

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 22, 2017

11 3:25 p.m.

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13
14 REGULAR SESSION

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18 SENATOR FRED AKSHAR, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

2 ACTING PRESIDENT AKSHAR: 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 AKSHAR: Father
10 Alexander Golubov is with us today to give the
11 invocation. He is the Archpriest of the
12 St. Nicholas Cathedral of the Russian Orthodox
13 Church in New York.

14 Father.

15 FATHER GOLUBOV: It is indeed a
16 singular honor. Let us pray.

17 O Heavenly King, the Comforter, the
18 Spirit of Truth, Who art everywhere and fillest
19 all things, treasury of goodness and giver of
20 life, come and abide in us and cleanse us from
21 every impurity and save our souls, O good One.

22 Amen.

23 ACTING PRESIDENT AKSHAR: The
24 reading of the Journal.

25 THE SECRETARY: In Senate,

1 Tuesday, March 21st, the Senate met pursuant to
2 adjournment. The Journal of Monday, March 20th,
3 was read and approved. On motion, Senate
4 adjourned.

5 ACTING PRESIDENT AKSHAR: Without
6 objection, the Journal stands approved as read.

7 Presentation of petitions.

8 Messages from the Assembly.

9 Messages from the Governor.

10 Reports of standing committees.

11 Reports of select committees.

12 Communications and reports from
13 state officers.

14 Motions and resolutions.

15 Mr. Floor Leader.

16 SENATOR DeFRANCISCO: Before we do
17 the resolutions, can we please go to the
18 noncontroversial reading of the calendar.

19 ACTING PRESIDENT AKSHAR: The
20 Secretary will read.

21 THE SECRETARY: Calendar Number
22 188, by Senator Avella, Senate Print 1301, an
23 act to amend the Family Court Act.

24 ACTING PRESIDENT AKSHAR: Read the
25 last section.

1 THE SECRETARY: Section 2. This
2 act shall take effect on the 60th day.

3 ACTING PRESIDENT AKSHAR: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT AKSHAR: Announce
7 the results.

8 THE SECRETARY: Ayes, 46. Nays,
9 1. Senator Montgomery recorded in the negative.

10 ACTING PRESIDENT AKSHAR: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 257, by Senator Gallivan, Senate Print 1983, an
14 act to amend the Public Officers Law.

15 ACTING PRESIDENT AKSHAR: Read the
16 last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect immediately.

19 ACTING PRESIDENT AKSHAR: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT AKSHAR: Announce
23 the results.

24 THE SECRETARY: Ayes, 47.

25 ACTING PRESIDENT AKSHAR: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 261, by Senator Little, Senate Print 761, an act
4 to amend the Environmental Conservation Law.

5 ACTING PRESIDENT AKSHAR: Read the
6 last section.

7 THE SECRETARY: Section 2. This
8 act shall take effect immediately.

9 ACTING PRESIDENT AKSHAR: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT AKSHAR: Announce
13 the results.

14 THE SECRETARY: Ayes, 47.

15 ACTING PRESIDENT AKSHAR: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 346, by Senator Marcellino, Senate Print 1185, an
19 act to amend the Navigation Law.

20 ACTING PRESIDENT AKSHAR: Read the
21 last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect immediately.

24 ACTING PRESIDENT AKSHAR: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT AKSHAR: Announce
3 the results.

4 THE SECRETARY: Ayes, 47.

5 ACTING PRESIDENT AKSHAR: The bill
6 is passed.

7 Floor Leader, that completes the
8 noncontroversial reading of the calendar.

9 SENATOR DeFRANCISCO: Yes, can we
10 now take up previously adopted Resolution 1117,
11 read it in its entirety, and then call on Senator
12 Alcantara.

13 ACTING PRESIDENT AKSHAR: The
14 Secretary will read.

15 THE SECRETARY: Legislative
16 Resolution Number 1117, by Senator Alcantara,
17 memorializing Governor Andrew M. Cuomo to
18 proclaim April 2017 as Russian American History
19 Month in the State of New York.

20 "WHEREAS, The history and
21 participation of people of Russian heritage in
22 the American experience will be greatly enhanced
23 and appreciated through the observation of
24 April 2017 as Russian American History Month in
25 the State of New York; and

1 "WHEREAS, Individuals of Russian
2 heritage such as Ivan Turchaninov, Union Army
3 brigadier general; Igor Sikorsky, inventor of the
4 helicopter and the multi-engine airplane;
5 composers Sergei Rachmaninoff and Igor
6 Stravinsky; Yul Bryner and Kirk Douglas,
7 Hollywood legends; Serge Brin, cofounder and head
8 of the Google Corporation; Irving Berlin, author
9 of the song 'God Bless America,' and many others,
10 have made important contributions to the United
11 States and the world; and

12 "WHEREAS, The recognition of such
13 significant contributions will enhance the
14 opportunities for Russian American youth to take
15 pride in their forebears and to identify with
16 them as role models; and

17 "WHEREAS, Better knowledge of the
18 role of Russian Americans in the history of the
19 United States and of relations between Russia and
20 America can lead to more productive opportunities
21 for all; now, therefore, be it

22 "RESOLVED, That this legislative
23 body pause in its deliberations to memorialize
24 Governor Andrew M. Cuomo to proclaim April 2017,
25 as Russian American History Month in the State of

1 New York, and to urge that during this month
2 there be active efforts to examine the subject in
3 public schools, colleges, universities and other
4 venues, and that events and activities supporting
5 interest and attention to Russian American
6 history and how Russian Americans have retained
7 their cultural identity while contributing
8 significantly to the enrichment of New York State
9 and America be encouraged; and be it further
10 "RESOLVED, That copies of this
11 resolution, suitably engrossed, be transmitted to
12 the Honorable Andrew M. Cuomo, Governor of the
13 State of New York; the Honorable Sergey I.
14 Kislyak, Ambassador of the Russian Federation to
15 the United States; the Honorable Igor L.
16 Golubovsky, Consul General of the Russian
17 Federation in New York; His Eminence Hilarion,
18 Metropolitan of Eastern America and New York;
19 Bishop John, Administrator of the Patriarchal
20 Parishes in the United States; Dr. Olga
21 Zatsepina, President of RACH-C, the Russian
22 American Cultural Heritage Center Inc., and Chair
23 of the Russian American History Month Coalition:
24 Dr. Cyril Geacintov, President, Russian Nobility
25 Association in America; and Tatiana Deptola,

1 President of the New Russia Cultural Center,
2 Albany, New York."

3 ACTING PRESIDENT AKSHAR: Senator
4 Alcantara.

5 SENATOR ALCANTARA: Thank you.

6 April 2017 is coming up, and it's
7 Russian History Month. We have a delegation here
8 from my district, the 31st, representing the
9 Russian community. We have Dr. Olga Zatsepina,
10 president of the Russian American Cultural
11 Heritage Center and chair of the Coalition in
12 Support of Russian American History Month. We
13 have Countess Tatiana Bobrinskoy, grand
14 chancellor, Order of the Knights Hospitallier of
15 St. John Russian Grand Priory. We have Igor
16 Kochan, leader of the Russian Youth of America.
17 We have Marina Terentieva, president of the
18 Institute for Bilingual Research on Long Island.
19 We have Professor Julio Rodriguez, cofounder of
20 the Russian American Cultural Heritage Center and
21 executive director of the Institute of
22 Puerto Rican Urban Studies. We also have Marina
23 Ivannikova, leader of the Russian Orthodox Youth
24 of America. We have Linda Branitskaya,
25 representative of the Russian Language

1 Librarians, Public Libraries of New York. And
2 last, Nikolai Komissarov, who's a photographer
3 with the delegation.

4 And thank you for allowing me the
5 opportunity to welcome my neighbors and friends
6 from the Russian community as we move on to
7 celebrate Russian American History Month and to
8 acknowledge the contributions that the Russian
9 community has made to the history not only of
10 New York City and New York State, but also to the
11 United States of America.

12 Congratulations, and thank you.

13 ACTING PRESIDENT AKSHAR: Thank
14 you, Senator Alcantara.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: Thank you. I
17 too want to rise and commend the group that is
18 here representing the Russian community.

19 But having gone through -- and it's
20 a wonderful thing that you're here and that there
21 was this resolution brought on your behalf.

22 I've been doing this for a long
23 time, and I just want to tell Father Alexander
24 that that was the most succinct and meaningful
25 prayer that we've had since I've been here. And

1 we're going to invite you back as many times as
2 you'd like to come.

3 (Laughter.)

4 SENATOR DeFRANCISCO: Thank you.

5 ACTING PRESIDENT AKSHAR: Father,
6 on behalf of this great house -- excuse me. I'm
7 sorry, Senator.

8 Senator Bailey.

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

11 I rise briefly, I just wanted to
12 recognize that Countess Tatiana Bobrinskoy is a
13 constituent of mine, as she resides in the City
14 of Mt. Vernon. And it's great that you've made
15 the trip up, and I commend my colleague Senator
16 Marisol Alcantara for bringing this resolution to
17 the floor.

18 And I commend my colleague in the
19 Assembly, Assemblyman Luis Sepulveda, for also
20 bringing this companion resolution to the floor
21 to recognize the great accomplishments that
22 Russian Americans have given to this country.

23 Thank you for coming up.

24 ACTING PRESIDENT AKSHAR: Thank
25 you, Senator Bailey.

1 Senator Savino.

2 SENATOR SAVINO: Thank you,
3 Mr. President.

4 I also rise, I want to welcome our
5 Russian visitors here to the chamber. And I want
6 to thank Senator Alcantara for bringing this
7 resolution in recognition of Russian American
8 History Month.

9 While the Russian community is now
10 thriving and growing around the state and around
11 the City of New York, I would bet that I probably
12 have the largest Russian American and Russian
13 community -- outside of the former Russian
14 area -- in New York, and that's in the heart of
15 Brooklyn, in Brighton Beach, in Coney Island, in
16 Sheepshead Bay, and moving into Staten Island.

17 They are a welcome addition to the
18 parts of South Brooklyn, and in fact they are one
19 of the most amazing new communities that we have.
20 If you don't have a Russian community in your
21 district, I feel bad for you. Look forward to
22 having one.

23 They bring passion, they bring
24 history, they bring a sense of community. They
25 have become involved in every level of their

1 community. They are truly part of our new
2 American heritage, and I welcome you to the
3 chamber.

4 And to all of us, if you don't have
5 a Russian community, find one, get to know them.

6 Thank you, Mr. President.

7 ACTING PRESIDENT AKSHAR: Thank
8 you, Senator Savino.

9 Seeing no other members wishing to
10 be heard, Father, on behalf of this great house,
11 to you and your delegation, we welcome you and
12 extend all the privileges and courtesies of the
13 house.

14 Mr. Floor Leader.

15 SENATOR DeFRANCISCO: Can we now
16 take up previously adopted Resolution 1101, by
17 Senator Serrano, read the title only, and then
18 call on the Senator to speak.

19 ACTING PRESIDENT AKSHAR: The
20 Secretary will read.

21 THE SECRETARY: Legislative
22 Resolution Number 1101, by Senator Serrano,
23 memorializing Governor Andrew M. Cuomo to
24 proclaim 8:30 p.m. to 9:30 p.m. on Saturday,
25 March 25, 2017, as Earth Hour in the State of

1 New York.

2 ACTING PRESIDENT AKSHAR: Senator
3 Serrano.

4 SENATOR SERRANO: Thank you very
5 much, Mr. President.

6 My colleagues have heard me speak
7 year after year about the importance of
8 recognizing Earth Hour. And I'm so grateful that
9 my colleagues have supported it year after year.

10 It's happening this Saturday,
11 March 25th, between the hours of 8:30 and
12 9:30 p.m. We ask people across the state to
13 please turn off their lights or unnecessary
14 electronics for one hour. It happens across the
15 globe. It's sort of a festive atmosphere where
16 people participate in a way that allows them to
17 make a real change.

18 It may seem symbolic, but it's
19 actually quite real. Taking a stand against
20 global climate change is something that we have a
21 responsibility to all do. We can all make a very
22 positive impact on our environment.

23 I think what is of particular
24 significance this year that sets it apart from
25 previous years is that I fear that there is sort

1 of a stepping away from the many commitments that
2 we should be making to bettering our
3 environment -- not just for our community now, or
4 for our generations now, but for future
5 generations.

6 So I think it's of critical
7 importance that we celebrate Earth Hour this
8 year, take a stand in making our community a
9 better place and ensuring that our environment is
10 clean and healthy -- again, not just for us, but
11 for future generations to come.

12 Thank you.

13 ACTING PRESIDENT AKSHAR: Thank
14 you, Senator Serrano.

15 Mr. Floor Leader.

16 SENATOR DeFRANCISCO: Now can we
17 take up previously adopted Resolution 1076, by
18 Senator Hoylman, read the title only, and then
19 call on Senator Hoylman to speak.

20 ACTING PRESIDENT AKSHAR: The
21 Secretary will read.

22 THE SECRETARY: Legislative
23 Resolution Number 1076, by Senator Hoylman,
24 commemorating the 30th anniversary of AIDS
25 Coalition to Unleash Power.

1 ACTING PRESIDENT AKSHAR: Senator
2 Hoylman.

3 SENATOR HOYLMAN: Thank you,
4 Mr. President. And thank you to my colleagues.

5 Today with this resolution we are
6 commemorating the 30th year of the Aids Coalition
7 to Unleash Power, which is known by the acronym
8 ACT UP. ACT UP began in March 1987 in my Senate
9 district at the LGBT Community Services Center at
10 208 West 13th Street. And it was founded by the
11 playwright Larry Kramer, who had also founded the
12 Gay Men's Health Crisis, GMHC. Kramer, who is
13 81 years old, still lives in the same building as
14 he did then -- the same building, by the way,
15 where Mayor Ed Koch and Congresswoman Bella Abzug
16 also lived. Famously, none of them got along, so
17 you wouldn't want to be caught in the same
18 elevator as them.

19 But the real origin of ACT UP dates
20 back to the early 1980s. And I hold here a copy
21 of a New York Times article dated July 3, 1981,
22 with the chilling headline "Rare Cancer Seen in
23 41 Homosexuals." That was the beginning of AIDS.

24 And fast forward to today, in the
25 United States 636,000 men, women and children

1 have died from AIDS, 100,000 alone in New York
2 City. And across the world, 25 million people
3 have died.

4 Over a million people are currently
5 living with HIV, and internationally that figure
6 is 33.4 million -- 33.4 million people across the
7 world living with HIV.

8 Now, the group ACT UP played a
9 central role, if not the central role, in getting
10 public officials like ourselves, and those in
11 Washington, to listen to patients. And they did
12 it through highly orchestrated, photo-ready
13 guerilla tactics of civil disobedience, like the
14 time they infiltrated the New York Stock Exchange
15 and chained themselves to the VIP balcony to
16 demand the price of AIDS drugs be lowered. Or
17 the time when they shut down the FDA for an
18 entire day while they chanted "Hey hey FDA, how
19 many people have you killed today?" because the
20 FDA wasn't approving AIDS drugs fast enough. Or
21 when they created that famous logo of the
22 upside-down pink triangle that stated
23 "Silence=Death."

24 And they were really smart about
25 their advocacy, not just manipulating the media

1 and the political system -- which they did
2 brilliantly -- but actually educating themselves
3 and their members about the science, about the
4 science behind the medicine to treat HIV/AIDS.
5 And through this, Mr. President, they practically
6 invented patient-centered advocacy. And we all
7 benefit, all of us benefit from that legacy.

8 Patient-centered advocacy is now the
9 norm for a host of illnesses and conditions.
10 Organizations fighting cancer and campaigning for
11 more research funding, like the Susan G. Komen
12 Foundation, owe a debt to the model of organizing
13 that was pioneered by ACT UP.

14 We benefit because ACT UP was one of
15 the first to champion combination therapies.
16 That's when you apply multiple drugs to a single
17 illness or condition. This was a big advance in
18 HIV treatment, and now is utilized by a whole
19 host of different areas, particularly in cancer.

20 And we benefit -- because of ACT UP,
21 the FDA is more responsive to patients. We now
22 get drugs for all kinds of conditions to patients
23 faster, thanks to regulatory changes pioneered by
24 ACT UP.

25 And we benefit because ACT UP was a

1 trailblazer on fair drug pricing, helping
2 convince governments and industry to end the
3 price-gouging of life-sustaining drugs.

4 And maybe the most, though, enduring
5 legacy of ACT UP is the hope, the hope they've
6 inspired in millions across the world. When
7 ACT UP began, AIDS was definitely a death
8 sentence. Today, an individual with HIV who is
9 on combination antiretroviral therapy can expect
10 to live a normal life span. HIV, because of
11 ACT UP, is a condition, not a death sentence.

12 And the hope that these patients can
13 now have to bring their illnesses out of the
14 shadows and free from stigma is incalculable.
15 The hope they can actually organize, they can
16 organize successfully, on their own, all
17 patients, to make change in Washington and in
18 Albany and elsewhere, is incalculable.

19 And finally, the hope, the hope that
20 ACT UP has helped provide, that you can live a
21 long, full life --just like my constituent Larry
22 Kramer, who is still going at age 81, continues
23 to do.

24 So thank you, Mr. President, for
25 allowing me to speak on this resolution honoring

1 ACT UP on its 30th anniversary.

2 ACTING PRESIDENT AKSHAR: Senator
3 Hoylman, thank you.

4 Mr. Floor Leader.

5 SENATOR DeFRANCISCO: Before we
6 close, I want to remind members that the Crime
7 and Corrections Committee will be meeting
8 immediately following session in Room 123 of the
9 Capitol.

10 ACTING PRESIDENT AKSHAR: Crime and
11 Corrections will be meeting in Room 123
12 immediately following session.

13 SENATOR DeFRANCISCO: Is there any
14 further business at the desk?

15 ACTING PRESIDENT AKSHAR: There is
16 no further business at the desk.

17 SENATOR DeFRANCISCO: There being
18 none, I move to adjourn until Thursday,
19 March 23rd, at 11:00 a.m.

20 ACTING PRESIDENT AKSHAR: On
21 motion, the Senate stands adjourned until
22 Thursday, March 23rd, at 11:00 a.m.

23 (Whereupon, at 3:44 p.m., the Senate
24 adjourned.)

25