

THIRTEENTH DAY

TUESDAY, June 8, 2021

Legislature met pursuant to adjournment.

President Dr. Joe Carbone in the Chair.

ROLL CALL

Present – Legislators Allkofer, Ancello, Barnhart, Baynes, Boyce, Brew, Carbone, Colby, Delehanty, DiFlorio, Dondorfer, Felder, Flagler-Mitchell, Hasman, Hebert, Keophetlasy, LaMar, Lee, Maffucci, Marianetti, Morelle, Jr., Roman, Smith, Taylor, Terp, Wilt, Yudelso – 27

Absent – Legislators Bauroth, Wilcox – 2

SUSPENSION OF THE RULES

Intro. 246
M. 65
27-0

Brew & DiFlorio
Motion to Suspend the Rules of the Monroe County Legislature as follows:

PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE SUSPENDED AND MODIFIED FOR THE REGULAR MEETING ON JUNE 8, 2021

Be It Moved, that Article II, Section 545-6 of the Rules of the Monroe County Legislature, be, and hereby is suspended and modified by prohibiting public in-person access to the Regular Meeting in favor of video viewing or listening to, and recording and later transcription of such proceeding.

MOMENT OF PRAYER

The meeting formally opened. Prayer led by Pastor Melvin Cross of Glory House International, at the invitation of the Black and Asian Caucus. The Pledge of Allegiance to the Flag was led by Minority Leader Vince Felder.

IN MEMORIAM

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| 51. Brew & Felder
Intro. 247
Res. 175
27-0 | 21-0216 | Expressing Regret of the Monroe County Legislature on the Recent Passing of Robert Edwin Cappon, Former Monroe County Legislator
Matter of Urgency |
| 52. Brew & Felder
Intro. 248
Res. 176
27-0 | 21-0217 | Expressing Regret of the Monroe County Legislature on the Recent Passing of the Honorable Joseph T. Genier, Former Irondequoit Town Justice
Matter of Urgency |
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APPROVAL OF MINUTES

Without objection, the Journals of Day 10 of 2021, May 11, 2021, Day 11 of 2021, Special Meeting, May 25, 2021 and Day 12 of 2021, Special Meeting June 3, 2021 were approved as submitted.

(Note: President Carbone stated the meeting had been closed to the public accordance with Executive Order 202.1 and 202.109. President Carbone also noted that keeping with the Legislature's tradition of openness, the meeting is being live-stream on YouTube through the Legislature's official channel.)

PETITIONS AND COMMUNICATIONS

None

PROCLAMATIONS

By the President of the Legislature – Dr. Joe Carbone

Recognized jointly with Legislator Ernest Flagler-Mitchell, Legislator Sabrina LaMar, Legislator Vincent R. Felder, Legislator Calvin Lee, Jr., and Legislator Frank Keophetlasy, Milton Harris, for his exemplary life of selflessness, family, and community.

Read and Filed.

RECESS

President Carbone recessed the meeting to allow for a series of Public Hearings entitled...

“Enacting a Local Law Entitled ‘Three-Foot Safe Passing Law’”

Two speakers addressed the Legislature and the Public Hearing concluded at 6:23 P.M.

“Enacting a Local Law Entitled ‘Establishing a Sustainable Energy Loan Program (Open C-PACE) in Monroe County’”

Three speakers addressed the Legislature and the Public Hearing concluded at 6:26 P.M.

“Enacting a Local Law Entitled ‘Gantt’s Law for Utilization of Minority and Women-Owned Businesses’”

No speakers addressed the Legislature and the Public Hearing concluded at 6:27 P.M.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of June 8, 2021 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted. The comments of ten pre-registered participants were read and the Open Forum concluded at 6:40 P.M.

RECESS

A recess was declared by President Carbone to allow for a meeting of the **Pure Waters Administrative Board**.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of June 8, 2021 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

1. Flagler-Mitchell & Felder
Intro. 249
Res. 66
27-0 20-0340.LL Providing that Local Law (Intro. No. 192 of 2021), Entitled “Gantt’s Law for Utilization of Minority and Women-Owned Businesses,” Be Lifted from the Table

2. Flagler-Mitchell & Felder,
LaMar,
Terp
Intro. 250
M. 67
27-0 20-0340.LL Providing that Local Law (Intro. No. 192 of 2021), Entitled “Gantt’s Law for Utilization of Minority and Women-Owned Businesses,” Be Adopted as Amended

Intro. 192 Local Law
Local Law TBD
27-0

3. Smith & Barnhart
Intro. 251
M. 68
27-0 21-0125.LL Providing that Local Law (Intro. No. 182 of 2021), Entitled “Three-Foot Safe Passing Law,” be Lifted from the Table

4. Smith & Barnhart
Intro. 252
M. 69 21-0125.LL Providing that Local Law (Intro. No. 182 of 2021), Entitled “Three-Foot Safe Passing Law,” be Adopted

RECESS

A recess was declared by President Carbone.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of June 8, 2021 and proceeded under the Usual Order of Business.

CONSIDERATION OF LOCAL LAWS

Intro. 253
M. 70

Flagler-Mitchell & Lee (*Motion to Amend*)
PROVIDING THAT LOCAL LAW (INTRO NO. 182 OF 2021), ENTITLED
“THREE-FOOT SAFE PASSING LAW,” BE AMENDED

BE IT MOVED, that Section 3 of Local Law (Intro. No. 182 of 2021), entitled
“THREE-FOOT SAFE PASSING LAW,” be amended as follows:

Minimum distance requirements for motor vehicles passing bicycles. The operator of a vehicle that is overtaking, from behind, a bicycle proceeding on the same side of the road shall pass to the left of such bicycle at a reasonable distance ~~of at least three (3) feet until safely clear thereof.~~

Added language is underlined.
Deleted language is ~~stricken~~.

5-22F

(*Legislators Felder, Flagler-Mitchell, Keophetlasy, LaMar and Lee Voted in the Positive.*)

Intro. 252
M. 69
26-1

Motion to Adopt

(*Legislator Flagler-Mitchell Voted in the Negative.*)

Intro. 182
Local Law TBD
26-1

Local Law

(*Legislator Flagler-Mitchell Voted in the Negative.*)

5. Yudelson &
Delehanty,
Ancello,
Boyce
Intro. 254
M. 71
27-0

21-0131.LL Providing that Local Law (Intro. No. 186 of 2021) Establishing a Sustainable Energy Loan Program (Open C-PACE) in Monroe County, be Lifted from the Table

6. Yudelson &
Delehanty
Ancello,
Boyce,
Dondorfer,
Maffucci
Intro. 255
M. 72
27-0

21-0131.LL Providing that Local Law (Intro. No. 186 of 2021) Establishing a Sustainable Energy Loan Program (Open C-PACE) in Monroe County, be Adopted

- Intro. 186
Local Law TBD
27-0
- Local Law
7. Brew & Allkofer Hebert Intro. 256 21-0170.LL Enact a Local Law Entitled, “Junior Deer Hunter Pilot Program”
For Introductory Purposes Only
8. Brew & Allkofer Hebert Intro. 257 M. 73 27-0 21-0170.LL Providing that Local Law (Intro. No. 256 of 2021) entitled, “Junior Deer Hunter Pilot Program”, be Tabled
9. Brew & Ancello Delehanty Intro. 258 Res. 177 27-0 21-0170.LL Fixing a Public Hearing on Local Law (Intro. No. 256 of 2021) entitled, “Junior Deer Hunter Pilot Program”
Public Hearing Scheduled for Tuesday, July 13, 2021 at 6:15 P.M.

MOTIONS, RESOLUTIONS AND NOTICES

- Intro. 259
M. 74
- Roman, Barnhart, Baynes & Morelle, Jr.
Motion to Suspend the Rules of the Monroe County Legislature as follows:
- PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE
SUSPENDED FOR THE SPECIAL MEETING ON JUNE 8, 2021
- 7-20F
(Legislators Barnhart, Baynes, Hasman, Maffucci, Morelle, Jr., Roman and Yudelson Voted in the Positive.)
- Intro. 260
M. 75
- Barnhart, Baynes, Hasman, Maffucci, Morelle, Jr., Roman and Yudelson
Motion to Suspend the Rules of the Monroe County Legislature as follows:
- PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE
SUSPENDED FOR THE SPECIAL MEETING ON JUNE 8, 2021
- 7-20F
(Legislators Barnhart, Baynes, Hasman, Maffucci, Morelle, Jr., Roman and Yudelson Voted in the Positive.)
10. Allkofer & Boyce, Flagler-Mitchell Intro. 261 Res. 178 27-0 21-0169 Reappointments to Monroe Community College Board of Trustees

11. Felder & Flagler-Mitchell, Keophetlasy, LaMar, Lee
Intro. 262
Res. 179
27-0 21-0172 Amending Dignified Indigent Burial Act of 2021 to Increase the Maximum Qualifying Funeral Costs Threshold for Supplemental Funeral Assistance Program
Committee of the Whole; May 25, 2021- CV: 29-0
12. Dondorfer & Delehanty
Intro. 263
Res. 180
27-0 21-0175 Authorizing Contract with CHA Consulting, Inc. for Environmental Assessment Pursuant to National Environmental Policy Act for Obstruction Removal for Runway 4 at Frederick Douglass- Greater Rochester International Airport
Committee of the Whole; May 25, 2021- CV: 29-0
13. Dondorfer & Delehanty
Intro. 264
Res. 181
27-0 21-0176 Accepting Municipal Waste Reduction and Recycling Grant-In-Aid from New York State Department of Environmental Conservation for Municipal Waste Reduction and/or Recycling Project
Committee of the Whole; May 25, 2021- CV: 29-0
14. Dondorfer & Delehanty
Intro. 265
Res. 182
27-0 21-0177 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Specialized Secure Detention Facility Project, Phase Two
Committee of the Whole; May 25, 2021- CV: 29-0
15. Dondorfer & Delehanty
Intro. 266
Res. 183
27-0 21-0178 Authorizing Contracts with Dormitory Authority of the State of New York
Committee of the Whole; May 25, 2021- CV: 29-0
16. Dondorfer & Delehanty
Intro. 267
Res. 184
27-0 21-0178.br Resolution Authorizing the Issuance of \$36,600,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Specialized Secure Detention Facility Project, in and for Said County, at an Estimated Maximum Cost of \$36,600,000 and Superseding the Bond Resolution Adopted on July 10, 2018 (Resolution No. 189 of 2018)
17. Dondorfer & Delehanty
Intro. 268
Res. 185
27-0 21-0179 Amending 2021-2026 Capital Improvement Program to Add Project Entitled "Iola Combined Heat and Power Plant Improvements"
Committee of the Whole; May 25, 2021- CV: 29-0
18. Dondorfer & Delehanty
Intro. 269
Res. 186 21-0179.br Resolution Authorizing the Issuance of \$5,500,000 Bonds of the County of Monroe, New York, to Finance the Cost of Iola Combined Heat and Power Plant Improvements in and for Said County, at an Estimated Maximum Cost of \$5,500,000

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| 19. Dondorfer & Wilt
Intro. 270
Res. 187
27-0 | 21-0180 | Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Increase and Improvement of Facilities in Rochester Pure Waters District- Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 20. Dondorfer & Delehanty
Intro. 271 | 21-0181 | Approving Increase and Improvement of Facilities in the Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements, and Amend the 2021 Capital Budget and Bond Resolution 280 of 2019 to Provide an Increase In Funding
Committee of the Whole; May 25, 2021- CV: 29-0
<i>For Introductory Purposes Only</i> |
| 21. Dondorfer & Delehanty
Intro. 272
M. 76
27-0 | 21-0181 | Providing that Resolution (Intro. No. 271 of 2021), Entitled "Approving Increase and Improvement of Facilities in the Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements, and Amend the 2021 Capital Budget and Bond Resolution 280 of 2019 to Provide an Increase in Funding," be Tabled |
| 22. Dondorfer & Delehanty
Intro. 273
Res. 188
27-0 | 21-0181 | Calling a Public Hearing for the Purpose of Considering a Proposed Increase and Improvement of Facilities in the Rochester Pure Waters District - Frank E. Van Lare Wastewater Treatment Plant Electrical System Improvements, and Amend the 2021 Budget and Bond Resolution 280 of 2019 to Provide an Increase in Funding
<i>(Public Hearing Scheduled for Tuesday, July 13, 2021 at 6:16 P.M.)</i> |
| 23. Boyce & Delehanty
Intro. 274
Res. 189
27-0 | 21-0183 | Authorizing Contract with Health Care Support Advisors, Inc. for Reimbursement to Monroe County Sheriff's Office to Conduct Criminal Background Checks on HCSA Members' Potential Employees
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 24. Dondorfer & Boyce,
Wilt,
Allkofer,
Ancello,
Colby,
Smith,
Delehanty
Intro. 275 | 21-0184 | Adopting 2022-2027 Capital Improvement Program
<i>For Introductory Purposes Only</i>
Committee of the Whole; May 25, 2021- CV: 29-0 |

25. Dondorfer & Boyce, Wilt, Allkofer, Ancello, Colby, Smith, Delehanty
Intro. 276
M. 77
27-0 21-0184 Providing that Resolution (Intro. No. 275 of 2021), entitled “Adopting 2022-2027 Capital Improvement Program”, be Tabled
26. Dondorfer & Boyce, Wilt, Allkofer, Ancello, Colby, Smith, Delehanty
Intro. 277
Res. 190
27-0 21-0184 Fixing Public Hearing for Adoption 2022-2027 Capital Improvement Program
Public Hearing Scheduled for Tuesday, July 13, 2021 at 6:17 P.M.
27. Dondorfer & Wilt
Intro. 278
Res. 191
27-0 21-0185 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Glendale Road Sidewalk Project funded through Monroe County Community Development Block Grant Program
Committee of the Whole; May 25, 2021- CV: 29-0
28. Dondorfer & Wilt
Intro. 279
Res. 192
27-0 21-0186 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for First Time Home Buyers Program funded through Monroe County Home Investment Partnerships Program
Committee of the Whole; May 25, 2021- CV: 29-0
29. Dondorfer & Wilt
Intro. 280
Res. 193
27-0 21-0187 Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Acquisition Rehab Resale Program funded through Monroe County Home Investment Partnerships Program
Committee of the Whole; May 25, 2021- CV: 29-0
30. Wilt & Delehanty
Intro. 281
Res. 194
27-0 21-0188 Approving 2021 Annual Action Plan for Housing and Community Development in Suburban Monroe County and Grant Submission to U.S. Department of Housing and Urban Development
Committee of the Whole; May 25, 2021- CV: 29-0
31. Ancello & Smith
Intro. 282
Res. 195
27-0 21-0189 Authorizing Intermunicipal Agreements for Vacant and Zombie Property Management
Committee of the Whole; May 25, 2021- CV: 29-0

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| 32. Ancello & Smith
Intro. 283
Res. 196
27-0 | 21-0190 | Authorizing Intermunicipal Agreements for Shared Recreation Programs and Park Services
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 33. Colby & Delehanty
Intro. 284
Res. 197
27-0 | 21-0191 | Authorizing Contract with C.P. Ward Inc. for Construction Services for Ayrault Road Culvert Project over Irondequoit Creek Tributary in Town of Perinton
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 34. Colby & Ancello,
Delehanty
Intro. 285
Res. 198
27-0 | 21-0192 | Authorizing Intermunicipal Agreement with Town of Gates Related to Ownership and Maintenance of Elmford Road-Elmgrove Road- Shadow Lane Culvert System
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 35. Delehanty & Hebert
Intro. 286
Res. 199
27-0 | 21-0193 | Amending Resolution 178 of 2018 to Extend Term of Contract with EF&P Group, LLC, DBA Stonebridge Business Partners, for Self- Insured Healthcare Claims Auditing Services
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 36. Smith & Delehanty
Intro. 287
Res. 200
27-0 | 21-0194 | Accepting Grant from Health Research, Inc. for Expand Partner Services Initiative
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 37. Smith & Delehanty
Intro. 288
Res. 201
27-0 | 21-0195 | Authorizing Contract with Dentserv Dental Services, P.C. to Provide Dental Services for Residents of Monroe Community Hospital
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 38. Smith & Delehanty
Intro. 289
Res. 202
27-0 | 21-0196 | Authorizing Contract with SightRite Inc., Working Under the Umbrella of DocRite, to Provide Optometry Services for Residents of Monroe Community Hospital
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 39. Smith & Delehanty
Intro. 290
Res. 203
27-0 | 21-0197 | Authorizing Contract with Robert Peel, Douglas Ring, and Lewis Giglia, DBA Community Hospital Podiatry, to Provide Podiatry Services for Residents of Monroe Community Hospital
Committee of the Whole; May 25, 2021- CV: 29-0 |
| 40. Dondorfer & Wilt
Intro. 291
Res. 204 | 21-0198 | Classification of Action and Determination of Significance Pursuant to State Environmental Quality Review Act for Sale of County-Owned Tax Foreclosure Property Located on Monroe Orleans County Line Road in Town of Hamlin
Committee of the Whole; May 25, 2021- CV: 29-0 |

27-0

41. Delehanty & Hebert
Intro. 292
Res. 205
27-0
- 21-0199 Authorizing Sale of County-Owned Tax Foreclosure Property Located on Monroe Orleans County Line Road in Town of Hamlin
Committee of the Whole; May 25, 2021- CV: 29-0
42. Dondorfer & Wilt
Intro. 293
Res. 206
27-0
- 21-0200 Authorizing Sale of County-Owned Tax Foreclosure Property Located on Monroe Environmental Quality Review Act for Sale of County-Owned Tax Foreclosure Property Located on Peck Road in Town of Greece
Committee of the Whole; May 25, 2021- CV: 29-0
43. Smith & Delehanty
Intro. 294
Res. 207
27-0
- 21-0201 Authorizing Sale of County-Owned Tax Foreclosure Property Located on Peck Road in Town of Greece
Committee of the Whole; May 25, 2021- CV: 29-0
44. Smith & Delehanty
Intro. 295
Res. 208
27-0
- 21-0202 Directing the Refund of Certain Monroe County Tax Levied and Collected Against Property in City of Rochester and Town of Ogden
Committee of the Whole; May 25, 2021- CV: 29-0
45. Delehanty & Hebert
Intro. 296
Res. 209
27-0
- 21-0203 Directing Correction, Cancellation and Levy of Certain Monroe County Taxes in the City of Rochester
Committee of the Whole; May 25, 2021- CV: 29-0
46. Colby & Delehanty
Intro. 297
Res. 210
27-0
- 21-0204 Authorizing Term Services Contract with The EF&P Group, LLC, DBA Stonebridge Business Partners, for Professional Auditing Services Relating to Department of Transportation Consultant Agreements
Committee of the Whole; May 25, 2021- CV: 29-0
47. Smith & Delehanty
Intro. 298
Res. 211
27-0
- 21-0205 Amending Contracts with Rochester General Hospital and Strong Memorial Hospital of the University of Rochester to Support Monroe County Department of Public Health in Administering COVID-19 Vaccinations
Committee of the Whole; May 25, 2021- CV: 29-0
(Legislators Carbone, Hasman and LaMar declared their interest prior to the vote.)
48. Colby & Delehanty
Intro. 299
Res. 212
27-0
- 21-0207 Accepting Additional Funding from New York State Department of Transportation for State Supported Consolidated Local Street and Highway Improvement Program
Committee of the Whole; May 25, 2021- CV: 29-0
49. Delehanty & Hebert
Intro. 300
- 21-0208 Accepting Grant from United States Treasury for Coronavirus Local Fiscal Recovery Fund
Committee of the Whole; May 25, 2021- CV: 29-0

Intro. 301
M. 78

Hebert & DiFlorio (*Motion to Amend*)

PROVIDING THAT RESOLUTION (INTRO NO. 300 OF 2021), ENTITLED “ACCEPTING GRANT FROM UNITED STATES TREASURY FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND,” BE AMENDED

BE IT MOVED, that Resolution (Intro. No. 300 of 2021), entitled “ACCEPTING GRANT FROM UNITED STATES TREASURY FOR CORONAVIRUS LOCAL FISCAL RECOVERY FUND ,” be amended as follows:

Section 1. The County Executive, or his designee, is hereby authorized to accept a \$144,080,127 grant from, and to execute a contract and any amendments thereto with, the United States Treasury for payment of expenses needed to respond to the Coronavirus public health emergency and its negative economic impacts for the period March 3, 2021 through December 31, 2026.

Section 2. The 2021 operating budget of the ~~Department of Finance~~ County Legislature is hereby amended by appropriating the sum of \$144,080,127 into general fund 9001, funds center ~~4209070104~~ 1001030000, Local Recovery Fund.

Section 3. No amount of money shall be expensed, charged, appropriated, reserved, encumbered, committed, posted, transferred or otherwise utilized within general fund 9001, funds center 1001030000 except by resolution of the County Legislature and approval by the County Executive as set forth in Section C2-7 of the Monroe County Charter.

~~Section 3~~ Section 4. The County Executive, with approval by resolution of the County Legislature, is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

~~Section 4~~ Section 5. Should funding of this program be modified or terminated for any reason, the County Executive, with approval by resolution of the County Legislature, is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

~~Section 5~~ Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Added language by this motion is underlined

Deleted language by this motion is ~~stricken~~

20-7

(Legislators Barnhart, Baynes, Hasman, Maffucci, Morelle, Jr., Roman and Yudelson Voted in the Negative.)

Intro. 300
Res. 213
27-0

Main Motion As Amended

(Legislators Barnhart, Baynes, Hasman, Maffucci, Morelle, Jr., Roman and Yudelson Voted in the Negative.)

Matters of Urgency

50. Delehanty & Hebert Keophetlasy Intro. 302 Res. 214 27-0	21-0215	Mortgage Tax Distribution Matter of Urgency
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RECESS

A recess was declared by President Carbone.

RECONVENING LEGISLATURE

President Carbone reconvened the recessed meeting of June 8, 2021 and proceeded under the Usual Order of Business.

UNFINISHED BUSINESS

Upon Motion by Legislator Brew, the Legislature Adjourned at 8:38 P.M. until **Tuesday, July 13, 2021 at 6:00 P.M.**

Jack Moffitt
Clerk of the Legislature