

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 March 25, 2019

11 3:32 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, let us bow our heads in a
10 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, Sunday,
16 March 24, 2019, the Senate met pursuant to
17 adjournment. The Journal of Saturday, March 23,
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 15, Senator

1 Gallivan moves to discharge, from the Committee
2 on Children and Families, Assembly Bill Number
3 5842 and substitute it for the identical Senate
4 Bill 273A, Third Reading Calendar 238.

5 ACTING PRESIDENT BENJAMIN:

6 Substitution so ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Report of select committees.

10 Communications and reports from
11 state officers.

12 Motions and resolutions.

13 Senator Gianaris.

14 SENATOR GIANARIS: Mr. President,
15 on behalf of Senator Carlucci, on page 19 I offer
16 the following amendments to Calendar 298, Senate
17 Print 3872, and ask that said bill retain its
18 place on Third Reading Calendar.

19 ACTING PRESIDENT BENJAMIN: The
20 amendments are received, and the bill shall
21 retain its place on the Third Reading Calendar.

22 SENATOR GIANARIS: On behalf of
23 Senator Bailey, I move the following bill be
24 discharged from its respective committee and
25 recommitted with instructions to strike the

1 enacting clause: Senate Bill 2169.

2 ACTING PRESIDENT BENJAMIN: It is
3 so ordered.

4 SENATOR GIANARIS: Please call on
5 Senator Griffo.

6 ACTING PRESIDENT BENJAMIN: Senator
7 Griffo.

8 SENATOR GRIFFO: Mr. President, I
9 move that the following bills, on behalf of
10 Senator Flanagan -- Senate Bills 883, 918, 972,
11 1019, and 1064 -- be discharged from their
12 respective committees and recommitted with
13 instructions to strike the enacting clause.

14 ACTING PRESIDENT BENJAMIN: It is
15 so ordered.

16 Senator Gianaris.

17 SENATOR GIANARIS: Mr. President,
18 can we now take up previously adopted
19 Resolution 629, by myself and others, read the
20 title only, and allow me to speak on it, please.

21 ACTING PRESIDENT BENJAMIN: The
22 Secretary will read.

23 THE SECRETARY: Senate Resolution
24 629, by Senator Gianaris, memorializing Governor
25 Andrew M. Cuomo to proclaim March 2019 as Greek

1 History Month in the State of New York, in
2 conjunction with the commemoration of the
3 198th Anniversary of Greek Independence.

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

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

8 Today, March 25th, is the day that
9 Greeks celebrate their independence from the
10 Ottoman Empire that they achieved in 1821. And
11 it comes at a historic time in this chamber when
12 we have more people of Greek heritage serving in
13 the Senate than at any time previously in
14 New York's history. We have myself, Senator
15 Gounardes, Senator Skoufis, and Senator Jordan,
16 who are all Greek Americans and proud of it.

17 And as everybody knows, we claim
18 credit for a lot of things about Western
19 civilization, including our democracy -- which
20 allows us all to be here today representing our
21 districts and our communities back home --
22 science, philosophy, math. If anyone has seen
23 the movies, you know we'll claim it all as our
24 own, and with good reason.

25 Because Western civilization owes

1 much to the history of the Greek people, not just
2 from ancient times but also in the modern era.

3 In fact, there's a great quote from Winston
4 Churchill when he was recognizing the bravery of
5 the Greek people during World War II, when he
6 said: "Until now we used to say that the Greeks
7 fight like heroes; now we shall say that heroes
8 fight like Greeks." And that was because of the
9 resistance they put up against the Nazi
10 oppression in World War II and the bravery that
11 they showed in the modern era, as well as that
12 that has been documented throughout history from
13 the battles at Thermopylae and all throughout.

14 The common thread we see in the
15 Greek people is a tremendous courage, bravery and
16 dignity that I am proud to continue to represent
17 here in this chamber, as someone who is of Greek
18 extraction. My own parents, immigrants from
19 Greece, came here to live the American dream like
20 so many others and now get the privilege of being
21 represented by their own son in the State Senate.

22 So I want to thank my colleagues for
23 letting me have a couple of minutes to speak
24 about this, and I want to thank the Greek people
25 for their contributions that have allowed us all

1 to enjoy the freedoms we have here in the
2 United States.

3 Thank you.

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

6 SENATOR JORDAN: Mr. President and
7 my colleagues, I rise to speak on Senator
8 Gianaris's resolution in honor of Greek History
9 Month.

10 Like Senator Gianaris, I'm deeply
11 proud of my Greek heritage. My grandparents came
12 to America in search of a better life and
13 opportunities. My paternal grandparents came
14 from Mytilene and Evia, and my maternal
15 grandparents are from Skuda {ph} and Kastania.
16 They left everything they knew in coming to
17 America and working hard for a better life. I'm
18 so proud to be their granddaughter, to stand on
19 their strong Greek shoulders and serve as a
20 New York State Senator.

21 We Greeks are known for our loyalty
22 and our passion, our love of family, food, life
23 and culture. We put and pour our heart and soul
24 into everything we do. There is a modern Greek
25 word to describe that passion, our zest for

1 living and for life. It's a word that I'm sure
2 Senator Gianaris knows well. That Greek word is
3 "meraki." It means creativity and love, the
4 putting of something of yourself, of your very
5 soul, into what you are doing.

6 The Greeks, Senator Gianaris's and
7 my ancient ancestors, are credited with the very
8 concepts that are the building blocks of our
9 society and culture: Science, philosophy, logic,
10 the Olympics. The very birthplace of democracy
11 itself, a tradition, a practice, an ideal that we
12 carry on in this chamber.

13 This year marks the 198th
14 anniversary of Greek independence. I'm proud to
15 observe this historic milestone and prouder still
16 to say zito i Elláda -- long live Greece.

17 Thank you, Mr. President.

18 ACTING PRESIDENT BENJAMIN: Senator
19 Ramos on the resolution.

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

22 Or I should say Efharistó,
23 Mr. President.

24 As many of you may have noticed, I
25 am not Greek. But I do want to share why I'm so

1 thankful for the contributions of Greek
2 Americans, especially in my community, where I
3 have a large Greek community with very delicious
4 restaurants.

5 And that's that I grew up in my
6 Astoria because my mother, upon coming to this
7 country, could only find work as a seamstress in
8 Astoria. And so because her employers didn't
9 speak Spanish, obviously, or much English, my
10 mother had to learn Greek in order to survive in
11 her workplace. And so while she's fluent, my
12 sisters and I tend to butcher it a little bit, as
13 my Greek counterparts know.

14 But I would like to say to my Greek
15 neighbors {in Greek}. Thank you.

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

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

20 I also rise as a very, very proud
21 Greek American to celebrate the 198th anniversary
22 of Greece's independence after 400 years of
23 Ottoman enslavement.

24 I am the grandson and great-grandson
25 of Greek immigrants, and so my culture, my

1 ethnicity plays a big role and has played a big
2 role in my entire life. I spent 10 years in
3 Greek school. So I will not bore the chamber
4 with the list of achievement that Senator
5 Gianaris kind of gave us the highlights of, of
6 all the great things that the Greek people have
7 done in this world and for us all today. The
8 many, many, many great Greek things.

9 But I do want to just say, you know,
10 we have -- for those of you that have not heard
11 the Greek national anthem, it's quite a beautiful
12 poem. It's called the "Hymn to Liberty," and it
13 was written in 1823, just two years after Greece
14 declared its independence. And it was written by
15 a poet, Dionýsios Solomós. And he wrote it, it
16 was 158 stanzas -- I promise I'm not going to
17 read all 158. But the first two stanzas are what
18 we use today in Greece and in Cyprus as our
19 national anthem. And I want to just read the
20 translation, because I think it's really
21 beautiful and it captures the essence of what the
22 Greek people were fighting for as they fought for
23 their independence.

24 "I shall always recognize you
25 by the dreadful sword you hold

1 as the Earth with searching vision
2 you survey with spirit bold
3 From the Greeks of old whose dying
4 brought to life and spirit free
5 now with ancient valor rising
6 Let us hail you, oh Liberty
7 now with ancient valor rising
8 Let us hail you, oh Liberty."

9 Words that I learned very well from a young age
10 and that I recited year after year after year,
11 that I'm incredibly proud to stand on this floor
12 in this chamber today and share with you all
13 today.

14 Happy Greek Independence Day. {In
15 Greek.} Thank you.

16 ACTING PRESIDENT BENJAMIN: The
17 resolution was previously adopted on March 12th.
18 Senator Gianaris.

19 SENATOR GIANARIS: Please open the
20 resolution for cosponsorship, Mr. President.

21 ACTING PRESIDENT BENJAMIN: The
22 resolution is open for cosponsorship. Should you
23 choose not to be a cosponsor, please notify the
24 desk.

25 Senator Gianaris.

1 SENATOR GIANARIS: And can we now
2 please take up previously adopted Resolution 580,
3 by Senator Hoylman, read the title only, and
4 recognize Senator Hoylman.

5 ACTING PRESIDENT BENJAMIN: The
6 Secretary will read.

7 THE SECRETARY: Senate Resolution
8 580, by Senator Hoylman, commemorating the
9 108th Anniversary of the Triangle Shirtwaist
10 Factory Fire on March 25, 2019.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Hoylman on the resolution.

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

15 I rise in commemoration of the
16 anniversary, the 108th anniversary of one of the
17 most tragic moments in our state's history. It
18 was in fact the worst workplace disaster for
19 90 years, until 9/11 occurred. And that is the
20 Triangle Shirtwaist Factory Fire, which occurred
21 in my district just off of Washington Square
22 Park, at the corner of Greene Street and
23 Washington Place.

24 And this morning a number of
25 dignitaries gathered to ring a fireman's bell

1 146 times, for each of the 146 victims who died
2 in that terrible tragedy.

3 The Triangle Shirtwaist Factory Fire
4 took place on March 25, 1911, at approximately
5 4:40 p.m. According to the Census Bureau, they
6 determined that of the 146 garment workers who
7 perished in that sweatshop, 123 were young women
8 mostly between the ages of 14 and 23 years.
9 Seventy-three of them were from Russia, 40 from
10 Italy, 16 from Austria, five from Rumania, and
11 also individuals from Hungary, Germany, Jamaica
12 and England. The majority of the victims were
13 Jewish, and there were many Italian-Americans who
14 died as well.

15 If you go to that site now,
16 Mr. President, it's a very unassuming building.
17 It's part of the NYU campus. The actual
18 structure still stands, under the name the
19 Brown Building. But what happened inside that
20 structure really changed the course of labor
21 history, immigration relations, fire and safety
22 code regulations, as well as a new understanding
23 of how we in government are to stand up for
24 working people.

25 The fire occurred on the 8th, 9th

1 and 10th floors of the factory, after some
2 careless work person probably flicked a cigarette
3 into a pile of discarded shirtwaist materials.
4 Now, a shirtwaist was a women's blouse, a
5 button-down blouse that was very popular in the
6 early 1900s.

7 And the two men who ran the Triangle
8 Shirtwaist Factory were Isaac Harris and Max
9 Blanck. They were known as the "Shirtwaist
10 Kings," and they developed this small empire of
11 clothing manufacturers throughout the city,
12 including Greenwich Village.

13 When the fire took place, women
14 attempted to flee but were confronted by doors
15 locked by the factory's managers, Mr. Harris and
16 Mr. Blanck, and prevented from leaving. In
17 addition to that, the fire hose was corroded,
18 there wasn't a sprinkler system. The elevator
19 only held 12 people and made only four trips
20 before it broke down completely. The two
21 stairways -- there were two stairways to the
22 street, but as I mentioned the doors were locked
23 and the fire escape was too narrow for the 600 or
24 so workers to file out.

25 So the end result, the tragic

1 result, was that so many of the victims jumped
2 down the elevator shaft or out of windows.
3 Others were just simply burned alive. And the
4 images that were seen at the time were young
5 women leaping from the windows on those upper
6 floors, often holding hands or holding each other
7 as they fell.

8 What was equally tragic is that at
9 the time, the New York City Fire Department's
10 ladders only reached to the seventh floor. So
11 many of the victims were just simply out of reach
12 of being saved.

13 We do know now that before that
14 tragedy occurred, those two gentleman, Harris and
15 Blanck, had resisted organizing in their
16 workplaces by garment workers. The International
17 Ladies Garment Workers Union was very active at
18 the time and actually had tried to organize the
19 Triangle location, but Harris and Blanck
20 literally locked them out.

21 They were later charged with first-
22 and second-degree murder but were found innocent.
23 A headline at the time read, after that very
24 surprising verdict was delivered, "147 Dead,
25 Nobody Guilty."

1 They subsequently were sued in civil
2 court by the families of the victims and had to
3 pay a whopping \$75 per deceased victim. Now, the
4 insurance company for Harris and Blanck paid the
5 owners about \$400 per casualty. So if you look
6 at it, Harris and Blanck actually made money off
7 of this tragedy.

8 In fact, in later years Harris
9 opened another shirtwaist factory in New Jersey.
10 And after there were inspectors who came to
11 visit, they noticed that he was continuing to
12 lock his employees in their workplace so they
13 couldn't leave in the case of an emergency.

14 You know, one of the great things
15 that came out of this tragedy, of course, was
16 that this body, back in the day, created a
17 commission to examine the irregularities that
18 occurred leading up to the fire and passed a
19 number of laws that for the first time were
20 regulating the workplace.

21 And at the federal level, there was
22 a young woman who witnessed the tragedy in person
23 and went on to not only lead a committee of
24 public safety for the City of New York but later
25 became Franklin Delano Roosevelt's Secretary of

1 Labor, the dynamo Frances Perkins, and was one of
2 the architects of the New Deal. In addition to
3 creating Social Security and many public work
4 programs, she was leading the effort on the
5 nation's first minimum wage and overtime laws.

6 So I'll close by saying that I think
7 it's appropriate that we recognize this tragedy
8 every year. It is humbling, really, to represent
9 the neighborhood and live just a few blocks from
10 where such a tragedy occurred. But the women and
11 girls who died that day helped save generations
12 of American workers from their same fate and we
13 remember them, Mr. President, with gratitude.

14 Thank you.

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

17 Senator Gianaris.

18 SENATOR GIANARIS: Mr. President,
19 Senator Hoylman would like to open that
20 resolution for cosponsorship.

21 ACTING PRESIDENT BENJAMIN: The
22 resolution is open for cosponsorship. Should you
23 choose not to be a cosponsor, please notify the
24 desk.

25 Senator Gianaris.

1 SENATOR GIANARIS: Can we move to
2 the reading of the calendar, please.

3 ACTING PRESIDENT BENJAMIN: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number
6 238, Assembly Print 5842, substituted earlier by
7 Assemblymember Nolan, an act to amend the
8 Education Law.

9 ACTING PRESIDENT BENJAMIN: Read
10 the last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect on the same date and in the
13 same manner as a chapter of the Laws of 2018.

14 ACTING PRESIDENT BENJAMIN: Call
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BENJAMIN:
18 Announce the results.

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT BENJAMIN: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 250, Senate Print 3736, by Senator Breslin, an
24 act to amend the Insurance Law.

25 ACTING PRESIDENT BENJAMIN: Read

1 the last section.

2 THE SECRETARY: Section 2. 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:
8 Announce the results.

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT BENJAMIN: The
11 bill is passed.

12 THE SECRETARY: Calendar Number
13 274, Senate Print 4049A, by Senator Parker, an
14 act to amend the Executive Law.

15 ACTING PRESIDENT BENJAMIN: Read
16 the last section.

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

20 ACTING PRESIDENT BENJAMIN: Call
21 the roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BENJAMIN: Senator
24 Helming to explain her vote.

25 SENATOR HELMING: Thank you.

1 Senator Parker, I want to thank you
2 for bringing this bill forward. Providing
3 housing for our veterans who are homeless is a
4 top priority, I know of this body and also of
5 myself. Being from a military family, this topic
6 hits home.

7 I do want to remind the State Senate
8 that in years past we provided funding for
9 Warrior Salute, a program that provides housing
10 for veterans who are suffering from PTSD.
11 Warrior Salute also has a secondary housing unit
12 for veterans who are suffering from substance
13 abuse.

14 In the past, that organization has
15 been awarded \$200,000. In this year's Senate
16 one-house budget, it was zeroed out. I beg you,
17 I implore you, if we truly care about our
18 veterans, our homeless veterans, and getting them
19 off the streets and helping them, if we truly
20 care about getting our veterans help who are
21 addicted to drugs, let's restore the \$200,000 for
22 the Warrior Salute program that provides
23 temporary, traditional and long-term housing for
24 veterans from all corners of New York State.

25 Thank you. I vote aye.

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

3 Announce the results.

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number
8 279, Senate Print 232, by Senator Kennedy, an act
9 to amend the Economic Development Law and the
10 Public Service Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

13 THE SECRETARY: Section 5. This
14 act shall take effect on September 1, 2021.

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: Ayes, 61.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 299, Senate Print 4276, by Senator Skoufis, an
25 act to amend the Election Law.

1 ACTING PRESIDENT BENJAMIN: Read
2 the last section.

3 THE SECRETARY: Section 71. This
4 act shall take effect immediately.

5 ACTING PRESIDENT BENJAMIN: Call
6 the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BENJAMIN:
9 Announce the results.

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT BENJAMIN: The
12 bill is passed.

13 Senator Gianaris, that completes the
14 reading of today's calendar.

15 SENATOR GIANARIS: Is there any
16 further business at the desk, Mr. President?

17 ACTING PRESIDENT BENJAMIN: There
18 is no further business at the desk.

19 ACTING PRESIDENT BENJAMIN: I move
20 to adjourn until tomorrow, Tuesday, March 26th,
21 at 3:00 p.m.

22 And there will be an immediate
23 Democratic conference in the Democratic
24 Conference Room.

25 ACTING PRESIDENT BENJAMIN: There

1 will be an immediate Democratic conference in the
2 Democratic Conference Room.

3 On motion, the Senate stands
4 adjourned until Tuesday, March 26th, at 3:00 p.m.

5 (Whereupon, at 3:54 p.m., the Senate
6 adjourned.)

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