# TUESDAY, NOVEMBER 14, 2023

Legislature met pursuant to adjournment.

President LaMar in the Chair.

#### ROLL CALL

Present – Legislators Allkofer, Barnhart, Baynes, Blankley, Brew, Burgess, Colby, Delehanty, Delvecchio Hoffman, DiFlorio, Dondorfer, Frazier, Hasman, Hebert, Hughes-Smith, Johns, Keller, LaMar, Long, Maffucci, McCabe, Milne, Misula, Morris, Roman, Smith, Taylor, Vazquez Simmons, Yudelson – 29

#### MOMENT OF PRAYER

The meeting formally opened. Reverend James C. Simmons of Baber African Methodist Episcopal Church led a moment of Prayer at the Invitation of President LaMar. Legislator Mark Johns led the Pledge of Allegiance to the Flag.

#### APPROVAL OF MINUTES

Without objection, the Journal of Day 10, October 10, 2023 was approved as submitted.

#### PETITIONS AND COMMUNICATIONS

None

#### **PROCLAMATION**

By the President of the Legislature - Sabrina LaMar

Recognized jointly by President Sabrina LaMar and Legislator Paul Dondorfer, Honored the Penfield Fire Company for their volunteering, heroism and dedication for their life saving actions that have been in operation since 1910

Read and Filed

Recognized jointly by President Sabrina LaMar and County Executive Adam J. Bello, Honored and Acknowledged Holly Anderson for her efforts in helping establish the Breast Cancer Coalition. She became the executive Director in 2001. During her time in the organization with the help of 400 volunteers, she helped educate people and helped 5,500 survivors living in the aftermath of breast cancer.

Read and Filed

Monroe County Legislature
November 14, 2023
Page 2

FORMAL COMMITTEE REPORTS

None

#### **PUBLIC FORUM**

An Open Forum was conducted to allow speakers to address the Legislature. There were 32 speakers and the Open Forum concluded at 7:29 P.M.

## **RECESS**

A recess was declared by President LaMar to allow for a meeting of the Pure Waters administrative Board.

# RECONVENING THE LEGISLATURE

President LaMar reconvened the recessed meeting of November 14, 2023 and proceeded under the Usual Order of Business.

### RECESS

A 5-minute recess was declared by President LaMar by the request of Legislator Yvesha Roman

(Note: Legislator Barnhart Exited the Chambers)

# RECONVENING THE LEGISLATURE

President LaMar reconvened the recessed meeting of November 14, 2023 and proceeded under the Usual Order of Business.

## CONSIDERATION OF LOCAL LAWS

1. McCabe & 23-0326.LL Enacting a Local Law Entitled "Uniform Code Enforcement"

Agenda Charter Committee; October 24, 2023 – CV: 5-0

(For Introductory Purposes Only)

2. McCabe & 23-0326.LL Providing that Local Law (Intro. No. 398 of 2023), Entitled "Uniform Code Enforcement", be Tabled

Brew Enforcement Intro. 399 M. 77 28-0

(Note: Legislator Barnhart Returned to the Chambers and was Present for the Remainder of the Meeting.)

3. McCabe & 23-0326.LL Fixing a Public Hearing on Local Law (Intro. 398 of 2023) Entitled "Uniform Code Enforcement"

Monroe County Legislature November 14, 2023 Page 3		
Intro. 400 Res. 315 29-0		(Public Hearing is Scheduled for Tuesday, December 12, 2023 at 6:19 P.M.)
4. Dondorfer & Smith Intro. 401	23-0353.LL	Enacting a Local Law Entitled "Authorizing a Lease by Negotiation with 150 Bellwood Drive, LLC for Use and Occupancy of Space at 150 Bellwood Drive, Town of Greece, New York"  Matter of Urgency (For Introductory Purposes Only)
5. Dondorfer & Smith Intro. 402 M. 78 29-0	23-0353.LL	Providing that Local Law (Intro. No. 401 of 2023), Entitled "Authorizing a Lease by Negotiation with 150 Bellwood Drive, LLC for Use and Occupancy of Space at 150 Bellwood Drive, Town of Greece, New York," be Tabled
6. Dondorfer & Smith Intro. 403 Res. 316 29-0	23-0353.LL	Fixing a Public Hearing on Local Law (Intro. No. 401 of 2023), Entitled "Authorizing a Lease by Negotiation with 150 Bellwood Drive, LLC for Use and Occupancy of Space at 150 Bellwood Drive, Town of Greece, New York" (Public Hearing is Scheduled for Tuesday, December 12, 2023 at 6:20 P.M.)
		MOTIONS, RESOLUTIONS AND NOTICES
7. Hebert & Allkofer Smith Intro. 404 Res. 317 27-2	23-0309	Authorizing Intermunicipal Agreement with City of Rochester Supporting Development of Arts and Cultural Plan for City of Rochester and Monroe County Intergovernmental Relations Committee; October 23, 2023 – CV: 5-0 Recreation and Education Committee; October 24, 2023 – CV: 4-0 Ways and Means Committee; October 24, 2023 – CV: 11-0 (Legislators Keller and McCabe Voted in the Negative.)
8. Hebert & DiFlorio Intro. 405	23-0310	Authorizing Intermunicipal Agreement with Town of Henrietta Transferring Ownership of Town-Owned Land to Monroe County Intergovernmental Relations Committee; October 23, 2023 – CV: 5-0
Hebert & DiFlorio Intro. 406 M. 79		Providing that Intro. No. 405 of 2023 be Tabled
5-24F		(Legislators DiFlorio, Hebert, Keller, Milne and Vazquez Simmons Voted in the Positive.)
Res. 318 24-5		Main Motion (Legislators DiFlorio, Hebert, Keller, McCabe and Milne V oted in the Negative.)
9. Johns & Allkofer	23-0311	Amending 2023-2028 Capital Improvement Program and 2023 Capital Budget to Add Project Entitled "Henrietta County Park Master Plan Improvements" and Authorizing

9. Johns & Allkofer Smith Intro. 407 Res. 319 24-5 -0311 Amending 2023-2028 Capital Improvement Program and 2023 Capital Budget to Add Project Entitled "Henrietta County Park Master Plan Improvements" and Authorizing Interfund Transfer

Environment and Public Works Committee; October 23, 2023 – CV: 7-0 Recreation and Education Committee; October 24, 2023 – CV: 4-0 Ways and Means Committee; October 24, 2023 – CV: 11-0

(Legislators DiFlorio, Hebert, Keller, McCabe and Milne Voted in the Negative.)

Brew & Roman Intro. 408 M. 80 29-0

Motion to Move Agenda Items 10-32 as a Whole Except Item Nos. 16, 30 and 31

Monroe County Legislature
November 14, 2023
Page 4

10. Keller & Smith Intro. 409 Res. 320 29-0	23-0312	Accepting Grant from University of Rochester for Breastfeeding Friendly New York Program Human Services Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0 (Legislators Hasman and Long Declared Their Interest Prior to the Vote.)
11. Keller & Smith Intro. 410 Res. 321 29-0	23-0313	Accepting Grant from New York State Division of Criminal Justice Services for 2023-2024 Aid to Crime Laboratories Grant Program (Office of the Medical Examiner) Human Services Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
12. Keller & Smith Intro. 411 Res. 322 29-0	23-0314	Accepting Funding from New York State Office of Mental Health and New York State Office of Addiction Services and Supports and Amending Resolution 393 of 2022, as Amended by Resolution 142 and 225 of 2023, and Resolution Adopted Pursuant to Referral 23-0287, Authorizing Contracts for Provision of Mental Health, Developmental Disabilities, and Alcoholism and Substance Abuse Services in 2023 for Monroe County Office of Mental Health Human Services Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0 (Legislators Hasman and Long Declared Their Interest Prior to the Vote.)
13. Keller &	23-0315	Accepting Grants from New York State Office for the Aging for Community Service for the Elderly Program, Expanded In-Home Services for the Elderly Program and Wellness in Nutrition Program and Amending Resolution 395 of 2022, as Amended by Resolution 112 of 2023 and Resolution 217 of 2023, Authorizing Contract for Monroe County Office for the Aging Programs in 2023-2024 Human Services Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
14. Dondorfer & Smith Intro. 413 Res. 324 29-0	23-0316	Authorizing Contract with North American Family Institute for Youth and Police Engagement Program Public Safety Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
15. Dondorfer & Smith Intro. 414 Res. 325 29-0	23-0317	Accepting Grant from New York State Governor's Traffic Safety Committee for Highway Safety Program Public Safety Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
17. Keller & Smith Intro. 415 Res. 326 29-0	23-0319	Amending Resolution 18 of 2023 Extending Time Period of BIPOC Peer Advocate Training and Development Program Grant from Substance Abuse and Mental Health Services Administration and Authorizing Contract with House of Mercy, Inc. for Black, Indigenous, and People of Color Peer Training and Development Program Human Services Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
18. Johns & Smith Intro. 416 Res. 327 29-0	23-0320	Authorizing Contracts with Atlantic Testing Laboratories, Ltd. and CME Associates Inc. for Material Testing Term Services Environment and Public Works Committee; October 23, 2023 – CV: 7-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
19. Johns &	23-0322	Authorizing Contract with Paradigm Environmental Services, Inc. and Atlantic Testing Laboratories, Ltd. for Professional Environmental Testing Term Services Environment and Public Works Committee; October 23, 2023 – CV: 7-0 Ways and Means Committee; October 24, 2023 – CV: 11-0

20. Johns & Smith Allkofer Intro. 418 Res. 329 29-0	23-0324	Amending 2023-2028 Capital Improvement Program to Add Project Entitled "Construction of a 9/11 First Responders Memorial at Highland Park," and Authorizing Acceptance of Grant from Dormitory Authority of State of New York Environment and Public Works Committee; October 23, 2023 – CV: 7-0 Recreation and Education Committee; October 24, 2023 – CV: 4-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
21. Johns & Smith Allkofer Intro. 419 Res. 330 29-0	23-0324.br	Resolution Authorizing the Issuance of \$250,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Construction of a 9/11 First Responders Memorial at Highland Park, in and for Said County, at an Estimated Maximum Cost of \$250,000 Environment and Public Works Committee; October 23, 2023 – CV: 7-0 Recreation and Education Committee; October 24, 2023 – CV: 4-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
22. Johns & Smith Intro. 420 Res. 331 29-0	23-0325	Authorizing Contract with Labella Associates, D.P.C. for Monroe Community College Wolk Health Care Center Project Environment and Public Works Committee; October 23, 2023 – CV: 7-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
23. Hebert & Johns Smith Intro. 421 Res. 332 29-0	23-0328	Authorizing Intermunicipal Agreement Between Gates-Chili-Ogden Sewer District and Town of Chili for Conveyance and Treatment of Sewage Intergovernmental Relations Committee; October 23, 2023 – CV: 5-0 Environment and Public Works Committee; October 23, 2023 – CV: 7-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
24. Dondorfer & Smith Intro. 422 Res. 333 29-0	23-0329	Accepting Grant from New York State Governor's Traffic Safety Committee for Police Traffic Services Public Safety Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
25. Dondorfer & Smith Intro. 423 Res. 334 29-0	23-0330	Accepting Grant from New York State Governor's Traffic Safety Committee for New York State's Highway Safety Program Public Safety Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
26. Johns & Smith Intro. 424 Res. 335 29-0	23-0331	Authorizing Agreement with New York State Department of Environmental Conservation and Conveying 600 Ridge Road to Town of Webster Environment and Public Works Committee; October 23, 2023 – CV: 7-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
27. Keller & Smith Intro. 425 Res. 336 29-0	23-0332	Amending Resolution 282 of 2021, as Amended by Resolutions 330 of 2022 and 108 of 2023 Accepting Additional Funding from United States Department of the Treasury for Emergency Rental Assistance 2 Program, Monroe County Eviction Prevention Pilot Prevention Initiative 2.0 Human Services Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
28. Hebert & Smith Dondorfer Intro. 426 Res. 337	23-0333	Authorizing Intermunicipal Agreements with Towns of Greece and Irondequoit Providing Towns Partial Reimbursement of Interoperable Radio Communications Equipment Installations within Towns' Public Safety Facility Intergovernmental Relations Committee; October 23, 2023 – CV: 5-0 Public Safety Committee; October 24, 2023 – CV: 9-0

Monroe County Legislature November 14, 2023 Page 6

Johns

Intro. 432

Res. 341

Page 6		
29-0		Ways and Means Committee; October 24, 2023 – CV: 11-0
29. Johns & McCabe Intro. 427 Res. 338 29-0	23-0338	Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Aldrich Road Sidewalk Project in Town of Perinton Environment and Public Works Committee; October 23, 2023 – CV: 7-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
32. McCabe & Smith Intro. 428 Res. 339 29-0	23-0340	Authorizing Creation of Monroe County Land Bank Agenda/Charter Committee; October 23, 2023 – CV: 5-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
16. Keller & Smith Intro. 429	23-0318	Authorizing Contract with Metrix Marketing Inc. for Implementation of Employment Recruitment and Retention Advertising Campaign as Amended by M. 81 of 2023 Human Services Committee; October 24, 2023 – CV: 9-0 Ways and Means Committee; October 24, 2023 – CV: 11-0
Barnhart &		Providing that Intro. No. 429 of 2023 be Amended
Vazquez Simn Intro. No. 43		Be It Moved, that Intro. 429 No. of 2023, be amended as follows:
M. 81		Section 1. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with Metrix Marketing, Inc. for implementation of an employment recruitment and retention advertising campaign in an amount not to exceed \$370,000 for the period of October 1, 2023 through September 30, 2024 with the option to renew for four (four) additional one year terms in an amount not to exceed \$370,000 per year.
		Section 2. Funding for this contract is included in the 2023 operating budget of the Department of Communications and Special Events, general fund 9001, funds center 1801010000, Communications and the Department of Human Services, general fund 9001, funds center 5102010000, Child and Family Services Administration and will be included in future year budgets.
16-13		(Legislators Brew, Allkofer, Colby, Delehanty, Dondorfer, Johns, Maffucci, McCabe, Milne, Morris Smith, Taylor, Yudelson V oted in the Negative.)
Keller & Smith Intro. 431		Providing that Intro. No. 429 of 2023 be Adopted as Amended by Motion No. 81 of 2023
M. 82 27-2		(Legislators Brew and Allkofer Voted in the Negative.)
Keller & Smith Intro. 429 Res. 340		Main Motion as Amended by Motion No. 81 of 2023
27-2		(Legislators Brew and Allkofer Voted in the Negative.)
30. Smith & Delehanty Hebert Johns	23-0339	Amending 2023-2028 Capital Improvement Program to Add Project Entitled "Aldrich Road Sidewalks;" Authorizing Appropriation and Transferring of Committed Fund Balance, Authorizing Intermunicipal Agreement with Town of Perinton for Sidewalk Installation in Conjunction with Aldrich Road Culvert Project

Sidewalk Installation in Conjunction with Aldrich Road Culvert Project

Intergovernmental Relations Committee; October 23, 2023 – CV: 5-0

Ways and Means Committee; October 24, 2023 – CV: 11-0

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29-0		Environment and Public Works Committee; October 23, 2023 – CV: 7-0
31. Smith & Delehanty Hebert Johns Intro. 433 Res. 342 29-0	23-0339.br	Resolution Authorizing the Issuance of \$1,300,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Construction of Aldrich Road Sidewalks, in and for Said County, at an Estimated Maximum Cost of \$1,300,000 Ways and Means Committee; October 24, 2023 – CV: 11-0 Intergovernmental Relations Committee; October 23, 2023 – CV: 5-0 Environment and Public Works Committee; October 23, 2023 – CV: 7-0
33. Johns & Smith Intro. 434	23-0341	Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District – General Pump Station, Interceptor and Treatment Plant Improvements  Matter of Urgency (For Introductory Purposes Only)
34. Johns &     Smith     Intro. 435     M. 83     29-0	23-0341	Providing that Resolution (Intro. 434 of 2023), Entitled "Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District - General Pump Station, Interceptor and Treatment Plant Improvements," be Tabled
35. Johns & Smith Intro. 436 Res. 343 29-0	23-0341	Calling a Public Hearing for the Purpose of Considering a Proposed Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District - General Pump Station, Interceptor and Treatment Plant Improvements," (Public Hearing is Scheduled for Tuesday, December 12, 2023 at 6:21 P.M.)
36. Johns & Smith Intro. 437	23-0343	Approving Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District – General Collection System Improvements  Matter of Urgency (For Introductory Purposes Only)
37. Johns &     Smith     Intro. 438     M. 84     29-0	23-0343	Providing that Resolution (Intro. No. 437 of 2023), Entitled "Approving Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District-General Collection System Improvements," be Tabled
38. Johns & Smith Intro. 439 Res. 344 29-0	23-0343	Calling a Public Hearing for the Purpose of Considering a Proposed Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District - General Collection System Improvements (Public Hearing is Scheduled for Tuesday, December 12, 2023 at 6:22 P.M.)
39. Johns & Smith Intro. 440	23-0345	Approving Increase and Improvement of Facilities in Rochester Pure Waters District – General Collection System, and Treatment Plant Improvements Matter of Urgency (For Introductory Purposes Only)
40. Johns & Smith Intro. 441 M. 85 29-0	23-0345	Providing that Resolution (Intro. No. 440 of 2023), Entitled "Approving Increase and Improvement of Facilities in Rochester Pure Waters District - General Collection System and Treatment Plant Improvements," be Tabled
41. Johns & Smith Intro. 442 Res. 345	23-0345	Calling a Public Hearing for the Purpose of Considering a Proposed Increase and Improvement of Facilities in Rochester Pure Waters District - General Collection System and Treatment Plant Improvements (Public Hearing is Scheduled for Tuesday, December 12, 2023 at 6:23 P.M.)

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42. Johns & Smith Intro. 443	23-0347	Approving Increase and Improvement of Facilities in Rochester Pure Waters District - Genesee Valley Pump Station  Matter of Importance (For Introductory Purposes Only)
43. Johns & Smith Intro. 444 M. 86 29-0	23-0347	Providing that Resolution (Intro. No. 443 of 2023), Entitled "Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Genesee Valley Pump Station," be Tabled
44. Johns & Smith Intro. 445 Res. 346 29-0	23-0347	Calling a Public Hearing for the Purpose of Considering a Proposed Increase and Improvement of Facilities in Rochester Pure Waters District – Genesee Valley Pump Station (Public Hearing is Scheduled for Tuesday, December 12, 2023 at 6:24 P.M.)
45. Johns & Smith Intro. 446	23-0349	Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements Matter of Urgency (For Introductory Purposes Only)
46. Johns & Smith Intro. 447 M. 87 29-0	23-0349	Providing that Resolution (Intro. No. 446 of 2023), Entitled "Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements," be Tabled
47. Johns & Smith Intro. 448 Res. 347 29-0	23-0349	Calling a Public Hearing for the Purpose of Considering a Proposed Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements (Public Hearing is Scheduled for Tuesday, December 12, 2023 at 6:25 P.M.)
48. Johns & Smith Intro. 449	23-0351	Confirming and Adopting Assessment Rolls of Pure Waters Districts for 2024 and Confirmation of and Adoption of Assessment Rolls  Matter of Urgency (For Introductory Purposes Only)
49. Johns & Smith Intro. 450 M. 88 29-0	23-0351	Providing that Resolution (Intro. No. 449 of 2023), Entitled "Confirming and Adopting Assessment Rolls of Pure Waters District's for 2024," be Tabled
50. Johns & Smith Intro. 451 Res. 348 29-0	23-0351	Scheduling Public Hearings for Assessment Rolls of Pure Waters Districts for 2024 and Confirmation and Adoption of Assessment Rolls (Public Hearings are Scheduled for Thursday, December 7, 2023 at 5:31 P.M. at the Ways and Means Committee.)
51. Dondorfer & Smith Intro. 452 Res. 349 27-2	23-0353	Amending 2023-2028 Capital Improvement Program and 2023 Capital Budget to Add Project Entitled "RIOC Leasehold Improvements;" and Authorizing Appropriation and Transfer Fund Balance Matter of Urgency (Legislators Delvecchio Hoffman and Hughes-Smith Voted in the Negative.)
52. Smith &	23-0354	Authorizing Interfund Transfer to Established Project "Replacement of Voting

Delehanty Intro. 453 Res. 350 28-1		Machines" Matter of Urgency  (Legislator Vazquez Simmons Voted in the Negative.)
53. Smith & Delehanty Intro. 454 Res. 351 28-1	23-0354.br	Resolution Authorizing the Issuance of \$11,000,000 Bonds of the County of Monroe, New York, to Finance Costs of Replacement of Voting Machines in and for Said County, at an Estimated Maximum Cost of \$12,000,000 and Superseding the Bond Resolution Adopted on October, 11, 2022 (Resolution No. 295 of 2022, as Amended)  Matter of Urgency (Legislator Vazquez Simmons Voted in the Negative.)
54. Smith & Delehanty Intro. 455	23-0355	Adoption of 2024 Monroe County Budget and Establishing 2024 Classification, Compensation and Salary Schedule for Monroe County Employees <i>Matter of Urgency</i>
55. Johns & Delehanty Intro. 456 M. 89 29-0	23-0355	Providing that Resolution (Intro. No. 455 of 2023), Entitled "Adoption of 2024 Monroe County Budget and Establishing 2024 Classification, Compensation and Salary Schedule for Monroe County Employees," be Tabled
56. Smith & Delehanty Intro. 457 Res. 352 29-0	23-0355	Fixing a Public Hearing on County Executive's Proposed 2024 Monroe County Budget (Public Hearing is Scheduled for Thursday, December 7, 2023 at 5:35 P.M. at the Ways and Means Committee.)
57. Roman & 23-035  Barnhart  Delvecchio Hoffman  Hughes-Smith  Vazquez Simmons  Intro. 458		Allocation of Funding to Study the Feasibility of a Publicly Owned Utility in Monroe County  Matter of Urgency
12-17F		(Legislators Roman, Barnhart, Blankley, Burgess, Delvecchio Hoffman, Frazier, Hasman, Hughes- Smith, Long, Misula, Vazquez Simmons and LaMar Voted in the Positive.)

# **UNFINISHED BUSINESS**

None

Upon Motion by Legislator Brew, the Legislature Adjourned at 8:44 P.M. until Tuesday, December 12, 2023 at 6:00 P.M.

**David Grant** 

Clerk of the Legislature