

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 29, 2017

11 3:41 p.m.

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13  
14 REGULAR SESSION

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18 SENATOR THOMAS D. CROCI, Acting President

19 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 join me and recite the Pledge of Allegiance.

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

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

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

13 ACTING PRESIDENT CROCI: The  
14 reading of the Journal.

15 THE SECRETARY: In Senate,  
16 Tuesday, March 28th, the Senate met pursuant to  
17 adjournment. The Journal of Monday, March 27th,  
18 was read and approved. On motion, Senate  
19 adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: On page 13,

1 Senator Carlucci moves to discharge, from the  
2 Committee on Housing, Construction and Community  
3 Development, Assembly Bill Number 1310 and  
4 substitute it for the identical Senate Bill  
5 1642, Third Reading Calendar 204.

6 ACTING PRESIDENT CROCI: The  
7 substitution is ordered.

8 Messages from the Governor.

9 Report of standing committees.

10 Reports of select committees.

11 Communications and reports from  
12 state officers.

13 Motions and resolutions.

14 Senator Gianaris.

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

17 On behalf of Senator Bailey, I move  
18 that the following bill be discharged from its  
19 respective committee and recommitted with  
20 instructions to strike the enacting clause:  
21 Senate Bill 3494.

22 ACTING PRESIDENT CROCI: So  
23 ordered.

24 Senator DeFrancisco.

25 SENATOR DeFRANCISCO: Yes,

1 Mr. President, can we take up previously adopted  
2 Resolution 1061, by Senator Murphy, read it in  
3 its entirety and call on Senator Murphy to  
4 speak, please.

5 ACTING PRESIDENT CROCI: Very  
6 well. The Secretary will read.

7 THE SECRETARY: Legislative  
8 Resolution Number 1061, by Senator Murphy,  
9 recognizing March 29, 2017, as Vietnam Veterans  
10 Day.

11 "WHEREAS, The State of New York  
12 takes great pride in acknowledging days of  
13 observance of significant historic events; and

14 "WHEREAS, March 29, 2017, has been  
15 declared Vietnam Veterans Day; and

16 "WHEREAS, The United States carried  
17 out its first combat mission against the  
18 Viet Cong on January 12, 1962; in Operation  
19 Chopper, United States Army pilots lifted more  
20 than 1,000 South Vietnam service members over  
21 jungle and underbrush to capture a National  
22 Liberation Front stronghold near Saigon; and

23 "WHEREAS, The last American troops  
24 left Vietnam on March 29, 1973; and

25 "WHEREAS, During the 11-year war,

1 Americans from different backgrounds, races, and  
2 creeds banded together to fight against the  
3 Viet Cong; and

4 "WHEREAS, More than 3 million  
5 Americans served their country, and more than  
6 58,000 sacrificed their lives; the names of those  
7 lost are forever engraved in the black granite  
8 Vietnam Memorial in Washington, D.C.; and

9 "WHEREAS, The Vietnam War era was a  
10 tumultuous time in America; when our brave  
11 service members returned home, often with  
12 physical and emotional scars, the voices of those  
13 who opposed the war sadly overcame those who  
14 supported our troops; and

15 "WHEREAS, The State of New York  
16 wishes to show its Vietnam veterans the respect  
17 and appreciation they deserve, but did not always  
18 get when they returned home; now, therefore, be  
19 it

20 "RESOLVED, That this Legislative  
21 Body pause in its deliberations to recognize  
22 March 29, 2017, as Vietnam Veterans Day, and to  
23 thank our brave Vietnam veterans for their  
24 honorable service to their country; and be it  
25 further

1                   "RESOLVED, That copies of this  
2 resolution, suitably engrossed, be transmitted to  
3 Vietnam veteran organizations."

4                   ACTING PRESIDENT CROCI:    Senator  
5 Murphy on the resolution.

6                   SENATOR MURPHY:    Yes, thank you,  
7 Mr. President.

8                   I would just like to take this  
9 opportunity to thank our Vietnam veterans that  
10 have come from all over the great State of  
11 New York. Thank you all for being here today.

12                  I'd like to take this opportunity to  
13 honor and thank you for serving our country when  
14 you were called upon, especially in a time when  
15 it was not popular to heed the call. Many  
16 Americans may have turned their back on you, but  
17 you never turned your back on America. You  
18 served our country, then you came home and you  
19 served our communities with equal distinction.  
20 It is time you get the recognition you most  
21 certainly deserve.

22                  You raised families and used their  
23 talents and leadership skills to strengthen  
24 America. Many innovations in the business,  
25 education, and military sectors can be attributed

1 directly to our Vietnam generation of veterans.

2           Nearly 3 million Americans were  
3 deployed to Vietnam. The war cost the lives of  
4 more than 58,000 American military service  
5 members. More than 300,000 were wounded, and  
6 thousands more still carry the scars of war,  
7 suffering from debilitating medical conditions  
8 such as exposure to Agent Orange.

9           You helped preserve the freedoms and  
10 security of the greatest nation on earth. It is  
11 impossible to put a price on that. Your  
12 contributions are unparalleled, and your courage  
13 and bravery have made this world a better place  
14 for all of us to live in.

15           I am often surprised and shocked  
16 that the deeds and sacrifices of those brave men  
17 and women have been overlooked and forgotten,  
18 particularly those who served in Vietnam.

19           Hard to believe, but up until two  
20 years ago, like I told you earlier, that the  
21 Vietnam veterans were never an official  
22 benevolent order of the State of New York. Well,  
23 we're here to tell you it is official. You are  
24 now an official benevolent order and have a place  
25 in the Capitol of the United States.

1 (Standing ovation.)

2 SENATOR MURPHY: Our debt to our  
3 Vietnam veterans can never, ever be repaid, but  
4 our gratitude and respect must -- and I say  
5 must -- last forever, including the military  
6 that's coming home nowadays.

7 You have earned a place in our  
8 history. We'll always remember and appreciate  
9 your dedication, courage and commitment to  
10 serving our country. It has been a long time  
11 coming, but it is an absolute honor and privilege  
12 to have you all here in our great State Capitol.  
13 Mission accomplished, and welcome home.

14 Thank you, Mr. President.

15 ACTING PRESIDENT CROCI: Senator  
16 Larkin.

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

19 When I look out here and see these  
20 Vietnam veterans -- I didn't get there. World  
21 War II, Korea, took a little bit out of me.

22 SENATOR GOLDEN: The only one you  
23 missed.

24 SENATOR LARKIN: Now, you be  
25 careful.



1           You know, nobody can tell you about  
2 combat if you've never been there. Do you agree  
3 with me? Yes.

4           And we're here today to tell you how  
5 much we appreciate you. Yes, there was a draft.  
6 But there were many, many who volunteered without  
7 having to get a piece of paper from Washington  
8 that we're taking you away from where you're at  
9 and we're going to send you to a place you never  
10 heard of.

11           How many ever in this room even  
12 heard of Khe Sanh, Dien Bien Phu? Very few. I  
13 never want to hear us worrying about those other  
14 places.

15           The idea of going into combat is a  
16 mental thing. There's a lady in this room here,  
17 she's a nurse -- please stand up.

18           (Applause.)

19           SENATOR LARKIN: She's the  
20 Secretary of the National Purple Heart, and I'm  
21 proud to be a part of your organization.

22           But when we think about what men and  
23 women went through in Vietnam -- they make an  
24 issue of it, and people start to think about what  
25 type of a country do we come from. Here we do so

1 much traffic with Vietnam, who 25 years ago we  
2 were fighting for them -- fighting with them.

3           There is not a simple way to say  
4 thank you. I think everybody in this room should  
5 just take a moment today or tomorrow or tonight  
6 and think of how lucky we are to have men and  
7 women like you go to combat, knowing that you  
8 don't know whether you're coming back or if  
9 you'll ever come back, or if you're going to come  
10 back in a state that nobody will remember you.

11           We who served understand that. We  
12 understand it because we were faced with the same  
13 tribute. What do we do, and how do we do it?

14           The best thing I can say is we are a  
15 proud nation, and we are very proud of you. We  
16 thank you from the bottom of our heart because  
17 you stood up so that we could stand here today  
18 and say to you, thank you and God bless you, each  
19 and every one of you.

20           ACTING PRESIDENT CROCI:    Senator  
21 Helming.

22           SENATOR HELMING:    Thank you,  
23 Mr. President.

24           I rise today in support of this  
25 resolution and in support of our nation's Vietnam

1 veterans.

2           As the resolution reads, from the  
3 first mission in January 1962 to the last in  
4 March 1973, over 58,000 Americans sacrificed  
5 their lives for our freedoms and our liberties --  
6 58,000 people, many of them just young men and  
7 women who had so much more life to live. They  
8 left behind friends, family, and loved ones.  
9 They left behind their hopes, their dreams, and  
10 their aspirations. And they left behind their  
11 future, all to protect the free world and  
12 everything that we hold near and dear.

13           Without their efforts, we may not be  
14 here today living in the land of the free and the  
15 home of the brave.

16           The Vietnam vets who were fortunate  
17 enough to return home did not receive the welcome  
18 that they deserved. Resolutions such as this  
19 will never right this wrong. But it does show  
20 our veterans that we recognize and appreciate  
21 your heroism and all that you have done and that  
22 you continue to do for this great nation of ours.

23           I'm sure we will continue to debate  
24 many issues in this chamber, but I know there is  
25 one thing that we can all agree on, and that is

1     thanking our Vietnam veterans for all that they  
2     have done for our nation.

3                 President Ronald Reagan once said:  
4     "We can't help everyone, but everyone can help  
5     someone." Let us take this message back to our  
6     districts, back to our homes, and do something to  
7     help a Vietnam veteran in our communities.

8                 Once again, Mr. President, I rise in  
9     support of this resolution. And from the bottom  
10    of my heart, thank you to all of our Vietnam  
11    veterans for all that you have sacrificed for our  
12    nation.

13                Thank you.

14                ACTING PRESIDENT CROCI:     Senator  
15    Addabbo.

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

18                I want to first thank Senator Murphy  
19    for introducing this important resolution.

20                I want to thank our veterans, not  
21    only for their commitment and dedication and  
22    service to our country, but for being a constant  
23    reminder to us, and our inspiration to tell us  
24    and show us what we need to do, both budgetarily  
25    and legislatively, to protect the interests of

1       them and all veterans throughout this state.

2               We all understand that Veterans Day  
3       is not just one day on the calendar, but each and  
4       every day that we should be thankful for them and  
5       for their service.

6               So again, thank you to the veterans  
7       here for their service but also, again, for being  
8       our inspiration.

9               Thank you, Mr. President.

10              ACTING PRESIDENT CROCI:     Senator  
11       Akshar.

12              SENATOR AKSHAR:     Mr. President,  
13       thank you.   On the resolution.

14              Today was a pretty cool day.   You  
15       know, this week can be pretty tumultuous for all  
16       of us.   We're having a lot of back and forth  
17       about things that we think are important, but  
18       when we have an opportunity to spend a day with  
19       folks like those with us today, our Vietnam  
20       veterans, it kind of puts things into  
21       perspective.

22              You know, whether or not these  
23       veterans were drafted or they volunteered, they  
24       went to war.   They served their country with  
25       honor and distinction and, if they were lucky and

1 the good Lord was watching, they came home. And  
2 unfortunately, returning home, I would  
3 respectfully offer, was as miserable an  
4 experience as war itself. The anti-war movement  
5 failed to differentiate our nation's heroes from  
6 the politicians who decided to go to war in the  
7 first place.

8                   And when you came back home, so many  
9 of you -- many of you that are in the room with  
10 us today -- you became active in intrinsic parts  
11 of our communities. You gave back through  
12 charity events, public service, and through a  
13 variety of deeds both large and small.

14                   I think it's crucial that we as  
15 representatives of state government in our  
16 communities give support and appreciation to you,  
17 the support that you deserve. That's why we're  
18 doing what we're doing today. My hope is truly  
19 that through all of the trials and tribulations  
20 that each of you and those that you served with  
21 have been through, and the recognition and  
22 acknowledgment of the many mistakes made in the  
23 past, my hope again is that all of that will  
24 serve as a reminder for every American's  
25 edification that we must take care of, take care

1 of and honor and respect our nation's heroes.

2 So today I join Senator Murphy,  
3 Senator Ortt, and Senator Croci and welcome you  
4 all to Albany. I say thank you and welcome home  
5 to each of you.

6 Thank you, Mr. President.

7 ACTING PRESIDENT CROCI: Senator  
8 Marchione.

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

11 I rise also to extend my grateful  
12 heart to what all of you have done for us.

13 Senator Murphy, thank you so much  
14 for bringing this resolution forward.

15 You know, I'm of the era myself that  
16 I remember the Vietnam War and I remember you  
17 coming home. I've been told stories, as Senator,  
18 how you were asked to take off your uniforms so  
19 people wouldn't spit upon you when you went to  
20 your homes, your respective homes when you got  
21 back to the States. And I've heard stories of  
22 people who have said, "I absolutely will not take  
23 my uniform off, I'm very proud of who I am and  
24 serving my country," as you should have been.

25 And, you know, we fast forward to

1 last year, and I was so very honored to be able  
2 to bring in the Vietnam Moving Wall into my  
3 community where I live. And I watched thousands  
4 of people come through. I watched some Vietnam  
5 veterans who couldn't actually make it to the  
6 wall, they would sit on the bench and they would  
7 look for hours. Because for many of us, those  
8 are names on a wall -- but they're not names,  
9 they're lives. They're lives that were given for  
10 each and every one of us. They were your  
11 friends. And it's difficult.

12 I watched one man who his daughter  
13 said he had to come to the wall. He could hardly  
14 get out of the car, his health was so bad. But  
15 he needed to come, he needed to be there. He  
16 needed to remember and see the names of his  
17 friends.

18 So it's long overdue, but it's very  
19 heartfelt from the American population to say  
20 thank you for what you have done for us, and  
21 welcome home.

22 Thank you, Mr. President.

23 ACTING PRESIDENT CROCI: Senator  
24 Kaminsky.

25 SENATOR KAMINSKY: Thank you,



1 Mr. President.

2 I just would like to thank Senator  
3 Murphy for bringing this. When I was in the  
4 Assembly, Senator Murphy and I worked together to  
5 sponsor the bill that recognized the Vietnam  
6 Veterans of America as an official order.

7 It was a tremendous privilege being  
8 able to get that bill passed, but it was even  
9 more of a privilege getting to know the veterans  
10 that I met along the way, both with Senator  
11 Murphy and back home on Long Island.

12 I guess I'm a bit younger than some  
13 of the Senators you've heard from, and it's  
14 definitely going to be my job to make sure that  
15 the future generations get to understand the  
16 sacrifice that you made and what your service  
17 meant to the country.

18 And looking back, we have to  
19 acknowledge what a shameful period it was that  
20 people didn't appreciate it then, but they're  
21 going to have to appreciate it down the road.  
22 And I think we've learned that lesson and are  
23 doing better with the veterans who have returned  
24 from our more recent wars, but we're not doing  
25 nearly enough as we could be. And we work

1 together on that.

2 I think one of the things we pride  
3 ourselves on here in the Senate -- and I can say  
4 this firsthand, both in the Assembly and here, is  
5 we really take our "R" and "D" and our different  
6 party hats off when we come into our Veterans  
7 Committee, and that's certainly a tribute to the  
8 chair and the rankers of those respective  
9 committees. We have to work together for our  
10 veterans.

11 But more importantly, we're here  
12 today to recognize your heroic actions. My  
13 grandpa, Lenny Kaminsky, was a POW in World War  
14 II. And whenever I tried to bring up to him the  
15 battles and what he went through and all of that  
16 stuff, he would always quietly demur, and he  
17 would either say implicitly or explicitly that  
18 the real heroes are the guys who didn't come  
19 home.

20 I think today he would allow us to  
21 make an exception, recognizing your heroics. And  
22 I just want to thank you for all that you've  
23 done, on behalf of the Senate, and I really hope  
24 we can carry that message going on.

25 Thank you for everything.

1                   ACTING PRESIDENT CROCI:     Senator  
2     Brooks.

3                   SENATOR BROOKS:     Thank you,  
4     Mr. President.   And thank you, Senator Murphy,  
5     for raising this.

6                   That was a difficult period for us,  
7     those of us who were around then.   And I think  
8     it's important that we honor those who serve and  
9     recognize that many of those people who served in  
10    Vietnam are in need of assistance today as a  
11    result of the activities that took place in  
12    Vietnam.

13                  I think it's important that we honor  
14    the people who served there.   Many of the people  
15    I served in the service with went there and  
16    didn't come home.

17                  But we have to also remember and  
18    reach out to those who are in need of assistance  
19    today.   So I hope all of us look in their  
20    communities of those who served in Vietnam and  
21    now are having difficulty, and find a way to give  
22    them assistance.

23                  And again, Senator Murphy, I thank  
24    you for this resolution.

25                  ACTING PRESIDENT CROCI:     Senator

1 Golden.

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

4 And I rise too with the rest of my  
5 colleagues. And I want to thank all of my  
6 colleagues for their eloquence here today.

7 And I want to thank Senator Murphy  
8 for bringing up veterans from across this great  
9 state.

10 The eyes of war, as you looked at  
11 each other -- what you've seen in the  
12 battlefields. That's why my colleagues are  
13 speaking of your colleagues. They would never  
14 bring up what happened in the battles, they would  
15 always demur. They would never -- the kills that  
16 they made, no bragging. Never bragging about the  
17 lives they saved. Not even talking about their  
18 best friends that went down next to them.

19 My brother-in-law was in the North  
20 when we weren't in the North. He was a tunnel  
21 rat. And of course, you know, with the napalm.  
22 He didn't even get credit for that, for his  
23 military time, when he died of that cancer,  
24 because it wasn't one of the cancers at that  
25 time. That cancer killed him and took him from

1 us.

2 But many perished as you guys came  
3 back -- your best friends, some of them  
4 committing suicide, spit on. And posttraumatic  
5 stress wasn't even diagnosed back then. Think  
6 about it, the homelessness, the walking in the  
7 streets, the sleeping in the parks, scores of our  
8 friends, scores of people that never made it.

9 The histories of those individuals  
10 that will never be told except for you, as we  
11 right this wrong, marching forward, to make sure  
12 that we remember all of the souls that  
13 perished -- not just the 58,000 that perished in  
14 Vietnam, but those that perished when they came  
15 home. Every state in this nation paid its price.  
16 New York paid a higher price. We lost a  
17 tremendous, tremendous number of people.

18 I'm proud of each and every one of  
19 you. And even though we'll never know your  
20 individual story, because you're a proud, proud  
21 citizen of this great nation, we do know one  
22 thing. You wore that uniform proudly. You  
23 served this nation proudly. And we are proud of  
24 your service and for what you did for our nation.  
25 We as a nation will never forget you.

1                   Thank you, and God bless you.

2                   ACTING PRESIDENT CROCI:     Senator  
3                   Comrie.

4                   SENATOR COMRIE:     Thank you,  
5                   Mr. President, on the resolution.

6                   I want to thank Senator Murphy for  
7                   bringing the resolution together.

8                   I want to also echo the comments of  
9                   all of my colleagues as we have to strive to  
10                  never forget the fact that these men served our  
11                  country in an honorable way and came back to a  
12                  dishonorable reception by America.

13                  I think that we all have an  
14                  obligation, as members of this body, to continue  
15                  to do all we can. I want to thank Senator Croci  
16                  and Senator Addabbo for running an excellent  
17                  Veterans Committee, which I'm proud to serve on,  
18                  where we're trying to find every way possible to  
19                  try to make up for veterans the things that they  
20                  deserve. Because they paved the way for us, they  
21                  allowed us to be here today, they've made sure  
22                  that our country was safe. And whatever we can  
23                  do as elected officials to pay them back, it's  
24                  our privilege and honor to do so.

25                  Thank you, Senator Murphy.

1                   ACTING PRESIDENT CROCI:    Senator  
2   Bonacic.

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

5                   I don't think there's been a  
6   resolution that's more deserving and more  
7   honorable than this resolution that's presented  
8   to this body today.

9                   I want to thank Senator Murphy for  
10   all the work that he has done to recognize our  
11   veterans coming home from Vietnam.

12                  And I think if we passed this  
13   resolution every day for the next 10 years, we  
14   still would not have redemption for the way our  
15   veterans were treated when they came back to the  
16   United States.

17                  I like Senator Kaminsky's theme when  
18   he said it's important to draw from your courage  
19   to teach the young people what patriotism is,  
20   what sacrifice is, because I think our young  
21   people don't get enough of that education.

22                  And when I go to parades or when I  
23   speak to groups, I don't see enough young people  
24   in the audience to teach them of the virtues that  
25   you have that make this country the greatest

1 country in the world.

2 And while we are thanking you today,  
3 and honoring you, I want to say that we can't  
4 forget the families of those Vietnam War heroes  
5 that never came back, because their sacrifice was  
6 very deep and it will hurt their families for  
7 generations to come, for the loved ones that were  
8 lost.

9 So in my humble way, with words that  
10 are hollow compared to what you've achieved,  
11 thank you, thank you, thank you. And God bless  
12 you always.

13 ACTING PRESIDENT CROCI: Seeing no  
14 other speakers, Senator DeFrancisco to close.

15 SENATOR DeFRANCISCO: Thank you.

16 And we welcome you here on Vietnam  
17 Veterans Day.

18 And I'm listening to what everyone's  
19 saying, and I haven't thought about this in a  
20 long, long time. There was a point in the  
21 resolution that talked about 58,000 people  
22 dying in Vietnam. I served during the Vietnam  
23 era. Fortunately, never had to go to combat. I  
24 was in the Air Force for 3 and a half years, but  
25 was at a TAC base where many, many of my friends



1       didn't come back.

2                       But what I remember most about this  
3       war was something that happened when I was a kid.  
4       When I was very young, all I did was play  
5       baseball, since as long as I can remember. And  
6       we used to have summer league teams, and one was  
7       around a school near my house. And on that  
8       summer league team -- I think we were 10 years  
9       old at the time -- there was a young guy, a  
10      little roly-poly guy, a jovial guy, a guy that  
11      would make you laugh no matter how sad you felt.  
12      His name with was David Doomis, and we called him  
13      Charlie. I don't know why. Good Time Charlie?  
14      We called him Charlie.

15                      Well, as I was going through  
16      college, Charlie volunteered for Vietnam. And  
17      Charlie got killed in Vietnam when he was  
18      20 years old.

19                      And I hadn't thought about that in a  
20      long time, but watching you and knowing what you  
21      went through and talking about Vietnam Veterans  
22      day 44 years after the last troops left --  
23      44 years. Over all that period of time, I've had  
24      the best life that anybody could ever ask for. I  
25      married my childhood sweetheart, had three

1     incredible kids, eight grandkids, got to serve in  
2     public office, got to do anything I wanted to  
3     do -- practice law, did everything.

4                     And today I thought, and I haven't  
5     for a long time, Charlie never had a chance to do  
6     any of that. Charlie never had a chance to do  
7     any of that, nor did the others of the 58,000  
8     that didn't come back.

9                     And I think that the message to all  
10    of us here is that it's not only not forgetting  
11    the veteran, but especially those who didn't come  
12    back, and what they did for us so that we could  
13    do what we wanted to do when we wanted to do it.

14                    And hopefully that message will  
15    resonate with somebody that maybe it hadn't  
16    resonated with before, because in my mind that's  
17    what this day is all about: all the Charlies of  
18    the world who made it possible for me to do what  
19    I chose to do when I wanted to do it.

20                    So thank you for being here. Thank  
21    you for celebrating this day. And thank you for  
22    helping me to remember something that's important  
23    for me to remember more often.

24                    Thank you.

25                    ACTING PRESIDENT CROCI: Thank you,

1 Senator DeFrancisco.

2 To the warrior patriots from the  
3 Vietnam era who have joined us today, both on the  
4 floor and in the balcony, we extend to you the  
5 undying gratitude and admiration of the chamber  
6 as well as all the privileges of this house. And  
7 we thank you, on behalf of the Senate and on  
8 behalf of your fellow New Yorkers, for your  
9 service and your sacrifice.

10 If you would please rise and be  
11 recognized by this house.

12 (Extended standing ovation.)

13 ACTING PRESIDENT CROCI: Senator  
14 DeFrancisco.

15 SENATOR DeFRANCISCO: Could we now  
16 take up previously adopted Resolution 1114, by  
17 Senator Hoylman, and call on Senator Hoylman to  
18 speak.

19 ACTING PRESIDENT CROCI: We will,  
20 Senator DeFrancisco.

21 And the resolution is open for  
22 cosponsorship. If you would like to be a  
23 cosponsor of this resolution, please notify the  
24 desk.

25 The Secretary will read.

1                   SENATOR DeFRANCISCO:    The title  
2   only, please.

3                   THE SECRETARY:    Legislative  
4   Resolution Number 1114, by Senator Hoylman,  
5   recognizing and celebrating the week of  
6   March 12-18, 2017, as Sunshine Week.

7                   ACTING PRESIDENT CROCI:    Senator  
8   Hoylman.

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

11                   I too want to thank our Vietnam  
12   veterans who have fought for us and made it  
13   possible for us to --

14                   ACTING PRESIDENT CROCI:    Senator  
15   Hoylman, could you hold a moment.

16                   Ladies and gentlemen, if you have  
17   conversations, would you please take them out to  
18   the gallery.   Thank you.

19                   Senator Hoylman.

20                   SENATOR HOYLMAN:    Thank you,  
21   Mr. President.

22                   As I was saying, I wanted to thank  
23   our Vietnam veterans who are here in the chamber  
24   who have made it possible for us to fight for our  
25   beliefs here on the floor of the Senate.   So

1     thank you.

2                     I am to speak on the resolution  
3     acknowledging Sunshine Week, which took place  
4     March 12th through 18th here in the State of  
5     New York.

6                     And I was surprised when I heard  
7     that the resolution was no longer being sponsored  
8     in the Senate. It had been sponsored for a  
9     number of years. I thought maybe we'd just given  
10    up on transparency in government.

11                    So I looked at the resolution from  
12    years past, and it struck me, Mr. President,  
13    there was a clause that said "Whereas this  
14    Legislative Body will hold joint budget  
15    conference committees in order to provide more  
16    openness and transparency to the budget process."

17                    So I thought it was appropriate to  
18    talk about Sunshine Week in the context of the  
19    budget, because I think all of us acknowledge  
20    just how bad the budget process is here in our  
21    chamber.

22                    You know, the State Budget,  
23    \$152 billion of our taxpayer dollars at work, and  
24    we give about two months' attention to it. We're  
25    all here waiting for budget bills to kind of drop

1 out of the sky, 10 of them, hundreds of pages.  
2 We'll have very little time to review them, of  
3 course. We'll probably be passing them in the  
4 middle of the night.

5 So I have to ask, how does that  
6 exemplify government transparency? How does that  
7 support Sunshine Week?

8 You know, another interesting point  
9 is that the New York State economy, the GDP of  
10 New York -- if we were a country, we would be the  
11 11th largest in the world, ahead of Mexico and  
12 Canada. So you've got to think, is this any way  
13 to run a small country? Is it any way to run a  
14 business with over a billion dollars,  
15 \$152 billion worth of expenditure and revenues?  
16 I think not.

17 So, you know, I think a lot of us  
18 feel frustrated -- frustrated that we are not  
19 part of the process, frustrated that we're  
20 learning more about the budget process this week  
21 from Twitter or from the lobbyists out in the  
22 hallway than we are from our colleagues. And we  
23 really have to do better.

24 And let me just make one suggestion.  
25 You know, we could, if we wanted, as a

1     Legislature, as a Senate, devote resources to an  
2     independent nonpartisan entity that actually  
3     reviewed our budget bills, that actually scored  
4     our budget bills, that looked at how much things  
5     cost whether they worked or not.

6                 Congress has done that. We all  
7     heard recently of the Congressional Budget Office  
8     and how it showed that 24 million Americans were  
9     going to be knocked off of healthcare. And that  
10    resulted in some serious discussion among members  
11    of Congress and the failure of the healthcare act  
12    by the Republicans.

13                Well, we could do the same thing  
14    here, and I would urge us to consider that.  
15    California has done that. California has an  
16    entity that they call the Legislative Analysts  
17    Office. It's a nonpartisan fiscal advisor. It  
18    publishes a series of extensive reports that  
19    review the governor's budget proposal. These  
20    include program background, economic projections,  
21    and recommended revisions.

22                Well, you know, in honor of  
23    Sunshine Week, I would hope that in future years  
24    this chamber will look at ways to reform our  
25    budget process, to bring more transparency, to

1 let the public know what we're doing in advance,  
2 to not pass bills in the middle of the night, to  
3 share information among our colleagues first and  
4 not the lobbyists outside of this door.

5 So let us all honor Sunshine Week.  
6 Let us all hope to do better. There's an  
7 expression, democracy dies in the dark. I think  
8 our budget process is deeply, deeply flawed and  
9 deep in the dark, Mr. President.

10 I hope we can do better, and this is  
11 a good moment, honoring Sunshine Week, to  
12 redouble our efforts.

13 Thank you.

14 ACTING PRESIDENT CROCI: The  
15 resolution is open for cosponsorship. If you  
16 would like to be a cosponsor, please notify the  
17 desk.

18 Senator DeFrancisco.

19 SENATOR DeFRANCISCO: Can we please  
20 take up previously adopted Resolution 1211, by  
21 Senator Little, read the title only, and call on  
22 Senator Little.

23 ACTING PRESIDENT CROCI: The  
24 Secretary will read the title only.

25 THE SECRETARY: Legislative



1 Resolution Number 1211, by Senator Little,  
2 commemorating the 100th anniversary of New York  
3 State granting women the right to vote.

4 ACTING PRESIDENT CROCI: Senator  
5 Little.

6 SENATOR LITTLE: Thank you. And  
7 thank you to all of you for this resolution, to  
8 Senator Parker for cosponsoring this with me.

9 2017 is an important year, as 1917  
10 was when women in New York State first began to  
11 get the right to vote. It was passed in 1917,  
12 and so began the journey in New York State and  
13 finally through the nation.

14 But in many of our Western states,  
15 as they settled, they gave women the right to  
16 vote. And it was interesting to read because  
17 there were so many men who were in the Western  
18 states, and so few women, they believed it was an  
19 incentive to women to come out West because they  
20 would have the right to vote.

21 And in Missouri, in the very early  
22 days of voting, when they allowed women to vote,  
23 it was interesting that they voted on pink  
24 ballots. Now, you can imagine if there were a  
25 tie, that the pink ballot might have meant as

1 much as the white ballot? I hope so.

2 One leading suffragette, Jane Todd,  
3 who later became a New York State Assemblywoman,  
4 said in 1915, and I quote: "I looked the  
5 situation over and decided that women with the  
6 vote could do as well as men and would almost  
7 certainly improve matters."

8 And with this right to vote came  
9 women to run for office. So in 1918, about a  
10 dozen women ran for legislative office, and two  
11 women were elected to the Assembly.

12 Before that, we have to talk for a  
13 bit about how we got to 1917. And Susan  
14 B. Anthony and Elizabeth Cady Stanton, as we  
15 know, worked tirelessly to get that right to  
16 vote. Susan B. Anthony was actually arrested in  
17 Rochester for voting, as many women would just  
18 plain try to vote no matter what. But since it  
19 was illegal, she was arrested.

20 Unfortunately, they died before we  
21 did get the right to the vote, as many, many  
22 women like Jane Todd carried on in a group that  
23 was called Votes for Women.

24 So in 1918 Ida Sammis, from Long  
25 Island, and Mary Lilly, from Manhattan, were

1     elected to the New York State Assembly. And Ida  
2     Sammis, in the Assembly, had 10 of her 15 bills  
3     passed. And one of them, the very first bill,  
4     wasn't terribly important; it extended the  
5     duck-hunting season on Long Island.

6                 But another one of her bills, which  
7     was her most important piece of legislation, was  
8     a bill raising the salaries of state hospital  
9     employees -- doctors, nurses, and attendants --  
10    to make sure that males and females had equal  
11    pay. So here we are a hundred years later, and  
12    just last year we passed a bill on equal pay.

13                She also worked to pass legislation  
14    limiting the work week of female clerks to  
15    six days and 54 hours, requiring meal breaks.  
16    But one other thing, requiring a stool or a seat  
17    had to be behind every counter where there was a  
18    clerk working, and in every elevator where there  
19    was someone operating the elevator.

20                And if you remember our elevators  
21    when they had an attendant in them, they had a  
22    little seat that folded down.

23                So this is in fact that Ida Sammis  
24    and many of the women in the New York State  
25    Legislature have made a difference.

1                   Just this week our Lieutenant  
2 Governor announced that there is a new Girl Scout  
3 badge, and I think this is really important. The  
4 badge will be for Daisies all the way to Senior  
5 Girl Scouts, and hopefully what they will do is  
6 learn about this history of how the vote for  
7 women came about and who the people were that  
8 were responsible for it.

9                   Cokie Roberts, in a book that she  
10 wrote, said, and I quote, "Women in office make a  
11 difference. And with the power of the women's  
12 vote behind them, they make a huge difference."

13                  So as we celebrate today and think  
14 about what happened in 1917, let us all remember  
15 to treasure our right to vote and to encourage  
16 people, men and women, to exercise their right to  
17 vote always.

18                  Thank you, Mr. President.

19                  ACTING PRESIDENT CROCI:    Senator  
20 Parker.

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

23                  First let me thank Senator Little  
24 for bringing this resolution to the floor.

25                  This is, I think -- obviously we're

1 in the midst or actually at the end of Women's  
2 History Month, and so this is a very apt and  
3 timely conversation to have, obviously, here in  
4 the State Senate.

5                   And while we have much, much to do  
6 here in the State of New York and even in this  
7 chamber as relates to both expanding the access  
8 to the franchise to women throughout the state,  
9 but also electing women throughout the state, I  
10 thought it was important to talk about this  
11 because much of my own personal story and journey  
12 has come because of women in public service who  
13 have given me an opportunity and a hand up to  
14 increase my service.

15                   My first remembrance of being  
16 involved with I guess politics at all was being a  
17 very young boy and going to -- waiting in these  
18 lines with my mother at the church when she would  
19 go to vote. And I remember her always, when I  
20 was little, picking me up and letting me actually  
21 pull the lever, even though I can't remember who  
22 I voted for. But I'm pretty sure that Chuck  
23 Schumer was one of them.

24                   (Laughter.)

25                   SENATOR PARKER: And as I got

1 older, she would still continue to let me go with  
2 her and actually pull the lever. So there was  
3 always kind of like this kind of cool thing with  
4 me and my mom about voting.

5 My first job here in New York City  
6 politics was I was a New York City Urban Fellow  
7 back in 1990, and my assignment was working for  
8 the Manhattan borough president, who was at the  
9 time Ruth Messinger. And I was Ruth Messinger's  
10 special assistant. I got a chance to travel all  
11 over Manhattan with her and go to do some very,  
12 very cool, cool things.

13 I remember going to an event earlier  
14 on with her and her -- it was at the house of the  
15 Pells. Now, everybody familiar with the Pell  
16 Grant? I thought it was like an acronym for  
17 something. There's actually like people with  
18 this name, right, like who probably gave a lot of  
19 money to endow this scholarship for students  
20 that's now become like a huge national  
21 scholarship.

22 Went to their house, met them, it  
23 was actually -- the event was hosted by Tony  
24 Unger -- I'm sorry, Tony -- I'm thinking of Felix  
25 Unger. What's the guy's name? Tony Randall,

1     thank you. Tony Randall, who played Felix Unger  
2     on The Odd Couple. So like, you know, it was  
3     just very, very cool.

4                 The next day she says to me -- she  
5     asked me about a couple who we had met there and  
6     I had talked to them for a little while, and she  
7     asked me their name. And I was like, "I have no  
8     idea." And she was like, "You talked to these  
9     people for 20 minutes, you don't remember their  
10    names?" And I told her I did not, and she chided  
11    me for not being attentive.

12                And so I now go out of my way to  
13    remember people's names. One of the great  
14    political lessons of my life, to just pay  
15    attention and be in the moment as you're dealing  
16    with people in politics.

17                I left that fellowship wiser and  
18    more experienced and had an opportunity to work  
19    for Una Clarke, who was one of the first  
20    immigrants ever elected to the City Council. I  
21    was the first person to work on her campaign, I  
22    was first person she ever hired as a staff  
23    person. I remember waiting in her office in  
24    January, you know, in an office with no furniture  
25    in it. As we know, we waited to get set up. It

1 was a very exciting time when the Council moved  
2 from like 35 members to like 51 members. And I  
3 remember just Una Clarke giving me every  
4 opportunity to kind of learn politics and work in  
5 government.

6 I had a chance to work for -- I was  
7 going to say HRC, for Hillary Rodham Clinton when  
8 she ran for the U.S. Senate here. I was a  
9 volunteer in her campaign, got to travel to  
10 almost all 62 counties with Hillary, setting up  
11 her listening tours. And it was an incredible  
12 experience working for First Lady Hillary  
13 Clinton. It's been one of the most invaluable  
14 experiences I've ever had in politics -- and not  
15 just simply because of the cool things we got to  
16 do or got to see, but just her political acumen  
17 was absolutely incredible.

18 She deeply, deeply, deeply cared  
19 about people, particularly children. She was  
20 brilliant. Our inside joke was that you could  
21 not mess up an event because she was so smart  
22 she'd figure out a way to bail you out. And she  
23 was somebody who no matter what the subject  
24 matter was, was always prepared, because she had  
25 done the homework. And I really learned to



1     prepare from her.

2                     So as we celebrate Women's History  
3     Month, as we celebrate this hundred years of  
4     suffrage, like Senator Little, I think about this  
5     both from the context of not just giving women  
6     access to the ballot, but also -- and really I  
7     think in some ways more importantly -- giving  
8     women access to serve in public service.

9                     And I'm proud not just to have  
10    served with the women in this chamber, but  
11    particularly my leader, Andrea Stewart-Cousins,  
12    the first woman to serve as the leader of a  
13    legislative branch here in the State of New York.  
14    And I know that the important thing for Senator  
15    Stewart-Cousins is not that she's the first, but  
16    I know that she's determined not to be the last  
17    female leader in a legislative body. And I think  
18    that we all should be engaged in that.

19                    I want to mention some former staff  
20    people of mine, Glynda Carr and Kimberly  
21    Peeler-Allen, who created an organization called  
22    Higher Heights for America, in which they're  
23    electing African-American women to Congress all  
24    over the country. And again, it all starts from  
25    this particular period.

1                   And I think that Senator Little gave  
2 a great job at condensing the history. There's a  
3 lot more history to talk about, but we have  
4 limited time.

5                   But it's important to know that the  
6 State of New York has been the first as it  
7 relates to women's suffrage, and that's part of  
8 why we celebrate this day today. That not only  
9 did Seneca -- you know, the Seneca Convention --  
10 begin this journey, but that in 1817 -- sorry,  
11 1917, we granted women the right to vote here,  
12 but that was two years before the entire nation  
13 did it. So we were first. And it was important  
14 for us to be first on things that relate to  
15 women's rights.

16                  On July 19, 1848, the first Women's  
17 Rights Convention was held in Seneca Falls, and  
18 Senator Little indicated this was with Elizabeth  
19 Cady Stanton, Susan B. Anthony -- but another  
20 person at that meeting was also Frederick  
21 Douglass. And so even from the very beginning, I  
22 want us to understand that the notion of the  
23 abolition of slavery and women's suffrage were  
24 linked. Right? And as we in this chamber talk  
25 about the rights of women, that fighting for

1 women's rights are fighting for equal rights for  
2 all.

3           And I think we do ourselves a  
4 service by continuing to fight for the equal  
5 rights of every person in this state, regardless  
6 of gender, sexual orientation, ethnicity,  
7 religion. You know, all of the categories that  
8 exist in this state, we must make sure that we  
9 have equity in our public policy.

10           And I also want to use this  
11 opportunity to say that we still have not put  
12 forward a real agenda that we've passed in this  
13 body or in this Legislature on women's rights.  
14 Women right now, as we sit here in this body,  
15 there are women in the State of New York who are  
16 doing the same jobs as men, sometimes doing those  
17 jobs better than men, and getting paid  
18 significantly less than men.

19           At a time now when we are in threat  
20 of losing many of our rights through the national  
21 government, it is an important time for us to  
22 ratify, I think, in the State of New York Roe v.  
23 Wade and make sure that women's reproductive  
24 health rights are protected in the state.

25           You know, we need to keep our eye on

1 the prize and make sure that as we commemorate  
2 these hundred years that we don't go backwards.  
3 That in a hundred years they look back and say,  
4 That legislature in 2017 certainly protected  
5 women's rights, not just their right to vote, but  
6 all of the rights that were important to them.

7 Thank you, Mr. President.

8 ACTING PRESIDENT CROCI: The  
9 resolution is open for cosponsorship. If you  
10 would like to be a cosponsor, please notify the  
11 desk.

12 Senator DeFrancisco.

13 SENATOR DeFRANCISCO: Yes, can we  
14 now take up the noncontroversial reading of the  
15 calendar.

16 ACTING PRESIDENT CROCI: Indeed.  
17 The Secretary will read.

18 THE SECRETARY: Calendar Number  
19 204, substituted earlier by Member of the  
20 Assembly Zebrowski, Assembly Print 1310, an act  
21 to amend the Executive Law.

22 ACTING PRESIDENT CROCI: Read the  
23 last section.

24 THE SECRETARY: Section 2. This  
25 act shall take effect on the 90th day.

1                   ACTING PRESIDENT CROCI:    Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT CROCI:    Senator  
5   Carlucci to explain his vote.

6                   SENATOR CARLUCCI:    Thank you,  
7   Mr. President.

8                   This legislation, what it will do is  
9   correct a loophole, an unfortunate loophole that  
10   currently exists in state law. Right now the  
11   Secretary of State is the one that certifies  
12   code enforcement officers that do work in  
13   municipalities throughout New York State.

14                  Now, what we've found is that  
15   unfortunately a code enforcement officer could be  
16   in complete disregard for the code, could be in  
17   complete violation of following their duties, and  
18   the Secretary of State has no ability to revoke  
19   that code enforcement officer's certification.

20                  We have had examples of this,  
21   unfortunately, in my community in Rockland County  
22   where we had a code enforcement officer put the  
23   lives of children at stake when going into a  
24   nonpublic school and simply overlooking major  
25   violations. The only way it was found was when

1 the Department of Education came in and did an  
2 inspection and found these obvious, blatant  
3 violations in the code that were putting our  
4 children in harm's way.

5 We looked into it and found that  
6 there was nothing to do to revoke this code  
7 enforcement officer's certification. This is a  
8 major loophole in the law.

9 By passing this law, we'll be able  
10 to tighten our codes, be able to make sure that  
11 the codes that are on the books are actually  
12 being enforced, and make sure that our code  
13 enforcement officers are doing the duty that  
14 they're supposed to be doing.

15 This is so important to make sure  
16 that our communities are safe, that the people  
17 using buildings are safe and, particularly in the  
18 example we saw in Rockland County, that our  
19 children are protected and safe and that the laws  
20 are being followed.

21 So in simple, this is closing a  
22 major loophole in the law, allowing the Secretary  
23 of State to revoke a code enforcement officer's  
24 certification after a hearing, so there's a due  
25 process that follows. We're bringing these laws

1       into the 21st century to protect our residents.

2                       So I'll be supporting this  
3       legislation, and I thank my colleagues for doing  
4       the same.

5                       Thank you, Mr. President.

6                       ACTING PRESIDENT CROCI:    Senator  
7       Carlucci to be recorded in the affirmative.

8                       Announce the result.

9                       THE SECRETARY:    Ayes, 60.

10                      ACTING PRESIDENT CROCI:    The bill  
11       is passed.

12                      THE SECRETARY:    Calendar Number  
13       207, by Senator Little, Senate Print 2253, an act  
14       to amend the Private Housing Finance Law.

15                      ACTING PRESIDENT CROCI:    Read the  
16       last section.

17                      THE SECRETARY:    Section 2.  This  
18       act shall take effect on the 180th day.

19                      ACTING PRESIDENT CROCI:    Call the  
20       roll.

21                      (The Secretary called the roll.)

22                      THE SECRETARY:    Ayes, 60.

23                      ACTING PRESIDENT CROCI:    The bill  
24       is passed.

25                      THE SECRETARY:    Calendar Number

1     272, by Senator Ritchie, Senate Print 750, an act  
2     to amend the Public Health Law.

3             ACTING PRESIDENT CROCI:     Read the  
4     last section.

5             THE SECRETARY:     Section 2.   This  
6     act shall take effect immediately.

7             ACTING PRESIDENT CROCI:     Call the  
8     roll.

9             (The Secretary called the roll.)

10            THE SECRETARY:     Ayes, 59.   Nays, 1.  
11     Senator Ranzenhofer recorded in the negative.

12            ACTING PRESIDENT CROCI:     The bill  
13     is passed.

14            THE SECRETARY:     Calendar Number  
15     273, by Senator Akshar, Senate Print 1223, an act  
16     to amend the Public Health Law.

17            ACTING PRESIDENT CROCI:     Read the  
18     last section.

19            THE SECRETARY:     Section 2.   This  
20     act shall take effect immediately.

21            ACTING PRESIDENT CROCI:     Call the  
22     roll.

23            (The Secretary called the roll.)

24            THE SECRETARY:     Ayes, 60.

25            ACTING PRESIDENT CROCI:     The bill



1 is passed.

2 THE SECRETARY: Calendar Number  
3 335, by Senator Larkin, Senate Print 4126, an act  
4 to remove.

5 ACTING PRESIDENT CROCI: Read the  
6 last section.

7 THE SECRETARY: Section 2. This  
8 act shall take effect on the first of July.

9 ACTING PRESIDENT CROCI: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT CROCI: The bill  
14 is passed.

15 Senator DeFrancisco, that completes  
16 the reading of the noncontroversial calendar.

17 SENATOR DeFRANCISCO: Is there any  
18 further business at the desk?

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

21 SENATOR DeFRANCISCO: There being  
22 none, I move to adjourn until Thursday,  
23 March 30th, at 3:00 p.m.

24 ACTING PRESIDENT CROCI: On motion,  
25 the Senate stands adjourned until Thursday,

1 March 30th, at 3:00 p.m.

2 (Whereupon, at 4:37 p.m., the Senate  
3 adjourned.)

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