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

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT MAYER: Reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Rivera

moves to discharge, from the Committee on Health, Assembly Bill Number 7894C and substitute it for the identical Senate Bill 7457B, Third Reading Calendar 170.

ACTING PRESIDENT MAYER: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good morning, Madam President.

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

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

SENATOR GIANARIS: The Senate stands at ease.

ACTING PRESIDENT MAYER: The Senate stands at ease.

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

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

ACTING PRESIDENT MAYER: The Senate will return to order.

Senator Gianaris.

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

ACTING PRESIDENT MAYER: The Secretary will read.

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

The bill reports direct to third reading.

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

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

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(Response of "Nay.")

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

Senator Gianaris.

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

ACTING PRESIDENT MAYER: The Secretary will read.

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

SENATOR LANZA: Lay it aside.

ACTING PRESIDENT MAYER: The bill is laid aside.

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

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

ACTING PRESIDENT MAYER: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number

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

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

SENATOR BORRELLO: Good morning, Madam President.

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

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

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

ACTING PRESIDENT MAYER: The Senator yields.

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

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

So what does this bill do to change

that?

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

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

SENATOR BORRELLO: Madam President,

will the sponsor continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

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

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

application with an address that could be in violation.

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

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

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

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

(Pause.)

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

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

process.

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

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

(Pause.)

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

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

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

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

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

SENATOR BORRELLO: Thank you.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Borrello on the bill.

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

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

enforcement, mental health issues, and so forth.

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

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

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

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

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

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

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

costs us.

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

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

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

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

And I am going to be voting no today

in that principle. Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Borrello.

Senator Martins --

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

ACTING PRESIDENT MAYER: Senator Tedisco for an introduction.

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

ACTING PRESIDENT MAYER: The Secretary will read.

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

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

Public High School Athletic Association Field Hockey Championship.

ACTING PRESIDENT MAYER: Senator Tedisco on both resolutions.

SENATOR TEDISCO: Thank you, Madam President.

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

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

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

This collection of scholar-athletes

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

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

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

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

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

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

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

ACTING PRESIDENT MAYER: Thank you, Senator Tedisco.

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

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: Senator Gianaris.

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

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

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

ACTING PRESIDENT MAYER: Will the sponsor yield?

SENATOR COONEY: I would be glad to.

SENATOR WEBER: Great, thank you, Senator Cooney.

ACTING PRESIDENT MAYER: Senator Cooney yields.

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

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

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

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

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR WEBER: Thank you.

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

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

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

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

SENATOR WEBER: Okay, thank you.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WEBER: Thank you.

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

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

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

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

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

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

SENATOR WEBER: Thank you.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

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

SENATOR WEBER: Thank you.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WEBER: Would a place

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

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

SENATOR WEBER: Aha.

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

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

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

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Weber on the bill.

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

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

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

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

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

ACTING PRESIDENT MAYER: Thank you, Senator Weber.

Senator Martins, why do you rise?

SENATOR MARTINS: Good morning, Madam President.

ACTING PRESIDENT MAYER: Good morning.

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

ACTING PRESIDENT MAYER: Senator Cooney --

SENATOR COONEY: Glad to.

ACTING PRESIDENT MAYER: -- yields.

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

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

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

SENATOR MARTINS: Well, the --

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: Yes, he yields.

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

SENATOR COONEY: Thank you for the question, Senator.

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

SENATOR COONEY: Through you,

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The

Senator yields.

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

SENATOR COONEY: No.

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

(Pause.)

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

Is that your understanding?

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

institutions; 500 feet for cannabis.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

(Pause.)

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

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

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

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

SENATOR MARTINS: Thank you, Senator.

Madam President, if the sponsor would continue to yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

Those are the two options, wouldn't

you agree?

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

measurement would begin.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

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

ACTING PRESIDENT MAYER: Will the Senator continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

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

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

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

(Pause.)

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

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

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

yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

(Pause.)

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

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

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

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

SENATOR MARTINS: Thank you.

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

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

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

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

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

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

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

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

yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor continues to yield.

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

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

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

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

yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

By having this new restriction, we

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

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

SENATOR MARTINS: Madam President, on the bill.

Thank you, Senator Cooney, for that.

ACTING PRESIDENT MAYER: Senator Martins on the bill.

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

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

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

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

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

inadequate.

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

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

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

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

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

I'll be voting no.

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

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

ACTING PRESIDENT MAYER: Senator Cooney, do you yield?

SENATOR COONEY: Gladly.

ACTING PRESIDENT MAYER: The Senator yields.

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: He continues to yield.

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

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

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

SENATOR COONEY: Yes. Yes.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

SENATOR COONEY: Through you,

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

(Pause.)

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

(Pause.)

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

ACTING PRESIDENT MAYER: Do you

continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

SENATOR COONEY: Through you,

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

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

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

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

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

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

Now, there are people who want that

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

yield.

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

(Pause.)

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

SENATOR WALCZYK: Thank you for the clarification.

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

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

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

(Pause.)

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

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

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

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

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

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

(Pause.)

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

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

specifics on process.

SENATOR WALCZYK: Thank you.

Madam President, on the bill.

ACTING PRESIDENT MAYER: Senator Walczyk on the bill.

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

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

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

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

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

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

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

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

to protect a little bit in the first place.

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

ACTING PRESIDENT MAYER: Thank you.

Senator Murray on the bill.

SENATOR MURRAY: Thank you, Madam President.

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

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

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

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

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

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

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

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

happen here.

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

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

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

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

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

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

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

Do we really have control? The

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

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

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

No, thank you, Madam President.

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

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

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

SENATOR COONEY: Gladly.

ACTING PRESIDENT MAYER: The Senator yields.

SENATOR TEDISCO: Thank you, Senator.

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

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

SENATOR COONEY: Through you, Madam President. Correct.

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

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

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

Thank you.

Madam President, would the gentleman yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

driving, cannabis?

(Pause.)

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

(Pause.)

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

SENATOR TEDISCO: Will the gentleman yield?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The sponsor yields.

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

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

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

SENATOR TEDISCO: Will the gentleman yield for another question?

ACTING PRESIDENT MAYER: Do you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

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

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

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

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

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

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

SENATOR TEDISCO: Will the gentleman yield for another question?

ACTING PRESIDENT MAYER: Will you continue to yield?

SENATOR COONEY: Yes.

ACTING PRESIDENT MAYER: The Senator yields.

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

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

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

SENATOR TEDISCO: Yes.

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

SENATOR TEDISCO: Thank you very much.

And thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Tedisco.

Senator Rhoads, why do you rise?

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

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

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

While the rest of the world is

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you.

Senator Mattera on the bill.

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

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

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

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

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

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

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

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

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

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

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

Thank you.

ACTING PRESIDENT MAYER: Thank you.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed.

The Secretary will ring the bell.

Read the last section.

Senator Gianaris.

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

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

Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Martins to explain his vote.

SENATOR MARTINS: Thank you, Madam President. Briefly.

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

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

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

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

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

I vote no.

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

Senator Gianaris.

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

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

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

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

Thank you, Madam President.

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

Senator Borrello to explain his vote.

SENATOR BORRELLO: Yes, thank you, Madam President.

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

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

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

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

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

So I'll be voting no. Thank you.

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

Senator Lanza to explain his vote.

SENATOR LANZA: Thank you, Madam President.

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

But I just -- when I think of the

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

(Laughter.)

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

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

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

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

Senator Canzoneri-Fitzpatrick to explain her vote.

SENATOR CANZONERI-FITZPATRICK: Thank you, Madam President.

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

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

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

And it's really -- we all know that

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

So I will voting no.

Thank you, Madam President.

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

Senator Cooney to explain his vote.

SENATOR COONEY: Thank you, Madam President.

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

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

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

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

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

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

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

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

I vote aye.

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

Senator Stec to explain his vote.

SENATOR STEC: Thank you.

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

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

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

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

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

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

And I will be voting no.

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

Senator Harckham to explain his vote.

SENATOR HARCKHAM: Thank you, Madam President.

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

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

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

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

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

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

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

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

But this legislation was brought

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

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

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

Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Madam President.

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

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

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

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

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

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

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

Senator Murray to explain his vote.

SENATOR MURRAY: Thank you, Madam President.

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

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

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

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

Thank you, Madam President.

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

Senator Walczyk to explain his vote.

SENATOR WALCZYK: Thank you, Madam President.

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

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

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

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

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

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

I'll be voting no.

Thank you, Madam President.

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

Announce the results.

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

Ayes, 36. Nays, 23.

ACTING PRESIDENT MAYER: The bill is passed.

Senator Gianaris.

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

ACTING PRESIDENT MAYER: The Secretary will read.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 43. Nays, 16.

ACTING PRESIDENT MAYER: The bill is passed.

THE SECRETARY: Calendar Number

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 56. Nays, 3.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 42. Nays, 17.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator

Jackson to explain his vote.

SENATOR JACKSON: Thank you, Madam Chair.

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

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

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

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

information, so employees can speak candidly and without fear.

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

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

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

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

And I vote aye. Thank you.

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

Senator Ramos to explain her vote.

SENATOR RAMOS: Thank you, Madam President.

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

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

Thank you, Madam President.

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

Announce the results.

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

Ayes, 58. Nays, 1.

ACTING PRESIDENT MAYER: The bill

is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 51. Nays, 8.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 50. Nays, 9.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the

last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 40. Nays, 19.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

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

Ayes, 37. Nays, 22.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Fahy to explain her vote.

SENATOR FAHY: Thank you.

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

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

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

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

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

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

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

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

Honor Recipient Sergeant Henry Johnson Memorial Bridge.

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

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

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

Thank you.

ACTING PRESIDENT MAYER: Thank you.

Senator Fahy to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to

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

Ayes, 58. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 58. Nays, 1.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Announce the results.

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

Ayes, 43. Nays, 16.

ACTING PRESIDENT MAYER: The bill is passed.

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

ACTING PRESIDENT MAYER: Read the last section.

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

ACTING PRESIDENT MAYER: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT MAYER: Senator Martins to explain his vote.

SENATOR MARTINS: Thank you,

Madam President.

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

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

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

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

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

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

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

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

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

Announce the results.

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

Ayes, 51. Nays, 8.

ACTING PRESIDENT MAYER: The bill is passed.

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

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

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

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

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

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