calendar Number

1 807, Senate Print Number 8630, by
2 Senator Stewart-Cousins, an act to amend
3 Chapter 334 of the Laws of 2012.

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

6 Read the last section.

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

9 ACTING PRESIDENT COONEY: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT COONEY: Announce
13 the results.

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT COONEY: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 823, Assembly Bill Number 8322A, by
19 Assemblymember Hevesi, an act to amend the
20 Social Services Law.

21 ACTING PRESIDENT COONEY: Read the
22 last section.

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

25 ACTING PRESIDENT COONEY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT COONEY: Announce
4 the results.

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT COONEY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 832, Senate Print 3591A, by Senator Breslin, an
10 act to amend the Public Health Law and the
11 Education Law.

12 ACTING PRESIDENT COONEY: Read the
13 last section.

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

16 ACTING PRESIDENT COONEY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT COONEY: Announce
20 the results.

21 THE SECRETARY: Ayes, 60.

22 ACTING PRESIDENT COONEY: The bill
23 is passed.

24 There is a substitution at the desk.

25 The Secretary will read.

1 THE SECRETARY: Senator
2 Hoylman-Sigal moves to discharge, from the
3 Committee on Rules, Assembly Bill Number 4871B
4 and substitute it for the identical Senate Bill
5 1535B, Third Reading Calendar 850.

6 ACTING PRESIDENT COONEY: The
7 substitution is so ordered.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 850, Assembly Bill Number 4871B, by
11 Assemblymember Kelles, an act to amend the
12 Executive Law.

13 ACTING PRESIDENT COONEY: Read the
14 last section.

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

17 SENATOR O'MARA: Call the roll.
18 (The Secretary called the roll.)

19 ACTING PRESIDENT COONEY: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 850, those Senators voting in the
23 negative are Senators Borrello, Gallivan, Griffio,
24 Lanza, Oberacker, Ortt, Stec, Tedisco and Weik.

25 Ayes, 51. Nays, 9.

1 ACTING PRESIDENT COONEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 851, Senate Print 2129B, by Senator Krueger, an
5 act to amend the Environmental Conservation Law.

6 SENATOR LANZA: Lay it aside.

7 ACTING PRESIDENT COONEY: Lay it
8 aside.

9 Senator Gianaris, that completes the
10 reading of the calendar.

11 SENATOR GIANARIS: Let's move on to
12 the controversial calendar, please.

13 ACTING PRESIDENT COONEY: The
14 Secretary will ring the bell.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 537, Senate Print 3328A, by Senator Fernandez, an
18 act to amend the Environmental Conservation Law.

19 ACTING PRESIDENT COONEY: Senator
20 Stec, why do you rise?

21 SENATOR STEC: If the sponsor would
22 yield for a few questions, please.

23 ACTING PRESIDENT COONEY: Will the
24 sponsor yield?

25 SENATOR FERNANDEZ: Sure.

1 ACTING PRESIDENT COONEY: The
2 sponsor yields.

3 SENATOR STEC: All right, thank you
4 very much.

5 Good afternoon. We voted on this
6 bill last year. It was vetoed by the Governor.
7 And in her veto message she said: "Requiring DEC
8 to promulgate air-quality standards and develop
9 regulations for monitoring plans for fenceline
10 systems that are already overseen by DEC under
11 existing regulatory authority is duplicative,
12 unnecessary, and could divert state resources
13 from implementing other crucial programs to
14 protect New Yorkers."

15 Has this version of the bill changed
16 in any way from the bill that was vetoed?

17 SENATOR FERNANDEZ: No, it has not.

18 SENATOR STEC: No, it has not?

19 Okay. All right. If the sponsor
20 would continue to yield, please.

21 ACTING PRESIDENT COONEY: Will the
22 sponsor yield?

23 SENATOR FERNANDEZ: Yes.

24 ACTING PRESIDENT COONEY: The
25 sponsor yields.

1 SENATOR STEC: What is the need for
2 this bill as emissions of air contaminants from
3 major stationary sources are already covered by
4 the federal Clean Air Act and Article 19 of the
5 New York Environmental Conservation Law and
6 regulations promulgated thereunder? DEC already
7 administers these aforesaid laws via major source
8 air permits and monitoring programs.

9 SENATOR FERNANDEZ: Well, this bill
10 would take the guidelines that exist and make
11 them rules that need to be followed. It is just
12 a recommendation that the monitoring of the
13 fenceline or communities where we walk, breathe,
14 live are meeting -- or not meeting -- actually,
15 no, they're meeting safe levels of pollutants.
16 Right now the Clean Air Act only cares about the
17 level of pollutants coming from the top of the
18 smokestack, but we need to think about us on the
19 ground and how that smoke and those pollutants
20 are hitting us.

21 So this would require that the
22 guidelines be acted upon, administered, and that
23 we focus on what is the contamination on the
24 ground.

25 SENATOR STEC: Will the sponsor

1 continue to yield.

2 ACTING PRESIDENT COONEY: Will the
3 sponsor yield?

4 SENATOR FERNANDEZ: Yes.

5 ACTING PRESIDENT COONEY: The
6 sponsor yields.

7 SENATOR STEC: Thank you.

8 How would the limits of reporting be
9 determined? Would DEC conduct air sampling
10 around major sources to determine threshold
11 levels of reportable analytes and then set a
12 standard or establish threshold limits after
13 monitors are installed?

14 SENATOR FERNANDEZ: Can you repeat
15 that?

16 SENATOR STEC: How would the limits
17 of reporting be determined? Is DEC going to
18 conduct air sampling around major sources and
19 then set a standard to establish these threshold
20 limits after the monitors are installed?

21 SENATOR FERNANDEZ: DEC has the
22 discretion to evaluate and to decide how best to
23 assess the area.

24 SENATOR STEC: Will the sponsor
25 continue to yield?

1 ACTING PRESIDENT COONEY: Will the
2 sponsor yield?

3 SENATOR FERNANDEZ: (Sotto voce.)
4 I don't want to.

5 ACTING PRESIDENT COONEY:
6 (Chuckling.) The sponsor yields.

7 SENATOR STEC: How will DEC assure
8 consistent and standardized monitors are
9 reporting accurately so that emissions from major
10 sources across the state are comparable?

11 SENATOR FERNANDEZ: You asked how
12 they were reporting accurately?

13 SENATOR STEC: So that emissions
14 from major sources all around the state will be
15 comparable to one another.

16 SENATOR FERNANDEZ: Well,
17 constantly checking and doing this bill would
18 allow us to see what is the contaminants and
19 decide where they're coming from.

20 We can't control the wind or the
21 rain and how it pushes anything from anywhere,
22 but this would help us figure out what is here
23 and where it's coming from.

24 SENATOR STEC: Will the sponsor
25 continue to yield for a few more questions.

1 ACTING PRESIDENT COONEY: Will the
2 sponsor yield?

3 SENATOR FERNANDEZ: Yes.

4 ACTING PRESIDENT COONEY: The
5 sponsor yields.

6 SENATOR STEC: Thank you.

7 Will DEC set a level of ambient air
8 quality standards above which a
9 fence-line-monitored deviation will be penalized?
10 And if so, what will these penalties entail?

11 (Pause.)

12 SENATOR FERNANDEZ: DEC has the
13 authorization to assess and figure out what are
14 the proper penalties, as they are doing now with
15 other violations.

16 SENATOR STEC: Will the sponsor
17 continue to yield?

18 ACTING PRESIDENT COONEY: Will the
19 sponsor yield?

20 SENATOR FERNANDEZ: Yes.

21 ACTING PRESIDENT COONEY: The
22 sponsor yields.

23 SENATOR STEC: I want to circle
24 back to the first couple of questions that I
25 asked, because I think I need a little more

1 clarification.

2 You mentioned that there are
3 guidelines that are already established and that
4 this new law would just formalize those
5 guidelines that DEC already has or follows. Is
6 that -- am I understanding you correctly?

7 SENATOR FERNANDEZ: Yes.

8 SENATOR STEC: Okay, if the sponsor
9 would continue to yield.

10 ACTING PRESIDENT COONEY: Will the
11 sponsor yield?

12 SENATOR FERNANDEZ: Yes.

13 ACTING PRESIDENT COONEY: The
14 sponsor yields.

15 SENATOR STEC: So in that case like
16 can you tell me what the frequency of calibration
17 of these fenceline instruments is going to be? I
18 mean, if they're already in guidelines. Or what
19 the threshold limits are going to be, since
20 they're already in guidelines?

21 (Pause.)

22 SENATOR FERNANDEZ: So for
23 different pollutants and their effects, different
24 practices may be done. But it's really important
25 to know that the EPA is currently moving in this

1 direction with having more frequent monitoring
2 and thus understanding the effects of the
3 pollutants.

4 SENATOR STEC: If the sponsor would
5 continue to yield.

6 ACTING PRESIDENT COONEY: Will the
7 sponsor yield?

8 SENATOR FERNANDEZ: Sure.

9 ACTING PRESIDENT COONEY: The
10 sponsor yields.

11 SENATOR STEC: I'm sorry, I'm not
12 sure I heard the answer to my question.

13 You said that these guidelines are
14 already in place. So my questions are, then what
15 is the frequency of calibration? You know,
16 another question might be the number of monitors,
17 the placement, the spacing along the fenceline.

18 I mean, if these guidelines already
19 exist, can you tell me what they are? That we're
20 just merely formalizing into law.

21 (Pause.)

22 SENATOR FERNANDEZ: So your
23 question is looking for a case-by-case
24 determination, and they're not currently in the
25 guidelines.

1 But if we codify these guidelines
2 and make them rules then, again, we are able to
3 assess what needs to be done in what areas. More
4 information is never a bad thing. Collecting
5 data is always helpful. And this bill would
6 allow us to frequently collect data to then make
7 sure we know how to assess the various areas and
8 where to put the monitors at the fencelines.

9 SENATOR STEC: Would the sponsor
10 continue to yield.

11 ACTING PRESIDENT COONEY: Does the
12 sponsor yield?

13 SENATOR FERNANDEZ: Yes.

14 ACTING PRESIDENT COONEY: The
15 sponsor yields.

16 SENATOR STEC: All right, thank
17 you.

18 Again, I apologize, I'm still not
19 hearing an answer. You said the guidelines
20 exist. And then you just said we're going to
21 codify these guidelines so that we can later come
22 up with the spacing and frequency and calibration
23 and threshold limits for various contaminants.

24 I mean, is this in the bill or is it
25 in existing guidelines that we're just codifying?

1 Has DEC done this already?

2 Or another way -- let me ask the
3 question another way, Mr. President.

4 Why should we proceed with this bill
5 in advance of getting DEC's recommendations for
6 the answers to my questions -- how often they
7 should be calibrated, what the spacing should be,
8 what these threshold limits should be. It sounds
9 like this bill is ahead of DEC, the cart is in
10 front of the horse.

11 SENATOR FERNANDEZ: I disagree.
12 And -- I mean, the fact that this is being
13 challenged, that we don't want to know what the
14 pollutants are doing to our communities, to
15 ourselves, is in and of itself troubling to me.

16 But the guidelines that exist that
17 are at times being followed are able to find,
18 again, the source, the amount, the -- what's the
19 other word I'm looking for -- the severity of the
20 pollutants in various areas to figure out where
21 more monitors need to go.

22 And I think that you would agree you
23 want clean air. You represent upstate, with some
24 of the cleanest air in this country. And that's
25 something that we're trying to help every part of

1 the state achieve, by having these guidelines set
2 into rules so we can properly assess what the
3 pollutants are that this state unfortunately is
4 feeding into our communities.

5 SENATOR STEC: If the sponsor would
6 continue to yield for another question.

7 ACTING PRESIDENT COONEY: Will the
8 sponsor yield?

9 The sponsor yields.

10 SENATOR STEC: So I'll go back to
11 my first question.

12 This bill is in fact identical to
13 the bill that Governor Hochul vetoed last year.
14 And she -- in her words, because it would require
15 DEC to promulgate these air quality standards.
16 And she feels that these fenceline systems are
17 already overseen by DEC -- the monitoring plans
18 are overseen by DEC under existing regulatory
19 authority and are duplicative, unnecessary and
20 could divert state resources from implementing
21 other crucial programs to protect New Yorkers.

22 In other words, the Governor is
23 saying this is wasteful and unnecessary. And yet
24 this bill hasn't changed from last year. Do you
25 have any reason to believe why this time the

1 Governor is going to not veto it?

2 SENATOR FERNANDEZ: From last year
3 to now, as I mentioned, the EPA is taking these
4 steps.

5 So as we continue to bang the drum
6 about what we need to do to help make our air
7 cleaner, make our water cleaner, our federal
8 partners are doing that. So trends are changing.
9 And this bill deserves another chance to pass on
10 this floor and in the Assembly and let the
11 Governor look at it one more time.

12 But the fact is that we need to be
13 stronger on our climate resiliency and taking
14 these measures to make sure that our communities,
15 especially some like mine, are living with the
16 cleanest air possible.

17 SENATOR STEC: On the bill.

18 ACTING PRESIDENT COONEY: Senator
19 Stec on the bill.

20 SENATOR STEC: Thank you,
21 Mr. President.

22 I don't often say this, but I in
23 this instance agree with Governor Hochul. This
24 bill is duplicative, unnecessary, and will divert
25 state resources from implementing other crucial

1 programs to New York.

2 It's also going to have an economic
3 impact on an area of our economy that has already
4 taken a beating at the hands of state government.
5 These thresholds don't exist. The limits don't
6 exist. The work hasn't been done by DEC.

7 That we're monitoring smokestacks
8 and now we want to monitor at the fenceline, the
9 solution -- a lot of environmental engineers will
10 say, tongue in cheek, that the solution to
11 pollution is dilution. And what will happen is
12 you will have companies looking to make their
13 smokestacks taller so that it dissipates before
14 it gets to ground level. It won't do a thing to
15 change what's coming out of those smokestacks; it
16 will just be pushing them up higher into the
17 atmosphere.

18 So again, it's duplicative,
19 unnecessary, in the Governor's words. It's a bad
20 bill. I'll be voting against it.

21 ACTING PRESIDENT COONEY: Are there
22 any other Senators wishing to be heard?

23 Seeing and hearing none, debate is
24 closed.

25 Senator Gianaris.

1 SENATOR GIANARIS: Mr. President,
2 we've agreed to restore this bill to the
3 noncontroversial calendar.

4 ACTING PRESIDENT COONEY: The bill
5 is restored to the noncontroversial calendar, and
6 the Secretary will read the last section.

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

10 ACTING PRESIDENT COONEY: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT COONEY: Senator
14 Fernandez to explain her vote.

15 SENATOR FERNANDEZ: Thank you.

16 For those that are voting no, you
17 know, I'm sorry that -- for your constituents you
18 don't care about the clean air that is in front
19 of us that we're breathing, that you're
20 breathing.

21 And Senator Stec, I mentioned
22 before, you represent the Adirondacks, some of
23 the cleanest air. That's very lucky for you.
24 But for my communities, and many in this state,
25 we need these monitors. We need the rules set

1 and followed. And DEC, if they're not doing
2 their job, then we need to do our job and make
3 sure that they are held accountable.

4 And if it is, you know, concern
5 about what this would cost DEC, the effective
6 date is not for a couple of years, so we can
7 assess and give the proper budget to make sure
8 this is happening.

9 But this bill is a part of the
10 Earth Day package because it is setting a
11 standard that needs to be made, that needs to be
12 set, that needs to be respected and followed so
13 our communities can breathe clean air as best as
14 possible.

15 So I proudly vote aye, and I thank
16 everyone else for voting aye.

17 ACTING PRESIDENT COONEY: Senator
18 Fernandez to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: In relation to
21 Calendar 537, those Senators voting in the
22 negative are Senators Borrello, Gallivan, Griffo,
23 Helming, Lanza, Oberacker, Ortt, Rhoads, Rolison,
24 Stec, Tedisco, Weber and Weik.

25 Ayes, 47. Nays, 13.

1 ACTING PRESIDENT COONEY: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 851, Senate Print 2129B, by Senator Krueger, an
5 act to amend the Environmental Conservation Law.

6 ACTING PRESIDENT COONEY: Senator
7 Borrello, why do you rise?

8 SENATOR BORRELLO: Mr. President,
9 will the sponsor yield for a question?

10 ACTING PRESIDENT COONEY: Will the
11 sponsor yield?

12 SENATOR KRUEGER: Did I hear one
13 question? Just clarify it.

14 SENATOR BORRELLO: Can I modify
15 that?

16 SENATOR KRUEGER: Was that one
17 question?

18 SENATOR BORRELLO: With multiple
19 follow-ups.

20 SENATOR KRUEGER: Oh, with multiple
21 follow-ups. I was relieved -- I was scared he
22 really only had one question.

23 Of course I will respond to one
24 question and multiple follow-ups.

25 ACTING PRESIDENT COONEY: The

1 sponsor yields to one question and multiple
2 follow-ups.

3 SENATOR BORRELLO: Thank you,
4 Mr. President.

5 Since we have to do this one at a
6 time, I guess the first question is we talked --
7 through you, Mr. President, we talked about this
8 in the Finance Committee. And I guess, you know,
9 my first question is we're going to assess fines
10 to, you know, polluters, as we call them, people
11 that have supplied energy that have actually made
12 America run for decades, centuries, whatever it
13 might be. But now we're going to assess a fine
14 to them.

15 So I'm going to assume that, you
16 know, they're not just going to get an invoice in
17 the mail and they're going to pay -- you know,
18 write out a check and send it back to us.

19 So how do we plan to get -- in the
20 case of international companies that are not
21 based here in New York or the United States, how
22 are we going to get them to pay the bill?

23 SENATOR KRUEGER: Through you,
24 Mr. President. It is correct that many of these
25 companies are internationally based. None of

1 them are actually based here in New York.

2 But we will assess them, and if they
3 don't pay their assessments, we will not allow
4 them to do business in New York. Because they
5 want to continue selling us these products as
6 long as they can. But we believe that because we
7 can prove they knew they were polluting the
8 climate for decades and decades, and we know that
9 we are now facing enormous costs of the damage
10 that has been done by the products that they knew
11 would do this, and we either have to pay the full
12 cost of the remediation and adjustments in our
13 lives or we can expect the polluters to pay some
14 share of it.

15 So this assessment or fine, as my
16 colleague just used the term, is an opportunity
17 for them to help pay back some of the costs of
18 the damages they knowingly created.

19 SENATOR BORRELLO: Mr. President,
20 will the sponsor continue to yield for a
21 follow-up question.

22 ACTING PRESIDENT COONEY: Will the
23 sponsor yield?

24 SENATOR KRUEGER: Yes.

25 ACTING PRESIDENT COONEY: The

1 sponsor yields.

2 SENATOR BORRELLO: So -- through
3 you, Mr. President. So we have the
4 cap-and-invest program, which pretty much relies
5 on these energy companies to pay New York State
6 to continue to do business in order for you to
7 get this cap-and-invest -- this cap and tax is
8 really what it is, a cap-and-tax program, and the
9 revenue for that.

10 So if they decide that we're just
11 not going to pay this fine that New York State
12 has assessed, therefore we're not going to have
13 to continue to do business here, which therefore
14 means we won't be participating in the
15 cap-and-invest program, how are we going to go
16 about getting the money for the fine and then
17 also the cap-and-invest money if they're not
18 going to continue to participate?

19 SENATOR KRUEGER: So we're still
20 waiting to see the final regulations proposals
21 from the Governor on how cap and invest will work
22 and who exactly will need to be making the
23 payments.

24 But it's not clear at all that it's
25 the same universe. Because again, these are the

1 largest international and national companies, as
2 opposed to companies here in New York, who are
3 creating current pollution and expected to pay
4 some formula through a cap-and-invest program to
5 both try to decrease the amount of pollution that
6 they are currently doing through their activities
7 in New York, and then using that money to
8 hopefully help us also deal with the costs of
9 these realities going forward.

10 SENATOR BORRELLO: Mr. President,
11 will the sponsor continue to yield.

12 ACTING PRESIDENT COONEY: Will the
13 sponsor yield?

14 SENATOR KRUEGER: Yes.

15 ACTING PRESIDENT COONEY: The
16 sponsor yields.

17 SENATOR BORRELLO: So I know we
18 discussed this a little bit in the
19 Finance Committee. But how do we come about
20 assessing these so-called damages? You know,
21 how -- what was the process by which -- because
22 it sounded like you had a very intricate, I
23 guess, process of determining right down to the
24 company and the citizen of New York State exactly
25 how much damage has been done.

1 What was the -- can you show your
2 work on that, as they would say in school? How
3 do you get to that?

4 SENATOR KRUEGER: So there were a
5 group of economists who have actually done
6 international analysis of what companies existed
7 in what years, how much of the percent of
8 climate-damaging pollution was created in each of
9 those years, and how much of their business was a
10 percentage of that pollution.

11 So who created the pollution, how
12 much of the pollution was caused by businesses
13 based on the size of the business and the
14 activity, and then how much of that would
15 translate down to the impact on the
16 United States, based on our population. Then,
17 how much of that population is here in New York
18 State.

19 Hence the amount of hitting them
20 with 3 billion a year for 25 years, which would
21 be 75 billion in total. And there's tables and
22 charts, and I can give them to you after this
23 debate.

24 SENATOR BORRELLO: Sure.

25 Mr. President, will the sponsor

1 continue to yield.

2 ACTING PRESIDENT COONEY: Will the
3 sponsor yield?

4 SENATOR KRUEGER: Yes.

5 ACTING PRESIDENT COONEY: The
6 sponsor yields.

7 SENATOR BORRELLO: So we're making
8 the assumption, then, that 50 years, 60 years
9 ago, 70 years ago there would have been a way to
10 mitigate that and still produce energy. Right?
11 Aren't you saying that there would have been a
12 way to avoid the pollution, which is how you
13 prove negligence, right? There has to be an
14 alternative.

15 So how do we say to a company
16 70 years ago, when solar panels didn't exist,
17 that you could have been producing energy from
18 solar panels instead of from fossil fuels? How
19 are we making that connection?

20 SENATOR KRUEGER: I'm sorry. Can
21 you just try it once more? I shouldn't have been
22 asking --

23 SENATOR BORRELLO: Sure.

24 We're making an assumption that in
25 order to prove that there was an alternative for

1 them, they could have avoided somehow providing
2 energy for New York State without, you know,
3 creating any type of emission. Would which mean
4 that 50, 60, 70 years ago they would have had to
5 been able to, I don't know, produce a solar panel
6 that didn't exist 70 years ago or, you know,
7 whatever it might be to provide energy.

8 So how do you prove negligence,
9 which would be the way to assess some kind of a
10 fine, when there was no alternative to -- other
11 than using fossil fuels to produce energy for
12 New York State?

13 SENATOR KRUEGER: So through you,
14 Mr. President. While the data goes back that
15 far, we're only applying the years 2000 to 2018
16 in order to calculate the damages or the
17 assessment on the damages done.

18 And, frankly, we do know that they
19 knew exactly what they were doing between
20 2000 and 2018. We know that there were some
21 alternatives available between 2000 and 2018. So
22 we're not addressing the question of did they
23 know something 70 years ago or 50 years ago.

24 SENATOR BORRELLO: Mr. President,
25 will the sponsor continue to yield.

1 ACTING PRESIDENT COONEY: Does the
2 sponsor yield?

3 SENATOR KRUEGER: Yes.

4 ACTING PRESIDENT COONEY: The
5 sponsor yields.

6 SENATOR BORRELLO: So then you're
7 saying that in the year 2000 there would have
8 been an alternative to using any type of
9 emission-producing fuel that would have been able
10 to power New York State. New York City, which is
11 the largest user of power not just in this state,
12 but probably the entire country, that there would
13 have been enough alternative fuel sources to
14 power New York City without any rolling
15 blackouts, brownouts, anything else.

16 We're making that statement by
17 assessing this fine, that there would have been a
18 clear alternative to being able to actually power
19 this state without any emissions.

20 SENATOR KRUEGER: We actually don't
21 know that, Mr. President, and that's not actually
22 relevant to the bill.

23 But what -- we do know that they
24 knew they were causing pollution. We do know
25 that the science of climate change was

1 well-established, including the impact of fossil
2 fuels, known by the industry. And that a
3 reasonable corporate actor would have attempted
4 to address this issue as best they could.

5 And we're really just saying we know
6 that you caused this, and we would like you to
7 help us pay for the damage. We're not even
8 asking them to justify their behavior. We're not
9 applying damages for bad behavior. Although I do
10 believe that courts have gotten awfully close to
11 arguing there is evidence of bad corporate
12 behavior. But that's not what we're doing here.

13 We're saying your activities caused
14 this amount of damage. We, the people, now have
15 to pay an enormous amount to deal with it. We
16 would like to assess your companies some share,
17 relatively small, to help us pay these costs.

18 And when I say relatively small, I
19 know that we all think 3 billion a year sounds
20 like a lot of money on this floor, and I'm not
21 pooh-poohing the amount of 3 billion. But if you
22 look at the profitability of these exact same
23 companies in '22, '23, '24 -- or parts of '24
24 still -- it's the largest amount of net profits
25 they have ever seen in their existence as

1 businesses.

2 And the jump in the damage done by
3 emissions skyrocketed after the year 2000. So in
4 2000, we already knew the problems. We knew that
5 there were supposedly companies saying we're
6 going to do something about it. And then we saw
7 emissions skyrocket beyond anything we imagined
8 would happen.

9 So to even make the argument --
10 which my bill does not -- that these companies
11 knowingly lied to us I think is a legitimate
12 charge, but it has nothing to do with what's
13 happening within this bill.

14 SENATOR BORRELLO: Mr. President,
15 will the sponsor continue to yield.

16 ACTING PRESIDENT COONEY: Does the
17 sponsor yield?

18 SENATOR KRUEGER: Yes, I yield.

19 ACTING PRESIDENT COONEY: The
20 sponsor yields.

21 SENATOR BORRELLO: So currently
22 New York City is about 70 percent reliant on
23 fossil fuels for power right now, today. You're
24 telling the companies that are providing that
25 power that they are going to pay a fine for

1 2000-2018.

2 But nothing fundamentally has
3 changed between the way power is delivered,
4 particularly in New York City. I mean, up where
5 I live, we're 90 percent green, largely due to
6 hydroelectric power.

7 So are we going to assess fines for
8 them to continue to provide power to New York
9 City in particular, which is 70 percent reliant
10 on fossil fuel, going forward? How are we going
11 to -- are we basically saying: You need to stop
12 providing power to New York State that produces
13 any kind of emissions, otherwise you're going to
14 face further fines?

15 SENATOR KRUEGER: So we're looking
16 backwards in time. You're asking about going
17 forward?

18 SENATOR BORRELLO: I'm talking
19 about today.

20 SENATOR KRUEGER: Okay. Today
21 forward.

22 SENATOR BORRELLO: The power's on
23 today largely because of fossil fuels.

24 SENATOR KRUEGER: We have passed a
25 multiple series of laws, both at the state level,

1 at the New York City level, at the federal level
2 through international treaties that all head us
3 towards, yes, getting off of oil and gas and
4 moving to alternative energy. That's not a new
5 concept on this Senate chamber floor. And we
6 have passed our CLCPA and, again, international
7 treaties.

8 So yeah, we're going to be getting
9 off of oil and gas, and in my opinion the faster
10 the better.

11 We do have alternatives in green
12 energy, in technology that is not as polluting,
13 and the faster the better. Will these companies
14 still want to sell to us in New York State? Oh,
15 yes, sir, they will. For as long as they are
16 possibly legally able, they will still sell to us
17 in New York State even if we have assessed them.
18 Why? Because there's far more companies that
19 aren't going to be on the list that will be happy
20 to sell to us, and they don't want to lose out
21 competitively to them.

22 So if you're one of the largest oil
23 and gas companies in the world and you realize
24 your share of a \$3 billion assessment is sort of
25 chump change, you're not going to walk away from

1 selling to New York State, where you're still
2 going to make money as long as we, the
3 government, allow you to sell your product in our
4 state.

5 So I'm not concerned that this law
6 will result in these 30 companies saying we walk
7 away from New York. I'm quite sure they won't.

8 SENATOR BORRELLO: Mr. President,
9 will the sponsor continue to yield.

10 ACTING PRESIDENT COONEY: Will the
11 sponsor yield?

12 SENATOR KRUEGER: Yes.

13 ACTING PRESIDENT COONEY: The
14 Senator yields.

15 SENATOR BORRELLO: So what you're
16 saying is this isn't really about cleaner air,
17 this is about money. Because they're going to
18 have to continue to deliver power to New York
19 City. They're going to have to continue to do so
20 with basically the same mix of largely fossil
21 fuel.

22 Right now, today, the lights are on
23 here, the lights are on everywhere in New York
24 State largely due to mostly fossil fuel,
25 particularly in New York City. So what you're

1 saying is you're going to continue to pollute,
2 that's okay. Just pay us, because we need to
3 keep the lights on here.

4 SENATOR KRUEGER: No, I actually
5 don't think we're saying that since again, as I
6 just said, we have passed a series of laws making
7 sure that we are phasing out of oil and gas. But
8 obviously we're not doing it overnight. So we
9 are making those efforts. We have already taken
10 those steps.

11 I'm saying if you break it, you own
12 it. They broke it. They broke the climate. We
13 are paying those costs already, we the people.
14 Ratepayers are paying it. Every one of our
15 constituents are paying it, higher utility costs.
16 We are paying -- we are expected to pay even more
17 and more and more. Don't we think the polluters
18 ought to pay some share of the damage they have
19 done?

20 It's not even a radical notion. We
21 have a federal Superfund Act in effect, and it's
22 exactly the same model. But it's for polluting
23 the earth, the land. If you buy a piece of land
24 and you discover that it has been polluted to
25 such a level of damage that the Superfund kicks

1 in, then the previous owners, even though they're
2 gone, owe the money for repair of that land. If
3 you buy that land, you face the liability of it.

4 So it's not a radical notion to
5 assess the polluters a share of the damage
6 they've done. It's just a different concept
7 because the pollution is to our air and our
8 water. Which, by the way, it doesn't matter
9 whether you live in New York City or your county,
10 because this funky thing about air and water, it
11 just moves around all over. Once it's polluted,
12 we all have to face it.

13 So New York City may or may not
14 disproportionately use oil and gas. I actually
15 think we're not even a disproportionate polluter.
16 There's a variety of reasons for that. But it
17 doesn't matter. It's water, it's air, it travels
18 from your county to my county.

19 SENATOR BORRELLO: Mr. President,
20 will the sponsor continue to yield.

21 ACTING PRESIDENT COONEY: Will the
22 sponsor yield?

23 SENATOR KRUEGER: Yes.

24 ACTING PRESIDENT COONEY: The
25 sponsor yields.

1 SENATOR BORRELLO: So I'm sure
2 you're familiar with the due-process clause of
3 the 14th Amendment, where anyone is afforded
4 due process.

5 Do you think that this assessment
6 runs afoul of the due-process clause, runs afoul
7 of the Constitution of the United States?

8 SENATOR KRUEGER: No, I don't.
9 Because happily for me, not only have I worked
10 with some of the most famous economists on these
11 issues, I've also worked with the most famous
12 lawyers on environmental law on these issues, and
13 they assure me that it does not impact a -- it's
14 not a violation of the Constitution, and it isn't
15 a violation of the Clean Air Act.

16 We know the big oil and gas
17 companies will file lawsuits the day this bill is
18 signed. That's why it's so important that we
19 need to get started now, because it's going to
20 take a while to get through the litigation and
21 start collecting the money and relieving
22 New York's taxpayers of this full burden
23 themselves.

24 But not only am I sure this is
25 constitutional, but because it's taken so long to

1 get this through New York, I actually offered it
2 to the United States Congress, said, maybe you
3 should do it on the federal level -- actually
4 probably should do it on the federal level if we
5 had a functioning Congress.

6 And the U.S. Senate, the U.S. House
7 of Representatives, and President Biden all said,
8 yeah, our people say it's legit and it will hold
9 up in court. And so they put it in the Build It
10 Back Better bill. But then one Senator who had
11 the power to risk the bill not passing -- and he
12 was a Democrat, unfortunately -- had that section
13 pulled out.

14 So this has been vetted by people
15 who vet cases that are going to go before the
16 U.S. Supreme Court, and they still believe that
17 they should pass this and that it was
18 constitutional and would stand up.

19 But I admit, we're going to get
20 sued, yeah.

21 SENATOR BORRELLO: Mr. President,
22 will the sponsor continue to yield?

23 ACTING PRESIDENT COONEY: Will the
24 sponsor yield?

25 SENATOR KRUEGER: Yes.

1 ACTING PRESIDENT COONEY: The
2 sponsor yields.

3 SENATOR BORRELLO: So there's no
4 precedent for this anywhere. This hasn't been
5 done. I'm sure the people that you're going to
6 pay by the hour are going to be happy to bring
7 this and say it's going to be a great lawsuit --
8 because it will be for them, absolutely. They're
9 going to get paid.

10 (Overtalk.)

11 SENATOR KRUEGER: -- definitely
12 representing us, so I think they get paid every
13 way anyway.

14 SENATOR BORRELLO: Well, I'm sure
15 they're going to job it out, so.

16 That being said, if these folks
17 don't pay, you know, they're going to sue, you're
18 going to have to sue them. You know, how -- how
19 much -- without a precedent anywhere else,
20 nowhere else has this happened, how much is this
21 going to cost New Yorkers in lawsuits and
22 counter-lawsuits and -- what is this going to
23 cost?

24 SENATOR KRUEGER: Through you,
25 Mr. President. A whole lot less than \$75 billion

1 in revenue if we win that lawsuit. I don't know
2 how you evaluate the cost of an individual
3 lawsuit. It's not going to go near the actual
4 win for the State of New York.

5 And I don't know if it's
6 unprecedented, because I'm not sure what happened
7 in Vermont today, but I was told they were
8 passing the bill in Vermont today. And that the
9 Governor -- I believe a Republican -- already
10 said he would sign it.

11 SENATOR BORRELLO: Mr. President,
12 on the bill.

13 ACTING PRESIDENT COONEY: Senator
14 Borrello on the bill.

15 SENATOR BORRELLO: Thank you,
16 Senator Krueger.

17 So I understand that there are times
18 throughout history where companies have been held
19 accountable for something that they may have done
20 in the past. It could have been asbestos. It
21 could have been, you know, any kind of toxic
22 pollutants. But in this case we're talking about
23 energy, energy that's being supplied pretty much
24 today as it was in 2018 and 2000.

25 And we're saying to the people that

1 provide the energy to New York State, the people
2 that keep the lights on in this room and every
3 room across the state, the people that make sure
4 that hospitals have power, that we're able to get
5 to work -- all those things, natural gas,
6 gasoline, electricity, you name it. We're saying
7 to them: You've done something wrong, you have
8 to pay New York State for that. But continue to
9 do that. Don't shut it off. Don't stop. Just
10 keep doing what you're doing. And you know what?
11 Somewhere down the road we'll probably assess
12 another fine.

13 I don't think that's really the
14 right way to handle this, really. Is it? If we
15 had a solution and there was a solution in place
16 in 2000 or 2018 or 1965, then maybe I could see.

17 But no, it's essentially the same.
18 We're going to punish them for providing the
19 power that keeps New York going. Okay.

20 But what this is really about, in my
21 opinion, is this. We know the cost of converting
22 New York, this CLCPA, the Climate Action Council
23 Scoping Plan, is tremendous. Tremendous.
24 Hundreds of billions if not a trillion dollars.
25 And my colleagues that support this know that.

1 So they're looking under every rock
2 to find whatever dollar they can to offset that
3 cost. Because they know the cost of keeping the
4 lights on in New York City with all-renewable
5 energy is going to be so tremendous, so
6 unreliable, so costly that it's going to turn us
7 into a Third World country, probably.
8 Unreliable, expensive energy.

9 And so what's the government going
10 to do? Well, we're going to do what third world
11 countries do. We're going to confiscate it from
12 the people that are actually producing that.
13 We're going to confiscate it from the productive
14 people, the people that -- the manufacturers,
15 because this is probably going to spread. It's
16 going to spread to companies that use a lot of
17 energy. Right? They're going to have to pay
18 too.

19 So if you manufacture something here
20 in New York State, use a lot of energy, you're
21 going to pay. Keep manufacturing, keep those
22 jobs, you're going to pay too.

23 You know, at the end of the day
24 we've got to find a trillion dollars of other
25 people's money to pay for this ridiculous idea of

1 the CLCPA. So we're going to find 75 billion
2 here, 100 billion there, we're going to cap and
3 invest. Eventually we're going to try and cobble
4 together a trillion dollars, but we're not. It's
5 not going to happen.

6 This is a bad idea, and I'll be
7 voting no. Thank you.

8 ACTING PRESIDENT COONEY: Are there
9 any other Senators wishing to be heard? Seeing
10 and hearing none, debate is closed.

11 (Off the record.)

12 ACTING PRESIDENT COONEY: Senator
13 Krueger on the bill.

14 SENATOR KRUEGER: Thank you.

15 You know what, I so appreciate my
16 colleague's questions, but I think he's missing a
17 point here. Even the closing comments about
18 we're doing all this to pay for the CLCPA and the
19 movement to green energy.

20 We do have costs associated with
21 having to transform our economy to a
22 non-oil/gas-based economy. That's true. But
23 actually this money is primarily going to go to
24 remediation of the damage that has been done by
25 the old economy by the oil and gas companies.

1 So even if we didn't have a CLCPA,
2 even if we were foolish enough to think we didn't
3 need to transform to a renewable, non-polluting
4 model of electricity and other energy, we would
5 still be stuck with all the costs of climate
6 change and climate damage. We're dealing with it
7 every day in every district in the state.

8 Our water tables are going up in our
9 oceans and our rivers and our lakes. The
10 temperatures are changing so that we have new
11 invasive species. We have increased forest fires
12 throughout the world. We are having tornados and
13 earthquakes in New York State -- those were
14 things you watched happening in other states.

15 We are struggling with adequate
16 water supply throughout this country. We have
17 been told by the federal government that we must
18 spend \$55 billion on a seawall at the bottom of
19 Manhattan to prevent Manhattan from collapsing
20 into the water -- I believe parts of Brooklyn as
21 well, and I believe parts of Staten Island.
22 Apparently Staten Island is already building
23 itself another seawall.

24 These things cost enormous money.
25 That has nothing to do with CLCPA. That's the

1 damage that we have to deal with day in, day out,
2 at every juncture in every part of the state.

3 Where's the money going to come
4 from? It will come from the state and our
5 localities because we have to make those repairs.
6 We can't not deal with that reality. So we're
7 paying for it.

8 I'm suggesting with this piece of
9 legislation that the companies who knowingly
10 continued down the path of selling us products
11 that caused all of this should hold some
12 responsibility for paying some of those costs.

13 Now, we can never make them do that,
14 I get it. But then I'm telling you, you don't
15 get off. We have to pay it. The costs are not
16 going away. And they have nothing to do with
17 CLCPA.

18 I believe taking the movements of
19 participating as actively as we can with the
20 implementation of CLCPA and moving to green
21 energy and sustainable energy will help us stop
22 seeing things get even worse, even more
23 unlivable, even more expensive to deal with. But
24 that's not what this bill is.

25 It's just saying ya broke it, you

1 have to help pay for it. Thank you. I vote yes.

2 I encourage my colleagues to vote yes.

3 Thank you, Mr. President.

4 ACTING PRESIDENT COONEY: Thank
5 you, Senator Krueger.

6 Senator Gianaris.

7 SENATOR GIANARIS: I believe that
8 closes the debate?

9 ACTING PRESIDENT COONEY: It does.
10 Debate is now closed.

11 SENATOR GIANARIS: We have agreed
12 to restore this to the noncontroversial calendar.

13 ACTING PRESIDENT COONEY: The item
14 is restored to the noncontroversial calendar.

15 Read the last section.

16 THE SECRETARY: Section 8. This
17 act shall take effect immediately.

18 ACTING PRESIDENT COONEY: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT COONEY: Senator
22 Rhoads to explain his vote.

23 SENATOR RHOADS: Thank you,
24 Mr. President.

25 And thank you, Senator Krueger, for

1 the answers to Senator Borrello's questions.

2 I don't necessarily have a problem
3 with the result, but I do have an issue with
4 respect to the process. You know, essentially
5 what you're doing is you're saying that you're
6 able to prove that these companies were aware of
7 the damage that they were doing. If you have the
8 ability to prove the damages they were doing, the
9 location or venue where you would prove that is
10 in court. So essentially by act of the
11 Legislature, we're assigning a fine.

12 And take a -- it doesn't even have
13 to be with respect to energy, you know, with
14 respect to oil companies. You know, can you make
15 the same argument that potato chip manufacturers
16 know that their product is fattening, and as a
17 result we have additional Medicare and Medicaid
18 costs that the state has to pay because people
19 eat potato chips and there are health problems
20 that result.

21 We wouldn't just be able to
22 establish a fine by act of the Legislature
23 against companies and assign them amounts of
24 money that they have to pay based on their
25 percentage of sales of potato chips in the State

1 of New York. You would have to go to court and
2 you would have to prove that, and the court would
3 determine whether or not we were able to make out
4 our case.

5 So my concern isn't necessarily with
6 the result that you're achieving. My concern is
7 the process that you're going through in order to
8 get there. And I think it establishes a very
9 dangerous precedent, because you can apply this
10 to a host of other private businesses, private
11 companies, and it establishes a -- really a way
12 to circumvent what would normally be due-process
13 considerations that we would have to meet in
14 order to achieve the result that you're seeking.

15 So I'm going to vote no.

16 Thank you, Mr. President.

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

19 Senator Martins to explain his vote.

20 SENATOR MARTINS: Thank you,
21 Mr. President.

22 Mr. President, I have the great
23 honor of representing the North Shore of
24 Nassau County, from the Queens border to the
25 Suffolk border. And we have the distinction of

1 having a sole-source aquifer just below our feet
2 from which we get our drinking water. We also
3 have issues with our -- the effects of climate
4 change on our communities. We have felt that
5 over the years, whether it's Sandy or every
6 500-year storm that seems to impact us every
7 other year.

8 So when it comes time to holding
9 people responsible and companies responsible for
10 the harm that they do and ask them to contribute
11 to fixing what they broke, I'm for it.

12 I vote aye.

13 ACTING PRESIDENT COONEY: Senator
14 Martins to be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 851, those Senators voting in the
18 negative are Senators Ashby, Borrello,
19 Canzoneri-Fitzpatrick, Gallivan, Griffio, Helming,
20 Lanza, Mattera, Murray, Oberacker, Ortt, Palumbo,
21 Rhoads, Stec, Tedisco, Weber and Weik.

22 Ayes, 43. Nays, 17.

23 ACTING PRESIDENT COONEY: The bill
24 is passed.

25 Senator Gianaris, that completes the

1 reading of today's calendar.

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

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

6 SENATOR GIANARIS: Move to adjourn
7 until tomorrow, Wednesday, May 8th, at 11:00 a.m.

8 ACTING PRESIDENT COONEY: On
9 motion, the Senate stands adjourned until
10 Wednesday, May 8th, at 11:00 a.m.

11 (Whereupon, the Senate adjourned at
12 5:54 p.m.)

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