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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 12, 2025

11:42 a.m.

REGULAR SESSION

SENATOR JEREMY 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 present to please
5 rise and recite the Pledge of Allegiance.

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

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

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

13 ACTING PRESIDENT COONEY: Reading
14 of the Journal.

15 THE SECRETARY: In Senate, Tuesday,
16 February 11, 2025, the Senate met pursuant to
17 adjournment. The Journal of Monday, January 10,
18 2025, was read and approved. On motion, the
19 Senate adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator Rivera

1 moves to discharge, from the Committee on Rules,
2 Assembly Bill Number 1021 and substitute it for
3 the identical Senate Bill 806, Third Reading
4 Calendar 80.

5 Senator Webb moves to discharge,
6 from the Committee on Rules, Assembly Bill
7 Number 914 and substitute it for the identical
8 Senate Bill 813, Third Reading Calendar 87.

9 Senator Fahy moves to discharge,
10 from the Committee on Rules, Assembly Bill
11 Number 1018 and substitute it for the identical
12 Senate Bill 2678, Third Reading Calendar 161.

13 Senator Martinez moves to discharge,
14 from the Committee on Rules, Assembly Bill
15 Number 1098 and substitute it for the identical
16 Senate Bill 2677, Third Reading Calendar 160.

17 Senator Sanders moves to discharge,
18 from the Committee on Rules, Assembly Bill
19 Number 431 and substitute it for the identical
20 Senate Bill 2680, Third Reading Calendar 163.

21 ACTING PRESIDENT COONEY: So
22 ordered.

23 Messages from the Governor.

24 Reports of standing committees.

25 Reports of select committees.

1 Communications and reports from
2 state officers.

3 Motions and resolutions.

4 Senator Gianaris.

5 SENATOR GIANARIS: Good morning,
6 Mr. President.

7 Please recognize Senator Salazar for
8 a special introduction.

9 ACTING PRESIDENT COONEY: Senator
10 Salazar for an introduction.

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

13 I am honored and humbled today to
14 introduce to the chamber the family of Mr. Robert
15 Brooks. This includes Robert's father,
16 Robert Ricks; also his mother, Mary Brooks; and
17 his cousin Eileen Graham, from Rochester, who are
18 with us today in Albany.

19 Robert Brooks was beaten and
20 tortured at the hands of 15 correction officers
21 and correction staff at Marcy Correctional
22 Facility on December 9th, resulting in his death
23 just two months ago. He was 43 years old.

24 The autopsy report recently
25 confirmed what anyone who watched the publicly

1 released video footage of what happened to
2 Mr. Brooks -- what we know, which is that this
3 was a homicide.

4 To Ms. Brooks, Ms. Graham and
5 Mr. Ricks, I and my colleagues in the New York
6 State Senate are deeply sorry for your loss. The
7 violence committed against Robert is horrific and
8 shocks the conscience. Robert's death is a grave
9 injustice, and I know that it will not be in
10 vain.

11 Mr. Brooks' family -- his father
12 recently spoke at a press conference related to
13 his son's death, and his words there resonated
14 with me. Of the state workers responsible for
15 Robert Brooks' death, his father said: "They
16 denied my son a second chance. They denied him
17 the second chance to be the best man he was
18 capable of being."

19 He went on to say that Mr. Brooks
20 was due to come home in 2026, next year, and said
21 that he and his son spoke regularly.

22 Mr. Brooks told his father that upon
23 returning home from prison, he aspired to do the
24 good work that his father does in his community
25 and to make a difference in young lives.

1 Today I and many of my colleagues
2 are here to demand justice for Robert Brooks and
3 to take swift action against the culture of
4 violence and impunity that has persisted in our
5 state prisons.

6 While it would be sufficient for us
7 to demand this for Robert Brooks, we know that
8 what happened to Robert was not an isolated
9 incident. We must pursue justice by way of
10 accountability, but also through systemic change,
11 to prevent such violence from happening again.

12 As public servants, we all must be
13 held to the highest standard in our daily work.
14 In New York we can act to ensure that New Yorkers
15 like Mr. Brooks who are entrusted to the state's
16 care are treated with dignity, with respect, and
17 with humanity, not violently beaten to death by
18 state employees.

19 We owe that to the family of
20 Robert Brooks, but also to the families of other
21 individuals who are incarcerated. And we owe it
22 to each other.

23 The killing of Robert Brooks
24 demonstrates a sickness in our state's carceral
25 system. Through policy change and changing

1 culture, we must confront and seek to eradicate
2 that sickness.

3 To Ms. Brooks, Ms. Graham and
4 Mr. Ricks, and to Robert Brooks' children and
5 many loved ones, I am deeply sorry for your loss.
6 We grieve with you. We remain committed to
7 seeking justice for Robert Brooks and his memory.

8 Thank you, Mr. President.

9 ACTING PRESIDENT COONEY: Thank
10 you, Senator Salazar.

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

15 Please rise and be recognized.

16 (Standing ovation.)

17 ACTING PRESIDENT COONEY: Senator
18 Gianaris.

19 SENATOR GIANARIS: Please take up
20 the reading of the calendar.

21 ACTING PRESIDENT COONEY: The
22 Secretary will read.

23 THE SECRETARY: Calendar Number 80,
24 Assembly Bill 1021, by Assemblymember McDonald,
25 an act to amend the Social Services Law.

1 ACTING PRESIDENT COONEY: Read the
2 last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect on the same date and in the
5 same manner as a chapter of the Laws of 2024.

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: Ayes, 57.

12 ACTING PRESIDENT COONEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number 87,
15 Assembly Bill 914, by Assemblymember Clark, an
16 act to amend the Public Health Law.

17 ACTING PRESIDENT COONEY: Read the
18 last section.

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

21 ACTING PRESIDENT COONEY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT COONEY: Senator
25 Webb to explain her vote.

1 SENATOR WEBB: Thank you,
2 Mr. President. I rise to talk about my bill.

3 In our body we have been
4 consistently working to address maternal
5 mortality rates here in the state. New York is
6 Number 22 in the country for the highest maternal
7 mortality rates. And when you break that down
8 even further by race and ethnicity, and most
9 certainly in my community that's more rural but
10 also has a high population of folks of color,
11 these numbers are even more disparaging, that
12 women of color and particularly Black women in
13 New York are six times more likely to die while
14 giving childbirth -- and yet more than 70 percent
15 of those deaths are preventable.

16 What this legislation does is that
17 it will require the Department of Health to
18 thoroughly evaluate and make recommendations on
19 best birthing practices. This legislation is
20 pushing for us to continue to take a more
21 proactive approach to ensure that every mother or
22 birthing person has access to safe, high-quality
23 and evidence-based care no matter their race,
24 income level, or zip code.

25 As the chair of our Women's Issues

1 Committee, this legislation is not just simply
2 about improving policies, it is about saving
3 lives and having a more equitable impact on
4 families across our state. It is about making
5 sure that no mother is ignored, that no
6 complication is dismissed, and that no family
7 suffers a preventable tragedy.

8 I vote aye, and I encourage my
9 colleagues to do the same. And I also would like
10 to thank our Senate Majority Leader for
11 supporting this legislation as well.

12 Thank you, Mr. President.

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

15 Announce the results.

16 THE SECRETARY: Ayes, 59.

17 ACTING PRESIDENT COONEY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number 92,
20 Senate Print 818, by Senator Hinchey, an act to
21 amend the Cannabis Law.

22 ACTING PRESIDENT COONEY: Read the
23 last section.

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

1 ACTING PRESIDENT COONEY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT COONEY: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar 92, those Senators voting in the
8 negative are Senators Ashby,
9 Canzoneri-Fitzpatrick, Chan, Gallivan, Lanza,
10 Martinez, Mattera, Murray, Ortt, Palumbo, Rhoads,
11 Stec, Tedisco, Weber and Weik.

12 Ayes, 44. Nays, 15.

13 ACTING PRESIDENT COONEY: The bill
14 is passed.

15 THE SECRETARY: Calendar 160,
16 Assembly Bill 1098, by Assemblymember Hunter, an
17 act to amend the General Municipal Law.

18 ACTING PRESIDENT COONEY: Read the
19 last section.

20 THE SECRETARY: Section 2. 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, 59.

3 ACTING PRESIDENT COONEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 161, Assembly Bill Number 1018, by
7 Assemblymember Hevesi, an act to amend the
8 Social Services Law.

9 ACTING PRESIDENT COONEY: Read the
10 last section.

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

13 ACTING PRESIDENT COONEY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT COONEY: Announce
17 the results.

18 THE SECRETARY: Ayes, 59.

19 ACTING PRESIDENT COONEY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 162, Senate Print 2679, by Senator Ramos, an act
23 to amend the Public Service Law.

24 ACTING PRESIDENT COONEY: Read the
25 last section.

1 THE SECRETARY: Section 4. 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: In relation to
9 Calendar 162, voting in the negative:
10 Senator Borrello. Also Senator Ortt, pardon me.

11 Ayes, 57. Nays, 2.

12 ACTING PRESIDENT COONEY: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 163, Assembly Bill Number 431, by
16 Assemblymember Epstein, an act to amend the
17 Financial Services Law.

18 ACTING PRESIDENT COONEY: Read the
19 last section.

20 THE SECRETARY: Section 2. This
21 act shall take effect on the same date and in the
22 same manner as a chapter of the Laws of 2024.

23 ACTING PRESIDENT COONEY: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT COONEY: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar 163, those Senators voting in the
5 negative are Senators Borrello, Gallivan,
6 Helming, Lanza, Mattera, Murray, Oberacker, Ortt,
7 Rhoads, Stec, Tedisco, Weber and Weik.

8 Ayes, 46. Nays, 13.

9 ACTING PRESIDENT COONEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 206, Senate Print 519, by Senator Persaud, an act
13 to amend the Education Law.

14 ACTING PRESIDENT COONEY: Read the
15 last section.

16 THE SECRETARY: Section 2. 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: In relation to
24 Calendar 206, those Senators voting in the
25 negative are Senators Chan, Helming, Lanza,

1 Oberacker and Ortt.

2 Ayes, 54. Nays, 5.

3 ACTING PRESIDENT COONEY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 208, Senate Print 2126, by Senator Jackson, an
7 act to amend the Education Law.

8 ACTING PRESIDENT COONEY: Read the
9 last section.

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

12 ACTING PRESIDENT COONEY: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT COONEY: Announce
16 the results.

17 THE SECRETARY: In relation to
18 Calendar 208, voting in the negative:
19 Senator Lanza.

20 Ayes, 58. Nays, 1.

21 ACTING PRESIDENT COONEY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 209, Senate Print 2505, by Senator Brisport, an
25 act to establish a task force on educator

1 diversity in New York State.

2 ACTING PRESIDENT COONEY: Read the
3 last section.

4 THE SECRETARY: Section 4. 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 209, those Senators voting in the
13 negative are Senators Borrello, Lanza, Oberacker,
14 Ortt and Stec.

15 Ayes, 54. Nays, 5.

16 ACTING PRESIDENT COONEY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 210, Senate Print 2657, by Senator Parker, an act
20 to amend the Education 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: In relation to
6 Calendar 210, voting in the negative:
7 Senator Oberacker.

8 Ayes, 58. Nays, 1.

9 ACTING PRESIDENT COONEY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 281, Senate Print 3161, by Senator Jackson, an
13 act to amend the Arts and Cultural Affairs 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, 59.

24 ACTING PRESIDENT COONEY: The bill
25 is passed.

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

3 ACTING PRESIDENT COONEY: Is there
4 any further business at the desk?

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

7 SENATOR GIANARIS: I move to
8 adjourn until Monday, February 24th, at
9 3:00 p.m., with the intervening days being
10 legislative days.

11 ACTING PRESIDENT COONEY: On
12 motion, the Senate stands adjourned until Monday,
13 February 24th, at 3:00 p.m., with intervening
14 days being legislative days.

15 (Whereupon, at 11:57 a.m., the
16 Senate adjourned.)

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