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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 7, 2017

11:11 a.m.

REGULAR SESSION

SENATOR THOMAS D. CROCI, Acting President

FRANCIS W. PATIENCE, Secretary

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

2                   ACTING PRESIDENT CROCI:    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 CROCI:    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 CROCI:    The  
15   reading of the Journal.

16                   THE SECRETARY:    In Senate, Monday,  
17   February 6th, the Senate met pursuant  
18   adjournment. The Journal of Sunday,  
19   February 5th, was read and approved. On motion,  
20   Senate adjourned.

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

23                   Presentation of petitions.

24                   Messages from the Assembly.

25                   The Secretary will read.

1                   THE SECRETARY:    On page 11,  
2    Senator Seward moves to discharge, from the  
3    Committee on Rules, Assembly Bill Number 376 and  
4    substitute it for the identical Senate Bill  
5    1066, Third Reading Calendar 20.

6                   ACTING PRESIDENT CROCI:    The  
7    substitution is so ordered.

8                   Messages from the Governor.

9                   Reports of standing committees.

10                  Reports of select committees.

11                  Communications and reports from  
12    state officers.

13                  Motions and resolutions.

14                  Senator DeFrancisco.

15                  SENATOR DeFRANCISCO:    I now move  
16    to adopt the Resolution Calendar, with the  
17    exception of Numbers 572, 569, and 490.

18                  ACTING PRESIDENT CROCI:    All in  
19    favor of adopting the Resolution Calendar, with  
20    the exception of Resolutions Number 572, 569,  
21    and 490, please signify by saying aye.

22                  (Response of "Aye.")

23                  ACTING PRESIDENT CROCI:    Opposed,  
24    nay.

25                  (No response.)

1                   ACTING PRESIDENT CROCI:    The  
2 Resolution Calendar is adopted.

3                   Senator DeFrancisco.

4                   SENATOR DeFRANCISCO:    Could you  
5 now call on Senator Gianaris for the purposes of  
6 an introduction.

7                   ACTING PRESIDENT CROCI:    Senator  
8 Gianaris.

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

11                   Once again we're joined by a great  
12 group of young men and women from my district  
13 who come up every year to see their state  
14 government in action.  It's the boys and girls  
15 from the Growing Up Green Middle School student  
16 government who are here -- would you all stand  
17 up, please -- here in the gallery with us.

18                   (Applause.)

19                   SENATOR GIANARIS:    And included in  
20 that group are some eighth-graders who are the  
21 first graduating class from Growing Up Green  
22 Middle School, and they're joined by some great  
23 parent leaders, including my good friend  
24 Erin Acosta, who is the community and family  
25 engagement coordinator, and Alex Gobright, the

1 student government coordinator.

2           And it seems like we're going to  
3 have a peaceful day for them to see how  
4 government works. Other times, you could have  
5 seen a more exciting battle here on the floor,  
6 but today I expect some greater cooperation among  
7 all the legislators, and hopefully you learn a  
8 thing or two, and we can learn from you as well.

9           So please welcome them to the  
10 chamber today, Mr. President.

11           ACTING PRESIDENT CROCI: Well, the  
12 Senate is very pleased to welcome you, and we  
13 extend to you all the privileges and courtesies  
14 of the house.

15           And if the members would like to  
16 show our appreciation in welcoming our guests,  
17 please do so at this time.

18           (Applause.)

19           ACTING PRESIDENT CROCI: Senator  
20 DeFrancisco.

21           SENATOR DeFRANCISCO: Can we now  
22 take up Resolution 572, by Senator  
23 Stewart-Cousins, read it in its entirety, and  
24 then call on Senator Stewart-Cousins to speak,  
25 please.

1                   ACTING PRESIDENT CROCI:    The  
2   Secretary will read.

3                   THE SECRETARY:    Legislative  
4   Resolution Number 572, by Senator  
5   Stewart-Cousins, memorializing Governor Andrew M.  
6   Cuomo to proclaim February 2017 as Black History  
7   Month in the State of New York.

8                   "WHEREAS, Black History Month,  
9   previously known as Negro History Week, was  
10   founded by Dr. Carter G. Woodson, and was first  
11   celebrated on February 1, 1926; since 1976, it  
12   has become a nationally recognized month-long  
13   celebration, held each year during the month of  
14   February to acknowledge and pay tribute to  
15   African-Americans neglected by both society and  
16   the history books; and

17                   "WHEREAS, The month of February  
18   observes the rich and diverse heritage of our  
19   great state and nation; and

20                   "WHEREAS, Black History Month seeks  
21   to emphasize black history is American history;  
22   and

23                   "WHEREAS, Black History Month is a  
24   time to reflect on the struggles and victories of  
25   African-Americans throughout our country's

1 history and to recognize their numerous valuable  
2 contributions to the protection of our democratic  
3 society in war and in peace; and

4           "WHEREAS, Some African-American  
5 pioneers whose many accomplishments, all of which  
6 took place during the month of February, went  
7 unnoticed, as well as numerous symbolic events in  
8 February that deserve to be memorialized include:  
9 John Sweat Rock, a noted Boston lawyer who  
10 became the first African-American admitted to  
11 argue before the U.S. Supreme Court on  
12 February 1, 1865, and the first African-American  
13 to be received on the floor of the U.S. House  
14 of Representatives; Jonathan Jasper Wright, the  
15 first African-American to hold a major judicial  
16 position, who was elected to the South Carolina  
17 Supreme Court on February 1, 1870; President  
18 Abraham Lincoln submits the proposed 13th  
19 Amendment to the U.S. Constitution, abolishing  
20 slavery, to the states for ratification on  
21 February 1, 1865; civil rights protester Jimmie  
22 Lee Jackson dies from wounds inflicted during a  
23 protest on February 26, 1965, leading to the  
24 historic Selma, Alabama, civil rights  
25 demonstrations, including Bloody Sunday, in which

1 600 demonstrators, including Martin Luther King,  
2 Jr., were attacked by police; Autherine J. Lucy  
3 became the first African-American student to  
4 attend the University of Alabama on February 3,  
5 1956; she was expelled three days later 'for her  
6 own safety' in response to threats from a mob; in  
7 1992, Autherine Lucy Foster graduated from the  
8 university with a master's degree in education,  
9 the same day her daughter, Grazia Foster,  
10 graduated with a bachelor's degree in corporate  
11 finance; the Negro Baseball League was founded on  
12 February 3, 1920; Jack Johnson, the first  
13 African-American World Heavyweight Boxing  
14 Champion, won his first title on February 3,  
15 1903; and Reginald F. Lewis, born on December 7,  
16 1942, in Baltimore, Maryland, received his law  
17 degree from Harvard Law School in 1968, and was a  
18 partner in Murphy, Thorpes & Lewis, the first  
19 black law firm on Wall Street; in 1989, he became  
20 president and CEO of TLC Beatrice International  
21 Food Company, the largest black-owned business in  
22 the United States; and

23 "WHEREAS, In recognition of the vast  
24 contributions of African-Americans, a joyful  
25 month-long celebration is held across New York

1 State and across the United States, with many  
2 commemorative events to honor and display the  
3 cultural heritage of African-Americans; and  
4 "WHEREAS, This Legislative Body  
5 commends the African-American community for  
6 preserving, for future generations, its  
7 centuries-old traditions that benefit us all and  
8 add to the color and beauty of the tapestry which  
9 is our American society; now, therefore, be it

10 "RESOLVED, That this Legislative  
11 Body pause in its deliberations to memorialize  
12 Governor Andrew M. Cuomo to proclaim February  
13 2017 as Black History Month in the State of  
14 New York; and be it further

15 "RESOLVED, That copies of this  
16 resolution, suitably engrossed, be transmitted  
17 to the Honorable Andrew M. Cuomo, Governor of the  
18 State of New York, and to the events  
19 commemorating Black History Month throughout  
20 New York State."

21 ACTING PRESIDENT CROCI: Senator  
22 Stewart-Cousins.

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

25 I rise, as I've had the privilege of

1 rising for the past 10 years, to speak about  
2 black history and Black History Month. Many  
3 times I've risen and spoken about black history  
4 in terms of my own family history -- my parents,  
5 who had suffered from segregation and  
6 discrimination; I always talk about my dad, the  
7 World War II veteran in a segregated Army -- and  
8 the fact that here I stand because of the promise  
9 of America and the struggles of not only black  
10 people, but everyone, in order to move us  
11 forward.

12 I've had the opportunity to speak  
13 about other individuals, obviously, like  
14 Constance Baker Motley, who was a Senator in this  
15 chamber, the very first African-American woman  
16 who was a Senator in this chamber, and also a key  
17 figure in Brown vs. The Board of Education, where  
18 she worked with the late Supreme Court Justice  
19 Thurgood Marshall to make sure that separate but  
20 equal was not the law of the land in our schools.

21 I also had the chance, for the past  
22 eight years, of standing here with a president in  
23 the White House, President Barack Obama, the very  
24 first African-American president, and the joy of  
25 knowing that the years and years and decades of

1 struggle could culminate in America embracing its  
2 ideals and its principles, and being able to  
3 elect the first African-American president. It  
4 was just incredible, and something that I'm  
5 frankly sorry my parents were not here to see.

6           So when I talk about black history,  
7 I talk about America, America's ideals, the  
8 triumphs, the struggles, and the fact that black  
9 history is indeed American history. So during  
10 Black History Month, I ask that we take it  
11 seriously -- we read it, we know it, we learn it.  
12 We've had the privilege of looking at some of the  
13 recent movies, with Hidden Figures. Everywhere  
14 there are unsung heroes, clearly, and so much of  
15 America's great history is wrapped up in black  
16 Americans' history.

17           Slavery, you know, existed on this  
18 continent for over 300 years. And it took  
19 another 90 years from our country's founding for  
20 slavery to be abolished. Twelve million enslaved  
21 Africans crossed to a variety of places;  
22 2 million were lost. About 400,000 appeared here  
23 in America. And amazingly, even after we  
24 abolished slavery, it took another hundred years  
25 to secure the right to vote for

1 African-Americans.

2           As Frederick Douglass said, "Without  
3 struggle, there is no progress." And as we face  
4 a very new era in American history, as we face a  
5 very different president, I think the  
6 understanding of that struggle and the need for  
7 being vigilant is becoming clearer and clearer --  
8 not just to people here in this chamber, not just  
9 to people in New York, but for people across the  
10 country and across the world.

11           Yesterday I stood with my conference  
12 and we talked about one of the essential American  
13 values. We talked about protecting voting  
14 rights. We talked about making sure that all  
15 voices are heard. We talked about protecting  
16 democracy.

17           Clearly our struggle is not over.  
18 There's a constant charge for all citizens to  
19 exercise their democratic obligations and make  
20 their voice heard. March, demand action, demand  
21 action of your leaders.

22           For our state to continue to serve  
23 as a national leader, we must ensure that all  
24 residents of New York are encouraged and able to  
25 unleash their potential, make their voices heard

1 by participating in the democratic process that  
2 has taken so many so long to achieve.

3 It's my deepest hope, as I close,  
4 that we not only observe this Black History Month  
5 but we look at the struggle of blacks in this  
6 country as a blueprint for dissent, progress, and  
7 freedom.

8 Thank you.

9 ACTING PRESIDENT CROCI: Senator  
10 Bailey.

11 SENATOR BAILEY: Thank you,  
12 Mr. President.

13 I rise today in honor of Black  
14 History Month and the resolution set forth by my  
15 leader. I rise like the song by Andra Day. I  
16 rise like Maya Angelou once said. I rise for  
17 many reasons. I rise to commemorate a month that  
18 is part of American history. And make no mistake  
19 about it, as the leader said, black history is  
20 American history, folks.

21 I rise today because of a quote that  
22 was said by one of my law school professors when  
23 she was honored at a gala and they asked her,  
24 "Why are you here?" And she said, to her family,  
25 "Thank you for giving me the strength to

1 struggle." The strength to struggle.

2           And I've thought about that many  
3 times. What does the strength to struggle  
4 actually mean? What does it mean when your  
5 forefathers and foremothers were enslaved, called  
6 3/5 of a human being? What does that mean? And  
7 they continued to have strength. And without  
8 their strength, I would not stand before you  
9 today.

10           I think about the collective  
11 strength of many people who are not necessarily  
12 considered to be heroes. And I'm going to read  
13 to you a quote from one of my favorite books,  
14 \$40 Million Slaves, by William Rhoden: "So our  
15 cheering assumed a deeper meaning. We were  
16 cheering for our very survival. Black athletes  
17 became our psychological armor, markers of our  
18 progress, tangible proof of our worth, evidence  
19 of our collective soul."

20           Now, when we think about sports  
21 heroes in African-American history, we think  
22 about Jackie Robinson, who broke the color line  
23 in baseball; Willie O'Ree, who broke the color  
24 line in the NHL; Chuck Cooper, Nat "Sweetwater"  
25 Clifton, or Earl Lloyd, depending on what day

1 you're looking at. But we don't look at  
2 Curt Flood.

3           Curt Flood who was the modern-day  
4 father of free agency. He challenged the reserve  
5 clause. So he is an unsung hero in sports  
6 history, and he's also an unsung hero in  
7 African-American history. And when you think  
8 about freedom of movement amongst your favorite  
9 athletes, when we freedom of movement in labor,  
10 we have to thank folks like Curt Flood.

11           We have to thank folks like my  
12 grandfather, James Bailey, who I mentioned before  
13 during the King resolution, who had that freedom  
14 of movement. He came up to New York, eight kids,  
15 made sure he worked hard for all of them. My  
16 grandmother Lena, may she rest in peace as well,  
17 an RN, after having just a high school degree.

18           Those folks give me the strength to  
19 struggle. And I thank God for them every day.  
20 And I thank God for the opportunity to be in this  
21 chamber, serving with my wonderful colleagues.  
22 And I hope that you will take heed to what I'm  
23 saying in that black history is American history.  
24 And the more you know about black history, the  
25 better off we'll be.

1 Thank you, Mr. President.

2 ACTING PRESIDENT CROCI: Senator  
3 Larkin.

4 SENATOR LARKIN: Thank you,  
5 Mr. President.

6 You know, we say -- last week we  
7 celebrated Martin Luther King's birthday. Today  
8 we take up the issue -- thank you, Senator -- of  
9 black history.

10 Black history has been with us  
11 forever. Some of us never wanted to talk to  
12 somebody about the issues. But just think about  
13 what we've achieved. Right now, as we sit here  
14 today, there's a new barracks for cadets at  
15 West Point. What's the name of it? Ben Davis,  
16 one of the most distinguished black officers who  
17 ever went to West Point and graduated number one  
18 in his class.

19 In 1948, the 26th of July, President  
20 Truman signed an executive order that said  
21 desegregate. Do you know, it didn't take place  
22 overnight, because we still had a lot of Southern  
23 officers who never thought that this would  
24 change.

25 In January 1949, I went to the

1 Fort Benning Officers Club with two white  
2 officers and a black officer, Tommy Hill, from  
3 the Bronx. He went to OCS with us and they said,  
4 "You can go to the mess hall, and you can go down  
5 to the enlisted men's mess hall." I tore up my  
6 card and said, "Doesn't anybody abide by the  
7 president's executive order? The executive order  
8 was very clear: Desegregate."

9                   Forty-eight hours later, General  
10 Walker called an officer's call, and he said, "By  
11 5 o'clock tonight, every sign that says 'black'  
12 or 'white' better be taken down, or I'm going to  
13 take down the commander." And that took a lot of  
14 guts.

15                   But then when you start to see what  
16 we went through -- I'm very proud to stand and  
17 say I commanded a company, and they were the  
18 best. We went to Korea, and we lost a lot of  
19 good men.

20                   People start to think about this.  
21 It had nothing to do with black and white. Every  
22 bit of it was red blood. So why should we  
23 desegregate? We should desegregate because we're  
24 never going to be a great Union unless we  
25 understand one another and give respect to one

1 another.

2 Thank you very much, Senator.

3 ACTING PRESIDENT CROCI: Senator  
4 Parker.

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

7 First let me thank Senator Andrea  
8 Steward-Cousins for her leadership in introducing  
9 this regulation, who herself is living black  
10 history, being the first African-American woman  
11 to lead a legislative conference here in the  
12 State of New York.

13 Black History Month was created in  
14 February of 1926 by Carter G. Woodson, who was a  
15 Harvard-trained historian who had really spent  
16 his life trying to get African-Americans to know  
17 about who they were as people. In 1976 -- it  
18 actually began as Negro History Week, and it was  
19 chosen as the second week in February because it  
20 was both the week that President Abraham Lincoln  
21 was born and the week that Frederick Douglass was  
22 born. Right? So I know there's like, you know,  
23 a big Facebook about why African-American History  
24 Month has to be the shortest month of the year.  
25 It really was about those birthdays and not so

1 much about it being the shortest month of the  
2 year.

3           Really, again, it began as Negro  
4 History Month in 1926, and in 1976 became a whole  
5 month. Right? So it went from Negro History  
6 Week to African-American History or Black History  
7 Month in 1976.

8           And the notion was to let people of  
9 African descent know that they did not come to  
10 the shores of America tabula rasa. For those of  
11 you who are not up on your ancient Latin, that  
12 means "as a blank slate." Right?

13           To that point, African-Americans  
14 were often told that they had contributed nothing  
15 to the history of the world, that they had no  
16 even humanity, let alone culture and history.  
17 And this was critical because history is the  
18 record of struggle and it is the record of  
19 culture. And culture is the framework that  
20 defines. You do nothing outside of the context  
21 of culture.

22           And so Carter G. Woodson's  
23 contributions are critical because he taught  
24 people that they needed to understand the history  
25 of their culture. I ask people to look at his

1 best work, which is The Mis-Education of the  
2 Negro. Anybody who is doing education -- and I  
3 don't care if you're African-American or white or  
4 Latino -- you should read this book. It's  
5 critical.

6           You can't properly understand how to  
7 teach students unless you really understand the  
8 culture and context in which students are  
9 learning, and where they come from. And he makes  
10 that argument there. And how much our education  
11 is not simply knowledge, but it's also training.  
12 And the question is what are we training people  
13 for. But that's a whole other conversation for  
14 another day.

15           To understand black history, you  
16 have to understand that the history of people of  
17 African descent did not begin when they were  
18 brought here in chains in 1619 to Jamestown,  
19 Virginia.

20           Let me paraphrase from one of my  
21 favorite books, Two Thousand Seasons, by Ayi Kwei  
22 Armah, in which he says that if you want to know  
23 the history of African people, he says you have  
24 to go to the ocean. And when you step on the  
25 sand, he said if you want to know how many

1 seasons African people have been around, you've  
2 got to count every grain of sand. And once you  
3 count every grain of sand on the beach, you only  
4 start to begin to understand how long African  
5 people have been on this planet. You will then  
6 have to walk down to the water and count the  
7 ocean, drop by drop. And once you've added up  
8 all those drops of water in the ocean, you've  
9 then only got to a fraction of the time of  
10 understanding how many seasons African people  
11 have been on this planet. Because then you would  
12 have to look up in the sky and you would have to  
13 count the sunlight, ray by ray.

14           And that would only begin to have  
15 you understand the primacy of African people, the  
16 first people on this planet, that the whole  
17 world -- if in fact there is a Garden of Eden,  
18 that Garden of Eden exists on the continent of  
19 Africa.

20           That when you look at the works of  
21 people like Chancellor Williams, in *The*  
22 *Destruction of African Civilization*; a great  
23 New York scholar, Dr. Yosef Ben-Jochannan --  
24 Dr. Ben, lovingly known -- and his works like *the*  
25 *Black Man of the Nile and His Family*, the African

1 Origins of the Major "Western Religions" -- you  
2 start to then get a framework for understanding  
3 the history of African people.

4           To understand that, you know, when  
5 we look at Egypt as a beginning point of high  
6 culture in the world, that they really were a  
7 colony of Nubia. Right? Drusilla Houston, in  
8 her work about the Wonderful Ethiopians, talks  
9 about that dynamic.

10           You have great scholars in Africa,  
11 like Cheikh Anta Diop, in The African Origin of  
12 Civilization, in which he talks about how some of  
13 these -- you know, when you see these movies  
14 about ancient Egypt, they're always trying to  
15 make the Egyptians Europeans or they're trying to  
16 make them aliens, because they don't have answers  
17 and they can't -- people don't want to believe  
18 that those were actually African people who built  
19 pyramids. That we still don't understand how  
20 they were built, even in this day.

21           For people of African descent, we  
22 have to know that that is our history, that is  
23 our culture. We have to connect to that. That  
24 in fact if you have a better understanding of who  
25 you are, as that kind of person, then other

1 people can't put you down. Because you know who  
2 you are, you know who you come from.

3 As my father used to tell me all the  
4 time, "How do you know where you're going if you  
5 don't know where you're from?" And "If you don't  
6 know where you're going, any road will take you  
7 there."

8 So it's important that we get a full  
9 examination of this culture, of this history  
10 that, again, begins way before 1619. And a real  
11 love of Africa is the beginning of a love of  
12 African-Americans. As Malcolm X says, "You can't  
13 hate the roots of a tree and not hate the tree."  
14 You can't talk about hating Africa and then say  
15 you love black people.

16 But even when we start looking at  
17 the history further, we figure out that African  
18 people didn't come to the Western Hemisphere for  
19 the first time in 1619. Check out Ivan Van  
20 Sertima and, you know, the African Presence in  
21 Early America, where he talks about how there  
22 were African explorers on the North America  
23 continent as early as 1550 who actually created  
24 settlements in the New World.

25 And so this history is rich, and

1 it's deep. And we also have to remember the  
2 great Maafa, or what's often called the African  
3 Holocaust. Right? I know oftentimes -- I don't  
4 want people to be offended by this -- when we  
5 talk about holocaust, people think that holocaust  
6 is an event. And it's not an event. And yes,  
7 there was a Jewish Holocaust. But there was also  
8 an African Holocaust. The notion is not a  
9 particular event, it's a moral category. It  
10 talks about what was done to a people.

11           The estimates of African people that  
12 were lost in the trans-Atlantic slave trade is  
13 upwards of 100 million people. A hundred  
14 million. For a long time, people couldn't figure  
15 out -- you know, I had some people I was talking  
16 to recently, and they were having a problem,  
17 Senator Montgomery. They were saying that they  
18 were on ancestry.com and they hit a brick wall,  
19 they couldn't figure it out.

20           And I said, "You're looking at the  
21 wrong place." They're like, "Yeah, but I went  
22 through and I looked at all the census logs and  
23 others." I said, "You've got to remember, when  
24 African people were brought here, they weren't  
25 brought here as people, they were brought here as

1 cargo." I said, "look at the ship manifests that  
2 came in during those times. That's where you're  
3 going to find your people at." They have to  
4 change the whole way that they're looking at it.

5           And that's part of the history.  
6 You've got to understand that for a long time,  
7 some of what we went through -- you know, you  
8 talk about, you know, people frightened about  
9 what's happening now with the new president. And  
10 I'm like, What? We done lived through the  
11 trans-Atlantic slave trade. Slavery, right?  
12 Chattel slavery. Jim Crow. Reconstruction.  
13 We're not going to go the way of the dodo over  
14 this guy. I'm like, for real?

15           If you know your history, you know  
16 that, you know, we've been through this before.  
17 In fact, worse. Because you didn't have an  
18 Andrea Stewart-Cousins, you know, during those  
19 times. Right? You didn't have a Velmanette  
20 Montgomery, you didn't have a James Sanders to  
21 stand up for you. You didn't have a Leroy Comrie  
22 or a Jamaal Bailey to stand up for you, or a  
23 Roxanne Persaud to stand up for your rights. You  
24 have those people here now.

25           And so I want to thank Senator

1 Stewart-Cousins for bringing this -- again, this  
2 important resolution to the floor. I want to  
3 thank all of you who have spoken on the  
4 resolution for us to remember this time, remember  
5 this month, and also understand that this is not  
6 about a month of study. This is simply a  
7 jumping-off point for the study that we must do  
8 every single day. Because black history is truly  
9 American history.

10                   People of African descent, remember  
11 that you are the people who were here the day  
12 before yesterday, and you're going to be the  
13 people who are going to be here the day after  
14 tomorrow.

15                   Thank you, Mr. President.

16                   ACTING PRESIDENT CROCI:    Senator  
17 Sanders.

18                   SENATOR SANDERS:    Thank you,  
19 Mr. President.

20                   I want to thank Andrea  
21 Stewart-Cousins and the other people who have put  
22 forth this resolution.

23                   And one question that comes up is  
24 with such fine speakers before me, you may say,  
25 What's left to say? Well, I'm glad that you

1 didn't say that, because I'm going to tell you  
2 what's left to say.

3           I want to say that every step that  
4 the African population makes, that black folk  
5 make in this country, is a step forward for  
6 America, that America steps forward. And I want  
7 to bring you way back to the first step, where  
8 Crispus Attucks, of course, was the first person  
9 to die in the American Revolution. He was a  
10 black man, and he died for the cause of freedom,  
11 a freedom that we are enjoying, that we have  
12 fought for and that this body here is determined  
13 to uphold.

14           American history, black history,  
15 there's really -- the only real purpose, I would  
16 argue, of black history is to remind America of  
17 its wider history, of its unfulfilled history, a  
18 search for the greater beloved community that we  
19 know as America.

20           I would only point to you in terms  
21 of progress that the public school system was  
22 created as a result of the end of the Civil War,  
23 where there were freedmen, formerly enslaved, and  
24 the public school system was created, and they  
25 said, well, you know what, we're going to let

1 white folk learn in it too. And the public  
2 school system that we all cherish -- which has  
3 become the bedrock of democracy -- was created at  
4 that time.

5                   The struggles of the Civil Rights  
6 Era, of course, allowed other people to gain.  
7 The immigrant community, the Jewish community,  
8 the Latino community, women's rights, gay rights,  
9 all of these rights can trace their origin back  
10 to this struggle. The struggle of the black  
11 community results in the movement forward of  
12 America as a whole.

13                   We have yet to see what will become,  
14 what will the Black Lives Matter movement add to  
15 America. We have yet to see what addition to  
16 American freedoms that that movement will have.  
17 But I urge this body to be part of those  
18 movements as we move America to a greater place.

19                   Thank you very much.

20                   Was that too short, sir?

21                   (Laughter.)

22                   ACTING PRESIDENT CROCI: Perfect,  
23 Senator Sanders.

24                   SENATOR SANDERS: Okay. Thank you,  
25 sir.

1                   ACTING PRESIDENT CROCI:    Senator  
2    Alcantara.

3                   SENATOR ALCANTARA:    Yes, I stand  
4    today as a black Latina.  When my colleagues  
5    mention the contributions of African-Americans,  
6    let's also remember that the biggest entry point  
7    for African slaves was the City of Santo Domingo.  
8    That my colleagues Ruben Diaz, Senator Peralta,  
9    and myself are also descendants of African  
10   slaves.  And to let everyone know that the  
11   majority of African slaves were not brought to  
12   the United States but to Latin America -- Brazil,  
13   Colombia, Panama, the Dominican Republic, and  
14   Venezuela have some of the largest African  
15   communities today.

16                   And in solidarity with my brothers  
17   and sisters that were brought to the Americas, I  
18   am here to celebrate the contributions of my  
19   brothers and sisters that are African-Americans.  
20   And we were the only people that were brought  
21   here, not as immigrants, but forced to do labor.

22                   And the African-American community  
23   has been a leader for other communities to fight  
24   for their rights.  The African-American community  
25   has been a pioneer in fighting for bilingual

1 education, the rights of Latino immigrants to  
2 become citizens and to vote.

3 I stand here as a sister that was  
4 born on the other side of the Atlantic Ocean, to  
5 give thanks to the contributions and to the work  
6 that the African-American community has done to  
7 better the lives not only of us, but of all  
8 Americans. And this is a great day to celebrate.

9 It also happens that it's the day --  
10 February is the day of the Dominican Independence  
11 Day, February 27th. So as you can see, we have a  
12 long connection. And I look forward to  
13 celebrating with my colleagues in the Senate.

14 And please, don't forget the rest of  
15 us on the continents of the Americas. Like I  
16 said, Senators Peralta, Ruben Diaz, and myself  
17 are proud members of that larger African diaspora  
18 that their ancestors were not brought to the  
19 United States, but ended up here.

20 Thank you very much.

21 ACTING PRESIDENT CROCI: The  
22 question is on the resolution. All those in  
23 favor please signify by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT CROCI: Opposed,

1     nay.

2                     (No response.)

3                     ACTING PRESIDENT CROCI:     The  
4     resolution is adopted.

5                     Senator DeFrancisco.

6                     SENATOR DeFRANCISCO:     Yes, Senator  
7     Stewart-Cousins has offered to allow all of us to  
8     cosponsor this, and I request that you ask.

9                     ACTING PRESIDENT CROCI:     The  
10    resolution is open for cosponsorship.  If you do  
11    not wish to be a cosponsor, please notify the  
12    desk.

13                    Senator DeFrancisco.

14                    SENATOR DeFRANCISCO:     Can you take  
15    up previously adopted Resolution 469, by Senator  
16    Akshar, read the title only, and recognize  
17    Senator Akshar.

18                    ACTING PRESIDENT CROCI:     The  
19    Secretary will read.

20                    THE SECRETARY:     Legislative  
21    Resolution Number 469, by Senator Akshar, paying  
22    tribute to the life and valiant service of  
23    firefighter John V. Scott, who died on July 20,  
24    2016.

25                    ACTING PRESIDENT CROCI:     Senator

1 Akshar.

2 SENATOR AKSHAR: Mr. President,  
3 thank you. I rise to honor a constituent of mine  
4 from Tioga County. I appreciate your indulgence.

5 John Scott was a firefighter in  
6 Tioga County. He was a respected member of that  
7 fire department. He was a loving husband to his  
8 wife Karen, a loving father to his daughter  
9 Denise and his son John, Jr.

10 Throughout his life, he and his wife  
11 Karen volunteered many hours, days, weeks, months  
12 and years to the Owego Kiwanis Club. They were  
13 faithful congregants of Our Lady of Good Counsel  
14 Church in Endicott. And he was just steeped in  
15 volunteer service in the emergency services  
16 field.

17 John was a member of the Campville  
18 Fire Department for 46 years. He obtained the  
19 rank of chief. He was the fire coordinator in  
20 Tioga County. He was a fire commissioner for the  
21 Town of Owego. As you can see, he spent many  
22 days and nights volunteering his time in public  
23 service.

24 John loved being a firefighter,  
25 loved being a fireman. He was called the father

1 figure of all fireman in Tioga County. Those  
2 that knew John simply loved him. John was a role  
3 model, he was a mentor to his fellow  
4 firefighters, also a very strong advocate for our  
5 community heroes. Whether you were in the paid  
6 fire service, the volunteer fire service, law  
7 enforcement, corrections, so on, he was a fierce  
8 advocate.

9 Many of you probably met John Scott.  
10 He spent a lot of time in Albany advocating for  
11 the volunteer fire service over the past couple  
12 of decades.

13 On July 20, 2016, John was  
14 prematurely killed in an accident, volunteering  
15 his time. He traveled to a radio tower that was  
16 not functioning properly, went with his wife. He  
17 was working on that tower, and a service truck  
18 struck and killed him while his wife was there.

19 So my heart goes out to his wife  
20 Karen, his daughter Denise, and his entire  
21 family. I thank him for his service, thank his  
22 family on behalf of the great people of the State  
23 of New York.

24 Thank you, Mr. President.

25 ACTING PRESIDENT CROCI: The

1 resolution has been previously adopted.

2 Senator DeFrancisco.

3 SENATOR DeFRANCISCO: Yes, Senator  
4 Akshar would also offer this up for  
5 cosponsorship.

6 ACTING PRESIDENT CROCI: The  
7 resolution is open for cosponsorship. If you do  
8 not wish to be a cosponsor, please notify the  
9 desk.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: Now can we  
12 take up a previously adopted resolution by  
13 Senator Rivera, read the title only, and call on  
14 the Senator to speak, please.

15 ACTING PRESIDENT CROCI: The  
16 Secretary will read.

17 THE SECRETARY: Legislative  
18 Resolution Number 193, by Senator Rivera, paying  
19 tribute to the life and valiant service of  
20 Battalion Chief Michael J. Fahy, who died in the  
21 line of duty on September 27, 2016.

22 ACTING PRESIDENT CROCI: Senator  
23 Rivera.

24 SENATOR RIVERA: Thank you,  
25 Mr. President.

1           It is apt that we are doing this  
2 immediately after Senator Akshar paid tribute to  
3 Fireman John Scott. Today we're paying our  
4 respects, as a body -- certainly I'm doing it as  
5 an individual, and I'm asking our Senate to do it  
6 as a body to Battalion Chief Michael Fahy.

7           It is possible that you might have  
8 heard about this gentleman. Back in September of  
9 last year, tragically, he lost his life while  
10 serving in a job that he, as well, loved.

11           I wanted to take a second to point  
12 to a couple of folks that are here on his  
13 family's behalf. His wife, Fiona, and his three  
14 lovely children were not able to be here with us  
15 today, but these four gentlemen -- I'd ask you to  
16 please stand up -- Battalion Chief James Lemonda,  
17 Deputy Chief Paul Ferro, Lieutenant James  
18 McCarthy, and Lieutenant Patrick Dunn.

19           These four individuals are here from  
20 the Fire Officers Association of the State of  
21 New York. And they are with us today reminding  
22 us, as we talk about the life of Fireman John  
23 Scott or Battalion Chief Fahy that these are the  
24 men and women who, when we are running that way,  
25 they're running that way (gesturing). They're

1 the folks who put their lives on the line  
2 regardless of who's on the other side of that  
3 door. If there is a fire, they're going to go  
4 in.

5 In the case of Battalion Chief Fahy,  
6 he was investigating an odor of gas that  
7 potentially could cause an explosion. Indeed,  
8 there was one, and from the debris of that  
9 explosion he unfortunately passed away.

10 These four gentlemen here who have  
11 been serving, between all of them, for a few  
12 decades, are the reminders of those individuals  
13 that are in every one of our districts, in every  
14 part of the state, that again, without caring  
15 who's on the other side of that door, who is  
16 inside that burning building, are going to run  
17 in.

18 I want to take a second for us to  
19 pay respects to these four gentlemen that are  
20 here with us before I continue talking about  
21 Battalion Chief Fahy.

22 (Standing ovation.)

23 SENATOR RIVERA: The battalion  
24 chief served for 17 years in the fire department,  
25 starting his career in 1999 down in Harlem, then

1 in 2004 being transferred over to Battalion 3 in  
2 the Bronx, transferred again to Engine 83 in the  
3 South Bronx, later on transferred to Division 1  
4 in Lower Manhattan. After being promoted to  
5 battalion chief, he first worked in Battalion 20  
6 in the Bronx before finally being transferred to  
7 Battalion 19.

8 Now, this is a gentleman who also  
9 received a master's from the Naval Postgraduate  
10 School in security studies. And he served only  
11 17 years before becoming a battalion chief,  
12 showing you the type of person that he was. He  
13 leaves behind three children and a loving wife.

14 And as I told the gentlemen earlier,  
15 to take a second to think about their sacrifices  
16 and the sacrifices of Battalion Chief Fahy is  
17 literally the least that we can do. Saying thank  
18 you for your service, thank you for the service  
19 of Battalion Chief Fahy. And make sure -- I  
20 don't know if you've had the opportunity. I know  
21 that I had not taken the opportunity to visit a  
22 firehouse. Sadly, the first time that I did was  
23 to visit this firehouse down on Walton Avenue in  
24 my district to meet the men who lived there.  
25 Because it is their home; sometimes we forget

1 that. They stay there, they -- you know, so we  
2 had some -- I was expecting better coffee, I will  
3 say that.

4 (Laughter.)

5 SENATOR RIVERA: But what I saw  
6 there was a camaraderie, a friendship, and people  
7 that have certainly a love of community which is  
8 real. And these are individuals that put their  
9 lives on the line every single day. So I was  
10 very happy to go and visit, sad that it was under  
11 these circumstances.

12 I would ask all of you, if you have  
13 not had the opportunity to visit the firehouse in  
14 your district, to do so. Not only because, you  
15 know, if you're a nerd like myself, kind of  
16 figuring out how they get messages from here to  
17 there, how they figure out who's going to drive  
18 and all these sorts of things, that's  
19 interesting. But more importantly, go and thank  
20 them. Go and say to them, Thank you for being  
21 there. Hopefully we never need you.

22 As I told them -- it's something  
23 very similar that I tell to police officers --  
24 what I want you to do is I want you to have a  
25 boring day, a boring week, a boring month. I

1 want you to have nothing to do. But the reality  
2 is that that's not the case. There's many things  
3 that they have to do.

4                   So again, I thank Battalion Chief  
5 Fahy for his sacrifice, and I would ask that all  
6 of us take a second to thank every firefighter  
7 that is in our neck of the woods, that put their  
8 lives on the line to make sure that we are safe.

9                   So thank you, gentlemen, for being  
10 here. And for his wife and three adoring  
11 children, we mourn with you and we pay our  
12 respects today.

13                   Thank you so much, Mr. President.

14                   ACTING PRESIDENT CROCI: Gentlemen,  
15 we honor your service today. And to Chief Fahy's  
16 family, we extended all of the privileges and  
17 courtesies of the house. And to the men and  
18 women of New York's bravest, we extend our  
19 heartfelt appreciation and gratitude.

20                   The resolution is open for  
21 cosponsorship. If you do not wish to be a  
22 cosponsor, please notify the desk, the resolution  
23 having been previously adopted.

24                   Senator DeFrancisco.

25                   SENATOR DeFRANCISCO: Yes, can we

1 now move to Resolution 463, by Senator Ritchie,  
2 read it in its entirety, and call on Senator  
3 Ritchie, please.

4 ACTING PRESIDENT CROCI: That's  
5 Resolution 343. The Secretary will read.

6 THE SECRETARY: Legislative  
7 Resolution Number 343, by Senator Ritchie,  
8 memorializing Governor Cuomo to proclaim  
9 February 18-25, 2017, as FFA Week in the State of  
10 New York.

11 "WHEREAS, It is the sense of this  
12 Legislative Body to support and promote the  
13 historic and significant observance of Future  
14 Farmers of America (FFA) Week in the State of  
15 New York; and

16 "WHEREAS, Attendant to such concern,  
17 and in full accord with its long-standing  
18 traditions, this Legislative Body is justly proud  
19 to memorialize Governor Andrew M. Cuomo to  
20 proclaim February 18-25, 2017, as FFA Week in the  
21 State of New York, in conjunction with the  
22 observance of National FFA Week; and

23 "WHEREAS, This year's FFA theme is  
24 'Transform -- Purpose to Action,' indicating that  
25 the future of agriculture is strong, as is the

1 need for a healthy and abundant food supply; and

2 "WHEREAS, By acting together, FFA  
3 students believe they can transform the message  
4 of agriculture and can continue to educate others  
5 on the importance of agriculture, giving back to  
6 others, and serving their communities; and

7 "WHEREAS, The FFA organization is  
8 dedicated to making a positive difference in the  
9 lives of students by developing their potential  
10 for premier leadership, personal growth and  
11 career success through agricultural education;  
12 and

13 "WHEREAS, The FFA motto, 'Learning  
14 to Do, Doing to Learn, Earning to Live, Living to  
15 Serve,' gives its members words to live by; and

16 "WHEREAS, 2017 marks the Centennial  
17 Anniversary of the Smith-Hughes Vocational  
18 Education Act of 1917, which provided for the  
19 existence of FFA organizations and agricultural  
20 education in our nation's high schools; and

21 "WHEREAS, Growing from a handful of  
22 students from agricultural classes who came  
23 together to form Future Farmers clubs throughout  
24 the country in the 1920s, to an FFA membership of  
25 100,000 by 1935; today, the national FFA

1 organization has more than 610,000 members in  
2 more than 7,600 chapters and encompasses all  
3 50 states as well as Puerto Rico and the  
4 Virgin Islands; and

5 "WHEREAS, The U.S. Department of  
6 Education provides leadership and helps set  
7 direction for the FFA as a service to state and  
8 local agricultural education programs; and

9 "WHEREAS, In accomplishing its  
10 mission, FFA has made a positive difference in  
11 the lives of students by developing their  
12 potential for premier leadership, personal growth  
13 and career success through agricultural  
14 education; and

15 "WHEREAS, Agricultural education in  
16 New York affects and instructs students in all  
17 parts of the state, and through their efforts,  
18 the officers and members of New York FFA are  
19 achieving increased levels of national  
20 recognition for themselves, and their schools and  
21 communities, as well as New York agriculture; and

22 "WHEREAS, It is the custom of this  
23 Legislative Body to recognize and applaud the  
24 leaders of commerce and industry whose  
25 accomplishments contribute to the economic health

1 and prosperity of the communities of the State of  
2 New York and to the quality of life of its  
3 people; now, therefore, be it

4 "RESOLVED, That this Legislative  
5 Body pause in its deliberations to memorialize  
6 Governor Andrew M. Cuomo to proclaim February  
7 18-25, 2017, as FFA Week in the State of  
8 New York; and be it further

9 "RESOLVED, That a copy of this  
10 resolution, suitably engrossed, be transmitted to  
11 the Honorable Andrew M. Cuomo, Governor of the  
12 State of New York."

13 ACTING PRESIDENT CROCI: Senator  
14 Ritchie.

15 SENATOR RITCHIE: Thank you,  
16 Mr. President.

17 I want to welcome all the FFA  
18 students from across the state here today,  
19 including those from my district who are here  
20 from Carthage, Gouverneur, Belleville, Henderson,  
21 and South Jeff.

22 I have to say every year I really  
23 look forward to FFA Day, because I'm so impressed  
24 with all of you when you come in. You are really  
25 the future of our number-one industry in New York

1 State. And I know I'm always surprised when you  
2 come in and I see how many of you are not from  
3 normal farm families and are exposed to our  
4 number-one industry just through FFA.

5 But it isn't just that, it's the  
6 fact that you're also our future leaders. When  
7 you come in, you impress me with your ability to  
8 public speak, with your community service. And  
9 that's what really makes good leaders for our  
10 future.

11 So to all of you, thank you for your  
12 hard work. I heard that the FFA chapters are  
13 continuing to grow. I look forward next year to  
14 seeing more blue coats walking up and down the  
15 halls. And for all of us here, we're proud of  
16 what you do, proud of the leaders that you're  
17 becoming. And once again, this is really one of  
18 the special days that I look forward to because  
19 of the type of individuals you are.

20 So welcome to the Capitol, I hope  
21 you enjoy your day today, and keep up the good  
22 work.

23 Thank you, Mr. President.

24 ACTING PRESIDENT CROCI: Senator  
25 Little.

1                   SENATOR LITTLE:    Thank you,  
2   Mr. President.

3                   And thank you, Senator Ritchie, for  
4   this resolution.

5                   I too welcome our Future Farmers of  
6   America here today. I know this is an  
7   organization that's been around for many, many  
8   years and has done great work promoting  
9   agriculture, promoting farms.

10                  But I see it doing a lot more than  
11   that. Not only are you teaching people about the  
12   growing use of local products and knowing where  
13   your food is coming from and all of those things;  
14   you have excellent leadership programs. And  
15   every FFA member that I have met has leadership  
16   skills that have been developed through this  
17   organization.

18                  And I just want to thank you for  
19   being here, wish you well, and continue your good  
20   work. Thank you.

21                  ACTING PRESIDENT CROCI:    Senator  
22   Ranzenhofer.

23                  SENATOR RANZENHOFER:    Thank you,  
24   Mr. President.

25                  I'd also like to commend Senator

1 Ritchie for this resolution and welcome you all  
2 to the State Capitol.

3 I had an opportunity to meet many of  
4 you this morning at our committee meeting,  
5 chaired by Senator Ritchie, and it was really  
6 eye-opening to hear some of what you had to say.  
7 I was very, very impressed. And we talked about  
8 personal development, we talked about leadership;  
9 many mentioned public speaking. And you are  
10 really becoming leaders in your community.

11 And Senator Rivera talked about the  
12 growth of the Future Farmers of America, and one  
13 of the things that I'm just very proud of and  
14 very happy to see that -- in my home county of  
15 Genesee County, there is no Future Farmers of  
16 America chapter, and one is in the process of  
17 being formed right now. So I hope that when you  
18 join us again next year, the folks from my  
19 community will join us as part of this wonderful  
20 group.

21 Because in New York State, and in  
22 particular in my district, not only do we have  
23 the traditional farming of dairy farming, crop  
24 farms and things like that, but we also have  
25 agribusiness, which many of you are interested

1 in, which is the production and manufacturing of  
2 farm and milk and dairy products.

3 So again, welcome to the Capitol.  
4 I'm glad that I was able to meet many of you this  
5 morning at our committee meeting. And the world  
6 is yours, you have a great future, and keep up  
7 the great work.

8 Thank you. And thank you again,  
9 Senator Ritchie.

10 ACTING PRESIDENT CROCI: Senator  
11 Rivera.

12 SENATOR RIVERA: Thank you,  
13 Mr. President.

14 Now, to the Future Farmers of  
15 America, you might be thinking who's this bald  
16 dude that's just standing up now. And I'm a  
17 State Senator from the Bronx, which is probably  
18 as far from many of the farms and the parts of  
19 the state that you come from.

20 But I wanted to say hello and thank  
21 you for coming, and actually put you onto a  
22 gentleman in the Bronx, his name is Steve Ritz.  
23 And Steve was the guy who taught me, he has this  
24 thing called the Bronx Green Machine. And he has  
25 used -- in the last six, seven years, he has used

1 farming, he has used actually growing vegetables  
2 as a way to educate young people in the Bronx.  
3 And he has taught me as well the value of not  
4 only, first of all, where food comes from -- and  
5 many -- most of you folks know this, because it  
6 is what you do on a daily basis. But many of the  
7 folks in my district, certainly some of the young  
8 people in my district, might not even know where  
9 food comes from. It certainly doesn't come from  
10 a bodega. It comes from a farm.

11           And so the effort of many people in  
12 the Bronx certainly -- whether it's a lady by the  
13 name of Karen Washington, who has an urban garden  
14 in my district, or Steve Ritz, who uses the Bronx  
15 Green Machine as a way to educate young people in  
16 the Bronx about where food actually comes from,  
17 it's not only incredibly valuable for their  
18 education, since they've proven to be more  
19 successful by taking that and applying it in the  
20 sciences and what have you, but also it is for  
21 folks like myself.

22           We recognize that a state as big as  
23 New York that has such an important part of its  
24 economy and such an important part of its, in all  
25 honesty, land mass, is used for farming. So it

1 is not only something that is important for  
2 knowing what we eat, but making sure that we have  
3 a marketplace for those products. The City of  
4 New York is fed by what happens upstate, and even  
5 a bald guy from the Bronx recognizes that.

6           So I wanted to make sure to thank  
7 you for coming, thank you for being here, thank  
8 you, Senator Ritchie, for bringing this  
9 resolution to the floor. And hopefully you will  
10 be coming back many more times. Maybe I can  
11 introduce you to some of those folks from the  
12 Bronx who might be -- who you will have something  
13 to teach to. Maybe they can teach you something  
14 as well.

15           So thank you so much, Mr. President.

16           ACTING PRESIDENT CROCI: Senator  
17 Montgomery.

18           SENATOR MONTGOMERY: Yes, I rise --  
19 Mr. President, thank you -- to thank Senator  
20 Ritchie for bringing this resolution.

21           And I just wanted to make sure that  
22 I am able to thank this wonderful group of young  
23 people in our state. They, to me, are the bridge  
24 to all of the communities in our state, north,  
25 south, east and west.

1                   And I thank them in particular for  
2 the fact that they have been to my district a  
3 number of times and met with other young people  
4 who, if it were not for them coming to Brooklyn,  
5 those young people in my district never would  
6 have understood what happens in upstate New York  
7 and would not understand how much alike they are  
8 with their fellow students from other parts of  
9 the state.

10                   And so I thank them. They bring a  
11 teaching Museum on Wheels, where they teach other  
12 young people how maple syrup is made. So I thank  
13 them for that. I was just at a middle school in  
14 my district on Saturday where there is a  
15 hydroponic garden -- wonderful experience.

16                   So these are not just young people  
17 for now, this is our future. This is who we hope  
18 we're going to be 20, 30, 40, 50, 100 years from  
19 now.

20                   So thank you, Future Farmers of  
21 America, for what you do, what you represent, and  
22 for really being a cultural and economic and  
23 every other bridge, especially politically, in  
24 our state. So that we are no longer viewing you  
25 as upstaters, you're just New Yorkers. And we

1 thank you for that.

2 Thank you, Mr. President.

3 ACTING PRESIDENT CROCI: Senator  
4 DeFrancisco.

5 SENATOR DeFRANCISCO: Yes, I  
6 represent Onondaga and Cayuga Counties, parts of  
7 them. And we have farms there, as you well know.

8 And it's really wonderful to see you  
9 come each year. And I've been here many years,  
10 and I've met a lot of you, many of whom are  
11 probably very old right now and they are farmers  
12 rather than future farmers of America.

13 I just wanted to congratulate you  
14 for some of the programs that were mentioned by  
15 our New York City colleagues, because it's so  
16 important that this is one state and that you're  
17 creating a bridge that that's so important for  
18 all of us here, bridges that we should be  
19 creating as well.

20 Lastly -- and I think it's important  
21 to note again; it's been noted a couple of times.  
22 It's so frustrating seeing young people in the  
23 news doing things that aren't quite the right  
24 things. And it gets to the point where you  
25 wonder what the future is for the rest of the

1 people that are a lot younger than we are.

2 Well, it's so refreshing to have you  
3 come here. You're articulate, you're pleasant,  
4 you're bright, you're leaders. And it shows us,  
5 and it's important to show us periodically, that  
6 the future is in great hands.

7 So thank you for your involvement  
8 with the Future Farmers of America and what you  
9 do for this state.

10 Thank you.

11 ACTING PRESIDENT CROCI: The Senate  
12 is very proud to welcome you here today. We  
13 extend all the privileges and courtesies of the  
14 house. And we'd like you to stand and be  
15 recognized by our body.

16 (Standing ovation.)

17 ACTING PRESIDENT CROCI: This  
18 resolution, having been previously adopted, is  
19 available for cosponsorship. If you do not wish  
20 to be a cosponsor, please notify the desk.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Can we now  
23 take up Resolution 569, by Senator Boyle, read  
24 the title only, and call on Senator Boyle to  
25 speak.

1                   ACTING PRESIDENT CROCI:    The  
2    Secretary will read.

3                   THE SECRETARY:    Legislative  
4    Resolution Number 569, by Senator Boyle, honoring  
5    Sergeant Tim Morris upon the occasion of his  
6    retirement after 42 years of distinguished  
7    service to Suffolk County.

8                   ACTING PRESIDENT CROCI:    Senator  
9    Boyle.

10                  SENATOR BOYLE:    Thank you,  
11    Mr. President.

12                  I'm here to promote the resolution  
13    about someone that you are very familiar with and  
14    many of my colleagues in the State Senate have  
15    probably seen around the hallways:   Superior  
16    Officer President Sergeant Tim Morris.

17                  Tim is joining us in the chamber  
18    today so we can thank him for 42 years of a  
19    career in law enforcement, a true leader in  
20    keeping the men and women of Suffolk County safe.

21                  Tim started his career in 1975 with  
22    the Suffolk County Sheriff's Department.   And  
23    then we also want to thank the Morris family, his  
24    wife Anne and the kids and grandkids, for lending  
25    him to us as a protector of the people of Suffolk

1 County.

2           Tim then went on to the Suffolk  
3 County Police Department and then was ultimately  
4 made president of the Superior Officers  
5 Association of Suffolk County in 2012. I cannot  
6 speak more highly of this gentleman. And a  
7 resolution of this body thanking him for his  
8 42 years of service -- you think about the amount  
9 of nights and weekends and days and years that  
10 Tim protected the people of Suffolk County.

11           And also with policy. It wasn't  
12 just wearing the badge on the street starting  
13 out, it was also coming up here and giving us  
14 best ideas for further protecting not only the  
15 constituents in Suffolk County but all  
16 New Yorkers.

17           So Tim, thank you so much for your  
18 42-year career. Congratulations. Enjoy a long  
19 and healthy retirement.

20           (Applause.)

21           ACTING PRESIDENT CROCI: Sergeant,  
22 we congratulate you -- as a resident of Suffolk  
23 County -- for your dedicated service to our  
24 county and to our state. We extend to you all  
25 the privileges and courtesies of this house.

1                   The question is on the resolution.

2   All those in favor please signify by saying aye.

3                   (Response of "Aye.")

4                   ACTING PRESIDENT CROCI:    Opposed,  
5   nay.

6                   (No response.)

7                   ACTING PRESIDENT CROCI:    The  
8   resolution is adopted.

9                   Senator DeFrancisco.

10                  SENATOR DeFRANCISCO:    Could you  
11   please open that up for cosponsorship.

12                  ACTING PRESIDENT CROCI:    The  
13   resolution will be open for cosponsorship.  If  
14   you do not wish to be a cosponsor, please notify  
15   the desk.

16                  SENATOR DeFRANCISCO:    Next, if  
17   you'd take up Resolution 490, by Senator Serrano,  
18   read it in its entirety, and call on Senator  
19   Serrano to speak.

20                  ACTING PRESIDENT CROCI:    The  
21   Secretary will read.

22                  THE SECRETARY:    Legislative  
23   Resolution Number 490, by Senator Serrano,  
24   celebrating the life and career of former United  
25   States Representative Robert Garcia, and

1 expressing sincerest sorrow upon the occasion of  
2 his death.

3 "WHEREAS, It is the sense of this  
4 Legislative Body to recognize and commend those  
5 individuals of distinguished purpose whose lives  
6 have been committed to public service and the  
7 pursuit of excellence in the conduct of the  
8 legislative process in this great Empire State;  
9 and

10 "WHEREAS, Attendant to such concern,  
11 and in full accord with its long-standing  
12 traditions, this Legislative Body wishes to  
13 express its sincerest sorrow upon the occasion of  
14 the death of Robert 'Bob' Garcia, who died on  
15 Wednesday, January 25, 2017, in San Juan,  
16 Puerto Rico, at the age of 84; and

17 "WHEREAS, Robert Garcia was born on  
18 January 9, 1933, in the Bronx to parents born in  
19 the United States Territory of Puerto Rico; he  
20 attended the New York City public schools and  
21 graduated from Haaren High School in Manhattan in  
22 1950; and

23 "WHEREAS, Robert Garcia served his  
24 country as a member of the United States Army  
25 from 1950 to 1953 during the Korean War as a

1 radio operator with the Third Infantry Division;  
2 upon the completion of his military service, he  
3 continued his education from 1953 to 1957 by  
4 enrolling in the City College of New York,  
5 although he also attended the Community College  
6 of New York as well as the RCA Institute; and

7 "WHEREAS, After graduation, Robert  
8 Garcia accepted a position as a computer engineer  
9 with IBM Control Data, where he worked from 1957  
10 until 1965; and

11 "WHEREAS, Robert Garcia had a long  
12 career in public service; and

13 "WHEREAS, Robert Garcia retained his  
14 seat in the Assembly until the end of the 1967  
15 session; it was at the beginning of the 1968  
16 session when he took his seat in the State  
17 Senate, where he remained until 1978, serving in  
18 the 177th, 178th, 179th, 180th, 181st and 182nd  
19 New York State Legislature; and

20 "WHEREAS, While serving as a  
21 Senator, he was selected to the position of  
22 Deputy Minority Leader from 1975 until 1978; and

23 "WHEREAS, Particularly concerned  
24 with the prison conditions throughout New York  
25 State's correctional facilities, Robert Garcia

1 served on the Mediation Committee, established as  
2 a result of the Attica Prison riot; and

3 "WHEREAS, Robert Garcia was elected  
4 to the 95th United States Congress representing  
5 New York's 21st district on February 14, 1978,  
6 and served until 1990; and

7 "WHEREAS, While serving, Congressman  
8 Robert Garcia was the official representative of  
9 the U.S. Congress to NATO, and was instrumental  
10 in developing better relations between Spain and  
11 Latin America; he also had a prominent role in  
12 the designation of the Martin Luther King  
13 National Holiday; and

14 "WHEREAS, Congressman Robert Garcia  
15 joined with Congressman Jack Kemp to draft and  
16 pass the Kemp-Garcia Enterprise Zone law,  
17 designed to create jobs in inner-city  
18 neighborhoods; and

19 "WHEREAS, This renowned public  
20 servant was a founding member and two-term  
21 chairman of the Congressional Hispanic Caucus,  
22 which, together with its Institute, has grown  
23 into a major point of entry for young Hispanics  
24 interested in public service; and

25 "WHEREAS, Robert Garcia devoted much

1 of his time and energy to important  
2 community-related concerns, serving on the  
3 boards and committees of numerous non-profit  
4 organizations; at the time of his death, he was  
5 an emeritus member of the Salvation Army Board of  
6 Directors and was in the process of writing an  
7 autobiography; and

8 "WHEREAS, Robert Garcia brought a  
9 deep dedication, intelligence and passion to his  
10 work; now, therefore, be it

11 "RESOLVED, That this Legislative  
12 Body pause in its deliberations to celebrate the  
13 life and contributions of the late Robert 'Bob'  
14 Garcia, and to offer its sincere condolences to  
15 his family; and be it further

16 "RESOLVED, That a copy of this  
17 resolution, suitably engrossed, be transmitted to  
18 the family of Robert 'Bob' Garcia."

19 ACTING PRESIDENT CROCI: Senator  
20 Serrano.

21 SENATOR SERRANO: Thank you very  
22 much, Mr. President.

23 I rise to pay tribute to the life  
24 and legacy of Congressman Robert "Bobby" Garcia,  
25 as we knew him, a tremendous figure in the world

1 of politics and who, as was mentioned in the  
2 resolution, served in this body as a member of  
3 the New York State Senate, representing the seat  
4 that I currently hold right now.

5           Bob Garcia was a trailblazer at a  
6 time when we did not have the level of Latino  
7 representation that we do now in government. We  
8 take for granted so much now of representation in  
9 communities like East Harlem and the South Bronx,  
10 but Bobby Garcia was coming up at a time when we  
11 didn't have that level of empowerment. And we  
12 stand on his shoulders and many of the other  
13 pioneers who worked so hard to ensure that the  
14 representation in government was reflective of  
15 the communities that they were serving.

16           So it was mentioned in the  
17 resolution the long and prestigious career of  
18 Bobby Garcia, both in the State Assembly and  
19 right here in this chamber, in the New York State  
20 Senate. But his years in Congress were  
21 exceptional, especially in 1979, when he made  
22 history by introducing a bill to establish the  
23 national holiday for American hero and civil  
24 rights leader the Reverend Dr. Martin Luther  
25 King, Jr. And it was through that level of

1 perseverance and the groundswell of so many  
2 others that we have that important holiday on our  
3 calendar today.

4           It's important to note that Bobby  
5 Garcia was ahead of his time in understanding the  
6 need for coalitions in order to create government  
7 in a way that was so important. In neighborhoods  
8 like East Harlem and the South Bronx, which are  
9 so incredibly diverse, being able to have ethnic  
10 coalitions and racial coalitions around issues  
11 that were progressive and of critical importance  
12 was so important to him.

13           I as a youngster had the good  
14 fortune of knowing Bobby Garcia, a tremendous  
15 friend to my father, Congressman Serrano, to my  
16 family. And I always knew him to be one of the  
17 most kind and intellectual people I had ever met.  
18 A gentle giant, someone who I looked up to,  
19 someone who I understood that even though at that  
20 time politics was far more bare-knuckled than it  
21 is today, he never lost his gentle touch and his  
22 ability to win over constituents through his  
23 intellect, through his sincerity, and through his  
24 passion.

25           So it really is a somber occasion,

1 but also an opportunity to celebrate his  
2 tremendous life. And with us today we have his  
3 son -- in the gallery, we have his son Kenneth  
4 Garcia, Kenneth's wife Darlene, his children  
5 Christian, Matthew and Isabel, along with other  
6 relatives and family friends.

7 I would also like to pay tribute and  
8 recognize all of the friends and family -- his  
9 wife, Jane, in Puerto Rico -- and all of those  
10 who knew and cared and understood the importance  
11 of Bobbie Garcia. He was a trailblazer in the  
12 Latino community, one who I've always been very  
13 admiring of, and I thank all of my colleagues  
14 here in the State Senate for recognizing his life  
15 and legacy.

16 Thank you.

17 ACTING PRESIDENT CROCI: Senator  
18 Bailey.

19 SENATOR BAILEY: On the resolution,  
20 Mr. President.

21 I rise to echo the same sentiments  
22 as my good colleague Senator Serrano. But I rise  
23 to recognize that the apple does not fall far  
24 from the tree. Congressman Garcia's grandson  
25 Matthew is an intern in the Assembly internship

1 program, and I met him a couple of weeks ago when  
2 I was trying to find out where the bathroom was,  
3 ironically enough, on the seventh floor. Very  
4 kind, gentle, gentlemanly: Hi, sir, how are you,  
5 how was your day? I'm just Jamaal, sir, don't  
6 worry about that. No, you're a member of the  
7 Senate, I should treat you with deference and  
8 respect.

9           And I had never met this gentleman  
10 from anywhere, but he explained to me that he was  
11 an intern with Assemblymember Cahill. And I told  
12 him to stop by at any time that he wanted to. I  
13 told him that I was an intern myself 13 years  
14 ago. So if he had any questions or concerns, to  
15 stop on by.

16           I ran into Matthew a couple of  
17 times, and then yesterday I get a letter from  
18 Matthew asking me to cosponsor this resolution.  
19 And I was going to do it anyway, because Bobby  
20 Garcia is a giant from the Bronx. He's a legend.  
21 My wife is of Puerto Rican heritage, so his  
22 passing sent shock waves through her family. So  
23 I was going to do that anyway.

24           But Matthew, I want you to know that  
25 your letter is the reason why I rise today. And

1 the apple does not fall far from the tree,  
2 Matthew. And I want you to recognize that  
3 greatness that was in your grandfather lies  
4 within you.

5 Thank you to the Garcia family for  
6 coming today. God bless the memory of Bobby  
7 Garcia.

8 ACTING PRESIDENT CROCI: Senator  
9 Rivera.

10 SENATOR RIVERA: Thank you,  
11 Mr. President.

12 I will be brief, because of a lot of  
13 the history of who this man was and what he did  
14 has already been covered.

15 But I want to do two things. First,  
16 underline the fact that for many of our  
17 colleagues here, we know how hard we had to fight  
18 to get our particular seats. Right? We've had  
19 our political battles. I want you to imagine  
20 what it was like to be a member of this body or a  
21 member of Congress all the way back in 1978. The  
22 idea -- I can't even imagine what that must have  
23 been like. And still those folks rose through  
24 the ranks, fought their way there and, in all  
25 honesty, opened the door for many of us.

1                   So I stand here today to recognize  
2 that, and looking at his family, to thank all of  
3 you for lending him to us. Particularly because  
4 some of us recognize that without folks like  
5 Bobby Garcia opening the door, we would not be  
6 standing on this floor right now.

7                   So I thank you for being here today.  
8 But I thank him for all that he did to open the  
9 door for all of us.

10                   And I thank you for your time,  
11 Mr. President.

12                   ACTING PRESIDENT CROCI:    The Senate  
13 would like to extend a welcome to the members of  
14 the Garcia family. We thank you for sharing  
15 Congressman Garcia with this country. We extend  
16 to you all the privileges and courtesies of this  
17 house, and our deepest condolences.

18                   The question is on the resolution.  
19 All those in favor please signify by saying aye.

20                   (Response of "Aye.")

21                   ACTING PRESIDENT CROCI:    Opposed,  
22 nay.

23                   (No response.)

24                   ACTING PRESIDENT CROCI:    The  
25 resolution is adopted.

1 Senator DeFrancisco.

2 SENATOR DeFRANCISCO: It's also  
3 open for cosponsorship.

4 ACTING PRESIDENT CROCI: Senator  
5 Serrano has opened the resolution for  
6 cosponsorship. If you do not wish to be a  
7 cosponsor, please notify the desk.

8 Senator DeFrancisco.

9 SENATOR DeFRANCISCO: Now can we  
10 take up Resolution 481 and read just the title.  
11 And first call on Senator Comrie, please.

12 ACTING PRESIDENT CROCI: The  
13 Secretary will read.

14 THE SECRETARY: Legislative  
15 Resolution Number 481, by Senators Flanagan,  
16 Klein and Stewart-Cousins, condemning violence,  
17 bigotry and hateful rhetoric towards people of  
18 faith and celebrating our nation's history of  
19 tolerance and freedom of religion and religious  
20 expression in the State of New York.

21 ACTING PRESIDENT CROCI: Senator  
22 Comrie.

23 SENATOR COMRIE: Thank you,  
24 Mr. President.

25 I rise today to speak to this

1 resolution regarding the hateful rhetoric that  
2 has become, almost on a regular basis, directed  
3 at people of faith, to people that are trying to  
4 come to this country to express the original  
5 history of this country, which was to embrace  
6 all, to have a history of tolerance, to have a  
7 history of freedom of religion, to allow  
8 religious expression to happen in this state and  
9 in this country.

10           The victims of hate crimes and hate  
11 speech have faced too much physical, verbal and  
12 emotional abuse because of their religion or  
13 perceived religion or faith. The constitutional  
14 right to freedom of religious practice is a  
15 cherished American value, and violence and hate  
16 speech towards any community based on their faith  
17 is in contravention of our founding principles.

18           New York State is a community made  
19 up of many diverse religions and faiths, and both  
20 immigrants and native-born Americans have worked  
21 to try to continue to make that happen. But  
22 unfortunately, the rhetoric that has been going  
23 on around this country today, the coded words,  
24 the symbolism, the disrespect for other people,  
25 the belittling of people because they have an

1 affliction or because they come from a different  
2 background that people are not used to -- the  
3 rise of hate speech and disrespect for people  
4 have consistently gotten worse, especially within  
5 the last year and the last two years  
6 especially.

7                   We need to make sure that we are --  
8 especially during this month of Black History  
9 Month, we remember that we need to embrace all  
10 people. We need to ensure that we understand  
11 each other's cultures, that we understand each  
12 other's backgrounds, and that we stop religious  
13 extremism, that we stop prejudice on the basis of  
14 no knowledge, but to make sure that we work to  
15 embrace and try to find out about all people and  
16 all cultures.

17                   We have a lot to learn in America  
18 still, as we are still a new country. But I'm  
19 concerned about the fact that we have seemed to  
20 lower our level of discourse and respect towards  
21 each other, that the code words and the coding of  
22 different words that are going on in this country  
23 now have seemed to create a level of disrespect  
24 all over this country. And hopefully we can  
25 rise, as legislative bodies all over this

1 country, to push back on that.

2 Now, I have an intern that's with me  
3 now, Sahab, whose family fled religious  
4 prosecution from their country. Their freedom,  
5 their properties and businesses were taken away.  
6 Sahab, could you please stand? His father was  
7 beaten, his life was threatened. They came to  
8 America with almost nothing in their pockets but  
9 only with the hope to rebuild their lives. His  
10 father worked night shifts at an MTA store; his  
11 mother worked two jobs, at Dunkin Donuts and  
12 Wendy's. Then his father went on to become the  
13 general manager of that store, and his mother  
14 recently completed her course as a pharmacy  
15 technician.

16 Sahab graduated high school as a  
17 valedictorian, and now he's going to graduate as  
18 an engineer from the Nano College at SUNY Poly  
19 with a full fellowship. Please give him a round  
20 of applause.

21 (Applause.)

22 SENATOR COMRIE: So I asked Sahab,  
23 "Why do you want to intern here? You're going to  
24 be an engineer, you're going to make money,  
25 you're going to have a great life. Why would you

1 want to come here to be an intern at our  
2 wonderful level of government in an institution  
3 that clearly sets the pace for people around the  
4 country?"

5                   And he said, "I want to be more than  
6 just an immigrant in my new home. I want to do  
7 more in my life for the welfare of my new state  
8 and country."

9                   And someday, he would like to run  
10 for office. He lives in my district, so I have  
11 to make sure that that takes at least ten years  
12 from now.

13                   (Laughter.)

14                   SENATOR COMRIE: But he would like  
15 to run for office and help his fellow citizens  
16 who have accepted his family and him as a  
17 generous part of their society.

18                   This is a story that I'm proud to  
19 say happens in my district a lot. I have a very  
20 diverse district. I'm honored to have a district  
21 that has a large population of South Asians, a  
22 large population of Muslims, a large population  
23 of almost every culture. And Queens is one of  
24 the most diverse boroughs in this country, where  
25 we have over 100 languages spoken.

1           We need to make sure that we do our  
2 best as legislators to stop hate speech, to stop  
3 coded speech, to stop people from disrespecting  
4 each other, to stop leaders from belittling  
5 people as well. We need to make sure that all of  
6 our institutions that are in this country  
7 recognize the original tenets of our country,  
8 which is one country for all. A country that was  
9 founded on the basis of religious freedom and the  
10 desire of people to want to make sure that they  
11 came to a country where they could be respected,  
12 where their ideals and visions would be embraced,  
13 where their abilities would be thought of first,  
14 and not anything else.

15           Thank you, Mr. President, for  
16 allowing this resolution to be heard today. And  
17 I again would ask all of my colleagues to work  
18 together to ensure that hate speech is no longer  
19 speech that is tolerated.

20           Thank you very much.

21           ACTING PRESIDENT CROCI:    Senator  
22 Phillips.

23           SENATOR PHILLIPS:    Thank you,  
24 Mr. President. And thank you, Senator.

25           I'm proud to stand with my leader

1 and the members of this body to denounce bigotry,  
2 intolerance and hatred. There is not a community  
3 in this state that has not witnessed acts and  
4 words of hatred -- acts that are designed to  
5 divide us, to frighten us and make us less safe.

6 But right here, right now, right in  
7 this Senate chamber, we are showing people from  
8 different places or from different backgrounds,  
9 different experiences, that we can achieve so  
10 much more when we stand together, building a  
11 better state and building a future.

12 Thank you, Leader Flanagan, and all  
13 my colleagues for giving us this opportunity to  
14 stand together to send a crystal-clear message to  
15 stand against hatred and bigotry, fear and  
16 division.

17 Thank you.

18 ACTING PRESIDENT CROCI: The  
19 resolution, having been previously adopted, is  
20 open for cosponsorship.

21 I'm sorry, was there another member  
22 wishing to speak?

23 Senator Hoylman.

24 SENATOR HOYLMAN: Thank you,  
25 Mr. President.

1           I rise to thank my colleagues for  
2 the introduction of this resolution.

3           I wanted my colleagues to know that  
4 a week ago, I held a forum on hate speech in my  
5 district where we invited experts from the  
6 Southern Poverty Law Center and the  
7 Anti-Defamation League as well as a documentary  
8 film producer who has developed a program on the  
9 Discovery Channel called "Hate in America," which  
10 looks at, on a weekly basis, hate incidents from  
11 coast to coast.

12           And it's a disturbing trend that  
13 we've seen, particularly for religious  
14 minorities, people of color, and LGBT  
15 individuals. We have a lot more work to do.

16           And what concerns me, and what the  
17 Southern Poverty Law Center has indicated, is  
18 that since the recent federal elections, hate  
19 crimes have more than tripled in some parts of  
20 the country.

21           So I share the concern with my  
22 colleagues on both sides of the aisle. We need  
23 to redouble our efforts to address the pernicious  
24 causes of hate speech for every group in our  
25 society that may be harmed by the darkest

1 elements of our society.

2 Thank you, Mr. President.

3 ACTING PRESIDENT CROCI: Senator  
4 DeFrancisco.

5 SENATOR DeFRANCISCO: Yes, thank  
6 you. I want to join in this resolution.

7 And I think it's important to point  
8 out that what's been said here is correct, it  
9 seems like hatred and hate speech is on the  
10 increase. And I think that's important to  
11 recognize and important to deal with.

12 And it seems to me that if more  
13 people were willing to accept what happens rather  
14 than to rail against it with hate speech, hate  
15 actions, violence and the like, this society  
16 would be much better off.

17 And as far as hatred, unfortunately  
18 it's not limited against one religion or another  
19 religion. It seems to be on the rise. And when  
20 you see internationally, it's not only just hate  
21 speech, it's hate actions, where people are  
22 beheaded because of their faith and people are  
23 killed en masse because of their faith.

24 And you can't get any clearer  
25 message than what we're trying to give today, I

1 believe. That this applies to everybody.  
2 Whatever the political persuasion, whatever the  
3 religion, whatever the background of an  
4 individual, that this rhetoric has got to stop.  
5 People have to talk together, people have to  
6 listen to each other, and people have to act in a  
7 way that's going to promote harmony, not  
8 disruption.

9                   So I also thank the sponsors for  
10 doing this resolution. I think the timing is  
11 perfect. Thank you.

12                   ACTING PRESIDENT CROCI: Thank you.

13                   The resolution, having been  
14 previously adopted, is open for cosponsorship. If  
15 you do not wish to be a cosponsor, please notify  
16 the desk.

17                   Senator DeFrancisco.

18                   SENATOR DeFRANCISCO: Yes, I think  
19 there's one last resolution, and that's a  
20 privileged resolution by me. Just read the short  
21 title, please.

22                   ACTING PRESIDENT CROCI: The  
23 Secretary will read.

24                   THE SECRETARY: Legislative  
25 resolution by Senator DeFrancisco, honoring

1 Syracuse University Men's Basketball Head Coach  
2 Jim Boeheim upon the occasion of his 1,000th  
3 career win.

4 ACTING PRESIDENT CROCI: Senator  
5 DeFrancisco.

6 SENATOR DeFRANCISCO: Today there's  
7 been debate and discussion about very, very, very  
8 serious issues. And some issues deal with things  
9 dividing our country, things that have been bad  
10 in the history of our country and how we're  
11 trying to become better each day.

12 Well, it's time for something  
13 uplifting today. And the uplifting message that  
14 I'm bringing today deals with the 1,000th victory  
15 of Coach Jim Boeheim for the beloved Syracuse  
16 Orangemen that are from Syracuse, New York, a  
17 great Senate district in the center of this  
18 state.

19 And to consider a thousand  
20 victories, you have to be extremely successful.  
21 And Jim Boeheim, believe it or not, has coached  
22 one basketball team, the varsity team at Syracuse  
23 University, for 41 years. That's older than a  
24 lot of -- longer than a lot of people have been  
25 on this earth.

1                   And no matter what the circumstances  
2 are, Syracuse seems to always be at the top of  
3 their game. And if there's a lull, that lull is  
4 clearly corrected before the season ends.

5                   I was at the game at the Dome on  
6 Saturday against the University of Virginia,  
7 where the Syracuse Orangemen came back from a  
8 12-point half-time deficit and beat the team  
9 that's ninth in the country, the University of  
10 Virginia, a great team. And the irony of all of  
11 this, or about this, is the fact that last year  
12 Syracuse was not having a great season. And  
13 somehow they got into the NCAA tournament and  
14 beat Virginia after being behind 16 points to go  
15 to the Final Four. Which is the fifth Final Four  
16 that Coach Boeheim has brought Syracuse  
17 University to. And he's also won the National  
18 Championship in 2003. And it's just a great  
19 tribute to him.

20                   Lastly, I just want to mention he's  
21 also a member of the Naismith Memorial Basketball  
22 Hall of Fame, and he's been Coach of the Year in  
23 many different years over his long career.

24                   That's not the extent of the work of  
25 the Boeheims. And I say Boeheims because,

1 together with his wife Julie, they have a  
2 foundation. And that foundation raises money,  
3 the Jim and Julie Boeheim Foundation, it's raised  
4 money for incredible projects in Central  
5 New York. He is one of the premier coaches that  
6 raises money every year for Coaches Versus  
7 Cancer. He's on every -- every organization you  
8 can imagine has benefited from this, the  
9 charitable work of Jim and Julie Boeheim.

10 So a thousand victories -- I want to  
11 make this clear -- for the NCAA. A thousand  
12 victories means that you've won a thousand games.  
13 If you win a thousand games, you have a thousand  
14 victories. And this is to make sure, this  
15 resolution is to make sure not only to honor Jim  
16 Boeheim but also to explain what it means to win  
17 a thousand games and be a thousand-game winner.

18 So with that said, I hope everyone  
19 will join us on this resolution and that Syracuse  
20 will continue their movement towards the NCAA  
21 Tournament and beyond.

22 Thank you, Mr. President.

23 ACTING PRESIDENT CROCI: Senator  
24 Valesky.

25 SENATOR VALESKY: Thank you,

1 Mr. President.

2 I'm happy to join Senator  
3 DeFrancisco in sponsoring this resolution and  
4 congratulating Coach Boeheim on his thousandth  
5 victory and, as Senator DeFrancisco has  
6 articulated, many of the accomplishments the  
7 team, under his leadership, has had over  
8 41 years.

9 One of the things that I wanted to  
10 add to that that we see visual evidence of every  
11 time we turn the television on and watch a game  
12 or are in the Carrier Dome in person, the fact  
13 that a number of years ago the court itself at  
14 the Carrier Dome was named the Jim Boeheim Court.  
15 And that's about as high an honor as you can get,  
16 I think, to really memorialize the contributions  
17 that he has made.

18 The other thing I think that it's  
19 important to share and to note, the Syracuse  
20 Men's Basketball Team, under Coach Boeheim's  
21 leadership over these past 41 seasons, has had  
22 the effect of drawing people together, in Central  
23 New York and beyond. You know, and we -- this  
24 particular time of the year in Central New York  
25 tends to be a pretty cloudy, sometimes gloomy

1 place. And when people come together to watch a  
2 Syracuse basketball game, either in person or on  
3 TV or in various establishments around  
4 communities in Central New York, it does bring us  
5 all together and sort of enlightens the mood and  
6 shines a little brighter on Syracuse and Central  
7 New York.

8                   So congratulations to Coach Boeheim.  
9 We know many more victories for the team under  
10 his leadership are to come.

11                   Thank you, Mr. President.

12                   ACTING PRESIDENT CROCI: The  
13 question is on the resolution. All those in  
14 favor please signify by saying aye.

15                   (Response of "Aye.")

16                   ACTING PRESIDENT CROCI: Opposed,  
17 nay.

18                   (No response.)

19                   ACTING PRESIDENT CROCI: The  
20 resolution is adopted.

21                   And the sponsor has agreed to open  
22 the resolution for cosponsorship. If you do not  
23 wish to be a cosponsor, please notify the desk.

24                   Senator DeFrancisco.

25                   SENATOR DeFRANCISCO: Yes, can we

1 now take up the noncontroversial reading of the  
2 calendar.

3 ACTING PRESIDENT CROCI: The  
4 Secretary will read.

5 THE SECRETARY: Calendar Number 20,  
6 substituted earlier by Member of the Assembly  
7 Cahill, Assembly Print Number 376, an act to  
8 amend the Insurance Law.

9 ACTING PRESIDENT CROCI: Read the  
10 last section.

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

14 ACTING PRESIDENT CROCI: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT CROCI: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number 79,  
21 by Senator Klein, Senate Print 1785, an act to  
22 amend the Penal Law.

23 ACTING PRESIDENT CROCI: Read the  
24 last section.

25 THE SECRETARY: Section 7. This

1 act shall take effect on the first of November.

2 ACTING PRESIDENT CROCI: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 59. Nays, 2.  
6 Senators Hamilton and Montgomery recorded in the  
7 negative.

8 ACTING PRESIDENT CROCI: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number 96,  
11 by Senator Ortt, Senate Print 249, an act to  
12 amend the Correction Law.

13 ACTING PRESIDENT CROCI: Read the  
14 last section.

15 THE SECRETARY: Section 3. This  
16 act shall take effect on the 30th day.

17 ACTING PRESIDENT CROCI: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60. Nays, 1.  
21 Senator Montgomery recorded in the negative.

22 ACTING PRESIDENT CROCI: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number 97,  
25 by Senator Golden, Senate Print 1635, an act to

1 amend the Correction Law.

2 ACTING PRESIDENT CROCI: Read the  
3 last section.

4 THE SECRETARY: Section 2. This  
5 act shall take effect on the first of November.

6 ACTING PRESIDENT CROCI: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT CROCI: Senator  
10 Rivera to explain his vote.

11 SENATOR RIVERA: Thank you,  
12 Mr. President. I will explain my vote briefly.

13 As I've done in the past, this is a  
14 bill that although well-intentioned -- and I  
15 certainly agree with our efforts to make sure  
16 that we protect those folks that need to be  
17 protected from sex offenders, it does not make a  
18 distinction between levels of sex offenders.

19 As I've said many times on this  
20 floor, Level 3s are predators who are very  
21 different from Level 1s. This makes no such  
22 distinction, and therefore I will have to vote in  
23 the negative.

24 Thank you, Mr. President.

25 ACTING PRESIDENT CROCI: Senator

1 Rivera to be recorded in the negative.

2 Senator Hoylman.

3 SENATOR HOYLMAN: Thank you,  
4 Mr. President.

5 I rise on this bill because I think  
6 there is legislation currently being blocked by  
7 this body for consideration called the Child  
8 Victims Act. We can actually do something to  
9 address the estimated 100,000 New York children  
10 who have been abused by people they trust, by  
11 lifting the statute of limitations and allowing  
12 them to have a claim in either civil or criminal  
13 court.

14 Currently, Mr. President, in  
15 New York, which has one of the most onerous  
16 statute of limitations in the country, if you  
17 don't file a claim against your abuser by the age  
18 of 23, then you are frozen out of our legal  
19 system. We need to do something to fix that.

20 I'll be supporting this bill, but  
21 let's look at fixing the underlying problem,  
22 which is not allowing our kids to have access to  
23 the civil and criminal justice system.

24 Thank you.

25 ACTING PRESIDENT CROCI: Senator

1 Hoylman to be recorded in the affirmative.

2 Announce the result.

3 THE SECRETARY: Ayes, 59. Nays, 2.  
4 Senators Montgomery and Rivera recorded in the  
5 negative.

6 ACTING PRESIDENT CROCI: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 146, by Senator Hamilton, Senate Print 3550, an  
10 act to amend the Mental Hygiene Law.

11 ACTING PRESIDENT CROCI: Read the  
12 last section.

13 THE SECRETARY: Section 4. This  
14 act shall take effect on the first of January.

15 SENATOR VALESKY: Lay it aside for  
16 the day, please.

17 ACTING PRESIDENT CROCI: The bill  
18 is laid aside for the day.

19 THE SECRETARY: Calendar Number  
20 147, by Senator Amedore, Senate Print 4067, an  
21 act to amend the Civil Service Law.

22 SENATOR DeFRANCISCO:  
23 Mr. President, do we have a message of  
24 appropriation at the desk?

25 ACTING PRESIDENT CROCI: Senator, I

1 believe we are just getting that now. But it is  
2 delayed.

3 SENATOR DeFRANCISCO: It is  
4 delayed?

5 While we're waiting for it to be  
6 brought up, I just wanted to mention that  
7 immediately following session, there's a Health  
8 Committee meeting in Room 124, and thereafter a  
9 Republican Budget Subcommittee on Water meeting  
10 in Room 420 just after the Health Committee.

11 So Health Committee, 124, Republican  
12 Budget Subcommittee on Water in 420 thereafter.

13 ACTING PRESIDENT CROCI: Very good.  
14 There will be a Health Committee meeting directly  
15 following session in Room 124 and a Republican  
16 Budget Subcommittee on Water meeting in Room 420.

17 SENATOR DeFRANCISCO: And on behalf  
18 of Senator Flanagan, the Senate Republican  
19 Conference hands up the following committee  
20 assignments.

21 ACTING PRESIDENT CROCI: The  
22 committee assignments are received and will be  
23 filed with the Journal clerk.

24 Do we have a message of  
25 appropriation?

1                   ACTING PRESIDENT CROCI:    It has not  
2    been received by the desk.

3                   SENATOR DeFRANCISCO:    Has it been  
4    sent yet?  Oh, all right.

5                   ACTING PRESIDENT CROCI:    Senator  
6    DeFrancisco, there is a message at the desk.

7                   SENATOR DeFRANCISCO:    Okay.  I move  
8    to accept the message of appropriation.

9                   ACTING PRESIDENT CROCI:    All those  
10   in favor of accepting the message of  
11   appropriation signify by saying aye.

12                                   (Response of "Aye.")

13                   ACTING PRESIDENT CROCI:    Opposed,  
14   nay.

15                                   (No response.)

16                   ACTING PRESIDENT CROCI:    The  
17   message of appropriation is accepted.

18                                   Senator DeFrancisco.

19                   SENATOR DeFRANCISCO:    Would you now  
20   take up Calendar 147.

21                   ACTING PRESIDENT CROCI:    The  
22   Secretary will read the last section.

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

25                   ACTING PRESIDENT CROCI:    Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT CROCI: The bill  
5 is passed.

6 SENATOR DeFRANCISCO: Is there any  
7 further business at the desk? One moment.

8 I have the committee assignments  
9 brought by Senator Flanagan, in consultation with  
10 Senator Stewart-Cousins, and I now hand those up.

11 ACTING PRESIDENT CROCI: The  
12 committee assignments are received and will be  
13 filed with the Journal Clerk.

14 SENATOR DeFRANCISCO: They're being  
15 handed up at the moment.

16 ACTING PRESIDENT CROCI: And  
17 received.

18 SENATOR DeFRANCISCO: Now, is there  
19 any further business at the desk?

20 ACTING PRESIDENT CROCI: There is  
21 no further business before the desk.

22 SENATOR DeFRANCISCO: That being  
23 the case, I move to adjourn until Monday,  
24 February 13th, at 3:00 p.m., intervening days  
25 being legislative days.

1                   ACTING PRESIDENT CROCI:    On motion,  
2   the Senate stands adjourned until Monday,  
3   February 13th, at 3:00 p.m., intervening days  
4   being legislative days.

5                   (Whereupon, at 12:49 p.m., the  
6   Senate adjourned.)

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