NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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11:12 a.m.

REGULAR SESSION

SENATOR NEIL D. BRESLIN, Acting President

ANGELO J. APONTE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT BRESLIN: The Senate will please come to order.

I ask everybody to face the Flag and pledge allegiance.

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

ACTING PRESIDENT BRESLIN: In the absence of clergy, may we bow our heads for a moment of silence.

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

ACTING PRESIDENT BRESLIN: The reading of the Journal.

THE SECRETARY: In Senate, Monday, January 12, the Senate met pursuant to adjournment. The Journal of Friday, January 9, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

The chair recognizes Senator Smith.

SENATOR SMITH: Yes, Mr. President. I have a resolution at the desk.

I ask that the resolution be read in its entirety and move for its immediate adoption.

ACTING PRESIDENT BRESLIN: The Secretary will read.

THE SECRETARY: By Senator Smith, Legislative Resolution Number 10, commemorating the 80th birthday of the Reverend Dr. Martin Luther King, Jr., and paying tribute to his life and accomplishments.

"WHEREAS, From time to time we take note of certain individuals whom we wish to recognize for their valued contributions and to publicly acknowledge their endeavors which

have enhanced the basic humanity among us all; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, it is the intent of this Legislative Body to commemorate the 80th birthday of the Reverend Dr. Martin Luther King, Jr., to pay tribute to his life and accomplishments, and to celebrate the 23rd anniversary of the observance of his birthday as a national holiday; and

"WHEREAS, Martin Luther King, Jr., was born January 15, 1929, in Atlanta, Georgia, to Alberta and Martin Luther King, Sr., whose maternal grandfather founded the Ebenezer Baptist Church, which the young Dr. King would be associated with for most of his life; and

"WHEREAS, Following his graduation from high school at the age of 15, Martin Luther King, Jr., earned a Bachelor of Arts degree from Morehouse College in 1948, a Bachelor of Divinity degree from Crozer Theological Seminary in 1951, and a doctorate

from Boston University in 1955; and

"WHEREAS, in 1953, Martin Luther King, Jr., married Coretta Scott, who was an accomplished individual in her own right as a talented singer and a graduate of the prestigious New England Conservatory of Music. From this union came four children: Yolanda, Martin III, Dexter, and Bernice; and

"WHEREAS, One year later, Martin and Coretta King arrived in Montgomery, Alabama, where he assumed leadership of the Dexter Avenue Baptist Church; and

"WHEREAS, Martin Luther King, Jr.'s leadership skills would be put to the test in early December of 1955, when Rosa Parks's refusal to remove herself from her seat in the whites-only section of the city bus triggered the 382-day Montgomery Bus Boycott, the first great Negro nonviolent demonstration of contemporary times in the United States; and

"WHEREAS, The bus boycott, which ended December 21, 1956, when the Supreme Court declared unconstitutional the laws requiring segregation on buses in the South,

propelled Martin Luther King, Jr. into the national spotlight; and

"WHEREAS, In 1957, Martin Luther King, Jr., was elected president of the Southern Christian Leadership Conference, an organization which formed to provide new leadership for the burgeoning civil rights movement, drawing their ideals from Christianity and strategy of nonviolent protest from Gandhi; and

"WHEREAS, At great danger to themselves, Martin Luther King, Jr., and his allies in the civil rights movement used nonviolence to call attention to the racial inequities that were pervasive throughout the South, as well as to call for full voting rights for African-Americans; and

"WHEREAS, Martin Luther King, Jr.'s commitment to racial equality was laid out in dramatic fashion on August 28, 1963, before 200,000 Americans of all races, from all corners of the country;

"His well-known 'I Have A Dream' speech, where he spoke of a nation that would

'rise up and live out the true meaning of its creed: We hold these truths to be self-evident, that all men are created equal,' and where his four little children would 'one day live in a nation where they would be not judged by the color of their skin but by the content of their character'; and

"WHEREAS, Because of Martin Luther King, Jr.'s dedication and commitment to racial equality, today, in the 21st century, his dream has become a reality with the monumental election of Barack Obama as America's first African-American president; and

"WHEREAS, The Nobel Committee recognized both Martin Luther King, Jr.'s work as a civil rights leader and his moral stance against racism with the 1964 Nobel Prize for Peace at the age of 35, making him the youngest recipient of this prestigious honor; and

"WHEREAS, Martin Luther King, Jr., saw beyond race to address important issues that affected all Americans, regardless of the

color of their skin, including the Vietnam War, economic injustice, and labor issues; and

"WHEREAS, By 1967, he had plans to initiate a Poor People's Campaign to bring much-needed attention to the issue of poverty. It was on this unforgettable date, April 4, 1968, that Martin Luther King, Jr., was in Tennessee to support the black sanitation workers who were on strike when he was assassinated; and

"WHEREAS, Just as Gandhi had inspired Dr. Martin Luther King, Jr., so did his words inspire Nelson Mandela, as well as hundreds of thousands of black South Africans, to fight against the system of apartheid until it was also destroyed; and

"WHEREAS, Today, four decades after his death, Dr. King's commitment to racial equality and his tireless equality and his tireless efforts to make this country 'one nation, indivisible, with liberty and justice for all,' is still remembered not just by young and old Americans alike, but by men, women and children around the world who study

his work, and his words, and are moved to action by his declaration that 'injustice anywhere is a threat to justice everywhere'; and

"WHEREAS, A moving example of the high regard with which Dr. King is held globally is at London's Westminster Abbey, where his statue, along with those of nine other twentieth-century martyrs, adorn the west front end of this venerable cathedral; and

"WHEREAS, Upon the occasion of the observance of the 80th birthday of the Reverend Dr. Martin Luther King, Jr., this Legislative Body wishes to commemorate the lifelong struggle of the man who wanted to be known as a 'Drum Major for Peace'; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to commemorate the 80th birthday of the Reverend Dr. Martin Luther King, Jr., and to pay tribute to his life and accomplishments, and be it further

"RESOLVED, That copies of this

resolution, suitably engrossed, be transmitted to the New York State Black, Puerto Rican and Hispanic Legislative Caucus, and to the family of the Reverend Dr. Martin Luther King, Jr."

ACTING PRESIDENT BRESLIN: Senator Smith.

SENATOR SMITH: Yes, thank you very much, Mr. President.

Colleagues, today Martin Luther King would be 80 years old. I think it is very fitting that on this particular day we recognize someone who clearly has been the one to bring change to this entire country.

And we ourselves still are experiencing and reaping the benefits of all that Martin Luther King stood for. As you know, next week, one of those who stood on his shoulders will become the 44th President of the United States, Barack Obama.

I myself stand here on his shoulders as well, being the first African-American Majority Leader in the history of this state.

Many of my colleagues also are the

"first to be" in terms of moving to a place that Martin Luther King has always stood for, justice for everyone.

And I find it very interesting that yesterday we had a discussion about reform and bringing change to this chamber, allowing rank-and-file members to be equal partners. And I remember and recall a quote of Martin Luther King that "Injustice anywhere is a threat to justice everywhere."

I think yesterday we recognize that that injustice was that members of this house were not treated fairly and that we will no longer go down that path.

I think if Martin was still living here today, he would have came here this afternoon and would have been very proud of each and every one of our members, because he would have said this is the 62 that recognized that their actions are speaking louder than their words.

At 80 years old, I am sure he would have been very proud of each one of us. And I think we owe it to our families, our

constituents to continue on with his legacy.

And I am very proud to be able to stand here and say that had it not been for him, perhaps there would not be a Barack Obama. Had it not been for him, perhaps there would not be a David Paterson. Perhaps, if it was not for him, there would not be a Malcolm Smith or a Ruth Hassell-Thompson, who is now the first African-American woman in the history of this state to chair the Majority Conference.

So there's a lot of firsts, Mr. President.

And I would just hope that our colleagues recognize that it doesn't always matter what one says, what really matters is what one does.

And I think Martin Luther King has been tremendous for all of us, and we now have to take up that mantle and, from this day forward, remember everything that we do, someone will either change their lives as a result of what we do or perhaps they will be teaching some young person about you and what

you stood for to try to move that young person to another place in their cycle of life that they will take up the responsibility to be a responsible person in society today.

So we salute Martin Luther King today, Mr. President. I salute all of my colleagues. Each and every one of you, in your own way, has a Martin in you, because you are now going to do something in the future that we all will be talking about at some point as we move on with our lives.

Thank you very much, Mr. President.

ACTING PRESIDENT BRESLIN: Thank you, Senator Smith.

Senator Larkin.

SENATOR LARKIN: Thank you, Mr. President.

Thank you very much, Senator Smith, for introducing this resolution.

I probably am the only one in this room that has ever met Dr. King face to face in life.

But before Dr. King, I had the distinct pleasure of commanding troops, in

peace and war, who in those years were designated not African-American, but black. We went from the number 100th unit in Eighth Army, a year later we went to number one. We went to number one because we believed in principles.

And those principles, as I look back now from '49 until the time I met Dr. King -- and I met him at Selma. I was the Army's project officer on the visit to Alabama on the 14th of March, to address the late Governor Wallace and to ask him to activate his troops, for this.

"For what?" he said. I said, "Very simple. There is a peaceful march to show respect and dignity for everybody, for all Americans." Not African-Americans, not black Americans, not Negro Americans, but Americans.

Because if you look at the march that took place, our governor's father, Basil, was in the front row. There was a picture in the New York Times -- and I think we talked about this before, Senator Smith, with the Governor. I didn't know that. I was wearing

suits like this in those days.

But it was a very interesting time. You know, Governor Wallace told me where I could go, and he told me where the President could go, and neither one of us were going to go there.

But at midnight that night on the 14th, I went back to the government building in Montgomery and handed him his instructions to activate the National Guard on the orders of the President of the United States.

Now, Governor Wallace's comments were, "Dr. King doesn't understand," quote. The problem was that Wallace did not want to understand.

This was not about Dr. Martin Luther King. And too many people today think it was about him. It was about where we were going to go in this country.

We've made progress. But in my meeting -- which took five minutes at the most, and then I dealt with Dr. Abernathy, who many of you know. And the question was not what should we do but how should we do it.

Dr. King said, "Just do me a favor. Make sure that we have organized and structured everybody so that there is no, no violence on this march."

Now, some of you are too young to remember -- Diane, you're too young to remember. Even the Majority Leader is young to remember. But what we did -- some of you might have done a little history study on it. But it was a major, major enterprise.

We brought troops from the signal group all the way from Ft. Lewis, Washington. We brought the 720 MP Battalion, from Ft. Hood, Texas. We brought troops from Kentucky; from Ft. Gordon, Georgia; from Stewart.

And we did it. The only rascal that tried to get out of line was Bull Connor -- some of you might remember that name -- with the bullwhip and his hose. I had the distinct pleasure of meeting him with an FBI agent who was about six-foot-nine behind me, and told him: "If you get out of line, I'll throw your ass" -- excuse my language -- "in jail."

I've never seen him since. I don't know where he's at today; he may be six feet under.

But the important part about it was the structure. You know, we were in the basement of this church, small church. And there was a young woman who's written a book, it's called "Selma, Selma, Selma." And in it she says, "I never saw so many white people in one location before in my life."

Now, that march was scheduled from the 21st to the 25th of March. We had all of the troops -- we had some of them lined up, we had marshals, Dr. King's people had marshals. And the goal was to get into Montgomery on the 25th without any violence.

Some of you who ever read anything about the railroad -- probably Dale, from up in Buffalo area -- knows the railroads have these little jimmies that they go. And we used to travel every day from today's position to tonight's position to ensure that there was no damage to the railcars. We had ordnance explosive people look at the campsites where

they would be that night.

Did it take a lot of time? Yes. Did it take a lot of effort? Yes. Was it worth it? One hundred times more.

What it showed us was that we had a mission as Americans. And I go back to my days as a young company commander. What you give to somebody and show them how to do it presents them with the goal of how to do it for themself and others in the future.

I'm very proud of my accomplishments on that mission. And I hear people talk about Dr. King today. My experience, there were a lot of Americans -- not African-Americans, Americans.

Dr. King said, "I have a vision" when he met in August '63 in Washington, at the Mall. What did he talk about? He talked about his children, he talked about the future.

And then here in 1968, after going through that in '65, some idiot shoots him because of his participation with the sanitation workers in that hotel in Memphis.

And, you know, what did it do to our nation? It turned us into turmoil, riots, everything else. Just because somebody didn't like the way somebody was doing something.

Dr. King and I disagreed on the war in Vietnam, but that's nothing. Other people disagree on it. But one thing I thought that he did is he tried to tell somebody to do something.

And I think, you know, to sit here today and sign onto a resolution and get home and send it to the NAACP or some church, that's -- big deal.

How about going back home and saying, to your church group or your small group -- as you mentioned to me, Senator Smith -- that we have to not read but introduce young people into what Dr. King meant?

Just to say "I like Dr. King and I'm so glad what he did," does that make us people of Dr. King? No. What makes us people is when we start to say stop the crime, stop this, get an education, move out and move

forward. That's what he was talking about. But too often we don't tell this to young people.

I'm proud to have been selected by the chief of staff of the Army to represent the Army and the American government at Selma in 1965. It was an education. It was an education for me, one that I've never forgotten. Didn't get to meet the gentleman but five minutes, but in five minutes he told us the thing: Let's do it, let's do it right. No violence. And remember, everyone is born equal.

I'm glad, I thank you for putting in this resolution. But I would like to make one other suggestion. It was said that we will send it to this one, to that one, to this one. I think we ought to send it to every -- to the NAACP in New York, and the national, and tell them what New York did, what New York expresses, what New York would want.

Our young kids ought to be able to go there and say, "That picture in there is of Dr. King. What did I know about him?" And

people start to talk about this, that, and the other.

But they forget. He had a message. If you're just going to listen to that and not carry out some of these proposals, you have failed Dr. King. You have failed his family. You have failed yourself. We have failed ourself.

Because when we work together as a team, whether it's in this chamber here or outside of here for our fellow human beings, when we stop considering the aspect of our fellow human beings -- here's a gentleman who put his life on the line 44 years ago. He knew that every time he stepped up, he was a target.

Let's make sure that we do today step forward and say, He was a target. He was the goalkeeper. Let us do something. Because if we don't, we'll be here a year from today saying the same message.

Let's be here today and say, I will try to communicate with my communities to make them better citizens and to say, clearly and

upright: Dr. King, thank you for your vision, thank you for your leadership, and may God bless you all.

ACTING PRESIDENT BRESLIN: Thank you, Senator Larkin.

Senator Parker.

SENATOR PARKER: Thank you, Mr. President. On the resolution.

ACTING PRESIDENT BRESLIN: You may proceed.

SENATOR PARKER: Let me first thank Senator Smith for introducing this resolution and commemorating this important day.

Thursday, January 15th, will be the 80th birthday of the Reverend Dr. Martin Luther King, Jr. And it's critically important for everybody in this room, in this nation, in this state.

What would have been his 80th birthday really gives us a time to reflect, because there certainly would not have been a President-elect Barack Obama, a David Paterson, a Governor David Paterson, a

President Pro Tem and Majority Leader Malcolm A. Smith. There would not have been a Majority Conference Chair Ruth Hassell-Thompson, or a Majority Whip of myself, if it had not been for the things that Dr. King believed and fought for for this country.

His message of nonviolent action -- and people remember the nonviolence, and people very much try to forget the action. And let me just note that the actions that he took, sitting at lunch counters, protesting both governments and private institutions that in fact at that time were practicing Jim Crow in the South in the 1950s and 1960s, these were very, very, very dangerous things he was doing.

It's not like now. You know, and we look at modern-day civil rights leaders who, you know, are disrupting sometimes in our city and our state and they get arrested. But getting arrested in 2006 or 2007 or 2008 in New York City is different than the 1950s, 1960s, in Alabama, in Georgia, in Tennessee,

in South Carolina.

People were getting arrested and not knowing whether they were even going to ever emerge again from those prisons, from those jails that they were being held in. People were beaten. People had dogs sicced on them. People were, you know, hosed down with high-pressure water hoses. I mean, this was a significant amount of violence.

And in the face of that, Dr. King embodied the philosophies of Mahatma Gandhi and David Thoreau -- and Christ, quite frankly -- and said, We should turn the other cheek. That we should in fact confront violence with an action that does not involve violence.

And now this seems like a kind of commonplace thing, but then it was really the hot property. Because on the other hand you had other leaders who were in fact not looking at that -- you know, at that modality as the way to go. And there was really a hot debate, both within the larger civil society of America but particularly within black and

Latino communities, about how you in fact address the problem of de jure segregation and racism, both institutional and individual.

At a time when people were being lynched literally daily, Dr. King had really the leadership and the vision and the prophetic message to go out there and to organize people.

See, people think that his greatest gift are the words that he spoke. Quite frankly, that was the least of it.

If you look at what the enduring contribution of Dr. King was, it's really about organizations. It's really about looking at the Southern Christian Leadership Conference and really looking at SNCC, the Student Nonviolent Coordinating Committee, and looking at organizations like the NAACP and the Urban League and CORE, the Congress of Racial Equality.

It is really -- because movement happens not by individuals but by organizations. And the ability for -- and again, these things seem like, you know, why

are you saying this, because it's kind of commonplace now. But at that time, organizing African-Americans against racism and Jim Crow was not an easy thing.

NAACP, you know, they meet in Brooklyn, and Bed-Stuy Restoration, you know, monthly. Nobody says -- no press conferences. Nobody pays attention.

But to organize an NAACP chapter, you know, in Tuscaloosa, Alabama, in 1950-something was tantamount to committing mass suicide.

And so when we look at Dr. King's contribution, we should contextualize it at the time that it was and understand that we are here and walk the streets in relative safety to those times because of the contributions and the organization of Dr. King.

And I'll wrap up, Mr. President.

Everybody knows King from the March on Washington and the great "I Have A Dream" speech. But remember when Dr. King went to Washington, he went to cash a check. And

unlike many of us who to go cash, you know, our well-paid government checks, he went to cash a check on the promise that America had made to give people an opportunity, of this being the land of the free and the home of the brave.

And when he went there, he said that the check of freedom had been marked "insufficient funds."

Let me say to you today that with the election of Barack Obama and having David Paterson as our Governor and Malcolm Smith as our Majority Leader, the debt has not been paid yet, but we are beginning to put a down payment on freedom for everybody in this country.

It is frankly not until we start dealing with things like unequal economic and employment opportunities in this country are we going to be able to say that that debt has been fully paid.

It's not until we get rid of health disparities in this country, particularly amongst African-Americans -- who are the

leaders in every single major detrimental health disparity in this country, whether you're talking about AIDS or colon cancer or, you know, just even the common cold -- until we're able to deal with those health disparities, we will not be able to say, Mr. President, that this has been paid in full.

Until we in fact make sure that the housing opportunities for everyone in this country are the same -- until we in fact see marriage equality in this country -- we're not going to be able to say that we have marked Dr. King's check of freedom "paid in full."

Because, as Dr. King reminded us, injustice anywhere is a threat to justice everywhere. And that this message was not simply about African-Americans, it was about everyone. It was about everyone.

It was about making sure that there was justice for women, making sure there was justice for Latinos and Asians, for whites, making sure that there was justice for any group that might be discriminated against or

being threatened or hurt.

That that is in fact the shining city on the hill that we're still trying to climb to. And we're not there yet. But hopefully, that in this body, we will in fact make Dr. King's message valid and, as Senator Larkin said, in fact make it embodied in our actions every single day.

As we leave this chamber today, that we will be refortified with the message, the life and the legacy of Dr. King, and that we will bring those messages to our districts.

And not just giving the speeches over the next week, but indeed, as we in fact craft that legislation, as we in fact deal with community-based organizations, as we look at how we in fact balance a budget with a $15 billion deficit, in those things, that's the time that we need to be embodying Dr. King's message.

This Monday I actually am holding an MLK event called "The Shared Dream." It's a tribute to the life and legacy of the Reverend Dr. Martin Luther King in words and

song.

I'm going to take this opportunity to extend the invitation personally to all my colleagues here, and to their constituents. It's going to be in my district, but it's not going to be limited to those folks.

It's a free gospel concert. We're celebrating the day in a way that I think that Dr. King would have celebrated it, by lifting the name of his Savior, of his Christ, and remembering where he got his inspiration from.

So it will be 5:30 the doors open at Brooklyn College, at the Walt Whitman Theater. Again, I welcome all of you. We're going to have a great gospel concert. It's going to feature a good friend and somebody who is just a real genius as it relates to gospel music, Kurt Carr and the Kurt Carr Singers.

And so that is a small way in which I bring to my district and try to bring to the state -- this actually turned out, with over 2,000 people, to be the second-largest MLK event in the City of New York.

And so I look forward to our continued work together and, day by day, living the legacy of Dr. King.

Thank you very much, Mr. President.

ACTING PRESIDENT BRESLIN: Thank you, Senator Parker.

Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Mr. President.

I too would rise to congratulate our Leader on bringing this resolution to the floor and giving us an opportunity to continue to lift the name of Dr. Martin Luther King in praise and certainly in gratitude for all of the things that he did that allowed us to be in this place.

Senator Larkin, you're not the only person in this chamber who has ever met Dr. King. I too had the great fortune.

In the City of Mount Vernon, one of its oldest churches -- in fact, its oldest Baptist church -- is Grace Baptist. And he came to Grace Baptist Church to bring his message of hope and bring his message of true

freedom. And I was one of those very fortunate people who could get into the church.

I mean, there were crowds waiting almost a block away, attempting to be inside. And I was one of those who was inside and had the opportunity to actually shake his hand.

And at that moment, for me, I think it helped to seal the commitment that I have tried to make and the walk that I have tried to walk to ensure that my life would reflect gratitude for the dream that he believed and certainly one that he lived.

And I think that when I speak each year on this resolution I continue to convey the message that while I was not the kind of person that could have made those marches, because I didn't have the temperament for those marches, but I certainly had the heart for what the work of Dr. King was about.

And so I admonish all of us to continue to walk in that light, because he brought a message, he brought a -- he was a liver of the dream. He was a person who

believed in what he spoke about.

Some of us speak rhetorically. But as I heard our Leader say, we pay attention not so much to what people say, but to what they do. And in that posture, if we watch each other and if we help each other, we will continue to live out the dream.

We have an obligation. We took a sworn oath not only to support the Constitution of the United States and the Constitution of the State of New York but also, in that process, we took an oath to serve. And if we serve, if we do the best that we can, then we will live out the dream. We will create laws and we will break down barriers that keep people from having the opportunities that they can have in life.

And so thank you, Mr. President, for the opportunity to stand with others as we commemorate one of our greatest leaders in this country today.

ACTING PRESIDENT BRESLIN: Thank you, Senator Hassell-Thompson.

Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Thank you, Mr. President.

I too rise to commend our Leader, Malcolm Smith, for putting forth this resolution and having us spend these moments to commemorate the legacy and the life of Dr. King.

On January 15, 2009, my grandson, Kendall Xavier Cousins, will celebrate his sixth birthday. It will be five days before President Barack Obama takes the oath of office.

He will continue his life in a state that has Governor David Paterson and Majority Leader Senator Malcolm Smith. He will have a grandmother who's a Senator. And he will know of the amazing times that he was born into.

He won't know, unless we tell him, of the stories that his great-grandparents went through. And I'll have to remind him that my mother and father didn't believe, as I stand here and relate this on a yearly basis, didn't believe that Dr. King could do what he

said he could do.

My parents didn't believe that the heart of America could open. They didn't believe that black people in America could achieve the success that he inspired the world to believe America could achieve.

My parents, as they went through menial jobs, no jobs, as they were told again and again because of the color of their skin they could not go to school, they could not go to college, they could not have a living wage, they could not do.

My parents, despite whatever they had personally achieved, believed that it was better for us to just work hard in our own little lives and not depend on the dreams of a Dr. King, who might leave us after he'd gone on to glory and even a worse place. They were, on many levels, afraid.

And every time we saw the images of the dogs and the jail and we understood that people got lynched and chastised for daring to stand up, on some level my parents said: You see? We were right. Just take a moment.

But what all of us didn't recognize as we were looking at what was happening out there is that the seeds were being planted. That the hope, the inspiration, the vision -- regardless of what it looked like -- was taking hold. And moment after moment, this society, this America, black people in America, were growing.

And as we grew, things moved. And although Dr. King knew he would not see the vision realized, we every day realize that his vision is here.

So as Kendall celebrates his birthday on the 15th, coming into a very different world than his ancestors knew, I want to remind Kendall and all the Kendalls -- and all of us -- that our actions do speak louder than words.

We do need a messenger who rhetorically can lift us to those heights. But every single action creates an opportunity. Our actions here, our actions in our lives make the vision that we aren't even brave enough to see come true.

So as we celebrate this, I hope that we understand that our moments of living give life to the vision that is brighter and stronger than even Kendall can realize.

Thank you.

ACTING PRESIDENT BRESLIN: Thank you, Senator Stewart-Cousins.

Senator Perkins.

SENATOR PERKINS: Thank you, Mr. President.

And I want to thank Senator Smith, our Leader, for giving us the opportunity to reflect and recommit on this very, very important life, this very, very important individual that so many of us have been influenced by, that has made such an important difference to our nation and to the world, for that matter.

And, you know, you mentioned injustice anywhere is injustice everywhere. And for the most part, we tend of think of Dr. King as a civil rights leader of great influence and importance. But actually, his leadership is perhaps more germane now beyond

civil rights than ever before.

Because quite frankly, we may remember that when he died, when he was assassinated, it was not a civil rights journey, it was on an economic justice journey. It was on an economic justice rights journey.

And in fact, he was on his way to Washington as we are, some of us, next week. But not to celebrate, unfortunately, the president, or the agenda of the president. In fact, quite the opposite, to criticize that agenda and to demand, in a Poor People's Campaign, that this nation had a responsibility to address the economic crisis that the poor, especially, were experiencing.

And as we have the privilege here in this really momentous time to address a similar crisis in this state, I would hope that in the spirit of Dr. King that we remember, as we maneuver this budget, this very challenging budget, that we do not victimize the poor anymore than they already are.

That we recognize, as Dr. King I believe would recognize, that there are those who have more who can give more. And that as we begin to try to balance out the inequities, that we look to those who have more to help those who have less.

And that when we do get the opportunity to celebrate Barack Obama and the history-making that he is about to bring forward, that we celebrate it with Dr. King's agenda in mind -- not just a civil rights agenda but, very more importantly, the economic justice agenda.

And let me just say one other thing in conclusion. Dr. King made an extraordinary speech that some of us remember first at Riverside Church in New York City, in my district, and then again in a very remarkable moment at the United Nations, embracing Stokely Carmichael.

Stokely Carmichael and Dr. King, as you know, were at odds from different points of view, sort of in the spirit, I think, that Senator Thompson was talking about, because

Stokely was radical, young, aggressive, militant, Student Nonviolent Coordinating Committee, and Dr. King was considered to be different and civil rights and peace.

But they embraced because at that point they both stood against a war, at the United Nations, that was diverting resources from the agenda of the people in the country -- dollars, many, many dollars, sort of like what's happening right now with the Iraq War.

And so we have to keep that kind of memory of Dr. King as legislators with the privilege of making the difference, because he really was talking to us when he decided to go to Washington. He wasn't talking to Wall Street, he was talking to those of us that have the privilege of really making the difference.

He recognized the awesome opportunities that we have, more so perhaps than we would recognize it, and was sacrificing his life in order to convince us that we can make a difference.

And I hope that we will try to do that here in this historic moment in state government, again in the historic moment that's going to take place in Washington.

And I just want to say I didn't get a chance to meet him, though I must say that my first, most significant introduction to this was at the Poor People's Campaign in Washington, D.C., where I had the opportunity to organize and to attend and spend some time down there.

So when I go down next week, I will be going down remembering the Poor People's Campaign, remembering those tents that were down there, those folks that came from all over the country -- from Appalachia, from Harlem, from all the communities that were desperately in need of the influence of government to make a difference in their life. And that's the spirit in which I will be attending it.

So I want to thank you again for reminding me of how important is that aspect of Dr. King's life.

Thank you.

ACTING PRESIDENT BRESLIN: Thank you, Senator Perkins.

Senator Diaz.

SENATOR DIAZ: Thank you, Mr. President. On the resolution.

ACTING PRESIDENT BRESLIN: You may proceed, Senator Diaz.

SENATOR DIAZ: Mr. President, I never met Martin Luther King, never worked with him, never saw him in person. But today I'm joining my colleagues and my Leader, Malcolm Smith, in being part of this resolution.

Yesterday, yesterday here on this floor, something great happened, and I don't want that to go unnoticed. My colleague, Senator Parker, said that the debt on the black community has not been paid, that just a payment has been done. And yesterday something happened here because, thanks to the effort of Martin Luther King, his death, and all his achievements, people have been getting -- we all have been getting benefits.

Yesterday, on this floor, our Hispanic community got something that we never had. Something -- two things we got yesterday. In the person of my colleague Pedro Espada, we have a position in our community that we never had before. So yesterday our Leader, Malcolm Smith, appointed Pedro Espada, and we all rejoiced in the Hispanic community for what we have gotten.

But not only Pedro Espada. Yesterday here also, for the first time in the history of this chamber, a Hispanic Senate Secretary was appointed in the person of Angelo Aponte.

So we in the Hispanic community, Senator Parker, our debt has not been paid, just a little deposit has been made.

I rejoice in the achievement of my brothers and sisters in the Afro-American community -- Barack Obama, like Parker said, David Paterson, Malcolm Smith. But we in the Hispanic community also are fighting to get our share of it. So we started. We started yesterday, we started this year, in the person

of Pedro Espada and in the person of Angelo Aponte.

So I never met Martin Luther King, never worked with him, never saw him. But let me tell you what I saw and what I know, Mr. President.

In 1960 I was 18 years old in Puerto Rico, running in the street in Puerto Rico. But there was a conflict in Vietnam, and when I got to be 18, I went, voluntary, and joined the United States Army so I could go and fight for my country. I didn't know anything. I was -- I didn't even know that I was black when I was in Puerto Rico. I didn't know I was black, 18 years old, running, playing, innocent. I didn't know.

Then I joined the Army in Puerto Rico, and I was sent, in 1960, I was sent to Columbia, South Carolina, to Ft. Jackson, to get my basic training. Martin Luther King was not yet working for -- it was 1960.

And when I got to Columbia, to Ft. Jackson in Columbia, South Carolina, I was

traveling from Puerto Rico with all my white brothers and sisters from Puerto Rico. I was the only black. But I didn't even -- I didn't know I was black until I got to Columbia, South Carolina.

Then I found out what I was. Then I found out something that until today I know, and people don't know, that I'm black and Hispanic, and that I'm in a limbo stage.

Because when I went to Columbia, South Carolina, with my white and Hispanic fellows and we went to a bar, all of us Puerto Ricans, and we all sat down in a bar in Columbia, and the waiter came and took their orders, and they all ordered beers, and the waiter turned his back on me and walked away.

And I called him and said, "I want a beer too." He told me, "Whatever you're looking for, we haven't got it."

So I turned to my colleagues from Puerto Rico, my Puerto Rican friends, white, and said, "What happened?" They told me, "He doesn't want to serve you." "So what do I do?" They told me: "You have to leave." And

I left, alone, while my fellow Puerto Ricans stood there in the bar.

So we black Hispanics, we're in the limbo stage. And when there is a fight between black and Hispanic, I don't even know who I am. For the black, I'm Hispanic; and for the Hispanic, I'm black.

(Laughter.)

SENATOR DIAZ: So then when I'm in Columbia, South Carolina, I start to notice things that I have never noticed before.

When I went back to Puerto Rico, I start seeing things. For example, I started to notice that the governor of Puerto Rico, his cabinet, they were white, and there is no black, Hispanic.

So then you start to question yourself: Are we brutes? Are we dumb? Is there no black, Hispanic capable to occupy one of those positions?

Martin Luther King started to work, started to work. And we're all praising Martin Luther King and we are joining together praising the memory of Dr. Martin Luther King.

But ladies and gentlemen, yesterday the Hispanic community got two major steps. And Parker, when you talk about to pay the debt on the black community, remember that we're in line too there and we need to be also equal or at least considered also in position.

We join the nation and the Afro-American community in the pride of naming Barack Obama the first black president. I mean, first black president.

I need to feel proud to also name the first Hispanic president, the first Hispanic mayor of the City of New York, the first Hispanic -- not only the position we've got, this, but maybe the first Hispanic majority leader here one day.

So we also are fighting to achieve what you have achieved. And we are proud and we also would like you all to join us in our struggle to achieve what you have achieved, because you have achieved big time. So even though your debt has not been paid in full, hey, I wish to be in your shoes.

(Laughter.)

SENATOR DIAZ: So, Mr. President, I'm proud to be here. I'm proud to be part of the first Puerto Rican to be appointed, in the person of Pedro Espada, into that position, and that the Hispanic community feels proud and honored to have played a part in that position.

I'm proud. I'm proud to be part of naming the first Afro-American Majority Leader. And I'm proud to be part of naming the first Hispanic Secretary of the New York State Senate.

We're still fighting, still more to go. The three amigos are still together. The three amigos will keep fighting for more.

(Laughter.)

SENATOR DIAZ: It is not done yet. So don't blame us. We got to keep fighting. We got to keep fighting. We got to keep strong.

Thank you, the Majority Leader, Malcolm Smith, for this resolution.

And thank you, Mr. President, for this opportunity.

ACTING PRESIDENT BRESLIN: Thank you, Senator Diaz.

Senator Savino.

SENATOR SAVINO: Thank you, Mr. President.

I'm not quite sure how to follow Reverend Diaz.

I'd like to thank Senator Smith for having brought this resolution. And as we reflect on the 80th birthday of Dr. Martin Luther King, 44 years after his untimely death -- 50 years, I think, since the March on Washington, the "I Have A Dream" speech -- I think it's interesting to look at where we are in this place in history.

Certainly many would argue that Dr. Martin Luther King was one of the greatest community organizers this country has ever seen. We are on the verge now of installing a president who many have kind of mocked during the campaign as nothing but a community organizer, and yet we see what community organizers can accomplish.

The history books tell us of

Dr. King's place in the civil rights movement, and they teach us about the Poor People's Movement that Senator Perkins spoke about so eloquently, and his fight against economic injustice and eradicating discrimination and tearing down barriers and walls. And all of those things are well-documented, and most of us know about it.

But what the history books rarely focus on and they mostly gloss over is what Dr. King was doing in Memphis on that fateful day in April of 1968.

Because he was as committed to workers' rights as he was to civil rights, to women's rights. And he was in Memphis assisting a bunch of sanitation workers who were represented by an AFSCME local but who experienced great discrimination by the City of Memphis and the Department of Sanitation.

Workers who were not issued uniforms; black sanitation workers were not entitled to uniforms. They couldn't ride in the truck. They weren't allowed to pick up garbage in white neighborhoods. They weren't

allowed to eat lunch, and they were not allowed to come inside out of the rain.

And in fact, on one day two workers seeking refuge from the rain sat in the back of a truck, the truck malfunctioned, and they were both crushed to death in the back of that truck.

And as egregious as that was, what followed next by the City of Memphis was worse. They refused to compensate those two workers or their families for the loss of their lives, not providing them the money to even give them a decent burial. And that finally led those workers to rise up and go on strike.

And that became a crisis in the City of Memphis, that this group of workers, this ragtag group of workers, would actually go on strike and threaten sanitation services in the City of Memphis.

And Dr. King left Washington, where he was advocating on the Poor People's Movement, fighting for civil rights for everybody, and he went to Memphis to assist

those workers. And it was there where he was killed.

Now, as Senator Larkin said, I was too young to know Dr. Martin Luther King. And I didn't have the privilege that Senator Hassell-Thompson had to have ever met him. I read about him in the history books.

But I was a young activist in an AFSCME local myself, and in 1993 I got on a bus with thousands of other people and we went for the 30th anniversary of the March on Washington.

And I remember that day. It was brutally hot. It was about 105 degrees, and you know what Washington is like in the summertime. The humidity is brutal.

And I sat there on the lawn and I looked out. Three million people had come for that anniversary. People Senator Larkin's age, who experienced it the first time, who lived through Dr. King, met him, heard his message live, didn't read about him in the history books. People who were there who then brought their grandchildren, they wanted them

to see a piece of history.

And the message of Dr. King was so crystal-clear then as I sat there and I looked out and I saw 3 million people from all walks of life, every race, every creed, every color. Rich people, poor people. Working people. Unemployed people. People interested in economic justice and social justice and equality for all.

His message was alive that day on the Mall, and his message was alive on November 4th when Barack Obama was elected to be President of the United States. His message echoes through him. We saw that at the polls when we saw people come from every race, creed, color, walk of life and economic status, to vote for hope and change and a message of equality.

And a message that Dr. King started put us on a path on a campaign that we have not yet accomplished, as Senator Parker said and Senator Diaz has said. But we are on our way. His message is alive. It's alive here in this chamber, and it will be alive next

week when Barack Obama takes the oath of office.

And it will be alive in all of us as long as we remember Dr. King's commitment to civil rights, workers' rights, women's rights, and the rights of all Americans.

Thank you.

ACTING PRESIDENT BRESLIN: Thank you, Senator Savino.

Senator Robach.

SENATOR ROBACH: Yes, very briefly, Mr. President.

I too rise to proudly support this resolution. We've heard a lot of great things about what Dr. King accomplished and did, and there is no doubt about that. He made our country better, not just for some but for all.

But I want to just take a minute. I think what is so outstanding about Dr. King is really, as much as his accomplishments, the character of the individual. We constantly look for heroes today and sometimes people say there are none. He clearly overcame a lot to accomplish what he wanted to and let nothing

stop him.

Sometimes we say actions speak louder than words. Dr. King was truly someone who was not only the great word, from the "I Have A Dream" speech, to judging someone by the content of their character, not the color of their skin or what their ethnicity was -- even some of the most simplistic quotes, but the great ones: Never the wrong time to do the right thing -- but he was even more so a person of action.

When you think of what he had to endure -- he wasn't violent, he didn't strike back, he took the abuse, he took jailing, he took being spit at, had rocks thrown at him, even in some cases probably treated poorly even by those in authority to get the result he wanted.

He was about action, about truth, and about getting a result and sometimes I think that, besides human relations and race relations, was a true example to everyone in society to try and follow those ideals, whether we're in this chamber, whether we're

outside in the outside world.

And I'll end with this. While people have talked about a lot more work to get done, I think this little equation in my family, or little story, epitomizes where we've gotten to.

I'm usually one of the last people on the curve and fought even getting cable television from my wife for years, and this is probably even going back maybe a little bit more than ten years ago, because I think at the time my kids were about 8, 6 and 4.

And I had the new cable television, and I had the History Channel on, and they were showing this documentary about civil rights, and they were cutting from Rosa Parks to Martin Luther King and some of the things that transpired in this movement, and they cut to a scene from Democratic Convention in the '60s where the police were spraying and whacking people with these long -- not billy clubs, these long sticks that we don't have that in the police department where I live.

And I was sitting on my couch, and

my kids were kind of playing behind me, and I was going through mail and kind of watching this, and I looked up, and here's all three of my children with their hands on the couch, their eyes this big.

And they're used to playing sports, going to school, going to church with people of every group. And they said to me, "Dad, what country is that in where this is occurring?"

Because in their world, because of progress of civil rights, Martin Luther King, they couldn't believe at that young age that that, in the '60s, before they were born, could even happen in this country.

So while there's work to be done, the character of Martin Luther King, his message, still important today, has made a great difference.

And it's very fitting that we not only have this resolution but take the time out as a state to honor this man of character and continue to try and follow that path to make our world fairer and our state fairer,

not just for one but for all.

ACTING PRESIDENT BRESLIN: Thank you very much, Senator Robach.

Senator Adams.

SENATOR ADAMS: Thank you, Mr. President. I want to briefly also rise.

And I thank Senator Robach for that story, because that is a fascinating story.

There's a movie out now called "Gran Torino," with Clint Eastwood. And if history will reflect on the movie as years go on, the only name you would think of is Clint Eastwood, without realizing that no great dramatic event can take place without a supporting cast and without co-stars.

And Dr. King lived during a period that he lived out a very serious drama that took place on the stage of American history. But we would do a great disservice and we would turn that drama into a Shakespearean tragedy if we reflect on Dr. King as an individual without realizing that it was not about King.

And nothing would hurt his name

more, if he was alive today, than to hear people merely point to him as an individual. King transformed a name, and it became a movie. There were a countless number of people who were around him of all ethnicities. There was a countless number of men and women, black, white, Asian, Jew, Gentile, that participated in the movement. So it wasn't only about King.

Yes, this was a man that lived during a particular time and period of time. But it was Americans all across this country that decided they wanted to move the country in the right direction.

They decided that we had within our physical lungs the wind capacity to blow not only the country but the globe in the direction that it should go in, from the Vietnam War to the fight that was taking place in South Africa.

This was more than King. King may be the name that's associated with the individual, but the movement was an American movement. And all of our children benefited.

It's more than just Barack Obama becoming President, but it's Hillary Clinton becoming the Secretary of State. It is the countless number of doors that were opened because America decided they wanted to move in the right direction.

So King symbolizes that. And he may receive the Oscar for his great performance on the real live stage of American history. But if we ignore those co-stars, if we ignore those supporting casts, if we ignore the rabbis that rode the buses to integrate our highways, if we ignore the young Jewish college students that sat at lunch counters, if we ignore the young Asian students that came and participated in the Freedom March, if we ignore all the multiculture of individuals that decided this is a great nation, then we will do more harm than good to the legacy of Dr. King.

Because the legacy of Dr. King is the legacy of America waking up and stating that we no longer want to live in the nightmarish reality of living in a segregated

society, we want to live in a country that symbolizes what's great about the greatest race alive, and that's the human race.

That's what the King phenomenon represents. Not just a man that was put in the ground when he was assassinated, but a person who gave life to a concept and a principle that this is a country that could prick the consciousness of the globe and send a strong symbol of what we represent as a country.

Anyone can make a buck, but it takes special people to make a difference. And Dr. King was part of those special people in this country that decided to make a difference in this country.

So we can have a love affair with the individual, but let's not turn that love affair into a Shakespearean tragedy that we ignore what he represented. He represented what was best about America. And now we have the great possibility of creating people with that concept with the children of today, so that we can raise those who have the concept

of King.

King is not an ethnicity. It is not creed, it is deed. Skin pigmentation won't tell you the character of a person. The possibility of being a Dr. King can come from any corner of this country and has nothing to do with being black, it has nothing to do with being white. It has everything to do with the color we don't see, and that's the color of our soul.

The greatest mark we can make on his 80th birthday is to send a clear message: It wasn't about one man, it was about a great country coming alive, and that's the country called America.

Thank you.

ACTING PRESIDENT BRESLIN: Thank you, Senator Adams.

Senator Espada.

SENATOR ESPADA: Thank you, Mr. President.

I too rise because the moment cannot escape me. As a child of the '60s, as a person like Senator Diaz, I was born in

Puerto Rico as a citizen of this great country, from a multiracial background.

I rise to share that as a young monolingual child moving into the South Bronx, and viewing a black-and-white TV and the images and the horror that we saw on those TV sets with the events that were unfolding in the South, and indeed as silently as it's kept in the history books, it registered vividly in our memories in our own neighborhoods. Not only within one ethnic group, but the dominance and the denial of humanity of people that grew up together but happened to have a different pigmentation.

So I rise to highlight that denial of humanity itself. It's what we all witness, and it's what allows us today to transcend in a very transformative way, detail all the examples of accomplishments in this chamber, in these United States and throughout.

But I do want to speak to the issue of intolerance, whether we're African-American, Latino, white.

President-elect Obama, our 44th

President, has become President because a majority white nation has decided that that is the proper course of events and that is the leadership that could take us into a better day.

Similarly, these chambers, majority white, this New York State, majority white, has also registered its valuable franchise in the embodiment of an African-American Governor and an African-American Majority Leader.

But where is the intolerance then for us right now? Where is the denial of humanity?

And I point to millions upon millions of people that because of their citizenship status in this country right now, family members are being split apart. Children that are citizens of this great nation will lose their parents, are losing their parents daily because their parents are undocumented; they must leave their families behind.

They come in in the middle of the night, like cattle in trucks, crossing

artificial lines that divide nation against nation.

And so yes, there will be a drumbeat of many changes. But the drumbeat to finally hone in on the incredible denial of humanity for millions upon millions of people who are from Mexico, Santo Domingo, Latin America, and Europe -- that is our great challenge this coming decade and for decades to come, as we hone in on the real issue of what is humane and are we a tolerant people.

And so that is the great challenge as I see it and as I'm sure the great Martin Luther King, the visionary that he was, would see it, the denial of humanity to so many people and so many families.

Together, we must view that, we must challenge that, we must tolerate that, and we'll move it ahead to full citizenship of the human race.

Thank you so very much.

ACTING PRESIDENT BRESLIN: Thank you, Senator Espada.

Are there any other Senators

wishing to be heard?

On the resolution, all those in favor, aye.

(Response of "Aye.")

ACTING PRESIDENT BRESLIN: Opposed, nay.

(No response.)

ACTING PRESIDENT BRESLIN: The resolution is adopted.

At the request of the sponsor, the resolution is open for multisponsorship. Anyone not wishing to be on the resolution please signify that at the bench.

Senator Klein.

SENATOR KLEIN: Mr. President, at this time I move for adoption of the Resolution Calendar.

ACTING PRESIDENT BRESLIN: All those in favor of adopting the Resolution Calendar in its entirety please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BRESLIN: Opposed, nay.

(No response.)

ACTING PRESIDENT BRESLIN: The Resolution Calendar is adopted.

Senator Klein.

SENATOR KLEIN: Mr. President, in consultation with Senator Skelos, I now hand up the following Minority appointments to the Senate Finance Committee.

ACTING PRESIDENT BRESLIN: To be filed in the Journal.

Is there any further business, Senator Klein?

Senator Klein.

SENATOR KLEIN: Mr. President, would you please recognize Senator Maziarz.

ACTING PRESIDENT BRESLIN: Senator Maziarz.

SENATOR MAZIARZ: Thank you very much, Mr. President.

Just very briefly. Everybody starts off by saying "very briefly," and then they talk and talk and talk.

But, Mr. President, I think, very importantly, by the next time we gather here

and meet, we will have a new President of the United States.

And on behalf of the Republican Conference in this house, we want to congratulate and give our best wishes to the new President, President Barack Obama. He is taking over our country at a time of war, at a time of economic collapse, and clearly will need the support of all Americans.

And I think it is very important to note and to congratulate one of our own members, just one, who was there from day one with President-elect Obama.

Now, Senator Adams thinks he was there from day one, but he hesitated. He hesitated. He waited for that call from Bill Clinton that never came.

(Laughter.)

SENATOR MAZIARZ: Unfortunately, he's not in the chamber now, but Senator Bill Perkins, I'm sure this is a very special day for him next Tuesday, because he was truly there from day one.

And that call from Bill Clinton

never came for him either, but -- so don't feel bad, Eric.

Thank you, Mr. President.

ACTING PRESIDENT BRESLIN: Thank you, Senator Maziarz.

Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

Mr. President, there being no further business to come before the Senate, I move we adjourn until Wednesday, January 21st, at 3:00 p.m.

ACTING PRESIDENT BRESLIN: There being no further business at the desk, on motion, the Senate stands adjourned until Wednesday, January 21st, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 12:29 p.m., the Senate adjourned.)