

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 January 18, 2017

11 11:30 a.m.

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13
14 REGULAR SESSION

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18 SENATOR PATRICK M. GALLIVAN, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask everyone present to please
5 rise and repeat with me the Pledge of
6 Allegiance.

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

9 ACTING PRESIDENT GALLIVAN: In the
10 absence of clergy, may we please bow our heads
11 in a moment of silence.

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

14 ACTING PRESIDENT GALLIVAN: The
15 reading of the Journal.

16 THE SECRETARY: In Senate,
17 Tuesday, January 17th, the Senate met pursuant
18 to adjournment. The Journal of Monday,
19 January 16th, was read and approved. On motion,
20 Senate adjourned.

21 ACTING PRESIDENT GALLIVAN:
22 Without objection, the Journal stands approved
23 as read.

24 Presentation of petitions.

25 Messages from the Assembly.

1 Messages from the Governor.

2 There is a message from the
3 Governor. It will be filed in the Journal.

4 Reports of standing committees.

5 Reports of select committees.

6 Communications and reports from
7 state officers.

8 Motions and resolutions.

9 Senator LaValle.

10 SENATOR LaVALLE: Mr. President,
11 may we please have the noncontroversial reading
12 of the calendar.

13 ACTING PRESIDENT GALLIVAN: The
14 Secretary will read.

15 THE SECRETARY: Calendar Number
16 10, by Senator Valesky, Senate Print 977, an act
17 to amend the General Business Law.

18 ACTING PRESIDENT GALLIVAN: Read
19 the last section.

20 THE SECRETARY: Section 3. This
21 act shall take effect on the same date and in
22 the same manner as a chapter of the Laws of
23 2016.

24 ACTING PRESIDENT GALLIVAN: Call
25 the roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 46.

3 ACTING PRESIDENT GALLIVAN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 42, by Senator DeFrancisco, Senate Print 1859,
7 an act to amend the Insurance Law.

8 ACTING PRESIDENT GALLIVAN: Read
9 the last section.

10 THE SECRETARY: Section 2. This
11 act shall take effect on the same date and in
12 the same manner as Chapter 236 of the Laws of
13 2016.

14 ACTING PRESIDENT GALLIVAN: Call
15 the roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 46.

18 ACTING PRESIDENT GALLIVAN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number
21 43, by Senator O'Mara, Senate Print 1861, an act
22 to amend the Uniform Justice Court Act.

23 ACTING PRESIDENT GALLIVAN: Read
24 the last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GALLIVAN: Call
3 the roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 46.

6 ACTING PRESIDENT GALLIVAN: The
7 bill is passed.

8 Senator LaValle, that completes the
9 noncontroversial reading of the calendar.

10 SENATOR LaVALLE: Mr. President,
11 can we go back to motions and resolutions.

12 ACTING PRESIDENT GALLIVAN: Motions
13 and resolutions.

14 SENATOR LaVALLE: Can we adopt the
15 Resolution Calendar, with the exception of
16 Resolution 282.

17 ACTING PRESIDENT GALLIVAN: All in
18 favor of adopting the Resolution Calendar, with
19 the exception of Resolution Number 282, signify
20 by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT GALLIVAN:
23 Opposed, nay.

24 (No response.)

25 ACTING PRESIDENT GALLIVAN: The

1 Resolution Calendar is adopted.

2 Senator LaValle.

3 SENATOR LaVALLE: I believe there
4 is a resolution by Senators Stewart-Cousins,
5 Larkin, and Klein, and it is at the desk. May we
6 please have it read in its entirety and move for
7 its immediate adoption.

8 ACTING PRESIDENT GALLIVAN: The
9 Secretary will read Resolution Number 282.

10 THE SECRETARY: Legislative
11 Resolution Number 282, by Senators
12 Stewart-Cousins, Larkin and Klein, commemorating
13 the observance of the 32nd Annual Martin Luther
14 King, Jr. Day in the State of New York on
15 January 16, 2017.

16 "WHEREAS, From time to time we take
17 note of certain individuals whom we wish to
18 recognize for their valued contributions and to
19 publicly acknowledge their endeavors which have
20 enhanced the basic humanity among us all; and

21 "WHEREAS, Attendant to such concern,
22 and in full accord with its long-standing
23 traditions, it is the custom of this Legislative
24 Body to join the people of this great
25 Empire State in proudly observing the 32nd Annual

1 Martin Luther King, Jr. Day in the State of
2 New York, on January 16, 2017, taking note of his
3 many accomplishments and contributions to
4 mankind; and

5 "WHEREAS, Dr. Martin Luther King,
6 Jr. was born the grandson of a slave into a
7 segregated society in Atlanta, Georgia, on
8 January 15, 1929, and was instrumental in
9 formulating a policy which ultimately destroyed
10 legal apartheid in the southern states of our
11 nation; and

12 "WHEREAS, In February of 1968,
13 Dr. Martin Luther King, Jr. spoke about the
14 inevitability of his death and hoped that when we
15 spoke of his life, we would not concentrate on
16 his academic achievements: that he graduated
17 from Morehouse College, that he attended the
18 Crozer Theological Seminary and Boston
19 University, where he earned a doctorate in
20 systematic theology; and

21 "WHEREAS, Furthermore, Dr. Martin
22 Luther King, Jr. did not find it important that
23 we mention that he won the Nobel Peace Prize and
24 over 300 other awards; and

25 "WHEREAS, Dr. Martin Luther King,

1 Jr.'s finest legacy of greater social justice for
2 all Americans was truly reflected in his devotion
3 to serve and respect others, and in his steadfast
4 love for all humanity; and

5 "WHEREAS, Standing in a long line of
6 great American black leaders, Dr. Martin Luther
7 King, Jr. represents the historical culmination
8 and the living embodiment of a spirit of united
9 purpose rooted in Black African culture and the
10 American dream; and

11 "WHEREAS, An apostle of peace,
12 Dr. Martin Luther King, Jr. fought unrelentingly
13 for the civil rights of all Americans and taught
14 us that through nonviolence, courage displaces
15 fear, love transforms hate, acceptance dissipates
16 prejudice, and mutual regard cancels enmity; and

17 "WHEREAS, Dr. Martin Luther King,
18 Jr. manifestly contributed to the cause of
19 America's freedom, and his commitment to human
20 dignity is visibly mirrored in the spiritual,
21 economic and political dimensions of the civil
22 rights movement; and

23 "WHEREAS, In addition, Dr. Martin
24 Luther King, Jr.'s life was devoted to the
25 liberation of his people, and his courage

1 transcended the advocates of mindless
2 retrenchment; and

3 "WHEREAS, It is the sense of this
4 Legislative Body that the common and shared
5 responsibility of governance demands an
6 irrevocable commitment to the preservation and
7 enhancement of human dignity as exemplified by
8 Dr. Martin Luther King, Jr.; and

9 "WHEREAS, Upon the occasion of the
10 celebration of the birthday of Dr. Martin Luther
11 King, Jr., it is the practice of this Legislative
12 Body to commemorate the heroic efforts of
13 Dr. King, who loved and served humanity, and who
14 was a drum major for peace, justice and
15 righteousness; and

16 "WHEREAS, The 2017 Dr. Martin Luther
17 King, Jr. holiday observance marks the
18 88th anniversary of his birth, and the 32nd
19 annual holiday celebrated in the State of
20 New York in his honor; now, therefore, be it

21 "RESOLVED, That this Legislative
22 Body pause in its deliberations to memorialize
23 and pay tribute to the legendary life and
24 achievements of Dr. Martin Luther King, Jr., upon
25 the occasion of the anniversary of his birth and

1 the celebration of Martin Luther King, Jr. Day in
2 the State of New York and throughout the nation;
3 and be it further

4 "RESOLVED, That a copy of this
5 resolution, suitably engrossed, be transmitted to
6 the Black, Puerto Rican, Hispanic and Asian
7 Legislative Caucus."

8 ACTING PRESIDENT GALLIVAN: Senator
9 Stewart-Cousins.

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

12 I rise today, as I've had the
13 privilege to rise every year since my election,
14 to commemorate the rich life and legacy of
15 Reverend Dr. Martin Luther King.

16 When I first rose, it was after an
17 election that was certainly improbable, based on
18 my beginnings, based on my parents' inability to
19 achieve anything like what they had been able to
20 see their daughter achieve, and I attributed that
21 to the relentless struggle that Dr. King and so
22 many had put into making sure that the American
23 ideal and dream was available for all of us.

24 In 2009, I was able to rise and
25 celebrate the election of the first

1 African-American president, someone who, despite
2 what people thought, became a standard bearer
3 for, again, that ideal and that dream.

4 Every year I've been able to rise to
5 talk about our ascension and of course our
6 responsibility here in this chamber to make sure
7 that through our policies we create the America
8 that is the ideal that Dr. King fought for. It
9 is a state mandate, a national mandate, and
10 actually a universal mandate. It is important.

11 Today I had an opportunity to speak
12 to the session assistants who are here from their
13 colleges and are beginning a path that might lead
14 them to be in chambers like this or support
15 people like us.

16 And when I looked at this crowd, I
17 looked at the diversity. I looked at the
18 reflection of America in this room. And I
19 realized again, that when many of us were growing
20 up, an opportunity like what was presented today,
21 and what has been presented, would never have
22 been had it not been for Dr. King envisioning the
23 beloved community that reflects everyone.

24 And now, of course, as we stand here
25 between Dr. Martin Luther King's birthday and the

1 ascension of another president, we are called
2 to -- even stronger than any time before --
3 reassert, remember, reaffirm and commit to that
4 vision.

5 Today there are people who are
6 concerned, and rightfully so, because there was a
7 tone set that indicated that walls should be
8 built against some, that politically correct
9 language was no longer relevant because it didn't
10 matter who you hurt or who you marginalized. It
11 doesn't matter if you mock, it doesn't matter if
12 you are considered a loser, it doesn't matter
13 what we say, what we think, what we do.

14 We've learned many lessons as an
15 America that fell short of those ideals. We've
16 learned lessons that, as Dr. King said, all
17 inhabitants of the globe are now our neighbors.
18 We've learned the lessons that, as Dr. King said,
19 together we must learn to live as brothers or
20 together we will be forced to perish as fools.
21 We've already learned those lessons. We repeat
22 them every year, some days with a spirit of
23 optimism, sometimes not so much. But we know the
24 lessons, we've learned them, and many of us here
25 in this chamber have lived them and will

1 continue, if we do it right, to live them, to
2 legislate here in ways that support the poor,
3 that embrace our community, that stop mass
4 incarceration, that focuses on education and
5 allows us to be the America that we must be.

6 Every year we have the chance to
7 rededicate and recommit. And now, we cannot deny
8 that we have a handbook and we have the lessons.
9 All we must do is live it. And in memory of
10 Dr. King, I pray that we live it here in this
11 chamber so that we can indeed be a beacon of the
12 beloved community.

13 Thank you very much.

14 ACTING PRESIDENT GALLIVAN: Senator
15 Larkin.

16 SENATOR LARKIN: Thank you,
17 Mr. President.

18 Thank you, Senator Cousins.

19 You know, in my lifetime we've
20 celebrated this on many levels. People will tell
21 you that the legacy of Dr. King will be the
22 Washington March in August '63. Some of you
23 weren't here then. Someone will tell you it was
24 the Tennessee, where he was assassinated. But I
25 believe in my heart and soul his legacy with his

1 vision started right with Selma, Alabama.

2 During the time of January to March
3 of 1965, Dr. King made every effort. He went to
4 the White House, he spoke to the Governor, he
5 spoke to this, that unless we start to turn
6 around and say this is my neighbor, you can't
7 love somebody by hating. And he tried to tell
8 that message. And what happened? The seventh
9 day of March, people of color, mixed up, walked
10 across a bridge, across a bridge that they owned
11 in their town. They were hit with whips, they
12 were shotgunned, gasoline -- there was everything
13 you could think about against your brother or
14 sister in this world.

15 Now, just think about it. July the
16 26th, 1948, President Truman said, Take the armed
17 service and spread them out. We're one branch.
18 We're one unit. And every unit spread out with
19 color. I know; I commanded one of them. And did
20 I have hard feelings? No. Tom Croci just became
21 a commander, and he knows what it is. And you
22 lead by example.

23 Dr. King was trying to provide an
24 example. But Governor Wallace was a thick-headed
25 elected official in Alabama, and all he wanted to

1 do was his way, not the way that we were created
2 by. But Dr. King took it.

3 On the 7th of March, if you ever go
4 back and look at some things, you see some of the
5 pictures, you'll really wonder how we as human
6 beings, riding on a horse with a whip, cracking a
7 woman, a child, another individual. Some of them
8 had the gas; they sent that off into the crowds.
9 They didn't care. They didn't want to do
10 anything but embarrass anybody. They only
11 embarrassed themselves, because today we're still
12 celebrating.

13 So what happened? On the 9th of
14 March, Dr. King met with the President. And the
15 President said, "I want to stop this." And
16 Dr. King said, "Mr. President, you can stop it by
17 leading rather than by following."

18 You read stories that says there
19 were only 2,000 troops brought to Selma. There
20 were not. Maybe 20,000 troops. I was there.
21 And I want to tell you something. When you saw
22 the look on the face of the people, just to look
23 at them: Here I am, scared to death to walk on
24 the streets that I pay taxes for.

25 We should be ashamed. And that's

1 why I think Selma will go down as his biggest
2 legacy. Because we marched Sunday the 21st.
3 Some members of different groups wanted to stay
4 and have more pictures and everything else, and
5 Dr. Abernathy, a gentleman I think -- I had the
6 greatest respect for him when he was alive, and
7 yet today, because he went out there and told
8 them: Sit down, get ready, and we're marching.
9 And we're marching with leadership, we're
10 marching with respect for one another, and we're
11 going to let everybody know we've got it.

12 What happened? We marched for four
13 days. We had -- everything was going good. Two
14 big issues. Congressman or Senator Murphy from
15 California came up and visited a couple of us, we
16 were wearing civilian clothes, and he said: "Why
17 do you think this is essential?" I said, "Why"?
18 I said, "Go back to 1948 when we diversified the
19 military, and we had people sent by our
20 government, regardless of color, race or creed,
21 to combat in Korea. They got killed. They got
22 wounded. And they were people from the State of
23 Alabama."

24 And what happened? Murphy wanted to
25 know should there be a vote to allow them to

1 vote. And I said just what I just told you:
2 "You can send me to combat, but I can't vote in
3 my own country." Well, June of 1965, both houses
4 passed the bill and the President signed it in
5 August of '65.

6 But what does this all tell us? It
7 all tells us -- I hear people say to me the last
8 three days -- I've been to a few events -- Oh,
9 Dr. King, Dr. King. My question is every year --
10 nobody answers it -- what have you done in your
11 district in the past year to do something in his
12 honor or convince some people to do certain
13 things?

14 It doesn't hurt. But you've got to
15 remember one thing. This is our country. And if
16 we don't like it, we ought to get out. If we
17 don't like it, we ought to start to change it
18 around. But what we really need to do is to take
19 and look and see the vision that Dr. King had
20 when he talked in August of '63. But in '65 when
21 he led that march, he led it with desire, he led
22 it with vision, and he led it with sincerity. We
23 are all God's children, and we ought to start
24 remembering that.

25 Ladies and gentlemen, with the help

1 of the good Lord, we'll be here next year. I'd
2 like to have somebody come up and say to me, I
3 did something in my school. Here's what we did.
4 You know, you can talk, but I was taught long ago
5 action speaks louder than words.

6 May Dr. King rest in peace.

7 ACTING PRESIDENT GALLIVAN: Senator
8 Klein. Senator Klein on the resolution.

9 SENATOR KLEIN: Thank you,
10 Mr. President.

11 I rise today to celebrate the life
12 of a great leader, Dr. Martin Luther King. You
13 know, we all know about the great works that
14 Martin Luther King did as far as civil rights.
15 But Martin Luther King was much more than just a
16 civil rights leader. He was a great labor
17 leader. He was a great leader of working people.
18 He always advocated for rights for working men
19 and women throughout his career.

20 And I think Senator Larkin raised an
21 excellent point. I think we should ask
22 ourselves -- not only celebrating Martin Luther
23 King Day, but each and every day -- what have we
24 done here in New York State?

25 You know, we all understand that

1 Martin Luther King was a national leader, he was
2 an international leader. But why not ask
3 ourselves, as Senator Larkin said, what have we
4 done in the Legislature to sort of fulfill the
5 promise and the hopes and aspirations of someone
6 like Dr. Martin Luther King? And I think we have
7 accomplished a lot, but there's always more to
8 do. And I think Martin Luther King would
9 certainly agree.

10 Just something that we've done over
11 the last several years is fighting foreclosures,
12 which has a disproportionate impact on minority
13 homeowners. We have to ask those questions: Why
14 is it that when someone is foreclosed upon,
15 they're four times more likely to be
16 African-American?

17 But we did do something. We
18 prevented dilapidated homes from destroying our
19 communities, most of them minority communities.
20 We also helped people to make sure they didn't
21 lose their home. That's something Martin Luther
22 King would certainly understand.

23 We have to ask ourselves, why did it
24 exist -- certainly it did in Martin Luther King's
25 time, but still up until recently, why do we have

1 a digital divide? Why are we a country that's so
2 wedded to technology, yet an African-American
3 child is the least likely to own their own
4 computer?

5 We have to ask ourselves the
6 question, whenever we have a downturn in the
7 economy, why is it disproportionately on the
8 backs of working African-Americans, that they're
9 more likely to be unemployed?

10 You know, those are the questions I
11 think we have to continue to ask and do something
12 about each and every day.

13 But one specific issue I think comes
14 to mind that's certainly relevant right now.
15 Senator Cousins alluded to it. And it has to do
16 with criminal justice reform.

17 You know, it was very interesting
18 that many people may not know, but six months
19 before Dr. Martin Luther King's life was brutally
20 cut short, he visited a high school in
21 Philadelphia to speak to students about their
22 life's blueprint. That's what he talked to them
23 about. How they should plan their life, how
24 should they move on with their lives. He wisely
25 urged them to study hard, stay in school, but

1 also acknowledged the sociological and economic
2 hurdles these teenagers would face. Remember,
3 this was a completely different world.

4 And he turned around and gave them,
5 I think, very sound advice. While he actually
6 urged them to reach for the stars, achieve
7 greatness, stay in school, go to college, do
8 everything you can be, he also said that if your
9 life turns in a way that you're a worker, do it
10 to the best. And that's when he basically said,
11 set out to do such a good job that the living,
12 the dead, or the unborn couldn't do it any
13 better, regardless of the job that you did.

14 He also said, in those words that
15 have become very famous -- and I think most of us
16 should live by that each and every day -- he said
17 if your lot in life is to become a street
18 sweeper, sweep streets like Shakespeare wrote
19 poetry and sweep streets like Michelangelo
20 painted. Sweep streets so well that the host of
21 heaven will say that that person did their job
22 and did it well.

23 You know, unfortunately we know
24 right now that there's teenagers -- again,
25 disproportionately African-American -- who aren't

1 going to have that opportunity, that important
2 blueprint in life. Because today our teenagers
3 in New York need our help because some of them
4 might not be able to create Dr. Martin Luther
5 King's blueprint unless we have serious reforms
6 to our criminal justice system.

7 I think everyone knows,
8 unfortunately, at this time that New York has the
9 dubious distinction of being one of the only
10 states to not have the Raise the Age laws, where
11 we're still punishing 16- and 17-year-olds for
12 nonviolent offenses with jail time.

13 The other state, by the way, is
14 North Carolina. You know, North Carolina has
15 very much to celebrate. You know, on their
16 license plates it's "First in Flight." We
17 celebrate the Wright brothers; that's something
18 we should celebrate. But we should not emulate
19 them when it comes to criminal justice reform.

20 So I think the only way we're going
21 to keep the hope alive that Martin Luther King
22 envisioned for our youth -- not only
23 African-American youth, but all of our youth --
24 is to make sure we make these changes and we make
25 sure that someone who starts off in life as a

1 teenager, who makes a mistake, commits an offense
2 that's not violent, doesn't have that stay with
3 them their entire life, preventing them probably
4 from going to high school, preventing them from
5 actually getting a good job, preventing them to
6 actually move on and, instead of being
7 incarcerated, actually move on and be
8 rehabilitated. And the best way we can do that
9 is to raise the age, ladies and gentlemen.

10 Again, Mr. President, I thank you.

11 And this is an important part of our session
12 every year to celebrate the great works of
13 Dr. Martin Luther King. But I think we need to
14 live by those rules each and every day.

15 Thank you.

16 ACTING PRESIDENT GALLIVAN: Senator
17 Sanders on the resolution.

18 SENATOR SANDERS: On the
19 resolution. Thank you, Mr. President.

20 I want to first start by thanking
21 the sponsors for this noble effort, this
22 resolution. To honor one who has brought honor
23 to us all is a great thing.

24 I often -- the words that all of the
25 sponsors have given, of course, have been very

1 inspiring to hear, of course, of personal stories
2 and personal commitments to do some of these
3 things. I often think of what would Dr. King
4 think of the modern world that we find ourselves
5 in. What would he think of New York, for that
6 matter, or Albany? What would he think of where
7 we are today and what we're doing?

8 But I go a step further. I look at
9 what would he think of what I am doing. Not
10 simply a vague what everyone else, but let's
11 start with that personal responsibility. And I
12 can answer somewhat to the colonel's point of
13 some of the things that we have done. And in
14 another moment, Senator Larkin, I'd love to say
15 what I have done for these things, whether it be
16 a debate that I held on Martin Luther King's
17 actual birthday, the 15th.

18 But when we honor King, let us not
19 forget that we're not simply honoring Dr. Martin
20 Luther King. What you're doing is honoring those
21 faceless people who actually made Martin Luther
22 King, the thousands and tens of thousands of
23 people whose names have been lost to history,
24 that we never will know about. The washerwomen,
25 the sharecroppers, the youth who lost life and

1 limb. And no one, of course, has given them a
2 day, so this will have to be their day.

3 They are the ones that we really
4 should be remembering. Because Dr. King was able
5 to get a Nobel Peace Prize and other things, but
6 these folk lost jobs, they lost homes, they lost
7 opportunities, they went to jail, their record
8 was scarred forever. These folk we will never
9 speak about. And some of them walk the streets
10 today, hopefully living as whatever status they
11 find themselves, but doing it, as Senator Klein
12 said, perhaps they are sweeping the streets like
13 Michelangelo, or doing whatever those things are.

14 Yet Dr. King cries out from the
15 grave because his work is not over. If it was,
16 then this holiday would be a nice thing. A bit
17 shallow, but a nice thing. But his work is not
18 over, because he has warned us that an insult to
19 one is an injury to all of us. After all is said
20 and done, Dr. King gives us a chance to look back
21 to that fundamental question that was posed to
22 Cain: Are we our brother's and sister's keeper?

23 That's the essence of what we're
24 talking about. Are we our brother's and sister's
25 keeper? Are we responsible to one another? Is

1 this American experiment just something that is
2 just he who has the gold, rules, and that's the
3 golden rule? Or is it something deeper than
4 that? Is it something that we all will say that
5 we are all going to walk together in this one?
6 And if we say that, then we understand that
7 Dr. King and those faceless people was an attempt
8 to Americanize America, to actually Americanize
9 America.

10 So with the fierce urgency of now, I
11 urge all of my colleagues, let's not let this
12 session be like the others before it and others
13 still to come. Let's do something different
14 here. Why don't we take this one and say, you
15 know what, there are some age-old problems that
16 we have to wrestle with, but let's wrestle with
17 them this time, let's do it in a spirit where we
18 can disagree with one another without becoming
19 disagreeable. Let's say to ourselves that you
20 know what, I may not walk in that person's shoes,
21 but I can emphasize, I can borrow some sympathy,
22 I can borrow whatever I need to understand them
23 and do something about it.

24 He warned us, Dr. King did, that all
25 that is necessary for evil to triumph is for good

1 people to do nothing, good people to do nothing.
2 So there are good people in this room, and I urge
3 us all, let's do something.

4 So I say, as I conclude -- and I'm
5 sure that that's a happy note to you, that I'm
6 concluding, as it is your job, sir -- that rest
7 in peace, Dr. King. And I pray that you will
8 find, at the end of the day, that those who you
9 sacrificed for have proved themselves worthy.

10 Thank you very much, sir. Thank
11 you.

12 ACTING PRESIDENT GALLIVAN: Senator
13 Bailey.

14 SENATOR BAILEY: On the resolution,
15 Mr. President.

16 Thank you for the opportunity. I
17 can find no more fitting topic to have my first
18 speech on the floor.

19 My favorite Dr. King quote: Our
20 lives begin to end the day we become silent about
21 those things that matter.

22 Now, Martin Luther King, Jr.'s work
23 was widely known as the Dreamer, but many of his
24 dreams were realized. That's why I'm able to sit
25 before you today -- stand before you today, I

1 should say. That is the reason why my
2 grandfather, who grew up in rural North Carolina,
3 was able to make a great living for the family
4 that he provided for to come to New York and
5 provide for eight children, send them to college,
6 and to send a grandson to law school,
7 graduating-class speaker. Dr. King's dream has
8 been realized through me.

9 Dr. King's dream will continue to be
10 realized through my two daughters, Giada and
11 Carina. And as I look into their eyes every day,
12 as I see what's inside their hearts, I realize
13 that his dream has been realized. But we have so
14 much more to go.

15 But the March on Washington was not
16 just a march on Washington. The correct name was
17 the March on Washington for Jobs and Freedom.
18 There were demands made at that march. One of
19 the demands made was for a national minimum wage.
20 We finally got the Fight for 15 going, but we
21 need more for our working-class folks. We need
22 more for the men and women that do so much for
23 us. We need to make sure that Dr. King's dream
24 is realized not only on a day, not just in a
25 month, but that we keep that collective spirit

1 alive day after day, time after time.

2 So one of the other things that
3 really struck me about Dr. King was how young he
4 was at the time of his passing. He was a mere 39
5 years old. I stand before you today as the
6 youngest member of this great distinguished body
7 at 34 years old, and I wonder, I only have five
8 years left to do that what man did. That's a lot
9 of weight on my shoulders.

10 (Laughter.)

11 SENATOR BAILEY: But I can bear
12 that burden. That's the reason why I'm here.
13 And as Senator Sanders alluded to, that's the
14 reason why I assume all of my colleagues are
15 here, to do what matters.

16 So I ask you today, in accordance
17 with Dr. King, what matters to you? What matters
18 to your constituents? And how are we
19 collectively going to make that happen? I will
20 end with a quote from a hip-hop artist --
21 unconventional, but whatever. A gentleman by the
22 name of Common, and he said something that --
23 "Waiting for the Lord to rise, I look into my
24 daughter's eyes. And I realize I'm going to
25 learn through her. The messiah might even return

1 through her. But if I'm to do it, I've got to
2 change the world through her."

3 We have to look at our children in
4 our communities. That is who we're going to
5 change the world through. I'm going to be a
6 leader, and I'm going to change world through my
7 daughters. You change the world through yours,
8 through your constituents, through the lives of
9 the many families in your communities in the
10 districts that you all proudly represent.

11 While I am new to this body, I am
12 not new to life on this earth. And I hope that
13 we can all make this a better place. Dr. King
14 would want it that way.

15 Thank you all. And God bless
16 Reverend Dr. Martin Luther King, Jr.

17 (Applause.)

18 ACTING PRESIDENT GALLIVAN: Senator
19 Parker to speak on the resolution. Senator
20 Parker.

21 SENATOR PARKER: Thank you very
22 much, Mr. President. I rise to speak on the
23 resolution regarding the life and the legacy of
24 Dr. Martin Luther King, Jr.

25 Let me first associate myself with

1 the comments made by my colleagues here,
2 particularly Senator Larkin. And thank you
3 first, Colonel, for your service to this great
4 country, but also for your service to the
5 citizens of this great country. And I don't get
6 tired of hearing you talk about your service,
7 particularly of that day.

8 I also want to obviously thank
9 Andrea Stewart-Cousins, our leader and the
10 sponsor of this resolution. And for her, living
11 the actual legacy of Dr. King, being the first
12 woman to lead a legislative body here in the
13 great State of New York, and being an
14 African-American woman at that. And every day,
15 the kind of grace and steady hand that she
16 provides to our conference and to the Senate is
17 certainly something that is worthy of Dr. King's
18 legacy, and so we thank her for that.

19 I am very, very happy to hear, just
20 enjoy the comments that people are making today
21 and how everyone is really taking this time to
22 internalize what Dr. King's legacy really is
23 about. And I think that's really admirable, and
24 I think that we're growing as a body if not as
25 people in that conversation.

1 But to kind of jump off and
2 piggyback off of what Senator Bailey indicated,
3 is that we talk a lot about Dr. King's legacy and
4 particularly the March on Washington and about
5 the "I Have a Dream" speech. But in that "I Have
6 a Dream" speech his main purpose, his main
7 emphasis and theme was not about a dream, it
8 really was about bringing a check to Washington,
9 right, a check for justice and a check that was
10 marked insufficient funds by this country. And
11 if we had that same check today, I think many of
12 us would still find the Bank of Justice with
13 insufficient funds here in America.

14 And so there's lots to be done.
15 Senator Klein indicated that as well. And
16 there's lots that we can be doing. We don't have
17 to go to Washington, we have our own Bank of
18 Justice right here in Albany. And we really
19 ought to be bringing that check to bear right
20 here for each one of our constituencies all over
21 the State of New York. And we ought to make sure
22 that we don't walk away from this session with
23 this check still being marked "insufficient
24 funds," that we should make sure that on the
25 issues of economic justice that we in fact are

1 making sure that that check is being cashed.

2 We should make sure again, on the
3 issues of criminal justice reform, that we do the
4 things that we know we can do this session to
5 make sure that that check for justice is in fact
6 cashed. We should do Raise the Age; there's no
7 reason not to. We should make sure that we
8 codify the Executive Order the Governor put
9 forward around the special prosecutor and make
10 sure that we have a special prosecutor to deal
11 with police, not just when an unarmed civilian is
12 killed, but any time a police officer has a
13 problem and there's a contradiction or, you know,
14 a conflict between the local DA and the police
15 department.

16 We need to really do some real work
17 around marijuana decriminalization. We started
18 that work, there's still lots to be done on it,
19 and we need to do that.

20 I have a bill called the Safe Parole
21 Act that would certainly make sure that people
22 who deserve parole, especially -- you know, our
23 prisons are filled with nonviolent felons who
24 spent way more time than they should in our
25 correctional facilities. And not only is it no

1 longer an issue of public safety, but we're now
2 throwing good money after bad, housing people in
3 these prisons instead of, you know, allowing them
4 to be back in their communities with their
5 families.

6 My colleague Senator Perkins has
7 been sponsoring a bill that ends solitary
8 confinement. That certainly ought to be part of
9 it. It really doesn't -- and again I'm all for
10 the safety of the men and women who work very
11 hard to secure these criminal justice facilities.
12 But solitary confinement we know doesn't work and
13 doesn't add to the safety of those folks.

14 We need to stop jailing mentally ill
15 people. Right? Just simple and plain. And
16 we've had -- even already, we've had about three
17 people in the City of New York, to this date,
18 we're only at -- this is only the 18th, right?
19 Eighteen days into the year, we've already had
20 three people in New York City who are mentally
21 ill shot down by the police. We need to
22 implement crisis intervention teams all over the
23 City of New York and create a real modality to
24 address the issues of people who have mental
25 illness.

1 We certainly also need to decrease
2 the population at Rikers. And whether that's,
3 you know, speeding up trials or having a sensible
4 bail policy, we certainly need to do it.

5 These are the kinds of policy things
6 that we can do right here this year to in fact
7 live through Dr. King's legacy. We want to talk
8 about, you know, being King-like and using
9 Dr. King as an exemplar; here's just a few things
10 that we could do that certainly -- and this is
11 just on one issue -- that would really make a
12 difference in the lives of our constituencies and
13 make this a better place.

14 We need to remember the important
15 thing that Dr. King left us with, that peace is
16 not simply the absence of war but the
17 presence of justice.

18 Thank you very much, Mr. President.

19 ACTING PRESIDENT GALLIVAN: Senator
20 Savino.

21 SENATOR SAVINO: Thank you,
22 Mr. President.

23 I also want to thank Senators
24 Stewart-Cousins, Klein, and Senator Larkin for
25 bringing this resolution. This is the 12th year

1 that I am in this chamber as we commemorate the
2 birthday of the Reverend Dr. Martin Luther King,
3 and over the years I've had the pleasure of
4 listening to Senator Larkin recount his
5 relationship and the experience that he had
6 personally with Dr. King. We used to have
7 Senator Hassell-Thompson, who used to tell us the
8 stories of her experiences with Dr. Martin Luther
9 King.

10 We're at the point in time, though,
11 where there are less and less members who serve
12 the body who knew him personally or who had the
13 opportunity to know him personally. And I think
14 that's a shame, because most of us look at him
15 through the lens of history now. His place in
16 civil rights history is certainly well known.
17 Every schoolchild knows about it. They know they
18 don't have to go to school on that Monday in
19 January because of Martin Luther King. And
20 they're taught about his legacy in terms of civil
21 rights, but his place in labor history is equally
22 important.

23 In fact, in 1961, he spoke at the
24 AFL-CIO's national conference and he said then
25 that the needs of black America is identical to

1 the needs of labor -- decent wages, fair working
2 conditions, livable housing, old-age security,
3 health and welfare measures, conditions in which
4 families can grow, have education for their
5 children, and respect in their community. The
6 exact same needs for all Americans, in fact.

7 It was that commitment to working
8 people, labor rights, and those issues that led
9 him to Memphis on that fateful day in April of
10 1968, to lead a small group of striking
11 sanitation workers, black sanitation workers --
12 treated very differently by the City of Memphis
13 than the white sanitation workers, their
14 counterparts -- because of the death of two
15 sanitation workers who were treated so poorly by
16 the City of Memphis, so poorly that it sparked
17 national outrage.

18 The black sanitation workers in
19 Memphis weren't even allowed to ride in a truck;
20 they had to ride in the back with the trash.
21 They weren't allowed to wear uniforms, because
22 the City of Memphis wouldn't give them uniforms;
23 they had to wear their own clothes. They weren't
24 allowed to walk on the property of white owners
25 to pick up the trash.

1 They were treated so poorly, and yet
2 they organized. They joined a union. And they
3 went on strike when the ultimate of insults, two
4 of their workers, trying to get out of the rain
5 one day in the back of a sanitation truck, the
6 truck started up, crushed the two workers in the
7 back of the truck. And the City of Memphis
8 wouldn't even acknowledge the deaths, provide
9 death benefits for these two workers, treated
10 them as less than human.

11 That led to a strike by these
12 workers, and Martin Luther King went to Memphis
13 to lead them in a march. And these men walked
14 through the streets of Memphis facing all sorts
15 of assaults and public vitriol because they
16 weren't picking up the trash, after all, which
17 was more important than their humanity. And they
18 were carrying signs that said something very
19 simple. Not about money, not about dignity, it
20 said "I am a man." That was their message, "I am
21 a man."

22 Those were the people he was leading
23 that day in that fight, because he believed very
24 clearly in the rights of workers everywhere,
25 regardless of who they were.

1 And so his message to working people
2 is as pertinent today as it was then. And I
3 think what we should reflect on here in this
4 chamber, in this body, in this state, while other
5 legislatures across the country are attempting to
6 roll back workers' rights, passing right-to-work
7 laws, repealing collective bargaining rights for
8 workers, trying to undo protections that workers
9 have -- that's not happening. Not here, not in
10 this Legislature, not in this Senate, not in this
11 state.

12 We work together. We don't always
13 agree on everything. We may fight our way to the
14 solutions. But we've protected workers. We've
15 raised the minimum wage, we've drafted the most
16 comprehensive paid family leave program in the
17 country, we have the best wage theft protection
18 laws in the nation because we care about working
19 people. That's been our commitment to the
20 message of the Reverend Dr. Martin Luther King.

21 We have elected labor leaders to
22 this chamber. I myself am a former vice
23 president of the American Federation of State,
24 County and Municipal Employees. Our newest
25 member, who sits next to me, Marisol Alcantara --

1 she's outside right now, I'm sure she's talking
2 to somebody important -- she came out of the
3 ranks of labor. Senator Peralta came out of the
4 ranks of labor. I know Senator Marcellino was a
5 UFT delegate at one point in his time. There may
6 be others in this room that came out of the ranks
7 of labor.

8 So we're living that commitment to
9 the Reverend Dr. Martin Luther King every time we
10 protect workers' rights in this chamber. And
11 every time we do it, I am proud to be a member of
12 this body. And so I will say thank you all for
13 allowing me to be part of that experience. Thank
14 you for commemorating the life and legacy of the
15 Reverend Dr. Martin Luther King. And let us go
16 forward to continue to do good work for all the
17 people of this state every year.

18 Thank you, Mr. President.

19 ACTING PRESIDENT GALLIVAN: Senator
20 Montgomery on the resolution.

21 SENATOR MONTGOMERY: Thank you,
22 Mr. President.

23 I rise to join my colleagues in,
24 first of all, thanking Senator Stewart-Cousins,
25 who actually embodies the dream of Dr. King. And

1 I thank Senator Larkin for every year giving us
2 an eye view of what it meant to be part of that
3 movement as a non-African-American person.

4 And I want to thank Senator Bailey,
5 for his sort of introducing us to also the
6 embodiment of Dr. King. And I want to thank
7 Senator Parkers and Klein and Savino for talking
8 about what we have to do to make sure we are
9 continuing to live that dream.

10 We celebrate every year because we
11 do need to review for ourselves the meaning of
12 Dr. King's life, to refresh our memory of the
13 things that he went through, and to recommit
14 ourselves to continue his dream and his work and
15 to make sure that whatever we do, hopefully we're
16 addressing issues that he himself died for,
17 fighting for.

18 And I'm reminded that every
19 generation will have their own interpretation.
20 And they will not have perhaps the memories that
21 Senator Larkin talks about, but they certainly
22 will have a view, and they are the dreamers of
23 today.

24 And so I just want to remind us that
25 what Martin Luther King fought was the old

1 Jim Crow of the South. That's what the bus
2 boycott was about, breaking that tradition in our
3 country. And some would say that what we're
4 trying to do -- and I hear in the words of my
5 colleagues that we're trying to move away from
6 what some people call the "new Jim Crow." That's
7 the mass incarceration issues, the issues of
8 people -- opportunities for people, young and
9 working people and people in our state in
10 particular, to be able to have a quality of life
11 that they can appreciate.

12 So I am really very encouraged and
13 inspired by the fact that we have, throughout our
14 own legislative body, throughout the Capitol, we
15 have a new generation. I call them millennials.
16 And what I see in them is that they also are
17 intent on outliving the new Jim Crow. These are
18 young people who are very smart, they're very
19 committed. Some of them are college students,
20 some of them are young professionals already.
21 Some of them are young legislators, like
22 Senator Bailey here. Some of them are fellows.
23 But they are all engaged, and they are a diverse
24 group of young people. That's what's so
25 wonderful about them. And they are very

1 comfortable with diversity. They're committed to
2 raising their generation to go beyond what we
3 have done even.

4 And so I want to say this day, this
5 celebration of Dr. King is a celebration of, yes,
6 ourselves, the work that he has done, but it's
7 also a celebration of the next generation who
8 will be, that will be those people who will also
9 be interpreting the dream of Dr. King. And I
10 think they are going to do an even better job
11 than we've been able to do. That makes me happy,
12 that gives me inspiration and makes me feel like
13 Dr. King's dream is still alive.

14 Thank you, Mr. President.

15 ACTING PRESIDENT GALLIVAN: Senator
16 Comrie.

17 SENATOR COMRIE: Thank you,
18 Mr. President. On the resolution.

19 I want to thank our leader, Senator
20 Andrea Stewart-Cousins, for continuing to bring
21 this resolution forward so that members can
22 reflect on Dr. King and his past and his history.

23 It's always good to hear Senator
24 Larkin's memories of what happened on the ground
25 during that time.

1 It's good to hear our first piece
2 from Senator Bailey. I look forward to his time
3 and tenure here with us in the State Senate.

4 I wanted to come from a different
5 angle. I was heartened by all of the events that
6 happened in my district leading up to and
7 including on MLK Day, all of the people that have
8 recommitted themselves to making sure that they
9 followed his resolutions to understand that what
10 Martin Luther King was trying to do was to uplift
11 all of us through nonviolence, through protest
12 that was determined, that was focused, that was
13 focused on achieving an issue.

14 All of the things that happened this
15 weekend, from people building homes with Habitat
16 for Humanity in my district, from people working
17 with young people to make sure that they
18 understood the history of Dr. Martin Luther King
19 by putting on demonstrations, by having people
20 that actually marched in Selma come back and talk
21 to young people about their experience marching
22 in Selma, from people putting together coat
23 distributions for poor people in my district or
24 people that were impoverished that needed help.
25 People actually going to homes and giving them an

1 opportunity to experience a meal or an
2 opportunity for fellowship. For churches that
3 have programs that opened the doors to their
4 church all day.

5 There's a spirit in this country,
6 there's a spirit in my district of people that
7 are doing service on a regular basis, and they
8 did a special service on Dr. King's holiday.

9 And I hope that that spirit
10 continues throughout my district, also continues
11 throughout the Senate, throughout here in Albany.
12 As we deal with the issues of our budget, as we
13 deal with the things that we have to deliberate
14 on, that we do it in a positive spirit, that we
15 do it in articulating our concerns and passions
16 in a way that can be understood by all members
17 and all of the people that we encounter, that we
18 do it in the spirit of Martin Luther King,
19 focused on making sure that there's action behind
20 our words, that there's an opportunity for all of
21 us to understand that as we move forward in the
22 things that we're passionate about, as we deal
23 with the issues of concern that come before us in
24 this legislative body, that we do it in a way
25 that we can bring all people together, that we

1 can continue to move this state forward, that we
2 can continue to find ways to find common ground
3 to make things happen.

4 So I just want to again thank all of
5 the groups in my district that have put together
6 programs and also have pledged to continue
7 activities of service so that they can make sure
8 that their children and that their children's
9 children can benefit from the best of what we
10 have in America, and in the spirit of Martin
11 Luther King, finding ways to work together and
12 not be apart.

13 Thank you, Mr. President.

14 ACTING PRESIDENT GALLIVAN: Senator
15 Hoylman.

16 SENATOR HOYLMAN: Thank you,
17 Mr. President. On the resolution.

18 I wanted to thank our leader, Andrea
19 Stewart-Cousins, of the Democratic Conference,
20 and Senator Larkin and all of my colleagues for
21 speaking so powerfully and eloquently on this
22 resolution.

23 You know, we live now in a nostalgic
24 period as the final days of President Obama's
25 administration are winding down, which I think

1 would please Dr. King, to see another towering
2 figure in American history be inspired by
3 Dr. King's work.

4 But here in our own chamber, as
5 Senator Montgomery alluded to, so many of us --
6 including our newest Senator, Senator Bailey --
7 have been inspired by the work of Dr. King. As
8 has my community, the LGBT community.

9 Dr. King literally wrote the book on
10 organizing the March on Washington for Jobs and
11 Freedom. And I understand that generations
12 following him, including the LGBT community,
13 looked at the principles of organizing that he
14 set forth.

15 And it's worth noting that one of
16 the individuals who helped write this pamphlet
17 and was one of Dr. King's chief lieutenants was a
18 gentleman by the name of Bayard Rustin, who was a
19 gay man and was known openly to be gay in
20 Dr. King's circles. He faced great persecution
21 from the FBI as a result of his sexual identity,
22 but he remained open and proud and defiant as
23 both an African-American male and as a gay man.

24 And I'd like to mention the fact
25 that Bayard Rustin's home is in my Senate

1 district in Chelsea, in the affordable housing
2 co-op known as Penn South. And just this year,
3 the national and state registries named Bayard
4 Rustin's home an important national landmark.

5 So thank you to my colleagues, and
6 thank you to the memory of Dr. King.

7 ACTING PRESIDENT GALLIVAN: The
8 question is on the resolution. All in favor
9 signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT GALLIVAN:
12 Opposed, nay.

13 (No response.)

14 ACTING PRESIDENT GALLIVAN: The
15 resolution is adopted.

16 Senator Lanza.

17 SENATOR LANZA: Mr. President, the
18 sponsors would like to open this resolution up
19 for cosponsorship. If someone does not wish to
20 be a cosponsor, they should notify the desk.

21 ACTING PRESIDENT GALLIVAN: The
22 resolution is open for cosponsorship. If you do
23 not wish to be a cosponsor, please notify the
24 desk.

25 Senator Lanza.

1 SENATOR LANZA: Mr. President, I
2 believe there is a privileged resolution at the
3 desk by Senators Flanagan and Klein. May we
4 please have the title read and move for its
5 immediate adoption.

6 ACTING PRESIDENT GALLIVAN: The
7 Secretary will read.

8 THE SECRETARY: Senate resolution
9 by Senators Flanagan and Klein, establishing a
10 Select Committee on Technology and Innovation.

11 ACTING PRESIDENT GALLIVAN: The
12 question is on the resolution. All in favor
13 signify by saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT GALLIVAN:
16 Opposed, nay.

17 (No response.)

18 ACTING PRESIDENT GALLIVAN: The
19 resolution is adopted.

20 Senator Lanza.

21 SENATOR LANZA: Mr. President,
22 Senator Flanagan, with Senator Klein, hands up
23 the following committee assignments.

24 ACTING PRESIDENT GALLIVAN: The
25 committee assignments will be filed in the

1 Journal. So ordered.

2 Senator Lanza.

3 SENATOR LANZA: Mr. President,
4 Senator Flanagan, with Senator Klein, hands up
5 the following Independent Democratic Conference
6 committee assignments.

7 ACTING PRESIDENT GALLIVAN: To be
8 filed in the Journal. So ordered.

9 Senator Lanza.

10 SENATOR LANZA: Mr. President, in
11 consultation with Senator Stewart-Cousins,
12 Senator Flanagan hands up the following committee
13 assignments.

14 ACTING PRESIDENT GALLIVAN: To be
15 filed in the Journal. So ordered.

16 Senator Lanza.

17 SENATOR LANZA: Mr. President, is
18 there any further business at the desk?

19 ACTING PRESIDENT GALLIVAN: There
20 is no further business at the desk.

21 SENATOR LANZA: Mr. President,
22 there being no further business, I move we
23 adjourn until Monday, January 23rd, at 3:00 p.m.,
24 intervening days being legislative days.

25 ACTING PRESIDENT GALLIVAN: On

1 motion, the Senate stands adjourned until Monday,
2 January 23rd, at 3:00 p.m., intervening days
3 being legislative days.

4 (Whereupon, at 12:30 p.m., the
5 Senate adjourned.)

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