

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 January 23, 2019

11 11:35 a.m.

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13  
14 REGULAR SESSION

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18 SENATOR BRIAN BENJAMIN, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT BENJAMIN: In the  
9 absence of clergy, I ask everyone to bow their  
10 head in a moment of silent reflection or prayer.

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

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

15 THE SECRETARY: In Senate, Tuesday,  
16 January 22, 2019, the Senate met pursuant to  
17 adjournment. The Journal of Monday, January 21,  
18 2019, was read and approved. On motion, Senate  
19 adjourned.

20 ACTING PRESIDENT BENJAMIN: 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: Senator Skoufis

1 moves to discharge, from the Committee on Rules,  
2 Assembly Bill Number 881 and substitute it for  
3 the identical Senate Bill Number 1675,  
4 Third Reading Calendar Number 38.

5 ACTING PRESIDENT BENJAMIN: The  
6 substitution is so ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from  
11 state officers.

12 Motions and resolutions.

13 Senator Gianaris.

14 SENATOR GIANARIS: Mr. President, I  
15 now move to adopt the Resolution Calendar, with  
16 the exception of Resolution 279, by  
17 Leader Stewart-Cousins, and Resolution 292, by  
18 Senator Little.

19 ACTING PRESIDENT BENJAMIN: All in  
20 favor of adopting the Resolution Calendar, with  
21 the exception of Resolutions 279 and 292, please  
22 signify by saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT BENJAMIN:  
25 Opposed, nay.

1 (No response.)

2 ACTING PRESIDENT BENJAMIN: The  
3 Resolution Calendar is adopted.

4 Senator Gianaris.

5 SENATOR GIANARIS: Mr. President,  
6 can we now take up the noncontroversial reading  
7 of the calendar.

8 ACTING PRESIDENT BENJAMIN: The  
9 Secretary will read.

10 THE SECRETARY: Calendar Number 36,  
11 by Senator Sepúlveda, Senate Print 1250, an act  
12 to amend the Education Law.

13 SENATOR RITCHIE: Lay it aside,  
14 please.

15 ACTING PRESIDENT BENJAMIN: Lay it  
16 aside.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number 37,  
19 by Senator Mayer, Senate Print 1262, an act to  
20 amend the Education Law.

21 SENATOR RITCHIE: Lay it aside.

22 ACTING PRESIDENT BENJAMIN: Lay it  
23 aside.

24 The Secretary will read.

25 THE SECRETARY: Calendar Number 38,

1 by Assemblymember Zebrowski, Assembly Print 881,  
2 an act to amend the Real Property Tax Law.

3 ACTING PRESIDENT BENJAMIN: Read  
4 the last section.

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

7 ACTING PRESIDENT BENJAMIN: Call  
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN:  
11 Announce the results.

12 THE SECRETARY: Ayes, 59.

13 ACTING PRESIDENT BENJAMIN: The  
14 bill is passed.

15 Senator Gianaris.

16 SENATOR GIANARIS: Mr. Benjamin --  
17 Mr. President, I take the pause to recognize that  
18 Senator Skoufis just passed his first bill in the  
19 Senate. Congratulations.

20 (Standing ovation.)

21 ACTING PRESIDENT BENJAMIN: The  
22 Secretary will read.

23 THE SECRETARY: Calendar Number 39,  
24 by Senator Skoufis, Senate Print 1889, an act to  
25 amend the Education Law.

1                   ACTING PRESIDENT BENJAMIN:    Read  
2   the last section.

3                   THE SECRETARY:    Section 3.   This  
4   act shall take effect June 1, 2019.

5                   ACTING PRESIDENT BENJAMIN:    Call  
6   the roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT BENJAMIN:  
9   Announce the results.

10                  THE SECRETARY:    Ayes, 59.

11                  ACTING PRESIDENT BENJAMIN:    The  
12   bill is passed.

13                  The Secretary will read.

14                  THE SECRETARY:    Calendar Number 40,  
15   by Senator Gaughran, Senate Print 1904, an act to  
16   amend Chapter 97 of the Laws of 2011.

17                  SENATOR GALLIVAN:   Lay it aside.

18                  ACTING PRESIDENT BENJAMIN:    Lay it  
19   aside.

20                  The Secretary will continue to read.

21                  THE SECRETARY:    Calendar Number 45,  
22   by Senator Seward, Senate Print 2043, an act to  
23   amend Chapter 589 of the Laws of 2015.

24                  ACTING PRESIDENT BENJAMIN:    Read  
25   the last section.

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

3 ACTING PRESIDENT BENJAMIN: Call  
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BENJAMIN:  
7 Announce the results.

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT BENJAMIN: The  
10 bill is passed.

11 Senator Gianaris, that completes the  
12 noncontroversial reading of today's calendar.

13 SENATOR GIANARIS: Thank you,  
14 Mr. President.

15 Can we now go to the controversial  
16 reading and begin with Calendar Number 37,  
17 please.

18 ACTING PRESIDENT BENJAMIN: The  
19 Secretary will ring the bell.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number 37,  
22 by Senator Mayer, Senate Print 1262, an act to  
23 amend the Education Law.

24 ACTING PRESIDENT BENJAMIN: Senator  
25 Gallivan, why do you rise?

1                   SENATOR GALLIVAN:   Mr. President, I  
2     believe there's an amendment at the desk. I  
3     waive the reading of the amendment and ask that  
4     you call on Senator Mayer {sic} for an  
5     explanation.

6                   (Pause.)

7                   ACTING PRESIDENT BENJAMIN:   Thank  
8     you, Senator Gallivan. Upon review of the  
9     amendment, in accordance with Rule 6, Section 4B,  
10    I rule it nongermane and out of order at this  
11    time.

12                  SENATOR GALLIVAN:   I appeal the  
13    ruling of the chair and ask that you recognize  
14    Senator Little to be heard on the appeal.

15                  ACTING PRESIDENT BENJAMIN:   The  
16    appeal has been made and recognized, and  
17    Senator Little may be heard.

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

20                  We have an amendment today that  
21    would absolutely remove the APPR from the  
22    requirements that we have in our schools today.

23                  And if there was ever an amendment  
24    that was germane to the existing bill before us,  
25    this is it. The bill before us amends the APPR,

1 the bill -- and the amendment that I am proposing  
2 eliminates the APPR.

3 What we do is eliminate  
4 Section 3012-d and 3012-c of the Education Law,  
5 which are two versions of the APPR provisions  
6 that tied student test scores to teacher  
7 evaluations. Both of these sections became law  
8 in 2015.

9 We know the consequences of what has  
10 happened there -- the opt-outs that have taken  
11 place in schools, the anxiety that children have  
12 had taking tests, that the result has such an  
13 impact. Many, many people have discussed this  
14 and wanted to do something about it. The federal  
15 government no longer requires us to do this. And  
16 the teacher evaluations in this amendment would  
17 be collectively bargained with no requirement for  
18 student learning objectives or state test scores  
19 to be used in the evaluation of the teacher.

20 This also requires that there is not  
21 any unnecessary increase in testing, which we  
22 believe the bill before us -- it could easily  
23 happen as a result of that. It actually puts the  
24 evaluations on the teachers back in local  
25 control.

1                   Now, as a former teacher I know that  
2                   there are many days that are not a student's  
3                   best. To be evaluating a teacher on the results  
4                   of a test that students took on one particular  
5                   day with all kinds of anxiety, all kinds of  
6                   preparation, everything that went into that, is  
7                   not fair. And it would require teachers to hope  
8                   for and want only the best students in their  
9                   class, and we know that's not the case.

10                  There is no "one size fits all" in  
11                  education. Students learn differently. Students  
12                  are at different levels. Students come to school  
13                  with different backgrounds. We have students  
14                  that come to school hungry. We have students who  
15                  are affected by poverty. We have students who  
16                  have things going on in their family that affect  
17                  how they feel that day.

18                  The evaluation of the teachers based  
19                  upon a set of tests is incorrect and unfair. And  
20                  I believe that this could be done better, done at  
21                  the local level, in coordination with the BOCES  
22                  districts, and approved by the State Education  
23                  Department.

24                  So I ask all to please consider this  
25                  amendment germane to this bill and join me in

1 overriding the ruling of the chair.

2 Thank you.

3 ACTING PRESIDENT BENJAMIN: Thank  
4 you, Senator.

5 I want to remind the house that the  
6 vote is on the procedures of the house and the  
7 ruling of the chair.

8 Those in favor of overruling the  
9 chair signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT BENJAMIN:

12 Opposed?

13 MULTIPLE REPUBLICAN SENATORS: Show  
14 of hands.

15 ACTING PRESIDENT BENJAMIN: A show  
16 of hands has been requested and so ordered.

17 (Show of hands.)

18 THE SECRETARY: Ayes, 16.

19 ACTING PRESIDENT BENJAMIN: THE  
20 ruling of the chair stands, and the bill-in-chief  
21 is before the house.

22 Senator Little.

23 SENATOR LITTLE: Thank you. If I  
24 may, on the bill.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Little on the bill.

2 SENATOR LITTLE: I'd like to thank  
3 Senator Mayer for putting this bill forward.

4 We had this bill last year, as did  
5 the Assembly. Assemblywoman Nolan and  
6 Senator Marcellino had this bill. Unfortunately,  
7 this bill was voted unanimously in our  
8 Education Committee but was not put before the  
9 floor. So I'm really pleased to see that this  
10 bill is before the floor now and moving forward.

11 Thank you.

12 ACTING PRESIDENT BENJAMIN: Senator  
13 O'Mara.

14 I'm sorry, Senator Funke. Sorry.

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

17 And I want to thank Senator Mayer  
18 for bringing this legislation forward.

19 I always felt that local school  
20 boards and administrators knew best how to  
21 evaluate their teachers. They really never  
22 needed any help from the State of New York. And  
23 so today I'm proud to cosponsor this legislation  
24 as well, to end the use of standardized tests in  
25 evaluating our teachers.

1                   Top down, "one size fits all"  
2 government solutions seldom work, and  
3 Governor Cuomo's flawed teacher evaluation system  
4 was no exception. So today we finally have  
5 consigned APPR to the dustbin of history, and I  
6 say good riddance.

7                   I vote aye, Mr. President. Thank  
8 you.

9                   ACTING PRESIDENT BENJAMIN:    Senator  
10 Lanza.

11                  SENATOR LANZA:    Thank you,  
12 Mr. President. On the bill.

13                  First I want to thank Senator Mayer,  
14 the sponsor of this legislation. I think it's a  
15 step in the right direction.

16                  But it's important to understand how  
17 we arrived at this moment. The reason why test  
18 scores are being used to evaluate teachers is  
19 because of a deal that was cut a number of years  
20 ago by Governor Cuomo, together with Democrats  
21 and Republicans and the UFT. And they shoved  
22 that upon the people of this state and burdened  
23 the teachers across this state with that very  
24 flawed, as has been pointed out, system of  
25 evaluation.

1           I voted no for the enactment of that  
2 legislation a number of years ago, because I knew  
3 it was wrong, because I knew it did not take into  
4 consideration the realities of what it takes to  
5 teach in a classroom.

6           The concern I have, and why I call  
7 this only a first good step, is because I believe  
8 we are making the same mistake again. As I read  
9 this legislation, it just seems to smack of  
10 another deal, because here in this legislation  
11 test scores can continue to be utilized for  
12 evaluations.

13           I can tell you the teachers in my  
14 district, this is not the bill they want.  
15 Because they know, based on the discretion of  
16 some bureaucrat, they may continue to be  
17 evaluated based upon test scores. And as  
18 Senator Little pointed out, that is just about  
19 the worst way to do things.

20           Of course student progress is a good  
21 measure of whether or not a teacher is doing a  
22 good job. But these state tests is not the way  
23 to determine student progress. I mean, first of  
24 all, look at the tests. My kids have taken them.  
25 If we really want to evaluate someone, we ought

1 to evaluate the people who are making these  
2 tests. They seem completely and wholly  
3 incompetent to be in the position of writing  
4 these questions. They're horrific. They're  
5 ridiculous. They do nothing to tell us whether  
6 or not students are progressing or doing well in  
7 the classroom, and certainly nothing to tell us  
8 whether or not a teacher is doing their job.

9           So good riddance, in part, to this  
10 very flawed system that was voted by both  
11 Democrats and Republicans. And again, I remind  
12 you, because of a deal cut by Governor Cuomo and  
13 the UFT, who ironically is calling my district  
14 right now, trying to scare teachers into  
15 believing that I'm not going to support this  
16 measure on the floor today. So they're up to  
17 their old tricks. Again, this smacks to me of  
18 another deal that we're going to have to revisit.  
19 Because when teachers back home find out that  
20 still state tests can be used to evaluate their  
21 performance, they're not going to be happy.

22           But this is better than what we have  
23 now, so thank you, Senator Mayer. I'm going to  
24 vote in the affirmative. But we have to continue  
25 to work on this issue.

1                   ACTING PRESIDENT BENJAMIN:    Senator  
2   LaValle.

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

5                   I started my career as a classroom  
6   teacher and then became an administrator, and  
7   then found myself running for office and being  
8   elected to the Senate. And I sponsored  
9   legislation called the Truth in Testing Law.  
10   That law said that tests were not perfect,  
11   students were subjected to those tests and  
12   whether they got into a college or not depended  
13   on how they did on this one test on a given day.

14                  So this -- and I want to thank you,  
15   Senator Mayer, for bringing this forward.  
16   Because Senator Lanza laid it out, and the  
17   importance of this.

18                  But we never learn, you know, and we  
19   still allow those forces out there who are test  
20   people, and benefit from the tests, to allow  
21   certain things to continue.

22                  So Senator Lanza, you I think in  
23   part are afraid to go home because you're married  
24   to a teacher.

25                  (Laughter.)

1                   SENATOR LaVALLE:   And you want to  
2 do the right thing.

3                   And I'm going to follow your lead  
4 and the lead of Senator Little, who has always  
5 spoken out because she was there too, on the  
6 front lines as a classroom teacher.

7                   ACTING PRESIDENT BENJAMIN:   Are  
8 there any other Senators wishing to be heard?

9                   SENATOR TEDISCO:   Mr. President.

10                  ACTING PRESIDENT BENJAMIN:   Senator  
11 Tedisco.

12                  SENATOR TEDISCO:   Yeah, my  
13 colleagues, I don't know how many of you in this  
14 room ever had what I call a real job. I kid  
15 around every once in a while, but it -- a very  
16 rewarding job, and that's an educator. For  
17 10 years I taught in school, got my degree in  
18 special education from the College of St. Rose.

19                  I've always been astonished, when I  
20 was in the Assembly and now the Senate, how  
21 individuals who have never been in a classroom,  
22 never done an IEP, never done a lesson plan,  
23 don't exactly know the differences between  
24 standardized tests and children who are not  
25 standardized -- and that's the problem with this

1 concept.

2           You can have all the standardized  
3 tests in the world, but you're trying to evaluate  
4 children and their education and their progress  
5 and the teachers who teach them when you're  
6 dealing with kids who are different in a whole  
7 variety of ways. Not only are they individually  
8 different on how they learn, but we have to  
9 develop individual approaches to how we teach  
10 them because of how they learn differently.

11           But they also come from different  
12 communities, and they bring different baggage.  
13 When we did that Common Core, it was ridiculous  
14 to think that standardized tests like that, with  
15 questions which were developmentally  
16 inappropriate, which were too long, could be used  
17 as the Holy Grail, simply to a 50 percent or a  
18 higher indicator, to evaluate how well kids are  
19 doing or how well teachers are teaching.

20           I've often thought when you -- you  
21 could take the teachers from the best schools  
22 classified in the State of New York, put them in  
23 the worst schools in the State of New York --  
24 switch teachers. The test scores would probably  
25 be the same, just about. All the bad teachers

1     aren't in the schools where kids are more  
2     challenged than in the so-called better schools.  
3     And all the best teachers aren't in the so-called  
4     best schools.

5                 You have kids who come from schools  
6     where the environment had them bring baggage that  
7     other kids don't bring to the school setting --  
8     like homelessness, like crime, like addiction,  
9     like lack of parenting, in many instances. And  
10    then we all try to put them in that little niche  
11    with this Holy Grail: Let's give them a test,  
12    and however they do on the test, that's an  
13    indication of how well they're doing and how well  
14    the teachers are doing.

15                I authored the first reduction and  
16    challenged the majority, and it was the majority  
17    in the Assembly which passed the first bill over  
18    there, along with the Senate. And I think at  
19    that time I challenged the Governor to take the  
20    fifth-grade Common Core test; I said he wouldn't  
21    be as smart as a fifth-grader. Because they're  
22    not the Holy Grail. They're not the answer.

23                Yes, kids from all stratas, all  
24    areas, can reach the levels we'd like them to  
25    reach. But they're going to take more time,

1 they're going to take special attention, and  
2 they're going to take more dollars. And that's  
3 why dollars are important. And that's why we  
4 have to adjust the formula, so it takes into  
5 consideration the high-need, low-wealth districts  
6 where a lot of these challenges take place.

7           It's not simply the bricks and  
8 mortars of a school or the educators in a school  
9 in terms of developing an evaluation process.  
10 It's the challenges kids bring with them, it's  
11 the environment that they bring. I could tell  
12 you there were kids I taught which faced the  
13 challenges of dyslexia. If I read them the  
14 questions, they answered them better than all the  
15 kids that were best readers on many of those  
16 essay-type questions that you had to read. They  
17 just had a challenge that the other kids didn't  
18 have.

19           So we tailor education, in our  
20 Individual Education Plans in many instances, the  
21 kids that have special needs learning different  
22 ways. You can't have a "one size fits all" type  
23 of testing process. And you can't use it as the  
24 Holy Grail for evaluating kids or teachers.

25           And so I'm proud to say that not

1     only did I speak against this in the Assembly, I  
2     authored the first bill here, which the Senator  
3     who was the chairman of Education I allowed to  
4     put in front of me on that bill. And I was sad  
5     that we didn't pass it last year.

6                 It's a bill that's better. It's not  
7     the answer, because the answer is not to allow a  
8     bureaucrat to decide exactly what the evaluation  
9     process should be. But any VAM, value-added  
10    methodology, never works with one indicator or  
11    measurement higher than a whole group of  
12    measurements, which makes sense. And using this  
13    to such a high degree, that test is going to fail  
14    every time with a value-added methodology.

15                Thank you, Mr. President.

16                ACTING PRESIDENT BENJAMIN:    Are  
17    there any other Senators wishing to be heard?

18                Seeing and hearing none, the debate  
19    is closed.

20                The Secretary will ring the bell.

21                Read the last section.

22                THE SECRETARY:    Section 7. This  
23    act shall take effect immediately.

24                ACTING PRESIDENT BENJAMIN:    Call  
25    the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BENJAMIN: Senator  
3 Jackson to explain his vote.

4 SENATOR JACKSON: Thank you,  
5 Acting Chair Benjamin.

6 I appreciate the opportunity to vote  
7 yes on this bill, but with an explanation.

8 So while I believe this bill is  
9 well-intentioned in this legislation, it does not  
10 go far enough to support teachers' growth and  
11 protect students from the detrimental effects of  
12 evaluations based on high-stakes testing.

13 Many of you know I started in  
14 Washington Heights as a parent activist fighting  
15 for our children's education. And many of you  
16 know that I was involved in a lawsuit called the  
17 Campaign for Fiscal Equity. So I'm not just here  
18 to just make noise; I'm here to make sure that  
19 every child in the State of New York has an  
20 opportunity for a sound, basic education.

21 But with the growth -- I'm here to  
22 support teachers' growth and protect students  
23 from the detrimental effects of evaluations based  
24 on high-stakes testing. And we have the  
25 opportunity to take more time before the budget

1 ends in earnest to really work on this bill. So  
2 I voted yes on my sheet, with reservations.

3           What with so much riding on reform  
4 in the APPR, we owe it to students, teachers,  
5 parents and other advocates to get this one  
6 right. The loopholes for teachers'  
7 evaluations are too wide. Some advocates have  
8 shared with me their concerns that the most  
9 logical way to exploit that loophole would result  
10 in double testing of students so that  
11 teachers are still evaluated based on another  
12 test, and students are still required to take the  
13 state test.

14           However, there is still much room  
15 for improvement and concern. For example, under  
16 this bill or the law, students are susceptible to  
17 being tested more than once. Additionally, job  
18 security for teachers still rides on how well  
19 students perform.

20           And since this law leaves the  
21 evaluation matrix intact that continues to  
22 provide nearly 50 percent weight to students'  
23 performance, whether it be the state test or an  
24 alternative assessment test, that's why I support  
25 this bill with reservations. And I plan to

1 introduce a bill that addresses the matrix,  
2 getting rid of high-stakes testing once and for  
3 all.

4 And I vote yes, with reservations,  
5 and I thank you for your time.

6 ACTING PRESIDENT BENJAMIN: The  
7 Senator will be recorded in the affirmative.

8 Senator Martinez to explain her  
9 vote.

10 SENATOR MARTINEZ: Good afternoon,  
11 and thank you.

12 As a former educator and school  
13 administrator for 14 years, I understand the want  
14 for a fair teacher evaluation process that does  
15 not subject children to unnecessary testing.

16 Teachers need to cultivate the love  
17 of learning and the thirst for knowledge rather  
18 than teaching to a test. The teacher's  
19 performance and the child's value cannot be  
20 boiled down to standardized testing. It is time  
21 to let the teachers teach and let the students  
22 learn.

23 But we are not done. And I do agree  
24 with my colleagues on the other side of the  
25 aisle. We need to continue the conversation on

1 education so we can better understand and address  
2 the needs of our students. We, as members of  
3 this esteemed body, need to deliver the same  
4 strive for excellence that we demand from our  
5 students. And we need to continue to fight to  
6 establish the best education standards in our  
7 nation.

8 I am honored to be here today as a  
9 former educator supporting this bill and  
10 supporting our teachers and our students, and I  
11 vote in the affirmative.

12 ACTING PRESIDENT BENJAMIN: The  
13 Senator will be recorded in the affirmative.

14 Senator Kaplan to explain her vote.

15 SENATOR KAPLAN: Thank you,  
16 Senator Mayer.

17 It's time that we move away from  
18 this approach and return control to the local  
19 school district, who are best suited to find  
20 solutions that meet the needs of their own  
21 community.

22 I believe this legislation will  
23 provide the support teachers and administrators  
24 need to best serve their students, and so I cast  
25 my vote in the affirmative.

1 Thank you.

2 ACTING PRESIDENT BENJAMIN: The  
3 Senator will be recorded in the affirmative.  
4 Senator Stavisky to explain her  
5 vote.

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

8 And thank you, Senator Mayer, for  
9 sponsoring the APPR legislation.

10 As a former high school teacher --  
11 my first teaching job was at a challenging school  
12 in Manhattan. I was fresh out of college. And  
13 these kids just weren't going to do well on  
14 standardized tests.

15 But to judge a teacher, a young  
16 teacher, by how they did was really -- would be  
17 terribly unfair. We had an assistant principal,  
18 they were then called department chairs, come in  
19 once or twice -- it depends on your probationary  
20 status -- and observe you teaching in a class.  
21 That can't be measured on a standardized test.

22 And therefore, Mr. President, I vote  
23 enthusiastically for this bill.

24 ACTING PRESIDENT BENJAMIN: The  
25 Senator will be recorded in the affirmative.

1 Senator Ramos to explain her vote.

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

4 My two sons attend a public school  
5 in my district in Jackson Heights, which makes  
6 their education an issue that is deeply personal  
7 to me.

8 The complexities of educational  
9 performance cannot be measured with standardized  
10 tests. I want my children to realize their full  
11 potential, to be critical thinkers. And I  
12 recognize that in order for that to happen, their  
13 educators must be empowered to give them the best  
14 instruction possible.

15 The problem with a "one size fits  
16 all" model is that few students actually fit.  
17 Standardized testing is not a fair or accurate  
18 measure of our students' potential or our  
19 educators' effectiveness, and it systematically  
20 places students of color, who do not have the  
21 resources to perform well on these exams, at a  
22 disadvantage.

23 I am voting yes because passing APPR  
24 is a step toward lessening the burden on students  
25 and educators to perform to testing standards

1     that do not accurately capture the breadth of  
2     their capabilities. But we must work toward  
3     fully eradicating the link between standardized  
4     testing and perceived student and educator  
5     effectiveness.

6                 We must also eliminate the link  
7     between teacher evaluations and student  
8     performances altogether, in order to alleviate  
9     our school systems' dependency on testing.

10                I plan to opt my children out of  
11     standardized testing, because this element of our  
12     public education system must be dismantled in  
13     order to fully address the deep-seated  
14     educational inequities in our state.

15                Thank you.

16                ACTING PRESIDENT BENJAMIN: The  
17     Senator will be recorded in the affirmative.

18                Senator Liu to explain his vote.

19                SENATOR LIU: Thank you,  
20     Mr. Chairman, for this opportunity.

21                Teacher evaluations have been mired  
22     in controversy and delay for too long,  
23     unnecessarily so. This legislation is a solid  
24     step forward in promoting accountability without  
25     stripping any professionalism away from our

1 teachers, which they do pride themselves on.

2 I think this bill will result in  
3 better education for our kids than the status quo  
4 provides. I congratulate Chairperson Mayer on  
5 putting this legislation forward.

6 I vote yes.

7 ACTING PRESIDENT BENJAMIN: The  
8 Senator will be recorded in the affirmative.

9 Senator Bailey to explain his vote.

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

12 I would like to associate myself  
13 with the comments of Senator Little and  
14 Senator Ramos about the "one size fits all"  
15 approach to education. It simply doesn't work.  
16 We've all gone to family reunions or gatherings  
17 where they've given us "one size fits all" shirts  
18 and we've put them on and it fits some, it fits  
19 others, but it doesn't fit you adequately. If we  
20 have that measure and we don't like "one size  
21 fits all" clothing, we should not have that same  
22 approach with our children.

23 We have to make sure we educate the  
24 whole child and make sure we educate the whole  
25 family, but we have to make sure teachers are

1 given the tools.

2                   And you know what, I've never been  
3 an educator and I won't pretend to be one, but I  
4 have a four-year-old who's going to kindergarten  
5 next year. And she's asking me questions, and  
6 she's anxious and she's nervous about "Dad, what  
7 is kindergarten going to be like? Are they going  
8 to have tests in school?" And I have a  
9 four-year-old who's asking me about testing.

10                   So I know my four-year-old is  
11 brilliant and beautiful and special, like every  
12 parent knows their child is brilliant, beautiful  
13 and special. But we have to make sure we're  
14 measuring kids by who they are but not what some  
15 artificial method has them at to be.

16                   And I'm glad Senator Mayer has  
17 introduced this bill. And I know with her  
18 background and experience, this is just a first  
19 step in some education policy that we're going to  
20 be doing in this house, because education cannot,  
21 will not, and should not be a partisan issue.  
22 Kids do not see D or R, red or blue when they're  
23 in schools, unless you're testing them about  
24 colors. And even then, some kids may be  
25 color-blind. We have to have a color-blind

1 approach to education; we have to make sure we're  
2 doing right for every student in every county of  
3 the State of New York.

4 Mr. President, I vote aye.

5 ACTING PRESIDENT BENJAMIN: The  
6 Senator will be recorded in the affirmative.

7 Senator Salazar to explain her vote.

8 SENATOR SALAZAR: Thank you,  
9 Mr. President.

10 Although I think that this bill is a  
11 great step forward in allowing for school  
12 districts to opt out of connecting teacher  
13 evaluations to state testing, our state needs to  
14 do more to eliminate the culture of teaching to a  
15 test within our education system.

16 I believe that teachers and  
17 principals should be evaluated in order to ensure  
18 that students, especially in low-income  
19 communities, can be taught by effective teachers,  
20 just as their peers within high-income  
21 communities generally do. However, I don't think  
22 that a fill-in-the-bubble assessment is the way  
23 to go for our educational administrators and  
24 personnel.

25 I believe that the way forward is to

1 allow for evaluating teachers to give students  
2 performance assessments that can easily be  
3 integrated within the regular course of the  
4 school day. This would eliminate the need for  
5 teachers to waste instructional time to give  
6 students a test that can take up to two to three  
7 periods.

8 Under the federal government's  
9 Every Student Succeeds Act, states actually have  
10 the option of opting into creating innovative  
11 forms of assessments. They would do so by  
12 applying through the Innovative Assessment  
13 Demonstration Authority, or the IADA. And I  
14 would like to urge the state to apply for this.  
15 And it's currently my understanding that New York  
16 State has not done so, whereas states such as  
17 Louisiana and New Hampshire have done so.

18 I look forward to working together  
19 to improve the quality of education for our  
20 students. And nonetheless, I proudly vote aye.

21 ACTING PRESIDENT BENJAMIN: The  
22 Senator will be recorded in the affirmative.

23 Senator Hoylman to explain his vote.

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

1                   I wanted to congratulate  
2 Senator Mayer for this important piece of  
3 legislation.

4                   My concern has been all along not  
5 just what teaching to the test does to students,  
6 but what it also does to teachers. It dulls  
7 their creativity in the classroom. It makes them  
8 almost like robots, having to prepare daily  
9 thinking about these tests that are on the  
10 horizon.

11                  This is a profession that we need to  
12 continue to lift up and provide them greater  
13 leeway in creativity. Not just so they teach our  
14 kids better, which is a concern of mine -- I have  
15 a third-grader who is thinking about those  
16 tests -- but also because we need to recruit  
17 better. We need a wider array of recruiting for  
18 the teaching profession by separating the tests  
19 and student evaluation. I think we're building  
20 on that.

21                  And, you know, there's that old  
22 expression: The world isn't run by  
23 valedictorians or straight A students. And we  
24 need to recognize as a state and as a chamber  
25 that there's a lot of different types of students

1 and a lot of different ways to succeed in our  
2 public schools.

3 So thank you, Senator Mayer. I vote  
4 aye.

5 ACTING PRESIDENT BENJAMIN: The  
6 Senator will be recorded in the affirmative.

7 Senator Thomas to explain his vote.

8 SENATOR THOMAS: Thank you,  
9 Mr. President.

10 Thank you to Senator Mayer for  
11 introducing this bill.

12 Children are our future, and we need  
13 to give them all the tools they need in order to  
14 have a successful life going forward. And we  
15 need our teachers to be able to instruct them in  
16 the right way. Overtesting and basically  
17 evaluating the teacher on how they do test prep  
18 is not the answer in bringing our children up.

19 I've heard from teachers in my  
20 district -- Zach Matthei, who teaches high school  
21 in the inner city, and he says how hard it is to  
22 instruct these children on this test prep instead  
23 of actually giving them the type of education  
24 that they need in order to succeed.

25 For those reasons, I am voting yes.

1                   ACTING PRESIDENT BENJAMIN:    The  
2   Senator will be recorded in the affirmative.

3                   Senator May to explain her vote.

4                   SENATOR MAY:    Thank you,  
5   Mr. President.  I am also proudly voting yes on  
6   this bill.

7                   As a lifelong educator, I feel very  
8   strongly about why teachers go into the  
9   profession.  They do it out of a passion for  
10   their subject matter but, more than that, for  
11   their children and the children in their care.  
12   And they want to be able to treat these children  
13   as individuals and to care for them, to foster  
14   their love of learning and their creativity in  
15   every way they can.

16                   And standardized tests put such a  
17   damper on that ability to really engage with  
18   their students as individuals and as individual  
19   learners with their own style.

20                   So I am very proud to vote for this,  
21   and I thank Senator Mayer for putting it forward.

22                   ACTING PRESIDENT BENJAMIN:    The  
23   Senator will be recorded in the affirmative.

24                   Senator Comrie to explain his vote.

25                   SENATOR COMRIE:    I rise to vote aye

1 on this bill.

2 I want to congratulate Senator Mayer  
3 for bringing it forward and Leader Cousins for  
4 making sure that this was an earlier part of our  
5 agenda this year.

6 I think it's important that we  
7 empower teachers by removing shackles from them,  
8 that too many teachers are unfortunately shackled  
9 by all of the changing responsibilities, the  
10 rules and regulations every year that's being  
11 promulgated by their different departments of  
12 education.

13 I think that allowing for  
14 creativity, allowing for the ability for teachers  
15 to be expressionist or visionary in their  
16 methodology of teaching, only makes sense.

17 I vote aye.

18 ACTING PRESIDENT BENJAMIN: The  
19 Senator will be recorded in the affirmative.

20 Seeing and hearing no other Senator  
21 that wishes to explain their vote, Senator Mayer  
22 to close.

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

25 I want to thank Majority Leader

1 Senator Stewart-Cousins and my colleagues on both  
2 sides of the aisle for supporting this bill today  
3 and placing such a high priority on our children  
4 and teachers.

5 Today, by passing this bill, we take  
6 a significant step forward for students, parents,  
7 and teachers by eliminating the mandatory use of  
8 state exams in evaluating teachers, thus righting  
9 a serious wrong in current law.

10 It is indeed unfortunate that under  
11 the current state law, tests, which in a  
12 productive educational setting can help identify  
13 gaps in learning and educating and can assess  
14 student growth, have become sources of excessive  
15 student and parent anxiety and strife.

16 Too often -- and we heard it here  
17 today -- fourth- and fifth-graders are so anxious  
18 about a test they are actually too sick to come  
19 to school. And too often our teachers are forced  
20 to teach to a test when their passion, as we  
21 heard today, is to teach to the student. That is  
22 unacceptable.

23 With this bill we finally begin to  
24 acknowledge that children and the learning  
25 process cannot be captured in a single test, and

1     that the results of those tests were not and  
2     could not be accurate measures of a teacher's  
3     performance.

4                 We recognize the current law created  
5     pressure on students and teachers alike -- not  
6     necessarily to work hard and learn new ideas, but  
7     to produce improved test scores. That is not a  
8     constructive way to evaluate teachers, to educate  
9     students, and to engage our parents.

10                While it's currently true that under  
11     federal law we in New York cannot eliminate all  
12     standardized tests, we know that the idea that  
13     student growth could be measured by individual  
14     tests alone is unacceptable and fails to reflect  
15     our diverse student community, the individual  
16     needs of students, and that alternative measures  
17     of student growth and teacher performance are far  
18     more legitimate, more accurate and justified.

19                Since 2015 when these provisions  
20     were initially adopted, parents, teachers, the  
21     Regents and the Legislature, in a bipartisan way,  
22     have all recognized the flaw in this law. That  
23     is why I am so pleased that this bill has  
24     bipartisan support in both houses of the  
25     Legislature.

1                   And I want to note that while we  
2   applaud the Regents for hearing the voices of  
3   teachers and parents, and we look forward to  
4   working with them, as legislators today we are  
5   doing what we are charged to do: To make the  
6   necessary changes in state law that are long  
7   overdue.

8                   We are returning evaluations to  
9   local control by requiring that the selection and  
10  use of assessments will be decided at the local  
11  level, where districts and the teachers can  
12  decide on how to evaluate teachers.

13                  We are protecting districts from  
14  potential loss of state funding while they  
15  negotiate these provisions, and we are removing  
16  the sunset provision that would have kept student  
17  test scores on student records.

18                  In all, we are taking a significant  
19  step forward on behalf of teachers, students, and  
20  parents, and we care about all three.

21                  So today I commend my colleagues for  
22  voting in the affirmative. I'm so pleased this  
23  bill is passing. I look forward to its passage  
24  in both houses and signing by the Governor.

25                  I vote aye.

1                   ACTING PRESIDENT BENJAMIN:

2   Announce the results.

3                   THE SECRETARY:   Ayes, 60.

4                   ACTING PRESIDENT BENJAMIN:   The  
5   bill is passed.

6                   The Senate will stand at ease.

7                   (Whereupon, the Senate stood at ease  
8   at 12:24 p.m.)

9                   (Whereupon, the Senate reconvened at  
10   12:31 p.m.)

11                   ACTING PRESIDENT BENJAMIN:   The  
12   Senate will come to order.

13                   Senator Gianaris.

14                   SENATOR GIANARIS:   Mr. President,  
15   next on the controversial calendar can we proceed  
16   with Calendar Number 36.

17                   ACTING PRESIDENT BENJAMIN:   The  
18   Secretary will read.

19                   THE SECRETARY:   Calendar Number 36,  
20   by Senator Sepúlveda, Senate Print 1250, an act  
21   to amend the Education Law.

22                   ACTING PRESIDENT BENJAMIN:   Senator  
23   Griffo, why do you rise?

24                   SENATOR GRIFFO:   Mr. President, I  
25   believe that there is an amendment at the desk.

1 I would ask that the reading of the amendment be  
2 waived and that you call upon Senator Ortt for an  
3 explanation.

4 ACTING PRESIDENT BENJAMIN: Thank  
5 you, Senator Griffo.

6 Upon review of the amendment, in  
7 accordance with Rule 6, Section 4B, I rule it  
8 nongermane and out of order at this time.

9 SENATOR GRIFFO: Therefore,  
10 Mr. President, I would appeal the ruling of the  
11 chair and ask that you recognize Senator Ortt to  
12 be heard on that appeal.

13 ACTING PRESIDENT BENJAMIN: The  
14 appeal has been made and recognized, and  
15 Senator Ortt may be heard.

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

18 Of course this is germane. Everyone  
19 in this chamber knows it. This amendment is  
20 known as the Military Personnel Scholarship  
21 Program. We're talking about making college more  
22 affordable, dedicating more dollars to a program  
23 to make college more accessible for a group of  
24 Americans of all backgrounds who are here legally  
25 who have one thing in common: They've worn the

1 uniform of the greatest nation in the world.

2 This amendment would grant  
3 scholarships to military personnel who have been  
4 honorably discharged and currently reside in  
5 New York State. The awards would be granted for  
6 the duration of up to four years -- or five, if  
7 the program of study normally requires five  
8 years -- and shall not exceed the cost of tuition  
9 at the State University of New York, less than  
10 any other state or federal financial aid  
11 received.

12 So everyone in this chamber knows  
13 that this is germane. We have veterans who are  
14 returning from Iraq and Afghanistan who are  
15 trying to transition to civilian life, and there  
16 are gaps when it comes to the post-911 GI Bill,  
17 areas that do not cover veterans and their  
18 ability to go back to college. And as we know,  
19 they're graduating with mounds of debt. Or in  
20 some cases they're not finishing their programs  
21 of study because they can't afford to take on  
22 more debt.

23 So if there's any group in New York  
24 State or this country who is worthy of setting  
25 aside funding to make college more affordable or

1 more accessible, it's our veterans.

2 And I would ask members of the  
3 Majority to join with me -- don't be afraid of  
4 the hostile amendment. Join with me. I'm sure  
5 your leadership has told you to vote no. I'm  
6 asking you to listen to me and not them. I'm  
7 asking you to support this amendment because it's  
8 the right thing to do. I do not believe that  
9 there's anyone in this room who does not support  
10 our men and women in uniform.

11 And I would posit that a vote no  
12 intellectually is not about the germaneness or  
13 whether this amendment is out of order, because  
14 of course it's germane. A no vote is a vote  
15 against the men and women who have worn the  
16 uniform of this country.

17 Thank you, Mr. President.

18 ACTING PRESIDENT BENJAMIN: Thank  
19 you, Senator.

20 I want to remind the house that the  
21 vote is on the procedures of the house and the  
22 ruling of the chair.

23 Those in favor of overruling the  
24 chair signify by saying aye.

25 (Response of "Aye.")

1                   SENATOR GRIFFO:    Show of hands,  
2    please.

3                   ACTING PRESIDENT BENJAMIN:    A show  
4    of hands has been requested and so ordered.

5                   (Show of hands.)

6                   THE SECRETARY:    Ayes, 16.

7                   ACTING PRESIDENT BENJAMIN:    The  
8    ruling of the chair stands, and the bill-in-chief  
9    is before the house.

10                  Senator Griffo.

11                  SENATOR GRIFFO:    Mr. President, I  
12    ask that you recognize Senator Ortt and  
13    Senator LaValle.

14                  ACTING PRESIDENT BENJAMIN:    Senator  
15    Ortt.

16                  SENATOR ORTT:    Thank you,  
17    Mr. President. I rise to explain my vote on the  
18    bill before us known as the DREAM Act.

19                  ACTING PRESIDENT BENJAMIN:    Senator  
20    Ortt on the bill.

21                  SENATOR ORTT:    I guess only here in  
22    Albany would I have to explain my vote, because  
23    in my district there would be no need to explain  
24    my opposition to this bill.

25                  And I think I speak for many members

1 of my conference and about -- probably millions  
2 of New Yorkers who also share that opposition.  
3 And the better explanation is why we're doing  
4 this today.

5           There's no question this will  
6 increase costs for New Yorkers. It's either  
7 going to increase taxes or you're going to have  
8 increased tuition rates at our state schools. Or  
9 both. Any narrative to the opposite is either  
10 naive or it's an outright fabrication.

11           And as long as I have constituents  
12 who struggle to send their children to school,  
13 who take out mounds of student loan debt, either  
14 the parents or the students, and who now have the  
15 added bonus to know that they not only have to  
16 struggle to pay back their loans or pay that  
17 tuition, but they also know that their dollars  
18 are going to pay for illegal immigrants.

19           When we can take care of every  
20 American citizen who is here legally, who has  
21 played by the rules and paid into the system,  
22 then we can talk about those who are not. But to  
23 me, I can never explain to the hardworking  
24 parents in my district, and so many children who  
25 have left New York with that debt, or who never

1 seek college because of that debt, that I  
2 supported such a measure.

3           And as we've also heard, this isn't  
4 the last step, this is the first step. We hear a  
5 lot about first steps, right? It's a first step.  
6 We're going to go further, we need to go further.  
7 Well, we already know where this is going because  
8 members of the Majority have said as much. I  
9 don't even need to be creative, I can just look  
10 at what they've said. Today it's college  
11 tuition, tomorrow it's driver's licenses, and one  
12 day it will be voting rights.

13           And those are all things that I find  
14 not only abhorrent but actually are meant to  
15 undermine federal law. And it's a federal law  
16 that has existed long before the current  
17 administration, no matter what some folks want to  
18 believe. And undermining federal law,  
19 undermining the Constitution, undermining the  
20 fabric of this country to me is something that I  
21 swore an oath not to do and quite frankly to do  
22 the opposite, to uphold the Constitution and to  
23 uphold the existing laws of the land.

24           We do not get to decide as a state  
25 which laws we want to pay attention to and which

1 laws we don't. And if we start doing that, it's  
2 a very, very bad precedent, I believe, going  
3 forward.

4 So Mr. President, having said all of  
5 that, I want to be included in the negative.

6 ACTING PRESIDENT BENJAMIN: Senator  
7 LaValle.

8 SENATOR LaVALLE: Thank you,  
9 Mr. President.

10 ACTING PRESIDENT BENJAMIN:  
11 Senator, are you on the bill or --

12 SENATOR LaVALLE: Yeah.

13 ACTING PRESIDENT BENJAMIN: Senator  
14 LaValle on the bill.

15 SENATOR LaVALLE: I want to say  
16 that -- acknowledge Senator Peralta, who had  
17 championed this for many, many years. Many  
18 years.

19 And also my opposition is not based  
20 on the issue of immigrants, but we're looking at  
21 providing, again -- and you know, Senator Ortt is  
22 right. In his district and mine, I wouldn't have  
23 to explain anything. People would see through  
24 providing -- or not providing something, kind of  
25 support for our hardworking citizens that in

1 their life have built this country and they have  
2 struggled, many students, struggled to put  
3 themselves and their children through college.

4 And you know, we don't realize it,  
5 but we shouldn't be pitting one class of citizens  
6 against another. I hear -- and I see so many  
7 people working two jobs to put themselves or  
8 their children through college.

9 So a couple of years ago we had a  
10 bill that the Governor created, the Excelsior  
11 Scholarship Program. You might recall it was the  
12 Governor's free tuition program. So -- and the  
13 whole thing has gotten a little muckied up. But  
14 the most important thing is that we ensure,  
15 through our TAP program and other programs, that  
16 we're providing for all, all of our citizens.

17 And I -- you know, we have such a  
18 brain drain. And it not only applies to -- there  
19 have been a series of articles selecting upstate  
20 New York as a target. But it's throughout the  
21 state. Whether it's Long Island or Utica,  
22 New York, there is a brain drain going on.

23 So I think we need to -- I think,  
24 Senator Ortt, you started off, you hit the nail  
25 right on the head. Whether it's military people

1 or other people, we need to provide fairness.

2 And some of you are going to have to go back to  
3 your districts and explain -- it will be a good  
4 tap dance -- how you are providing here for two  
5 different classes of people, and it depends who  
6 you are whether you get a benefit or not.

7 ACTING PRESIDENT BENJAMIN: Senator  
8 Tedisco.

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

11 My colleagues, I would be remiss if  
12 as a representative, as we all are in this  
13 room --

14 ACTING PRESIDENT BENJAMIN: Senator  
15 Tedisco, are you on the bill?

16 SENATOR TEDISCO: Yes, on the bill.

17 ACTING PRESIDENT BENJAMIN: Okay.

18 SENATOR TEDISCO: If I didn't give  
19 you a short message from the constituents in my  
20 district, the 49th Senatorial District, which is  
21 larger than two states, Rhode Island and  
22 Delaware, 4,000 square miles. The message is  
23 this. I haven't come upon one citizen in the  
24 49th Senatorial District who has told me -- or  
25 anybody else who I haven't spoke to who is a

1 citizen in that district -- who thinks they  
2 should be able to break the law and be rewarded  
3 for it.

4 And they can't understand why this  
5 bill is passing for those individuals who have  
6 broken the law -- not only this one, any law, and  
7 be rewarded for it. They know that doesn't  
8 happen to them. And they are citizens of the  
9 49th Senatorial District in the State of  
10 New York.

11 Thank you, Mr. President.

12 ACTING PRESIDENT BENJAMIN: Are  
13 there any other Senators wishing --

14 SENATOR LANZA: Mr. President.

15 ACTING PRESIDENT BENJAMIN: Senator  
16 Lanza.

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

19 Mr. President, would the sponsor  
20 yield for a couple of questions?

21 ACTING PRESIDENT BENJAMIN: Will  
22 the sponsor yield?

23 SENATOR SEPÚLVEDA: Yes.

24 ACTING PRESIDENT BENJAMIN: The  
25 sponsor yields.

1                   SENATOR LANZA:   Thank you,  
2   Mr. President.   Through you.   Thank you, Senator  
3   Sepúlveda.

4                   My question -- through you,  
5   Mr. President -- as the parent of children  
6   attending college, and as a citizen, I'm required  
7   to fill out a FAFSA document.   I didn't know what  
8   that stood for, I asked someone on the staff.   It  
9   stands for the Free Application for Federal  
10   Student Aid.   You fill that out under penalty of  
11   perjury.   It's a crime to lie on that document in  
12   order to see whether or not you are eligible for  
13   any federal or state aid for your child.

14                  The way it works out, Mr. President,  
15   is if you check that off that you're a citizen  
16   and you have a job as a parent, you don't get  
17   anything.   That's another story.

18                  My question to the sponsor is, in  
19   order to be eligible under this legislation,  
20   would the parents of a Dreamer be required to  
21   fill out a FAFSA?

22                  SENATOR SEPÚLVEDA:   No.

23                  ACTING PRESIDENT BENJAMIN:   I'm  
24   sorry, I didn't hear the --

25                  SENATOR SEPÚLVEDA:   No.

1                   SENATOR LANZA:    So would the  
2 sponsor continue to yield?

3                   ACTING PRESIDENT BENJAMIN:   Does  
4 the sponsor yield?

5                   SENATOR SEPÚLVEDA:   Yes.

6                   ACTING PRESIDENT BENJAMIN:   The  
7 sponsor yields.

8                   SENATOR LANZA:    Thank you.   Through  
9 you, Mr. President.

10                   So the parents of a Dreamer applying  
11 for taxpayer aid would not be required to provide  
12 proof, under any penalty, of their income in  
13 order to receive this taxpayer aid?  Is that  
14 true?

15                   SENATOR SEPÚLVEDA:   I'm sorry, ask  
16 your question again?

17                   SENATOR LANZA:    So a Dreamer  
18 applying for taxpayer aid under this legislation  
19 would not be required, as a citizen is required,  
20 to have their parents provide proof under some  
21 penalty of what their income is?

22                   SENATOR SEPÚLVEDA:   As part of the  
23 act we will promulgate rules that have new forms  
24 that the parents will have to submit and sign to  
25 comply with the DREAM Act.

1                   SENATOR LANZA:    Would the sponsor  
2                   continue to yield.

3                   ACTING PRESIDENT BENJAMIN:   Does  
4                   the sponsor yield?

5                   SENATOR SEPÚLVEDA:    Yes.

6                   ACTING PRESIDENT BENJAMIN:   The  
7                   sponsor yields.

8                   SENATOR LANZA:    Thank you.   Through  
9                   you, Mr. President.

10                  Would these new forms be identical  
11                  to what is required to be completed by parents of  
12                  citizens attending college?   For instance, the  
13                  FAFSA document?

14                  SENATOR SEPÚLVEDA:   Mr. President,  
15                  the forms will be to comply with the rules of the  
16                  DREAM Act and to comply with what's necessary for  
17                  the undocumented immigrant student to be able to  
18                  apply for this program.

19                  SENATOR LANZA:    Would the sponsor  
20                  continue to yield?

21                  ACTING PRESIDENT BENJAMIN:   Will  
22                  the sponsor yield?

23                  SENATOR SEPÚLVEDA:    Yes.

24                  ACTING PRESIDENT BENJAMIN:   The  
25                  sponsor yields.

1                   SENATOR LANZA:    So through you,  
2   Mr. President, that's what I'm trying to  
3   ascertain about this legislation.  What are the  
4   requirements to be eligible to receive taxpayer  
5   aid as a student to attend college?  And the way  
6   to understand that I think would best be  
7   illustrated by what documents you would be  
8   required to complete.

9                   As I said, as a parent of children  
10   going to college, I and my wife are required to  
11   fill out a FAFSA document telling the government  
12   everything we earn and everything we own.  And  
13   based upon that, the government determines  
14   whether or not we are eligible -- more  
15   accurately, whether or not our child is eligible  
16   to receive any aid either from New York State or  
17   from the federal government.

18                  And I'm just wondering if a  
19   Dreamer's parents would be required to show the  
20   same thing before they receive this aid.  And my  
21   question is not whether or not you'll have to  
22   fill out a form, my question is will it require  
23   you to demonstrate the income that you earn, the  
24   income that your parents earn, and all the  
25   property that you own in the same way an American

1 citizen does in the State of New York?

2 SENATOR SEPÚLVEDA: Mr. President,  
3 TAP has specific requirements and forms that have  
4 to be followed. It's a state program. It has  
5 nothing to do with federal programs for such  
6 students. So there's no connection between the  
7 FAFSA forms and the TAP forms, the forms that are  
8 required to be filled out for TAP.

9 SENATOR LANZA: Through you,  
10 Mr. President, would the sponsor continue to  
11 yield.

12 ACTING PRESIDENT BENJAMIN: Does  
13 the sponsor yield?

14 SENATOR SEPÚLVEDA: Yes.

15 ACTING PRESIDENT BENJAMIN: The  
16 sponsor yields.

17 SENATOR LANZA: So through you,  
18 Mr. President, that's inaccurate. Unless you  
19 fill out a FAFSA form as a parent in the State of  
20 New York, you're not eligible for TAP. You're  
21 not eligible for any taxpayer aid.

22 So again, my question -- through  
23 you, Mr. President -- is will the parents of a  
24 Dreamer be required to show on a document what  
25 their income is before they are to receive

1 taxpayer aid for their college student?

2 SENATOR SEPÚLVEDA: Mr. President,  
3 there are going to be forms that will be  
4 specifically created for students that want to  
5 benefit from TAP. They're not going to be  
6 necessarily in compliance with FAFSA, but there  
7 will be a specific form for TAP recipients.

8 SENATOR LANZA: Mr. President,  
9 would the sponsor continue to yield.

10 ACTING PRESIDENT BENJAMIN: Does  
11 the sponsor yield?

12 SENATOR SEPÚLVEDA: Yes.

13 ACTING PRESIDENT BENJAMIN: The  
14 sponsor yields.

15 SENATOR LANZA: Thank you. Through  
16 you, Mr. President, I appreciate that. Thank  
17 you, Senator.

18 Will those forms require that the  
19 parents of Dreamers supply their income and the  
20 property that they own?

21 SENATOR SEPÚLVEDA: Yes,  
22 Mr. President.

23 SENATOR LANZA: Thank you, Senator.

24 Through you, Mr. President, would  
25 the sponsor continue to yield?

1                   ACTING PRESIDENT BENJAMIN:   Does  
2 the sponsor yield?

3                   SENATOR SEPÚLVEDA:    Yes.

4                   ACTING PRESIDENT BENJAMIN:   The  
5 sponsor yields.

6                   SENATOR LANZA:    Thank you.   Through  
7 you, Mr. President.

8                   My understanding is that this  
9 program will cost the state \$27 million.   Through  
10 you, Mr. President, do we know where that money  
11 is going to be coming from?

12                  SENATOR SEPÚLVEDA:   Mr. President,  
13 through you, I'm more than happy to entertain a  
14 discussion about the cost of this bill.   Dreamers  
15 currently provide approximately \$115 million in  
16 local and state tax revenue.   Currently.   For  
17 that, they get very little.

18                  So if this is going to cost  
19 \$27 million, which is a projected cost, I ask  
20 you -- if I ask you to give me \$27 million and I  
21 give you back \$115 million, would you like to do  
22 that deal?

23                  SENATOR LANZA:    Through you,  
24 Mr. President, yes.

25                  Mr. President, would the sponsor

1 continue to yield?

2 ACTING PRESIDENT BENJAMIN: Does  
3 the sponsor yield?

4 SENATOR SEPÚLVEDA: Yes.

5 ACTING PRESIDENT BENJAMIN: The  
6 sponsor yields.

7 SENATOR LANZA: Through you,  
8 Mr. President, I certainly agree with the logic  
9 there if it pans out. It's often the argument I  
10 make with respect to cutting taxes here in  
11 New York. I think often when you cut taxes, you  
12 receive a benefit exponential to what you say you  
13 are cutting, so certainly that resonates with me.

14 Through you, Mr. President, can the  
15 sponsor assure the people of the State of  
16 New York that as a result of this legislation the  
17 cost of SUNY tuition will not be increased?

18 SENATOR SEPÚLVEDA: Mr. President,  
19 there's nothing that I can assure in terms of the  
20 cost of SUNY. But I don't believe there will be  
21 an appreciable cost for SUNY or CUNY.

22 SENATOR LANZA: Through you,  
23 Mr. President, would the sponsor continue to  
24 yield?

25 ACTING PRESIDENT BENJAMIN: Does

1 the sponsor yield? Does the sponsor yield?

2 SENATOR SEPÚLVEDA: Yes.

3 ACTING PRESIDENT BENJAMIN: The  
4 sponsor yields.

5 SENATOR LANZA: Thank you. Through  
6 you, Mr. President.

7 So the \$27 million needs to come  
8 from somewhere. And one of my primary concerns  
9 is that it does not come from an increase in the  
10 cost of tuition in SUNY. So that's the purpose  
11 of the question. Can the sponsor ensure or would  
12 the sponsor propose legislation that could cap  
13 the tuition cost of SUNY education in the State  
14 of New York, given that there is the possibility  
15 that this legislation would obviously result in  
16 the need to find money somewhere to pay for it,  
17 and the natural place might be from an increase  
18 in SUNY tuition.

19 SENATOR SEPÚLVEDA: The cost of the  
20 tuition is not related to the Dream program. The  
21 cost -- so the cost of TAP is completely  
22 different from funding your public educational  
23 institutions.

24 SENATOR LANZA: Thank you,  
25 Mr. President. On the bill.

1                   ACTING PRESIDENT BENJAMIN:    Senator  
2   Lanza on the bill.

3                   SENATOR LANZA:    Thank you, Senator  
4   Sepúlveda.  I appreciate the discussion.

5                   You know, I think it's a shame that  
6   when we address and consider legislation like  
7   this there is always this animus that is created  
8   between the competing sides.  We often here in  
9   Albany, and really in the body politic across the  
10  country, we advance legislation or ideas; if you  
11  agree with me, you're a good person.  If you  
12  don't, you're evil or something even worse.  And  
13  that certainly has been part of the discussion  
14  surrounding the DREAM Act.

15                  I remember -- and I know family and  
16  friends of Senator Peralta are here.  I remember  
17  having dozens of discussions with Senator Peralta  
18  over this issue, and never once did I look at him  
19  and shake my head in disdain or belief that he  
20  was a bad person or someone wanting to destroy  
21  the country or the state because of his position,  
22  and never once did he do that toward me.  We had  
23  wonderful, I think, intellectually based and  
24  civil conversations both in his office, in my  
25  office, in the lounge and in these halls.  And he

1 believed fervently in his position, and I know it  
2 came from his love of people, pure and simple.  
3 And I had and hold my position, and I'd like to  
4 believe it comes from the same place.

5 I've never met a person, whether  
6 they're a citizen or not a citizen, and not  
7 wanted to be kind to them, not wanted to help  
8 them. I was raised to believe we're all God's  
9 children, and that's a belief that I firmly hold.

10 But I want to make sure that when we  
11 enact policies that they are fair, that they hit  
12 the mark, but they also do not take casualties.

13 I supported something that I  
14 discussed with Senator Peralta many times, and he  
15 was -- he was open to it, and he listened. I  
16 spoke to many Dreamers in my office up here,  
17 scores of Dreamers, and we had open, honest  
18 discussions. The people that brought them up  
19 here never wanted to allow them to have those  
20 discussions with me. But they did. And quite  
21 often they were -- there was movement. Movement  
22 by me, movement from them. And that's what  
23 happens sometimes when you actually talk about  
24 things and not hate each other over things.

25 And one of the things that I

1 supported for many years and actually tried to  
2 advance was allowing Dreamers the same privilege  
3 that we allow my daughters and students who are  
4 citizens, which is the privilege of taking on a  
5 mountain of student debt. And I thought that it  
6 would be appropriate, because I think it's wrong  
7 that a person who is allowed to attend school  
8 here in this state and this country does not have  
9 access to a loan. I think that's wrong and I've  
10 always supported that.

11                   And many Dreamers said, hey, you  
12 know -- when I talked about kids back in my  
13 district having to take what seemed to me to be  
14 insurmountable student loan debt -- agreed that  
15 it wouldn't be fair, perhaps, for one group of  
16 people because of their status to go, for  
17 instance -- to be able to go to school for free,  
18 while the student they're sitting next to is  
19 accumulating debt. And that was a proposal that  
20 I've supported for a long time. I might add,  
21 unpopular in Republican circles as it is in  
22 Democratic circles.

23                   So my concern here is not that we're  
24 going to help human beings, my concern is what is  
25 it going to mean for other people, other

1 students. I think it's important to know that if  
2 taxpayers are going to take money out of their  
3 pockets and give it to people to help them,  
4 regardless of what the arena is, in school or  
5 elsewhere, that that person actually has that  
6 need. I think that's legitimate. That's not  
7 hateful. That's not bigoted. That's not some  
8 trick to try to prevent someone from getting  
9 something. It's a legitimate concern that we  
10 should have.

11 No one has objected that I know of  
12 in this chamber, Democrat or Republican, that the  
13 parent of a student who is a citizen needs to  
14 provide proof of income, provide proof of every  
15 penny they own before they receive aid. No one  
16 has said that's hateful, that's horrible, we need  
17 to stop that. No one has said, jeez, the policy  
18 we have in place now means that a lot of kids  
19 whose only crime is that their parent has a job  
20 and that they are a citizen have to just take on  
21 this mountain of debt. I don't see anybody  
22 crying for me, Argentina, about that.

23 But it's a real issue in every one  
24 of our districts. Talk to parents -- and I know  
25 you have. Talk to the students. It's real, and

1 it's growing, and it's mounting. And nothing is  
2 being done. Whether at the federal level, the  
3 state level, by Democrat or Republican, nothing  
4 is being done.

5 Do you know why I know nothing is  
6 being done, Mr. President? Because the problem  
7 is getting worse. It's not getting better. And  
8 so we need to address that in the context of this  
9 as well. And I know this is funny,  
10 Senator Sepúlveda, but it hurts parents to know  
11 that their kids are taking on this incredible  
12 debt in order to get a college education.

13 So I think it is all relevant that  
14 we talk about these issues and we talk about the  
15 cost and we talk about whether or not we have a  
16 process in place that requires parents of  
17 Dreamers to do the same things we require parents  
18 of citizens. I think that's only fair. And I  
19 hope, as we promulgate these rules, that that is  
20 a reality. Because that's not hate, that's love.

21 Thank you, Mr. President.

22 ACTING PRESIDENT BENJAMIN: Are  
23 there any other Senators wishing to be heard?

24 Seeing and hearing none, debate is  
25 closed.

1                   The Secretary will ring the bell.

2                   Read the last section.

3                   THE SECRETARY:   Section 18.  This  
4   act shall take effect immediately; provided,  
5   however, that Section 2 of this act shall take  
6   effect January 1, 2020.

7                   ACTING PRESIDENT BENJAMIN:   Call  
8   the roll.

9                   (The Secretary called the roll.)

10                  ACTING PRESIDENT BENJAMIN:   Senator  
11   Serrano to explain his vote.

12                  SENATOR SERRANO:   Thank you very  
13   much, Mr. President.

14                  I would like to rise and say what an  
15   honor it is to be part of this Senate body as we  
16   pass this important legislation today.

17                  And I would like to pay tribute and  
18   honor to my friend, Senator José Peralta, whose  
19   family is here, and thank him and his legacy for  
20   championing this issue for so many years and  
21   continuing to keep it at the forefront for such  
22   a long time.

23                  And to also Senator Sepúlveda, for  
24   his tremendous work in ensuring that we have this  
25   day, that we have this important vote.

1                   This is one of those issues which I  
2   feel is so fundamental to what the American dream  
3   is all about. We are a nation, a state that is  
4   built on the whole concept of immigration, where  
5   you have the best and the brightest and those who  
6   choose to come from other countries to help build  
7   a better society here. And for generations, this  
8   is the way it has been. It has created a fabric  
9   of society that is unlike any other in the world.  
10   It's an experiment that has been such an amazing  
11   and fruitful experience that we call the American  
12   dream.

13                  And if we could -- I would sort of  
14   offer a guess if we could go back in time, if we  
15   had a time machine and we could reach back to  
16   previous immigrant communities who struggled and  
17   suffered in so many of the same ways that  
18   immigrants today do, and ask them what could be  
19   one thing that you wish could have been  
20   different, what could have been different about  
21   our society, and I'm sure they would say access  
22   to education. It is the tools, it is the toolbox  
23   that any immigrant would need in order to help  
24   build this American dream.

25                  It is not a handout, it is an

1 opportunity to be part of a level playing field  
2 that will give students in our state the  
3 opportunity to become a robust member of the  
4 economic force, that will give them the  
5 opportunity to put food on the table in their  
6 homes. It will give them the opportunity to  
7 ultimately achieve what is so intrinsic to the  
8 American experiment, and that is a firm education  
9 and building upon this American dream.

10 So again, I'm so grateful to my  
11 colleagues for their vote on this important  
12 legislation; again, to the legacy of our friend  
13 and colleague Senator Peralta and all those  
14 involved for making this happen.

15 Thank you.

16 ACTING PRESIDENT BENJAMIN: The  
17 Senator will be recorded in the affirmative.

18 Senator Ramos to explain her vote.

19 SENATOR RAMOS: Thank you,  
20 Mr. President.

21 I want to begin by thanking my  
22 predecessor, Senator José Peralta, and his  
23 near-decade fight to seeing this bill pass. His  
24 family joins us today, and I want to take this  
25 opportunity to express my most heartfelt

1       condolences to all of you.

2               This morning, 50 Dreamers from my  
3       district in Queens came to Albany so that they  
4       can witness this historic day. They came here to  
5       watch as we affirm their status should not affect  
6       the opportunities they are afforded in this  
7       country.

8               I think it's appropriate to center  
9       remarks about this bill on the people it will  
10      affect, undocumented students in New York, which  
11      is why I want to take the time to highlight two  
12      students who have joined us.

13              Oliver Sandivia came to the  
14      United States from Mexico when he was 11, and now  
15      lives in LeFrak City, Queens. He's an  
16      undocumented college student at New York City  
17      College of Technology, and he is studying to  
18      become a mechanical engineer.

19              Richard Salinas came to the  
20      United States in 2014 from Ecuador, when he was  
21      14 years old, and now lives in Maspeth, Queens.  
22      This year Richard will be graduating from  
23      high school and wants to study psychology and  
24      education. Richard hopes to go on to help  
25      immigrant youth cope with the obstacles that come

1 with being in a new country.

2           These students are driven, gifted,  
3 and already making invaluable contributions to  
4 their communities, to Queens and to New York as a  
5 whole. The only difference between these  
6 students and the members of this chamber is what  
7 side of the border they were born on.

8           Passing the José Peralta DREAM Act  
9 will give these students the resources that are  
10 already afforded to many other students in  
11 New York. Passing this bill means investing in  
12 and celebrating our immigrant and undocumented  
13 communities instead of holding them back.

14           I am proud to dedicate my yes vote  
15 today to my neighbors who have joined me from the  
16 district. I want to recognize the Dreamers from  
17 Make the Road New York, the CUNY and SUNY  
18 Dreamers, and the original activists, creators  
19 and advocates of the DREAM Act, the New York  
20 State Youth Leadership Council, including one of  
21 my favorite people, my friend Tania Mattos, who's  
22 here today.

23           {In Spanish.} Gracias.

24           ACTING PRESIDENT BENJAMIN: The  
25 Senator will be recorded in the affirmative.

1                   Senator Jackson to explain his vote.

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

4                   To my colleagues and to everyone  
5                   present today, the DREAM Act allows young  
6                   Dreamers who aspire to use their talent and love  
7                   of their community to better themselves by  
8                   gaining access to a higher education.

9                   Research has shown that our  
10                  undocumented communities make positive  
11                  contributions to our local and country's economic  
12                  development. Supporting this bill is not only  
13                  just and the right thing to do, but it is also a  
14                  smart move in moving our state forward.

15                  In my district in Manhattan --  
16                  Marble Hill, Washington Heights, Inwood,  
17                  West Harlem, going all the way down to the Upper  
18                  West Side and Chelsea area -- there are scores of  
19                  undocumented youth who talk about what they want  
20                  to be when they grow up. Their immigration  
21                  status should not be created as a barrier to  
22                  reaching those goals. And passing this  
23                  legislation will open the door to uplifting these  
24                  communities, whose work ethic is a heart of who  
25                  they are.

1                   With the passing of the DREAM Act,  
2                   we are on our way to making New York State a  
3                   leader in providing opportunity and solutions for  
4                   immigrants, particularly undocumented youth.  
5                   This is important at a time when these people are  
6                   among those targeted by our current federal  
7                   administration. We must do everything we can at  
8                   the state level to make it easier for immigrants,  
9                   regardless of their status, to get an education  
10                  that will empower them to better contribute to  
11                  our communities across New York State.

12                  I believe in the American dream.  
13                  The DREAM Act, which we will name after  
14                  José Peralta, a former member of this body who  
15                  spent years trying to move this forward, will set  
16                  us on that path. And it's the right path for us  
17                  to take.

18                  I'm proud to stand with everyone,  
19                  the immigrant communities and everyone who  
20                  believes in the American dream, especially the  
21                  people of the 31st Senatorial District, which I  
22                  represent -- I am proud to stand and say I vote  
23                  aye here this afternoon.

24                  Thank you.

25                  ACTING PRESIDENT BENJAMIN:    The

1 Senator will be recorded in the affirmative.

2 Senator LaValle to explain his vote.

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

5 Last night I reviewed for a few  
6 minutes the budget. And Senator Jackson, I just  
7 say to you review the higher ed budget, because  
8 you're going to have to give to the people of the  
9 31st District tin cups. Not much money in there  
10 for SUNY and CUNY.

11 So Mr. President, I think the best  
12 thing about what we're doing today is for our  
13 colleague Senator Peralta, who worked tirelessly  
14 to bring this bill to the house. And I wish I  
15 could vote for it, but I am voting in the  
16 negative.

17 ACTING PRESIDENT BENJAMIN: The  
18 Senator will be recorded in the negative.

19 Senator Carlucci to explain his  
20 vote. Oh, oh, I'm sorry. Senator Gianaris.

21 SENATOR GIANARIS: Mr. President,  
22 can you please call on Senator Jackson for a  
23 point of personal privilege. He was referenced  
24 from the floor in a manner of ill will by one of  
25 the members of the Minority, and I'd like to give

1 him a chance to respond.

2 ACTING PRESIDENT BENJAMIN: Senator  
3 Jackson.

4 SENATOR JACKSON: Thank you for the  
5 opportunity to respond to my colleague.

6 I will be glad to take as many tin  
7 cups as you give me to take down to my district.

8 But let me just say to not only you,  
9 my colleague, but to everyone. The New York  
10 State budget is over \$170 billion. And what  
11 we're talking about, the cost of this, is no more  
12 than 27 million. Minuscule in terms of a  
13 \$170 billion budget.

14 So I take, you know, exception to  
15 the tin cup theory. But in fact if you have  
16 315,000 tin cups, I will take them to the  
17 31st Senatorial District.

18 Thank you.

19 SENATOR LaVALLE: Senator --

20 ACTING PRESIDENT BENJAMIN: Senator  
21 Carlucci --

22 SENATOR LaVALLE: (Inaudible.)

23 ACTING PRESIDENT BENJAMIN: Senator  
24 LaValle, you're out of order.

25 SENATOR JACKSON: Senator LaValle,

1 in my response to you -- and if you take  
2 exception to that, I duly apologize. But you  
3 insulted me by what you said.

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

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

8 And I want to thank my colleagues  
9 for supporting this important legislation, thank  
10 Leader Senator Stewart-Cousins for bringing this  
11 to the floor, Senator Sepúlveda for shepherding  
12 it through, the Peralta family for being here  
13 today -- it's so important to have your presence  
14 in the chamber. And particularly to Senator José  
15 Peralta, whom I had the honor and privilege to  
16 work closely with in this chamber. And not a day  
17 went by without Senator Peralta talking about how  
18 we're going to advance this important legislation  
19 and the impact it would have on thousands of  
20 people across our state.

21 So I believe when we talk about the  
22 cost, as has been referenced, this is a small  
23 investment that will pay dividends. When we're  
24 talking about breaking down barriers for  
25 thousands of students, that many of them -- most

1 of them have been educated by some of the  
2 greatest teachers on the planet right here in  
3 New York State and have a high school diploma  
4 from one of our schools, they're going on to  
5 fantastic things. And that means wonderful  
6 things for the communities that we serve.

7               So this is a small investment that  
8 will pay dividends, will improve the lives of  
9 thousands of young people here in New York State,  
10 and in doing that will improve the lives of all  
11 New Yorkers.

12               So I'm very excited to be voting in  
13 support of this legislation. I want to thank my  
14 colleagues and all the advocates that have worked  
15 so hard to advance this legislation.

16               Mr. President, I vote yes. Thank  
17 you.

18               ACTING PRESIDENT BENJAMIN: The  
19 Senator will be recorded in the affirmative.

20               Senator Bailey to explain his vote.

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

23               To the family and friends of  
24 Senator Peralta, I thank you for coming to  
25 continue the legacy that he set forth in the

1 State Senate. The José Peralta DREAM Act is a  
2 monumental accomplishment that we should all be  
3 proud of regardless of what district you  
4 represent.

5 We talk about education being so  
6 important. If education is truly the vehicle to  
7 the future, why should we deprive gas to some and  
8 not to others?

9 I want to reference two individuals  
10 who have realized their dream, and they inspire  
11 people every day.

12 The first is the Senate's very own  
13 Angelica Martinez, a Dreamer who spent  
14 20 years-plus in this state. She had to go  
15 full-time to Baruch College; her parents had to  
16 pay full tuition because she was not eligible for  
17 TAP. You know, with a mind like Angelica's I  
18 wonder what would have happened if she would have  
19 been able to have TAP.

20 Cesar Vargas, the first Dreamer to  
21 be sworn into the New York State Bar. I had the  
22 honor -- and it was an honor, Cesar, and it  
23 remains an honor -- to go to CUNY Law School with  
24 you. There's no card that shows "I am not a  
25 citizen" on your chest. The black-letter law

1     that you studied in CUNY Law doesn't indicate  
2     that you are an immigrant. You were capable at  
3     CUNY Law, and thankfully you were sworn into the  
4     New York State Bar.

5                     What about the next Cesar Vargas?  
6     What about the next Angelica Martinez?

7                     Let's talk about all of the  
8     Dreamers. In the 36th Senatorial District, a lot  
9     of people dream -- those from Colombia, from  
10    Mexico, from South Asian descent, African  
11    descent, Caribbean descent. My Jamaican  
12    population, I'm going to say a whole heap of  
13    them.

14                    (Laughter.)

15                    SENATOR BAILEY: You know? But  
16    Dreamers come in every shape, size and color.  
17    And if we're really going to be about "all lives  
18    matter," then let's really be about all lives  
19    matter.

20                    Let's talk about Langston Hughes  
21    once said "What happens to a dream deferred?  
22    Does it dry up like a raisin in the sun?" Well,  
23    in the New York State Legislature, it finally  
24    gets done.

25                    I vote aye, Mr. President.

1                   ACTING PRESIDENT BENJAMIN:    The  
2   Senator will be recorded in the affirmative.

3                   Senator Persaud to explain her vote.

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

6                   I rise today in support of this  
7   legislation. Thank you to the sponsor. Thank  
8   you to Madam Leader for bringing this to the  
9   floor. It's about time.

10                  Thank you to the Peralta family. I  
11   know today Senator Peralta is looking down on us  
12   and saying "It's about time." The dream is a  
13   reality.

14                  On behalf of the constituents of the  
15   19th Senatorial District, I thank you all for  
16   supporting this important legislation.

17                  We must remember that we are not  
18   just giving money away to people who are  
19   undeserving. We have invested in these students  
20   already. Why not continue so they can become  
21   productive citizens in our state.

22                  We understand the conversations,  
23   I've heard it from both sides saying what we must  
24   do for the families who are burdened with high  
25   tuition costs. I remember leaving college with a

1 high tuition bill. We have to continue that  
2 conversation. But we must not deny the right to  
3 education to students who are deserving.

4 The only crime, if you want to look  
5 at it that way, as some people have said, that  
6 they have committed is trying to be better in a  
7 state that is open to all. That's all they have  
8 done.

9 And today we are telling them we  
10 understand you, you are deserving, here is the  
11 money to pay for tuition so that you can become  
12 productive residents of the State of New York.  
13 We will not look down on you. You are not  
14 second-class to anyone.

15 So to all of my colleagues today, on  
16 behalf of all of the immigrants in my community,  
17 I thank you for supporting this important  
18 legislation. And we must continue to do more.  
19 Thank you all.

20 I vote aye.

21 ACTING PRESIDENT BENJAMIN: The  
22 Senator will be recorded in the affirmative.

23 Senator Myrie to explain his vote.

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

1                   My parents came to this country  
2 almost 50 years ago: My mom, on a promise of a  
3 mattress in a room and a job in a textile  
4 factory; my father, on a similar promise to work  
5 in a sponge-making factory. And their dream,  
6 like many of the dreams of the immigrants in my  
7 district and throughout this entire state, was to  
8 work hard and provide their children the  
9 opportunities afforded everyone else in this  
10 country.

11                   Today I stand in this chamber as a  
12 realization of their dream. But it is a path  
13 that was paved by the education that I  
14 received -- education that would not have been  
15 possible without assistance from the state.

16                   Now, I happened to win the birth  
17 lottery, and I was born in the best borough of  
18 Brooklyn --

19                   (Reaction from members.)

20                   SENATOR MYRIE: But today, today  
21 this body says we are opening up the dream of  
22 opportunity no matter where you were born. The  
23 gift of education is something that you deserve  
24 no matter what your zip code and no matter where  
25 you came from.

1                   And while the country has been  
2 transfixed with the chaos happening in D.C., the  
3 New York State Senate, yet again, is standing up  
4 and leading the way in protecting our vulnerable  
5 communities. And make no mistake, this is the  
6 beginning and not the end of our efforts to  
7 protect our immigrants in this state.

8                   So I want to congratulate the  
9 many advocates that have fought for this for  
10 years. I want to congratulate Senator Sepúlveda,  
11 congratulate José Peralta. And I want to most  
12 importantly congratulate the thousands of  
13 Dreamers who will as a result of today get the  
14 education that they deserve.

15                  Mr. President, I vote in the  
16 affirmative.

17                  ACTING PRESIDENT BENJAMIN: The  
18 Senator will be recorded in the affirmative.

19                  Senator Akshar to explain his vote.

20                  SENATOR AKSHAR: Thank you very  
21 much, Mr. President, for your indulgence.

22                  Before I explain my vote, allow me  
23 to recognize the family of Senator Peralta who is  
24 on the floor here with us today. Clearly the  
25 Senator was incredibly passionate about this

1 particular issue. And I know -- even during my  
2 short tenure here in the Senate, I know that he  
3 was incredibly dedicated to his community and his  
4 constituents.

5 And I don't want my opposition to  
6 this particular piece of legislation to take away  
7 from his life's work or his family who are with  
8 us on the floor.

9 I'll offer a little bit of a  
10 different perspective than my esteemed colleague  
11 that we just heard from. I have on several  
12 occasions conducted surveys on this particular  
13 issue back in my district. The latest one last  
14 week, 85 percent of the people surveyed opposed  
15 this particular piece of legislation. Most of  
16 them say that they are struggling to afford  
17 college tuition for their own children. Many of  
18 them say they're struggling to pay their own  
19 student debt.

20 So today I stand with those folks  
21 who oppose this legislation, and it's the people  
22 that I represent. I stand with the people who  
23 oppose this bill because it sends the wrong  
24 message to legal, hardworking, tax-paying  
25 middle-class families who are struggling to

1     afford college tuition for their own children.  
2     It sends the wrong message to the millions who  
3     have worked their way through college and are  
4     still paying off crippling loan debt. Any  
5     resource to make college more affordable should  
6     first go to aiding these struggling New York  
7     families and help relieve their crippling student  
8     loan debt.

9                 Instead, what we're seeing today is  
10    my colleagues across the aisle roll out the red  
11    carpet for illegals, approving costly legislation  
12    that rewards them with free college tuition at  
13    the expense of hardworking, legal, middle-class  
14    taxpayers in New York. And for me, this is an  
15    issue of fairness.

16                While my colleagues across the aisle  
17    give free college tuition to illegal immigrants,  
18    they do that while legal middle-class families  
19    scrimp and save, while legal hardworking  
20    taxpayers work a second job and while legal  
21    middle-class families go deeper into debt trying  
22    to meet the rising cost of education.

23                So who is helping these families?  
24    Certainly not us by way of this legislation. I,  
25    for one, support helping hardworking New Yorkers

1 go to college and achieve their dreams. This  
2 year's state budget should provide more financial  
3 aid to those New York families that I have just  
4 described, like families who have written me just  
5 in the recent days: Trish and her husband from  
6 Endicott. I represent these folks. And they  
7 write: "My husband and I make \$1100 over the  
8 allowed amount by Excelsior. We had two children  
9 in college. We could only afford this college  
10 education by taking out high-interest loans.  
11 They both dropped out instead of making us take  
12 on more debt."

13 So while some seem hell-bent on  
14 pushing the middle class down, I will proudly  
15 vote no today on this bill and stand with Trish  
16 and her husband and so many more New Yorkers who  
17 feel the same exact way.

18 ACTING PRESIDENT BENJAMIN: The  
19 Senator to be recorded in the negative.

20 Senator Stavisky to explain her  
21 vote.

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

24 And to the Peralta family, I knew  
25 José long before he was elected to public office.

1 He was a friend of my son. They went to Queens  
2 College together, and they stayed friends for  
3 many years.

4 About 10 days ago I saw an op-ed  
5 story in the New York Times. It was by a young  
6 man by the name of Jin Park. And he described  
7 how, in 1997 when he was seven years old, his  
8 parents came to New York and in fact settled in  
9 Flushing, in my district. And his father worked  
10 as a cook in a Korean restaurant, and his mother  
11 worked in a nail salon establishment.

12 And in 2012 -- he was academically  
13 proficient -- he received DACA status, which  
14 enabled him to continue his education to Harvard,  
15 where he graduated with a degree in biology and  
16 government. And he was recently named a Rhodes  
17 Scholar. The first undocumented citizen -- or  
18 undocumented individual, I wish he were a  
19 citizen -- an undocumented individual who was  
20 able to attend Oxford, and in fact he left for  
21 Oxford in October. He doesn't know if he can  
22 come back to this country.

23 To me, he embodies the need for  
24 recognition for academic excellence, or just a  
25 high school diploma, and putting someone on the

1 same level as any other high school graduate to  
2 attend college and receive the benefits of TAP.

3 So again, I thank the sponsor, and  
4 particularly the Peralta family, and I vote aye.

5 ACTING PRESIDENT BENJAMIN: The  
6 Senator will be recorded in the affirmative.

7 Senator May to explain her vote.

8 SENATOR MAY: Thank you,  
9 Mr. President.

10 I want to thank Senator Sepúlveda  
11 for putting this bill forward, and I want to  
12 thank Senator Lanza for his very thoughtful  
13 comments about this bill.

14 I represent a district that is not  
15 100 percent in favor of the DREAM Act. I have a  
16 lot of constituents who feel the same way, and so  
17 I want to explain why I support it.

18 When we're talking about Dreamers,  
19 we're talking mostly about people who came to  
20 this country not of their own agency and have no  
21 other home to go to. And so to just marginalize  
22 them as illegal and unworthy of consideration is  
23 I think a real betrayal of the best principles of  
24 our nation.

25 And then if you add to that the idea

1     that these are people who have surmounted  
2     obstacles that most of us in this room cannot  
3     imagine to graduate from high school, to get  
4     accepted to college, then we're talking about  
5     people of a level of initiative and talent who  
6     really deserve our support.

7                     And yes, there is an investment  
8     involved in this. But I think, having been a  
9     college professor, they are exactly the kinds of  
10    students we want in our colleges, and they're  
11    exactly the kind of students we want to graduate  
12    and go on and really build businesses and  
13    contribute to our economy in all the different  
14    ways that they're going to be able to do that.

15                    So I am proud to support this bill  
16    and proud to go back to my district and talk to  
17    the people who might not be in support of it and  
18    explain to them why I do.

19                    Thank you.

20                    ACTING PRESIDENT BENJAMIN: The  
21    Senator will be recorded in the affirmative.

22                    Senator Harckham to explain his  
23    vote.

24                    SENATOR HARCKHAM: Thank you,  
25    Mr. Chair.

1 I rise in support of this bill.

2 First I want to thank Senator Sepúlveda for  
3 sponsoring this and welcome the Peralta family  
4 here. Thank you for joining us in the chamber  
5 today.

6 I decided to rise to explain my vote  
7 for a couple of reasons, and I'll address my  
8 remarks through the chair. That I'm really  
9 disappointed in the divisive tone that this  
10 debate is taking on, that somehow we're pitting  
11 one group against another group. And that was  
12 the rhetoric my opponent, the former incumbent  
13 had, and I'm not surprised now where it came  
14 from.

15 And that we should be here to lift  
16 all boats and to unite all New Yorkers and not  
17 pit one group against another. And that when  
18 we're all rowing in the same direction, that's  
19 when New York and America succeeds.

20 As the son of a decorated combat  
21 veteran and the grandson of a decorated combat  
22 veteran, I find it offensive that somehow by  
23 supporting the DREAM Act I am disrespecting the  
24 men and women who wear the uniform. How  
25 many immigrants have worn the uniform and shed

1 blood and paid the ultimate sacrifice for our  
2 freedom than immigrants did? How many?

3           So we can talk about a lot of things  
4 here today, and what we're doing for one group or  
5 the other. We're talking about the tax cap  
6 shortly. We're talking about raising the  
7 threshold on TAP. We should be talking about  
8 things that we can do to relieve student debt, I  
9 agree with that. Let's talk about that. Let's  
10 talk about other things that we can do. But  
11 let's not pit one group against the other as we  
12 move forward.

13           And to critics of this measure, I  
14 say this is an investment in our economy.  
15 There's no greater investment in our economy than  
16 an educated workforce. There's no better  
17 anti-poverty program than a good education.  
18 There's no better mobility program than a good  
19 education. So what we need to do to be  
20 competitive as a society is have the most  
21 educated workforce, not one educated class and  
22 one underclass. That does not work.

23           So I'm proud to support this bill  
24 for numerous reasons, but mostly it's a good  
25 investment in our economy to have the best

1       educated workforce we can possibly have.

2                       Thank you.   So I vote aye.

3                       ACTING PRESIDENT BENJAMIN:    The  
4       Senator will be recorded in the affirmative.

5                       Senator Jordan to explain her vote.

6                       SENATOR JORDAN:    Thank you,  
7       Mr. President.   I rise to explain my vote.

8                       I'm voting no on this legislation  
9       because the DREAM Act is a \$27 million government  
10      giveaway, a free college tuition to the children  
11      of illegal -- illegal -- immigrants.

12                      I want to stress the word "illegal"  
13      because I love and come from a 100 percent big  
14      fat Greek family that came here legally.   My  
15      grandparents are rolling over in their graves  
16      right now because they gave their blood, sweat  
17      and tears and every cent they had to pay for  
18      their -- each child's college education.

19                      The DREAM Act's a nightmare and a  
20      slap in the face for all the hardworking  
21      taxpayers who play by the rules and struggle to  
22      afford the cost of a college education.

23                      I have two boys, one of whom will be  
24      going to college next year and one who has been  
25      paying his college loans for the past three and a

1 half years. Like so many parents, this summer  
2 and fall I spent hours upon hours filling out  
3 endless financial aid paperwork. I know  
4 firsthand what a struggle it is saving for a  
5 college education, how families can go deep into  
6 debt to make college a reality for their kids.

7 For middle-class families that work  
8 hard, pay the taxes, and play by the rules, the  
9 DREAM Act sends a terrible message. It says  
10 Albany values the children of people who broke  
11 the rules over the folks who follow the rules and  
12 pay the taxes. It's just plain wrong.

13 Besides sending a terrible message,  
14 the DREAM Act means fewer resources available for  
15 middle-class families, \$27 million fewer. And we  
16 talk about money here like it's Monopoly money.  
17 Every cent adds up, and you should never just say  
18 "it's only \$27 million."

19 This year's state budget should  
20 provide extra aid to many more New York families  
21 and veterans and military heroes. In addition,  
22 we should be looking at loan forgiveness to  
23 recent college graduates who agree to live, work,  
24 and raise their families in New York.

25 I'm voting no on the DREAM Act

1 because it will be a nightmare for our overtaxed  
2 taxpayers trying to afford a college education.  
3 And I think it's a shame that Albany and this  
4 Democratic majority and Governor are turning  
5 their backs on the hardworking taxpayers who have  
6 followed the rules.

7 Thank you.

8 ACTING PRESIDENT BENJAMIN: The  
9 Senator will be recorded in the negative.  
10 Senator Salazar to explain her vote.

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

13 I want to first thank all of my  
14 colleagues who have long advocated to pass the  
15 DREAM Act, and to the advocates who have helped  
16 make this possible. And also to the family of  
17 Senator Peralta for joining us today.

18 I have the honor of representing the  
19 entire neighborhood of Bushwick in the  
20 State Senate. Also where I live, and in the  
21 borough that Senator Myrie already attested to  
22 the greatness of. Thirty-three percent of  
23 Bushwick's residents are foreign-born.

24 For too long, reactionary voices and  
25 forces have benefited from the hard work and

1 contributions of our immigrant neighbors in  
2 Bushwick and beyond, yet have refused to extend  
3 to non-citizens the same privileges given to  
4 others. For too long, our undocumented neighbors  
5 have been discriminated against and barred from  
6 being able to pursue quality higher education.  
7 The DREAM Act will be fundamental to changing  
8 that.

9           The road ahead to full equality and  
10 freedom from discrimination based on immigration  
11 status will also demand that we grant the ability  
12 to obtain driver's licenses, the ability to  
13 obtain professional licenses, the right to  
14 counsel and more. I look forward to continuing  
15 to work to make New York a place where all of us  
16 can enjoy these rights.

17           I proudly vote aye.

18           ACTING PRESIDENT BENJAMIN: The  
19 Senator will be recorded in the affirmative.

20           Senator Griffo to explain his vote.

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

23           I appreciate the dialogue here  
24 today, because this is a deliberative body. And  
25 this allows us to preside in a chamber where we

1 can exchange points of view and we can have  
2 differences of opinion philosophically and on  
3 policy. And those are not the politics of  
4 division, those are a true democracy where people  
5 have the opportunity to express themselves.

6 And I want to thank all the members  
7 here for their passion, and particularly for the  
8 members of my conference who have raised points  
9 that I believe are valid, accurate and  
10 legitimate.

11 And in addition, I think we need to  
12 call attention to some of the points that were  
13 made. The difference particularly in this bill,  
14 compared to the Executive proposal, where in  
15 addition to the undocumented immigrants and the  
16 provisions allowing, this allows for temporary  
17 visa holders to also get that same full-tab  
18 benefit. And that's a concern, because these are  
19 transients with no indication that they will  
20 remain in this state, yet they will obtain this  
21 benefit.

22 So I believe that is a legitimate  
23 point that should be made and known, and yet we  
24 can do this in a respectful manner.

25 More importantly, though, I want to

1 express my thanks to the Peralta family. José  
2 Peralta was an honorable man. He was an  
3 extraordinary public servant. I was proud to  
4 know him and serve with him and know that he was  
5 so passionate in so many different ways.

6 And he was an individual who  
7 understood tolerance and respect. In fact, he  
8 should have received better respect than he  
9 received in the end. But ultimately a good,  
10 decent and fair elected official. So our  
11 condolences to you and the family who are here  
12 today.

13 I vote no.

14 ACTING PRESIDENT BENJAMIN: The  
15 Senator will be recorded in the negative.

16 Senator Rivera to explain his vote.

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

19 Also first things first. I salute  
20 the Peralta family and certainly salute the  
21 efforts of Senator Peralta for working on this  
22 bill for as long as he did. I congratulate  
23 Senator Sepúlveda for bringing this bill to the  
24 floor. And I thank our Majority Leader for  
25 making sure that this was one of the bills that

1 we passed in the first weeks.

2           Okay, so here we go. The reality is  
3 that there is a lot of misconceptions, falsehoods  
4 and outright lies that have been told about what  
5 this bill is and is not. Simply, it is a bill to  
6 allow access to a certain group of people that  
7 currently do not have access to a tuition  
8 assistance program, to get access.

9           Who, you might ask. Individuals who  
10 have graduated from high school, who have been  
11 successful in high school, and who will not be  
12 expected to do anything different than any other  
13 student that currently has access to TAP when  
14 they go to college.

15           Now, we can certainly have a  
16 conversation about more funding. And you are  
17 right, Senator Jordan, this is not Monopoly  
18 money. This is real taxpayer money. But  
19 \$27 million in a \$170 billion budget might not  
20 seem like a lot, but it certainly means a lot to  
21 programs like this that provide assistance to  
22 students who need it to go to college.

23           So certainly we can have a  
24 conversation about putting more money into that.  
25 As a matter of fact, I think we should. Because

1 as Senator Carlucci said, this is an investment.  
2 It is an investment because each individual that  
3 gets this and goes through college and graduates  
4 from college makes their life better, earns more  
5 money, makes their family's life better, and  
6 certainly makes the communities that they live in  
7 and our districts better.

8 But ladies and gentlemen, let's be  
9 clear about some of the language that is being  
10 used not only on this floor but certainly across  
11 this state and across our country to describe  
12 certain folks that we are talking about today. I  
13 would encourage some of my colleagues who use  
14 this language right here on the floor to talk to  
15 these folks. They are here. Some of them are  
16 literally on this floor. Talk to them and ask  
17 them, when you say the word about either them or  
18 their parents, they are illegals, they are  
19 lawbreakers -- there is a mischaracterization --  
20 as a matter of fact, what you are doing is you  
21 are dehumanizing these individuals, and that is  
22 part of the conversation.

23 That is happening across the  
24 country. It is easy to say these other people,  
25 these lawbreakers, these people are below us.

1 They're human beings. They are New Yorkers. And  
2 they are students who, thanks to what we will do  
3 today, will have access to the same thing that  
4 every other student currently has access to.  
5 They will have access to tuition assistance, they  
6 will be able to be successful in college. I'm  
7 very glad that many of them are here to watch  
8 this.

9                   And again, once again, I would ask  
10 each of you that even thinks this -- because  
11 maybe you haven't said it on the floor, but some  
12 of you all are definitely thinking it -- to go  
13 and talk to them. To think about when you use  
14 that term, back home or on this floor, what are  
15 you doing? What are you trying to say?

16                   And I would argue that ultimately,  
17 again, these people are human beings, they are  
18 New Yorkers, and I'm very glad to say that they  
19 will be students at CUNY campuses with full  
20 access to tuition assistance. It makes a  
21 difference to be in the Majority, ladies and  
22 gentlemen.

23                   I will be voting in the affirmative.  
24 Thank you.

25                   ACTING PRESIDENT BENJAMIN: The

1 Senator will be recorded in the affirmative.

2 I'd like to remind all of our guests  
3 to please observe the proceedings silently and  
4 respectfully. We need to maintain decorum in the  
5 chamber. Each Senator has a right to be heard  
6 without interruption, and our stenographer has to  
7 be able to hear what they are saying.

8 Senator Tedisco to explain his vote.  
9 The Senator passes.

10 Senator Biaggi to explain her vote.

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

13 I first want to just begin by  
14 acknowledging and congratulating my colleague  
15 Senator Sepúlveda for bringing this bill to the  
16 floor; our leader for doing so; and to  
17 acknowledge Senator Peralta's family for being  
18 with us today.

19 You know, I have prepared remarks  
20 and I want to start by sharing one or two lines,  
21 then I want to acknowledge a shift in how I feel  
22 after sitting here today listening to all of the  
23 words that have been said.

24 New York is quite literally made up  
25 of all different kinds of people. This is what

1 makes New York so great. I represent a district  
2 that is predominantly in the Bronx. This is the  
3 district that my grandparents came off of a boat  
4 and lived in after they left Italy. I am  
5 Italian American, and our family knew that the  
6 only way to maintain and to have access to  
7 opportunity was to be able to access education.

8 I am disheartened to hear that  
9 immigrants and human beings who are literally  
10 sitting with us here today are being called  
11 illegals. My grandfather, we can't find his  
12 birth certificate. In fact, we don't know -- and  
13 we can't find my grandmother's birth certificate,  
14 we can't find many birth certificates from my  
15 family. Does that make them illegal? Does that  
16 make me illegitimate for being here?

17 No, it doesn't. Because what  
18 America represents and what New York represents  
19 is a place where everyone is welcome.

20 This bill is important not only to  
21 move the dialogue forward for this body, but for  
22 the nation, because we are in a moment where  
23 words like "illegal" is offensive, it is  
24 antiquated, it is outdated and, most importantly,  
25 it is unkind.

1                   I am of the belief that a rising  
2                   tide lifts all ships. This is one of the ways to  
3                   do that.

4                   And as a hardworking taxpayer with  
5                   \$180,000 of student loans from law school, I  
6                   proudly vote aye.

7                   ACTING PRESIDENT BENJAMIN: The  
8                   Senator will be recorded in the affirmative.

9                   Senator Comrie to explain his vote.

10                  SENATOR COMRIE: Thank you,  
11                  Mr. President. I rise today to support the bill.

12                  I first want to acknowledge everyone  
13                  Peralta, the Peralta sons and your family for  
14                  being here. I want to thank you for your service  
15                  to our community as well. Having known José  
16                  since before he was elected and his desire to be  
17                  an elected official and a servant to all people,  
18                  I stand proudly to vote for this bill.

19                  I had prepared remarks, but I'm also  
20                  disheartened, as Senator Biaggi just said, by  
21                  some of the tone that has happened today.

22                  No one here is a native New Yorker.  
23                  No one here is an indigenous New Yorker in this  
24                  chamber. Everyone came here from someplace else.  
25                  My parents came from Jamaica, West Indies, to

1 Jamaica, Queens. I don't talk patois because I  
2 don't want to embarrass my Jamaican heritage. I  
3 was fortunate to be born and raised here. I was  
4 fortunate to be educated here. My parents  
5 emphasized education as a steppingstone. This  
6 country emphasizes education as a steppingstone.  
7 This country applauds people that come here to  
8 try to get an education so they can do better.

9           When I was first a City Council  
10 member aide, children were coming to my office  
11 finding out that they were illegal immigrants.  
12 After they went through high school, got all As,  
13 wanted to be somebody -- the next Sonia  
14 Sotomayor, the next José Peralta, the next  
15 Zellnor Myrie, the next Fred Akshar. The next  
16 Senator Lanza.

17           People are coming to this country to  
18 try to do better. People are here because they  
19 want to have a piece of the American dream. This  
20 is the DREAM Act. We should not be trying to act  
21 like 45 -- separating our citizens, trying to  
22 create two classes of people -- when people are  
23 trying to get educated. When people are trying  
24 to do better for themselves. When they've come  
25 through the system, they've qualified, and only

1 found out at the last minute they can't go to  
2 college because they did not know they were  
3 illegal. Or that because they're being branded  
4 as a status that's unfair to them.

5 They went through high school in the  
6 system. They went through college. They want to  
7 go to be a better person. They want to increase  
8 their ability to provide for their family. They  
9 want to have a decent quality of life.

10 You've already heard that right now,  
11 even in their status, they're adding \$115 million  
12 to the economy. This is only a \$27 million hit.  
13 This is something we should absorb. The GI Bill,  
14 people didn't want that. Social Security, people  
15 didn't want that. Original SEEK, people didn't  
16 want that. But it's made our life better as a  
17 quality in the state.

18 This is New York State, people.  
19 This is a state that encompasses, that embraces,  
20 that enhances the people's quality of life. No  
21 matter where you came from, no matter what your  
22 roots were, no matter where you started from, you  
23 have an ability to be somebody because we as  
24 New Yorkers are trying to help our citizens.

25 We're elected officials. We need to

1 do better for anyone that we encounter. We need  
2 to make their lives better. We shouldn't hold  
3 back anyone because of their ability, because of  
4 the way they communicate, because of where  
5 they're from or what their status is. Our job as  
6 elected officials is to make everyone's lives  
7 better.

8 I vote aye.

9 ACTING PRESIDENT BENJAMIN: The  
10 Senator will be recorded in the affirmative.

11 Senator Breslin to explain his vote.

12 SENATOR BRESLIN: A very, very  
13 tough act to follow.

14 (Laughter.)

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

17 And you may wonder why an Irish  
18 Senator from Albany is up to speak. Not against  
19 this legislation, but as a sponsor for it. And I  
20 first want to give my condolences and praise to  
21 the Peralta family for being here; Senator  
22 Peralta for everything he's done to make this day  
23 possible; and to Senator Sepúlveda for bringing  
24 and making sure that we have this day.

25 This day will help my guilt a great

1 deal. My ancestors, my father's family and my  
2 mother's family, came from Ireland over a  
3 hundred years ago. I never saw any papers or  
4 documents. I do know that they were extremely  
5 poor, both sides of the family. I do know that  
6 they were running from persecution, religious  
7 persecution.

8                   And when I see people from Honduras,  
9 El Salvador along those trails with young kids, I  
10 can only think of my ancestors coming from  
11 Ireland, being on a boat, but able to get through  
12 a process that was a lot more casual then than it  
13 is now. A lot easier to assimilate, to acclimate  
14 yourself into a community than it is now.

15                   So I think it's important, as  
16 Senator Rivera pointed out, this isn't -- the  
17 \$27 million you are giving these kids who never  
18 knew they were illegal, they came with their  
19 parents, to again escape persecution, religious  
20 persecution, no jobs, poverty. What would you do  
21 if you were in those countries and you were faced  
22 with a similar situation?

23                   Yet I stand here and I think there  
24 aren't many people in my district who would be  
25 eligible for this. What about the veterans? We

1 don't do nearly enough for veterans for  
2 education. And what about middle-class families?  
3 We don't do nearly enough for them either.

4 But is that the reason, is that the  
5 reason that we'll highlight to say no to  
6 Dreamers? I don't think so. I don't think so.  
7 I think we happen to be a little better than  
8 that. I happen to remember a little -- on the  
9 Statue of Liberty: Your tired, your poor,  
10 yearning to be free. I thought that was in  
11 New York City. Apparently it must be someplace  
12 else.

13 This bill will do so much for such a  
14 little total amount. And yes, 27 million is a  
15 lot. But you are helping thousands and thousands  
16 of people to make it fairer, to make it more  
17 equal. To make it what New York should and has  
18 been in the past and will be again. A state we  
19 can all be proud of -- all be proud of, imagine  
20 that. And I've felt -- this is a digression --  
21 I've felt more proud to be in this body during  
22 this past two weeks than at any time in too many  
23 years than I'd like to recollect.

24 So fast forward, this is something  
25 that all of us should embrace, all of us should

1 embrace because we have others who fit into that  
2 profile. And there will be another day for them.  
3 But we have a steppingstone here in our ability  
4 to do the right thing.

5 I vote in favor of the DREAM Act.

6 ACTING PRESIDENT BENJAMIN: The  
7 Senator will be recorded in the affirmative.

8 Senator Savino to explain her vote.

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

11 I want to thank Senator Sepúlveda  
12 for making sure that he was able to get this bill  
13 to the floor. Of course our Leader, Senator  
14 Stewart-Cousins, for acting on it so swiftly.

15 I especially want to acknowledge and  
16 recognize the Peralta family -- his wife, his  
17 mother, his brother, his children -- and his  
18 staff who was here with him, who helped him over  
19 the years move this bill along. Senator Lanza  
20 talked about the many conversations he had with  
21 Senator Peralta, and I think we all have.

22 You know, this is a difficult vote  
23 for a lot of people, even for those of us who  
24 want to vote for it. People back home in our  
25 districts are suffering. They're struggling with

1 the cost of education the way we all did. I  
2 mean, I will tell you I was startled to hear how  
3 much Senator Biaggi owes in student loans. But  
4 that's the reality for a lot of families in this  
5 state. And I think that's what holds some of us  
6 back from fully embracing this idea, which I'm  
7 going to.

8 But we are Senators, and with that  
9 comes the privilege and the responsibility to try  
10 and solve problems for the people of the State of  
11 New York. And just because we can't solve the  
12 problems for everybody today doesn't mean we  
13 shouldn't strive to solve the problems for some  
14 people today. And what's what this is about.

15 I would hope that none of us think  
16 we're going to pass the José Peralta DREAM Act  
17 and never do another thing on higher education.  
18 I don't believe anybody in this room believes  
19 that. I know you all know just how expensive it  
20 is. If you don't have children, you hear it from  
21 your friends. If you do have kids, you're  
22 struggling just to figure it out. And some of us  
23 in this chamber are still paying off student debt  
24 from when we were in college.

25 That's an American travesty that we

1 can do something about. We have the ability to  
2 improve conditions for all students. And it  
3 doesn't mean that we have to deprive one set of  
4 students while we give to another.

5 But I want to talk now about the  
6 person we're naming this bill after, and I'll do  
7 it briefly.

8 I met José Peralta when he was a  
9 young immigrant organizer with the New York City  
10 Central Labor Council, and he was dedicated to  
11 making a difference in the lives of immigrants  
12 because, as one, he understood how important  
13 education was. It was a game-changer for him and  
14 his family. And he wanted to make sure that once  
15 he got elected, he was going to find a way to  
16 present that same opportunity for other students,  
17 so they could see the benefit of an education,  
18 how it would change their life.

19 Students like -- we have a young man  
20 from our district on Staten Island, Cesar Vargas.  
21 He's a Dreamer. Not only did he go to college,  
22 he went to law school. And then when they told  
23 him that he couldn't practice law in New York  
24 State because of his undocumented status, he  
25 challenged that. He was admitted to the New York

1 State Bar Association.

2 That's who we're creating a program  
3 for today, people who are so dedicated to improve  
4 their life they will not take no for an answer.

5 And so yes, we have much to do to  
6 solve the problems of higher education for  
7 everybody. But we can fix it today for a small  
8 group of young people who through no fault of  
9 their own -- and remember that, through no fault  
10 of their own -- were brought here by their  
11 parents seeking a better life. We have a chance  
12 to help them achieve that goal.

13 And that is why I am proud to vote  
14 for my good friend Senator José Peralta and his  
15 dream. I vote aye, Mr. President.

16 ACTING PRESIDENT BENJAMIN: The  
17 Senator will be recorded in the affirmative.

18 I'd like to remind members to keep  
19 the explanation of their votes to two minutes.

20 Senator Jacobs to explain his vote.

21 SENATOR JACOBS: Thank you.

22 I rise to explain my vote in the  
23 negative, which is a difficult vote for me. I  
24 view myself as an education advocate. I served  
25 for seven and a half years on the Buffalo School

1 Board. A high percentage of those children are  
2 immigrants. About 25 years ago, I also helped  
3 start a scholarship fund in the City of Buffalo,  
4 which over those years has provided scholarships  
5 for low-income children in the thousands, about  
6 20,000 scholarships, many of those immigrants as  
7 well.

8           There are elements of this bill I  
9 would very much like to support if it was parsed  
10 off into multiple bills. The DREAM Commission,  
11 which is a fund to raise money for scholarships,  
12 I think is an excellent idea.

13           Also the availability of these  
14 children to participate or their families to  
15 participate in 529 plans, also an excellent idea  
16 that I very much would very much like to support.

17           But I do, as was said before,  
18 struggle very much because I am so well aware and  
19 so much have heard in my district of hundreds of  
20 middle-class families who are struggling, day in,  
21 day out, those that are legal residents, to pay  
22 for college education for their children.

23           And I know we will be here again to  
24 vote perhaps down the road on something. But to  
25 say we can do this and punt those decisions down

1 the road as far as those residents, those  
2 citizens, those individuals and families who have  
3 played by the rules, I just do not believe is  
4 right and I do not believe is fair.

5 So it is for that reason that I will  
6 be in the negative. Thank you.

7 ACTING PRESIDENT BENJAMIN: The  
8 Senator will be recorded in the negative.

9 Senator Liu to explain his vote.

10 SENATOR LIU: Thank you,  
11 Mr. President, for this opportunity to explain my  
12 vote.

13 I want to send my greetings to  
14 José's family. Thank you for being here. Thank  
15 you to Senator Sepúlveda for shepherding this  
16 legislation through. And thank you to  
17 Senator Ramos, who's been a long-time advocate on  
18 this issue, and her eloquence on this floor.

19 In this state we've long valued  
20 giving people a chance to go to college even when  
21 they can't afford it. We know that financial aid  
22 is not a handout. It's an investment. It's an  
23 investment in our collective future.

24 And so that's what this is. It's a  
25 further investment in our collective future.

1     Because we know, every time we send a kid to  
2     college, they pay us back manyfold in increased  
3     tax revenues, in the productivity that our state  
4     provides. And who's benefiting from these  
5     people? These are kids. These are kids who they  
6     don't have a piece of paper, they couldn't  
7     possibly have been responsible for securing that  
8     piece of paper. And what do they want to do?  
9     They want to go to college. But they can't,  
10    because they can't afford it.

11                 We're not giving them any special  
12    treatment, anything different than what other  
13    students who are needy already are able to  
14    secure. That's what this DREAM Act is. It's  
15    just according the same access to that financial  
16    aid so that they can go to college. It's the  
17    DREAM Act. The DREAM Act actually isn't named  
18    after Dreamers. Dreamers themselves are named  
19    after the American dream.

20                 We give these kids a chance to  
21    pursue the American dream. And if they do, they  
22    will be so much better for it, their families  
23    will be better for it. But you know what? We  
24    will all be that much better for it.

25                 I proudly vote aye. Thank you.

1                   ACTING PRESIDENT BENJAMIN:    The  
2   Senator will be recorded in the affirmative.

3                   Senator Mayer to explain her vote.

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

6                   Thank you to my colleague and friend  
7   Senator Sepúlveda for carrying the torch on this.  
8   And thank you to the Peralta family for your  
9   commitment to this issue.

10                  I want to make sure this point is  
11   made in this conversation.  This bill is  
12   essential for communities outside of New York  
13   City.  For six years I had the distinct honor of  
14   representing the City of Yonkers in the Assembly,  
15   and every year I went to the valedictorian and  
16   salutatorian breakfasts of the Yonkers public  
17   schools -- 27,000 diverse students.  And those  
18   salutatorians and valedictorians inevitably were  
19   Dreamers, the best in their class, who deserved  
20   the chance to go to SUNY or CUNY or Westchester  
21   Community College, to have that eligibility for  
22   TAP that the other students in their class had.

23                  And for years I was not afraid to  
24   say that I represent the suburban community that  
25   needed to have this DREAM Act.

1                   Now I am honored to also represent,  
2                   along with Yonkers, Port Chester, Mamaroneck,  
3                   New Rochelle, White Plains. And so many of my  
4                   Dreamers are here today.

5                   This is the future of the  
6                   communities outside of New York City. And we  
7                   ought not to have this debate as if it's New York  
8                   City versus the rest of the state. This is the  
9                   future of our state from every community: The  
10                  future of Yonkers and Port Chester and  
11                  New Rochelle. We are doing the right thing for  
12                  these communities, for the economic future of  
13                  them, for their families to thrive, for these  
14                  kids to have the opportunity to make good and do  
15                  well and participate fully in the American dream.

16                  These are children who call America  
17                  home. I am proud to cast my vote in the  
18                  affirmative.

19                  ACTING PRESIDENT BENJAMIN: The  
20                  Senator will be recorded in the affirmative.

21                  Senator Hoylman to explain his vote.

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

24                  First I rise to congratulate the  
25                  sponsor, Senator Sepúlveda, and his predecessor's

1 family, in the family of Senator Peralta.

2 I think we all remember, who were  
3 here, Senator Peralta on the floor of the Senate  
4 breaking protocol by wearing "Pass New York DREAM  
5 Act Now" on his T-shirt. A very fond memory of  
6 mine. And thank you for being here.

7 And thanks to my colleagues for this  
8 really invigorating discussion.

9 Two reasons I support the DREAM Act.  
10 One has been mentioned by several of us on this  
11 side of the aisle, which is the economic boost  
12 that it will provide our state. Given that  
13 undocumented immigrants contribute something like  
14 \$40 billion a year to the state's economy,  
15 \$1.1 billion in state and local taxes. And  
16 immigrants in totality have \$103 billion in  
17 spending power in the State of New York.

18 And then you contrast it to what  
19 this is costing us, and it turns out that that  
20 \$27 million a year is exactly .00015 of the state  
21 budget. You know, it's that Mastercard  
22 commercial where the cost is .00015 but the  
23 benefit is priceless, priceless to so many people  
24 here who Senator Ramos and our other colleagues,  
25 including Senator Bailey, invited.

1                   And in addition to that economic  
2     reason which has been mentioned, I'd also like to  
3     note what Senator Comrie said so eloquently in  
4     terms of the moral test of government. We're not  
5     here turning our backs on people, as our  
6     colleagues on the other side of the aisle would  
7     suggest. We're opening our arms to individuals,  
8     innocent children, who are here because of the  
9     efforts of their parents. You may agree or  
10    disagree with that, but they deserve not only our  
11    respect but our support.

12                  So I vote aye.

13                  ACTING PRESIDENT BENJAMIN:    The  
14    Senator will be recorded in the affirmative.

15                  Senator Thomas to explain his vote.

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

18                  I am an immigrant to this country.  
19    I came here when I was 10 years old. My parents  
20    brought me here for better opportunities,  
21    education especially.

22                  This country was formed under the  
23    motto e pluribus unum: Out of many, one.  
24    Whether you're black, white, yellow, brown, we're  
25    all one.

1           To hear my Republican colleagues  
2 repeatedly say "illegal immigrants," "illegal"  
3 this, "illegal" that, is unacceptable. These  
4 children need an education. We cannot withhold  
5 an education. When they graduate from high  
6 school and if they cannot get tuition assistance,  
7 which is what this bill is about, they become a  
8 burden to the state. What this bill does is it  
9 gives tuition assistance. This is not free  
10 handouts to children who want an education.

11           To all the Dreamers out here, we're  
12 going to pass this bill. And I want all of you  
13 to show these Republican colleagues of ours that  
14 called you "illegal" what you will be doing for  
15 the state, all the good that you will accomplish.

16           I vote yes.

17           ACTING PRESIDENT BENJAMIN: The  
18 Senator will be recorded in the affirmative.

19           Senator Sanders to explain his vote.

20           SENATOR SANDERS: Thank you,  
21 Mr. President. You look good up there, sir.

22           Mr. President, I always flinch when  
23 I hear this word "illegal alien." I flinch for  
24 many different reasons, including, you see, my  
25 family were the original illegal aliens here. We

1 did not land on Plymouth Rock, Plymouth Rock  
2 landed on us.

3 (Laughter.)

4 SENATOR SANDERS: But I do invite  
5 my colleagues, if the idea of illegality bothers  
6 them so, I have a reparations bill that I am  
7 looking for cosponsors that we can really deal  
8 with this question of illegality, which I want to  
9 get to the bottom of.

10 I served with folk in the  
11 Marine Corps who were not citizens. It was one  
12 of the paths to becoming a citizen. You could  
13 join the Marine Corps. And you know what? They  
14 were some of the finest, toughest Marines that  
15 you could get. Great people. You'd be proud to  
16 serve in any foxhole with any of them at any  
17 time.

18 So my people were also, I must  
19 admit, the original Dreamers. In spite of those  
20 things, we held true to the idea that my friends  
21 were talking about in the Statue of Liberty and  
22 other places. We held true, and we still dream.  
23 We still believe that we can make America America  
24 for all of us. Wouldn't that be something.

25 Imagine if we can have a place where

1 everybody would have a right -- if you work hard,  
2 you pay your taxes, do things right, you can get  
3 there. How you got here? Well, you know, that's  
4 between you and God. Now that you're here, what  
5 are we going to do to make this a great  
6 country -- again? Hmm. We're going to make it  
7 great.

8                   My friends, on the issue of this, I  
9 am absolutely going to vote aye. I do it to  
10 honor the issue of justice and to honor a  
11 friend's family who fought long and hard over  
12 this issue. And he kept the dream alive. When  
13 no one could even see it coming, he saw it and  
14 just never closed his eyes to it. And I know  
15 that he's happy now.

16                   I vote aye, Mr. President.

17                   You look good up there again.

18                   ACTING PRESIDENT BENJAMIN: Thank  
19 you. The Senator will be recorded in the  
20 affirmative.

21                   Senator Gounardes to explain his  
22 vote.

23                   SENATOR GOUNARDES: Mr. President,  
24 I too am the descendant of Greek immigrants. My  
25 grandfather came to this country, my

1 great-grandfather came to this country, nearly a  
2 hundred years ago.

3           We have a word in Greek that my  
4 parents raised me with: It's called philoxenia,  
5 the love of strangers. And what it means is that  
6 we have an obligation to treat every human being  
7 in our lives with fairness, with dignity, with  
8 respect, regardless of who they are, where they  
9 came from, or when they came here.

10           It also means that no human being is  
11 illegal. No human being is illegal.

12           You know, a few years ago I came  
13 across an old newspaper clipping for a project I  
14 was researching. It said "Wanted: A first-class  
15 shoemaker to do repair work. Must be steady and  
16 sober and able to operate champion stitchery.  
17 Good wages to the right man, and steady  
18 employment the year round. No Greeks need apply.  
19 No Italians need apply. No Irish need apply.

20           There was a time in this country  
21 where we had separate water fountains for people,  
22 and they weren't eligible for jobs.

23           From 1924 until 1965, this country  
24 only allowed a hundred immigrants from Greece to  
25 come in as -- to emigrate here. But I can tell

1     you tens of thousands of Greeks came here, anyone  
2     from Europe came when there were quotas placed on  
3     immigration in this country. We all have  
4     stories, we all know stories of people who jumped  
5     ship to get here.

6                     And yet brick by brick by brick,  
7     year after year after year, we have torn down the  
8     systems of discrimination that have kept too many  
9     of our fellow citizens left behind.

10                    Today we take a vote and we take  
11     down those bricks that have left our Dreamers  
12     behind. Because they too deserve the same love  
13     of strangers that my parents raised me with, that  
14     my culture imbues in me, and that every American  
15     believes in to their core. As my colleague said,  
16     you know, coming into the Statue of Liberty,  
17     seeing her in the harbor.

18                    This is an incredibly important  
19     piece of legislation. It is long past due that  
20     we finally take these steps. And I proudly,  
21     proudly, proudly cosponsor this bill and vote  
22     aye, because no human being is illegal.

23                    Thank you.

24                    ACTING PRESIDENT BENJAMIN:    The  
25     Senator will be recorded in the affirmative.

1                   Senator Gianaris to explain his  
2     vote.

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

5                   The Greeks are well-represented in  
6     this chamber today.

7                   (Laughter.)

8                   SENATOR GIANARIS:    My parents too  
9     came over from Greece as immigrants.  And they  
10    did come here legally, but I know that they --  
11    and they know that there are many people who were  
12    not so fortunate, but who love this country just  
13    as much.  And I think what we need to realize is  
14    the people we are talking about are actually  
15    coming here because they love what this country  
16    represents, not because they're trying to do it  
17    harm.  In many ways their love of this country  
18    and their appreciation of this country is greater  
19    than people who have been here for generations.

20                   And to treat them the way they've  
21    been treated, to demean them the way they've been  
22    demeaned in this public debate -- not just in  
23    this chamber today, but in the nation over the  
24    last couple of years -- is offensive to me and to  
25    many, many people.

1                   One of the great tactics of  
2 oppressors is to get the people they're  
3 oppressing to hate each other. A classic  
4 divide-and-conquer strategy.

5                   And in a situation where we're  
6 trying to tell people who are in need that they  
7 shouldn't be helped because other people in need  
8 should be helped, it is the oppressor that is  
9 winning.

10                  We live in a wealthy state in a  
11 wealthy country. There are people who have more  
12 money than they know what to do with. There are  
13 people who have more money than they know what to  
14 do with and are taking more of our money here in  
15 New York State, or at least trying to.

16                  And they're sitting there on their  
17 helipads, or wherever they are, laughing because  
18 they're getting the people to fight with each  
19 other. They're getting the working class to  
20 fight with the immigrants. They're getting the  
21 blue-collar whites to fight with the blacks.  
22 They're getting the Latinos to fight with the  
23 LGBT community. And they're laughing all the way  
24 to the bank.

25                  We shouldn't be talking about

1    whether doing something for the Dreamers is going  
2    to hurt middle-class people. We should be  
3    talking about why we're not helping the middle  
4    class and the Dreamers and getting people who are  
5    billionaires to do more for all of them. It's an  
6    easy answer. They wouldn't feel it, and the help  
7    would be tremendously impactful to the people in  
8    this state. So let's try and keep our eye on the  
9    prize, please.

10               Senator Peralta was a very close  
11    friend of mine, one of my closest friends in this  
12    chamber for many years until our political paths  
13    took different course. And it's one of my great  
14    regrets that we did not get to reconcile before  
15    he passed.

16               But I do know that this was an issue  
17    that was at the top of his agenda and one for  
18    which he cared a great deal, to the point where I  
19    think he violated the decorum in this chamber by  
20    wearing his Dreamers T-shirt a number of times  
21    during debate.

22               I know he'd be proud that we're  
23    finally getting this done today, and I think it's  
24    a great honor that we're doing it in his name.  
25    And I want to welcome his family here, who have

1 joined us as well.

2 I proudly cast my vote in the  
3 affirmative and ask all my colleagues to please  
4 realize that we're talking about people here who  
5 are doing good for this country, not harm. And  
6 people who are in need for whom we should have an  
7 open hand, not a clenched fist.

8 Thank you, Mr. President.

9 ACTING PRESIDENT BENJAMIN: The  
10 Senator will be recorded in the affirmative.

11 Senator Parker to explain his vote.

12 SENATOR PARKER: Thank you,  
13 Mr. President, to explain my vote.

14 First let me begin by giving my  
15 condolences to the Peralta family and just thank  
16 you for your steadfastness and making sure that  
17 even after the passing of José that this work  
18 continued to go forward.

19 Like, you know, Senator Gianaris and  
20 others, and Senator Savino, I was a friend of  
21 José's before either one of us got elected. I  
22 knew him since he was at New York City CLC. We  
23 got elected at the same time, me to the Senate,  
24 him to the Assembly. We actually passed our  
25 first bill together and chaptered our first law

1 together. And I will always be thankful to him  
2 for that, and that work.

3 Let me also thank Senator Andrea  
4 Stewart-Cousins for bringing this bill to the  
5 floor so quickly, and Senator Luis Sepúlveda for  
6 his intrepid leadership in taking this bill up,  
7 and also Senator Ramos for her advocacy and work  
8 on this issue.

9 I represent a district of Flatbush  
10 and East Flatbush, Midwood, Ditmas Park, Windsor  
11 Terrace and Park Slope, which is the center of  
12 the Caribbean community in New York, but really  
13 in the United States. A place where people who  
14 are Jamaican and Haitian and Guyanese and  
15 Trinidadian and from Barbados all live. And  
16 they're Dreamers as well. And I stand and I vote  
17 aye on their behalf, because they want the same  
18 opportunity that others have.

19 As you heard Senator Hoylman talk  
20 about, this is a country of immigrants. And  
21 people have talked about the Statue of Liberty.  
22 Senator Hoylman had done a fantastic job of  
23 talking about the numbers and the billions of  
24 dollars that is contributed to the economy of the  
25 State of New York because of immigrants.

1                   We could not do much of what we do,  
2     even the folks upstate -- you know, when anybody  
3     thinks about immigrants, they think, oh, they all  
4     live in New York City. But let's be very clear.  
5     The number-one gross receipt for the State of  
6     New York is agriculture.

7                   And let me be very clear, all of my  
8     colleagues. It is not New York State residents  
9     who are picking the agriculture in the State of  
10    New York. We're the second-largest producer of  
11    apples in the entire country, and I can tell you  
12    now, almost none of our constituents have picked  
13    an apple. I don't care where you are. Right?  
14    Those apples are being picked primarily by  
15    Jamaican immigrants. Right?

16                  And so we should not, you know, look  
17    down on immigrants, especially in the face of the  
18    fact that we have not provided a fair, a clear  
19    pathway. And I certainly have not seen my  
20    colleagues on the other side of the aisle  
21    advocating for no clear pathway for immigration.  
22    Right? Being that they're so concerned about,  
23    you know, legality and who came here the right  
24    way and did things the right way -- you know,  
25    where's the advocacy to make sure that there is a

1 clear right way?

2 This is the right way, to do what we  
3 can do as state legislators to make sure that  
4 every single person in this state has the ability  
5 to live the American dream. And I'm proud to  
6 stand here and advocate for them.

7 As we talk about higher education  
8 finance, I would love, as we go forward into this  
9 budget season, to work with my colleagues on the  
10 other side of the aisle to make things right for  
11 college students. But the reality of this is  
12 that this bill has no impact on CUNY or SUNY  
13 tuition. Right? We're actually putting money  
14 into the bill to in fact pay for the program.  
15 Right? And so -- and there's never been involved  
16 in that.

17 And let's be clear. We've been in  
18 the majority two weeks. Right? And in the  
19 70 years that the other side of the aisle was in  
20 the majority, not one time did they bring forward  
21 a package of free college, or to improve TAP,  
22 right, or to get graduate TAP, or to make  
23 part-time TAP more eligible. Or to make sure  
24 that community college, you know, has more access  
25 for transportation dollars or housing dollars or

1 all of the ancillary things that we're finding  
2 that college students need.

3 And so I find it quite hypocritical  
4 to have folks come up and talk about how it's not  
5 fair. You know, the Excelsior program, you know,  
6 I guess was a humble attempt to make college  
7 free; I certainly didn't see any resistance in  
8 any way to in fact do the things.

9 I remember this conference, however,  
10 under the leadership of Andrea Stewart-Cousins,  
11 standing up with a free college program and  
12 presenting it more than once even in the last  
13 session.

14 And so I continue to stand with my  
15 leader, I continue to stand with the members of  
16 this conference who decided that being an  
17 immigrant should not be illegal, that being an  
18 immigrant is really the way that all of us have  
19 come here. And we stand with those immigrants,  
20 and we stand with the people of the State of  
21 New York to say that everybody's dreams should  
22 have an opportunity to come true.

23 Thank you.

24 ACTING PRESIDENT BENJAMIN: The  
25 Senator will be recorded in the affirmative.

1                   Senator Sepúlveda to explain his  
2     vote.

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

5                   I'm going to take a point of  
6     privilege and ask the Peralta family to please  
7     stand while I deliver my closing remarks.

8                   It is my privilege and honor today  
9     to be the prime sponsor of the DREAM Act, named  
10    after my good friend José Peralta. The late  
11    Senator José Peralta was a lifelong advocate for  
12    immigrants, for immigrant families and their  
13    children. And we all grateful to José for the  
14    work that he did and for the devotion and the  
15    service for the people of the State of New York.

16                  I stand here alongside his wife,  
17    Evelyn, his son Miles, his family, his mother,  
18    Rosa Hernandez, and as I did previously today, I  
19    want to thank all of you for sharing José with  
20    us. He was a great man, a great leader. And  
21    Miles, remember this day -- sorry, both your  
22    sons, remember this day, because today is about  
23    the Dreamers but also about the legacy of your  
24    father. And I hope one day one of you runs for  
25    office and replaces us here in the Senate. Just

1 don't run in the 32nd District in the Bronx.

2 (Laughter; applause.)

3 SENATOR SEPÚLVEDA: I also stand,  
4 as two of my colleagues have mentioned  
5 previously, with Cesar Vargas, a young man who  
6 went to law school, went as far as the Supreme  
7 Court to exercise his right, he was an  
8 undocumented immigrant -- who, by the way, is a  
9 constituent of Senator Lanza's district. He  
10 fought for the right to practice law, and as an  
11 attorney he was the first undocumented immigrant  
12 to practice law in the State of New York. And  
13 he's been a strong advocate for the Dreamers and  
14 immigrant issues throughout. Thank you.

15 Today I am proud to be an American.  
16 This country, despite periods of ugly xenophobia  
17 and irrational anti-immigrant fervor, has  
18 ultimately upheld the notion that we stand for  
19 opportunity, we stand to help those most in need,  
20 especially children, who came into this country  
21 through no fault of their own, and who we have  
22 educated from kindergarten to 12th grade.

23 The passage of the José Peralta  
24 New York State DREAM Act is essential, it is  
25 just, and inclusive of a society where every

1 student should have a chance to succeed. Because  
2 of financial hurdles that other students in the  
3 state do not face, for too long bright young  
4 immigrants have been locked out of educational  
5 opportunities. This hardship is due to an  
6 immigration status assigned to students as minors  
7 by a broken system.

8           Calling them illegals is inherently  
9 unfair, inherently inhumane, and inherently  
10 un-American. These young people are part of the  
11 American family. Lifting them up to their full  
12 potential is not only a moral responsibility, it  
13 is essential to the health of our state. The  
14 forces of exclusion try to downplay the value  
15 that immigrants bring to our American family.

16           Those forces ignore the facts. We  
17 don't have too many immigrants, we actually need  
18 more immigrants to meet the needs of our economy.  
19 Current data indicates that we should be  
20 admitting at least a million more immigrants a  
21 year than we currently do in the United States.

22           The notion that undocumented  
23 immigrants do not pay their fair share in taxes  
24 is a myth. In fact, this community, the  
25 Dreamers, contribute over \$115 million to state

1 and local governments. They contribute over  
2 \$40 billion to the state GDP. And what do they  
3 get in return? Very little.

4           Immigrants are especially vital to  
5 the economic health of New York. A 2018 study  
6 shows that New York State gets a bigger lift from  
7 hardworking immigrants than any other state in  
8 this nation. Immigrants make up more than  
9 25 percent of the New York labor force and  
10 roughly \$100 billion in consumer power to the  
11 state's economy.

12           The DREAM Act will help decrease  
13 high school dropout rates and increase the number  
14 of students who enroll in college. These  
15 graduates will have the opportunity to become  
16 full participants in New York's economy and  
17 New York's future.

18           The José Peralta DREAM Act is a leap  
19 in progress on every one of these issues for the  
20 students both today and tomorrow. No longer will  
21 we close the financial doors on students who work  
22 to pursue the American dream for themselves, work  
23 towards a higher education, and build their own  
24 American families. In the words of President  
25 Barack Obama, what makes us American is our

1 shared commitment to the ideal that all of us,  
2 all of us are created equal, and all of us have a  
3 chance to make our lives what we will. Our  
4 parents, our grandparents, and generations before  
5 them built that country for us. That is the  
6 tradition we must uphold. We must leave the  
7 legacy for those in the future to come.

8 I'm truly grateful to our Leader,  
9 Senator Stewart-Cousins, for bringing this vote  
10 to the floor so rapidly, and who has demonstrated  
11 in a very short period -- two weeks -- that you  
12 govern for the entire State of New York and not a  
13 select group of people. Thank you, Madam Leader.

14 I'm also grateful to the members of  
15 my conference. Some, who despite having voters  
16 who oppose the DREAM Act, demonstrated the  
17 courage to do what is right. I also want to  
18 thank the Assembly sponsor, Carmen De La Rosa,  
19 Speaker Heastie, Councilman Moya, who for many  
20 years carried the bill in the Assembly before he  
21 made the mistake of going to the City Council.

22 (Laughter.)

23 SENATOR SEPÚLVEDA: And of course I  
24 want to thank the advocates: Make the Road,  
25 New York Immigration Coalition, and all the

1 student advocates for their ferocious advocacy to  
2 make sure that this becomes a reality. Your  
3 advocacy will be forever remembered and sets an  
4 example for future generations.

5 Make Providence shine upon us as we  
6 today in this chamber write a proud chapter in  
7 the history of our future. Thank you {in  
8 Spanish}. Gracias, José.

9 Thank you. I vote in the  
10 affirmative.

11 ACTING PRESIDENT BENJAMIN: The  
12 Senator will be recorded in the affirmative.

13 Majority Leader Andrea  
14 Stewart-Cousins to close.

15 SENATOR STEWART-COUSINS: Thank  
16 you, Mr. President.

17 It is a dream for us to be able to  
18 crown the legacy of Senator Peralta in the  
19 presence of his wife and his family, and to thank  
20 you for sharing this great public servant with  
21 us.

22 We would not have wanted to go  
23 further into our session knowing how desperate we  
24 all were to acknowledge him, and knowing that  
25 this was the best way, since his service here was

1 so critical, and his advocacy so important to so  
2 many New York students who were waiting for the  
3 day that we would allow them an avenue to afford  
4 something better.

5 That's what this is about. This is  
6 a week of dreams. It's a week where we are  
7 celebrating Dr. King's legacy. This is a man who  
8 fought for the Dream, and people like me and my  
9 parents were the Dreamers.

10 We talk about people who had served  
11 in the military. I've always spoken to this body  
12 and talked about my dad, a decorated World War II  
13 veteran, a citizen of this nation, who after his  
14 service, because he didn't fit what America was  
15 then, didn't have the privileges of the GI Bill,  
16 didn't have the privileges of the employment.  
17 While people received loans to buy homes and were  
18 able to get their families started, my family  
19 couldn't. We were Dreamers, and he spoke to the  
20 Dream.

21 And here we are this week, talking  
22 about something that's so important not only to  
23 your family and to the Dreamers, but my  
24 conference. Look at these people. I talked  
25 about the immigrants, how proud I was to have

1 this diverse conference of people. And obviously  
2 there are so many of Italian descent, and now we  
3 have a big Greek caucus too.

4 (Laughter.)

5 SENATOR STEWART-COUSINS: I mean,  
6 it's almost -- you know, Irish, I mean we've got  
7 so many. But I mean I'm talking about immigrants  
8 from Salvador and Colombia and Iran and  
9 Costa Rica. I mean, look at us. Some of us are  
10 refugees, or were. And they're sitting in this  
11 room, making statements and creating policy for  
12 New York.

13 Why? Because they got an education.  
14 Why? Because people struggled and scrimped and,  
15 despite the odds and despite the obstacles, knew  
16 that the education would be the great equalizer.  
17 And that in sitting in seats like this, like the  
18 one that Senator Peralta was able to sit in, they  
19 could contribute, they could give back. They  
20 could double, triple, a thousandfold any  
21 investment that we made in them.

22 And here we are celebrating  
23 Dr. King's Dream, celebrating the fact that this  
24 conference has looked at voting and we've looked  
25 at anti-discrimination and we're looking at

1 education -- we're looking at education for  
2 everybody. Just a few minutes ago we expanded  
3 TAP. We understand that education is imperative  
4 for us to get ahead. And we understand we have  
5 to make it affordable, we have to find ways to  
6 forgive loans. We don't want to leave anyone  
7 behind.

8               But we're not going to be a  
9 conference that pits one against the other, when  
10 we all benefit when we all do well. What's  
11 happening today is a good thing.

12               I want to thank Senator Sepúlveda  
13 for carrying this bill. I want to thank every  
14 single one -- I mean, people were fighting to  
15 carry this bill because it was so important. And  
16 at the end of the day, there were people trying  
17 to stop people, because it's easy to divide.

18               But you know what? Not now. This  
19 is another week, another day, another barrier  
20 that's coming down, because we know what's  
21 important. We pay tribute to José Peralta, we  
22 thank the Dreamers for dreaming. Every  
23 generation has new dreams. What you have to do  
24 is keep dreaming and keep making sure that even  
25 as they build those walls, we find ways to take

1     them down. Because Dr. King understood that on  
2     either side of the wall, we're all God's  
3     children.

4                     I vote aye.

5                     ACTING PRESIDENT BENJAMIN:

6     Announce the results.

7                     THE SECRETARY: Those recorded in  
8     the negative on Calendar Number 36 are  
9     Senators Akshar, Amedore, Antonacci, Funke,  
10    Gallivan, Griffio, Helming, Jacobs, Jordan, Lanza,  
11    LaValle, Little, O'Mara, Ortt, Ritchie, Robach,  
12    Serino, Seward, Tedisco and Young.

13                    Ayes, 40. Nays, 20.

14                    (Cheers; applause.)

15                    ACTING PRESIDENT BENJAMIN: The  
16    bill is passed.

17                    (Longthy standing ovation.)

18                    ACTING PRESIDENT BENJAMIN: Senator  
19    Gianaris.

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

22                    Without objection, can we please  
23    restore Calendar Number 40 to the  
24    noncontroversial calendar and take that up.

25                    ACTING PRESIDENT BENJAMIN: The

1 Secretary will read.

2 THE SECRETARY: Calendar Number 40,  
3 by Senator Gaughran, Senate Print 1904, an act to  
4 amend Chapter 97 of the Laws of 2011.

5 ACTING PRESIDENT BENJAMIN: Read  
6 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call  
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN: Senator  
13 Lanza to explain your vote.

14 SENATOR LANZA: Thank you,  
15 Mr. President, to explain my vote.

16 I support this legislation. I thank  
17 the sponsor for bringing it to the floor.

18 The property tax, together with the  
19 tax burden that New Yorkers face every day, is  
20 burdensome, punitive. We're driving businesses  
21 and families from our state.

22 I think it's important that  
23 taxpayers know that there's a cap in sight. I  
24 lament, however, the fact that 8.6 million  
25 residents of this state are being left behind.

1 The people of the City of New York are not  
2 included in this legislation. They deserve  
3 property tax relief just as much as the people in  
4 the rest of the state.

5 ACTING PRESIDENT BENJAMIN: Excuse  
6 me, Senator Lanza.

7 Can we have order in the chamber,  
8 please.

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

11 The people of New York City deserve  
12 property tax relief just the same way that the  
13 people across the state do. In fact, they may  
14 need it even more, because unlike the rest of the  
15 state, with the exception of Yonkers, in New York  
16 City we not only pay property taxes but there's a  
17 special income tax for us, the New York City  
18 income tax. You put those burdens together, and  
19 we're the most taxed people in the country.

20 So I support this legislation. I  
21 vote in the affirmative. A property tax cap is a  
22 good idea for the State of New York, but it's an  
23 even better idea for the people of New York City,  
24 and I can't understand why we leave them behind  
25 with this legislation.

1 Thank you, Mr. President.

2 ACTING PRESIDENT BENJAMIN: The  
3 Senator will be recorded in the affirmative.

4 Senator Kaplan, to explain her vote.

5 SENATOR KAPLAN: With the federal  
6 administration declaring war on New York  
7 taxpayers by reducing the SALT deduction, it's  
8 becoming harder and harder for families in my  
9 district and across Long Island to make ends  
10 meet.

11 We need to use all the tools at our  
12 disposal to help government to live within its  
13 means and to bring relief to struggling  
14 taxpayers. New York's 2 percent tax cap has been  
15 an incredibly effective tool to slow the growth  
16 of property taxes. And since its implementation  
17 in 2011, we've seen real reduction in the growth  
18 rate of property taxes across the state.

19 We simply can't afford to let the  
20 tax cap expire, and that's why I'm a proud  
21 cosponsor of this legislation to make the cap  
22 permanent and why I cast my vote in the  
23 affirmative for its passage.

24 Thank you.

25 ACTING PRESIDENT BENJAMIN: The

1 Senator will be recorded in the affirmative.

2 Senator Helming to explain her vote.

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

5 I'm not sharing anything that's new  
6 to anyone by stating that New York State has some  
7 of the highest property taxes in the nation.  
8 It's the primary reason why people are packing up  
9 and leaving the state in record numbers. We all  
10 know this. In fact, resolving this issue is why  
11 many of our constituents sent us here.

12 Similar to what some of you probably  
13 experience, when I attend events out in my  
14 community, I frequently hear about runaway  
15 spending and what am I going to do to control it,  
16 about the toll the unfunded mandates are having  
17 and the frustration of local taxpayers with their  
18 property tax bills.

19 This legislation is important, and I  
20 fully support the cap. However, I believe it is  
21 fundamentally flawed because, yet again, New York  
22 State is holding local governments to a standard  
23 that we're not adhering to ourselves. If we're  
24 serious about stopping skyrocketing taxes, then  
25 New York State should hold itself to the same

1 standard that we are demanding of our schools and  
2 our local governments: 2 percent or the rate of  
3 inflation, whichever is less.

4 We can't keep kicking this can down  
5 the road. We have to stop using tax-and-fee  
6 hikes and other gimmicks to fill holes in the  
7 state budget.

8 As someone who came from local  
9 government, I understand the very real impacts  
10 unfunded mandates have. They drive up costs and  
11 they increase taxes. They are the reason why  
12 many communities cannot stay under the tax cap.

13 I read a report recently that was  
14 put out by the New York State Association of  
15 Counties that shows, on nine primary mandates,  
16 the counties collect about than \$5 billion  
17 annually -- but they pay out more than  
18 \$4.9 billion of that on unfunded state mandates.

19 Somebody mentioned that the tax cap  
20 has helped slow down taxes. It has done just  
21 that, slowed it down. We still continue to see  
22 property taxes increasing. And until we stop  
23 that, we're going to see people leaving the  
24 state.

25 I'm voting aye today because I

1 believe we need to take whatever steps we can,  
2 even if they are too small to reduce the taxes  
3 that local homeowners face. However, we must do  
4 better and we can do better.

5           New York State will never achieve  
6 its full potential if we continue to spend too  
7 much, tax too much, and regulate too much. But  
8 by working together, we can get state spending  
9 under control, put an end to the unfunded  
10 mandates, and make New York State, particularly  
11 upstate New York, a place where working- and  
12 middle-class families can find opportunity and  
13 afford to live.

14           Just real quickly, going back to  
15 unfunded mandates, with the voting reform we saw  
16 again, in my opinion, another unfunded mandate  
17 that is being pushed down to the counties. The  
18 counties estimate a cost of \$1 million, or  
19 \$62 million across the state, to implement those  
20 reforms. When asked about how that's going to be  
21 funded, we were told it was going to be through  
22 the savings incurred from combining the federal  
23 and the state primaries. That estimate came in  
24 at around \$20 million, \$25 million. So a big  
25 shortfall there.

1                   Also, the Governor taking away the  
2                   revenue that our local governments count on, the  
3                   AIM funding, is a real hurt.

4                   So again, I'm voting in the  
5                   affirmative, but I think there's a lot more that  
6                   we need to do and should do.

7                   Thank you.

8                   ACTING PRESIDENT BENJAMIN:    The  
9                   Senator will be recorded in the affirmative.  
10                  Senator Gounardes to explain his  
11                  vote.

12                 SENATOR GOUNARDES:    Thank you,  
13                 Mr. President.  I'll be very brief.

14                 I just want to -- I appreciate my  
15                 colleague Senator Lanza's comments about the fact  
16                 that this bill does not affect or does not impact  
17                 the residents of New York City.  I come from a  
18                 very, very highly property-taxed district in  
19                 southern Brooklyn.  Just yesterday constituents  
20                 in my district received their property value  
21                 notices from the Department of Finance, and I can  
22                 tell you they were up in arms because they saw a  
23                 document saying that the value of their home had  
24                 decreased, their assessment value had increased,  
25                 and their projected tax burden had now increased

1 as well. And they're wondering why, year after  
2 year after year, this can't get done.

3 So I'm supporting this measure. I  
4 think it's an important step to take, because I  
5 understand that there are many residents across  
6 the state who are facing a similarly high tax  
7 burden. But I did promise my constituents that I  
8 would stand on this floor and share their stories  
9 about also having to pay five figures of property  
10 tax burden on top of an income tax surcharge in  
11 the City of New York. And that's what I'm doing  
12 here today.

13 And I hope that this chamber can  
14 soon look to address the issues that are facing  
15 the property tax system in New York City, a  
16 system that is rife with inequities, structural  
17 deficiencies and historical anomalies that have  
18 resulted in neighborhoods like mine, like my  
19 constituents, like in my district and other parts  
20 of the city, from paying a lot more in property  
21 taxes than significantly wealthier communities in  
22 other parts of the city.

23 We need to look at that, we need to  
24 address that, and that is what I committed to my  
25 constituents and that is the work that I hope we

1 can do in this chamber at a future date.

2 But I will be voting aye. Thank  
3 you.

4 ACTING PRESIDENT BENJAMIN: The  
5 Senator will be recorded in the affirmative.

6 Senator Jacobs to explain his vote.

7 SENATOR JACOBS: Thank you,  
8 Mr. President.

9 I rise to vote in the affirmative  
10 for this piece of legislation. I want to thank  
11 the sponsor. I think the property tax cap has  
12 been a very effective method of decreasing the  
13 rate of growth of our oppressive property taxes  
14 in New York State.

15 I do want to say, as was mentioned  
16 by others, when this property tax was first  
17 passed, it was a two-part promise, that the  
18 property tax cap would be put on, but that also  
19 aggressive mandate relief, reform, would be  
20 implemented to alleviate the significant unfunded  
21 mandates that are put upon local governments.  
22 That has not been done.

23 So that is a task at hand that we  
24 need to do, and we need to do in earnest this  
25 session. And I certainly commit myself to

1 working at that.

2 I also wanted to mention how  
3 concerned I am in terms of the Governor's budget  
4 proposal dramatically cutting the AIM program,  
5 which is critical assistance, funding assistance  
6 to local governments, towns and villages. The  
7 majority of the towns and villages in my district  
8 have been zeroed out in terms of their AIM  
9 funding if the Governor's budget is passed as  
10 presented. That has a significantly damaging  
11 impact on governments, many of whom have already  
12 passed their budget -- something I will certainly  
13 fight against.

14 But again I want to congratulate the  
15 sponsor for this, and I vote aye.

16 ACTING PRESIDENT BENJAMIN: The  
17 Senator will be recorded in the affirmative.

18 Senator Robach to explain his vote.

19 SENATOR ROBACH: Thank you so much,  
20 Mr. President.

21 I rise to explain my vote and  
22 support this. We've passed this bill -- I want  
23 to applaud the sponsor -- for over a decade now  
24 in this house, and for very good reason. While  
25 many people in our conversations talk about this

1 as only for upstate, I can tell you it impacts  
2 everyone.

3 And my colleague Senator Helming's  
4 comments couldn't be more on target. So if you  
5 look at certain places in upstate New York in the  
6 last census, Utica, Binghamton lost huge amounts  
7 of their population, a third. That makes it very  
8 hard to have any economy of scale or things  
9 improve if you lose even a third of the base  
10 that you serve.

11 So this is a very, very important  
12 bill. And for many of us, everywhere we go,  
13 that's what people talk about the most.

14 And I'll point out we've done some  
15 new things here in this chamber that people have  
16 taken credit for. Whatever your demographic is,  
17 you are paying this tax. You are trying to have  
18 money left over to raise your family, have your  
19 house, feed and, for most of us, save money for  
20 college.

21 But this is important. And I say  
22 that because I'm really happy that we're doing  
23 this bill. But Senator Gianaris had said how  
24 aggressively we've worked. I want you to know I  
25 appreciate you doing this bill, and I'll be the

1 first one to applaud you, because you now are,  
2 your party, in control of everything. But I also  
3 know from talking to my colleagues in the  
4 Assembly that many people from New York City feel  
5 this is not a necessary bill and not one that  
6 isn't good.

7 Upstate needs it. But I will make  
8 the argument to you, and hopefully you can use  
9 that as a selling tool to get this passed in both  
10 houses, as you have done other things. When the  
11 economy is good across the state, it lifts all  
12 boats. When it's bad, however you want to slice  
13 it, it's bad for everyone.

14 And I'm old enough I remember in the  
15 '70s, albeit a much younger man, we had to help  
16 New York City out of their jam. And we did. We  
17 need the help now, but it will help everybody.

18 So I'm asking you, as I explain my  
19 vote, for us to go out and posture or for me to  
20 go home and say we've passed it in this house is  
21 meaningless unless we can make it law. And  
22 certainly the Governor has said he will sign it.

23 So I ask -- I beseech you to  
24 hopefully help us get this one across the finish  
25 line with the same enthusiasm that you've looked

1 at some other bills.

2 Thank you. I vote in the  
3 affirmative.

4 ACTING PRESIDENT BENJAMIN: The  
5 Senator to be recorded in the affirmative.

6 Seeing and hearing no others,  
7 Senator Gaughran to close.

8 SENATOR GAUGHRAN: Thank you,  
9 Mr. President.

10 I just want to make it clear what  
11 this bill is. This is an existing process,  
12 existing legislation that is temporary, that  
13 expires. So my intent was simply to file that  
14 bill and to make it permanent.

15 And the reason I'm doing so is the  
16 residents of my district in Nassau County and  
17 Suffolk County, starting this month and up until  
18 April 15th, are starting for real to see the pain  
19 and the problems because of our federal  
20 government taking away our real ability to deduct  
21 our state and local taxes. Families in my  
22 district and across this state, many of whom will  
23 probably wait until the deadline, will have to  
24 make decisions as to what they're not going to  
25 pay, what are they going to delay. Maybe it is

1 their tuition for their kids. Maybe it's their  
2 property taxes. Maybe it's their mortgage.

3 So the purpose of this bill is to  
4 give the taxpayers of this state certainty, make  
5 this a permanent bill. It's not a perfect law, I  
6 recognize it. There's some issues for school  
7 districts and for local governments in  
8 implementing it. And there's some solutions to  
9 that as we move forward.

10 Speaking as one Senator, I would  
11 like to see this state increase the amount of  
12 funding that it provides for public education  
13 across the board, so that we can continue to  
14 reduce the impact on property taxes, which is a  
15 regressive tax.

16 And yes, AIM, we do need to work to  
17 restore that funding. We do need to work to lift  
18 some of these unfunded mandates. There's a lot  
19 that we can do in the future. But I believe that  
20 this is a very important first step to protect  
21 our taxpayers, and I thank my colleagues on both  
22 sides of the aisle for supporting this. And I  
23 thank my leader, Andrea Stewart-Cousins, for  
24 moving this forward so soon in this session.

25 Mr. President, I vote aye.

1                   ACTING PRESIDENT BENJAMIN:    The  
2   Senator will be recorded in the affirmative.  
3                   Announce the results.

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

7                   ACTING PRESIDENT BENJAMIN:    The  
8   bill is passed.

9                   Senator Gianaris.

10                  SENATOR GIANARIS:    Mr. President,  
11   that was Senator Gaughran's first bill.

12                  Congratulations.  
13                  (Standing ovation.)

14                  SENATOR GIANARIS:    Mr. President,  
15   can we return to motions and resolutions, and can  
16   you please call on me for a motion.

17                  ACTING PRESIDENT BENJAMIN:  
18   Returning to motions and resolutions.

19                  Senator Gianaris.

20                  SENATOR GIANARIS:    Mr. President, I  
21   move that the following bill be discharged from  
22   its respective committees and be recommitted with  
23   instructions to strike the enacting clause:  
24   Senate Bill Number 255, by Senator Kennedy.

25                  ACTING PRESIDENT BENJAMIN:    So

1 ordered.

2 SENATOR GIANARIS: And now can you  
3 please call on Senator Little.

4 ACTING PRESIDENT BENJAMIN: Senator  
5 Little.

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

8 I move that the following bill be  
9 discharged from its respective committee and be  
10 recommitted with instructions to strike the  
11 enacting clause: Senate Bill 1596, by  
12 Senator O'Mara.

13 ACTING PRESIDENT BENJAMIN: So  
14 ordered.

15 SENATOR LITTLE: Thank you.

16 ACTING PRESIDENT BENJAMIN: Senator  
17 Gianaris.

18 SENATOR GIANARIS: Mr. President,  
19 can you now please call up Resolution 292, by  
20 Senator Little.

21 ACTING PRESIDENT BENJAMIN: The  
22 Secretary will read.

23 SENATOR LITTLE: Just the title.

24 THE SECRETARY: Resolution 292, by  
25 Senator Little, mourning the death of former

1 New York State Assemblywoman Chloe Ann O'Neil,  
2 dedicated educator, political leader and strong  
3 advocate for the people of this great  
4 Empire State.

5 ACTING PRESIDENT BENJAMIN: Senator  
6 Little.

7 SENATOR LITTLE: Thank you,  
8 Mr. President. And thank you. I ask all members  
9 to join me as we recognize the life of former  
10 Assemblywoman Chloe Ann O'Neil.

11 Chloe Ann O'Neil was a resident of  
12 Parishville, New York, in St. Lawrence County in  
13 my district, and attended SUNY Potsdam for all of  
14 her degrees. Was a teacher in her own home  
15 school district, the Parishville-Hopkinton  
16 Central School, where her reputation as a teacher  
17 was legendary.

18 In 1966 Chloe Ann married John G.A.  
19 O'Neil, who later went on to become an  
20 Assemblyman. He was an Assemblyman for 12 years  
21 in the New York State Assembly, died tragically  
22 in a car accident on his return from Albany to  
23 his home in Parishville.

24 Following his accident, which was in  
25 December of 1992, Chloe Ann, as the mother of two

1 kids, young -- a little bit older, almost in  
2 their twenties -- decided that she would run for  
3 his seat. It was a very interesting election,  
4 because you had Chloe Ann O'Neil running for  
5 John O'Neil's seat. And her opponent's last name  
6 was also O'Neil. So there were two women by the  
7 name of O'Neil running to replace John O'Neil.

8               Chloe Ann was elected in 1993 and  
9 served five years in the New York State Assembly,  
10 representing the 112th Assembly District. She  
11 was a renowned politician as well as a teacher, a  
12 supporter of the North Country artists and  
13 tourism, a quilt-making talent beyond belief, and  
14 actually a very big volunteer in her area,  
15 serving on the Canton-Potsdam Hospital Board,  
16 also on the SUNY Canton College Council and the  
17 College Foundation Board, a civic leader and  
18 community member in St. Lawrence County.

19               Tragedy struck again. On  
20 November 15th of 2018, in a four-way  
21 intersection, Chloe Ann's car was struck by  
22 another car, who avoided a stop sign, and she was  
23 killed instantly, exactly like her husband was  
24 killed.

25               So this family has endured two real

1 tragedies, sudden tragedies, and the loss of life  
2 of a woman who was really and truly dedicated to  
3 helping other people. Always known for doing for  
4 others, for volunteering, for being there, being  
5 part of the community, helping her family,  
6 helping her friends, volunteering to serve even  
7 people that she did not know.

8               She leaves behind two children,  
9 Beth Ann and John, and seven grandchildren, who  
10 along with this community of Parishville, will  
11 miss her tremendously. She was a life to be  
12 reckoned with and one that we mourn the loss of.  
13 The community is already working on a park which  
14 will be dedicated to two former Assemblymembers,  
15 John and Chloe Ann O'Neil.

16               Thank you for joining me.

17               ACTING PRESIDENT BENJAMIN:    The  
18 question is on the resolution. All in favor  
19 signify by saying aye.

20               (Response of "Aye.")

21               ACTING PRESIDENT BENJAMIN:  
22 Opposed?

23               (No response.)

24               ACTING PRESIDENT BENJAMIN:    The  
25 resolution is adopted.

1 Senator Gianaris.

2 SENATOR GIANARIS: At the request  
3 of Senator Little, this resolution is open for  
4 cosponsorship.

5 ACTING PRESIDENT BENJAMIN: The  
6 resolution is open for cosponsorship. Should you  
7 choose not to be a cosponsor of the resolution,  
8 please notify the desk.

9 Senator Gianaris.

10 SENATOR GIANARIS: Now,  
11 Mr. President, can you call up Resolution 279, by  
12 Senator Stewart-Cousins, have it read in its  
13 entirety, and call on Senator Parker to speak.

14 ACTING PRESIDENT BENJAMIN: The  
15 Secretary will read.

16 THE SECRETARY: Legislative  
17 Resolution 279, by Senator Stewart-Cousins,  
18 commemorating the observance of the 34th Annual  
19 Martin Luther King, Jr. Day in the State of  
20 New York, on January 21, 2019.

21 "WHEREAS, From time to time we take  
22 note of certain individuals whom we wish to  
23 recognize for their valued contributions and to  
24 publicly acknowledge their endeavors which have  
25 enhanced the basic humanity among us all; and

1                   "WHEREAS, Attendant to such concern,  
2     and in full accord with its long-standing  
3     traditions, it is the custom of this Legislative  
4     Body to join the people of this great  
5     Empire State in proudly observing the 34th Annual  
6     Martin Luther King, Jr. Day in the State of  
7     New York, on January 21, 2019, taking note of his  
8     many accomplishments and contributions to  
9     humankind; and

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

17                  "WHEREAS, In February of 1968, Dr.  
18     Martin Luther King, Jr. spoke about the  
19     inevitability of his death and hoped that when we  
20     spoke of his life, we would not concentrate on  
21     his academic achievements: that he graduated  
22     from Morehouse College, that he attended the  
23     Crozer Theological Seminary and Boston  
24     University, where he earned a doctorate in  
25     Systematic Theology; and

1                   "WHEREAS, Furthermore, Dr. Martin  
2     Luther King, Jr. did not find it important that  
3     we mention that he won the Nobel Peace Prize and  
4     over 300 other awards; and

5                   "WHEREAS, Dr. Martin Luther King,  
6     Jr.'s finest legacy of greater social justice for  
7     all Americans was truly reflected in his devotion  
8     to serve and respect others, and in his steadfast  
9     love for all humanity; and

10                  "WHEREAS, Standing in a long line of  
11     great American black leaders, Dr. Martin Luther  
12     King, Jr. represents the historical culmination  
13     and the living embodiment of a spirit of united  
14     purpose rooted in black African culture and the  
15     American dream; and

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

22                  "WHEREAS, Dr. Martin Luther King,  
23     Jr. manifestly contributed to the cause of  
24     America's freedom, and his commitment to human  
25     dignity is visibly mirrored in the spiritual,

1 economic and political dimensions of the civil  
2 rights movement; and

3 "WHEREAS, In addition, Dr. Martin  
4 Luther King, Jr.'s life was devoted to the  
5 liberation of his people, and his courage  
6 transcended the advocates of mindless  
7 retrenchment; and

8 "WHEREAS, It is the sense of this  
9 Legislative Body that the common and shared  
10 responsibility of governance demands an  
11 irrevocable commitment to the preservation and  
12 enhancement of human dignity as exemplified by  
13 Dr. Martin Luther King, Jr.; and

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

21 "WHEREAS, The 2019 Dr. Martin Luther  
22 King, Jr. holiday observance marks the  
23 90th anniversary of his birth, and the  
24 34th annual holiday celebrated in the State of  
25 New York in his honor; now, therefore, be it

1                   "RESOLVED, That this Legislative  
2     Body pause in its deliberations to memorialize  
3     and pay tribute to the legendary life and  
4     achievements of Dr. Martin Luther King, Jr., upon  
5     the occasion of the anniversary of his birth and  
6     the celebration of Martin Luther King, Jr. Day in  
7     the State of New York and throughout the Nation;  
8     and be it further

9                   "RESOLVED, That a copy of this  
10    resolution, suitably engrossed, be transmitted to  
11    the Black, Puerto Rican, Hispanic and Asian  
12    Legislative Caucus."

13                  ACTING PRESIDENT BENJAMIN:    Senator  
14    Parker on the resolution.

15                  SENATOR PARKER:    Thank you,  
16    Mr. President.   On the resolution.

17                  Let me begin by thanking this body  
18    for accepting this very important resolution on  
19    the celebration of the holiday for the Reverend  
20    Dr. Martin Luther King, Jr.

21                  Dr. King, as you heard from the  
22    reading of the resolution, was a  
23    multidisciplinary genius.   He was a preacher, a  
24    civil rights leader, an organizer, an author, an  
25    orator, a scholar, a father, a husband, Nobel

1 Prize winner, and really an exemplar.

2 And so I really and briefly wanted  
3 to encourage all of us -- and I say all of us  
4 meaning me -- to use Dr. King's life as an  
5 example, and to recommit myself to the work of  
6 the Reverend Dr. Martin Luther King, about  
7 bringing justice to all. And not just to all  
8 people, but to all situations.

9 It's easy to talk about Dr. King's  
10 legacy in hindsight because we now have 50 years  
11 of the impact of the work that he's done. Right?  
12 I sit here before you because of Dr. King's work.  
13 Right? And many of my colleagues here sit here  
14 in this chamber because of Dr. King's work.

15 And Dr. King's work, you know,  
16 primarily was about justice. And people think  
17 about it in the context of civil rights, but  
18 really what he wanted to do was just make the  
19 world better for people, and particularly for  
20 African-Americans in the South at that time, the  
21 whole notion of equality, the notion of  
22 integration was really frankly about just having  
23 a better way of life.

24 And I don't think anybody in this  
25 chamber would disagree that that's what we're all

1 looking for in terms of what we'd like to see  
2 come from our constituencies.

3 But Dr. King understood that  
4 everybody didn't want the same things he wanted.  
5 People, you know, really fought hard to keep the  
6 status quo. And at that time that was about  
7 segregation, that was about Jim Crow. And even  
8 in these moments we're seeing what was old can  
9 become new if we're not vigilant.

10 And that's why Dr. King's legacy and  
11 memory is even more important in this moment,  
12 because the kind of things that he faced in the  
13 '50s, in the '60s, are becoming unfortunately  
14 vogue again, and those sentiments, as we see,  
15 have not quite gone away.

16 And so we remember him, we remember  
17 the King Center. There's really no greater  
18 monument to really the American experience than  
19 the King Center, and we encourage people to visit  
20 it.

21 You know, we remember that Dr. King  
22 was somebody who wasn't just simply about peace,  
23 but about constructive direct action. And that's  
24 the piece that a lot of people forget. It's not  
25 simply enough just to say, you know, I'm going to

1 be peaceful, but you have to be confronting the  
2 issue directly, but in a peaceful way. And it's  
3 certainly a lesson that I can learn. It's  
4 certainly a lesson that our society can learn and  
5 a way that we can move forward.

6 We remember him in the context of  
7 the Poor People's Campaign, we remember him in  
8 the context of the Montgomery Bus Boycott. We  
9 remember him, you know, in the context of Selma,  
10 Alabama, and his organizing there. We remember  
11 him in the context of the labor movement. In  
12 fact, he gets assassinated in the context of  
13 helping sanitation workers in Memphis, Tennessee.

14 And so the work around labor unions  
15 and work around dignity was critical to the  
16 legacy of Dr. King. And certainly his opposition  
17 to the Vietnam War. And certainly we believe and  
18 understand that his opposition to the war wasn't  
19 simply economic but was also moral. And we must  
20 continue to look at the wars that we are waging  
21 and stand against them as well.

22 As I close, I want to paraphrase  
23 Dr. King with something I've been, in this season  
24 of his anniversary and his birth, I've been  
25 remembering that he says, he reminds us that

1 darkness can't stomp out darkness, only light can  
2 to that. And he really calls on us to call on  
3 the light of love.

4                   And it's easy for us to love our  
5 friends. It's easy for us to love our  
6 colleagues. But can we really love the people  
7 who oppose us? And that becomes the challenge  
8 for me, and that becomes the challenge for all of  
9 us. And putting ourselves in a place where we  
10 can show love and real -- and beyond just  
11 empathy, because love is beyond that. It's  
12 really caring for that person like they're one of  
13 yours, even though they may oppose you, even  
14 though they may differ from you.

15                   And that was a unique thing, I  
16 think, for Dr. King, but certainly is the example  
17 that we ought to be following, and really, I  
18 think, the greatest testament, you know, of the  
19 incredible nature of the person that was brought  
20 to us, you know, in Reverend Dr. Martin Luther  
21 King.

22                   And so again I want to thank this  
23 body for the work that it's been doing in terms  
24 of standing up to what we believe Dr. King's  
25 legacy will be, and challenge us to go further

1 and continue to love each other and to love the  
2 people of the State of New York.

3 Thank you.

4 ACTING PRESIDENT BENJAMIN: Senator  
5 Sanders on the resolution.

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

8 Senator Parker has spoken very well  
9 on this issue, so I only -- I stand to offer him  
10 a very friendly amendment. Very friendly. So  
11 friendly I won't feel bad if he doesn't accept  
12 it. But I'd feel better if he did.

13 Reverend Dr. Martin Luther King, Jr.  
14 was a trans -- he transitioned, not only  
15 transitioned, but he was a transitional figure.  
16 There, that's the word I'm looking for. He went  
17 beyond mere civil rights, which is fantastic in  
18 itself, and he approached the point of human  
19 rights. He approached the point of where he was  
20 able to speak of the rights of women, the rights  
21 of men, the rights of different colors. In fact,  
22 he spoke on all of these places. He would have  
23 to be seen as we would look at Gandhi, a  
24 transitional figure, or you would look at  
25 Pope Francis, you would look at several other

1 figures who have transcended whatever barrier --  
2 wherever they started but have now application to  
3 the entire human family.

4           And we would put Martin Luther King  
5 certainly in that group. Although he was very  
6 proud of his base. He never would have said that  
7 he was beyond civil rights. He certainly would  
8 have been seen as very comfortable on the issues.  
9 In fact, those are the issues that got him  
10 killed, as the Senator spoke of earlier, where he  
11 was into labor rights, where he was into -- he  
12 spoke on the Middle East, he spoke of apartheid  
13 South Africa, he spoke of Vietnam, he spoke of  
14 Ireland and the situation that was going on over  
15 there.

16           He became a world figure. And as  
17 such, he is being honored by the world.  
18 Throughout every part of the world where people  
19 of goodwill come together, there are some names  
20 that are held high, and his is one of them.

21           So I'm glad that the New York State  
22 Senate sees fit to honor this great American.  
23 I'm glad that my colleague Senator Parker spoke  
24 so eloquently on this. And I'm glad that you  
25 have given me a few moments to speak of a person

1 who changed my life. And every day I try to be a  
2 little bit better and a little to go like him,  
3 although all of us in here can easily see I have  
4 so much more to go.

5 Thank you very much, Mr. President.

6 (Laughter.)

7 ACTING PRESIDENT BENJAMIN: Senator  
8 Robach on the resolution.

9 SENATOR ROBACH: Yes,  
10 Mr. President. Happy to rise. I thought we  
11 would have done this resolution yesterday, but  
12 I'm very happy that we're doing it today, and I  
13 appreciate greatly the comments of Senator  
14 Parker. And Senator Sanders, I don't know if  
15 this is an age, a life thing, but being a student  
16 in high school in the '70s, growing up, Martin  
17 Luther King sincerely had a profound impact not  
18 only on the country but on many of us as young  
19 people, there's no question, in so many ways.

20 But not only in the way of what his  
21 mission was and what his example was. You know,  
22 his intelligence, so -- not only the great long  
23 speeches and message, but some of the short  
24 things. You know, just -- an injustice to anyone  
25 is an injustice to everyone. It's never the

1 wrong time to do the right thing. All those  
2 things really, really certainly make a  
3 difference.

4                   And for me, I would say this. As  
5 someone who is, for lack of a better term, coming  
6 of age, critically, critically important. And so  
7 I look at it from a different lens. But what I  
8 admired so much, besides treating people not by  
9 their color, their religion or any other  
10 demographic, but the content of their character,  
11 which was so great -- what I think also set him  
12 apart, which a lot of people don't talk about, is  
13 that he had to endure so much.

14                   As Senator Parker said, he was a man  
15 of faith, and he lived it. Or as my dad would  
16 say, he didn't just talk the talk, he walked the  
17 walk. He was a man of peace, and he was going to  
18 get that change no matter what price he paid.  
19 Unfortunately, much too early, even with his own  
20 life.

21                   So it is very, very important that  
22 we in this chamber remember him and that we make  
23 sure the next generations, who take a lot of  
24 things for granted today, know it wasn't always  
25 like that and that people like Martin Luther King

1 not only put those concepts out to the public,  
2 but paid a price to make sure it made a  
3 difference and everyone understood the need for  
4 the change.

5 So I'm very happy to support this  
6 resolution and glad we do it every year here in  
7 the Senate chamber.

8 Thank you, Mr. President.

9 ACTING PRESIDENT BENJAMIN: Senator  
10 Lanza on the resolution.

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

13 Thank you, Senator Parker, for  
14 bringing this resolution to the floor. I'm a  
15 little disappointed it's at the end of session.  
16 I wish more of my colleagues were here. Quite  
17 frankly, I didn't even know it was going to be on  
18 today.

19 And I remember every year that we  
20 did it in the past, this was one of a handful of  
21 resolutions that really brought a full house. I  
22 know on my side of the aisle, when we were in the  
23 conference room with Senator Larkin, about a week  
24 before this resolution was coming to the floor  
25 you would get the finger if you were -- this

1 finger, Mr. President (indicating).

2 (Laughter.)

3 SENATOR LANZA: You know, letting  
4 us know the day, the time the resolution was  
5 going to be there. And "you're going to be  
6 there, right?" And "I want you there, and you'd  
7 better be there." And everyone of us better be  
8 there. And I'm sure on your side there was  
9 someone rallying the troops, letting you know,  
10 hey, this is the resolution, this is one of the  
11 big ones.

12 There were two days he did that  
13 every year. It was West Point Day, where you  
14 knew if you weren't here, you were in trouble,  
15 and it was the Martin Luther King resolution,  
16 that you knew you were in trouble if you were not  
17 here.

18 So, you know, I love history, I  
19 think it's important to study history. You learn  
20 from the mistakes of the past. But you can also  
21 be inspired by the visionaries that have come  
22 before us, by those -- far too few -- very  
23 special human beings who were just a step ahead,  
24 maybe a step above the rest of we mere mortals.  
25 And to me, Dr. Martin Luther King was one of

1 those individuals.

2 He's one of my favorite people from  
3 history. And I can never get enough watching the  
4 videos of speeches that he made. I can really  
5 never get enough of reading the words that he  
6 spoke and wrote. And I really can't get enough  
7 of the things that he did -- not just for Senator  
8 Parker, but for me too. For all of us.

9 Read his words. I know people like  
10 to use historical figures to advance the cause  
11 that they care about today. Sometimes in a good  
12 way, sometimes in a way that I think does an  
13 injustice to the legacy of those people. So I  
14 would only say read his words, watch those  
15 speeches, look at his life. And more important,  
16 look at the legacy and what he accomplished. I  
17 challenge you, there's no better way to live your  
18 life on this earth than the way Dr. Martin Luther  
19 King lived his life.

20 And I am eternally grateful for him  
21 and what he did not just for all of us but for  
22 the future of this country.

23 Thank you, Senator Parker, for  
24 bringing this resolution to the floor.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Bailey on the resolution.

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

4 I always take great pride and honor  
5 about speaking on this resolution, because as  
6 Senator Lanza so aptly put it, this is one of the  
7 few resolutions that regardless of what you may  
8 believe or what you may believe in or what you  
9 may think of, that we come to an agreement, a  
10 unanimous agreement, that this was one of the  
11 greatest human beings to walk the face of the  
12 earth.

13 Martin Luther King, Jr.'s  
14 celebration day must be more than a day off. It  
15 has to be a day of service. And I got to worship  
16 with people of different faiths, different  
17 genders and different colors. I worshipped with  
18 Senator Biaggi, worshipped with Senator Ramos on  
19 King Day. Mr. President, and Senator Benjamin,  
20 Senator Parker.

21 So many people look at that day as a  
22 day of service. And I'm sure many of you in  
23 districts that are further away from my hometown  
24 worshipped in your own special way.

25 It's more than a street name, folks.

1 Martin Luther King, Jr. was one of the greatest  
2 people that we could know. He was born in a  
3 great year, 1929. The reason why that's a great  
4 year is because that was the year that the  
5 original James C. Bailey was born, James  
6 C. Bailey in Selma, North Carolina.

7 So 1929 was a great year for me. I  
8 reflect upon great men from the year of 1929 that  
9 have changed the world. My grandfather changed  
10 the world for me, made me who I am. And without  
11 the leadership of Dr. King, I don't know how he  
12 develops into the man that he was.

13 I would like to remind us that  
14 Martin Luther King, Jr. died at the age of 39.  
15 And I look at myself as a man of 36 years old,  
16 and I always wonder, wow, what I am doing wrong?  
17 It's not what I'm doing wrong, it's what he did  
18 right. He gave his life to service, ladies and  
19 gentlemen. Dr. King said famously: Our lives  
20 begin to end the day we become silent about those  
21 things that matter. And regardless of what you  
22 believe on each side of the aisle or whatever  
23 political affiliation you may have, you should  
24 not be silent about what matters to you. That is  
25 something that unites us.

1                   You know, as a father I resonate  
2 more now with the "I Have a Dream" speech than  
3 ever. I know it's the most popular one. And  
4 there's so many different things we can point  
5 to -- the Letter from the Birmingham Jail, the  
6 amazing thing he said at the Berlin Wall about  
7 how -- Leader Stewart-Cousins' reference about  
8 all God's children are on either side of the  
9 wall.

10                   But I think about when Dr. King said  
11 "My four little children will one day" -- and as  
12 the father of two daughters, Giada and Carina, I  
13 still long for that day. I long for that day  
14 that they cannot worry about who's what color.

15                   You know, my oldest, she came home  
16 from school on Friday and she said "Daddy,  
17 we learned about somebody named Mr. King." "Who  
18 is Mr. King?" "Martin King." "Martin King? Oh,  
19 Giada, you mean Dr. Martin Luther King, Jr."  
20 "Yes, Dad. You know what they taught us about  
21 him?" "What, Giada?" "That no matter what color  
22 you are, all children can play together."

23                   I get emotional thinking about this,  
24 thinking about my children growing up in a place  
25 where race can be used to divide them, religion

1 can be used to divide them. My kids don't give a  
2 damn what color you are. All they know is love.  
3 And that is the attitude that we have to have  
4 more in this chamber, more in this state, more in  
5 this country.

6 As Common famously said: "Waiting  
7 for the Lord to rise, I look into my daughter's  
8 eyes and realize I'm gonna to learn through her,  
9 the Messiah might even return through her. If  
10 I'm gonna do it, I gotta change the world through  
11 her."

12 It's about our kids, folks. We  
13 can't continue to tear each other down because of  
14 beliefs. We can no longer afford to do that. We  
15 talk about how much financially things cost --  
16 what's the human cost of these things, ladies and  
17 gentlemen?

18 And I bring it back to my leader.  
19 They quoted me in a story in Newsday about  
20 Leader Andrea Stewart-Cousins and Carl Heastie.  
21 My mentor, Carl, and my leader, Andrea. And they  
22 put me in -- they put my name in the same article  
23 as legends. Legends. Basil Paterson. Percy  
24 Sutton. Mayor David Dinkins. Charlie Rangel.  
25 Andrea Stewart-Cousins. My name was in the same

1 article.

2 That is what Dr. King stood for.  
3 You talk about breaking glass ceilings. Well,  
4 the glass has long been broken. It's decimated.  
5 And because of people like Dr. King, the sky's  
6 the limit for all of us.

7 Thank you, Mr. President.

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

11 (Response of "Aye.")

12 ACTING PRESIDENT BENJAMIN:

13 Opposed?

14 (No response.)

15 ACTING PRESIDENT BENJAMIN: The  
16 resolution is adopted.

17 Senator Gianaris.

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

20 At the request of Leader  
21 Stewart-Cousins, the resolution is open for  
22 cosponsorship.

23 ACTING PRESIDENT BENJAMIN: The  
24 resolution is open for cosponsorship. Should you  
25 choose not to be a cosponsor of the resolution,

1 please notify the desk.

2                   SENATOR GIANARIS: With that,  
3 Mr. President, is there any further business at  
4 the desk?

5                   (Pause.)

6                   ACTING PRESIDENT BENJAMIN: Oh,  
7 there is no further business at the desk.

8                   SENATOR GIANARIS: Thank you for  
9 that, Mr. President.

10                   (Laughter.)

11                   SENATOR GIANARIS: That being the  
12 case, I move to adjourn until Monday,  
13 January 28th, at 3:00 p.m., intervening days  
14 being legislative days.

15                   ACTING PRESIDENT BENJAMIN: On  
16 motion, the Senate stands adjourned until Monday,  
17 January 28th, at 3:00 p.m., intervening days  
18 being legislative days.

19                   (Whereupon, at 3:39 p.m., the Senate  
20 adjourned.)

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