

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 20, 2019

11 11:19 a.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: Rabbi
9 Michael White, of Temple Sinai of Roslyn in
10 Roslyn Heights, will deliver today's invocation.

11 Rabbi White?

12 RABBI WHITE: It's an honor to
13 stand before you, and I want to thank my Senator,
14 Anna Kaplan, for this wonderful invitation and to
15 join with her in the celebration of Nowruz, the
16 Persian New Year.

17 And it's a chance to celebrate my
18 new Senator, how she came to this country as a
19 young girl escaping tyranny in Iran and rose to
20 become our respected Senator. It's a story that
21 could only be possible in America, a country that
22 embraces newcomers and diversity.

23 I'm also here on the Eve of a Jewish
24 holiday, another Jewish Purim story. Tonight we
25 celebrate Purim, the holiday that commemorates

1 the near genocide of Jews in Persia centuries
2 ago. It's an odd nod to today's divisiveness.
3 The Bible teaches that the Prime Minister of
4 Persia, Haman, told the King that the Jews were
5 disloyal, invaders, enemies who must be
6 destroyed. Thank God for Esther, the Queen of
7 Persia, and a Jew, who stood up to the King, and
8 we were saved.

9 Honored members of this body, we too
10 live in a time when diversity and difference are
11 feared, when newcomers to our land are called
12 invaders, when anti-Semitism and Islamophobia and
13 white nationalist bigotry and homophobia have
14 sparked fear and violence.

15 Members of the Senate, my prayer for
16 you is that you will model and embrace our great
17 diversity, reminding all New Yorkers, those here
18 for generations and those brand-new to our state,
19 those who speak perfect English and those
20 struggling to learn, those who wear yarmulkes and
21 those who wear the hijab -- no matter who they
22 love, the color of their skin, their gender --
23 that all belong here. All are welcome here.

24 All must be protected and secure
25 here in mutual respect and dignity. Because who

1 knows, maybe the next Senator Kaplan is just
2 arriving to this country now.

3 May this be God's will. Thank you.
4 (Applause.)

5 ACTING PRESIDENT BENJAMIN: Reading
6 of the Journal.

7 THE SECRETARY: In Senate, Tuesday,
8 March 19, 2019, the Senate met pursuant to
9 adjournment. The Journal of Monday, March 18,
10 2019, was read and approved. On motion, Senate
11 adjourned.

12 ACTING PRESIDENT BENJAMIN: Without
13 objection, the Journal stands approved as read.

14 Presentation of petitions.

15 Messages from the Assembly.

16 The Secretary will read.

17 THE SECRETARY: On page 12, Senator
18 May moves to discharge, from the Committee on
19 Energy and Telecommunications, Assembly Bill
20 Number 5029A and substitute it for the identical
21 Senate Bill 2270A, Third Reading Calendar 169.

22 ACTING PRESIDENT BENJAMIN: The
23 substitution is so ordered.

24 Messages from the Governor.

25 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

6 SENATOR GIANARIS: Mr. President,
7 can you please call on Senator Griffo.

8 ACTING PRESIDENT BENJAMIN: Senator
9 Griffo.

10 SENATOR GRIFFO: Mr. President,
11 thank you. I move that the following bill by
12 Senator Flanagan, Senate Bill 922, be discharged
13 from its respective committee and be recommitted
14 with instructions to strike the enacting clause.

15 ACTING PRESIDENT BENJAMIN: It is
16 so ordered.

17 Senator Gianaris.

18 SENATOR GIANARIS: Mr. President,
19 can we now please take up previously adopted
20 Resolution 587, by Senator Kaplan, read that
21 resolution in its entirety, and recognize Senator
22 Kaplan to speak.

23 ACTING PRESIDENT BENJAMIN: The
24 Secretary will read.

25 THE SECRETARY: Senate Resolution

1 Number 587, by Senator Kaplan, memorializing
2 Governor Andrew M. Cuomo to proclaim March 21,
3 2019, as Day of Nowruz in the State of New York.

4 "WHEREAS, It is the sense of this
5 Legislative Body to recognize official days that
6 are set aside to increase awareness and enhance
7 the profile of cultural diversity which
8 strengthens the fabric of the communities of
9 New York State; and

10 "WHEREAS, Attendant to such concern,
11 and in full accord with its long-standing
12 traditions, this Legislative Body is justly proud
13 to memorialize Governor Andrew M. Cuomo to
14 proclaim March 21, 2019, as Day of Nowruz in the
15 State of New York, in conjunction with the
16 observance of International Day of Nowruz; and

17 "WHEREAS, The Persian New Year,
18 Nowruz, meaning 'New Day,' begins each year on
19 the first day of spring, marked by vernal
20 equinox, or Tahvil; on this day, which may occur
21 on March 20th, 21st, or 22nd, the sun crosses the
22 celestial equator; and

23 "WHEREAS, Of all Persian holidays,
24 the New Year celebration is the most important,
25 embodying a wealth of ancient rites and customs,

1 and symbolizing the continuity of the ancient
2 Persian culture which has survived many
3 adversities; and

4 "WHEREAS, As far back as records go,
5 Nowruz has been a celebration of early spring,
6 when the sun begins to regain strength and
7 overcome winter's cold and darkness, and when
8 there is a renewal of growth and vigor in nature;
9 and

10 "WHEREAS, A few days prior to the
11 New Year, a special cover is spread onto the
12 carpet or table in every Persian household; this
13 ceremonial table is called cloth of seven dishes,
14 each one beginning with the Persian letter Sin;
15 the number seven has been sacred in Persia since
16 the ancient times, and the seven dishes stand for
17 the seven angelic heralds of life -- rebirth,
18 health, happiness, prosperity, joy, patience, and
19 beauty; and

20 "WHEREAS, The actual Nowruz
21 ceremonies begin on the eve of the last Wednesday
22 of the outgoing year and is known as Chaharshanbe
23 Souri, or Red Wednesday; early in the evening
24 several large bonfires are made, and each member
25 of the family jumps over the fire; and

1 "WHEREAS, Furthermore, the jumping
2 over the fire is followed by a gathering in which
3 nuts and fruits are served and stories are told;
4 while the party goes and the fire dies out, the
5 ashes, a symbol of the bad luck imposed by
6 winter, are buried; and

7 "WHEREAS, The traditional herald of
8 Nowruz, Haji Firuz, oversees celebrations for the
9 New Year as a remnant of the ancient Zoroastrian
10 fire-keeper; his face is covered in soot, and he
11 is clad in bright red clothes and a felt hat; and

12 "WHEREAS, While ushering in Nowruz,
13 Haji Firuz plays a tambourine and sings as people
14 gather around him and his troupe of musicians,
15 spreading good cheer and the news of the coming
16 New Year; and

17 "WHEREAS, The 13th day of Nowruz is
18 called Sizdah Bedar, celebrated by spending all
19 day outdoors in nature having picnics and
20 parties; and

21 "WHEREAS, Day of Nowruz is a time to
22 celebrate the aspirations and values that have
23 been shared with the Persian people for
24 generations, and to recognize the countless
25 contributions of Americans and New Yorkers of

1 Persian descent to every aspect of society; now,
2 therefore, be it

3 "RESOLVED, That this Legislative
4 Body pause in its deliberations to memorialize
5 Governor Andrew M. Cuomo to proclaim March 21,
6 2019, as Day of Nowruz in the State of New York;
7 and be it further

8 "RESOLVED, That a copy of this
9 resolution, suitably engrossed, be transmitted to
10 the Honorable Andrew M. Cuomo, Governor of the
11 State of New York."

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

14 SENATOR KAPLAN: Thank you,
15 Mr. President.

16 As the first Persian American
17 elected to the New York State Legislature, it is
18 my distinct honor and privilege to share the
19 traditions of Persian culture with all of you and
20 with all of our colleagues in state government.

21 I would also like to acknowledge the
22 many distinguished guests who have joined us
23 today in the gallery, who have come from all
24 around the state and even well beyond our borders
25 to celebrate this historic occasion with us.

1 Today we are officially
2 commemorating Nowruz for the very first time in
3 the Senate. Nowruz, or "New Day" in Persian, is
4 an ancient festival dating back to the time of
5 Zoroaster that marks the beginning of spring and
6 celebrates the rebirth of nature.

7 This secular holiday is celebrated
8 by thousands of New Yorkers each year, as we
9 celebrate it here today, by gathering family
10 around a ceremonial table known as Haft-sin, and
11 counting down the moment of equinox, when
12 everyone cheers {in Farsi}, or "Happy New Year."

13 Nowruz is the most important
14 celebration of all Persian holidays, embodying a
15 wealth of ancient rites and customs, and
16 symbolizing the continuity of ancient Persian
17 culture, which has survived many adversities over
18 thousands of years.

19 Nowruz is really a favorite holiday
20 for Persian kids. It is a little bit like
21 Christmas or Hanukkah. Because no matter how
22 rich or how poor your family is, this is the time
23 that you are getting gifts and new clothes. You
24 would always at least get one new outfit to wear
25 for the new year, and then would go to the homes

1 of elders in your family, and grandparents and
2 aunts and uncles, and each other, they would
3 shower you with gifts, usually a token for
4 New Year of a gold or silver coin.

5 Today I'm honored to bring this
6 celebration here to our grand State Capitol, and
7 I invite you to join me in the Lieutenant
8 Governor's ceremonial office immediately after
9 the session so that we can all celebrate the
10 New Year around the Haft-zin table together.

11 Thank you so much. Happy New Year
12 {in Farsi}, and {in Hebrew} to all my Jewish,
13 Persian and non-Persian friends.

14 Thank you.

15 (Standing ovation.)

16 ACTING PRESIDENT BENJAMIN: The
17 resolution was previously adopted on March 5th.

18 Senator Gianaris.

19 SENATOR GIANARIS: Mr. President,
20 can we now please take up previously adopted
21 Resolution 117, by Senator Akshar, read that in
22 its entirety, and call on Senator Akshar.

23 ACTING PRESIDENT BENJAMIN: The
24 Secretary will read.

25 THE SECRETARY: Senate Resolution

1 Number 117, by Senator Akshar, memorializing
2 Governor Andrew M. Cuomo to proclaim --

3 ACTING PRESIDENT BENJAMIN: Senator
4 Gianaris.

5 SENATOR GIANARIS: Forgive me,
6 Mr. President, that's read the title only on that
7 resolution, please.

8 ACTING PRESIDENT BENJAMIN: The
9 Secretary will read.

10 THE SECRETARY: Senate Resolution
11 Number 117, by Senator Akshar, memorializing
12 Governor Andrew M. Cuomo to proclaim March 21,
13 2019, as Down Syndrome Awareness Day in the State
14 of New York, in conjunction with the observance
15 of World Down Syndrome Day.

16 ACTING PRESIDENT BENJAMIN: Senator
17 Akshar on the resolution.

18 SENATOR AKSHAR: Mr. President,
19 thank you very much for your indulgence.

20 Before I begin my remarks, allow me
21 to personally thank, with a great deal of
22 sincerity, the Majority Leader and the Deputy
23 Majority Leader for their willingness to allow me
24 to bring this resolution to the floor.

25 I also want to thank former Senator

1 Marchione, who carried this resolution for a very
2 long time, and her successor now, Senator Jordan,
3 for allowing me to carry this as well.

4 I rise, Mr. President, with a great
5 deal of happiness today. This resolution is
6 probably my -- one of the most favorite ones that
7 we do. And it's not because we get to wear these
8 really cool socks that many of us have on today,
9 but really because this resolution is important
10 to not only me personally but so many families
11 across my Senate district and across this great
12 state.

13 Tomorrow is World Down Syndrome Day,
14 where we will celebrate the lives of millions and
15 millions of people who live with Down syndrome
16 across the globe. And this year's theme is
17 "Leave No One Behind," because it serves as a
18 reminder of the reality that today, even in 2019,
19 there are still prevailing negative attitudes.
20 There are still low expectations, there is still
21 discrimination and exclusion, and there are still
22 people who look down upon those that have Down
23 syndrome. That should be unacceptable to all of
24 us.

25 And at the end of the day, those who

1 are looked down upon feel as though that they're
2 not equal. Right? Well, that's not the case
3 today.

4 Let us all remember that those with
5 Down syndrome dream like every one of us in this
6 room. They celebrate, they cry, they smile, they
7 love, they laugh, just like every single one of
8 us. All they want to do is live a life of
9 happiness and to be included. They want and they
10 deserve to be respected and appreciated, just
11 like every single one of us in this room wishes
12 to be.

13 Today we're blessed with a very
14 special guest in the Senate chamber, a very good
15 friend of mine, someone who brings so much joy
16 and happiness to the families across the 52nd
17 Senate District. Everywhere I go I see this
18 young lady at local community events across my
19 districts. So much so that if she ever decides
20 to run for office, I am in a lot of trouble. A
21 lot of trouble.

22 (Laughter; scattered applause.)

23 SENATOR AKSHAR: Mr. President --
24 go ahead. It's all right, go ahead.

25 (Applause.)

1 SENATOR AKSHAR: Mr. President, I
2 want to introduce to this body a very special
3 member of the 52nd Senate District, Julianne
4 "Juice" Horton. Juice has such a passion and a
5 joy for all that life has to offer, and that joy
6 helps remind us what life is really about, what
7 love is all about, what family and community are
8 about. And how important it is to smile and to
9 laugh, especially now, this time, in this crazy
10 city. We should in fact laugh. We should in
11 fact smile.

12 I'll tell you a very quick story, if
13 I may. Special Olympics. I'm sure many of us in
14 this room participate. Back at home, the event
15 draws more than a thousand people. And I was so
16 proud to speak to the group of Special Olympians
17 who were out on the football field. And on the
18 bleacher were hundreds and hundreds of parents.
19 And as I was speaking, this young lady, with all
20 of her bravery and all of her tenacity, stepped
21 up in front of everybody and gave me a big heart,
22 made me feel really special. Really, really
23 special.

24 Juice and I are best friends. Just
25 ask her. But I would happily share her with

1 anyone in this room or anyone across this great
2 state. You ask yourself why? Because of the joy
3 and the smiles and the love that this young woman
4 brings to life. It's those very traits that give
5 her the ability to unite people when we as a
6 society have grown so divided, as the rabbi said.

7 And she can put a smile on your
8 face, I promise all of you, even if you were in
9 your darkest hour. If you were in the darkest
10 hour of your life and Juice came into your world,
11 she would put a smile on your face.

12 It brings me to another person
13 that's not here with us. Last year I had the
14 great opportunity to recognize a young man that
15 we lost, 4 years old, Cooper Busch. Many of you
16 remember that. He lost his battle with leukemia.
17 He also had Down syndrome. I promised the Busch
18 family that day, and it still rings true in my
19 mind, that I would do everything in my power to
20 ensure that their son's legacy lived on and
21 people never forgot Super Cooper. And Super
22 Cooper was somebody that both Juice and I loved
23 very much.

24 For me personally, I have come to
25 know so many beautiful and inspiring people at

1 home that live every day with Down syndrome --
2 like Juice. Like Cooper. Like Birdie. Like
3 Austin. Like Katie and like Morgan. The list
4 goes on and on and on.

5 And every person that has Down
6 syndrome -- I just want to repeat this -- they
7 deserve to be included, they deserve to be
8 celebrated, to be loved, to be hugged, showered
9 with blessings. And they deserve the very same
10 opportunities that we all enjoy. And quite
11 frankly, that's what today is all about.

12 God knows that those with Down
13 syndrome treat those in their life in an
14 incredibly special way. And to be frank, I'll
15 repeat it, the state and the nation need more
16 people like those that I've described who show
17 unconditional love without prejudice.

18 Juice, you are a shining example of
19 that. For the past week, I want all of you to
20 know that Juice, when she knew that she was
21 coming here to be a guest, she started making
22 friendship bracelets. She didn't make friendship
23 bracelets for this side of the aisle, she made 63
24 of them.

25 ("Aww," from audience.)

1 SENATOR AKSHAR: She didn't care if
2 you were a Republican, she didn't care if you
3 were a Democrat --

4 (Laughter.)

5 SENATOR AKSHAR: -- what Juice
6 cared about was ensuring that we were one. She
7 cared about doing what was right.

8 So I'll end on this, Mr. President,
9 and I appreciate your indulgence. I'm
10 encouraging everyone in this room, whether we're
11 a Republican or a Democrat, to do our part and
12 simply do what's right. I don't care if you're a
13 Republican or a Democrat, from Buffalo to
14 Binghamton to Bed-Stuy to Bridgehampton on
15 Long Island's East End: Do your part to ensure
16 those with Down syndrome know that they are
17 loved, and they know that they are no different
18 than you and I.

19 Allow this day to serve as a
20 reminder that we should cherish every life and
21 that we are all God's children regardless of
22 ability. Every single life matters. Every life.

23 So thank you, Juice, from the bottom
24 of my heart for opening my eyes and allowing me
25 to see a side of our community that is so

1 incredibly beautiful.

2 Mr. President, I would ask that you
3 welcome Juice and her mom, Maryanne, to the
4 chamber and extend all the privileges and the
5 courtesies of this great house to these two
6 beautiful human beings.

7 Thank you, Mr. President.

8 (Standing ovation.)

9 ACTING PRESIDENT BENJAMIN: Senator
10 Seward on the resolution.

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

13 Juice is going to be a very hard act
14 to follow.

15 (Laughter.)

16 SENATOR SEWARD: But I want to
17 first of all thank Senator Akshar for presenting
18 this resolution before us today, because World
19 Down Syndrome Day holds a very special place in
20 my heart.

21 For well over the last 30 years, I
22 have been fortunate to serve on the board of
23 trustees at Pathfinder Village, which is located
24 in Edmeston, New York, a very small village about
25 14 miles west of Cooperstown, in Otsego County.

1 This is a world-renowned residential
2 home as well as being a research facility. It is
3 a leader in community-based services for both
4 children and adults primarily with Down syndrome.
5 You know, plain and simple, Pathfinder Village is
6 a very special place. The teachers and staff at
7 Pathfinder do an incredible job every day and are
8 truly changing lives for the better.

9 You know, there's a lot happening at
10 Pathfinder Village particularly this week. Right
11 now Pathfinder is in the middle of celebrating
12 Pathfinder School Spirit Week with a number of
13 special events. And of course on Thursday, World
14 Down Syndrome Day, everyone on campus will be
15 wearing their special socks, just as we are
16 today.

17 And there will be a special
18 celebration marking the sixth anniversary of the
19 school's weekly farmers market -- it's called
20 Pathfinder Produce -- which offers affordable,
21 nutritious food to the entire community.

22 And the connection between the
23 residents at Pathfinder Village and the
24 surrounding community is truly very special. In
25 fact, those residents are a very important part

1 of that local community. And it's really
2 inspiring to see firsthand the boundless
3 capabilities of those with Down syndrome.

4 Pathfinder's strategic vision says
5 it best: "That each life may have meaning."
6 Each life may have meaning.

7 So I'm pleased, Mr. President, to
8 stand and pay tribute to those very special
9 individuals with Down syndrome, as well as their
10 families, their caregivers and their teachers,
11 and to stand in support of World Down Syndrome
12 Day.

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

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

17 You know, at home in my community we
18 have made celebrating abilities a priority with
19 our Think Differently campaign that was started
20 by our county executive. And I know it's making
21 its way all around the state. It's a wonderful
22 initiative.

23 Very proud to wear my Lots of Socks
24 today in support of amazing New Yorkers just like
25 Juice.

1 And Juice, I want to say thank you
2 for being here today. I think we need a little
3 bit of Juice every day in here.

4 (Laughter.)

5 SENATOR SERINO: And also I just
6 want to say to her mom, I hope you have an
7 awesome time at WrestleMania. And I know you're
8 a very proud mama.

9 So thank you, and have a great day.

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

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

14 I too want to congratulate and thank
15 Senator Akshar for carrying the ball on this
16 resolution. And welcome, Juice. And Marianne,
17 her lovely mother, and the fact that she's become
18 a wonderful advocate for other parents.

19 I always feel compelled on this day
20 to stand up, not only as an advocate but as a
21 family member who had the opportunity to
22 experience a family -- a brother who was not a
23 burden but was a gift to our family, to speak a
24 little bit about my experience and my family's
25 experience.

1 Everybody in this room today and in
2 the balcony has challenges we deal with.
3 Everybody that's watching this has challenges we
4 deal with. Everyone in the world that's ever
5 come into it has challenges we deal with.

6 I think none of us could deal with
7 it as well as Juice, my brother Joey, or those
8 who face the challenge of Down syndrome in one
9 way or another. They have shown such, as has
10 been mentioned, love, unconditional love. Every
11 day to them, they are a joy. They smile. I
12 don't think I got more kisses or hugs combined
13 from all the people in the world than I did from
14 my brother Joey. He brought such unbelievable
15 power to our family and brought us together in an
16 unbelievable way.

17 I've told the story before about
18 being 10 years old and having a brother Tom that
19 was 14 years old, and my mother becoming pregnant
20 with our third brother, Joey. And in the midst,
21 in the middle of that pregnancy, we would hear my
22 mom and my dad speaking and we understood
23 something was happening with the baby and our
24 brother that my mother was going to give birth
25 to.

1 And in our neighborhood -- and I'm
2 so happy we've come such a long way from where we
3 were with Down syndrome -- there were some people
4 that weren't that nice. There were some children
5 that weren't that nice. And the day that my
6 mother was ready to give birth and we all had to
7 get into the vehicle, my brother and I looked at
8 ourselves, and we weren't certain we wanted to
9 go. We were a little bit afraid. We didn't know
10 what we were going to see, what our brother was
11 really like, because of the rumors in our
12 neighborhood from some of the people that weren't
13 that kind at that time.

14 And we got to the hospital, my
15 mother went into the delivery room, we stayed in
16 the outer area sitting room. And it was a fairly
17 quick birth for my brother. And I'll never
18 forget this, that we were seated there and the
19 doctor came out and walked up to my father and
20 said, "Your child is a mongoloid." I'm so happy
21 they never use that term anymore. It's an extra
22 chromosome.

23 And he looked at my father and said,
24 "You're not going to want to take this child
25 home. There's a place out West where there's a

1 home where you can send your child. I'll get you
2 the information on it."

3 And my father had a perplexed look
4 on his face and he said to the doctor -- and we
5 were listening -- "Is our son sick? Is there
6 something wrong with him? Is it his heart?"

7 He said, "No, no, he's very healthy.
8 But you're not going to want to take this child
9 home."

10 And my father again hesitated and
11 said, "Could me and my sons go see their mother
12 and their brother? We'd like to go see them."
13 "Yeah, sure." He took us into the room.

14 And my brother and I kind of stayed
15 back a little bit, because we didn't know what we
16 were going to see, from what we were thinking,
17 what we were told, and some of these
18 expectations. And I looked at my mother clinging
19 to this beautiful child. But I looked around the
20 room, because I was looking for my brother. And
21 then I realized that was my brother. And it was
22 the most beautiful baby I have ever seen in my
23 life.

24 And the love in my mother's arms and
25 the way she was clutching that baby, you weren't

1 going to get that baby out of her hands. And the
2 doctor made the mistake of walking up to my
3 mother and repeating what he had said to my
4 father. And if she could have got out of that
5 bed and ripped his head off his shoulders, she
6 would have done that on that particular day.

7 She looked at the doctor and said,
8 "We're a family. We're an Italian family. We
9 don't send kids to homes, we take our children
10 home." And she wanted to get out of that
11 hospital as quick as she could.

12 And Joey came home. He spent
13 15 wonderful years with us. And today I talk to
14 the family members also, and the love they
15 provide for these children in return for the love
16 that they get from Down syndrome children. And
17 I'm so thankful for my mom and my dad, who for
18 15 years cared for my brother. We were very
19 active in school so they had to make sure we got
20 to the sports events and all the events we would
21 do.

22 But for 15 years at that time,
23 because the services weren't there, there weren't
24 people to come in and give you a respite where
25 you could leave. And my mom or dad never went to

1 a movie in those 15 years, never went out to
2 dinner, never went to a party. My dad worked in
3 the foundry at the General Electric, my mom
4 stayed at home, took care of Joey, made sure when
5 he was able to go to school, he got to school, in
6 the limited area he could get to school.

7 And there were days at that time in
8 the schools where there was a revolving door in
9 some of the people who were providing services,
10 the aides and things of that nature. And
11 children like consistency when they're challenged
12 in certain ways. And when someone would leave
13 that Joey was used to, or a day went wrong, I
14 remember he'd come home on the bus and he'd get
15 off the bus and his shoes and socks were not on
16 his feet. He threw them out the window. And he
17 would be disturbed and upset and angry, and we'd
18 have to comfort him, my mom would comfort him.

19 And -- but all through that period,
20 unbelievable love. He was joyous usually every
21 day with us in the house. And at the age of 15,
22 got child leukemia. And at that time there
23 wasn't the technology to cure that. If he was
24 alive today, he probably would still be alive.
25 But he passed away at the age of 15.

1 And I'll never forget the fact that
2 because there was not the technology, he suffered
3 quite a bit from that disorder, was in the
4 hospital for a month or five or six weeks. And
5 then my dad took over. And he'd go to work in
6 the foundry in the morning, he'd go to the
7 hospital when he came home. He'd sleep next to
8 Joey in the bed and rub Joey's head and comfort
9 Joey.

10 In the last two weeks, just there
11 every night, staying with Joey, and tells the
12 story that his breathing got very shallow on the
13 last day he was alive, and he took one last
14 breath and then he was calm. And Joey passed
15 away at the age of 15.

16 But his legacy and his love lives on
17 and continues to live on and continues to
18 illustrate that sometimes we think our
19 challenges are great and we don't know how to
20 handle them. And we get upset and we get angry.
21 Well, they illustrate for us how to handle our
22 challenges. And it's not only about how they
23 handle their challenges, it's about how their
24 family does, how society does, how our direct
25 care services handle it sometimes. And that's

1 why that is so important, this year and every
2 year. We think about those men and women who are
3 trained to deal with some of the challenges our
4 kids have, and it's so important that we pay them
5 commensurately.

6 So today I remember Joey and I'm
7 proud to say that we see children now doing
8 television movies, in series, going to college --
9 in days when they were telling family members
10 like mine, Send them out to a home. They can
11 achieve such unbelievable successes and be
12 everything they can be if we expedite that in
13 everything we can do as elected officials and as
14 individuals and as parts of their family.

15 So as Senator Akshar has said, we've
16 come a long way, but we have a ways to go and to
17 continue to support them and understand that
18 they're beautiful individuals, that they give us
19 unconditional love, and they can also provide
20 tremendous parts of our families and parts of our
21 communities.

22 So thank you, Mr. President. And
23 welcome, Juice. And welcome, Mom. We're so
24 happy to have you here.

25 ACTING PRESIDENT BENJAMIN: The

1 resolution was previously adopted on January
2 15th.

3 To Juice and her mom, I welcome you
4 on behalf of the New York State Senate. We
5 extend to you the privileges and courtesies of
6 this house. Please rise and be recognized for an
7 encore.

8 (Extended standing ovation.)

9 ACTING PRESIDENT BENJAMIN: Senator
10 Gianaris.

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

13 And I'd like to thank Senator
14 Tedisco as well for sharing his story with us in
15 the chamber today.

16 At the request of Senator Akshar,
17 the resolution is open for cosponsorship.

18 ACTING PRESIDENT BENJAMIN: The
19 resolution is open for cosponsorship. Should you
20 choose not to be a cosponsor of the resolution,
21 please notify the desk.

22 Senator Gianaris.

23 SENATOR GIANARIS: I neglected to
24 say earlier that at the request of Senator
25 Kaplan, the previous resolution that was

1 discussed is also open for cosponsorship.

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

6 Senator Gianaris.

7 SENATOR GIANARIS: Can we now
8 please take up previously adopted Resolution 706,
9 by Senator Jacobs, read its title only and call
10 on Senator Jacobs.

11 ACTING PRESIDENT BENJAMIN: The
12 Secretary will read.

13 THE SECRETARY: Senate Resolution
14 706, by Senator Jacobs, congratulating Jada
15 Kenner upon the occasion of capturing the
16 New York State Public High School Athletic
17 Association Girls Indoor Track and Field
18 300 Meter Girls Dash Championship on March 2,
19 2019.

20 ACTING PRESIDENT BENJAMIN: Senator
21 Jacobs on the resolution.

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

24 As we all know, athletic competition
25 helps foster both personal growth and physical

1 development within young athletes. It is for
2 this reason that this legislative body commends
3 rare and outstanding athletic accomplishments.

4 I cannot think of an individual more
5 deserving of our recognition for exceptional
6 athletic achievement than Jada Kenner. Jada is a
7 7th-grade student at the Tapestry Charter School,
8 which is in my district, in Buffalo, New York.

9 At only 12 years of age, Jada is a
10 standout sprinter for the Thunderhawks, the
11 Tapestry School's track and field team. On
12 Saturday, March 2nd, at the Ocean Breeze Athletic
13 Complex in Staten Island, Jada won the New York
14 State Public High School Athletic Association
15 championship in the Girls 300-Meter Dash. Not
16 only did she win the state championship, but she
17 did so in an astonishing 39.24 seconds. In
18 accomplishing this incredible feat, Jada broke
19 the world record for 12-year-old sprinters.

20 Jada has proven achievements both on
21 and off the track, all of which are very, very
22 impressive. It is my understanding that one of
23 Jada's personal goals is to one day compete in
24 the Olympics. With her hard work, talent and
25 determination, there's no reason, I think, that

1 she cannot accomplish this achievement. I and
2 this entire legislative body would like to wish
3 her all the best in achieving that goal and many
4 more.

5 For these reasons, I wish to
6 congratulate Jada Kenner upon her New York State
7 Girls 300-Meter Championship and the world record
8 she has achieved.

9 Thank you.

10 ACTING PRESIDENT BENJAMIN: The
11 resolution was previously adopted on March 19th.

12 Senator Gianaris.

13 SENATOR GIANARIS: I believe
14 Senator Jacobs would like that open for
15 cosponsorship as well, Mr. President.

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

20 Senator Gianaris.

21 SENATOR GIANARIS: Can we now take
22 up the reading of the calendar -- oh, excuse me,
23 I forgot. Can we please call on Senator Little
24 for an introduction.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Little.

2 SENATOR LITTLE: Thank you,
3 Mr. President. And thank you, Senator Gianaris.

4 It's my privilege today to welcome
5 to the Senate a very special group of students
6 from St. Mary's-St. Alphonsus Regional Catholic
7 School in Glens Falls, New York. They're here
8 today with their teacher, Mrs. Marcy Carbone.

9 And as we know, they're
10 fourth-graders and they are studying New York
11 State history. So they're getting to see where
12 we are and where laws are made. But how
13 wonderful it is for them to be here today to see
14 what else we do here in the chamber.

15 And to Senator Kaplan for
16 recognizing the Persian New Year for the first
17 time in this chamber, and letting us all be more
18 aware of that, and for those who are here on that
19 behalf, the students are getting to see that, as
20 well as our recognition of Juice and the need for
21 and help for and recognition of all those with
22 Down syndrome. So this is a special day for them
23 to see all of this, not just the fact that we
24 make laws.

25 It's a special day for me because in

1 this class is my granddaughter, Josephine
2 Hogan -- I ask her to stand -- and also her
3 mother, my daughter Elizabeth Hogan. So you're
4 now looking at three generations of Littles.

5 (Laughter.)

6 SENATOR LITTLE: But I'm very happy
7 to have them here, and I would ask their class to
8 stand and be recognized by the chamber. And
9 thank you for this introduction.

10 Thank you.

11 ACTING PRESIDENT BENJAMIN: To our
12 guests.

13 (Standing ovation.)

14 ACTING PRESIDENT BENJAMIN: Senator
15 Gianaris.

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

18 ACTING PRESIDENT BENJAMIN: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number 63,
21 Senate Print 1978A, by Senator Addabbo, an act in
22 relation to establishing the legislative task
23 force on responsible gaming.

24 ACTING PRESIDENT BENJAMIN: Read
25 the last section.

1 THE SECRETARY: Section 6. 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, 62.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 108, Senate Print 2174, by Senator Bailey, an act
13 to amend the Social Services Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the 90th day after it
18 shall have become a law.

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN: Senator
23 Bailey to explain his vote.

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

1 And I rise to thank my colleagues
2 for voting in support of this very important
3 piece of legislation.

4 To put it as briefly as possible,
5 when individuals are applying for SNAP, they are
6 in a position where they are looking to
7 supplement their lives and be able to eat. And
8 eating is something that we all need to do,
9 Mr. President. It is a basic necessity of human
10 life. And just because you have language
11 barriers, you should not be precluded from being
12 able to seek assistance in finding what is our
13 basic need.

14 So I am grateful for everybody in
15 this house understanding how important that is.
16 And I vote aye, Mr. President, and I once again
17 thank my colleagues for doing the same.

18 ACTING PRESIDENT BENJAMIN: Senator
19 Bailey to be recorded in the affirmative.

20 Announce the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 169, Assembly Print 5029A, substituted earlier by

1 Assemblymember Cusick, an act in relation to
2 creating the Finger Lakes Community Preservation
3 Act.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

8 ACTING PRESIDENT BENJAMIN: Call
9 the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BENJAMIN: Senator
12 May to explain her vote.

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

15 I'm not sure how many of my
16 colleagues from New York are aware of this, but
17 about a third of your solid waste gets trucked
18 upstate through my district into the Finger
19 Lakes, to landfills at the northern end of Cayuga
20 and Seneca lake.

21 Now Circle Energy has proposed a
22 giant incinerator very close to the shore of
23 Seneca Lake, farther down the lake, so that those
24 trucks would have to travel not just across on
25 the Thruway, but they would have to take rural

1 roads right along the lake, the same roads that
2 people take to go to the vineyards along the
3 lake, and the cheese tasting rooms.

4 And there's a lot of tourism along
5 that lake. It's a beautiful area of the state,
6 and I hope that you will visit if you've never
7 been there.

8 But what we don't need, the last
9 thing we need is giant trash trucks just clogging
10 those roads and going to a giant incinerator
11 which would then also pollute the waters of
12 beautiful Seneca Lake.

13 So this bill is important for
14 tourism. It is important for small business in
15 the area. It is important for the ecology of
16 this region.

17 I want to thank Senator Helming for
18 her leadership on making this happen, as well as
19 Assemblymembers Cusick and Lifton.

20 This is a really important bill. I
21 am excited that it is -- I want to thank the
22 leadership of the Majority Leader for bringing
23 this to the floor today, because this is going to
24 make a big difference for tourism, for just the
25 ecological health of the Finger Lakes.

1 As chair of the Commission on Rural
2 Resources, this is a very important step toward
3 protecting our rural areas in this state, and I
4 am very proud to vote aye.

5 Thank you.

6 ACTING PRESIDENT BENJAMIN: Senator
7 May to be recorded in the affirmative.

8 Senator Helming to explain her vote.

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

11 I rise today to explain my vote, and
12 I'd like to begin by thanking this body for
13 passing this bill for the second year in a row.
14 Last year it was unanimous approval; I hope it's
15 unanimous again today.

16 Also, I'd just like to say that with
17 unanimous support it continues the theme of what
18 we're talking about today, pulling together on
19 issues regardless of partisan politics. When it
20 comes to issues like protecting our lakes,
21 protecting a region like the Finger Lakes, doing
22 what's best for people, the people that we
23 represent in New York State, it's so wonderful to
24 see this body come together.

25 As Senator May stated, our Finger

1 Lakes will now be protected from the construction
2 of new incinerators along the Finger Lakes. And
3 what's so significant about that, along with
4 those incinerators, these beasts are fed with
5 trash. And our area already takes more trash
6 that's imported from outside of the Finger Lakes
7 than in any other area in the State of New York.

8 This bill is very important to so
9 many people. And it shows what can be done when
10 people set aside differences and work together.
11 We had so many people come to the table to make
12 this possible from both sides of the aisle. And
13 I want to thank all of the environmental
14 advocates who met with the independent business
15 owners, with the winery owners. I want to thank
16 Assemblyman Cusick and his staff for their work,
17 their time, their energy they spent on making
18 this bill possible. Senator O'Mara's office and
19 Senator O'Mara himself. Senator Griffo's office;
20 Senator Griffo.

21 Also the former staff of the Rural
22 Resources Department, Jillian Kassow and Caitlyn
23 Gilligan, who worked tirelessly on this, and my
24 own staff. I mean, I just can't express how many
25 hours were spent working here in Albany, bringing

1 groups and individuals together to get this bill
2 done, and traveling out to the Finger Lakes to
3 meet with people and to see the area that we're
4 talking about.

5 So to my own staff, Kristin Frank,
6 and also Chris Catt, I also extend a tremendous
7 thank you. And to Senator May, for lending your
8 name to support this bill to get it to the floor,
9 I thank you for that too.

10 This bill does not stop -- this bill
11 does not do everything that is needed to be done
12 to protect the Finger Lakes, but it is a good
13 first measure, and again I thank everyone for
14 your support.

15 Thank you.

16 ACTING PRESIDENT BENJAMIN: Senator
17 Helming to be recorded in the affirmative.

18 Senator O'Mara to explain his vote.

19 SENATOR O'MARA: Yes, thank you,
20 Mr. President.

21 I'm proud to stand here as the
22 sponsor of this bill today to prevent this
23 incinerator project in the middle of Finger Lakes
24 Wine Country, between the Seneca Lake and
25 Cayuga Lake, where there is already incredible

1 garbage truck traffic. It doesn't just flow
2 across the Thruway and drop down to those
3 northern landfills that are close to the Thruway,
4 it comes up from the Southern Tier to the Finger
5 Lakes region, as it is already overwhelming our
6 local roads and highways with garbage trucks
7 flowing through night and day to the facilities.

8 This would just add to that,
9 together with the environmental consequences of
10 that increased truck traffic through the
11 beautiful Finger Lakes region. We want to be
12 known for our wine and our tourism, not our
13 landfills and not our garbage truck traffic.

14 This is an incinerator project that
15 has tried to have been sold as being very
16 environmentally friendly with the emissions that
17 come out of it. And if that is the case, then I
18 say why not build these incinerators closer to
19 the source of the garbage and avoid the
20 transportation, negative environmental
21 consequences, the extra cost in transporting that
22 garbage through our upstate districts, impacting
23 our tourism?

24 And for those reasons I urge an aye
25 vote on this legislation today.

1 Thank you.

2 ACTING PRESIDENT BENJAMIN: Senator
3 O'Mara to be recorded in the affirmative.

4 Announce the results.

5 THE SECRETARY: Ayes, 62.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 177, Senate Print 3238, by Senator Comrie, an act
10 to amend the Tax Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

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

15 ACTING PRESIDENT BENJAMIN: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BENJAMIN:
19 Announce the results.

20 THE SECRETARY: In relation to
21 Calendar 177, those Senators voting in the
22 negative are Senators Akshar, Flanagan, Helming,
23 Jordan, LaValle, O'Mara and Tedisco.

24 Ayes, 55. Nays, 7.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number
3 182, Senate Print 2106A, by Senator Sanders, an
4 act to amend the Banking Law.

5 ACTING PRESIDENT BENJAMIN: Read
6 the last section.

7 THE SECRETARY: Section 2. This
8 act shall take effect on the 90th day after it
9 shall have become a law.

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: In relation to
16 Calendar Number 182, those Senators recorded in
17 the negative are Senators Akshar, Boyle, Funke,
18 Gallivan, Griffio, Helming, Jacobs, Jordan, Lanza,
19 Little, O'Mara, Ortt, Serino, Seward and Tedisco.
20 Also Senator LaValle.

21 Ayes, 46. Nays, 16.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 THE SECRETARY: Calendar Number
25 201, Senate Print 102, by Senator Kaminsky, an

1 act authorizing the Sunrise Day Camps
2 Association, Inc., to receive retroactive real
3 property tax-exempt status.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

8 ACTING PRESIDENT BENJAMIN: Call
9 the roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: In relation to
12 Calendar 201, those Senators in the negative are
13 Senators Akshar, O'Mara, Ortt and Tedisco.

14 Ayes, 58. Nays, 4.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: On page 16, Senator
18 Rivera moves to discharge, from the Committee on
19 Finance, Assembly Bill Number 3276 and substitute
20 it for the identical Senate Bill 1819, Third
21 Reading Calendar 224.

22 ACTING PRESIDENT BENJAMIN: The
23 substitution is so ordered.

24 The Secretary will read.

25 THE SECRETARY: Calendar Number

1 224, Assembly Print 3276, by Assemblymember
2 Joyner, an act to amend the Public Health 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: Senator
11 Rivera to explain his vote.

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

14 I want to thank Senators both
15 Salazar and Krueger for moving this quickly
16 through their committees, as well as
17 Assemblymember Joyner, who just passed it in the
18 Assembly a little bit earlier today.

19 This bill would create the Maternal
20 Mortality Review Board as well as Advisory
21 Council. The fact is that in the State of
22 New York, out of 50 states in the nation,
23 unfortunately and sadly, New York is number 30.
24 There are way too many women that are dying right
25 after birth from complications that happened

1 after birth. And we need to make sure that we
2 have more information about this issue.

3 It is even more tragic that it is
4 women of color, particularly black women, that
5 are struck by this.

6 We need to make sure that we have
7 information, that we figure out exactly what is
8 going on so that we can have better practices at
9 medical facilities all across the state. And so
10 we want to make sure when we're talking about
11 maternal deaths or maternal morbidity, that we
12 address it.

13 So this is the reason why this bill
14 has been pushed forward. And we want to make
15 sure that new mothers are provided the necessary
16 level of healthcare not only to give birth
17 safely, but to prevent them from developing
18 life-threatening complications after birth.

19 I'm glad that we've been able to
20 move this piece of legislation. I'm glad for all
21 the support from my colleagues. And hopefully
22 the Senate -- after we move it in the Senate and
23 the Assembly, the Governor would sign it into
24 law.

25 Thank you so much, Mr. President.

1 ACTING PRESIDENT BENJAMIN: Senator
2 Rivera to be recorded in the affirmative.

3 Senator May to explain her vote.

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

6 I want to thank Senator Rivera for
7 bringing this very important bill and the
8 leadership for moving it forward.

9 In Sweden, four women out of 100,000
10 die from complications of childbirth, which is a
11 tragedy. But in the United States, among women
12 of color, the rate is ten times that high --
13 40 women out of 100,000 die either in childbirth
14 or soon after.

15 This is a national disgrace, and it
16 is time that we took action on it. In my home
17 county, Onondaga County, overall the number is
18 31.6 women per 100,000. That is just shameful.

19 So it is high time that we did this.
20 I am very pleased to vote aye on this bill. And
21 I hope that we can begin the process of reversing
22 the trend that has doubled maternal death rates
23 in the last 20 years. I hope we can start the
24 trend in the opposite direction and move quickly
25 toward being a country that can take pride in the

1 way we treat women in childbirth.

2 Thank you.

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

5 Announce the results.

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

9 THE SECRETARY: Calendar Number
10 288, Senate Print 2709, by Senator Kennedy, an
11 act to amend the Business Corporation Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

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

16 ACTING PRESIDENT BENJAMIN: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BENJAMIN:
20 Announce the results.

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT BENJAMIN: The
23 bill is passed.

24 Senator Gianaris, that completes the
25 reading of today's calendar.

1 SENATOR GIANARIS: Mr. President,
2 is there any further business at the desk?

3 ACTING PRESIDENT BENJAMIN: There
4 is no further business at the desk.

5 SENATOR GIANARIS: I move to
6 adjourn until Monday, March 25th -- which happens
7 to be Greek Independence Day, for all those who
8 might care -- at 3:00 p.m., intervening days
9 being legislative days.

10 ACTING PRESIDENT BENJAMIN: On
11 motion, the Senate stands adjourned until Monday,
12 March 25th, at 3:00 p.m., intervening days being
13 legislative days.

14 (Whereupon, at 12:14 p.m., the
15 Senate adjourned.)

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