

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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8  
9 ALBANY, NEW YORK

10 February 27, 2019

11 3:33 p.m.

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13  
14 REGULAR SESSION

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18 SENATOR BRIAN A. 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 that everyone 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 February 26, 2019, the Senate met pursuant to  
17 adjournment. The Journal of Monday, February 25,  
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: On page

1 13, Senator Kaplan moves to discharge, from the  
2 Committee on Judiciary, Assembly Bill Number 1044  
3 and substitute it for the identical Senate Bill  
4 Number 2505, Third Reading Calendar 142.

5 ACTING PRESIDENT BENJAMIN:

6 Substitution 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,  
15 can we adopt the Resolution Calendar at this  
16 time, with the exception of Resolutions 322, 415,  
17 418, 503, 513, 514 and 532.

18 ACTING PRESIDENT BENJAMIN: All in  
19 favor of adopting the Resolution Calendar, with  
20 the exception of Resolutions 322, 415, 418, 503,  
21 513, 514 and 532, please signify by saying aye.

22 (Response of "Aye.")

23 ACTING PRESIDENT BENJAMIN:

24 Opposed, nay.

25 (No response.)

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

3                   Senator Gianaris.

4                   SENATOR GIANARIS:    Mr. President,  
5   can you now recognize Senator Mayer for an  
6   introduction.

7                   ACTING PRESIDENT BENJAMIN:    Senator  
8   Mayer.

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

11                   Thank you for allowing me to  
12   introduce an extraordinary group of young women  
13   from the University of Massachusetts Women into  
14   Leadership Program who are joining us here today.

15                   This is a terrific program of the  
16   University of Massachusetts which brings young  
17   women into a leadership position, provides them  
18   the opportunity to meet with other women  
19   throughout our state and obviously Massachusetts  
20   to see what government is about and to get a  
21   full-fledged entry into the world that we live in  
22   of government and policy.

23                   And it is an extraordinary  
24   opportunity. I know last year I was two years  
25   ago fortunate to meet one of these young women

1 who happened to live in my district and  
2 immediately hired her right out of college, and  
3 she's been a superstar.

4           These are terrific young women who  
5 represent the best of our graduating class, and  
6 we welcome them here today. I hope you will  
7 extend all the cordialities of the Senate to  
8 them.

9           Thank you, Mr. President.

10           ACTING PRESIDENT BENJAMIN: Thank  
11 you, Senator Mayer.

12           We welcome our guests and extend to  
13 you the privileges and courtesies of this house.

14           Thank you for joining us.

15           (Standing ovation.)

16           ACTING PRESIDENT BENJAMIN: Senator  
17 Gianaris.

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

20           Can you now recognize Senator  
21 Metzger for another introduction.

22           ACTING PRESIDENT BENJAMIN: Senator  
23 Metzger.

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

1                   It is my great honor to introduce my  
2 guest today, Reverend Jeanette J. Phillips, and  
3 recognize her significant and ground-breaking  
4 accomplishments as one of the founding mothers of  
5 Hudson Valley healthcare.

6                   And she is joined today by her  
7 family, her daughter and her granddaughter, all  
8 following in her footsteps, as well as her  
9 colleagues.

10                  For over four decades,  
11 Reverend Phillips has been a pioneer in securing  
12 access to healthcare for the underserved.  
13 Starting in the 1970s, she led the efforts of  
14 African-American women in the Peekskill community  
15 to start a community healthcare center that would  
16 provide access to affordable healthcare.

17                  Through her extraordinary efforts,  
18 five years later the first Hudson Valley  
19 Healthcare Center, then called the Peekskill Area  
20 Ambulatory Healthcare Center, was opened.  
21 Reverend Phillips was the organization's first  
22 board chair and its outreach coordinator.

23                  She continues to serve as the  
24 executive vice president of community  
25 development, marking over 40 years of leadership

1 in providing healthcare for the people of the  
2 Hudson Valley and helping to shape the  
3 organization that includes 43 healthcare centers  
4 providing the highest-quality primary and  
5 preventive care for over 225,000 patients  
6 annually.

7               Along with her husband of 60 years,  
8 the Reverend Howard Phillips, she's raised five  
9 children, and the two of them share  
10 25 grandchildren, 13 great-grandchildren, and  
11 four great-great-grandchildren.

12              Her exceptional commitment to her  
13 community is reflected in her outreach ministry  
14 and as a board member and participant in  
15 countless community-based organizations.

16              My office has prepared a  
17 proclamation honoring Reverend Phillips. And  
18 it's fitting that as we celebrate Black History  
19 Month, we recognize this extraordinary woman who  
20 contributed so much to overcoming racial and  
21 economic barriers to access quality healthcare in  
22 ways that continue to shape and inform healthcare  
23 delivery in New York.

24              Thank you, Reverend Phillips, for  
25 your incredible service and commitment to

1 New York. We are honored by your presence and  
2 the opportunity to recognize you today.

3 I would ask, Mr. President, that we  
4 acknowledge the presence of Reverend Phillips and  
5 her family and colleagues and give them all the  
6 privileges of the house.

7 Thank you.

8 ACTING PRESIDENT BENJAMIN: Thank  
9 you, Senator Metzger.

10 We welcome Reverend Phillips and her  
11 family, and we extend to you all the privileges  
12 and courtesies of this house. Please rise and be  
13 recognized.

14 (Standing ovation.)

15 ACTING PRESIDENT BENJAMIN: Senator  
16 Gianaris.

17 SENATOR GIANARIS: Mr. President,  
18 can we now please take up Resolution Number 415,  
19 by Senator Gaughran, read the resolution in its  
20 entirety and recognize Senator Gaughran.

21 ACTING PRESIDENT BENJAMIN: The  
22 Secretary will read.

23 THE SECRETARY: Senate Resolution  
24 415, by Senator Gaughran, commending Firefighter  
25 Josh Kerr, Ex-Chief Robert Kaplan and Captain

1 William Sauberman upon the occasion of their  
2 designation as recipients of a Liberty Medal, the  
3 highest honor bestowed upon an individual by the  
4 New York State Senate.

5 "WHEREAS, Citizens across the State  
6 of New York are inspired by and indebted to our  
7 noble firefighters who exhibit courage and  
8 bravery every day in the course of their duties;  
9 and

10 "WHEREAS, New York State  
11 firefighters exemplify the power of human  
12 compassion and the strength of the American  
13 spirit through actions of the most heroic  
14 magnitude; their sacrifices and their selfless  
15 dedication merit tribute and recognition by all  
16 citizens of this great nation; and

17 "WHEREAS, This Legislative Body is  
18 justly proud to commend Firefighter Josh Kerr,  
19 Ex-Chief Robert Kaplan and Captain William  
20 Sauberman upon the occasion of their designation  
21 as recipients of a Liberty Medal, the highest  
22 honor bestowed upon an individual by the New York  
23 State Senate; and

24 "WHEREAS, The New York State Senate  
25 Liberty Medal was established by resolution and

1 is awarded to individuals who have merited  
2 special commendation for exceptional, heroic, or  
3 humanitarian acts on behalf of their fellow  
4 New Yorkers; and

5 "WHEREAS, On Sunday, January 6,  
6 2019, at approximately 4:00 p.m., the Syosset  
7 Volunteer Fire Department responded to an  
8 automatic carbon monoxide detector activation at  
9 a senior living complex; upon arrival, the  
10 firefighters noticed a burning smell; and

11 "WHEREAS, After Captain William  
12 Sauberman, officer of Engine Company 5, forced  
13 his way into the apartment, he and Firefighter  
14 Josh Kerr, the acting officer of Engine 584, and  
15 Ex-Chief Robert Kaplan, officer of Ladder 5855,  
16 began to search the smoke-filled apartment for  
17 residents; and

18 "WHEREAS, Fortunately, the three  
19 firefighters heard a groan from the kitchen and  
20 found the victim face down on the floor; after a  
21 quick assessment to see if he was still  
22 breathing, they carried the 71-year-old man  
23 outside to safety; and

24 "WHEREAS, The unconscious victim was  
25 cared for on scene by the Syosset Fire Department

1 Emergency Medical Service members, and he gained  
2 consciousness on route to the hospital; due to  
3 the firefighters' astute and courageous actions,  
4 the man's life was spared; and

5 "WHEREAS, Firefighters unwaveringly  
6 serve our great state with pride, valor, and  
7 integrity; these respected men and women are  
8 often the first to respond to an emergency,  
9 whether the emergency is a fire, an accident,  
10 natural disaster, act of terrorism, medical  
11 crisis, or spill of hazardous materials; and

12 "WHEREAS, It takes a special  
13 dedication, a strong desire to help others and a  
14 tireless sense of community to forsake precious  
15 time with family and friends to respond to the  
16 signal that a neighbor is in need;  
17 Firefighter Josh Kerr, Ex-Chief Robert Kaplan and  
18 Captain William Sauberman are such firefighters;  
19 they heroically perform, above and beyond the  
20 call of duty, those responsibilities which define  
21 the task of fire protection; now, therefore, be  
22 it

23 "RESOLVED, That this Legislative  
24 Body pause in its deliberations to commend  
25 Firefighter Josh Kerr, Ex-Chief Robert Kaplan

1 and Captain William Sauberman upon the occasion  
2 of their designation as recipients of a  
3 Liberty Medal, the highest honor bestowed upon an  
4 individual by the New York State Senate; and be  
5 it further

6 "RESOLVED, That copies of this  
7 resolution, suitably engrossed, be transmitted to  
8 Firefighter Josh Kerr, Ex-Chief Robert Kaplan and  
9 Captain William Sauberman."

10 ACTING PRESIDENT BENJAMIN: Senator  
11 Gaughran on the resolution.

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

14 It is my honor today to welcome  
15 three real heroes from my district -- Josh Kerr,  
16 Robert Kaplan, and William Sauberman -- to our  
17 beautiful chamber here in Albany. They're here  
18 today because of what they did on one very cold  
19 January day. And they're also joined by Josh's  
20 girlfriend, Kathleen Therese Don Angelo.

21 On January 6, Josh, Robert and  
22 William rushed into a burning Syosset senior  
23 living complex, where they saw a gentleman on the  
24 floor. It looked like he wasn't breathing and,  
25 as the resolution speaks to, they weren't even

1     sure if he was alive. But it's because of their  
2     heroism, putting their own lives in danger, that  
3     they were able to save him and pull him out.

4                     And, you know, our first  
5     responders -- and these are volunteers. They  
6     serve with our recognition and our thanks, and  
7     every day they could be putting their lives at  
8     risk. They work through snowstorms, floods,  
9     hurricanes. Our community is safe because of the  
10    incredible sacrifice that these firefighters  
11    make.

12                    So I thank the Senate for this  
13    resolution today to honor their bravery. And  
14    Mr. President, if it's all right, I would ask  
15    that we allow them to rise so that we can  
16    recognize them.

17                    And thank you, gentlemen, for what  
18    you have done.

19                    (Standing ovation.)

20                    ACTING PRESIDENT BENJAMIN: The  
21    question is on the resolution. All in favor  
22    signify by saying aye.

23                    (Response of "Aye.")

24                    ACTING PRESIDENT BENJAMIN:  
25    Opposed?

1 (No response.)

2 ACTING PRESIDENT BENJAMIN: The  
3 resolution is adopted.

4 Senator Gianaris.

5 SENATOR GIANARIS: At the request  
6 of Senator Gaughran, Mr. President, this  
7 resolution is open for cosponsorship.

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

12 Senator Gianaris.

13 SENATOR GIANARIS: Can we now  
14 please take up Senate Resolution 418, by  
15 Senator May, read the resolution title only, and  
16 recognize Senator May.

17 ACTING PRESIDENT BENJAMIN: The  
18 Secretary will read.

19 THE SECRETARY: Resolution 418, by  
20 Senator May, honoring Dina Eldawy upon the  
21 occasion of her designation as recipient of a  
22 2019 Marshall Scholarship.

23 ACTING PRESIDENT BENJAMIN: Senator  
24 May on the resolution.

25 SENATOR MAY: Thank you,

1 Mr. President.

2           After World War II, the United  
3 States did an extraordinary thing. We offered  
4 significant aid to our former allies and enemies  
5 in Europe so that they could rebuild their  
6 economies and forestall the cycle of poverty and  
7 despair that had led to the previous two world  
8 wars.

9           The Marshall Plan was an enormous  
10 success, and the countries that received it  
11 wanted to express their gratitude to the  
12 United States. Great Britain did so by creating  
13 the Marshall Scholarships in the 1950s, which  
14 were designed to send a few dozen American  
15 college graduates to the United Kingdom to study  
16 at British universities for two years.

17           They selected the scholars according  
18 to academic merit but also the promise of  
19 leadership and the ability to be ambassadors  
20 between our country and the United Kingdom, to  
21 perpetuate the special relationship between the  
22 two countries.

23           As far as I know, as far as the  
24 historian of the Senate knows, I am the first  
25 Marshall Scholar to serve as a New York State

1 Senator. And as such, it gives me great pleasure  
2 to honor Dina Eldawy, who is a senior at Syracuse  
3 University. She is the first woman from Syracuse  
4 University ever to receive a Marshall  
5 Scholarship, also the first Muslim from  
6 Syracuse University.

7 She is majoring in international  
8 relations and citizenship and civic engagement,  
9 which is an exciting major at Syracuse University  
10 that prepares leaders for careers in government  
11 and politics. And I think she has a great future  
12 in that regard. She's going to the University of  
13 Sussex to study international relations and then  
14 to the University of Oxford for one year.

15 So it is a great honor to me to be  
16 able to recognize her in this way and to  
17 acknowledge that I do believe she's going to do  
18 great credit not only to my home city of Syracuse  
19 and to Syracuse University, but to the State of  
20 New York and the entire United States.

21 So I ask us all to acknowledge her  
22 contribution and her achievement. Thank you very  
23 much.

24 ACTING PRESIDENT BENJAMIN: The  
25 question is on the resolution. All in favor

1 signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT BENJAMIN:

4 Opposed?

5 (No response.)

6 ACTING PRESIDENT BENJAMIN: The  
7 resolution is adopted.

8 Senator Gianaris.

9 SENATOR GIANARIS: At the request  
10 of Senator May, that resolution is open for  
11 cosponsorship.

12 ACTING PRESIDENT BENJAMIN: The  
13 resolution is open for cosponsorship. Should you  
14 choose not to be a cosponsor of the resolution,  
15 please notify the desk.

16 Senator Gianaris.

17 SENATOR GIANARIS: Can we now move  
18 to Senate Resolution 322, by Senator Stavisky,  
19 read that resolution title only, and call on  
20 Senator Stavisky, please.

21 ACTING PRESIDENT BENJAMIN: The  
22 Secretary will read.

23 THE SECRETARY: Senate Resolution  
24 Number 322, by Senator Stavisky, memorializing  
25 Governor Andrew M. Cuomo to proclaim

1 September 25, 2019, as Bangladeshi Immigrant Day  
2 in the State of New York.

3 ACTING PRESIDENT BENJAMIN: Senator  
4 Stavisky on the resolution.

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

7 This resolution honors the  
8 Bangladeshi community, which is a very important  
9 part of our true diversity that exists in the  
10 State of New York. There are approximately  
11 500,000 people from Bangladesh residing in the  
12 United States, and about a quarter of a million  
13 people residing in the City of New York.

14 The resolution honors Bishawajit  
15 Saha, the founder and head of the Muktaadhara  
16 Foundation. And they provide particularly books  
17 and resources for the libraries and book fairs in  
18 the community to spread the rich cultural  
19 traditions of the Bangladesh community, and we  
20 come together on various occasions.

21 I represent an area in  
22 Jackson Heights -- it's a thin strip but has  
23 many, many people from this part of the world,  
24 and we are delighted that they have chosen to  
25 come to New York. And I congratulate the

1 foundation on its celebrations of the Bangladesh  
2 traditions.

3 Thank you, Mr. President.

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

6 SENATOR LIU: Thank you,  
7 Mr. President, for the opportunity to speak on  
8 this resolution that is important to the  
9 Bangladeshi community. And also I'll take this  
10 quick opportunity to speak on another resolution  
11 honoring International Mother Language Day.

12 The Bangladeshi community, as  
13 Senator Stavisky has pointed out, is one of the  
14 fastest-growing communities here in New York, and  
15 their contributions to our societal life, our  
16 economy, education, academia, society and the  
17 arts has been immeasurable and invaluable. And  
18 this community needs to be recognized as such,  
19 and that's why we have this resolution.

20 And at the same time we also have a  
21 resolution honoring International Mother Language  
22 Day, which specifically for the Bangladeshi  
23 community is of significant importance because  
24 the Bengali language was -- the language was the  
25 impetus towards the unification of Bangladesh and

1 instrumental in its formation as a nation and  
2 really critical to the national identity of so  
3 many fellow New Yorkers who are Bangladeshi  
4 Americans.

5 So I proudly support both of these  
6 resolutions.

7 Thank you, Mr. President.

8 ACTING PRESIDENT BENJAMIN: Senator  
9 Sepúlveda on the resolution.

10 SENATOR SEPÚLVEDA: Thank you,  
11 Mr. President, for allowing me to speak also on  
12 this resolution.

13 I have probably the second-largest  
14 Bangladeshi American population in the City of  
15 New York. They are contributing mightily to this  
16 society. They are becoming doctors, lawyers.  
17 Their children are excelling in our schools.

18 They're a vibrant part of my  
19 community in Parkchester. And I'm very honored  
20 to say that they have been very close to me since  
21 I became an elected official in the Bronx, and we  
22 work closely.

23 And Senator Liu mentioned the Mother  
24 Language Day resolution. I too will have a  
25 resolution to celebrate Bangladeshi Independence

1 Day in the next couple of weeks. There will be a  
2 contingency of about 220 Bangladeshi Americans  
3 from our community that will be coming to Albany,  
4 as we've done every year for the last seven  
5 years. And we're going to bring them to  
6 celebrate their culture, they're going to be  
7 performing here. And I invite all of my  
8 colleagues to participate and celebrate this  
9 wonderful rich tradition and culture.

10 ACTING PRESIDENT BENJAMIN: Senator  
11 Comrie on the resolution.

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

14 I rise to also support this  
15 resolution and also to talk about the Mother  
16 Language Day resolution, so I'll take the  
17 opportunity to do both at this point.

18 The Bangladesh community also is a  
19 predominant community in my district in Queens,  
20 also taking on many important positions. I was  
21 proud to support the first Bangladesh American to  
22 run for school board in the area and to run for  
23 elected office.

24 I've been working with the community  
25 since before 9/11, making sure that they had

1 access to government, making sure that all of the  
2 agencies in the city and state were respecting  
3 them and giving them opportunities to establish a  
4 life and establish their presence in the  
5 community.

6           Since then they have truly worked to  
7 become a major part and an integral part of  
8 southeast Queens life -- owning businesses,  
9 making sure that there are opportunities to  
10 expand and celebrate their culture, to pass their  
11 culture down to other people.

12           I'm proud to say that as we continue  
13 to work with that community, they are truly  
14 becoming a building block in the Jamaica  
15 community that I represent.

16           I also wanted to just take the  
17 opportunity, so that I don't have to come back  
18 again, to talk about the Mother Language Day  
19 resolution and what's important about that.

20           As we all know, language is the  
21 building block of our societies. Language makes  
22 New York State what it is, contributing to the  
23 many colors, textures and sounds of New York.  
24 The breadth of languages in the Empire State and  
25 the breadth of people speaking them is

1     astounding. According to the Census, our state  
2     has some two dozen languages spoken by more than  
3     50,000 people at home. The full number of  
4     languages spoken here escapes imagination.

5                     To that end, we are celebrating  
6     International Mother Language Day, which was held  
7     on February 21st, so that we can remember and  
8     cherish all the tongues of the world. According  
9     to the United Nations, a language and the  
10    heritage cradled within it disappears every two  
11    weeks. We must honor and protect our precious  
12    languages.

13                    We must also pay tribute to those  
14    who would do anything to honor their language and  
15    their culture, including the brave students in  
16    Dhaka, in what is today Bangladesh, who lost  
17    their lives, killed by police, when they sought  
18    the recognition of the Bangla language spoken by  
19    the majority of the populace.

20                    In a tribute to those brave men and  
21    women, the United Nations Educational, Scientific  
22    and Cultural Organization created International  
23    Mother Language Day.

24                    Our languages give rise to our  
25    cultures and our identities. Never would our

1 lives and our societies be so vibrant and  
2 colorful without the languages that guide our  
3 discourse.

4                   In connection to this, I also have  
5 some people from my district who are here in the  
6 chamber, the New American Voter Association,  
7 NAVA, with Dilip Nath and Rokeya Octer, who are  
8 actually here today lobbying members about  
9 establishing a Diwali holiday to celebrate their  
10 culture and to give their children the  
11 opportunity to have a day to celebrate that  
12 holiday.

13                   Here we have men and women looking  
14 to participate in the finest American tradition:  
15 Democracy. These Queens residents have come from  
16 far and wide, bringing various languages and  
17 cultures with them. They have integrated their  
18 hopes, their dreams and practices into the  
19 American way of life, forging a new future for  
20 themselves while always carrying their past in  
21 their hands.

22                   They're emblematic of the spirit of  
23 International Mother Language Day. Together, we  
24 can maintain awareness of our world's  
25 multilinguistic past and ensure these languages

1 of the past are carried forward.

2           When it comes to the spoken word,  
3 Queens is truly the "World's Borough," with as  
4 many as 800 languages spoken in the whole city.  
5 Nowhere else has as many languages spoken as  
6 there are in Queens, according to the Endangered  
7 Language Alliance society. There are over 160  
8 languages that we know are spoken through the  
9 borough, according to the World Economic Forum.

10           Mr. President, thank you for  
11 allowing me to combine the resolutions to shorten  
12 the clock today. And again, please thank Dilip  
13 Nath and the NAVA group for coming to Albany this  
14 afternoon to lobby for Diwali Day.

15           Thank you very much.

16           (Applause.)

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: That resolution,  
3 Mr. President, is also open for cosponsorship.

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

8 Senator Gianaris.

9 SENATOR GIANARIS: Since  
10 Senator Comrie was kind enough to combine  
11 discussion of his resolution with the last, can  
12 we now take up Senate Resolution 514, by  
13 Senator Comrie, read its title only, and move for  
14 its adoption.

15 ACTING PRESIDENT BENJAMIN: The  
16 Secretary will read.

17 THE SECRETARY: Senate Resolution  
18 514, by Senator Comrie, memorializing Governor  
19 Andrew M. Cuomo to proclaim February 21, 2019, as  
20 Mother Language Day in the State of New York, in  
21 conjunction with International Mother Language  
22 Day.

23 ACTING PRESIDENT BENJAMIN: The  
24 question is on the resolution. All in favor  
25 signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT BENJAMIN:

3 Opposed?

4 (No response.)

5 ACTING PRESIDENT BENJAMIN: The  
6 resolution is adopted.

7 Senator Gianaris.

8 SENATOR GIANARIS: That resolution  
9 is also open for cosponsorship, Mr. President.

10 ACTING PRESIDENT BENJAMIN: The  
11 resolution is open for cosponsorship. Should you  
12 choose not to be a cosponsor of the resolution,  
13 please notify the desk.

14 Senator Gianaris.

15 SENATOR GIANARIS: Can we now take  
16 up Senate resolution 513, by Senator Martinez,  
17 read its title only, and recognize Senator  
18 Martinez.

19 ACTING PRESIDENT BENJAMIN: The  
20 Secretary will read.

21 THE SECRETARY: Senate Resolution  
22 513, by Senator Martinez, congratulating  
23 Dr. Wayne R. Horsley upon the occasion of his  
24 retirement after 44 years of distinguished  
25 service to Long Island.

1                   ACTING PRESIDENT BENJAMIN:    Senator  
2   Martinez on the resolution.

3                   SENATOR MARTINEZ:     Good afternoon  
4   and thank you, Mr. President.

5                   I would like to extend my sincere  
6   congratulations to Dr. Wayne R. Horsley upon the  
7   occasion of his retirement after 44 years of  
8   distinguished service to the Long Island  
9   community.

10                  It is the sense of this legislative  
11   body to recognize and honor those distinguished  
12   citizens of this great state who have devoted  
13   themselves to faithfully serving the best  
14   interests of their community and the needs of  
15   their residents.

16                  I have known Mr. Horsley for a  
17   number of years, and his main goal has always  
18   been to protect his constituency.   In every  
19   capacity served, he has gone above and beyond his  
20   duties.   He has been a colleague and a friend,  
21   and although it is sad to see him go, I wish him  
22   all the best in his future endeavors.

23                  Mr. Wayne Horsley, thank you for  
24   44 years of dedicated service, and best of luck  
25   to you.

1                   Thank you, Mr. President.

2                   ACTING PRESIDENT BENJAMIN:    Senator  
3 Boyle on the resolution.

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

6                   I'd like to thank Senator Martinez  
7 for sponsoring this resolution in favor of  
8 Wayne Horsley, to commemorate a life well-lived.

9                   In terms of his professional life,  
10 he's been both an elected official in our  
11 community and part of the administration. He has  
12 worked tirelessly to help my constituents now.  
13 We shared many constituents. He was in the  
14 county legislature, I was in the State Assembly,  
15 and now he works -- has worked for the Parks  
16 Department for many years. He's done a  
17 tremendous job.

18                   We owe him a great debt of  
19 gratitude, and I do personally, because if he  
20 would have run for the Senate, I would have lost.

21                   I vote in favor.

22                   ACTING PRESIDENT BENJAMIN:    The  
23 question is on the resolution. All in favor  
24 signify by saying aye.

25                   (Response of "Aye.")

1                   ACTING PRESIDENT BENJAMIN:

2   Opposed?

3                   (No response.)

4                   ACTING PRESIDENT BENJAMIN:    The  
5   resolution is adopted.

6                   Senator Gianaris.

7                   SENATOR GIANARIS:    Please open that  
8   resolution for cosponsorship, Mr. President.

9                   ACTING PRESIDENT BENJAMIN:    The  
10   resolution is open for cosponsorship.  Should you  
11   choose not to be a cosponsor of the resolution,  
12   please notify the desk.

13                  Senator Gianaris.

14                  SENATOR GIANARIS:    Mr. President,  
15   can we now take up the noncontroversial reading  
16   of the calendar.

17                  ACTING PRESIDENT BENJAMIN:    The  
18   Secretary will read.

19                  THE SECRETARY:    Calendar Number 99,  
20   Senate Print 508A, by Senator Myrie, an act to  
21   amend the Election Law.

22                  ACTING PRESIDENT BENJAMIN:    Read  
23   the last section.

24                  SENATOR GRIFFO:    Lay it aside,  
25   please.

1                   ACTING PRESIDENT BENJAMIN:   Lay it  
2     aside.

3                   THE SECRETARY:   Calendar Number  
4     100, Senate Print 546, by Senator Akshar, an act  
5     to amend the Election Law.

6                   ACTING PRESIDENT BENJAMIN:   Read  
7     the last section.

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

10                  ACTING PRESIDENT BENJAMIN:   Call  
11     the roll.

12                   (The Secretary called the roll.)

13                  ACTING PRESIDENT BENJAMIN:  
14     Announce the results.

15                  THE SECRETARY:   Ayes, 61.

16                  ACTING PRESIDENT BENJAMIN:   The  
17     bill is passed.

18                  THE SECRETARY:   Calendar Number  
19     134, Senate Print 1481, by Senator Hoylman, an  
20     act to amend the Executive Law.

21                  ACTING PRESIDENT BENJAMIN:   Read  
22     the last section.

23                  THE SECRETARY:   Section 2.   This  
24     act shall take effect on the first of January  
25     next succeeding the date upon which it shall have

1       become a law.

2                   ACTING PRESIDENT BENJAMIN:     Call  
3       the roll.

4                   (The Secretary called the roll.)

5                   ACTING PRESIDENT BENJAMIN:  
6       Announce the results.

7                   THE SECRETARY:     Ayes, 61.

8                   ACTING PRESIDENT BENJAMIN:     The  
9       bill is passed.

10                  THE SECRETARY:     Calendar Number  
11       136, Senate Print 748, by Senator Montgomery, an  
12       act to amend the Judiciary Law.

13                  ACTING PRESIDENT BENJAMIN:     Read  
14       the last section.

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

17                  ACTING PRESIDENT BENJAMIN:     Call  
18       the roll.

19                  (The Secretary called the roll.)

20                  ACTING PRESIDENT BENJAMIN:     Senator  
21       Montgomery to explain her vote.

22                  SENATOR MONTGOMERY:    Yes, thank  
23       you, Mr. President.

24                  This bill is I believe extremely  
25       important, especially for mothers who are

1 breast-feeding at the moment that they receive a  
2 subpoena to come to jury duty. The bill would  
3 allow for a postponement for up to two years or  
4 an excuse from jury duty simply because they are  
5 a breast-feeding mother.

6           And as we know, breast-feeding is  
7 extremely important for the health of the baby,  
8 and it is also an extremely important function  
9 that allows mother and child to bond. And  
10 therefore it is extremely important that we have  
11 parents who are breast-feeding able to do that  
12 without interruption, and jury duty is not  
13 something that they cannot wait to do.

14           So thank you. I thank my colleagues  
15 for voting yes on this legislation. And on  
16 behalf of mothers who are breast-feeding  
17 throughout our state, they appreciate and would  
18 like to say thank you for being reasonable and  
19 rational as it relates to breast-feeding moms.

20           Thank you. I vote aye,  
21 Mr. President.

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

24           Announce the results.

25           THE SECRETARY: Ayes, 61.

1                   ACTING PRESIDENT BENJAMIN:    The  
2 bill is passed.

3                   There's a substitution at the desk.  
4 The Secretary will read.

5                   THE SECRETARY:    On page 13, Senator  
6 Biaggi moves to discharge, from the Committee on  
7 Women's Issues, Assembly Bill Number 290 and  
8 substitute it for the identical Senate Bill 3125,  
9 Third Reading Calendar 138.

10                  ACTING PRESIDENT BENJAMIN:   The  
11 substitution is so ordered.

12                  The Secretary will read.

13                  THE SECRETARY:    Calendar Number  
14 138, by Member of the Assembly Rosenthal,  
15 Assembly Bill 290, an act to amend the Public  
16 Health Law.

17                  ACTING PRESIDENT BENJAMIN:   Read  
18 the last section.

19                  THE SECRETARY:    Section 2.  This  
20 act shall take effect July 1, 2019.

21                  ACTING PRESIDENT BENJAMIN:   Call  
22 the roll.

23                  (The Secretary called the roll.)

24                  ACTING PRESIDENT BENJAMIN:  
25 Announce the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT BENJAMIN: The  
3 bill is passed.

4 Senator Gianaris.

5 SENATOR GIANARIS: Mr. President,  
6 that was Senator Biaggi's first bill to pass the  
7 Senate.

8 Congratulations.

9 (Standing ovation.)

10 THE SECRETARY: Calendar Number  
11 142, substituted earlier by Member of the  
12 Assembly Simotas, Assembly Bill 1044, an act to  
13 amend the Domestic Relations Law and the Civil  
14 Rights Law.

15 ACTING PRESIDENT BENJAMIN: Read  
16 the last section.

17 THE SECRETARY: Section 5. This  
18 act shall take effect immediately.

19 ACTING PRESIDENT BENJAMIN: Call  
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN:  
23 Announce the results.

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 Senator Gianaris, that completes the  
3 noncontroversial reading of today's calendar.

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

7 ACTING PRESIDENT BENJAMIN: The  
8 Secretary will ring the bell.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number 99,  
11 Senate Print 508A, by Senator Myrie, an act to  
12 amend the Election Law.

13 ACTING PRESIDENT BENJAMIN: Senator  
14 Griffo, why do you rise?

15 SENATOR GRIFFO: Mr. President, I  
16 believe that there's an amendment at the desk. I  
17 waive the reading of that amendment and ask that  
18 Senator Young be recognized and heard on the  
19 amendment.

20 ACTING PRESIDENT BENJAMIN: Thank  
21 you, Senator Griffo.

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

25 SENATOR GRIFFO: Wow, he's a quick

1 reader, you know that?

2 (Laughter.)

3 SENATOR GRIFFO: Accordingly,  
4 Mr. President, I would appeal the ruling of the  
5 chair and ask that Senator Young be recognized  
6 and be heard for an explanation.

7 ACTING PRESIDENT BENJAMIN: The  
8 appeal has been made and recognized, and Senator  
9 Young may be heard.

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

12 This amendment is germane because  
13 it, along with the bill-in-chief, deals with the  
14 implementation of early voting. When the Senate  
15 Majority passed legislation that implemented  
16 early voting, they stated they were confident the  
17 Executive would include funding in the budget --  
18 as we all know, that did not happen.

19 The argument that savings from  
20 consolidating the primaries will cover the costs  
21 of early voting simply is not true. Even if the  
22 most liberal estimates of cost savings from the  
23 primary end up being true, it still would not  
24 cover the cost of implementing early voting in  
25 counties, which is estimated to be between half a

1 million dollars and a million dollars per county  
2 annually. That estimate was given before  
3 electronic poll books were taken into account,  
4 which will only drive up the cost by \$10 million  
5 to \$15 million.

6           Instead of moving forward with this  
7 legislation that would help counties pay for the  
8 costs of early voting, the Senate Majority now  
9 is doubling down on burdening counties with  
10 additional cost through this bill.

11           This amendment, which would  
12 establish an early voting fund, would provide  
13 relief to counties. And this is relief that they  
14 desperately need, especially smaller counties  
15 that already are under fiscal stress.

16           So through you, Mr. President,  
17 hopefully the members will reconsider.

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:    A 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                   ACTING PRESIDENT BENJAMIN:

7                   THE SECRETARY:    Ayes, 22.

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

11                   Senator Griffo.

12                   SENATOR GRIFFO:    I ask that Senator  
13     Young be recognized.

14                   ACTING PRESIDENT BENJAMIN:    Senator  
15     Young.

16                   SENATOR YOUNG:    Yes, I'd like to  
17     ask Senator Myrie if he would yield to some  
18     questions.

19                   ACTING PRESIDENT BENJAMIN:    Senator  
20     Myrie, do you yield?

21                   SENATOR MYRIE:    Yes, Mr. President.

22                   ACTING PRESIDENT BENJAMIN:    The  
23     sponsor yields.

24                   SENATOR YOUNG:    Thank you, Senator  
25     Myrie. Through you, Mr. President.

1                   Politicians on the federal level  
2     have been outspoken about potential election  
3     hacking. So the question is, will this  
4     legislation make it easier for someone to hack  
5     into our election database?

6                   SENATOR MYRIE:   Mr. President, last  
7     month this body began the journey of bringing  
8     New York from worst to first. Today is a step  
9     ahead in that journey. As it pertains to  
10    electronic poll books, here again the State of  
11    New York is behind the rest of the country.  
12    Thirty-four states plus the District of Columbia  
13    authorize the use of electronic poll books, and  
14    today it is my hope that I'll be joined by my  
15    colleagues in making New York the 35th state to  
16    do so.

17                  Electronic poll books also happen to  
18    be a bipartisan affair. My esteemed colleague  
19    Fred Akshar carried this bill last session, and  
20    it was on the recommendation of Republican and  
21    Democratic election commissioners that we move  
22    forward with authorizing poll books.

23                  Modernizing our elections is also a  
24    no-brainer. Over the past 50 years we've  
25    witnessed quantum leaps in technology, and we've

1     used that technology to improve almost every area  
2     of our lives. For example, in 1954 we invented  
3     the microwave, and we changed the way that we  
4     cook and eat. In 1958 we invented the jet  
5     airliner and changed the way that we travel  
6     around the world. In 1973 we invented the MRI  
7     and changed the way that we diagnose illnesses.  
8     And in the palm of everyone's hands we've changed  
9     the way that we communicate, research, bank, and  
10    for those keeping track at home, even the way we  
11    watch exciting government proceedings with the  
12    advent of the smartphone in 2007.

13                 But when it comes to the right that  
14    protects all other rights, in many ways we are  
15    stuck in the past. So today we say to voters,  
16    welcome to the 21st century. This law would  
17    permit -- not mandate, but permit local Boards of  
18    Elections to replace paper books with  
19    computer-generated registration lists. This  
20    would allow poll workers to search voter names  
21    electronically, record the instances in which you  
22    vote electronically as well.

23                 And this will make the  
24    administration of our elections quicker, more  
25    efficient, and more secure. This bill requires

1 the State Board of Elections to approve any  
2 electronic equipment that would be used for this  
3 process. It also requires the State Board of  
4 Elections to promulgate security protocols to  
5 protect the data. It also requires the State  
6 Board of Elections to ensure that the local  
7 Boards of Elections that choose to utilize  
8 electronic poll books have backups in the case of  
9 failure.

10 And while I lament the fact that  
11 New York is yet again behind the rest of the  
12 country, the benefit of being behind is that we  
13 have the ability to adopt best practices from  
14 around the country. So I have confidence that  
15 when we pass this bill today the local Boards of  
16 Elections that choose to opt in will have  
17 sufficient time to purchase the equipment and  
18 train their workers in time for the elections  
19 this fall.

20 I hope that my colleagues will join  
21 me today in voting for this bill. And as we  
22 continue to modernize our democracy in New York,  
23 I hope we send the message to voters that we need  
24 better elections and we need them now.

25 SENATOR YOUNG: Thank you, Senator

1 Myrie. Thank you for that comprehensive  
2 explanation of the bill.

3                   However, I did want to ask again,  
4 because I don't think we got to it --

5                   ACTING PRESIDENT BENJAMIN:  
6 Senator -- Senator --

7                   SENATOR YOUNG:    -- if Senator Myrie  
8 will yield --

9                   ACTING PRESIDENT BENJAMIN:    Senator  
10 Young, are you asking --

11                   SENATOR YOUNG:    If Senator Myrie  
12 will yield.

13                   ACTING PRESIDENT BENJAMIN:    Does  
14 the sponsor yield?

15                   SENATOR MYRIE:    Yes, Mr. President.

16                   ACTING PRESIDENT BENJAMIN:    The  
17 sponsor yields.

18                   SENATOR YOUNG:    Doesn't moving to a  
19 more centralized and electronic format raise  
20 concerns of hacking?

21                   SENATOR MYRIE:    This bill,  
22 Mr. President, through you, requires the State  
23 Board of Elections to adopt minimum security  
24 protocols in order to protect the data.

25                   SENATOR YOUNG:    Through you,

1 Mr. President, would the sponsor continue to  
2 yield?

3 ACTING PRESIDENT BENJAMIN: Does  
4 the sponsor yield?

5 SENATOR MYRIE: Yes, Mr. President.

6 ACTING PRESIDENT BENJAMIN: The  
7 sponsor yields.

8 SENATOR YOUNG: Did Senator Myrie  
9 consult with cybersecurity experts when drafting  
10 this legislation?

11 SENATOR MYRIE: Through you,  
12 Mr. President. As previously mentioned, the  
13 State Board of Elections is required to  
14 promulgate the security protocols. In fact the  
15 State Board of Elections was the recipient of  
16 federal money in order to institute cybersecurity  
17 protocols. It is our understanding that they  
18 will use some of this money to promulgate  
19 appropriate cybersecurity protocols to protect  
20 the data.

21 SENATOR YOUNG: Will the sponsor  
22 continue to yield?

23 ACTING PRESIDENT BENJAMIN: Does  
24 the sponsor yield?

25 SENATOR MYRIE: Yes, Mr. President.

1                   ACTING PRESIDENT BENJAMIN:    The  
2   sponsor yields.

3                   SENATOR YOUNG:    Senator Myrie,  
4   many people's signatures change when signing  
5   something electronically.  I think we all know  
6   that.  Will this make it more difficult to detect  
7   abnormalities in signatures?

8                   SENATOR MYRIE:   Mr. President,  
9   through you.  It is the presumption that when a  
10   voter goes to vote and they sign, whether that be  
11   electronically or manually, that that voter is in  
12   fact who they say they were.  That is the current  
13   state of the law.  We do not anticipate that  
14   changing electronic signatures will have an  
15   adverse effect on that.

16                  SENATOR YOUNG:   Thank you,  
17   Mr. President.  But through you, again, if the  
18   sponsor will yield.

19                  ACTING PRESIDENT BENJAMIN:   Will  
20   the sponsor yield?

21                  SENATOR MYRIE:   Yes, Mr. President.

22                  ACTING PRESIDENT BENJAMIN:   The  
23   sponsor yields.

24                  SENATOR YOUNG:    So just as  
25   follow-up, though, oftentimes when you sign

1 electronically, as I said, it is almost, you  
2 know, impossible to compare it to an actual  
3 written signature on a piece of paper.

4           So how can you verify through this  
5 that somebody signing -- I know you're saying  
6 there's a presumption that somebody who is  
7 signing is saying who they are. But, you know,  
8 from my perspective one of the most sacred rights  
9 that we have as Americans is to vote. And any  
10 time someone votes illegally, it takes away my  
11 vote and other people's votes because all of a  
12 sudden they don't count anymore.

13           So how can you verify it if it's an  
14 electronic signature?

15           SENATOR MYRIE: Through you,  
16 Mr. President, there is no signature verification  
17 process even in our current -- well, when you  
18 sign, that is the verification.

19           SENATOR YOUNG: Through you,  
20 Mr. President. And, you know, again --

21           ACTING PRESIDENT BENJAMIN: Are you  
22 asking the sponsor to yield?

23           SENATOR YOUNG: Yes.

24           ACTING PRESIDENT BENJAMIN: Will  
25 the sponsor yield?

1                   SENATOR MYRIE:    Yes, Mr. President.

2                   ACTING PRESIDENT BENJAMIN:    The  
3   sponsor yields.

4                   SENATOR YOUNG:    So when we go in to  
5   vote, we sign a book.  And it's right next to the  
6   signature from the time before and the time  
7   before and the time before.  So it's very easy  
8   for the inspectors to verify that signature  
9   because you have something on a piece of paper  
10   that you can compare it to.

11                   So I'd like to continue to ask  
12   questions.

13                   My understanding is that these  
14   electronic poll books are now necessary because  
15   of the early voting legislation passed earlier  
16   this session.  Is that correct?

17                   SENATOR MYRIE:    Mr. President, the  
18   bill gives the local Boards of Elections the  
19   option to adopt electronic poll books.

20                   SENATOR YOUNG:    So through you,  
21   Mr. President, if the sponsor will yield.

22                   ACTING PRESIDENT BENJAMIN:    Does  
23   the sponsor yield?

24                   SENATOR MYRIE:    Yes, Mr. President.

25                   ACTING PRESIDENT BENJAMIN:    The

1 sponsor yields.

2 SENATOR YOUNG: Thank you,  
3 Mr. President. Thank you, Senator Myrie.

4 So how will local county boards be  
5 able to manually transfer voting information from  
6 the poll books used for early voting to the  
7 general election poll books when the turnaround  
8 time is about 36 hours? It would be from Sunday  
9 evening to Tuesday morning. How are they going  
10 to be able to feasibly do that?

11 SENATOR MYRIE: Through you,  
12 Mr. President, the data already exists  
13 electronically. And so the transfer is not from  
14 paper to any electronic device. The actual data  
15 already exist. What we have now is a system in  
16 which we spend money to print the books instead  
17 of just having it on an electronic device.

18 SENATOR YOUNG: Through you,  
19 Mr. President, will the sponsor continue to  
20 yield?

21 ACTING PRESIDENT BENJAMIN: Does  
22 the sponsor yield?

23 SENATOR MYRIE: Yes, Mr. President.

24 ACTING PRESIDENT BENJAMIN: The  
25 sponsor yields.

1                   SENATOR YOUNG:    So that's not what  
2 my Boards of Elections are telling me, but let's  
3 move on.

4                   What's the estimated cost of this  
5 legislation?

6                   SENATOR MYRIE:   Mr. President,  
7 through you. It is difficult to ascertain the  
8 exact cost because this is a permissive bill and  
9 not a mandatory bill.

10                  But in the instance that every  
11 single local Board of Elections in the State of  
12 New York opted to use electronic poll books,  
13 there are varying estimates this would cost  
14 perhaps between \$50 million and \$60 million.

15                  SENATOR YOUNG:   Through you,  
16 Mr. President, will the sponsor continue to  
17 yield.

18                  ACTING PRESIDENT BENJAMIN:   Does  
19 the sponsor yield?

20                  SENATOR MYRIE:   Yes, Mr. President.

21                  ACTING PRESIDENT BENJAMIN:   The  
22 sponsor yields.

23                  SENATOR YOUNG:   And so as was  
24 pointed out earlier, there's going to be an  
25 additional cost of implementing early voting, and

1 now the costs of this legislation are doubled  
2 down and piled on top of that.

3 Is there a funding source in this  
4 bill to pay for these costs?

5 SENATOR MYRIE: Through you,  
6 Mr. President. Again, because this bill is  
7 permissive and not mandatory, there cannot be a  
8 cost associated in the bill because we are  
9 unaware at this time how many local Boards of  
10 Elections will choose to implement.

11 SENATOR YOUNG: Through you,  
12 Mr. President.

13 ACTING PRESIDENT BENJAMIN: Yield  
14 or --

15 SENATOR YOUNG: Yeah.

16 ACTING PRESIDENT BENJAMIN: -- on  
17 the bill? Oh.

18 Will the sponsor yield?

19 SENATOR MYRIE: Yes, Mr. President.

20 ACTING PRESIDENT BENJAMIN: The  
21 sponsor yields.

22 SENATOR YOUNG: So you're saying  
23 that this is permissive and that some people may  
24 opt not to choose to do this. But again, it's  
25 tied to the early voting.

1                   So we had a discussion earlier this  
2 year about early voting and the cost to the  
3 counties. Is there any plan by the Majority to  
4 try to insert funding in the budget to cover  
5 these costs and the early voting costs? Which,  
6 as was pointed out, is going to cost the counties  
7 anywhere from half a million to a million dollars  
8 annually, which is a huge unfunded mandate,  
9 especially on the smaller rural counties.

10                  SENATOR MYRIE: Through you,  
11 Mr. President. The Majority will be working very  
12 hard to ensure that the plans that we have  
13 implemented for the administration of our  
14 elections are funded. We want to support our  
15 local Boards of Elections, and we will continue  
16 to do so throughout this budget process.

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

19                   Thank you, Senator Myrie.

20                  ACTING PRESIDENT BENJAMIN: Are  
21 there any other Senators wishing to be heard?

22                   Seeing and hearing none, the debate  
23 is closed. The Secretary will ring the bell.

24                   (Pause.)

25                  ACTING PRESIDENT BENJAMIN: Read

1 the last section.

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

4 ACTING PRESIDENT BENJAMIN: Call  
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BENJAMIN: Senator  
8 May to explain her vote.

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

11 This bill is another step in moving  
12 our elections landscape into the 21st century and  
13 making it worthy of the great State of New York.  
14 I applaud my colleague Senator Myrie for bringing  
15 this forward.

16 And I just want to say we hear a lot  
17 of objections on the basis of voter fraud, which  
18 is something that really doesn't happen  
19 much. And it certainly is not a reason for us to  
20 make our Election Laws more restrictive. It's  
21 high time that we employed the technology that we  
22 have to really show that we care about elections  
23 being broadly available for participation by all  
24 citizens.

25 And I am proud to vote aye on this

1 bill. Thank you.

2 ACTING PRESIDENT BENJAMIN: Senator  
3 May to be recorded in the affirmative.

4 Senator Krueger to explain her vote.

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

7 I also proudly stand to say aye to  
8 this bill and to say to be honest, I'm fairly  
9 amused about the debate. We're talking about  
10 doing something that I believe 36 or 38 states  
11 already do. There's been endless research about  
12 voter fraud or the lack thereof. And this isn't  
13 even about registering, where in theory you might  
14 worry about voter fraud, although I personally  
15 don't -- it's simply about having the information  
16 available when you go somewhere to vote to make  
17 sure the information is there, accessible, can  
18 speed up the process by which people can vote.

19 And I just don't even understand why  
20 there would be a debate at all, but we've had one  
21 and I'm glad we did. And I can't imagine anyone  
22 will vote no, Mr. President. This is such an  
23 obvious bill to support.

24 Thank you. I vote aye.

25 ACTING PRESIDENT BENJAMIN:

1 Announce the results.

2 THE SECRETARY: In relation to  
3 Calendar 99, those recorded in the negative are  
4 Senators Antonacci, Flanagan, Funke, Gallivan,  
5 Griffo, Helming, Jacobs, Jordan, Lanza, O'Mara,  
6 Ortt, Ritchie, Robach, Serino, Seward, Tedisco  
7 and Young.

8 Ayes, 45. Nays, 17.

9 ACTING PRESIDENT BENJAMIN: The  
10 bill is passed.

11 Senator Gianaris, that completes the  
12 controversial reading of the calendar.

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

15 Can we now go back to motions and  
16 resolutions, take up Resolution 503, by Senator  
17 Harckham, and move for its adoption.

18 ACTING PRESIDENT BENJAMIN: The  
19 Secretary will read.

20 THE SECRETARY: Senate Resolution  
21 503, by Senator Harckham, mourning the death of  
22 Donald Moffat, legendary actor, distinguished  
23 citizen and gifted artist.

24 ACTING PRESIDENT BENJAMIN: The  
25 question is on the resolution. All in favor

1 signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT BENJAMIN:

4 Opposed?

5 (No response.)

6 ACTING PRESIDENT BENJAMIN: The  
7 resolution is adopted.

8 Senator Gianaris.

9 SENATOR GIANARIS: That resolution  
10 is open for cosponsorship.

11 ACTING PRESIDENT BENJAMIN: The  
12 resolution is open for cosponsorship. Should you  
13 choose not to be a cosponsor of the resolution,  
14 please notify the desk.

15 Senator Gianaris.

16 SENATOR GIANARIS: Can we now go to  
17 Senate Resolution 532, by Senator Mayer, read its  
18 title only, and call on Senator Mayer.

19 ACTING PRESIDENT BENJAMIN: The  
20 Secretary will read.

21 THE SECRETARY: Senate Resolution  
22 532, by Senator Mayer, mourning the death of  
23 Dr. Doris L. Wethers, visionary physician,  
24 tireless advocate, and devoted member of her  
25 community.

1                   ACTING PRESIDENT BENJAMIN:     Senator  
2     Mayer on the resolution.

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

5                   I rise to honor an extraordinary  
6     doctor, Dr. Doris L. Wethers, who was one of the  
7     leaders in the fight against sickle cell, who  
8     died at the age of 91 in late January.

9                   Dr. Wethers became the first black  
10    chief of a medical department at a New York City  
11    voluntary hospital when she was named director of  
12    pediatrics at Knickerbocker Hospital in  
13    West Harlem, after she had been the third black  
14    woman to graduate in 1952 from the Yale School of  
15    Medicine.

16                  She was later director of pediatrics  
17    from 1969 to 1974 at Sydenham Hospital, which  
18    closed in 1980, and then until 1979 at St. Luke's  
19    Hospital Center, now Mount Sinai St. Luke's. She  
20    became St. Luke's first black attending physician  
21    in 1958.

22                  She opened sickle cell anemia  
23    programs at all of these hospitals, conducted  
24    research, and helped draft landmark legislation  
25    to require screening of infants for the disorder.

1           I had the incredible privilege, as  
2     the vice president of government and community  
3     affairs at St. Luke's-Roosevelt Hospital, to work  
4     directly with her in her efforts to ensure that  
5     patients and families with sickle cell disease  
6     receive first-class treatment and attention to  
7     their ailments.

8           She was extraordinary in that while  
9     many people did not want to speak about sickle  
10    cell, and yet parents of children with sickle  
11    cell were really struggling, Dr. Wethers was a  
12    voice of compassion, of brilliance, of research  
13    and of leadership on the issue of sickle cell. I  
14    feel very honored that I got to work with her and  
15    that she made a lasting difference in the lives  
16    of so many families, particularly those with  
17    children with sickle cell, in providing guidance  
18    on how they could live their life with this  
19    disease.

20          She really made a remarkable  
21    difference in the lives of patients and families  
22    and certainly of the community in which sickle  
23    cell was so predominant, in uptown Manhattan,  
24    which was part of the focus of the  
25    St. Luke's-Roosevelt experience.

1                   So I rise to honor her memory and  
2                   ensure that we don't forget someone like  
3                   Dr. Doris Wethers, who made a lasting difference  
4                   in our movement towards attention to sickle cell.  
5                   And I am hopeful that this year this Legislature  
6                   and this government finally begins to devote the  
7                   resources to this disease that is long overdue.

8                   Thank you, Mr. President, and I  
9                   honor her memory today.

10                  ACTING PRESIDENT BENJAMIN:    Senator  
11                  Sanders on the resolution.

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

14                  I want to commend my colleague for  
15                  honoring one who has brought great honor to us  
16                  all, Dr. Doris Wethers. Her pioneering work on  
17                  the issue of sickle cell, her lifelong commitment  
18                  to ensure that this dread disease is finally  
19                  tackled and defeated need to be commended and we  
20                  need to mention this often.

21                  I know many people with the  
22                  disease -- as a matter of fact, I have the trait  
23                  of the disease. Thank God for that, it's not as  
24                  critical as the disease itself. So it's very  
25                  personal to me.

1           I am honored to carry a bill that  
2 provides for a minuscule amount of money to do  
3 more research on this. I urge my colleagues, as  
4 we really want to honor this great woman, that we  
5 should put some money in where our mouths are, of  
6 course, and ensure that we crush this dread  
7 disease and allow her to sleep in peace, to have  
8 the rest that she rightly deserves, having  
9 tackled this disease all of her life.

10           Thank you very much for it. Thank  
11 you very much, Mr. President.

12           ACTING PRESIDENT BENJAMIN: Senator  
13 Comrie on the resolution.

14           SENATOR COMRIE: Thank you.

15           I rise to support this resolution  
16 for Dr. Wethers and to highlight the issues on  
17 sickle cell. I just want to acknowledge Gloria  
18 Rochester in southeast Queens, who has been a  
19 devotee of Dr. Wethers and informed me of her  
20 passing. I did not know of Senator Mayer's  
21 connection to her, and I want to thank her for  
22 bringing this resolution.

23           Dr. Wethers truly was a pioneer.  
24 And there are so many things about sickle cell  
25 that are still unknown that people are trying to

1 ensure -- there are not enough sickle cell  
2 specialists in hospitals around the country. A  
3 lot of people still don't know how to check for  
4 it. And it's important thing that we try to get  
5 out to people all over the country and especially  
6 in our hospital networks. So I would hope that  
7 we support Senator Sanders' bill.

8           The Sickle Cell Advisory Network is  
9 a group in my area that has been working hard  
10 with all of the hospitals to try to train people  
11 so that they can understand sickle cell. And  
12 there's a black health screening, a citywide  
13 program that's being held on March 2nd, the third  
14 Black Health Matters Summit. It's going to be  
15 held at Columbia University.

16           But I would advise all people during  
17 the month of March, which is the month that is  
18 dealing with women's health, to do a sickle cell  
19 program in your district to inform your  
20 communities about the problems with sickle cell  
21 and the fact that a lot of people are going to  
22 the hospital repeatedly for ailments, not knowing  
23 that the sickle cell trait is the primary issue  
24 behind their illness.

25           Thank you, Mr. President.

1           ACTING PRESIDENT BENJAMIN:    The  
2   question is on the resolution.  All in favor  
3   signify by saying aye.

4           (Response of "Aye.")

5           ACTING PRESIDENT BENJAMIN:  
6   Opposed?

7           (No response.)

8           ACTING PRESIDENT BENJAMIN:    The  
9   resolution is adopted.

10          Senator Gianaris.

11          SENATOR GIANARIS:    Mr. President,  
12   please open that resolution for cosponsorship.

13          ACTING PRESIDENT BENJAMIN:    The  
14   resolution is open for cosponsorship.  Should you  
15   choose not to be a cosponsor of the resolution,  
16   please notify the desk.

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

19          ACTING PRESIDENT BENJAMIN:    There  
20   is no further business at the desk.

21          SENATOR GIANARIS:    That being the  
22   case, I move we adjourn until tomorrow, Thursday,  
23   February 28th, at 11:00 a.m.

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

1 Thursday, February 28th, at 11:00 a.m.

2 (Whereupon, at 4:35 p.m., the Senate  
3 adjourned.)

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