

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 27, 2018

11 3:22 p.m.

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13
14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask all present to please rise and
5 join with me as we recite the Pledge of
6 Allegiance to our Flag.

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

9 ACTING PRESIDENT GRIFFO: Today's
10 invocation will be offered by Muhammad Mashhud
11 Iqbal, Imam of the North Bronx Islamic Center in
12 Bronx, New York.

13 Imam.

14 IMAM IQBAL: As-salamu Alaikum.

15 (Chanting at length in Arabic, then
16 speaking in Bengali.)

17 As-salamu Alaikum.

18 UNIDENTIFIED GUEST: As-salamu
19 Alaikum. May peace and blessings be upon all of
20 you.

21 Our praise and prayers belong to
22 Allah, who is the sustainer, the creator, the
23 maintainer of the universe. And He has gifted
24 us, as mankind, to serve others and to create an
25 ideal world for one another.

1 God says in the Holy Quran: O
2 believers, bow your heads in prostration and
3 serve and do good for others so that you may
4 succeed. And pursue in the ways of Allah with
5 the utmost effort, for He has chosen you to do
6 good.

7 And He says that He has sent to us a
8 prophet, a bearer of glad tidings. And we should
9 remain steadfast in our prayers, in our charity,
10 in our fasting and the ways we know best. Surely
11 He is the best of protectors, and the most
12 excellent.

13 From this we understand, as a
14 Bangladeshi-American community, that we are
15 establishing ourselves as ideal citizens living
16 amongst others and serving the people the way we
17 can, the way we know best, helping our
18 communities in the way we could, in any way we
19 can.

20 And on this day we recognize our
21 independence for Bangladesh and our residence and
22 representation here in America.

23 Thank you.

24 ACTING PRESIDENT GRIFFO: The
25 reading of the Journal.

1 THE SECRETARY: In Senate, Monday,
2 March 26th, the Senate met pursuant to
3 adjournment. The Journal of Sunday, March 25th,
4 was read and approved. On motion, Senate
5 adjourned.

6 ACTING PRESIDENT GRIFFO: Without
7 objection, the Journal stands approved as read.

8 Senator DeFrancisco.

9 SENATOR DeFRANCISCO: Would you
10 please recognize --

11 ACTING PRESIDENT GRIFFO: Can I
12 have some order in the house, please.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Would you
15 please recognize Senator Phillips, please.

16 ACTING PRESIDENT GRIFFO: Again,
17 I'm going to ask for order in the house. We have
18 a number of visitors.

19 Senator Phillips.

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

22 Sadly, as many of you know,
23 Lieutenant Michael Davidson, a 15-year veteran of
24 the FDNY and resident of the village of Floral
25 Park, lost his life last Thursday night while

1 fighting a fire in Manhattan.

2 Firefighters from across the country
3 gathered this morning at St. Patrick's Cathedral
4 to honor their fallen brother.

5 Tomorrow a privileged resolution
6 paying tribute to the life and service of
7 Lieutenant Davidson will be brought before the
8 Senate. But today I'm asking that this
9 legislative body pause for a moment of silence to
10 honor his life and ultimate sacrifice.

11 Thank you.

12 ACTING PRESIDENT GRIFFO: I ask the
13 Senate to please rise for a moment of silent
14 prayer and reflection on the life of Lieutenant
15 Michael R. Davidson, FDNY.

16 (Whereupon, the assemblage rose and
17 respected a moment of silence.)

18 ACTING PRESIDENT GRIFFO:

19 Presentation of petitions.

20 Messages from the Assembly.

21 Messages from the Governor.

22 Reports of standing committees.

23 Reports of select committees.

24 Communications and reports of state
25 officers.

1 Motions and resolutions.

2 Senator DeFrancisco.

3 SENATOR DeFRANCISCO: Yes, there's
4 a Senate Resolution Calendar at the desk. I move
5 to adopt that calendar, all the resolutions, with
6 the exception of 4284.

7 ACTING PRESIDENT GRIFFO: All in
8 favor of adopting the Resolution Calendar before
9 the house, with the exception of 4284, signify by
10 saying aye.

11 (Response of "Aye.")

12 ACTING PRESIDENT GRIFFO: Opposed?

13 (No response.)

14 ACTING PRESIDENT GRIFFO: The
15 Resolution Calendar is adopted.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: Now can we
18 take up previously adopted Resolution 4272, by
19 Senator Bailey, and call on Senator Bailey after
20 the resolution is read.

21 ACTING PRESIDENT GRIFFO: The
22 Secretary will read.

23 THE SECRETARY: Legislative
24 Resolution Number 4272, by Senator Bailey,
25 celebrating March 26, 2018, as Bangladesh Day.

1 "WHEREAS, March 26th is the national
2 independence day of Bangladesh; this day is
3 celebrated in Bangladesh and also all around the
4 world in honor of its country's Declaration of
5 Independence from Pakistan in the late hours of
6 March 25, 1971, and the start of the Bangladesh
7 Liberation War; and

8 "WHEREAS, This day is also a
9 memorial to the deaths of thousands of students,
10 civilians, political leaders, and unarmed Bengali
11 people; the Bangladesh Liberation War started
12 between West and East Pakistan; and

13 "WHEREAS, West Pakistan believed
14 they were far superior to those in East Pakistan;
15 they gave East Pakistan no privileges; they had a
16 bad economy, and no rights; and

17 "WHEREAS, The first election in the
18 history of Pakistan was held on December 7, 1970;
19 there were 300 seats in the parliament; East
20 Pakistan won 160 seats and West Pakistan won
21 81 seats; instead of handing over the power to
22 the winning party, they imposed martial law on
23 East Pakistan; and

24 "WHEREAS, East Pakistani leader
25 Mr. Bongu Bondhu Sheikh Mujibur Rahman urged the

1 Bengali people to turn their homes into resisting
2 forts; he said, 'Our struggle is for our freedom.
3 Our struggle is for our independence'; this
4 speech is what mainly inspired the nation to
5 fight for freedom; and

6 "WHEREAS, The West Pakistani army
7 sent a military plan known as Operation
8 Searchlight; it was planned to curb the Bengalis'
9 movement by taking control of major cities, and
10 eliminating all opposition, political or
11 military; and

12 "WHEREAS, At that time, Ziaur Rahman
13 broadcasted a message that the Independent
14 People's Republic of Bangladesh had been
15 established; and

16 "WHEREAS, At this point, March 26,
17 1971, the Bangladesh Liberation War had broken
18 out in the whole country; this was the day the
19 Bengali people stood up to the Pakistani Army;
20 and

21 "WHEREAS, After a nine-month-long
22 war, the Pakistani army finally surrendered
23 unconditionally; many lives were lost, but
24 Bangladesh, as a country, gained its freedom, its
25 independence; and

1 "WHEREAS, It is the sense of this
2 Legislative Body to recognize the great
3 contributions which the Bangladesh community have
4 brought to our state and nation; and

5 "WHEREAS, Many Bangladesh people
6 have made New York their home, and this
7 Legislative Body, representing the people of the
8 State of New York, is pleased to thank the
9 Bangladesh people for their contributions to this
10 great Empire State; and

11 "WHEREAS, It is the custom of this
12 Legislative Body that those who enhance the
13 well-being and vitality of their community and
14 have shown a long and sustained commitment to
15 excellence certainly have earned the recognition
16 and applause of all the citizens of this great
17 Empire State; now, therefore, be it

18 "RESOLVED, That this Legislative
19 Body pause in its deliberations to celebrate
20 March 26, 2018, as Bangladesh Day."

21 ACTING PRESIDENT GRIFFO: Senator
22 Bailey.

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

25 Kemon achhen? (Response from

1 gallery.) I just want to thank the great people
2 from Bangladesh.

3 We celebrate your independence
4 today. This is a house which is predicated upon
5 freedom. And on March 26, 1971, you got your
6 freedom. You rose to be independent. And you
7 have been able to sustain yourself, not only as a
8 nation in Bangladesh, but you've come to America
9 and have made significant contributions.

10 So I wanted to recognize some folks
11 that we have here on the Senate floor: Imam
12 Muhammad Mashhud Iqbal. Mr. Mohammed N.
13 Majunder. Dr. Nurun Nabi. Soloman Ali. And
14 Mr. Mohobub Alom. He was the proposer of
15 Bangladesh Day.

16 Seven years ago, when I was worrying
17 about whether I was going to pass the bar exam,
18 this was brought to this great body. And I'm
19 proud to continue this resolution in the Senate.
20 It was previously taken up, as we well know, by
21 Reverend Diaz, who is now in the City Council,
22 and Assemblyman Sepulveda, who will soon join us
23 here.

24 You know, it was a rough journey for
25 your country. And we do not -- you know, we

1 don't take that lightly. We have freedom
2 fighters that we recognize in this country, but
3 there are also freedom fighters in Bangladesh,
4 individuals such as Dr. Nabi, who led the way for
5 independence.

6 And we salute you, sir. We thank
7 you for what you have done for your community and
8 what you continue to do for your community as a
9 council member in New Jersey.

10 You know, Frederick Douglass -- and
11 Senators Robach and Funke, we spoke about
12 Frederick Douglass. And if there is no struggle,
13 there is no progress. And that is the same for
14 the people of Bangladesh. They struggled so they
15 can make the progress today and become amazing
16 residents throughout the City of New York -- but
17 I'm going to talk about the Bronx, of course.

18 In my district, the western portion
19 of the Bronx, the Norwood section, there is such
20 an amazing Bangladesh-American community, such a
21 vibrant community, which has embraced me almost
22 as one of your own. Almost. I'm not there yet.
23 Luis Sepulveda is called Luis-Vy. I want to be
24 called Jamaal-Vy. You know, you guys have got to
25 give me that title one day.

1 (Applause from gallery.)

2 SENATOR BAILEY: I guess that means
3 I'm Jamaal-Vy now.

4 But most importantly, your community
5 teaches us many things that we should adopt --
6 your cohesion, your togetherness, and your sense
7 of family. And I appreciate that, and I
8 appreciate you.

9 And I also appreciate the members of
10 your community reminding me that my name is
11 Arabic. My name in Arabic -- and some may not
12 necessarily agree that it is translated, but it
13 does mean "handsome," despite, you know, what
14 others may --

15 (Laughter.)

16 SENATOR BAILEY: Despite what
17 others may mean, my name does mean "handsome" in
18 Arabic. You can look it up. It is Google-able,
19 as they would say.

20 But I appreciate you. My first
21 interview during my campaign was on Time TV, a
22 Bengali station.

23 So to you and to the countless
24 members of your community who could not make the
25 trip up -- although you brought a lot of buses up

1 here -- I salute you. Dhonno-baad!

2 (Applause from galleries.)

3 ACTING PRESIDENT GRIFFO: Senator
4 Comrie.

5 SENATOR COMRIE: Thank you,
6 Mr. President.

7 I rise today to support the
8 resolution made by Senator Bailey and honoring
9 the Bangladesh community on the anniversary of
10 their independence.

11 I too have a large and rich
12 Bangladesh community that is throughout my
13 senatorial district in Queens, people who have
14 been consistent in their effort to make sure that
15 their community is respected, to share their
16 culture, share their beliefs, and share their
17 desire to make sure that their communities in
18 Southeast Queens are communities that are
19 well-represented and well-respected.

20 And in the tradition of this body,
21 it is necessary that we do honor those people
22 that have come to America, as has every other
23 culture here, to make sure that they have
24 established themselves as a community, that their
25 culture is respected, that they can share their

1 traditions and mores with other people -- so that
2 they can live the American dream like everyone
3 else.

4 In my community in Southeast Queens,
5 we have business owners, doctors, lawyers. And
6 the entire spectrum of people that are living in
7 Southeast Queens are doing large things in the
8 community, making sure that their children are
9 well-educated, that they have activities in the
10 school, they are PTA leaders, they are civic
11 leaders, they are presidents of community boards.
12 And we have a great community that has
13 established itself here.

14 So I'm glad today to stand up with
15 Senator Jamaal Bailey and honor the Bangladesh
16 community on the occasion of their anniversary.
17 I want to encourage them to continue to act like
18 every other culture that has come to America, to
19 truly be American citizens and to earn your
20 respect.

21 Thank you, Mr. President.

22 (Applause from the gallery.)

23 ACTING PRESIDENT GRIFFO: Senator
24 Persaud.

25 SENATOR PERSAUD: Thank you,

1 Mr. President.

2 I too would like to rise and thank
3 my colleague for bringing this resolution.

4 I have a vibrant Bengali community
5 in my district. They are hardworking -- I don't
6 know if anybody understands how hardworking they
7 are.

8 They also have a festival in my
9 district that has the largest number of
10 participants. Where else would you find a
11 Bengali event where there's one night of soul
12 music, one night of calypso music and Caribbean
13 music, one night of gospel music, and another
14 night of Bengali music -- where people from
15 across the district come together as one to
16 celebrate with no issues, where everyone
17 understands that we are one community? That's
18 what the Bengali community has done in the
19 City Line area of East New York.

20 The Bengali community, a vibrant and
21 growing community. And I thank you all for what
22 you're doing, and congratulations on 48 years.

23 Thank you.

24 (Applause from galleries.)

25 ACTING PRESIDENT GRIFFO: Senator

1 Peralta.

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

4 I rise today to welcome
5 Bangladeshi-Americans here. Thank you so much
6 for coming up today to Albany. A big round of
7 applause to all of you.

8 (Applause.)

9 SENATOR PERALTA: Now today, as
10 we're celebrating the Bangladesh Independence
11 Day, I also want to say thank you. I represent
12 the United Nations of all Senate districts. If
13 you walk street by street by street, you'll walk
14 into a different country.

15 And if you walk down 74th Street and
16 73rd Street and 72nd Street in Jackson Heights,
17 you will see not only a burgeoning, growing South
18 Asian community, but also many Bangladeshi-
19 Americans. So you have storefronts, you have
20 businesses, you have your kids that you're
21 putting through school. And you all come here to
22 live the American dream.

23 And the greatness about Jackson
24 Heights in my area is that people wonder how is
25 it that so many people from so many different

1 communities can come here and live in peace with
2 one another, when if you go to other countries,
3 there's always these strifes and these tensions.
4 But here in New York, and particularly in Queens,
5 in my district in Jackson Heights, everyone lives
6 side by side.

7 So I want to thank the Bangladeshi
8 community for what you do day in and day out.
9 You make the community vibrant, alive, and your
10 food is exquisite.

11 Thank you very much, and welcome to
12 the Bangladeshi-Americans.

13 (Applause.)

14 ACTING PRESIDENT GRIFFO: As noted,
15 the resolution was previously adopted on March
16 22nd of this year.

17 Senator Hamilton.

18 SENATOR HAMILTON: Yes. Yes
19 Mr. President, I rise to acknowledge the
20 Bangladeshi community. (In Bengali; response
21 from audience.)

22 So I just want to say our history
23 should be followed by everybody. At one point in
24 time, India was one country, and in 1941-'47 it
25 was partitioned to create the great country of

1 Bangladesh. And then it was further partitioned
2 to create the country of Pakistan.

3 So many Bengali people are
4 hardworking people. They come to this country
5 wanting to live the American dream. And they
6 have their own construction companies, own many
7 Dunkin' Donuts, right? Yeah, yeah. And they do
8 so much for our state and our country.

9 But I met, three weeks ago, a young
10 man who had a Yellow Cab. And he worked hard and
11 he worked so hard, and now with Uber, a lot of
12 the Bangladeshi who owned Yellow Cabs are having
13 a hard time.

14 And so when you come to this
15 chamber, you should ask everyone in here, What
16 are you going to do for the Yellow Cab drivers
17 who have been doing it for over 20 years and who
18 have mortgages on their cabs for \$800,000 and
19 finding it harder and harder to make it in
20 America.

21 As things change and we have Uber
22 now, we can't forget the hardworking men and
23 women from Bangladesh who have put so much into
24 our Yellow cab industry and into many other
25 industries.

1 And also, as we move forward, many
2 people coming to this country should be treated
3 with respect and dignity.

4 So I thank you all for coming to the
5 State Capitol, and I look forward to continue
6 working with you. Dhonno-baad. Khoob bhalo.
7 Dhonno-baad. Khoob bhalo.

8 (Applause.)

9 ACTING PRESIDENT GRIFFO: As
10 previously noted, the resolution was adopted on
11 March 22nd of this year.

12 We welcome our guests, the Bengali
13 delegation seated on the floor, our guests from
14 Bangladesh who are here. And we extend our best
15 wishes as you celebrate Independence Day for
16 Bangladesh. Congratulations and welcome.

17 (Extended applause.)

18 ACTING PRESIDENT GRIFFO: Senator
19 DeFrancisco.

20 SENATOR DeFRANCISCO: Please open
21 that resolution for cosponsorship.

22 ACTING PRESIDENT GRIFFO: Senator
23 Bailey has requested this resolution be open for
24 cosponsorship. Should you choose to be a
25 cosponsor, please notify the desk.

1 Senator DeFrancisco.

2 SENATOR DeFRANCISCO: Now can we
3 take up previously adopted Resolution 3915, by
4 Senator Golden, title only, please, and call on
5 Senator Golden.

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read.

8 THE SECRETARY: Legislative
9 Resolution Number 3915, by Senators Golden and
10 Jacobs, memorializing Governor Andrew M. Cuomo to
11 proclaim March 6, 2018, as Lymphedema Day in the
12 State of New York, in conjunction with the
13 observance of the third annual World Lymphedema
14 Day.

15 ACTING PRESIDENT GRIFFO: Senator
16 Golden.

17 But before you begin, I'm going to
18 ask if you could please depart from the chamber
19 quietly. We have a number of activities ongoing
20 here. Please give the speaker your attention and
21 respect.

22 Senator Golden.

23 SENATOR GOLDEN: Thank you,
24 Mr. President. I rise to speak in honor of this
25 important resolution today.

1 Today we're proclaiming March 6,
2 2018, as Lymphedema Day in New York, in
3 correspondence with the observance of the third
4 annual World Lymphedema Day.

5 Many of us may not know what
6 lymphedema is. Lymphedema refers to the swelling
7 that generally occurs in one's arms or legs, and
8 it can be very, very painful. Lymphedema is most
9 commonly caused by the removal of or the damage
10 to your lymph nodes as part of a cancer
11 treatment.

12 It results from the blockage in your
13 lymphatic system, which is part of your immune
14 system. The blockage prevents lymph fluid from
15 draining well, and the fluid buildup leads to
16 swelling.

17 While there is presently no cure for
18 lymphedema, it can be managed with early
19 diagnosis and diligent care on your affected
20 limb. And this body and the body in the Assembly
21 for the third year have put money towards helping
22 this organization to be able to fight lymphedema,
23 and we will continue to do that.

24 What is most frustrating is that
25 there is a high level of underdiagnosis and

1 undertreating of this disease. We should all be
2 aware that the statistics indicate that between
3 20 to 40 percent of all cancer survivors will
4 develop lymphedema at some point in their
5 lifetime.

6 There is a lot of misinformation
7 surrounding this disease. All of us in this
8 chamber know how hard it can be to combat what we
9 don't know or understand. We have with us today
10 people dedicated to fighting the misinformation
11 surrounding lymphedema. These people shine a
12 light on the darkness surrounding this disease.

13 I would like to recognize William
14 Repicci, who could not be here today, Steven
15 Palmer, Colleen McGuire and her son -- a
16 volunteer -- Michael, all from the Lymphatic
17 Education and Research Network.

18 We also have Lisa McPartland, this
19 year's honoree for her advocacy supporting the
20 fundraising efforts, and her husband Patrick, as
21 well as Emma Detlefsen, a former honoree and her
22 mom, Tiffany.

23 These people have given so much to
24 raise awareness for lymphedema. And every year
25 in Brooklyn we stand up and we have thousands of

1 people come across and celebrate and help and
2 talk and reach out to the communities to help
3 reach people and give them whatever help them
4 they need.

5 And they have shared their stories
6 to many of the people there and many of the
7 people across this great city, state and nation.
8 They have given their time, their talents, their
9 tenacity to improve the lives of those with this
10 disease that's so often misdiagnosed and
11 mistreated. They are doing God's work, and we
12 are thankful to them.

13 Thank you, and God bless you. And
14 please continue your good fight. Thank you.

15 ACTING PRESIDENT GRIFFO: Senator
16 Amedore.

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

19 I want to thank Senator Golden for
20 bringing this very important resolution to the
21 floor, Lymphedema Awareness Day in the State of
22 New York.

23 I too want to congratulate Lisa for
24 her hard work and dedication, devotion to
25 something that -- on a cause that causes so much

1 pain in a young person's life. So thank you for
2 your efforts.

3 And I also want to bring to
4 everyone's attention that we have our superhero
5 back in the chamber. And that's Emma Detlefsen.
6 Emma just a few years ago was here with her cape
7 on, standing on my chair in the back. I
8 introduced everyone to her because of her
9 advocacy, her fundraising abilities, and her
10 travels that bring her to Washington to meet with
11 her state representatives in Washington on this
12 very important issue. At the age of 10, nothing
13 holds her back.

14 So thank you, Emma, for being here
15 and supporting your friend Lisa. And for
16 Tiffany, all your hard work and never giving up,
17 we appreciate you.

18 Mr. President, please allow the
19 cordialities of the house.

20 ACTING PRESIDENT GRIFFO: Thank
21 you, Senator Amedore.

22 As indicated, the resolution was
23 previously adopted on February 28th of this year.

24 We want to extend a warm welcome
25 back to Emma, to Lisa, Tiffany and the others who

1 are with them today. Thank you so much for all
2 of your good work and your advocacy. We
3 sincerely appreciate you and extend the
4 courtesies of the house. Please stand and be
5 recognized.

6 (Applause.)

7 ACTING PRESIDENT GRIFFO: Senator
8 DeFrancisco.

9 SENATOR DeFRANCISCO: Yes, would
10 you please open that resolution also for
11 cosponsorship.

12 ACTING PRESIDENT GRIFFO: The
13 resolution is open for cosponsorship. Should you
14 choose to be a cosponsor, please notify the desk.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: Would you now
17 take up Resolution 3914, by Senator Golden, title
18 only, and call on Senator Golden.

19 ACTING PRESIDENT GRIFFO: The
20 Secretary will read Resolution 3914, title only.

21 THE SECRETARY: Legislative
22 Resolution Number 3914, by Senators Golden and
23 Jacobs, honoring Lisa McPartland for her
24 outstanding advocacy, support and fundraising
25 efforts for lymphedema awareness, in conjunction

1 with the observance of World Lymphedema Day,
2 March 6, 2018.

3 ACTING PRESIDENT GRIFFO: Senator
4 Jacobs.

5 SENATOR JACOBS: Before Lisa leaves
6 the chamber, I wanted to also echo Senator Golden
7 and Senator Amedore for recognizing World
8 Lymphedema Day. But also it is an honor to have
9 you, Lisa, and your family here today.

10 I am honored to serve you; you're
11 residents of my district in Kenmore, New York.
12 And I'm -- this is my first term in the State
13 Senate, and I've over and over again been so
14 amazed by the individuals that I've met here who
15 have suffered tragedy and challenges in their
16 lives, and in addition to overcoming their
17 personal tragedies and challenges, have turned
18 that into positive energy for making a difference
19 in others' lives.

20 And what you've done in your
21 advocacy, and your husband, in raising awareness
22 of this disease and advocating for funds for this
23 disease and making people aware, as was
24 mentioned, how important early diagnosis is. So
25 what you and your husband have done -- to the

1 point, I understand, that when you were getting
2 married, that you directed all funds from your
3 shower, your wedding shower, to raising money.
4 Now, that's commitment, to one another and to
5 this mission.

6 Congratulations. Thank you for
7 being here. And I look forward to meeting you as
8 you make your way down.

9 Thank you very much.

10 ACTING PRESIDENT GRIFFO: Thank
11 you, Senator Jacobs.

12 (Applause.)

13 ACTING PRESIDENT GRIFFO: As
14 indicated, the resolution was previously adopted
15 also on February 28th.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: It also is
18 open for cosponsorship.

19 ACTING PRESIDENT GRIFFO: The
20 resolution is open for cosponsorship. Should you
21 choose to be a cosponsor, please notify the desk.

22 Senator DeFrancisco.

23 SENATOR DeFRANCISCO: And the last
24 resolution I'd like to have taken up is 4284, by
25 Senator Boyle, read the title only, and call on

1 Senator Boyle to speak.

2 ACTING PRESIDENT GRIFFO: The
3 Secretary will read.

4 THE SECRETARY: Legislative
5 Resolution Number 4284, by Senator Boyle,
6 memorializing Governor Andrew M. Cuomo to
7 proclaim March 31, 2018, as Stop the Bleed Day in
8 the State of New York.

9 ACTING PRESIDENT GRIFFO: Senator
10 Boyle.

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

13 I want to thank this body for taking
14 up this resolution. It is National Stop the
15 Bleed Day on March 31, 2018.

16 What is Stop the Bleed? This was a
17 national commitment day from the Obama
18 administration from 2015, after the Sandy Hook
19 Elementary School shooting. And it came about as
20 a result of a mind change in emergency services.

21 It is, in essence, an attempt to
22 stop the most common cause of preventable trauma
23 death: Uncontrolled bleeding. We've seen mass
24 shootings, we've seen other tragedies in recent
25 years such as Sandy Hook, Las Vegas, Orlando and

1 now Parkland and many others. And a lot of the
2 students and a lot of the victims of these
3 tragedies die from blood loss.

4 To give you some facts, 20 percent
5 of people who die from traumatic injuries in this
6 country could have survived with quick bleeding
7 control. Thirty-five percent of prehospital
8 deaths are due to blood loss. Eighty percent of
9 victims of mass casualty incidents are
10 transported to hospitals by members of the
11 general public. This is something we're all in.
12 It's not just first responders, it's not just
13 police officers and firefighters and EMS -- any
14 of us can be involved with stopping people from
15 bleeding to death.

16 I'm a former EMT, and I can tell you
17 that there's been a mind change over the years.
18 When I was an EMT, it was don't use tourniquets
19 because you're going stop the blood to the
20 extremity and that person is going to lose that
21 extremity -- the arm, the leg.

22 That's completely changed, because
23 what we're seeing is -- and it's not just
24 shootings. It's if someone's car goes over the
25 curb in New York City, someone can bleed to death

1 in four or five minutes. So obviously using a
2 tourniquet is not going to make a difference.

3 Nobody in this country has lost a
4 limb if a tourniquet is taken off within two
5 hours. Think about that. You can have a
6 tourniquet on for two hours, but you could die in
7 four or five minutes from blood loss. So put the
8 tourniquet on or stop the bleeding in the wound.

9 On March 31st, there are going to be
10 classes all over the state. I believe my
11 colleague Senator Phillips is doing one, and
12 Senator Brooks and others. My office, we're
13 doing a class to Stop the Bleed on May 31st. And
14 I urge my other colleagues to get in touch with
15 EMS providers and civilians in their area to do a
16 Stop the Bleed course.

17 And these tourniquets are not
18 complicated things. I know it sounds kind of
19 difficult to do. They have new ones, they're
20 cheap, 25 bucks on the internet or in your local
21 medical store. You can put them on yourself to
22 someone that you come upon in, God forbid, a mass
23 casualty incident but also if they're just hit by
24 a car and they're bleeding out. And stop the
25 bleeding to get them to the hospital and save

1 their lives.

2 I've taken this course myself. It's
3 two hours, it's very simple. Over 120,000
4 Americans have taken a Stop the Bleed course.
5 And I urge all of my colleagues to do just that.
6 Remember, it's not just EMS and firefighters and
7 police officers -- all of us, civilians, we can
8 learn to Stop the Bleed and save lives.

9 And I want to thank my colleagues
10 for supporting this resolution.

11 ACTING PRESIDENT GRIFFO: Thank
12 you, Senator Boyle. The question is on the
13 resolution. All in favor signify by saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT GRIFFO: Opposed?

16 (No response.)

17 ACTING PRESIDENT GRIFFO: The
18 resolution is adopted.

19 Senator DeFrancisco.

20 SENATOR DeFRANCISCO: This is also
21 open for cosponsorship.

22 ACTING PRESIDENT GRIFFO: The
23 resolution is open for cosponsorship. Should you
24 choose to be a cosponsor, please notify the desk.

25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: Will you now
2 take up the noncontroversial reading of the
3 calendar.

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number
7 291, by Senator Akshar, Senate Print 7404, an act
8 to amend the Correction Law.

9 SENATOR GIANARIS: Lay it aside.

10 ACTING PRESIDENT GRIFFO: Lay the
11 bill aside.

12 THE SECRETARY: Calendar Number
13 387, by Senator Little, Senate Print 367A, an act
14 to amend the General Municipal Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 399, by Senator Griffo, Senate Print 7418A, an
2 act to amend the Real Property Tax Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

5 THE SECRETARY: Section 4. This
6 act shall take effect January 19, 2019.

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 399, those recorded in the negative are
14 Senators Comrie, Hoylman, Krueger, Montgomery,
15 Parker and Rivera. Also Senator Sanders.

16 Ayes, 53. Nays, 7.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 442, by Senator Seward, Senate Print 3960, an act
21 to amend the Insurance Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

24 THE SECRETARY: Section 2. This
25 act shall take effect immediately.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 58. Nays, 2.
5 Senators Kavanagh and Krueger recorded in the
6 negative.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 526, by Senator Golden, Senate Print 7158B, an
11 act to amend the General Municipal Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

14 THE SECRETARY: Section 3. This
15 act shall take effect July 1, 2018.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The bill
21 passes.

22 THE SECRETARY: Calendar Number
23 571, by Senator Funke, Senate Print 1020, an act
24 to amend the Education Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 575, by Senator Akshar, Senate Print 4476, an act
12 to amend the Education Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

15 THE SECRETARY: Section 2. This
16 act shall take effect immediately.

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 591, by Senator Avella, Senate Print 7423, an act
25 to amend the New York State Urban Development

1 Corporation Act.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 60.

10 ACTING PRESIDENT GRIFFO: The bill
11 passes.

12 THE SECRETARY: On page 39, Senator
13 Bonacic moves to discharge, from the Committee on
14 Judiciary, Assembly Bill Number 8177 and
15 substitute it for the identical Senate Bill 6538,
16 Third Reading Calendar 596.

17 ACTING PRESIDENT GRIFFO: The
18 substitution is so ordered.

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 596, by Member of the Assembly Skartados,
22 Assembly Print 8177, an act to amend the Uniform
23 Justice Court Act.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 60.

7 ACTING PRESIDENT GRIFFO: The bill
8 passes.

9 THE SECRETARY: Calendar Number
10 626, by Senator Lanza, Senate Print 3538, an act
11 to amend the Penal Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT GRIFFO: Senator
20 Krueger to explain her vote.

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

23 While we're all concerned about the
24 increased kinds of computer crimes that take
25 place in this day and age, support for this bill,

1 if it were to become law, would mean there would
2 be no misdemeanor-category crimes left in this
3 area of the law.

4 And surely I think all of us can
5 picture computer tampering offenses where we
6 don't think jumping to a felony for a first-time
7 offense in some way is the right answer.

8 So I vote no for the increase in
9 penalties, leaving us no misdemeanor options in
10 this arena of criminal law. I vote no,
11 Mr. President.

12 ACTING PRESIDENT GRIFFO: Senator
13 Krueger to be recorded in the negative.

14 Announce the results.

15 THE SECRETARY: In relation to
16 Calendar 626, those recorded in the negative are
17 Senators Bailey, Benjamin, Comrie, Dilan,
18 Hoylman, Kavanagh, Krueger, Montgomery, Parker,
19 Persaud, Rivera, Sanders and Serrano.

20 Ayes, 48. Nays, 13.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 654, by Senator O'Mara, Senate Print 6850B, an
25 act to amend the Correction Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 60. Nays, 1.
9 Senator Krueger recorded in the negative.

10 ACTING PRESIDENT GRIFFO: The bill
11 passes.

12 THE SECRETARY: Calendar Number
13 712, by Senator Savino, Senate Print 3913, an act
14 to amend the Penal Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

17 THE SECRETARY: Section 4. This
18 act shall take effect immediately.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 Senator DeFrancisco, that concludes

1 the noncontroversial reading of today's
2 active-list calendar.

3 SENATOR DeFRANCISCO: Can we now
4 have the reading of the controversial calendar.

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will ring the bell.

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 291, by Senator Akshar, Senate Print 7404, an act
10 to amend the Correction Law.

11 SENATOR KRUEGER: Explanation.

12 ACTING PRESIDENT GRIFFO: Senator
13 Krueger has requested an explanation, Senator
14 Akshar.

15 May I have some order, please, in
16 the chamber.

17 Senator Akshar.

18 SENATOR AKSHAR: Senator, this bill
19 would essentially allow Tioga County to house
20 unarraigned inmates for a period of time until
21 such time as the sheriff could bring them all to
22 a centralized point to be arraigned.

23 SENATOR KRUEGER: Through you,
24 Mr. President, if the sponsor would please yield.

25 ACTING PRESIDENT GRIFFO: Senator

1 Akshar, do you yield?

2 SENATOR AKSHAR: Happy to.

3 SENATOR KRUEGER: Thank you.

4 So I'm trying to understand who
5 these people would be and for how long they would
6 be housed in the local jail. Could the sponsor
7 tell me what universe of people this is and how
8 long they're expected to stay, on average, in the
9 jail if this law is passed?

10 SENATOR AKSHAR: Mr. President,
11 through you. This is, generally speaking, for a
12 period of several hours, maybe. General arrests
13 that occur throughout the evening during off-hour
14 periods of time.

15 SENATOR KRUEGER: Through you,
16 Mr. President, if the sponsor would continue to
17 yield.

18 SENATOR AKSHAR: I will.

19 ACTING PRESIDENT GRIFFO: The
20 sponsor yields.

21 SENATOR KRUEGER: Thank you.

22 So my understanding is we have done
23 this in a number of counties throughout the
24 state, and historically it has been for exactly
25 as the sponsor answered my last question. But

1 there seems to be some change moving in various
2 counties.

3 Is the sponsor familiar with the
4 federal 287G program?

5 SENATOR AKSHAR: Mr. President, I
6 am not familiar with that federal program.

7 SENATOR KRUEGER: Through you,
8 Mr. President, if the sponsor would continue to
9 yield.

10 SENATOR AKSHAR: Be happy to.

11 ACTING PRESIDENT GRIFFO: The
12 sponsor yields.

13 SENATOR KRUEGER: Thank you.

14 My understanding is the 287G program
15 is a program where local sheriffs or other police
16 can go into an arrangement with federal Homeland
17 Security -- a partnership, if you will, with ICE
18 for detention of people believed to not be
19 documented in our state.

20 And so my reason for asking the
21 question is, does the sponsor believe that this
22 kind of arrangement would potentially open up our
23 counties to more easily moving into -- I won't
24 say they're private arrangements, but
25 arrangements between county sheriffs and ICE to

1 turn local jails into detention centers?

2 SENATOR AKSHAR: Mr. President,
3 while I understand there is a deep passion by
4 some of my esteemed colleagues across the aisle
5 to speak about immigration issues, ICE,
6 Department of Homeland Security, this is -- I've
7 gotten a home rule request by the Tioga County
8 sheriff to make an amendment to 500-c.

9 There's been no discussions
10 about dealing with immigration issues, dealing
11 with ICE, dealing with Department of Homeland
12 Security. We're essentially doing the same thing
13 by way of this change in statute here before us
14 as we've done in 26 other counties throughout the
15 great State of New York.

16 SENATOR KRUEGER: Through you,
17 Mr. President, on the bill.

18 ACTING PRESIDENT GRIFFO: Senator
19 Krueger on the bill.

20 SENATOR KRUEGER: Thank you.

21 I appreciate the sponsor's answers,
22 and I appreciate that perhaps in this county
23 there is no one having discussions about going
24 into this kind of arrangement, 287G, or another
25 kind of arrangement with ICE.

1 But the fact is that is what's
2 happening in various counties in our state. I
3 have a series of newspaper stories from literally
4 just this week about the sheriff of Rensselaer
5 County going into a 287G agreement with ICE. I
6 have an article about Orange County jail holding
7 approximately 171 undocumented immigrants being
8 held and detained for ICE, and being paid by the
9 federal government \$133 per day for each
10 detainee.

11 So I simply wanted to raise on the
12 floor of the Senate that I am -- you're right, my
13 colleague used the word "passionate." Some of us
14 are worried about some of the activities that
15 might be taking place -- even without state
16 sanction, even county by county or jail by
17 jail -- where we would find ourselves
18 participating with the federal government in
19 policies that we -- many of us in the state do
20 not think appropriate use of our state facilities
21 or state law enforcement officers.

22 So I completely respect that my
23 colleague is not moving this bill for that
24 purpose, as he has said. But I will vote against
25 the bill. And mostly I want to just raise

1 awareness of everyone that these kinds of
2 activities not just could be taking place in our
3 communities -- apparently they are taking place
4 in any number of our communities. And frankly, I
5 think it's bad for law enforcement and bad for
6 our communities if this kind of model, as we are
7 seeing in Rensselaer County and Orange County, is
8 allowed to expand.

9 So I'll vote no, Mr. President.

10 Thank you.

11 ACTING PRESIDENT GRIFFO: Are there
12 any other Senators wishing to be heard?

13 Seeing and hearing no other Senator,
14 debate is closed and the Secretary will ring the
15 bell.

16 Read the last section.

17 THE SECRETARY: Section 3. This
18 act shall take effect immediately.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT GRIFFO: May I
23 have some order, please.

24 Senator Akshar to explain his vote.

25 SENATOR AKSHAR: Mr. President,

1 while I appreciate, of course, my colleague's
2 position on the federal program, I think it's
3 important to note that this particular bill does
4 nothing more nor less than ensure efficiency.

5 In rural sheriff's offices
6 specifically, it's very, very difficult --
7 outside of the City of New York, without central
8 booking and so on and so forth, off-hour arrests
9 are very difficult with a limited amount of law
10 enforcement members. It's always better to have
11 them not tied up in the court system and have
12 them on the street protecting our communities.

13 So I'm voting aye, of course. Thank
14 you.

15 ACTING PRESIDENT GRIFFO: Senator
16 Akshar to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: Ayes, 60. Nays, 1.
19 Senator Krueger recorded in the negative.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 Senator DeFrancisco, that concludes
23 the controversial reading of today's active list.

24 SENATOR DeFRANCISCO: Yes. The
25 Republican Conference will meet at the call of

1 the leader, not immediately following conference.
2 But be ready for a short notice, since the leader
3 is in the building with one -- a couple of his
4 closest friends.

5 (Laughter.)

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

8 ACTING PRESIDENT GRIFFO: A
9 reminder to the Republican Conference to be
10 available for a Republican conference at the call
11 of the leader.

12 There is no further business at the
13 desk.

14 SENATOR DeFRANCISCO: I therefore
15 move to adjourn until Wednesday, March 28th, at
16 3:00 p.m.

17 ACTING PRESIDENT GRIFFO: Upon
18 motion, the Senate will stand adjourned until
19 Wednesday, March 28th, at 3:00 p.m.

20 The Senate is adjourned.

21 (Whereupon, at 4:14 p.m., the Senate
22 adjourned.)

23

24

25