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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 11, 2026

11:03 a.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT MAYER: 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 MAYER: Reading of
14 the Journal.

15 THE SECRETARY: In Senate, Tuesday,
16 February 10, 2026, the Senate met pursuant to
17 adjournment. The Journal of Monday, February 9,
18 2026, was read and approved. On motion, the
19 Senate adjourned.

20 ACTING PRESIDENT MAYER: 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 Health,
2 Assembly Bill Number 7894C and substitute it for
3 the identical Senate Bill 7457B, Third Reading
4 Calendar 170.

5 ACTING PRESIDENT MAYER: So
6 ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from
11 state officers.

12 Motions and resolutions.

13 Senator Gianaris.

14 SENATOR GIANARIS: Good morning,
15 Madam President.

16 We're going to begin with an
17 immediate meeting of the Rules Committee in
18 Room 332.

19 ACTING PRESIDENT MAYER: There will
20 be an immediate meeting of the Rules Committee in
21 Room 332.

22 SENATOR GIANARIS: The Senate
23 stands at ease.

24 ACTING PRESIDENT MAYER: The Senate
25 stands at ease.

1 (Whereupon, the Senate stood at ease
2 at 11:04 a.m.)

3 (Whereupon, the Senate reconvened at
4 11:10 a.m.)

5 ACTING PRESIDENT MAYER: The Senate
6 will return to order.

7 Senator Gianaris.

8 SENATOR GIANARIS: Madam President,
9 there's a report of the Rules Committee at the
10 desk. Let's take that up, please.

11 ACTING PRESIDENT MAYER: The
12 Secretary will read.

13 THE SECRETARY: Senator
14 Stewart-Cousins, from the Committee on Rules,
15 reports the following bill: Senate Print 9155,
16 by Senator Krueger, an act to amend the
17 Cannabis Law.

18 The bill reports direct to third
19 reading.

20 SENATOR GIANARIS: Move to accept
21 the report of the Rules Committee.

22 ACTING PRESIDENT MAYER: All those
23 in favor of accepting the report of the
24 Rules Committee please signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT MAYER: Opposed,
2 nay.

3 (Response of "Nay.")

4 ACTING PRESIDENT MAYER: The report
5 of the Rules Committee is accepted.

6 Senator Gianaris.

7 SENATOR GIANARIS: At this time,
8 Madam President, we're going to take up the
9 supplemental calendar.

10 ACTING PRESIDENT MAYER: The
11 Secretary will read.

12 THE SECRETARY: Calendar Number
13 351, Senate Print 9155, by Senator Krueger, an
14 act to amend the Cannabis Law.

15 SENATOR LANZA: Lay it aside.

16 ACTING PRESIDENT MAYER: The bill
17 is laid aside.

18 Senator Gianaris, that completes the
19 reading of the supplemental calendar.

20 SENATOR GIANARIS: Let's take that
21 bill up on the controversial calendar, please.

22 ACTING PRESIDENT MAYER: The
23 Secretary will ring the bell.

24 The Secretary will read.

25 THE SECRETARY: Calendar Number

1 351, Senate Print 9155, by Senator Krueger, an
2 act to amend the Cannabis Law.

3 ACTING PRESIDENT MAYER: Senator
4 Borrello, why do you rise?

5 SENATOR BORRELLO: Good morning,
6 Madam President.

7 Would the sponsor or whoever is
8 speaking on behalf of the sponsor please yield
9 for a question.

10 ACTING PRESIDENT MAYER: Senator
11 Cooney, you're going to be handling the
12 questions.

13 SENATOR COONEY: Yes,
14 Madam President. I'd be happy to yield.

15 ACTING PRESIDENT MAYER: The
16 Senator yields.

17 SENATOR BORRELLO: Thank you.
18 Through you, Madam President.

19 Of course we've heard about this
20 issue that -- where many shops that had been --
21 cannabis shops that had been given licenses
22 across the state were suddenly in violation of
23 the rule that was set in place as far as
24 distances from churches and schools.

25 So what does this bill do to change

1 that?

2 SENATOR COONEY: Through you,
3 Madam President. This legislation creates a
4 framework for how we do those measurements. So
5 as it relates to the siting of adult-use
6 dispensaries, legal dispensaries in New York, as
7 it relates to schools and houses of worship, our
8 legislation defines how we do that measurement.

9 SENATOR BORRELLO: Madam President,
10 will the sponsor continue to yield.

11 ACTING PRESIDENT MAYER: Do you
12 continue to yield?

13 SENATOR COONEY: Yes.

14 ACTING PRESIDENT MAYER: The
15 Senator yields.

16 SENATOR BORRELLO: So it would be
17 correct to define this as some kind of a mistake
18 that was made by the Office of Cannabis
19 Management?

20 SENATOR COONEY: Through you,
21 Madam President. The legislation is not
22 necessarily a correction as more a clarity of
23 legislative intent of how this should be measured
24 and why it should be measured as such.

25 SENATOR BORRELLO: Madam President,

1 will the sponsor continue to yield?

2 ACTING PRESIDENT MAYER: Do you
3 continue to yield?

4 SENATOR COONEY: Yes.

5 ACTING PRESIDENT MAYER: The
6 Senator yields.

7 SENATOR BORRELLO: Well, as someone
8 that was here when we passed this bill, the
9 legislative intent was exactly what we have here:
10 200 feet and 500 feet. So particularly from the
11 school standpoint, it seems very important.

12 So why now the change, then, if this
13 was what the legislation actually read from
14 beginning? Is that correct?

15 SENATOR COONEY: Through you,
16 Madam President, correct. The legislation
17 defined the number of feet -- 500 feet from a
18 school, 200 feet from a house of worship.

19 But how the agency itself was doing
20 that measurement, from the edge of the
21 school grounds versus from the center entrance
22 where students go into, was not defined in that
23 legislation or in Cannabis Law.

24 And so what we are doing is, as a
25 legislative body, providing that direction in

1 Cannabis Law so that there can be consistency
2 across the state for how that measurement is done
3 and applied.

4 SENATOR BORRELLO: Madam President,
5 will the sponsor continue to yield.

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR COONEY: Yes.

9 ACTING PRESIDENT MAYER: The
10 sponsor yields.

11 SENATOR BORRELLO: You're saying
12 consistency, but it's consistent. It's just a
13 matter of it's not consistent with what you would
14 like to see happen and was not how the Office of
15 Cannabis Management actually approved and sited
16 it.

17 So it's not being consistent because
18 aren't they all not in compliance now because of
19 an error that was made in the interpretation of
20 the law?

21 SENATOR COONEY: Through you,
22 Madam President. There were a number of
23 applicants who were concerned of whether they
24 would either (a) be affected because they already
25 have a store sited or have submitted an

1 application with an address that could be in
2 violation.

3 But a lot depends, again, on how
4 that measurement was taken, where that
5 measurement was drawn from.

6 By us providing that clarity and
7 putting it into Cannabis Law, we are giving
8 direction to the Office of Cannabis Management on
9 how to take that measurement so that there can be
10 a better understanding of existing adult-use
11 dispensary owners and future ones, the ones that
12 we're trying to stand up, the ones that we are
13 trying to push out the illegal stores, so that
14 they know the rules of the road. And I think
15 this is good clarity for us to do.

16 SENATOR BORRELLO: Madam President,
17 will the sponsor continue to yield?

18 ACTING PRESIDENT MAYER: Do you
19 continue to yield?

20 SENATOR COONEY: Yes.

21 ACTING PRESIDENT MAYER: The
22 Senator yields.

23 SENATOR BORRELLO: I can tell you
24 that I hear from my constituents all the time and
25 read a lot about the proliferation of marijuana

1 amongst our youth. So I think it's particularly
2 important that we be very careful with this when
3 it comes to our schools.

4 You know, schools are typically
5 sprawling places, right? They don't have one
6 entrance or exit, necessarily. And we always
7 have concern for things like smoke shops, which,
8 you know, are under local control.

9 But my question is, why not just
10 grandfather those that are -- that the mistake
11 was made by the Office of Cannabis Management,
12 grandfather those, and then have the new shops,
13 the new -- because there's a backlog, I'm
14 understanding, of places that are waiting on
15 licensing to open. Why not just grandfather the
16 ones that are existing and leave this rule the
17 way it is going forward?

18 (Pause.)

19 SENATOR COONEY: Excuse me,
20 Senator, for that. I was trying to get some
21 clarity on the backlog specifically.

22 So the agency mentioned 44 were
23 impacted, and then we believe there's an
24 additional eight that could be impacted. But
25 that also doesn't include applicants in the

1 process.

2 And so that's kind of the scope of
3 folk that we're working with that are impacted by
4 this. I think the key here is that we want to be
5 as consistent as we can with ABC Law, but also
6 provide a little bit more structure. You
7 mentioned the safety of our children, which is
8 obviously important to me.

9 You know, in this legislation you'll
10 see that we define for the school building
11 500 feet from the entrance of a school building.
12 Under ABC Law, as you're very well familiar with,
13 right, the school building is defined as
14 exclusive use of a school -- sorry, the building
15 has to be exclusive use of a school. We don't
16 put that in.

17 So any sort of mixed-use building
18 that has a school is now included. So we're
19 actually being more protective of students in
20 this process as it relates to the 500-foot rule.

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

23 ACTING PRESIDENT MAYER: Do you
24 continue to yield?

25 SENATOR COONEY: Yes.

1 ACTING PRESIDENT MAYER: The
2 Senator yields.

3 SENATOR BORRELLO: I think you'd
4 have to agree that right now the cost of rolling
5 out this program nearly six years later is still
6 more than what we bring in in revenue so far for
7 New York State, especially when you add in the
8 additional costs of law enforcement and the fact
9 that, you know, driving high has now surpassed
10 driving drunk in New York State, unfortunately;
11 it's now the number-one cause of accidents on our
12 roads when it comes to, you know, under the
13 influence.

14 So with that being said, how much
15 money are we spending on the Office of Cannabis
16 Management? How many people does it employ, do
17 you happen to know?

18 (Pause.)

19 SENATOR COONEY: Senator, we can't
20 recall the specific number or the actual number
21 of the employees at OCM in the budget.

22 But I will comment that this fiscal
23 year right now we're anticipating about
24 \$194 million in state tax revenue, with that
25 actually increasing in next year's fiscal budget,

1 to the point where actually the sale revenue from
2 cannabis will actually exceed that of alcohol in
3 next year's budget.

4 So while I acknowledge that there of
5 course have been bumps as we rolled out this
6 program and rolled out the -- stood up the
7 agency, it is now functioning at a level where it
8 is bringing a significant amount of revenue into
9 the state.

10 But I will -- to your specific
11 question, we will follow up with those.

12 SENATOR BORRELLO: Thank you.

13 Madam President, on the bill.

14 ACTING PRESIDENT MAYER: Senator
15 Borrello on the bill.

16 SENATOR BORRELLO: Thank you,
17 Senator Cooney. I really appreciate that.

18 So we are here six years, almost,
19 from when we passed the legalization of
20 recreational marijuana in New York State. And
21 even by the most optimistic standards, we are
22 still underwater when it comes to what we have
23 spent up to this point just to create the
24 infrastructure, let alone the additional costs of
25 this legalization on, like I said, law

1 enforcement, mental health issues, and so forth.

2 Now I know there are people out
3 there -- the majority of New Yorkers believe that
4 people should have the right to consume legally
5 cannabis. And I -- I guess I don't disagree.
6 However, one organization that feels that they
7 were duped by this chamber is none other than the
8 New York Times Editorial Board, who were big
9 proponents of the legalization of recreational
10 marijuana, but they basically said that New York
11 has screwed it up.

12 At the time, supporters of
13 legalization predicted that it would bring few
14 downsides. In our editorials, we described
15 marijuana addiction and dependence as "relatively
16 minor problems," in quotes. "Many advocates went
17 further and claimed that marijuana was a harmless
18 drug that might even bring net health benefits.
19 They also said that legalization might not lead
20 to greater use.

21 "It is now clear that many of these
22 predictions were wrong. Legalization has led to
23 much more use. Surveys suggest that about
24 18 million people in the United States have used
25 marijuana almost daily (or about five times a

1 week) in recent years. That was up from around
2 6 million in 2012 and less than 1 million in
3 1992."

4 I'm not going to go on, but the
5 New York Times Editorial Board did an exhaustive
6 study of the harmful impacts of marijuana and the
7 fact that here in New York State it has increased
8 along with the problems associated with it.

9 So if people want to choose to
10 partake, that's up to them. But when we start
11 talking about the fact that children are now
12 using it at a much higher rate than they have in
13 the past, and that we're talking about how close
14 a cannabis shop can be to a school -- closer than
15 a vape shop, for example, in most
16 jurisdictions -- we really need to think very
17 carefully.

18 But on top of all that, we have
19 spent millions upon millions of dollars on the
20 Office of Cannabis Management, and it has been
21 run like a combination of a Mafia operation and a
22 fraternity house. It has been inept, it has been
23 corrupt, and it has not done the job to create a
24 market that is sustainable and can actually
25 benefit the people of New York State more than it

1 costs us.

2 So when I see something like this,
3 which is a corrective action -- I know we're
4 trying to dress it up like it's not -- a
5 corrective action for an agency that had lots of
6 resources at its fingertips and screwed up
7 something as simple as this.

8 So what else is there to uncover?
9 How many more Band-Aids are we going to have to
10 put on this? It's disgusting. And the fact that
11 we have seen the results of what -- not just the
12 legalization of recreational marijuana, because
13 quite frankly we could have done it. If we had
14 treated it just like alcohol, we'd be in a much
15 better situation.

16 Instead, we let people consume it
17 literally anywhere. There are no restrictions,
18 unless you're smoking it, on where you can
19 consume it. There's just not.

20 So we need to fix this. I think
21 that, parents think that, people that deal with
22 the fallout of this, like law enforcement, think
23 that. And now the New York Times thinks that.
24 So now it's time for us to really address this.

25 And I am going to be voting no today

1 in that principle. Thank you, Madam President.

2 ACTING PRESIDENT MAYER: Thank you,
3 Senator Borrello.

4 Senator Martins --

5 SENATOR GIANARIS: Let me just step
6 in for a moment. Can we interrupt the debate
7 momentarily to allow Senator Tedisco to introduce
8 some guests in the gallery.

9 ACTING PRESIDENT MAYER: Senator
10 Tedisco for an introduction.

11 SENATOR GIANARIS: We'll lay the
12 bill aside temporarily.

13 ACTING PRESIDENT MAYER: The
14 Secretary will read.

15 THE SECRETARY: Resolution 1315, by
16 Senator Tedisco, congratulating the
17 Burnt Hills-Ballston Lake High School Boys
18 Cross-Country Team and Head Coach Chip Button
19 upon the occasion of capturing the 2025 New York
20 State Class B Cross-Country Championship.

21 Senate Resolution 1316, by
22 Senator Tedisco, congratulating the
23 Burnt Hills-Ballston Lake Field Hockey Team and
24 Head Coach Kelly Vrooman upon the occasion of
25 capturing the 2025 Class B New York State

1 Public High School Athletic Association Field
2 Hockey Championship.

3 ACTING PRESIDENT MAYER: Senator
4 Tedisco on both resolutions.

5 SENATOR TEDISCO: Thank you,
6 Madam President.

7 Madam President and my colleagues,
8 I'm pleased to welcome not one, but two 2025
9 New York State Class B championship teams to the
10 chamber today from Burnt Hills-Ballston Lake
11 High School.

12 For the Girls Field Hockey Team,
13 whose head coach was Coach Kelly Vrooman, they
14 won their second consecutive state championship
15 on Sunday, November 6, 2025, at Arlington High
16 School in LaGrangeville, New York, with a 1-0
17 shutout, ending their season with an outstanding
18 overall record of 21 wins, one and one -- one
19 loss, one tie.

20 Since 2012, the program has won
21 12 sectional titles, five consecutive
22 Suburban Council titles, and now three New York
23 Class B Championship titles -- two consecutive
24 and three Class B champions.

25 This collection of scholar-athletes

1 excel in the classroom as well, garnering a
2 collective 95.2 grade point average.

3 Also, not to be outdone in the
4 Burnt Hills-Ballston Lake School District is the
5 Boys Cross-Country Team and Coach Chip Button,
6 who, with the exception of just last year, has
7 won a state title every year -- every year --
8 since I've been in the New York State Senate.

9 Now, Coach Button and his team no
10 longer use the GPS to get to the Capitol.
11 They're going to make a reservation probably
12 right now for next year again, because they just
13 keep winning over and over and over again. Like
14 the girls, very impressive.

15 The Boys Cross-Country Team once
16 again captured the New York State Class B
17 Cross-Country Championship on Saturday,
18 November 25, 2025, at Queensbury High School in
19 Queensbury, New York, finishing the season with a
20 dual meet record of 12 and one.

21 As you know, these are not uncharted
22 waters for this program, as they have now won
23 eight of the last nine New York State Class B
24 Cross-Country Team Championships, with 13 state
25 titles overall.

1 Like the Field Hockey Team, the Boys
2 Cross-Country Team's success translated into the
3 academic space with a collective grade point
4 average of 95.6.

5 Madam President, I ask you to
6 welcome them, congratulate them, offer them all
7 the cordialities of this august body. We're
8 proud of them, and they represent everything good
9 about the 44th Senatorial District.

10 ACTING PRESIDENT MAYER: Thank you,
11 Senator Tedisco.

12 To our guests, the Boys
13 Cross-Country Team, winning team from
14 Burnt Hills-Ballston Lake, and the winning
15 Girls Field Hockey Team -- and their coaches --
16 from Burnt Hills-Ballston Lake, we recognize you,
17 we honor you, you are extended all the
18 cordialities of the house.

19 Please rise and be recognized.

20 (Standing ovation.)

21 ACTING PRESIDENT MAYER: Senator
22 Gianaris.

23 SENATOR GIANARIS: Madam President,
24 can we now remove the temporary lay-aside on the
25 bill we're debating and return to that debate.

1 ACTING PRESIDENT MAYER: Senator
2 Weber, why do you rise?

3 SENATOR WEBER: Thank you,
4 Madam President. I'm hopeful that the sponsor
5 will yield for a few questions.

6 ACTING PRESIDENT MAYER: Will the
7 sponsor yield?

8 SENATOR COONEY: I would be glad
9 to.

10 SENATOR WEBER: Great, thank you,
11 Senator Cooney.

12 ACTING PRESIDENT MAYER: Senator
13 Cooney yields.

14 SENATOR WEBER: And through you,
15 Madam President. Senator Cooney, do these
16 restrictions only apply to medical -- sorry, to
17 recreational dispensaries?

18 SENATOR COONEY: Through you,
19 Madam President, yes, they do. These adult-use
20 cannabis dispensaries.

21 SENATOR WEBER: So through you,
22 Madam President, will the sponsor yield?

23 ACTING PRESIDENT MAYER: Do you
24 continue to yield, Senator Cooney?

25 SENATOR COONEY: Yes.

1 ACTING PRESIDENT MAYER: The
2 Senator yields.

3 SENATOR WEBER: Thank you.

4 So medical dispensaries can open up
5 right next to schools, daycare centers, places of
6 worship, legal recreational cannabis
7 dispensaries, and the illegal unlicensed cannabis
8 dispensaries that have unfortunately popped up?

9 SENATOR COONEY: Through you,
10 Madam President. We'll check on that and get
11 clarity for that, but I will say that the number
12 of medical dispensaries that still exist in
13 New York State is actually diminishing pretty
14 significantly because of the success of the
15 adult-use recreational dispensaries.

16 It's actually an issue that I'm
17 working on some separate legislation on, because
18 we know that there are medical patients who do
19 need those services.

20 But we will check and get back to
21 you regarding the specifics on whether a medical
22 dispensary can locate next to a school building.

23 SENATOR WEBER: Okay, thank you.

24 And through you, Madam President,
25 will the sponsor continue to yield?

1 ACTING PRESIDENT MAYER: Do you
2 continue to yield?

3 SENATOR COONEY: Yes.

4 ACTING PRESIDENT MAYER: The
5 sponsor yields.

6 SENATOR WEBER: Thank you.

7 So the bill specifies forbidding
8 licenses for sites on the same street and within
9 500 feet of a school or on the same street and
10 within 200 feet if a building is exclusively
11 occupied as a place of worship.

12 So I guess my question is, how were
13 these distances determined to be far enough?

14 SENATOR COONEY: Through you,
15 Madam President. It's actually more restrictive
16 than under the ABC or SLA procedures here.

17 So we are seeing 500 feet on the
18 same street from the building -- I'm sorry,
19 student entrance of a school building,
20 whether that is an exclusive school building or a
21 mixed-use building where a school is located --
22 and then 200 feet from a house of worship.

23 The 500 feet from that school
24 building I will note is actually double plus some
25 than under SLA laws. Right? And then it's also

1 more expansive because, again, it gives not only
2 school buildings that are exclusive use, but also
3 those in mixed-use buildings.

4 SENATOR WEBER: Thank you.

5 And through you, Madam President,
6 will the sponsor continue to yield?

7 ACTING PRESIDENT MAYER: Do you
8 continue to yield?

9 SENATOR COONEY: Yes.

10 ACTING PRESIDENT MAYER: The
11 sponsor yields.

12 SENATOR WEBER: I guess my question
13 then is, are there any other factors that were
14 taken into account like the 200 feet -- you know,
15 in New York City it's different than 200 feet in,
16 say, Rockland County, where, you know, 200 feet
17 could be a city block or half a block away,
18 whereas in, say, like Rockland County, where I
19 represent, 200 feet could be almost -- just off
20 the property line of the school.

21 SENATOR COONEY: Through you,
22 Madam President. Yes, of course we've been
23 thinking about that.

24 And one of the aspects that we
25 wanted to emphasize here is that we have, on both

1 sides of the aisle, have been talking a lot about
2 the proliferation of illegal stores. We don't
3 want these, right? They're untested, they are
4 highly drawing because they have flashing lights
5 and things.

6 The way to push those types of
7 stores away from our young people is to make sure
8 that there are legal stores that are filling the
9 gaps here, right, and going into communities
10 according to the law, and Cannabis Law.

11 And so right now, Senator Borrello
12 mentioned smoke shops, for example, also a prime
13 offender here. We don't have any rules about
14 where smoke shops can site. Yet we still have
15 some reasonable restrictions -- the 200 feet, the
16 500 feet -- for adult-use cannabis.

17 SENATOR WEBER: Thank you.

18 And through you, Madam President,
19 will the sponsor continue to yield?

20 ACTING PRESIDENT MAYER: Do you
21 continue to yield?

22 SENATOR COONEY: Yes.

23 ACTING PRESIDENT MAYER: The
24 sponsor yields.

25 SENATOR WEBER: Would a place

1 like -- I don't know, like a YMCA -- we have a
2 YMCA in the city of Nyack, the village of Nyack,
3 and they have after-school programs and childcare
4 included in their -- their daily programs. Are
5 those factored into this distance requirement?

6 SENATOR COONEY: Through you,
7 Madam President. And I appreciate the question,
8 as a YMCA kid here.

9 SENATOR WEBER: Aha.

10 SENATOR COONEY: We looked at SED
11 licensure. So if a program is licensed by SED --
12 so it could be some sort of pre-K program, for
13 example -- that would indeed be following these
14 regulations.

15 But an after-school program,
16 community-based, most likely not.

17 SENATOR WEBER: Okay, thank you.
18 Thank you, Senator Cooney.

19 Madam President, on the bill.

20 ACTING PRESIDENT MAYER: Senator
21 Weber on the bill.

22 SENATOR WEBER: Madam President, in
23 my district I've seen a small village like Nyack,
24 who opted in and embraced the recreational
25 cannabis laws passed right here in this chamber

1 before I became a Senator -- I've seen the outcry
2 of the parents and business owners not only
3 within that village, but throughout the county,
4 who do not approve of the direction these laws
5 are taking in their once-quaint, family-friendly
6 village, as additional medical and recreational
7 dispensaries continue to be added.

8 We've seen these parents and small
9 business owners overflowing out of village board
10 meetings, coming to my office, and really going
11 through the processes of even taking litigation
12 against this village.

13 The bills we pass here in this
14 chamber have consequences. And once some
15 changes are made, it's difficult if not
16 impossible to go back. I know cannabis is not
17 going away, or it will ever become illegal, but
18 we need to be conscious of the increased
19 normalization of cannabis that comes from
20 children and teens seeing multiple shops in their
21 town or people smoking it on every street corner.

22 With that being said,
23 Madam President, I will be voting no on this
24 bill, and I encourage my colleagues to do the
25 same. Thank you.

1 ACTING PRESIDENT MAYER: Thank you,
2 Senator Weber.

3 Senator Martins, why do you rise?

4 SENATOR MARTINS: Good morning,
5 Madam President.

6 ACTING PRESIDENT MAYER: Good
7 morning.

8 SENATOR MARTINS: If the sponsor
9 would yield for a few questions.

10 ACTING PRESIDENT MAYER: Senator
11 Cooney --

12 SENATOR COONEY: Glad to.

13 ACTING PRESIDENT MAYER: -- yields.

14 SENATOR MARTINS: Thank you,
15 Madam President. Thank you, Senator Cooney.

16 Is it your understanding that
17 cannabis licensing is different than licensing of
18 alcohol, whether it's beer, wine or other
19 alcohol?

20 SENATOR COONEY: Through you,
21 Madam President. If you could clarify in terms
22 of how you are inferring the licensing. Is it
23 the process that the licensing is going through,
24 it's different?

25 SENATOR MARTINS: Well, the --

1 Madam President, through you, if the sponsor
2 would continue to yield.

3 ACTING PRESIDENT MAYER: Do you
4 continue to yield?

5 SENATOR COONEY: Yes.

6 ACTING PRESIDENT MAYER: The
7 sponsor yields.

8 SENATOR MARTINS: Well,
9 specifically with regard to the distances that
10 are applicable for these licenses for cannabis,
11 as opposed to -- in the retail sales and
12 dispensaries in cannabis, as opposed to those
13 that are used for alcohol and alcohol licensing.

14 SENATOR COONEY: Through you,
15 Madam President. Yes, to the degree that we
16 talked in terms of the educational side.

17 So we believe that these are more
18 restrictive for adult-use cannabis dispensaries
19 than it is for perhaps a liquor store, in terms
20 of the distance between the educational building
21 and the entity, the dispensary in this case.

22 SENATOR MARTINS: Madam President,
23 through you, if the sponsor would continue to
24 yield.

25 ACTING PRESIDENT MAYER: Do you

1 continue to yield?

2 SENATOR COONEY: Yes.

3 ACTING PRESIDENT MAYER: Yes, he
4 yields.

5 SENATOR MARTINS: And why -- why --
6 in your opinion, why would there be a difference
7 between cannabis and alcohol when it comes to
8 distances between the dispensary and either a
9 place of worship or a school?

10 SENATOR COONEY: Thank you for the
11 question, Senator.

12 I believe, you know, in the context
13 of the MRTA, which was of course the enabling
14 legislation that created this Cannabis Law, there
15 was some sensitivity to the product itself, the
16 cannabis product itself. The ability to see a
17 new product that's available for adult use -- and
18 I think that there was some conversations in that
19 debate around that legislation to extend that
20 from schools.

21 SENATOR MARTINS: Madam President,
22 through you, if the sponsor would continue to
23 yield.

24 ACTING PRESIDENT MAYER: Do you
25 continue to yield?

1 SENATOR COONEY: Yes.

2 ACTING PRESIDENT MAYER: The
3 sponsor yields.

4 SENATOR MARTINS: So beyond the
5 sensitivities, is there in your mind, as the
6 sponsor of the bill -- and I understand, of
7 course, Senator Cooney, that there is a different
8 sponsor that is otherwise disposed today, and
9 that you're filling in.

10 But for purposes of your conference
11 and certainly your understanding, besides the
12 sensitivities, is it your understanding that
13 there is a difference with regard to cannabis and
14 alcohol for purposes of these distances?

15 SENATOR COONEY: Through you,
16 Madam President. I don't know if I would take
17 that assumption forward. You're selling a
18 adult-use product in both a cannabis dispensary
19 and a liquor or package store, for adult use.
20 There's age-gating in place, there's restrictions
21 on advertising in both entities.

22 And in most cases, and hopefully in
23 all cases, no matter where you are in New York
24 State, underage minors are not permitted in those
25 stores.

1 So I don't necessarily assume that
2 there is a major difference other than
3 sensitivities -- to your point, Senator -- around
4 the sale of alcohol versus the sale of cannabis.
5 As long as it's legal sales of both.

6 SENATOR MARTINS: Madam President,
7 through you, if the sponsor would continue to
8 yield.

9 ACTING PRESIDENT MAYER: Do you
10 continue to yield?

11 SENATOR COONEY: Yes.

12 ACTING PRESIDENT MAYER: The
13 sponsor yields.

14 SENATOR MARTINS: With regard to
15 the use of the cannabis after the sale, as
16 opposed to the use of the alcohol after the sale,
17 you know, I think we're all aware that there are
18 open container laws in the State of New York.
19 And I'm not familiar with any corresponding
20 prohibitions with regard to the use of cannabis.

21 And I was asking if perhaps you are
22 and you can share any insights with regard to the
23 equivalent with regard to the use when you have a
24 retail sale and the use in public.

25 SENATOR COONEY: Through you,

1 Madam President. I think what you may be opening
2 the door to, Senator Martins, is kind of on-site
3 consumption or immediate use of said product
4 after the purchase.

5 As you probably are aware, Senator,
6 OCM has not come up with any sort of regulations
7 for any on-site consumption of their product.
8 And that's prohibited right now in New York State
9 without regulations being promulgated by the
10 agency.

11 So if you are to be a consumer and
12 to purchase an adult-use cannabis product at a
13 legal dispensary, you cannot, let's say, you
14 know, smoke that product in that store right
15 after you purchase it. Which, again, similar to
16 open container laws: You would not be able to
17 purchase a liquor bottle and be able to open that
18 and consume it immediately on-site.

19 SENATOR MARTINS: Madam President,
20 through you, if the sponsor would continue to
21 yield.

22 ACTING PRESIDENT MAYER: Do you
23 continue to yield?

24 SENATOR COONEY: Yes.

25 ACTING PRESIDENT MAYER: The

1 Senator yields.

2 SENATOR MARTINS: No, I was talking
3 more about a bar or a place where they're
4 actually consuming it, and they wouldn't be able
5 to take that alcohol that they've purchased at
6 the bar and come out and consume it on the
7 sidewalk.

8 SENATOR COONEY: No.

9 SENATOR MARTINS: Are you familiar
10 with any similar prohibition with regard to
11 cannabis after having purchased it, any
12 prohibition on their being able to come out onto
13 the sidewalk and consuming that product in
14 public?

15 (Pause.)

16 SENATOR COONEY: Through you,
17 Madam President, was just conferring just to
18 clarify.

19 And the best way to think about it
20 is wherever you're prohibited from smoking
21 currently would apply to smoking a cannabis
22 product.

23 Now, I don't believe that there is
24 any sort of regulation in terms of any other type
25 of adult-use cannabis product such as an edible,

1 for example, of where you could consume that
2 product. So theoretically you could walk out of
3 a adult-use dispensary if you are a legal adult
4 and have purchased that product, and consume that
5 edible -- or perhaps smoke that product if that's
6 permitted in that municipality in that space.

7 SENATOR MARTINS: Thank you,
8 Madam President. Through you, if the sponsor
9 would continue to yield.

10 ACTING PRESIDENT MAYER: Do you
11 continue to yield?

12 SENATOR COONEY: Yes.

13 ACTING PRESIDENT MAYER: The
14 sponsor yields.

15 SENATOR MARTINS: So there is a
16 difference if I have a bar more than 500 feet
17 from a school and if I have a dispensary 500 feet
18 from a school -- and we'll get to -- we'll get to
19 the dimensions in a second.

20 But if we are measuring it from that
21 place, that a bar -- a patron of a bar cannot
22 come outside with an open container and consume
23 that alcohol on the street, but there is no
24 prohibition on someone who buys cannabis from a
25 dispensary coming out and either smoking it or

1 consuming it closer to the school or in proximity
2 to the school, because the state doesn't prohibit
3 that. Is that correct?

4 SENATOR COONEY: Through you,
5 Madam President, that is correct.

6 SENATOR MARTINS: So there was a
7 decision by this body to approve legislation that
8 would measure the distances for places of
9 worship -- I'm sorry, Madam President, through
10 you, if the sponsor would continue to yield.

11 ACTING PRESIDENT MAYER: Do you
12 continue to yield?

13 SENATOR COONEY: Yes.

14 ACTING PRESIDENT MAYER: The
15 sponsor yields.

16 SENATOR MARTINS: So there was a
17 decision made in licensing cannabis that had a
18 different regulation with regard to distances,
19 creating greater distances from property lines as
20 opposed to those that were in place for purposes
21 of alcohol licensing.

22 Is that your understanding?

23 SENATOR COONEY: Through you,
24 Madam President, correct. Two hundred feet,
25 under alcohol guidelines, for educational

1 institutions; 500 feet for cannabis.

2 SENATOR MARTINS: Madam President
3 through you, if the sponsor would continue to
4 yield.

5 ACTING PRESIDENT MAYER: Do you
6 continue to yield?

7 SENATOR COONEY: Yes.

8 ACTING PRESIDENT MAYER: The
9 sponsor yields.

10 SENATOR MARTINS: But beyond that,
11 Senator, was there not also the understanding
12 that that distance would go from the property
13 line, as opposed to the regulations as they had
14 been interpreted for alcohol use, which was from
15 the entrance?

16 (Pause.)

17 SENATOR COONEY: Just a little bit
18 of clarity, Senator Martins.

19 So you are correct in the sense that
20 the MRTA legislation talked about school grounds
21 or property lines. It was silent as it relates
22 to houses of worship.

23 The question is, in terms of where
24 that measurement took place, how the agency
25 itself created that measurement. And this

1 legislation seeks to correct that and provide
2 that clear language for how they are supposed to
3 measure that.

4 SENATOR MARTINS: Thank you,
5 Senator.

6 Madam President, if the sponsor
7 would continue to yield?

8 ACTING PRESIDENT MAYER: Do you
9 continue to yield?

10 SENATOR COONEY: Yes.

11 ACTING PRESIDENT MAYER: The
12 sponsor yields.

13 SENATOR MARTINS: So there are two
14 options here. If the agency got it wrong because
15 they misinterpreted the statute, there are two
16 ways of addressing that, right?

17 One would be to force the agency to
18 enforce the law that was actually put in place
19 for the benefit of those who we seek to
20 protect -- in this case, children in schools and
21 people attending places of worship.

22 And the other is to pass a law that
23 actually lessens the protections that were there
24 originally.

25 Those are the two options, wouldn't

1 you agree?

2 SENATOR COONEY: Through you,
3 Madam President, I could see that, although I
4 will point back that I do not believe the
5 inference that this legislation lessens the
6 protections for children.

7 SENATOR MARTINS: Madam President,
8 through you, if the sponsor would continue to
9 yield.

10 ACTING PRESIDENT MAYER: Do you
11 continue to yield?

12 SENATOR COONEY: Yes.

13 ACTING PRESIDENT MAYER: The
14 sponsor yields.

15 SENATOR MARTINS: Senator, I notice
16 that in the legislation it speaks to places of --
17 or -- or -- entrances or places of ingress into
18 schools and does not speak to any egress, is that
19 right?

20 SENATOR COONEY: Through you,
21 Madam President, that's correct.

22 What we're using is entrances where
23 students regularly would enter a building. So a
24 loading dock, an emergency exit would not be
25 counted in terms of where that place of

1 measurement would begin.

2 SENATOR MARTINS: Madam President,
3 through you, if the sponsor would continue to
4 yield.

5 ACTING PRESIDENT MAYER: Do you
6 continue to yield?

7 SENATOR COONEY: Yes.

8 ACTING PRESIDENT MAYER: The
9 sponsor yields.

10 SENATOR MARTINS: Now, in my
11 district -- and every one of my school districts,
12 and I'm assuming every one of the school
13 districts for everyone in this chamber, has a
14 single place where children enter the school in
15 the morning, but yet they have multiple places
16 where children will leave the school and egress
17 from the school in the afternoon or when they
18 leave the school.

19 For purposes of attendance and for
20 purposes of accountability, there is typically a
21 single door for entrance but multiple doors for
22 egress. That's the experience I have.

23 Senator, I was wondering if you have
24 that same experience with the schools in your
25 district.

1 SENATOR COONEY: So -- through you,
2 Madam President -- you're correct, Senator.

3 And I can -- we can visualize our
4 schools in our districts as well. You know, we
5 don't use the term egress or ingress in the
6 legislation. And so we can infer that students
7 who are entering through a main entrance -- what
8 we're trying to get to in the spirit of this --
9 would also exit from those, but that's not
10 specific to the legislation. You are correct.

11 SENATOR MARTINS: Madam President,
12 through you, if the sponsor would continue to
13 yield.

14 ACTING PRESIDENT MAYER: Will the
15 Senator continue to yield?

16 SENATOR COONEY: Yes.

17 ACTING PRESIDENT MAYER: The
18 Senator yields.

19 SENATOR MARTINS: So the word
20 ingress is in multiple places, "in," but there is
21 no "egress" in the bill, just to clarify.

22 But, Senator, we -- we understand
23 that there are multiple exits from our school
24 buildings. And my -- my schools, I have
25 obviously several schools, as do you, there

1 are -- these schools are typically large
2 buildings, very wide buildings, sometimes
3 spanning a hundred yards or so, some more, given
4 the size and dimensions of the building.

5 You know, why were doors and egress
6 doors that may be more on the edges of those
7 buildings not considered for purposes of distance
8 since people would be leaving those doors and
9 coming out into the public and therefore be
10 closer to the dispensary than that -- than that
11 central door for ingress?

12 (Pause.)

13 SENATOR COONEY: Through you,
14 Madam President. I think the best way to answer
15 your question -- and I appreciate it, because
16 again, I can visualize what you're referring
17 to -- is traditionally with the SLA, we have been
18 looking at points of ingress as the center point
19 for having these conversations.

20 But I can see your argument around
21 point of egress. As you noted before, Senator
22 Martins, we do not address that in the
23 legislation.

24 SENATOR MARTINS: Madam President,
25 through you, if the sponsor would continue to

1 yield.

2 ACTING PRESIDENT MAYER: Do you
3 continue to yield?

4 SENATOR COONEY: Yes.

5 ACTING PRESIDENT MAYER: The
6 sponsor yields.

7 SENATOR MARTINS: There is a --
8 there's a provision in -- in this proposed
9 legislation that says that "No renewal of a
10 license shall be denied because of the
11 restrictions in paragraphs A or B of this
12 subdivision." A or B, Senator, as you know,
13 speak to the distances and how they're measured.

14 Can you -- can you tell us why that
15 provision is here and why that was included in
16 the legislation?

17 (Pause.)

18 SENATOR COONEY: Through you,
19 Madam President. So it's kind of a two-part
20 answer, if I can, Senator Martins.

21 One was to address the applicants
22 who are kind of already in place or have already
23 applied with an address. Right? We wanted to
24 make sure that they were not harmed because they
25 followed the rules, they did everything right,

1 they paid their application fees, and they have a
2 proposal. We want to make sure that they're
3 included, grandfathered into this process,
4 because that is what their instructions were and
5 what they were told and instructed to going
6 through the process.

7 The other is if an applicant is
8 working through the process and a school or house
9 of worship was to come into play in that process,
10 we don't want to disqualify them. Again, they've
11 done -- these are small business owners, in most
12 cases; they have taken the work and done the time
13 to do this, and we don't want to disqualify them
14 mid-process.

15 SENATOR MARTINS: Thank you.

16 Madam President, through you, if the
17 sponsor would continue to yield.

18 ACTING PRESIDENT MAYER: Do you
19 continue to yield?

20 SENATOR COONEY: Yes.

21 ACTING PRESIDENT MAYER: The
22 sponsor yields.

23 SENATOR MARTINS: So you mentioned,
24 Senator, they did everything right. Yet the --
25 the legislation that was passed and signed into

1 law clearly said "from the school grounds." And
2 so if they made an application that was less than
3 500 feet from the school grounds, by definition,
4 regardless of anything else, that application
5 would be wrong and they would not have done
6 anything -- everything right. Isn't that
7 correct?

8 SENATOR COONEY: Through you,
9 Madam President. I can understand that argument,
10 Senator Martins. In many cases that -- we have
11 learned that the applicants themselves, when they
12 had applied in that scenario that you laid out,
13 were going by what -- the direction that the
14 agency had provided to them in guidance.

15 SENATOR MARTINS: Madam President,
16 if the sponsor would continue to yield.

17 ACTING PRESIDENT MAYER: Do you
18 continue to yield?

19 SENATOR COONEY: Yes.

20 SENATOR MARTINS: So to take it a
21 step further, you know, I think it's clear under
22 those circumstances that even though they took
23 guidance, they did not do everything right.

24 But also, if the agency gave
25 improper guidance that was counter to the law

1 that was passed providing greater protection for
2 those children by moving those dispensaries
3 further away from the edge of the school grounds,
4 wouldn't you agree that the answer here is that
5 neither the applicant nor the agency did
6 everything right, and that their answer should be
7 to correct their mistake, as opposed to putting
8 children at risk?

9 SENATOR COONEY: Through you,
10 Madam President. The agency was following what
11 in their opinion -- and again, I'm not here to
12 defend the agency. I'm here to provide guidance
13 on what had happened and why we can fix it.

14 But the agency had provided guidance
15 based on I believe SLA process, right? And
16 they're trying to -- they were interpreting the
17 MRTA as such to do so.

18 That is not, clearly, what is in the
19 spirit of what we were trying to do. That's why
20 we're actually prescribing the new measurement
21 language in this legislation so that there is
22 clear direction, not necessarily the agency
23 interpretation.

24 SENATOR MARTINS: Madam President,
25 through you, if the sponsor would continue to

1 yield.

2 ACTING PRESIDENT MAYER: Do you
3 continue to yield?

4 SENATOR COONEY: Yes.

5 ACTING PRESIDENT MAYER: The
6 sponsor continues to yield.

7 SENATOR MARTINS: Senator, when --
8 when -- when this bill was presented to this
9 house, I wasn't here at the time, but I believe
10 you were. Did you have any doubt -- you -- as to
11 the distance that would be required to be
12 measured with regard to the bill from the school
13 grounds as opposed to a -- an entrance to a
14 building?

15 SENATOR COONEY: Through you,
16 Madam President. You know, when I was proudly
17 one of the Senators in this chamber who voted to
18 support the MRTA, I was pleased to see the
19 500-foot restriction. How the measurement was
20 taken place, from a door versus the end of the
21 school ground, we deferred to our agency.

22 But that is why we are now providing
23 that clarity here today.

24 SENATOR MARTINS: Madam President,
25 through you, if the sponsor would continue to

1 yield.

2 ACTING PRESIDENT MAYER: Do you
3 continue to yield?

4 SENATOR COONEY: Yes.

5 ACTING PRESIDENT MAYER: The
6 sponsor yields.

7 SENATOR MARTINS: Would you agree
8 that providing 500 feet from the edge of the
9 school grounds provides greater protection for
10 those schoolchildren and those in the school
11 building than providing 500 feet from the
12 entrance, as defined in this bill?

13 SENATOR COONEY: Through you,
14 Madam President. It's difficult to put a
15 valuation on that statement.

16 I will say I agree that 500 feet
17 from either the school ground or the center of
18 the building entrance, or the ingress, is more
19 restrictive than what our SLA counterparts do
20 with their distance requirement to a liquor
21 store.

22 SENATOR MARTINS: Madam President,
23 through you, if the sponsor would continue to
24 yield.

25 ACTING PRESIDENT MAYER: Do you

1 continue to yield?

2 SENATOR COONEY: Yes.

3 ACTING PRESIDENT MAYER: The
4 sponsor yields.

5 SENATOR MARTINS: But would you
6 agree, regardless of what the SLA does -- because
7 I would -- I would agree that it's an entirely
8 different product they're regulating an entirely
9 different way -- but that there's a benefit to
10 protecting the children in that school by
11 measuring the distance from the property line and
12 from the property as originally proposed, as
13 opposed to lessening it by measuring from a
14 central entrance?

15 Would you agree that we are
16 lessening that protection by bringing that
17 dimension closer to the school?

18 SENATOR COONEY: Through you,
19 Madam President. I can, again, understand
20 Senator Martins' point here.

21 I would say that what we are doing
22 is we are creating a firmer economic market
23 that's safely regulated in the process. And let
24 me give you an example how.

25 By having this new restriction, we

1 are now opening up opportunities for safe and
2 legal cannabis dispensaries to sell their
3 product. What we have seen, unfortunately -- and
4 again, I think we can all agree on this -- is a
5 proliferation of these illicit stores and
6 smoke shops as we've seen pop up around schools.
7 And we don't want those.

8 And so what we're trying to do is
9 provide some guidance and some measurement
10 instruction to the agency to put a rule in place
11 so that we have a place for these legal markets
12 to open, but not be so overly restrictive that we
13 lose the opportunity to open up more legal
14 dispensaries that will push out the illicit
15 market that is creeping in, especially near our
16 schools.

17 SENATOR MARTINS: Madam President,
18 on the bill.

19 Thank you, Senator Cooney, for that.

20 ACTING PRESIDENT MAYER: Senator
21 Martins on the bill.

22 SENATOR MARTINS: And then there we
23 have it, Madam President. Now we're talking
24 about the proliferation of illegal pot shops that
25 only are there because this chamber, when it

1 passed its original legislation, rescinded and
2 revoked all of the laws that we had on the books
3 with regard to giving law enforcement the ability
4 to enforce those laws and therefore to intervene
5 when we had illegal shops in place.

6 And so our answer, rather than to
7 protect the schoolchildren, rather than to give
8 and reinforce the guidance and the protections
9 that were in those laws -- which, by the way, we
10 believe weren't sufficient then. But yet rather
11 than sticking to those and forcing those
12 applicants that were improperly guided to provide
13 siting near a school, moving them away -- what
14 we're doing is we're actually doing the opposite.

15 We're actually, through this bill,
16 allowing our schools to be put at risk and our
17 schoolchildren to be put at risk for the benefit
18 of economic activity.

19 Well, Madam President, I for one
20 don't need that economic activity in my district
21 when it comes with the sale of cannabis. And I
22 would rather see this chamber reaffirm our
23 commitment to our schools and to our
24 schoolchildren, and the protections that were
25 there -- albeit, in my opinion, woefully

1 inadequate.

2 But we're going in the wrong
3 direction. If the answer here is for us to
4 actually lessen those protections as opposed to
5 expanding those protections -- they're there for
6 a reason. And if you feel comfortable doing
7 that, if members of this chamber feel comfortable
8 saying it's okay, I'll do it 500 feet from an
9 entrance to a school -- and again, we each have
10 our own schools and our own school districts in
11 our minds.

12 Think about this for a second. Go
13 past the ball fields. Go past the tracks. We
14 had cross-country athletes here today, and field
15 hockey athletes here today. You're well beyond
16 the 500 feet. You're going to put these
17 dispensaries right on the property line of a
18 school.

19 How would you do that? How should
20 we be doing that, and for what? Economic
21 activity? Please.

22 This bill deserves to be voted down.
23 Everyone in this chamber knows it. And frankly,
24 it's on each and every one of us to understand
25 this is our opportunity to prioritize children in

1 our schools as opposed to trying to cover up a
2 mistake that was made by an agency that is out of
3 control.

4 I'll be voting no.

5 ACTING PRESIDENT MAYER: Senator
6 Walczyk, why do you rise?

7 SENATOR WALCZYK: Madam President,
8 I'm hoping the sponsor will yield for some
9 questions.

10 ACTING PRESIDENT MAYER: Senator
11 Cooney, do you yield?

12 SENATOR COONEY: Gladly.

13 ACTING PRESIDENT MAYER: The
14 Senator yields.

15 SENATOR WALCZYK: So today is
16 February 11th in 2026. When was this bill
17 introduced?

18 SENATOR COONEY: Through you,
19 Madam President. It was entered Sunday,
20 February 8th.

21 SENATOR WALCZYK: Through you,
22 Madam President, would the sponsor continue to
23 yield.

24 ACTING PRESIDENT MAYER: Do you
25 continue to yield?

1 SENATOR COONEY: Yes.

2 ACTING PRESIDENT MAYER: The
3 sponsor yields.

4 SENATOR WALCZYK: So the Senate and
5 the Assembly brought in staff on a Sunday to
6 introduce this? Am I understanding that
7 correctly?

8 SENATOR COONEY: Through you,
9 Madam President. Our staffs have been working
10 around the clock, yes.

11 SENATOR WALCZYK: And through you,
12 Madam President, would the sponsor continue to
13 yield?

14 ACTING PRESIDENT MAYER: Do you
15 continue to yield?

16 SENATOR COONEY: Yes.

17 ACTING PRESIDENT MAYER: The
18 sponsor yields.

19 SENATOR WALCZYK: Did the Senate
20 staff that was brought in on Sunday introduce any
21 other bills, or was it just this Governor's
22 departmental bill?

23 SENATOR COONEY: Through you,
24 Madam President. Our staff is working on a
25 number of things. They can walk and chew gum.

1 They were working on budget, they were working on
2 bills for this coming week. So I'm assuming
3 they're working on multitasks.

4 SENATOR WALCZYK: And through you,
5 Madam President, would the sponsor continue to
6 yield?

7 SENATOR COONEY: Yes.

8 ACTING PRESIDENT MAYER: He
9 continues to yield.

10 SENATOR WALCZYK: And if this -- if
11 this bill was introduced on Monday, when normal
12 introductions are done for our legislative
13 proceedings here, then it wouldn't have the
14 proper age to be voted on today, is that correct?

15 SENATOR COONEY: Through you,
16 Madam President, that's correct.

17 SENATOR WALCZYK: And through you,
18 Madam President, would the sponsor continue to
19 yield?

20 SENATOR COONEY: Yes. Yes.

21 ACTING PRESIDENT MAYER: Do you
22 continue to yield?

23 SENATOR COONEY: Yes.

24 ACTING PRESIDENT MAYER: The
25 sponsor yields.

1 SENATOR WALCZYK: So this is a --
2 and I appreciate you yielding for the questions,
3 because I know this is a departmental bill sent
4 over by Governor Hochul's Office of Cannabis
5 Management asking for changes to a law that has
6 been on the books for five years.

7 It asks us to consider moving
8 cannabis licenses closer -- and I listened to the
9 debate -- closer to school grounds, closer to
10 churches. Why would we do that?

11 SENATOR COONEY: Through you,
12 Madam President. Senator, I wouldn't necessarily
13 accept the assertion that this bill is being
14 designed to move schools and houses of worship
15 closer to potential adult-use dispensaries.

16 I think, rather, the intention of
17 this legislation is to put clear guidelines in
18 terms of how that measurement will be taken as
19 it -- with respect to schools and educational
20 facilities.

21 SENATOR WALCZYK: And through you,
22 Madam President, would the sponsor continue to
23 yield?

24 ACTING PRESIDENT MAYER: Do you
25 continue to yield?

1 SENATOR COONEY: Yes.

2 ACTING PRESIDENT MAYER: The
3 sponsor yields.

4 SENATOR WALCZYK: But now you have
5 to be 500 feet from a school property and
6 200 feet from a church property. That was the
7 bill that was passed in this chamber, voted on.

8 This bill would make it from the --
9 and I listened to the debate -- from the door
10 instead of from the property. It may provide
11 more clarity when you're talking about measuring
12 out properties. It's certainly easier to measure
13 from the door. And the State Liquor Authority,
14 as you pointed out in debate, has a longstanding
15 tradition of doing this. I've seen those issues
16 across my district.

17 I don't think -- is there any other
18 way for me to interpret it, though? I guess let
19 me ask it this way.

20 Will this bill that Governor Hochul
21 has sent you, introduced on a Sunday, will it
22 allow you -- allow marijuana shops to abut school
23 property if they're within that new distance from
24 the door?

25 SENATOR COONEY: Through you,

1 Madam President. In theory, to that
2 hypothetical, yes, that could happen. As long as
3 it's within the prescribed guidelines.

4 SENATOR WALCZYK: And through you,
5 Madam President, would the sponsor continue to
6 yield?

7 ACTING PRESIDENT MAYER: Do you
8 continue to yield?

9 SENATOR COONEY: Yes.

10 ACTING PRESIDENT MAYER: The
11 sponsor yields.

12 SENATOR WALCZYK: Would the changes
13 that Governor Hochul has proposed here allow
14 marijuana shops to abut cemeteries if they're
15 owned by a church?

16 (Pause.)

17 SENATOR COONEY: Through you,
18 Madam President. It's a good question. I was
19 just conferring about the status of cemeteries
20 being considered to be houses of worship.

21 There hasn't -- in our
22 understanding, there is not case law that defines
23 them as such. But remember that this legislation
24 specifically before us today is not talking about
25 the guidelines of how measurement is done for

1 houses of worship. Rather, just the -- it's
2 silent on that -- just the 200 feet.

3 SENATOR WALCZYK: Through you,
4 Madam President, would the sponsor continue to
5 yield.

6 ACTING PRESIDENT MAYER: Do you
7 continue to yield?

8 SENATOR COONEY: Yes.

9 ACTING PRESIDENT MAYER: The
10 sponsor yields.

11 SENATOR WALCZYK: But if that -- if
12 that cemetery is owned by a church right now,
13 that would be considered church property and it
14 would have to be a length of distance from church
15 property, 200 feet from church property under
16 current statute.

17 If this change goes through, will
18 that allow them to abut that church property --
19 in this case, a cemetery?

20 (Pause.)

21 SENATOR COONEY: Again, thank you,
22 Senator Walczyk, for the question.

23 The Cannabis Law is pretty clear
24 that it just says 200 feet from a house of
25 worship, not defining the property line. So

1 perhaps in that example that you have given in
2 terms of abut, it could happen. But again, we
3 have not seen that play out.

4 SENATOR WALCZYK: And through you,
5 Madam President, would the sponsor continue to
6 yield?

7 ACTING PRESIDENT MAYER: Do you
8 continue to yield?

9 SENATOR COONEY: Yes.

10 ACTING PRESIDENT MAYER: The
11 sponsor yields.

12 SENATOR WALCZYK: So if that
13 cemetery -- and creating some intent here, if
14 that cemetery is used actively for funerals, then
15 would that prohibit a pot shop from abutting that
16 cemetery? Obviously, being an act of -- of
17 worship?

18 SENATOR COONEY: Through you,
19 Madam President. As long as it's within that
20 200-foot guideline, which is similar to --
21 exactly the same as SLA -- theoretically.

22 SENATOR WALCZYK: Through you,
23 Madam President, would the sponsor continue to
24 yield?

25 ACTING PRESIDENT MAYER: Do you

1 continue to yield?

2 SENATOR COONEY: Yes.

3 ACTING PRESIDENT MAYER: The
4 sponsor yields.

5 SENATOR WALCZYK: If a school has a
6 playground towards the edge of its property, is
7 there anything that would prohibit a marijuana
8 shop from locating and abutting next to that
9 playground so long as they're so far from the
10 school's door?

11 SENATOR COONEY: Through you,
12 Madam President. So long as that space is --
13 measured from the adult-use dispensary entrance
14 to the entrance of that school building --
15 500 feet.

16 SENATOR WALCZYK: And through you,
17 Madam President, would the sponsor continue to
18 yield?

19 ACTING PRESIDENT MAYER: Do you
20 continue to yield?

21 SENATOR COONEY: Yes.

22 ACTING PRESIDENT MAYER: The
23 sponsor yields.

24 SENATOR WALCZYK: Same question.
25 If there's a soccer field -- soccer fields are

1 300 feet by 360 feet, so they're automatically
2 going to be between that -- that space of the
3 entrance of the building and the edge of the
4 property. No matter where you place them, they
5 take up some space.

6 Is there any prohibition from having
7 a dispensary or any of the adult-use cannabis
8 licenses abut a soccer field if it's on the edge
9 of the school's property?

10 SENATOR COONEY: Through you,
11 Madam President. There is no exclusion for the
12 hypothetical that you gave, Senator, as long as
13 the cannabis adult-use dispensary is not located
14 on the same street within 500 feet of an
15 educational entrance.

16 SENATOR WALCZYK: And through you,
17 Madam President, would the sponsor continue to
18 yield?

19 ACTING PRESIDENT MAYER: Do you
20 continue to yield?

21 SENATOR COONEY: Yes.

22 ACTING PRESIDENT MAYER: The
23 sponsor yields.

24 SENATOR WALCZYK: And I assume the
25 same is also true, there's no exception whether

1 it's a high school track or a football field or a
2 cross-country course, a marijuana facility could
3 abut school property that is directly adjacent to
4 any of those things?

5 There's no prohibition, if this
6 departmental bill that Governor Hochul has
7 brought us here today becomes law?

8 SENATOR COONEY: Through you,
9 Madam President, correct. There is no exception
10 for any of those scenarios that you just
11 outlined.

12 SENATOR WALCZYK: Through you,
13 Madam President, would the sponsor continue to
14 yield?

15 ACTING PRESIDENT MAYER: Do you
16 continue to yield?

17 SENATOR COONEY: Yes.

18 ACTING PRESIDENT MAYER: The
19 sponsor yields.

20 SENATOR WALCZYK: So why would we
21 bring this change this law today to allow
22 marijuana shops to be next to school playgrounds,
23 tracks, soccer fields, cemeteries owned by
24 churches? Why would we want that?

25 SENATOR COONEY: Through you,

1 Madam President. I think it's important -- and I
2 understand the line of questioning you have,
3 Senator Walczyk. I appreciate it.

4 I think it's important for this
5 chamber to kind of think back to why we passed
6 the MRTA those years ago. Remember that while
7 cannabis was legal in New York at that time, it
8 certainly was present. In all of our towns,
9 cities and villages and hamlets, there was an
10 underground market for cannabis.

11 Was it tested? No. Was it being
12 sold? Yes. Was it being sold in schools? Yes.
13 We recognized that as a problem, and we wanted to
14 move it out of the underground shadows and put it
15 into a legal framework that we could regulate and
16 safely tax.

17 Remember that, you know, a problem
18 that we can't see is still a problem nonetheless.
19 So what we have done through the MRTA, and what
20 we are looking to continue to do through this
21 legislation today, is to make sure that this
22 adult-use cannabis market is seen, is visible and
23 regulated.

24 We have set reasonable restrictions
25 in place to make sure that children and other

1 vulnerable populations -- or worshippers in a
2 house of worship, as you said, Senator Walczyk --
3 are not impacted by having some sensitivities and
4 reasonable restrictions around that distance
5 requirement.

6 Again, for the purposes of this
7 chamber, what we are talking about today with
8 respect to our educational facilities is 500 feet
9 on the same street measured from the door and
10 entrance of our students' ingress to the door
11 entrance of the dispensary.

12 SENATOR WALCZYK: And through you,
13 Madam President, would the sponsor continue to
14 yield.

15 ACTING PRESIDENT MAYER: Do you
16 continue to yield?

17 SENATOR COONEY: Yes.

18 ACTING PRESIDENT MAYER: The
19 sponsor yields.

20 SENATOR WALCZYK: You talked a
21 little earlier in debate about how the Office of
22 Cannabis Management has failed to provide any
23 on-site consumption licenses. These are the
24 facilities in theory, when you passed the bill
25 five years ago, that someone would be able to

1 both purchase marijuana products and then smoke
2 those marijuana products or consume those
3 marijuana products right on-site.

4 I think it was described -- I was in
5 the other chamber at the time, but it was
6 described as like a beer-garden-type setting
7 similar to bars with outdoor areas where someone
8 would be able to consume or smoke marijuana
9 on-site.

10 Those laws are still on the books.
11 This doesn't do anything to change on-site
12 licensing, does it?

13 SENATOR COONEY: Through you,
14 Madam President, that's correct.

15 I wouldn't accept the assertion that
16 the Office of Cannabis Management has failed to
17 implement it. They just have chosen not to set
18 up the regulations that are permissive under the
19 original MRTA legislation.

20 So the legislation that this body
21 passed created the opportunity for a license for
22 on-site consumption. However, the agency has not
23 created -- purposely -- the regulations for how
24 that license would be administered.

25 Now, there are people who want that

1 license, but the agency has instead focused on
2 making sure that licenses get out the door for
3 our cultivators and for our adult-use
4 dispensaries.

5 SENATOR WALCZYK: And through you,
6 Madam President, would the sponsor continue to
7 yield?

8 ACTING PRESIDENT MAYER: Do you
9 continue to yield?

10 SENATOR COONEY: Yes.

11 ACTING PRESIDENT MAYER: The
12 sponsor yields.

13 SENATOR WALCZYK: Is there an
14 exemption in this proposed change from
15 Governor Hochul to the way that licenses will go
16 for on-site consumption?

17 Is there any exemption in here, or
18 would this also apply to on-site consumption if
19 the Office of Cannabis Management actually starts
20 licensing?

21 SENATOR COONEY: Through you,
22 Madam President. No, there is no application to
23 on-site consumption.

24 SENATOR WALCZYK: And through you,
25 Madam President, would the sponsor continue to

1 yield.

2 ACTING PRESIDENT MAYER: Do you
3 continue to yield?

4 SENATOR COONEY: Yes.

5 ACTING PRESIDENT MAYER: The
6 sponsor yields.

7 SENATOR WALCZYK: So if this is
8 voted on in -- in both chambers and becomes law
9 and the Governor gets her way, a state-licensed
10 outdoor marijuana smoking area could abut funeral
11 grounds, could abut school grounds? You could
12 have an outdoor smoking area -- so long as it's
13 so far from the church door or house of worship,
14 so long as it's so far from the entrance to the
15 school building, those on-site-consumption
16 smoking areas would be able to abut school
17 property, church property?

18 (Pause.)

19 SENATOR COONEY: Through you,
20 Madam President. It's a good clarification I
21 received.

22 So the social license type that
23 you're referring to, Senator Walczyk, is not
24 impacted in any way by this. And so there is no
25 change to the restriction, the 200- to 500-foot

1 rule, in terms of grounds with respect to the
2 social consumption licenses. This legislation
3 before us today only affects the siting and
4 proximity for adult-use cannabis dispensaries.

5 So to your hypothetical, Senator,
6 technically, if it's within that 200- or 500-foot
7 rule, if the agency was to administer those
8 licenses, that could happen. But that is not
9 what is before us today. What is before us today
10 is only impacting adult-use cannabis
11 dispensaries.

12 SENATOR WALCZYK: And through you,
13 Madam President, will the sponsor continue to
14 yield?

15 ACTING PRESIDENT MAYER: Do you
16 continue to yield?

17 SENATOR COONEY: Yes.

18 ACTING PRESIDENT MAYER: The
19 sponsor yields.

20 SENATOR WALCZYK: Yeah, I
21 appreciate -- appreciate the clarification,
22 because we haven't had but a few days with this
23 bill.

24 So that means for -- if they do
25 start licensing on-site consumption, those

1 facilities for outdoor smoking, for example, will
2 still have to be 500 feet from school property,
3 200 feet from church property? Am I
4 understanding that correctly?

5 SENATOR COONEY: Through you,
6 Madam President, that's correct, Senator Walczyk.

7 So it would be 500 feet -- again,
8 for the social licenses we're talking about,
9 500 feet from school property and it's silent
10 with respect to houses of worship. But 200 feet
11 for a house of worship.

12 SENATOR WALCZYK: Through you,
13 Madam President, would the sponsor continue to
14 yield?

15 ACTING PRESIDENT MAYER: Do you
16 continue to yield?

17 SENATOR COONEY: Yes.

18 ACTING PRESIDENT MAYER: The
19 sponsor yields.

20 SENATOR WALCZYK: Thank you for the
21 clarification.

22 Some local zoning boards and some
23 municipalities have been pretty aggressive in
24 their wanting to protect children, especially in
25 school areas, want to protect in zoning and

1 maintain their community as they see fit through
2 zoning with regulations on vape shops. We even
3 took up a bill yesterday really focused on how
4 frequently high school children are vaping.

5 What provisions are allowed to allow
6 local zoning if communities decide that they
7 don't want this?

8 (Pause.)

9 SENATOR COONEY: Through you,
10 Madam President. I appreciate the question,
11 Senator Walczyk, because I've been hearing that
12 from our communities too in terms of -- you know,
13 I came out of local government, so -- zoning
14 rules and regulations would not be necessarily
15 impacted here.

16 Remember, communities that have
17 opted out would still be opted out, and they
18 would not be impacted at all here. They would
19 not be able to site any adult-use cannabis
20 dispensaries in their community if they have
21 opted out.

22 If they have opted in, the zoning
23 board can still set reasonable rules and
24 regulations -- time, place and manner and such --
25 around the siting of said cannabis dispensaries.

1 However, it can't do so in a way that would be
2 unduly burdensome and create a lack of
3 opportunity. If they had opted in.

4 SENATOR WALCZYK: And through you,
5 Madam President, would the sponsor continue to
6 yield.

7 ACTING PRESIDENT MAYER: Do you
8 continue to yield?

9 SENATOR COONEY: Yes.

10 ACTING PRESIDENT MAYER: The
11 sponsor yields.

12 SENATOR COONEY: Who gets to
13 determine whether it's unduly or unreasonable?

14 (Pause.)

15 SENATOR COONEY: Through you,
16 Madam President. It's a good question. And
17 we've been asked this -- that question in this
18 town -- in my town, too.

19 Generally OCM, as the agency, would
20 have the ability to give guidance and confer with
21 the local municipality. It probably would be
22 also, as we -- this is a new area of law, as
23 cannabis law is debated and goes through the
24 judicial process, there could be case law derived
25 around it. But we'll get back to you with

1 specifics on process.

2 SENATOR WALCZYK: Thank you.

3 Madam President, on the bill.

4 ACTING PRESIDENT MAYER: Senator
5 Walczyk on the bill.

6 SENATOR WALCZYK: The fox guarding
7 the henhouse. The Office of Cannabis Management,
8 which wants to put these dispensaries closer to
9 schools, up to and including abutting school
10 grounds, gets to determine whether they like the
11 local zoning laws that may prohibit them from
12 being close to school grounds.

13 The problem with the Office of
14 Cannabis Management is that pot shops -- the
15 problem with OCM is not that pot shops are too
16 far away from schools. The problem is OCM is
17 poorly led and makes up their own rules
18 consistently.

19 If you've watched someone try to
20 license a facility in New York State, or you've
21 watched a community try to implement its local
22 zoning to prevent a pot shop from being next to a
23 school, you know exactly what I'm talking about.

24 And I appreciate you standing in for
25 the sponsor. The sponsor here is Governor Kathy

1 Hochul. This bill is to cover for shops that are
2 already in violation of the law. It was
3 introduced -- staff was hauled into the
4 Legislature, it was introduced on a Sunday just
5 to meet the aging, to bring it in here on a
6 getaway day.

7 And here's what I would encourage my
8 colleagues from the other side of the aisle to
9 consider. In your original law -- which I
10 disagreed with so many things about, but at least
11 you offered a decent, decent -- could have gone a
12 lot further, in my opinion -- protection for
13 schoolchildren. And protection for church
14 grounds. You at least gave them that respect and
15 that decency.

16 Five years later, the Governor and
17 the Office of Cannabis Management come here on a
18 Sunday, introduce a bill for this body to take up
19 to override that decency that you passed
20 five years ago. And for that reason only, I
21 would ask bipartisan opposition to this.

22 The Office of Cannabis Management
23 has been poorly led. This doesn't help them in
24 their leadership. This only endangers the
25 schoolchildren and the churches that you sought

1 to protect a little bit in the first place.

2 I'll be voting no, and I encourage
3 my colleagues to do the same.

4 ACTING PRESIDENT MAYER: Thank you.
5 Senator Murray on the bill.

6 SENATOR MURRAY: Thank you,
7 Madam President.

8 I want to thank the -- the sit-in
9 sponsor for all of the back-and-forth, because
10 you've been taking some notes and listening, and
11 I just want to share some thoughts that maybe we
12 take into consideration before we -- we vote on
13 this.

14 First and foremost, regarding
15 codifying or aligning this with SLA laws, we're
16 talking apples and oranges. You know, we --
17 we -- you can't walk down the street and not
18 smell the skunky, disgusting smell. Pull up to a
19 stoplight and you smell it. It's everywhere.

20 But you know what? We pass laws
21 regarding secondhand smoke -- and rightfully so,
22 by the way, because it -- it affects everyone
23 around you.

24 Alcohol -- I've never heard of
25 secondhand alcohol drunkenness. So it just --

1 we're talking apples and oranges here. We need
2 to protect against the secondhand smoke and that
3 kind of aspect.

4 Now, while the debates were going
5 on, the sit-in sponsor, Senator Cooney, said --
6 made a comment regarding on-site consumption and
7 said that there really is no restriction. So I
8 want to paint the scenario that Senator Walczyk
9 kind of had, and that was we have an elementary
10 school, we have a playground with a kickball
11 field and then some playground equipment a little
12 further. And now we're going to have a pot shop.

13 And you're going to have the
14 customers going in and they'll make the purchase,
15 and they step outside and there's nothing
16 restricting them from firing it up and standing
17 around chatting, smoking. Just a little breeze
18 will -- under this bill, that pot shop could
19 literally be a stone's throw away from the monkey
20 bars where an 8-year-old is swinging. And
21 they're going to smell it.

22 I go back to the secondhand smoke
23 laws we've been passing. They're going to smell
24 it. We're not helping these kids any. And
25 that's a real scenario. That's what's going to

1 happen here.

2 I go back to yesterday. Yesterday I
3 stood right here and I was debating a bill with a
4 colleague, and in that bill we passed a bill to
5 allow New York to basically police the air. We
6 passed a bill that would allow New York to
7 penalize companies that are operating in Florida,
8 or Nebraska or Oregon or China, because we're so
9 concerned about the air. And I said, Well, it's
10 a global problem. The air, it's a global
11 problem.

12 But we don't seem to be concerned
13 about pot smoke wafting over into a playground.
14 Which is much more realistic than you or I being
15 affected by a polluter in Florida right now.
16 That's very real, but we don't seem to be
17 concerned about that.

18 I also want to talk about something
19 Senator Walczyk brought up regarding local
20 zoning. Let's not kid ourselves. There is no
21 local control here when it comes to cannabis
22 shops. In fact, the -- Senator Cooney had
23 mentioned something about the smoke and vape
24 shops and the fact that because of local zoning
25 we really don't have control of their placement.

1 But we certainly control the placement of the
2 cannabis shops. Oh, yes, we do.

3 Let me tell you, the Town of
4 Brookhaven -- there are -- there are towns on
5 Long Island that opted out, said, We don't want
6 any part of it. God bless them, by the way. The
7 Town of Brookhaven said, We're going to go ahead
8 and opt in, but we're going to do so because we
9 know that we can control it through zoning.

10 So what they did was they said,
11 We'll allow it, but only in industrial areas.
12 Surprise, surprise. They don't have control over
13 that. What they've learned, as we've seen shops
14 popping up across Brookhaven -- and not in
15 industrial zones -- what we learned when I called
16 the AG's office to say, Hey, what's going on?
17 Well, no, no, no. The way they treat it is the
18 licensing is one thing. The state will handle
19 that.

20 But zoning's a whole 'nother thing.
21 That's a local issue. You've got to deal with
22 that. Really? Oh, but with this caveat. If we
23 feel the zoning's too strict and we're not going
24 to get our money, we're going to override it.

25 Do we really have control? The

1 answer is no, absolutely not. There is no local
2 control over this.

3 We are taking a mistake that was
4 made before, and we are compounding that mistake
5 at the risk of our children.

6 And there's -- and I didn't support
7 it in the beginning. There's absolutely no way
8 I'll support it now, because we've made it all
9 too clear today: It's all about the benjamins.

10 No, thank you, Madam President.

11 ACTING PRESIDENT MAYER: Senator
12 Tedisco, why do you start to rise?

13 SENATOR TEDISCO: Madam President,
14 would the Senator yield for a few questions?

15 ACTING PRESIDENT MAYER: Do you
16 yield for a few questions, Senator Cooney?

17 SENATOR COONEY: Gladly.

18 ACTING PRESIDENT MAYER: The
19 Senator yields.

20 SENATOR TEDISCO: Thank you,
21 Senator.

22 Just to clarify something I think
23 you said in your previous discussions here. You
24 said that wherever you cannot smoke cigarettes or
25 tobacco, the same laws apply for cannabis,

1 marijuana, smoking that. Is that what you -- I
2 heard you say?

3 SENATOR COONEY: Through you,
4 Madam President. Correct.

5 SENATOR TEDISCO: Is the other side
6 of that coin a truism? Where you can smoke
7 cigarettes, can you also, in the same places you
8 can smoke cigarettes and tobacco, smoke cannabis
9 and marijuana?

10 SENATOR COONEY: Through you,
11 Madam President. Yes, that's correct. Unless
12 there's a specific prohibition by a private --

13 SENATOR TEDISCO: Excuse me, I
14 didn't go through you, Madam President.

15 Thank you.

16 Madam President, would the gentleman
17 yield?

18 ACTING PRESIDENT MAYER: Do you
19 continue to yield?

20 SENATOR COONEY: Yes.

21 ACTING PRESIDENT MAYER: The
22 Senator yields.

23 SENATOR TEDISCO: So maybe I'm
24 wrong on this. While you're driving a car, could
25 you smoke marijuana in the car while you're

1 driving, cannabis?

2 (Pause.)

3 SENATOR COONEY: Senator, just
4 getting some clarity. Just one moment.

5 (Pause.)

6 SENATOR COONEY: Through you,
7 Madam President. No, you cannot smoke marijuana
8 product while you are operating a motor vehicle.

9 SENATOR TEDISCO: Will the
10 gentleman yield?

11 ACTING PRESIDENT MAYER: Do you
12 continue to yield?

13 SENATOR COONEY: Yes.

14 ACTING PRESIDENT MAYER: The
15 sponsor yields.

16 SENATOR TEDISCO: So there is
17 clearly a difference between smoking cigarettes
18 and smoking marijuana.

19 Can I ask you a question on how you
20 feel and why you think we can't smoke marijuana
21 and cannabis in a vehicle while we're driving?

22 SENATOR COONEY: Through you,
23 Madam President. The impairment, Senator. So
24 impairment of cannabis, impairment of open
25 beverage in a vehicle.

1 SENATOR TEDISCO: Will the
2 gentleman yield for another question?

3 ACTING PRESIDENT MAYER: Do you
4 continue to yield?

5 SENATOR COONEY: Yes.

6 ACTING PRESIDENT MAYER: The
7 Senator yields.

8 SENATOR TEDISCO: So do you agree
9 we passed a law to legalize something -- I think
10 you'll agree with this -- taking hot burning
11 smoke into your lungs, whether it's marijuana or
12 cigarettes, is bad for your health.

13 And for kids in school, whether it's
14 high school or college, when they're ready for an
15 exam -- and I'll probably ask a follow-up
16 question about do more kids who are in
17 high school or in lower levels, not college,
18 smoke more of this before they take an exam or go
19 to school. It affects retention and memory. And
20 it's bad for your health.

21 Would you agree we passed a bill in
22 terms of if you do it -- I know we'll make money
23 off it. We invest a lot of money into trying to
24 stop people from smoking. I don't know if we're
25 investing in people not smoking marijuana. But I

1 think you'll agree they're both taking hot smoke
2 into your lungs.

3 Would you agree it's -- it's
4 unhealthy to smoke either cigarettes or smoke
5 marijuana and bring that into your lungs?

6 SENATOR COONEY: Through you,
7 Madam President. I'll let my wife, who is a
8 medical physician, answer questions about the
9 science of your bodies.

10 But I will answer you that for
11 adult-use beverages and adult-use cannabis
12 products, we've put reasonable restrictions so
13 that adult -- consenting adults can make
14 decisions on how they enjoy that substance or put
15 it into their own bodies.

16 SENATOR TEDISCO: Will the
17 gentleman yield for another question?

18 ACTING PRESIDENT MAYER: Will you
19 continue to yield?

20 SENATOR COONEY: Yes.

21 ACTING PRESIDENT MAYER: The
22 Senator yields.

23 SENATOR TEDISCO: So all of this
24 bill and the distance and everything doesn't
25 relate to the fact that there's colleges, there's

1 universities -- and kids are very bright right
2 now. They're 15, they're 16, they're 17, they're
3 going to college now. These requirements don't
4 relate to Union College, Siena, Albany State?
5 That's a question. It only relates to elementary
6 and high school -- high schools?

7 SENATOR COONEY: Through you,
8 Madam President. I believe, Senator Tedisco,
9 you're referring to the educational institution
10 that would -- for proximity purposes.

11 SENATOR TEDISCO: Yes.

12 SENATOR COONEY: Correct. This is
13 only for secondary school and primary school
14 educational institutions. And/or any licensed
15 SED pre-K program.

16 SENATOR TEDISCO: Thank you very
17 much.

18 And thank you, Madam President.

19 ACTING PRESIDENT MAYER: Thank you,
20 Senator Tedisco.

21 Senator Rhoads, why do you rise?

22 SENATOR RHOADS: Thank you,
23 Madam President. Not to ask any questions. I
24 want to thank Senator Cooney for -- for his
25 many -- his many answers today.

1 And I want to thank my colleagues
2 that -- I'm speaking on the bill. I wanted to
3 thank my many colleagues who -- who spoke today
4 as well and asked so many insightful questions:
5 Senator Borrello, Senator Martins, Senator Weber,
6 Senator Walczyk, Senator Murray, and of course
7 Senator Tedisco.

8 This is not a bill that's clarifying
9 anything. This is actually a change. And it is
10 a change that is making our children less safe.
11 When this bill was originally passed, there was
12 no lack of clarity with respect to what the
13 restrictions were. The restrictions were
14 supposed to be 500 feet from school grounds, 500
15 feet from school property. And now we are moving
16 it closer. Now it's being measured from the
17 front door of a school, making it possible, as
18 conceded by Senator Cooney -- making it possible
19 that depend upon the size of the school property
20 and where your fields or playgrounds are located,
21 that you can literally have a pot dispensary next
22 to a playground, next to a soccer field, next to
23 a baseball field, next to a football field.
24 Literally right next door.

25 While the rest of the world is

1 recognizing the issues that we have with respect
2 to marijuana proli -- proliferation, our citizens
3 understand it. I can't tell you how many
4 complaints I get about people who want to take
5 their kids over to Citi Field and you can't walk
6 into the stadium without the stench of pot.

7 You're driving next to somebody on
8 the Southern State Parkway, with your windows
9 closed and with their windows closed, and somehow
10 the smell of marijuana is coming into your car.

11 But look at what this is doing to
12 our kids. The New York Post referenced a study
13 in November of 2025 -- and marijuana, by the way,
14 is illegal for anyone under the age of 21 -- that
15 one in five New Yorkers, New York children under
16 the age of 21 use cannabis.

17 So the whole notion, when this law
18 was passed, that somehow we're going to keep this
19 out of the hands of kids, that hasn't happened.
20 Twenty percent of kids under the age of 21
21 responded that they're using cannabis.

22 Accidental poisonings of children
23 have increased, from 2021 to 2023, by 70 percent.
24 Ninety-five percent of those poisonings have
25 involved edibles.

1 Cannabis use -- this is a nationwide
2 survey -- among 12-to-17-year-olds has increased
3 from 3.4 to 3.8 million users. Among
4 12-to-17-year-olds.

5 And when you speak to our school
6 administrators, one of the number-one concerns
7 that they talk about is the proliferation -- I
8 should stop using the word -- the expanding of
9 the use of vape products inside school buildings.

10 That's a danger that this
11 legislation continues to ignore. And as
12 Senator Borrello pointed out, even the New York
13 Times, which in 2014 was a passionate advocate
14 for the legalization of marijuana, even the
15 New York Times came out two days ago with an
16 editorial titled "It's Time for America to Admit
17 it has a Marijuana Problem."

18 With all of the issues and with all
19 of the concerns that this Legislature and that
20 this Governor have to face -- concerns about
21 outward migration or population loss, concerns
22 about affordability, concerns about public
23 safety, concerns about energy costs -- with all
24 of those concerns, it is this program bill from
25 the Governor that she is rushing to the floor, to

1 the point where we're going to bring in staff on
2 a Sunday to introduce a piece of legislation, to
3 let it age, to rush it through a Rules Committee
4 meeting off the floor with very little
5 opportunity to be able to read what's in it, and
6 to have it jointly considered by the Assembly and
7 by the Senate today so we can get it into her
8 hands to pass it.

9 With all of the other problems that
10 we have, the Governor has chosen that legislation
11 which will bring pot dispensaries closer to our
12 schools is what she wants to do.

13 Columbia University Department of
14 Psychiatry: "Recreational cannabis use by teens
15 is linked to a risk of depression and
16 suicidality. Teens using recreational cannabis
17 are two to four times more likely to develop
18 psychiatric disorders."

19 This body, in legislation that I
20 cosponsored, has considered vape products which
21 look like school supplies, like highlighters and
22 pens -- they can't be sold anywhere in the state.
23 Nor should they be. But the cannabis product
24 that goes into that vape can be sold right
25 next door to a school if this legislation passes.

1 If there was one question I would
2 ask to Senator Cooney -- and I won't ask -- it
3 would be: Make this make sense.

4 So today what we're considering and
5 what the Governor, in her program bill, is asking
6 us to do is put a price on the safety of our
7 kids. And that price is a \$109 million in
8 revenue out of \$260 billion budget. It is not
9 worth it if that price was a dollar.

10 I am voting no on this legislation,
11 and I encourage my colleagues to do the same.

12 Thank you, Madam President.

13 ACTING PRESIDENT MAYER: Thank you.

14 Senator Mattera on the bill.

15 SENATOR MATTERA: Thank you,
16 Madam President. On this bill.

17 This bill is dysfunctional
18 government at its worst. Let's just talk about
19 like cashless bail laws. We can talk about that,
20 that you just sell drugs near or on school
21 grounds -- imagine that cashless bail.

22 My colleagues on the other side
23 passed cannabis in 2021, and it's been a disaster
24 ever since. If pot, weed, marijuana, cannabis is
25 so good for our districts, why are we so

1 concerned about safety? Why only 500 feet away
2 from a school or house of -- churches and houses
3 of worship. What is this going to do, make this
4 worse?

5 Our law enforcement cannot even do
6 their jobs. They can't detect this. Our
7 colleagues on the other side took the tools away
8 from them to do their jobs. They cannot detect
9 unless there is an accident or a fatality.

10 Cannabis, pot, weed, marijuana is a
11 gateway to other drugs. We smell it on our
12 roadways. There it is, I'm at a Christmas tree
13 lightings with our little children, and you smell
14 it all over the place. I actually have to go
15 around and try to tell people: Please, go do
16 this in your home. Go do it in your home. Don't
17 do this where we have children.

18 The black market is running rampant,
19 we all know this. It's running rampant right
20 now. And I'm proud that both of my towns I
21 represent, Smithtown and Huntington, they opted
22 out from these dispensaries.

23 You know, going after these vape
24 shops that now are trying -- they're selling in
25 the back door. That's how bad this is. Yes,

1 21-year-olds and over are buying it and then
2 selling it to our children.

3 It's amazing that -- the concerns
4 that we are using -- the revenue that's being
5 used for cannabis sales. In certain towns,
6 they're using it for drug rehab facilities. How
7 is that not contradicting everything that we do,
8 that we're supposed to do in this chamber?
9 Imagine that, the revenue's being used for drug
10 rehab facilities.

11 Again, this is dysfunctional
12 government at its worst. And Madam -- Madam
13 President, I just vote no. And again, this is
14 very upsetting and it's very upsetting to the
15 people that I represent in my community and
16 New York State.

17 Thank you.

18 ACTING PRESIDENT MAYER: Thank you.

19 Are there any other Senators wishing
20 to be heard?

21 Seeing and hearing none, debate is
22 closed.

23 The Secretary will ring the bell.

24 Read the last section.

25 Senator Gianaris.

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

4 ACTING PRESIDENT MAYER: The bill
5 is restored to the noncontroversial calendar.

6 Read the last section.

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

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Senator
13 Martins to explain his vote.

14 SENATOR MARTINS: Thank you,
15 Madam President. Briefly.

16 You know, on the issue of location,
17 it bears noting -- and I want everyone to
18 understand -- there are two towns in the County
19 of Nassau, the town of North Hempstead and the
20 Town of Hempstead, that are on the city line, on
21 the Queens line.

22 There have been applications -- and
23 they both opted out. There have been
24 applications siting cannabis shops on the county
25 border -- not across the street, but literally

1 where it cuts across property, they sited it
2 literally to the inch on the county border,
3 impacting those communities.

4 Now, something I learned when I
5 first went into elective office is when you take
6 and make decisions, be prepared to put it on a
7 poster when you run for reelection. Be prepared
8 to lead with it.

9 And so for everyone in the chamber,
10 for the Governor on the second floor, when you're
11 coming up for reelection, be prepared to lead
12 with this. Because if you're proud of lessening
13 the distance between these shops and schools and
14 lessening the protections for our schoolchildren
15 across the state, be prepared to face the voters
16 when the time comes.

17 I vote no.

18 ACTING PRESIDENT MAYER: Senator
19 Martins to be recorded in the negative.

20 Senator Gianaris.

21 SENATOR GIANARIS: Madam President,
22 to explain my vote. I'll be voting yes on this.

23 I was glad to hear my colleague talk
24 about facing the voters with what we do in this
25 chamber, because we do it all the time. There

1 was a moment -- I was going say not too long ago,
2 when it was actually long ago, when
3 Senator Martins was standing right where you are,
4 Madam President, because the Republicans had the
5 majority back then.

6 We have faced the voters in this
7 chamber, over and over and over again, and yet we
8 sit here with one of the largest majorities this
9 state has ever had. We will return with an even
10 larger one.

11 Thank you, Madam President.

12 ACTING PRESIDENT MAYER: Senator
13 Gianaris to be recorded in the affirmative.

14 Senator Borrello to explain his
15 vote.

16 SENATOR BORRELLO: Yes, thank you,
17 Madam President.

18 You know, imagine if every day when
19 you got on the road to go to work in the morning
20 at 8 o'clock, you looked at the car next to you
21 and you saw a guy drinking a beer as he's driving
22 down the road.

23 Or you walk through a park with a
24 babysitter that's got a few children in tow and
25 she's got a big margarita in her hand.

1 Or you see a guy taking a break from
2 his job as a mechanic, chugging a bottle of vodka
3 before he goes in to fix the brakes on your car.

4 That's the world we live in now
5 because of the irresponsible legalization of
6 recreational marijuana here in New York State.
7 It has proliferated everywhere. And even the
8 New York Times admits that we made a mistake
9 here.

10 And we lead the nation in the
11 irresponsible way in which we handle it. And for
12 some kind of twisted social justice reasons we're
13 going to make things worse, not better. And
14 that's what this bill does.

15 So I'll be voting no. Thank you.

16 ACTING PRESIDENT MAYER: Senator
17 Borrello to be recorded in the negative.

18 Senator Lanza to explain his vote.

19 SENATOR LANZA: Thank you,
20 Madam President.

21 I'm not going to rehash all the
22 comments that were said during this debate.
23 Especially on my side, I agree with most of what
24 was said.

25 But I just -- when I think of the

1 OTB and I think of the cannabis issue in this
2 state, I just -- it just reminds me of the
3 incompetence of New York government. The
4 bureaucrats in New York are the only ones who
5 can't make a go of it when it comes to selling
6 drugs and gambling.

7 (Laughter.)

8 SENATOR LANZA: And, you know, we
9 need to consider that, I think, more often when
10 we come up with legislation handing off
11 responsibility to the bureaucrats.

12 My good friend Senator Krueger is
13 not here, she's the sponsor of the bill. She's
14 not here because she's discharging her
15 responsibilities as chairing the budget hearing.

16 But I will say this. I do recall in
17 a debate the conversation she and I had on this
18 floor. She said that the reason for the 500-foot
19 limit was to protect children. That's what was
20 said on this floor. And because the bureaucrats
21 in New York don't know how to measure, because
22 they lost their measuring tape, here we are
23 putting government incompetence and ineptitude
24 over child safety. And that's why I'm going to
25 be voting no.

1 ACTING PRESIDENT MAYER: Senator
2 Lanza to be recorded in the negative.

3 Senator Canzoneri-Fitzpatrick to
4 explain her vote.

5 SENATOR CANZONERI-FITZPATRICK:
6 Thank you, Madam President.

7 Thank you to all my colleagues for
8 the debate today, because there's many things
9 that we learned about this bill. The fact that
10 this came through on a Sunday and then went
11 through Rules and nobody, even, on either side of
12 the aisle, had the time to really delve into
13 this, think about the ramifications, and have an
14 opportunity to suggest revisions or to say that
15 maybe this isn't the right thing.

16 As you've heard, our most vulnerable
17 constituents, our children, are going to suffer
18 because of this.

19 I for one am very tired of smelling
20 marijuana every time I'm on the Southern State
21 Parkway. Is it illegal to consume or to smoke it
22 while you're driving? Maybe it is, but no one's
23 sticking by that, because I know that I smell it
24 all the time.

25 And it's really -- we all know that

1 this is a gateway for our kids to do other
2 things. And we need to do better. This body has
3 to do better. It's our job to protect children.

4 So I will voting no.

5 Thank you, Madam President.

6 ACTING PRESIDENT MAYER: Senator
7 Canzoneri-Fitzpatrick to be recorded in the
8 negative.

9 Senator Cooney to explain his vote.

10 SENATOR COONEY: Thank you,
11 Madam President.

12 And I appreciate the debate with our
13 colleagues today. And everyone is intentioned on
14 trying to get this right and trying to make sure
15 that we keep New Yorkers safe, and I appreciate
16 that shared sentiment.

17 I just want to remind the chamber
18 and this house why we passed this legislation a
19 few years ago.

20 Remember that cannabis is not new,
21 certainly to New York, and not to this country or
22 to this world. People have been consuming
23 cannabis for years. But what was happening is in
24 the failed war on drugs, only certain people were
25 being penalized.

1 This legislation recognized that and
2 did something to correct that. Because let's be
3 very clear who those New Yorkers were. Those
4 were New Yorkers who lived in urban areas, those
5 were New Yorkers -- people of color. And for too
6 long, this state overcriminalized and
7 overpenalized those individuals. And in that
8 process, changed families for generations.

9 We corrected that wrong, and the
10 voters of this state, as Senator Gianaris pointed
11 out, have recognized that there was some good in
12 that. And we have created the framework for a
13 legal cannabis market in this state.

14 Has it gone perfectly? Of course
15 not. But are we looking, through this
16 legislation, to get it right? Yes, we are.

17 For far too long in this state we
18 have created rules that only benefit some. We
19 are trying to find reasonable restrictions to
20 bring the underground market aboveground so that
21 we can address and create a framework which
22 benefits all New Yorkers equally.

23 The war on drugs was a failure.
24 This conference fixed it. And now we are looking
25 to make it better again.

1 I vote aye.

2 ACTING PRESIDENT MAYER: Senator
3 Cooney to be recorded in the affirmative.

4 Senator Stec to explain his vote.

5 SENATOR STEC: Thank you.

6 That may be true, all well and good.
7 There's still discussion and debate over where we
8 are. But the question before the house right now
9 is solely this: Do we want to change the law to
10 make it legal for cannabis to be sold next to a
11 school playground or next to a church?

12 We didn't expand it to protect
13 children, we are bringing it down to the property
14 line. That's the only question in front of us
15 right now. We can debate all the other parts
16 that led us to here, but the question today,
17 three days after this bill was put in -- I want
18 to know where the fire is where we have to vote
19 on this today.

20 It was put in on a Sunday, and we're
21 debating it on a getaway day. I can think of
22 dozens of more pressing matters that we should be
23 rushing through in three days to take action on.

24 But this is the fire today in
25 February, is we've got to rush so that we can

1 allow marijuana dispensaries to be operating
2 adjacent to a school playground.

3 And there's no way on God's green
4 earth that my constituents want that. I find it
5 hard to believe that anyone's constituents think
6 that that's some sort of wisdom or justice.

7 And I will be voting no.

8 ACTING PRESIDENT MAYER: Senator
9 Stec to be recorded in the negative.

10 Senator Harckham to explain his
11 vote.

12 SENATOR HARCKHAM: Thank you,
13 Madam President.

14 This has been a very interesting
15 debate. Just want to touch on a couple of
16 things.

17 Before we took steps to legalize
18 cannabis in this state, you could buy, our
19 children could buy cannabis in every middle
20 school in New York State. And that's not an
21 exaggeration. I would say to parents in my
22 district who had concerns, "Ask your kids who's
23 selling weed in your school. They all know."

24 And so when we open dispensaries for
25 adult use, there are very strict regulations in

1 place about the age of who could go in these
2 stores.

3 And I'll share an anecdote with you
4 that I was in another part of the state doing a
5 tour of environmental issues, and I was with an
6 Assemblywoman who wanted to take me into a
7 cannabis shop in her district. And we went to
8 walk in, the security guard stopped us and asked
9 for our age identification. I had my driver's
10 license I showed. She had left hers in the car.

11 And he said, "I'm sorry, I can't let
12 you in." And she said, "But I'm a member of the
13 State Assembly." And he said I don't care who
14 you are. If you don't have your age
15 identification, you're not getting in here."

16 So the notion that somehow legal
17 cannabis dispensaries are allowing our school
18 students in and providing cannabis to school
19 students, I think is far-fetched.

20 Some of the other things, you know,
21 I certainly agree that, you know, the
22 proliferation of smoke and things like that are
23 issues. But there are local enforcement
24 mechanisms for that.

25 But this legislation was brought

1 about, let's not forget, because there was a
2 lawsuit. You know, this is not something that
3 we're just choosing to do willy-nilly. We are
4 responding to the courts. And that's why we are
5 under the gun on the time frame to do this today,
6 because the deadline of the courts is next week
7 and we will not be here in session next week.

8 So for those reasons,
9 Madam President, I'll be voting aye.

10 ACTING PRESIDENT MAYER: Senator
11 Harckham to be recorded in the affirmative.

12 Senator Bailey to explain his vote.

13 SENATOR BAILEY: Thank you,
14 Madam President.

15 I -- I appreciate the discourse and
16 the debate, as we can disagree without being
17 disagreeable. And I believe that was done, for
18 the most part, today.

19 I can tell you, Madam President, as
20 I said during the legalization and during the
21 decriminalization, I have never tried cannabis.
22 I have no personal interest in cannabis. It's
23 not for me.

24 But for every New Yorker who has
25 been unjustly stopped and had their rights and

1 their lives delayed and moved aside because of a
2 plant was enforced unequally in other places --
3 to what Senator Cooney was saying, as some of my
4 colleagues have said -- I think that we owe it to
5 New Yorkers to make sure that not only do we
6 continue the work that we've done, but that as
7 this new section of law, a brand-new section of
8 law -- and all of us are policymakers. All of us
9 care about policy. Otherwise we shouldn't be
10 here.

11 If we're policymakers, we should
12 care about making sure we develop the law as it
13 comes along and obstacles come along. An
14 obstacle came along, we as the legislative body
15 in charge of making sure things go right, we
16 decided to make it better. We're trying to make
17 it better. This is our job. That is what we are
18 owed -- that's a duty that we -- that our
19 constituents have in us.

20 So I support this piece of
21 legislation and I appreciate the discourse and
22 debate. I vote aye, Madam President.

23 ACTING PRESIDENT MAYER: Senator
24 Bailey to be recorded in the affirmative.

25 Senator Murray to explain his vote.

1 SENATOR MURRAY: Thank you,
2 Madam President.

3 I wasn't going to speak again, but
4 in listening to the statements -- and I have the
5 utmost respect for everybody in this body. But
6 when I hear statements like "we solved the
7 problem" -- please. No, we didn't.

8 Before we legalized recreational use
9 of cannabis, you did not smell it at every
10 stoplight. You didn't smell it on every street
11 corner when you walked by. You just didn't.

12 And for some notion that you're not
13 going to find THC or cannabis gummies in a middle
14 school, yes, you are. News flash. Have a
15 conversation with your SRO. They're there. It's
16 happening still. The problem was not solved.

17 And unfortunately, what we're doing
18 today with this bill, we're making the problem
19 worse. Which is why I am a no.

20 Thank you, Madam President.

21 ACTING PRESIDENT MAYER: Senator
22 Murray to be recorded in the negative.

23 Senator Walczyk to explain his vote.

24 SENATOR WALCZYK: Thank you,
25 Madam President.

1 The Office of Cannabis Management
2 has been running cowboy in New York State.
3 They've been very slow to give some licenses in
4 some areas, and in other cases they've been very
5 quick, and even violated the law that this
6 chamber passed.

7 Which is what brings us here today:
8 The Governor's departmental bill to cover for the
9 violation of the law that the Office of Cannabis
10 Management is under right now. Without that
11 court case that you point out, Senator, this --
12 this would not be necessary.

13 You passed a bill to protect school
14 grounds from pot shops. You passed a bill to
15 protect, a little bit, churches from pot shops.

16 This says the Office of Cannabis
17 Management ignored your law. They gave licenses
18 that were too close to schools and too close to
19 churches. And because they screwed up, instead
20 of fixing their error, the Governor has now asked
21 you to pass her bill to change the law so that
22 it's no longer a screw-up.

23 So for the sake of checks and
24 balances in New York State, have all of your
25 speeches about recreational marijuana and what it

1 means. But for the sake of checks and balances,
2 the Legislature has a duty here to see its law
3 that it originally passed through -- not to cover
4 for Kathy Hochul and her Office of Cannabis
5 Management that continues to screw up and is now
6 under the gun of the court.

7 I'll be voting no.

8 Thank you, Madam President.

9 ACTING PRESIDENT MAYER: Senator
10 Walczyk to be recorded in the negative.

11 Announce the results.

12 THE SECRETARY: In relation to
13 Calendar 351, voting in the negative are
14 Senators Addabbo, Ashby, Borrello,
15 Canzoneri-Fitzpatrick, Chan, Helming, Lanza,
16 Martinez, Martins, Mattera, Murray, Myrie,
17 O'Mara, Ortt, Palumbo, Rhoads, Rolison,
18 Scarcella-Spanton, Stec, Tedisco, Walczyk, Weber
19 and Weik.

20 Ayes, 36. Nays, 23.

21 ACTING PRESIDENT MAYER: The bill
22 is passed.

23 Senator Gianaris.

24 SENATOR GIANARIS: Let's move on to
25 the reading of the calendar, please.

1 ACTING PRESIDENT MAYER: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number
4 121, Senate Print 2459, by Senator Comrie, an act
5 to repeal subdivision 6 of Section 51 of the
6 Public Authorities Law.

7 ACTING PRESIDENT MAYER: Read the
8 last section.

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

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 121, voting in the negative are
18 Senators Ashby, Canzoneri-Fitzpatrick, Chan,
19 Helming, Lanza, Mattera, Murray, Oberacker,
20 O'Mara, Ortt, Palumbo, Rhoads, Stec, Walczyk,
21 Weber and Weik.

22 Ayes, 43. Nays, 16.

23 ACTING PRESIDENT MAYER: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 170, Assembly Print Number 7894C, by
2 Assemblymember Paulin, an act to amend the
3 Public Health Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 170, voting in the negative are
15 Senators Martinez, Skoufis and Walczyk.

16 Ayes, 56. Nays, 3.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 190, Senate Print 372A, by Senator Gianaris, an
21 act to amend the Labor Law.

22 ACTING PRESIDENT MAYER: Read the
23 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: In relation to
7 Calendar 190, voting in the negative are
8 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
9 Chan, Lanza, Martins, Mattera, Oberacker, O'Mara,
10 Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk,
11 Weber and Weik.

12 Ayes, 42. Nays, 17.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 198, Senate Print 6990A, by Senator Jackson, an
17 act to amend the Civil Service Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

20 THE SECRETARY: Section 4. This
21 act shall take effect immediately.

22 ACTING PRESIDENT MAYER: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT MAYER: Senator

1 Jackson to explain his vote.

2 SENATOR JACKSON: Thank you,
3 Madam Chair.

4 I'll be voting aye on this bill, but
5 I wanted to communicate with my colleagues that
6 we speak often in this chamber about efficiency,
7 accountability and performance. But too often
8 one voice is missing from the conversation: The
9 voice of the worker who is walking out the door.

10 Senate Bill S6990A is simple in
11 structure but profound in purpose. It requires
12 state agencies to conduct exit interviews for
13 employees who resign or retire -- not as a
14 formality, not as paperwork, but as a practice of
15 listening.

16 Government, like any institution,
17 must be willing to examine itself. A lot here,
18 also. We dedicate public service -- when
19 dedicated public servants choose to leave, the
20 decision carries information about culture,
21 leadership, morale, opportunities. And if we
22 fail to ask why, we fail to improve.

23 And this legislation creates a
24 standardized process to gather qualitative
25 insight and protection for the disclosure of full

1 information, so employees can speak candidly and
2 without fear.

3 And it is about honesty. It's about
4 trust. It is about strengthening the civil
5 service that keeps New York functioning every
6 single day.

7 And private industry understands the
8 value of exit interviews. The New York City
9 Council has embraced this practice. And this
10 bill brings the same standard of reflection to
11 the state government.

12 And if we are serious about
13 retention, morale, and building agencies that
14 reflect excellence and dignity, then we must be
15 serious about feedback. Now, good governance is
16 not only about what we build, but it's about
17 whether we are willing to listen and evolve.

18 And for the integrity of our
19 institutions and the respect owed to every public
20 servant, I urge a vote in the affirmative.

21 And I vote aye. Thank you.

22 ACTING PRESIDENT MAYER: Thank you.
23 Senator Jackson to be recorded in the
24 affirmative.

25 Senator Ramos to explain her vote.

1 SENATOR RAMOS: Thank you,
2 Madam President.

3 I too vote aye on this bill and want
4 to commend my colleague Senator Jackson for
5 ensuring that government can improve upon our
6 public service.

7 This is an important bill that is
8 going to allow our workers to give us due
9 feedback on how we can improve the services that
10 are delivered to our constituents. And
11 especially as we continue to fight for tier
12 equity for our public service employees, we are
13 going to be able to ensure that many ideas like
14 this are able to recruit and retain more workers,
15 the very best talent in New York State, to serve
16 us and to improve our government.

17 Thank you, Madam President.

18 ACTING PRESIDENT MAYER: Senator
19 Ramos to be recorded in the affirmative.

20 Announce the results.

21 THE SECRETARY: In relation to
22 Calendar Number 198, voting in the negative:
23 Senator Walczyk.

24 Ayes, 58. Nays, 1.

25 ACTING PRESIDENT MAYER: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 200, Senate Print 116, by Senator Cleare, an act
4 to amend the Criminal Procedure Law.

5 ACTING PRESIDENT MAYER: Read the
6 last section.

7 THE SECRETARY: Section 14, this
8 act shall take effect immediately.

9 ACTING PRESIDENT MAYER: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MAYER: Announce
13 the results.

14 THE SECRETARY: Ayes, 59.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 224, Senate Print Number 2067, by
19 Senator Scarcella-Spanton, an act to amend the
20 Veterans' Services Law.

21 ACTING PRESIDENT MAYER: Read the
22 last section.

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

1 ACTING PRESIDENT MAYER: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MAYER: Announce
5 the results.

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 240, Senate Print 2497, by Senator Gounardes, an
11 act to amend the Civil Practice Law and Rules.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

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

16 ACTING PRESIDENT MAYER: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT MAYER: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 240, voting in the negative are
23 Senators Borrello, Canzoneri-Fitzpatrick, Chan,
24 Lanza, Rhoads, Tedisco, Walczyk and Weik.

25 Ayes, 51. Nays, 8.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 241, Senate Print 2597, by Senator Mayer, an act
5 to amend the Family Court Act.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

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

10 ACTING PRESIDENT MAYER: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT MAYER: Announce
14 the results.

15 THE SECRETARY: In relation to
16 Calendar 241, voting in the negative are
17 Senators Borrello, Chan, Helming, Lanza, Murray,
18 O'Mara, Ortt, Tedisco and Walczyk.

19 Ayes, 50. Nays, 9.

20 ACTING PRESIDENT MAYER: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 242, Senate Print 3394A, by Senator Gounardes, an
24 act to amend Civil Practice Law and Rules.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

2 THE SECRETARY: Section 9. This
3 act shall take effect on the 180th day after it
4 shall have become a law.

5 ACTING PRESIDENT MAYER: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT MAYER: Announce
9 the results.

10 THE SECRETARY: Ayes, 59.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 243, Senate Print 5285, by Senator Sepúlveda, an
15 act to amend the Surrogate's Court Procedure Act.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

21 ACTING PRESIDENT MAYER: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar 243, voting in the negative are
3 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
4 Chan, Helming, Lanza, Martins, Mattera, Murray,
5 Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec,
6 Tedisco, Walczyk, Weber and Weik.

7 Ayes, 40. Nays, 19.

8 ACTING PRESIDENT MAYER: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 244, Senate Print 5286, by Senator Sepúlveda, an
12 act to amend the Lien Law.

13 ACTING PRESIDENT MAYER: Read the
14 last section.

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

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar 244, voting in the negative are
24 Senators Ashby, Borrello, Canzoneri-Fitzpatrick,
25 Chan, Helming, Lanza, Martins, Mattera, Murray,

1 Oberacker, O'Mara, Ortt, Palumbo, Rhoads,
2 Rolison, Ryan, Skoufis, Stec, Tedisco, Walczyk,
3 Weber and Weik.

4 Ayes, 37. Nays, 22.

5 ACTING PRESIDENT MAYER: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 252, Senate Print 8440, by Senator Fahy, an act
9 to amend the Highway Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

14 ACTING PRESIDENT MAYER: Call the
15 roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT MAYER: Senator
18 Fahy to explain her vote.

19 SENATOR FAHY: Thank you.

20 I rise today to vote aye on this
21 bill and just to give a little bit of history,
22 which I think is just so important. And it's
23 fitting that we are doing this in honor of
24 Sergeant William {sic} Johnson -- sorry, Henry
25 Johnson. We have a William Johnson too.

1 This is renaming a bridge here
2 locally, but it is just about so much more.
3 Sergeant Henry Johnson was an infantryman who
4 served here -- from Albany, served in 1917 in
5 World War I, in a segregated all-Black National
6 Guard regiment stationed in -- they were sent to
7 France during World War I, again. They were
8 known -- otherwise known as the Harlem
9 Hellfighters. It was U.S. Infantry Regiment 369.

10 While on duty there in France, they
11 came -- a small party came under attack from a
12 raiding party in the Argonne Forest in France.
13 They were outnumbered by as many as three dozen
14 German enemies. Sergeant Henry Johnson was the
15 only unwounded survivor, who had to fight off --
16 first with his rifle, ran out of ammunition, then
17 used it as a club, then resorted to a bolo knife,
18 ended up with 21 wounds from this hand-to-hand
19 combat, but managed to save other wounded
20 comrades, many of whom did not survive.

21 Despite this valor, 80 years went by
22 before he was recognized and given the
23 Purple Heart for his severe injuries, although he
24 was awarded the highest honor in France right
25 after World War I.

1 In 2002 he was given the
2 Distinguished Service Cross. And in 2015, after
3 almost a century of advocacy, he was finally
4 awarded the Medal of Honor by then-President
5 Barack Obama. Again, that's the nation's highest
6 military award. And a shout out to
7 Senator Schumer, who long advocated for that
8 award.

9 Fast forward to 2023. A bipartisan
10 congressional delegation named -- renamed
11 Fort Polk in Louisiana after Henry Johnson,
12 renaming it to Fort Johnson.

13 Sadly -- now we're to 2025 -- last
14 year the Department of Defense pulled that name
15 off, renamed the fort to -- under a different
16 soldier, but renaming it to Fort Polk. It was a
17 shock to all of us here in the Capital Region.
18 We can't undo this federal action at this time.

19 However, in an effort to preserve
20 his legacy and continue to honor him as one of
21 our -- probably our most distinguished hometown
22 hero, this legislation will rename the
23 Patroon Island Bridge, which is right here
24 between Albany and Rensselaer County, along
25 Interstate 90. It will be renamed as Medal of

1 Honor Recipient Sergeant Henry Johnson Memorial
2 Bridge.

3 It's more than about renaming a
4 bridge or taking his name off of a military base.
5 This really is about trying to preserve accurate
6 and inclusive history and to recognize those who
7 served with such extraordinary honor. Again,
8 he's probably our most distinguished hometown
9 hero.

10 So regardless of the attempts to
11 rewrite what has been proud yet painful history a
12 century later, to me it is also fitting that we
13 are doing this not just during Black History
14 Month, but honoring our true, accurate history
15 despite the efforts at the federal level to
16 whitewash that history.

17 So I proudly vote in the
18 affirmative. Thank you for this opportunity to
19 go through this painful but proud legacy.

20 Thank you.

21 ACTING PRESIDENT MAYER: Thank you.

22 Senator Fahy to be recorded in the
23 affirmative.

24 Announce the results.

25 THE SECRETARY: In relation to

1 Calendar Number 252, voting in the negative:
2 Senator Brisport.

3 Ayes, 58. Nays, 1.

4 ACTING PRESIDENT MAYER: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 271, Senate Print 3256A, by Senator Cooney, an
8 act to amend the Parks, Recreation and
9 Historic Preservation Law.

10 ACTING PRESIDENT MAYER: Read the
11 last section.

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

15 ACTING PRESIDENT MAYER: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT MAYER: Announce
19 the results.

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT MAYER: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 274, Senate Print 3693, by Senator Sanders, an
25 act to amend the Penal Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

3 THE SECRETARY: Section 13. This
4 act shall take effect on the 180th day after it
5 shall have become a law.

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: In relation to
12 Calendar Number 274, voting in the negative:
13 Senator Brisport.

14 Ayes, 58. Nays, 1.

15 ACTING PRESIDENT MAYER: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 281, Senate Print 317, by Senator Salazar, an act
19 to amend the Public Health Law.

20 ACTING PRESIDENT MAYER: Read the
21 last section.

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

25 ACTING PRESIDENT MAYER: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT MAYER: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 281, voting in the negative are
7 Senators Ashby, Borrello, Chan, Helming, Lanza,
8 Mattera, Murray, Oberacker, O'Mara, Ortt, Rhoads,
9 Stec, Tedisco, Walczyk, Weber and Weik.

10 Ayes, 43. Nays, 16.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 284, Senate Print 1425, by Senator Liu, an act to
15 amend the Public Health Law.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Senator
24 Martins to explain his vote.

25 SENATOR MARTINS: Thank you,

1 Madam President.

2 I vote to -- I rise to vote aye. I
3 want to thank Senator Liu for sponsoring this
4 bill.

5 For those of us who live on
6 Long Island, airplane noise and approaches to the
7 airports has become, over time, a significant
8 issue. It's a health issue.

9 This body recognized that back in
10 2021, and again in 2022, when it passed
11 legislation requiring the state to perform
12 studies and environmental studies measuring noise
13 on approaches to the airports, understanding the
14 health effects to those of us who are in
15 Nassau County, Queens County, Brooklyn and
16 Suffolk.

17 Unfortunately, even though it passed
18 this body and it was signed into law by the
19 Governor -- it was Chapter 92 of the Laws of
20 2022 -- it required that that study be provided
21 by April 1st of 2024.

22 Madam President, we are now in
23 February of 2026, and that study has yet to be
24 presented. We have asked the Governor's office
25 to intercede. We have talked to the Department

1 of Health with regard to the status of that
2 study. They have confirmed that they are working
3 on it. But it's not here, it's not done.

4 So maybe they can get to that. But
5 as we try to get the Governor to do precisely
6 what the law requires her to do and provide that
7 study, for the benefit of all those residents who
8 are impacted by airplane noise across
9 Long Island, including the boroughs in New York
10 City, I am happy to support Senator Liu's
11 legislation that goes one step further with
12 regard to how we would characterize noise levels
13 and measure those noise levels as we again seek
14 to protect the residents in our communities.

15 I vote aye, and I urge the Governor
16 to get on the stick and please get that study
17 done and present it to the Legislature so we can
18 move forward as well.

19 ACTING PRESIDENT MAYER: Senator
20 Martins to be recorded in the affirmative.

21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar 284, voting in the negative are
24 Senators Borrello, Chan, O'Mara, Palumbo,
25 Rolison, Stec, Walczyk and Weber.

1 Ayes, 51. Nays, 8.

2 ACTING PRESIDENT MAYER: The bill
3 is passed.

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

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

8 ACTING PRESIDENT MAYER: There is
9 no further business at the desk.

10 SENATOR GIANARIS: I move to
11 adjourn until Monday, February 23rd, at
12 3:00 p.m., with the intervening days being
13 legislative days.

14 ACTING PRESIDENT MAYER: On motion,
15 the Senate stands adjourned until Monday,
16 February 23rd, at 3:00 p.m., with the intervening
17 days being legislative days.

18 (Whereupon, at 1:13 p.m., the Senate
19 adjourned.)

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