

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 29, 2019

11 11:13 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: The  
9 Reverend Sonia Chambers, senior pastor of  
10 Standard Bearer Ministries in Rosedale, will  
11 deliver today's invocation.

12 Reverend Chambers.

13 REVEREND CHAMBERS: Good morning.

14 Can we bow our heads.

15 Father, we just thank You and we  
16 just praise You for this time. Father, we thank  
17 You for every legislative body here. Cover each  
18 and every person, their families -- bring unity,  
19 even now, in the name of Jesus.

20 Father, I thank You for covering  
21 New York State. We thank You that wisdom is  
22 being poured down on each and every man and each  
23 and every woman. We thank You that bipartisan  
24 lines can be connected. We thank You, O God,  
25 that You're going to do something new in this

1 house. We thank You, O God, that You're going to  
2 do something perfect for Your will. I thank You,  
3 O God, that You're taking care of the people and  
4 You're taking care of the families, and  
5 furthermore, You're taking care of New York.

6 We thank You that You're doing it  
7 for Your glory. We thank You that You're doing  
8 it for Your honor. And we thank You that each  
9 and every person here will be blessed. I speak a  
10 blessing over their lives, even now, in Jesus'  
11 name. Amen.

12 SENATOR SANDERS: Mr. President, I  
13 want to thank Reverend Chambers for being here,  
14 and I want to ask that the courtesies of the  
15 house be extended to her and her flock.

16 Thank you very much, sir.

17 ACTING PRESIDENT BENJAMIN: Reading  
18 of the Journal.

19 THE SECRETARY: In Senate,  
20 Thursday, March 28, 2019, the Senate met pursuant  
21 to adjournment. The Journal of Wednesday,  
22 March 27, 2019, was read and approved. On  
23 motion, Senate adjourned.

24 ACTING PRESIDENT BENJAMIN: Without  
25 objection, the Journal stands approved as read.

1                   Presentation of petitions.  
2                   Messages from the Assembly.  
3                   Messages from the Governor.  
4                   Reports of standing committees.  
5                   Reports of select committees.  
6                   Communications and reports from  
7 state officers.

8                   Motions and resolutions.

9                   Senator Gianaris.

10                  SENATOR GIANARIS:    Mr. President,  
11 on behalf of Senator Kennedy, on page 20 I offer  
12 the following amendments to Calendar 347, Senate  
13 Print 3657, and ask that said bill retain its  
14 place on the Third Reading Calendar.

15                  ACTING PRESIDENT BENJAMIN:    The  
16 amendments are received, and the bill shall  
17 retain its place on the Third Reading Calendar.

18                  SENATOR GIANARIS:    Please call on  
19 Senator Griffo.

20                  ACTING PRESIDENT BENJAMIN:    Senator  
21 Griffo.

22                  SENATOR GRIFFO:    Mr. President, on  
23 behalf of Senator Boyle, I submit the following  
24 Senate Bill, 700, and ask that it be discharged  
25 from its respective committee and recommitted

1 with instructions to strike the enacting clause.

2 ACTING PRESIDENT BENJAMIN: It is  
3 so ordered.

4 Senator Gianaris.

5 SENATOR GIANARIS: I now move to  
6 adopt the Resolution Calendar, with the exception  
7 of Resolution 853.

8 ACTING PRESIDENT BENJAMIN: All in  
9 favor of adopting the Resolution Calendar, with  
10 the exception of Resolution 853, please signify  
11 by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT BENJAMIN:  
14 Opposed, nay.

15 (No response.)

16 ACTING PRESIDENT BENJAMIN: The  
17 Resolution Calendar is adopted.

18 Senator Gianaris.

19 SENATOR GIANARIS: Can we please  
20 take up previously adopted Resolution 783, by  
21 Senator Harckham, read that resolution in its  
22 entirety, and recognize Senator Harckham.

23 ACTING PRESIDENT BENJAMIN: The  
24 Secretary will read.

25 THE SECRETARY: Senate Resolution

1 Number 783, by Senator Harckham, recognizing  
2 March 29, 2019, as Vietnam Veterans Day.

3 "WHEREAS, The State of New York  
4 takes great pride in acknowledging days of  
5 observance of significant historic events; and

6 "WHEREAS, March 29, 2019, has been  
7 declared Vietnam Veterans Day; and

8 "WHEREAS, The United States carried  
9 out its first combat mission against the  
10 Viet Cong on January 12, 1962; in Operation  
11 Chopper, United States Army pilots lifted more  
12 than 1,000 South Vietnam service members over  
13 jungle and underbrush to capture a National  
14 Liberation Front stronghold near Saigon; and

15 "WHEREAS, The last American troops  
16 left Vietnam on March 29, 1973; and

17 "WHEREAS, During the 11-year war,  
18 Americans from different backgrounds, races, and  
19 creeds banded together to fight against the  
20 Viet Cong; and

21 "WHEREAS, More than 3 million  
22 Americans served their country, and more than  
23 58,000 sacrificed their lives; the names of those  
24 lost are forever engraved in the black granite  
25 Vietnam Memorial in Washington, D.C.; and

1               "WHEREAS, The Vietnam War era was a  
2 tumultuous time in America; when our brave  
3 service members returned home, often with  
4 physical and emotional scars, the voices of  
5 those who opposed the war sadly overcame those  
6 who supported our troops; and

7               "WHEREAS, The State of New York  
8 wishes to show its Vietnam veterans the respect  
9 and appreciation they deserve, but did not always  
10 get when they returned home; now, therefore, be  
11 it

12              "RESOLVED, That this Legislative  
13 Body pause in its deliberations to recognize  
14 March 29, 2019, as Vietnam Veterans Day, and to  
15 thank our brave Vietnam veterans for their  
16 honorable service to their country; and be it  
17 further

18              "RESOLVED, that copies of this  
19 resolution, suitably engrossed, be transmitted to  
20 Vietnam veteran organizations."

21              ACTING PRESIDENT BENJAMIN:    Senator  
22 Harckham on the resolution.

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

25              I also want to thank Senator Brooks

1 for cosponsoring this important resolution.

2 I've spoken on this floor with pride  
3 about the service of my father and my grandfather  
4 in World War II and World War I. Those who  
5 fought in World War II were called the "Greatest  
6 Generation," and with good reason.

7 But there was another great  
8 generation that didn't always get the accolades  
9 that it deserved, and they came from places like  
10 Peekskill and Carmel and Patterson and  
11 Mount Kisco. And they went to a place called  
12 Vietnam because their country asked them to.  
13 When they were called to service, they went.  
14 They went professionally, they went capably, they  
15 fought hard, and they brought honor to themselves  
16 and to their country. And yet when they came  
17 back, their country did not always recognize the  
18 sacrifices and the accomplishments that they  
19 made.

20 And thankfully, as time has passed,  
21 we've begun to recognize our veterans for their  
22 incredible service. But when they came back,  
23 they didn't stop serving, because they were there  
24 for each other. They came back with physical  
25 illnesses, they came back with wounds, they came



1 back with psychological scars. And while the  
2 rest of society was not necessarily focused on  
3 their pain and their plight after their service,  
4 they were. And they were there for each other,  
5 and they continue to be there for each other.

6 For instance, in things like the  
7 Dwyer Peer-to-Peer Program, which I'm proud to  
8 say we in a bipartisan fashion have put back in  
9 the budget. Just a valuable program of one vet  
10 helping another vet.

11 And so today we gather here in a  
12 bipartisan way to honor their service. We have  
13 gentlemen here from Westchester and Putnam in my  
14 district, but we have Vietnam veterans from all  
15 our districts. So today I'm proud to honor  
16 Karl Rhode, Arthur Hanley, James McCarthy,  
17 John Mastromarino, Jim Martin, Salvatore  
18 Bellanconi, Harry Sherblom, Joseph P. Reynolds,  
19 and Frank Goderre, as this legislative body today  
20 pauses to honor Vietnam veterans and we declare  
21 this Vietnam Veterans Day.

22 So, Mr. President, I humbly ask that  
23 you allow them all the privileges that this  
24 chamber affords and all the respect from all of  
25 the members of this esteemed body.

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

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

5                   Today is Vietnam Veterans Day.   This  
6     war and the events that took place during this  
7     war changed America.   The war began when I was in  
8     elementary school.   When it was time to go to  
9     college, the war was still going on.   The war  
10    began under President Kennedy by sending some  
11    advisors.   And over the course of the war, four  
12    different presidents would serve as  
13    commander-in-chief during this war.

14                  During this time we would see the  
15    assassination of a president of the United  
16    States.   We'd see the passage of a Civil Rights  
17    Act.   We'd see President Johnson elect not to  
18    seek reelection because of the war.   We'd see an  
19    assassination of the civil rights leader Martin  
20    Luther King, the assassination of a presidential  
21    candidate and a Senator of this state, Robert  
22    Kennedy.   We'd see the election and the  
23    resignation of Richard Nixon as president, and  
24    we'd see the installation of Gerald Ford, the  
25    first unelected president in our nation's

1 history.

2           The war started with some troops  
3 that were in Vietnam to serve as advisors. As  
4 the war continued to grow and expand, the support  
5 for the war was on decline. Vietnam was the  
6 first war that ever came into our living rooms.  
7 Every night we saw that war on television, we saw  
8 the horrors of what war really was. The words  
9 and the music of the day reflected the war and  
10 the changing attitudes.

11           There was a line in one of the  
12 songs, "You're old enough to kill but not old  
13 enough to vote. You don't believe in war, but  
14 what's that gun you're totin'?" Many felt that  
15 our country was on the eve of destruction.  
16 Protests across the nation grew. On colleges and  
17 universities across the nation, protestors took  
18 over campuses. In Ohio, National Guard units  
19 that were called to restore order resulted in  
20 four students being killed. The protests began  
21 to focus beyond just the political leaders and  
22 suddenly the members of the service were becoming  
23 targets of the protests. Finally, after 11  
24 years, more than 58,000 soldiers being lost, more  
25 than 3 million individuals serving, President

1 Ford returned the troops home. But when they  
2 came home, they didn't have the welcome that  
3 troops normally have. They didn't hear the  
4 thank-yous that troops normally heard.

5 We're honored today to have veterans  
6 of that war. These men, like those who took up  
7 arms to free this nation and create this nation,  
8 those who took up arms to maintain this as a  
9 single nation, those that stormed the beaches on  
10 D-Day were all heroes. These men that are here  
11 in this room today -- and all the veterans of  
12 Vietnam -- were heroes. But they never received  
13 the welcome home they deserve.

14 They were called to service by this  
15 nation, and they served admirably. The war was  
16 one which the country became fed up with. But  
17 these men, these men did what they were told to  
18 do.

19 So today, to these men, we say  
20 welcome home. We say thank you for your service.  
21 May God bless each and every one of you and may  
22 God bless the United States of America.

23 Thank you, Mr. President.

24 ACTING PRESIDENT BENJAMIN: Senator  
25 Mayer on the resolution.

1                   SENATOR MAYER:    Thank you,  
2   Mr. President.   And it's my honor.

3                   And I want to thank Senator Harckham  
4   and Senator Brooks for bringing this resolution  
5   to the floor today, but this really is a day to  
6   honor you individually, as individuals who really  
7   stepped up in a time of great conflict, went and  
8   served our country, and came home in a time of  
9   great conflict where you were not acknowledged  
10   and recognized and thanked.

11                  And today is another opportunity for  
12   us to say we made a mistake when you came home.  
13   Today we thank you in an official way on behalf  
14   of the people of the State of New York.   So many  
15   of you came back to your communities and jumped  
16   in and joined groups and participated and became  
17   active members of your community, and we're so  
18   appreciative.   But others of your colleagues came  
19   home and were unable to do that and had a lasting  
20   pain and really the challenges of serving in  
21   Vietnam had an impact on their lives forever.

22                  So we have an obligation as members  
23   of this body and as members of this country, one,  
24   to celebrate and honor your contribution, to  
25   thank you, and to make a lasting promise to those

1 who could not make it when they came back that we  
2 owe it to them to give them everything they need  
3 in order to survive and thrive.

4           Today is a day for you. We honor  
5 you. We appreciate your being here. I know  
6 several of you are from my district. But  
7 throughout New York State, from villages and  
8 towns, from cities alike, people stepped up and  
9 went. You were among them. We honor you, and we  
10 appreciate your being here today.

11           Thank you very much.

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

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

16           I want to thank Senator Harckham and  
17 Senator Brooks for this.

18           I want to also thank all of the  
19 vets. And to the Marines among you, I say Semper  
20 Fi. Only one? We've got to work on that.  
21 That's all right.

22           I was trained by many of this  
23 generation -- I'm post-Vietnam. I was trained by  
24 many of this generation, and I can attest that it  
25 was some tough training that you guys had. You

1       were very serious in it.

2                       I also want to applaud the raw  
3       courage that it took to do your duty, to get out  
4       there and to just go from one world to another  
5       world to -- you know, ours was not to question  
6       why. We were just sent there, and whatever we  
7       did -- raw courage.

8                       I also want to say that in this  
9       country there is room for dissent. That's part  
10      of the reason why we fought. We wanted to make  
11      sure that there could be room for dissent. But I  
12      encourage people who want to dissent, take it up  
13      with the politicians who send folk to these  
14      places. Take it up with those guys. Don't take  
15      it up with the troops. The troops, we just do  
16      whatever we're ordered to do. We just go  
17      wherever the government says that we should go.

18                      So I encourage people who have  
19      dissent, this day or other days, take it up with  
20      whoever is sending the troops.

21                      And I encourage us in this country  
22      that -- we seem to love the troops, but we really  
23      forget the veterans when they get back. We  
24      really kind of -- they're on their own out here.  
25      And we could do something, as we have.

1                   Now, this body is better than most,  
2     and I applaud that on both sides of the aisle,  
3     that when it comes to veterans, we are pretty  
4     good in making sure that all of the needs that we  
5     can think of are met. So I applaud all of us.

6                   But I encourage the rest of the  
7     nation that let's not forget that troops, God  
8     willing, become veterans, and they have needs and  
9     scars and things that they want to contribute.

10                  So I applaud you all. I again  
11     applaud those of us who have served. And I  
12     applaud Senator Harckham and Senator Brooks for  
13     bringing us here together. And Semper Fi again.

14                  ACTING PRESIDENT BENJAMIN:     Senator  
15     Robach on the resolution.

16                  SENATOR ROBACH:     Yes,  
17     Mr. President.

18                  Let me rise to support this  
19     important resolution. I think any time we can  
20     applaud, say thank you and recognize our  
21     veterans, it's not only necessary but critically  
22     important.

23                  And I want to especially thank those  
24     Vietnam veterans who today we honor who are here  
25     in the chamber, and not only them but Vietnam



1 veterans all across our state. And I am always  
2 so proud to work with Chapter 20 out of Monroe  
3 County, our Vietnam veterans chapter, which in  
4 addition I thank them for their service, but have  
5 been so active in creating a veterans court,  
6 working on programs for homeless veterans, PTSD,  
7 and lately taking up the mantle on the terrible  
8 scourge we have where 22 veterans a day, of all  
9 wars, are committing suicide.

10           So I thank you for what your past  
11 service has been, you're men and women of your  
12 era, and also what you continue to do today on  
13 behalf of veterans. It's critically important.  
14 And I want you to know, your efforts -- we just  
15 don't thank you -- are inspiring to me to make  
16 sure that we put the resources to help you do the  
17 important job you do, to take care of the  
18 veterans. Or, as my colleague Senator Sanders  
19 said, sometimes we have to put our actions with  
20 our words. But we thank you.

21           And I'll end on a very positive  
22 note. Even though I think we got the whole  
23 Vietnam thing wrong in terms of veterans  
24 returning, I'm always so pleased whenever I'm in  
25 a parade for any reason and the Chapter 20 honor

1 guard goes by Vietnam veterans and the crowd  
2 claps for them the loudest, because they know we  
3 didn't get it right the first time.

4 But I'm glad we're getting it now.  
5 And we thank you and all your colleagues for what  
6 you've done and what you continue to do. God  
7 bless you. And know it's greatly appreciated and  
8 we're going to make sure that future generations  
9 appreciate that also.

10 Thank you, Mr. President.

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

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

15 And it's so nice to see Karl and Art  
16 and the other Vietnam veterans here today. I  
17 thank you for coming.

18 You know, a lot of us here remember  
19 Colonel Larkin, right? And every time he'd get  
20 up and he'd speak so passionately and tell us his  
21 stories, and he'd have tears in his eyes. And I  
22 made a promise to him to always remind people  
23 about the Honor Flight.

24 And I think, Karl and Art, you can  
25 appreciate this, because just a couple of years

1     ago they opened the Honor Flight to the Vietnam  
2     veterans. And there wasn't a dry eye in the  
3     airport. And I try to make it to every single  
4     one. And I think it's been such a long time for  
5     you guys to hear the thank you. And when you see  
6     that at the airport, and the people that come  
7     out, I think it's very important for you guys to  
8     know that you have this community behind you.

9                     And we thank you, and God bless all  
10    of you for being here today. And God bless you  
11    for your service. Thank you.

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

14                    SENATOR HELMING:     Thank you,  
15    Mr. President. I rise in support of this  
16    resolution.

17                    To our Vietnam veterans who are here  
18    today, I honestly had no intention of rising to  
19    speak on this resolution. My intention was to  
20    come over, shake your hand and sincerely thank  
21    you for your service to this great country of  
22    ours. And to also apologize for the way you were  
23    treated.

24                    I find myself very, very conflicted  
25    about a couple of things. One, we talk a lot

1 about making sure that we continue to honor our  
2 veterans, that we do everything that we can to  
3 make up for the horrendous treatment that you  
4 experienced as Vietnam veterans. And I am  
5 thrilled today to hear from one of my colleagues  
6 that the funding has been restored for the Dwyer  
7 program.

8 But in my area that I represent, the  
9 Dwyer program doesn't cover most of the area.  
10 What does cover it is a program called the  
11 Warrior Salute program. It provides  
12 comprehensive services for veterans who are  
13 experiencing PTSD, for veterans who are homeless.  
14 It just -- it's a tremendous service. And this  
15 body in the one-house budget cut the \$200,000  
16 that that program received from the State Senate  
17 year after year.

18 To me, I think we could do better.  
19 So many of the people, the recipients of the  
20 Warrior Salute program, are Vietnam veterans. We  
21 can do better. We can show that we stand for  
22 these veterans, that we're not just paying lip  
23 service in this body, that we're doing everything  
24 we can. So it's my hope, my desperate hope that  
25 that program is restored.

1           I want to tell you that I'm being a  
2 little bit selfish when I speak to you, too. My  
3 son-in-law, right now, he's a proud member of the  
4 U.S. Special Forces. He's on a mission. So I  
5 want these services for the people who are  
6 veterans. You need them.

7           I also want to keep them intact for  
8 our men and women who are currently out there  
9 fighting. Oftentimes we forget that we're still  
10 a nation at war, that there are women and men who  
11 are sacrificing their lives every single day.

12           I also want to bring up something  
13 else that I heard recently that I've been trying  
14 to ignore, but it's time to speak out about it.  
15 I represent an area of the Finger Lakes. Seneca  
16 Falls, the birthplace of women's rights, is  
17 located in my district. And in Seneca Falls is  
18 the National Women's Hall of Fame.

19           I don't know if you gentlemen have  
20 heard, I don't know if my colleagues have heard,  
21 but the Women's Hall of Fame has recently  
22 announced that they are going to be inducting,  
23 into the Hall of Fame, Jane Fonda.

24           I guess there's not too much I want  
25 to say about that. But I want to offer to you,

1 if you have thoughts on that, if you have  
2 opinions on that, please let me know. Because  
3 you can believe that I will be standing up for  
4 our Vietnam veterans and will be adamantly  
5 opposed to that, and I will carry your voices if  
6 you'd like me to.

7 Thank you, Mr. President. I proudly  
8 stand in support of this resolution in support of  
9 our Vietnam veterans.

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

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

14 I align myself with the comments of  
15 all of my colleagues today. It is a great day in  
16 this house when we can say that we are all of one  
17 accord. We should be able to say that far more  
18 often, I believe.

19 Senator Harckham and Senator Brooks,  
20 thank you for bringing this resolution to the  
21 floor. And to the brave veterans, thank you for  
22 doing something that I could not imagine doing.  
23 You see, I recognize my privileges in society. I  
24 recognize that I have things that other people  
25 don't have. I have abilities that are afforded

1 to me because of folks like you. Because of  
2 folks like you that did things that you may or  
3 may not have wanted to do but were compelled to  
4 do for the betterment of your country, for our  
5 country.

6 And despite what you may think, you  
7 make America great. You made America great by  
8 your sacrifices. You see, people like me -- I'm  
9 36 years old, I've learned about the Vietnam War  
10 only through recollections of others, only  
11 through pop culture, only through movies like  
12 Dead Presidents, where you see the disparity and  
13 the despair in Vietnam vets who come home and  
14 can't find work, and you hear the songs like War,  
15 by Edwin Starr, who sang "War, what is it good  
16 for? Absolutely nothing."

17 And when you think about people like  
18 you, who fought for me, I couldn't not stand up.  
19 Because I've fought for things, but I've never  
20 had to fight. You had to do it. And you put the  
21 American flag, literally and figuratively, on  
22 your backs. And any time I've spoken to a vet  
23 from Vietnam, they can recall with crystal-clear  
24 specificity about their service, about what they  
25 did, about who they lost and where they were and

1     what time it happened.

2                     I can't imagine having to remember  
3     things that you remember, for the sake of people  
4     that -- that you've never even met. And I  
5     daresay, Mr. President, the true test of  
6     leadership in this house, for members and  
7     nonmembers, for anybody within the sound of my  
8     voice, is to think about what you're doing for  
9     people that you'll never meet. That's  
10    leadership. That's bravery.

11                    I salute you today and any other  
12    day. God bless you. God bless your service.  
13    And I strongly support this resolution,  
14    Mr. President.

15                    ACTING PRESIDENT BENJAMIN:     Senator  
16    Comrie on the resolution.

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

19                    I rise to echo the comments of my  
20    colleagues and thank the veterans for being here  
21    today. I hope that your entire day here in  
22    Albany is enjoyable. I want to thank them for  
23    their service.

24                    As Senator Bailey said, it's a  
25    commitment that they have to show that they're



1 true Americans, that they truly cared about this  
2 country. They went to serve it because they had  
3 to. It was before the draft ended, so they  
4 didn't have a choice. But they wanted to serve  
5 our country, they wanted to make sure that we had  
6 a better life for all of us so that we could be  
7 here today, so that America could be the country  
8 that it truly aspires to be, a country that  
9 serves all, that works for all, and that embraces  
10 all.

11               So I just want to thank them for  
12 their service. I can't speak to -- I would speak  
13 to many things about this, because when I  
14 finished high school, the draft ended. And I was  
15 so happy that the draft ended, because I was a  
16 big chicken. I was worried about going. I was  
17 worried about having to serve. I saw all of the  
18 news reports and the stories.

19               And it takes a special person to  
20 want to go into battle, to know -- especially  
21 with Vietnam, which was the first televised  
22 war -- the horrors that you're going to go into,  
23 but you want to serve this country and you want  
24 to go. It takes a special person to do that.

25               So in my office we have regular

1 veterans meetings every month. I hope that we  
2 all, in our own way, are doing everything we can  
3 to salute our veterans, to help them to find ways  
4 to make sure that their quality of life is  
5 everything that they deserve to be. Most of the  
6 veterans I know, when they have come back to  
7 their communities, they are active in their  
8 community in service ways. They're not looking  
9 for handouts, they're looking to try to be a real  
10 part of their community.

11 So I want to salute all the veterans  
12 here. I want to thank you. I know that you're  
13 active in your communities also. And I would  
14 hope that we learn from them, because they're  
15 living examples of what people truly need to be:  
16 Selfless, committed people that want to see a  
17 better country.

18 Thank you, Mr. President.

19 ACTING PRESIDENT BENJAMIN: Senator  
20 Montgomery on the resolution.

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

23 I rise to thank Senator Brooks and  
24 Senator Harckham for this resolution and to join  
25 you in celebrating the men of greatness who are

1 in our house today, and want to say that  
2 certainly as part of what hopefully we're making  
3 up for, for the mistake that we made for not  
4 absolutely welcoming in a very big way the men  
5 and women who came back from Vietnam.

6 I have a brother who was a Vietnam  
7 veteran -- who is a Vietnam veteran. And I just  
8 remember I was not angry because my brother, when  
9 he came home, it was the most wonderful, joyful  
10 thing for certainly me but also certainly for  
11 sure my mother and my family, because we were  
12 happy that he was able to come home from Vietnam.

13 So I didn't have the same experience  
14 of being angry. And I welcomed him home, and I  
15 welcome you here today. And I also thank the  
16 fact that I have in my district an organization  
17 which was one of the first if not perhaps the  
18 first organization of African-American veterans,  
19 especially Vietnam veterans, founded by Job  
20 Mashariki, who was also a Vietnam veteran.

21 So we share a lot in this room of  
22 very, very important and special regard for you,  
23 love for you.

24 And thank you, because you have  
25 given us an opportunity to talk about how great

1 America has been, is -- and to a very large  
2 extent because of what you were willing to give  
3 on our behalf.

4 So thank you, and God bless you.

5 ACTING PRESIDENT BENJAMIN: Senator  
6 Jackson on the resolution.

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

9 I rise in order to support my  
10 colleagues Senator Harckham and Senator Brooks in  
11 this resolution in honoring the veterans that are  
12 here today. Understanding that around the  
13 country, this is not only New York State but this  
14 is Vietnam Veterans Day.

15 I am not a veteran. I was in  
16 college when most of the activity was going on in  
17 the war. And my draft number was 128. And the  
18 last day of the draft, they reached up to I  
19 believe number 125. So I was happy that I was  
20 not called. I did not volunteer. And I don't  
21 know, quite frankly, if I would have volunteered.

22 But I respect those that have  
23 served, those that may have been injured and  
24 those that sacrificed their ultimate life on  
25 behalf of our country.

1                   One of the things that I've said --  
2                   and I'm a newbie, I'm a new Senator. I've only  
3                   been in the Senate three months. And I said to  
4                   my chief of staff, I want to make sure that at  
5                   least one of my staff members is a veteran. And  
6                   right now that member came on board approximately  
7                   a month ago. So I'm happy about that.

8                   And anything that I can do to help  
9                   to support veterans who have served our country  
10                  and sacrificed, I will do, in order to help them  
11                  who served our country.

12                  And I say to all of you, thank you  
13                  for serving. Just like I am serving in a  
14                  different capacity here in the New York State  
15                  Senate, trying to do what's best for our state.  
16                  So I thank you for your service, and I honor you  
17                  this afternoon.

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

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

22                  I can't match the eloquence that my  
23                  colleagues have spoken about this resolution on  
24                  behalf of our Vietnam veterans, especially  
25                  Senators Harckham and Brooks. But I rise today

1 because I want to dedicate my vote and my support  
2 of this resolution for one particular Vietnam  
3 veteran who had a profound impact on my life, and  
4 that is Mr. Jim.

5           Mr. Jim, you see, was my  
6 scoutmaster, and he served two tours of duty in  
7 Vietnam at a very young age. And then when he  
8 returned back home, one of the first things he  
9 did was he started our Boy Scout troop. And he  
10 served as our scoutmaster for 40-plus years,  
11 graduated more than 50 Eagle Scouts from its  
12 ranks, myself being Number 46.

13           And I can stand here without a hint  
14 of exaggeration or hyperbole and say I would not  
15 be in this chamber today were it not for Mr. Jim  
16 and his leadership and his guidance and his  
17 mentorship and his ability to mold young boys  
18 into young men -- all from lessons he learned  
19 during his service and that he instilled in us  
20 and imparted to us in his own deeply personal,  
21 deeply stoic and incredibly -- incredible way.  
22 He was a man of deep integrity.

23           You know, Mr. Jim is no longer with  
24 us. We lost him about a year and a half ago.  
25 And like so many times, we never get a chance to

1 say thank you, we never get a chance to say  
2 good-bye. And so I rise today to dedicate my  
3 vote to Mr. Jim to thank him for what he has done  
4 for me. And I'm using you as the vehicle by  
5 which I can do that, so I want to thank you all  
6 for your service, for what you've done for this  
7 country, for what you've done for the people of  
8 this country, and for who you are and who you  
9 represent and the impact it's had on all of us,  
10 young and old.

11 I'm a product of the 9/11  
12 generation. You know, the wars in Afghanistan  
13 and Iraq are the wars of my generation. And in  
14 my youthful precociousness, I didn't fully  
15 understand what it meant to go to war, what it  
16 meant to sacrifice. And Mr. Jim taught me. And  
17 Mr. Jim explained. And Mr. Jim opened my eyes.

18 So I thank him for that, and I thank  
19 you for your service to our country.

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

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

24 I also want to thank the sponsor for  
25 bringing this resolution to the floor.

1                   You know, the reason why we  
2   celebrate March 29th as Vietnam Veterans Day in  
3   New York is because of a man by the name of  
4   Lester Modelowitz, a Vietnam veteran from  
5   Staten Island, a good friend to myself and  
6   Senator Savino.

7                   When I first arrived here in the  
8   Senate, Lester Modelowitz came to me with the  
9   idea of creating this day. After all, it was in  
10  1973 on this day that President Nixon removed the  
11  last troops from Vietnam and signed an executive  
12  order that day making it Vietnam Recognition Day,  
13  but only for that year.

14                  And Lester thought, together with  
15  the Vietnam Veterans of America chapter on  
16  Staten Island, that we ought to recognize this  
17  day every year. And to me it was a no-brainer.  
18  I mean, who would not agree with that idea?

19                  I brought the idea to Assemblyman  
20  Matt Titone; he authored it in the Assembly. You  
21  would think within minutes it would have passed  
22  both houses. It didn't. That was just the  
23  beginning of a multiyear effort to convince folks  
24  across the political spectrum that it was time  
25  that we stand up and recognize the mistake that



1 had been made and that which we owe the men and  
2 women who sacrificed in that conflict.

3           People who opposed it said: Andrew,  
4 why do we need another day honoring veterans?  
5 After all, we have Veterans Day, we have Memorial  
6 Day, there are other opportunities throughout the  
7 year. Do we really need another day? My answer,  
8 of course, was: Absolutely, and here's why.

9           Because something different happened  
10 to the Vietnam veterans. One of the shameful  
11 chapters in American history. And it has been  
12 pointed out here, they fought, they were sent --  
13 as Senator Sanders said, they were sent overseas  
14 to defend our liberty. And whether you agreed or  
15 not with the conflict, they did their duty. In  
16 fact, by the way, something you won't be taught  
17 in school, they never lost a single battle. Not  
18 a single battle was lost in Vietnam by the  
19 American men and women who went there to fight  
20 there.

21           And so we said, We've got to right  
22 that wrong. And by righting the wrong, we do two  
23 things. We express our gratitude to them. We  
24 acknowledge wrong. But we also, we also say to  
25 the world that we know when it's time to make

1 amends. We know when it's time to address the  
2 things that we've done that shouldn't have  
3 happened, and to understand why they happened. A  
4 lot of factors that contributed to that. But  
5 clearly, you had warped Hollywood actors and  
6 actresses, people in the media, you had phony  
7 politicians, you had a misguided public -- all  
8 conspired, all conspired to attack the very thing  
9 which we should honor most in America.

10 And so they say we've learned from  
11 it, but I'm here to tell you we've got to remain  
12 vigilant, because those same -- those same  
13 ignorant, petty forces will continue to exist  
14 within human nature, unfortunately.

15 So we did it here in New York. And  
16 then we worked with other states. Senator Savino  
17 and I and Assemblyman Titone were contacted by a  
18 number of legislative houses across America, and  
19 every single year a couple of new states made  
20 this the law. We lobbied the federal government  
21 for six years to make it a national day of  
22 recognition; we were unsuccessful.

23 But I'm happy to announce that on  
24 March 28, 2017, President Trump signed the  
25 Vietnam Veterans Recognition Act, which makes

1     today a national day, every year, of recognition  
2     for Vietnam veterans. And it ought to be that  
3     way.

4                 Fifty-seven thousand nine hundred  
5     thirty-nine American soldiers' names are  
6     inscribed on that wall in Washington, D.C.  
7     Everyone here ought to go there and behold the  
8     sacrifice, the sacrifice and the blood that was  
9     spilt on our behalf.

10                So once again, as I do every year  
11     and every day, I want to say thank you, Vietnam  
12     veterans. Thank you for your sacrifices in  
13     defense of the greatest nation the world has ever  
14     known, the first nation on this earth conceived  
15     and founded upon the idea of individual liberty,  
16     which sits on the bedrock of freedom. The first  
17     ever. We've got to make sure that light never,  
18     never leaves this earth. And it will not as long  
19     as there are men and women like the men and women  
20     we call Vietnam veterans.

21                So I thank you on behalf of this  
22     body, on behalf of my state, and on behalf of  
23     this country. Thank you, and God bless you. And  
24     as Senator Brooks said, something wasn't said to  
25     you that should have been said then, and all

1     these years later we need to keep saying it,  
2     Senator Brooks: Welcome home, welcome home,  
3     welcome home.

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

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

8                     First I want to completely associate  
9     myself with the comments of Senator Lanza,  
10    particularly with his recognition of our  
11    Staten Islander Lester Modelowitz, who helped  
12    make sure of the passage of the legislation here  
13    in New York State establishing a Vietnam Veterans  
14    Day. Lester is a proud Staten Islander and a  
15    Vietnam vet and a good friend.

16                    I want to thank also my colleagues  
17    for bringing this resolution to the floor,  
18    Senator Brooks and Senator Harckham, and all of  
19    my colleagues for the recognition of the Vietnam  
20    vets who are here. To you, I thank you for your  
21    service.

22                    And as I listen to Senator Brooks  
23    talk about the time frame of the years of the  
24    Vietnam War, I was much younger then, so I wasn't  
25    a teenager or a college student, I was in grammar

1 school. And I remember there was a national  
2 campaign for younger kids, it was called the  
3 Vietnam Bracelet. We all wore one. It was a  
4 silver bracelet with the name of a Vietnam either  
5 veteran or POW or an MIA. And we all  
6 participated in praying for their recovery or for  
7 them to come home.

8                   Because we were looking at the  
9 Vietnam veterans somewhat differently than  
10 others. We saw them for what they were. They  
11 were fighting a foreign land for the liberty and  
12 the defense of our nation. We didn't see it as a  
13 political effort, we saw them as soldiers that  
14 had been taken from their home to go somewhere  
15 else to defend America. That's how children saw  
16 it. That's how I see it to this day.

17                   To this day, Vietnam veterans still  
18 struggle with the way they were treated when they  
19 came home. And as Senator Lanza said and Senator  
20 Brooks said, every opportunity we have to  
21 apologize and to remind you that you are welcome  
22 home, we should do so. So whether it's an action  
23 taken here today, the National Day of  
24 Recognition, or standing up alongside of you  
25 every year when you remind us how many have still

1 yet to come home.

2           There are still roughly 1350  
3 prisoners of war in Vietnam that have yet to be  
4 accounted for. Several more, 1500 or so, missing  
5 in action who have not been found and returned  
6 home. And we should not rest until everyone who  
7 left here serving in the uniform of the  
8 United States is returned home in one way, shape  
9 or form. And we know the Vietnam veterans of  
10 America will not rest until that happens.

11           And I personally want to thank  
12 Vietnam vets for their efforts over the last two  
13 years to help me convince the Governor to do  
14 something that he didn't want to do in the  
15 beginning, to add post-traumatic stress disorder  
16 as a qualifying condition under the New York  
17 State Compassionate Care Act, the medical  
18 marijuana law. It was somewhat controversial,  
19 and I know even within the veterans community.  
20 But many of you stepped forward and said you're  
21 still suffering 40 years beyond a war that ended.

22           And you were willing to come forward  
23 and help change the law to make it easier for  
24 people who are suffering, recognizing that  
25 today's vets, the Iraq and Afghanistan vets, are

1 as affected, sometimes even more so.

2 So again, thank you for your service  
3 then. Thank you for your service to the  
4 community now, to veterans organizations.  
5 Welcome home, welcome home, welcome home.

6 Thank you, Mr. President.

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

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

11 Today's resolution brings back  
12 memories of my dad's service in the military --  
13 he was in the U.S. Navy -- but also my mentor, my  
14 uncle Tony Nesci. And Tony Nesci, who is now  
15 deceased, formulated the Veterans Memorials at  
16 the New York State Fair on the New York State  
17 fairgrounds, with the help of state government  
18 and others.

19 I invite you to come to Syracuse  
20 during the New York State Fair. Veterans Day at  
21 the fair is the second Thursday. The first  
22 sausage sandwich is on me. It's about the only  
23 way I can really thank you, other than to say  
24 thank you. But the ceremony that we conduct at  
25 exactly 11 a.m. is a wonderful ceremony.

1                   And as we say, all gave some; some  
2                   gave all. And we also read a poem that talks  
3                   about how the veteran has affected all of our  
4                   lives. It is the veteran that gave us freedom of  
5                   speech, freedom of region, the ability to debate  
6                   in this great hall.

7                   But I would love to have you come to  
8                   Syracuse. The way we honor all veterans, and in  
9                   particular Vietnam veterans, I think you'd be  
10                  very pleased with.

11                  Thank you for your service.

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

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

16                  I rise today, first of all, to thank  
17                  Senator Harckham and Senator Brooks, my colleague  
18                  on the Veterans Committee and the chair.

19                  But I rise from my own unique  
20                  perspective as a combat veteran of a different  
21                  conflict, the conflict in Afghanistan. And I  
22                  think about what it was like when I came home.  
23                  And I think about the reception at the airport, I  
24                  think about going to my city council meeting and  
25                  being welcomed back and being allowed to speak



1 and being welcomed home in front of my fellow  
2 neighbors and residents and family members.  
3 Marching in a parade. I think about getting my  
4 thank-a-vet card and being able to go to the  
5 stores and get discounts at restaurants, at  
6 Home Depot. And I think about -- basically, it  
7 was -- it was you were like a rock star.

8 I think about the commercials on TV  
9 and the movies about veterans and just this  
10 feeling that veterans provided an invaluable  
11 service to our country. And they do.

12 But I contrast that with how you  
13 came back. You weren't a hero, you were a baby  
14 killer. You weren't a hero, you were an enabler  
15 of a country and a system and an administration  
16 that many on the antiwar left crowd lumped in and  
17 attacked. You were a problem. And we didn't  
18 know how to deal with that problem when you came  
19 back home.

20 I'm sure it was easy for some to  
21 forget the 57,000-plus Americans who died over  
22 there. And I think about, you know, every  
23 military funeral, a flag is presented to the  
24 family members. And it's presented with the  
25 words "On behalf of a grateful nation." How

1 hollow those words must have rung to many of  
2 those families, because you returned to a nation  
3 that seemed anything but grateful for your  
4 service.

5           Now, the good news today, I think --  
6 and this gives me hope, when you hear everyone  
7 talking, that we can learn from those past  
8 experiences. Not just feel bad, not just say  
9 we're sorry, but actually learn from that  
10 experience, to take something away and make sure  
11 that it never happens again.

12           And that, to me, is your great  
13 legacy that I want all of you to know and every  
14 Vietnam veteran around the country to know, and  
15 in the State of New York to know, that your  
16 legacy to me is from my generation of veterans,  
17 we got to come home to a very different welcome.  
18 We got to come home and to be a part of a country  
19 and a world that treats veterans and looks at our  
20 veterans very differently, because you have made  
21 a commitment that that would never happen to  
22 another generation of veterans again.

23           And so on behalf of my generation of  
24 veterans, I say thank you not only for your  
25 service to our country, but thank you for what

1     you have continued to do for veterans and to  
2     remind people that while you can oppose a war or  
3     a policy, you should never misconstrue that with  
4     the men and women who give their lives and put  
5     their lives on the line to defend this country.  
6     Because some of you volunteered, like I did, but  
7     some of you were drafted. And again, we want to  
8     remember those who didn't come back at all, that  
9     we could learn from their sacrifice and learn  
10    from this experience.

11                 So I thank you for your service. I  
12    thank the sponsors for the resolution. I thank  
13    all of my colleagues who have spoken today. And  
14    I say thank you, welcome home.

15                 Mr. President, thank you.

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

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

20                 We often pause in this chamber to  
21    recognize the sacrifices of our veterans and to  
22    appreciate all that they've done for us, but the  
23    Vietnam veterans are special, for many of the  
24    reasons we've already heard from many of my  
25    colleagues. Of course, the Vietnam War was the

1 last time a draft was implemented in the  
2 United States, which means so many of our  
3 veterans served not necessarily by choice but by  
4 a sense of obligation and duty to their country  
5 and a sense of service to the United States.

6 And that service, unfortunately, was  
7 not recognized as it should have after it had  
8 concluded, as many have already indicated.

9 And so we recognize too that the  
10 sacrifices made in the Vietnam War were not only  
11 lives lost or physical or mental health, but also  
12 a sacrifice of personal dignity so that the rest  
13 of us can learn how to do it right. So as we  
14 heard Senator Ortt say how we now appreciate in a  
15 more appropriate way the service in the military  
16 of Americans, we have learned that lesson because  
17 of what all of you went through.

18 And for that I wanted to say that we  
19 appreciate you and all you have done to make the  
20 United States all it is. And I'm sure that  
21 future generations of veterans also thank you for  
22 suffering so that they could be appreciated  
23 appropriately.

24 Thank you, Mr. President.

25 ACTING PRESIDENT BENJAMIN: The

1 resolution was previously adopted on March 26th.

2 To our Vietnam veterans, I want to  
3 welcome you on behalf of the Senate. As you  
4 heard, we all thank you for your service to this  
5 country. We extend to you all the privileges and  
6 courtesies of this house. Welcome home. Please  
7 rise and be recognized.

8 (Extended standing ovation.)

9 ACTING PRESIDENT BENJAMIN: Senator  
10 Gianaris.

11 SENATOR GIANARIS: Mr. President,  
12 at the request of Senator Harckham, that  
13 resolution is open for cosponsorship.

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

18 Senator Gianaris.

19 SENATOR GIANARIS: Can we now  
20 please take up Resolution 853, by Senator Thomas,  
21 read that resolution in its entirety, and  
22 recognize Senator Thomas.

23 ACTING PRESIDENT BENJAMIN: The  
24 Secretary will read.

25 THE SECRETARY: Senate Resolution

1     Number 853, by Senator Thomas, celebrating Holi,  
2     an ancient Hindu Spring Festival.

3             "WHEREAS, It is the sense of this  
4     Legislative Body, in keeping with its  
5     time-honored traditions, to recognize and pay  
6     tribute to those events which foster ethnic  
7     pride and enhance the profile of cultural  
8     diversity which strengthens the fabric of the  
9     communities of New York State; and

10            "WHEREAS, This Legislative Body is  
11     justly proud to celebrate Holi, an ancient Hindu  
12     Spring Festival; and

13            "WHEREAS, Holi is an ancient Hindu  
14     Spring Festival, also known as the Festival of  
15     Colors, which celebrates fertility, color, love,  
16     and the triumph of good over evil; and

17            "WHEREAS, The Festival signifies the  
18     coming of spring, the joy of friendship, and  
19     equality for all; and

20            "WHEREAS, The colored powders used  
21     in Holi represent love, happiness, and the  
22     freedom to live vibrantly, which are all  
23     principles shared and promoted by the Caribbean  
24     Equality Project (CEP); and

25            "WHEREAS, The origins of the

1 festival can be found in various legends in Hindu  
2 mythology, one of which tells the story of a  
3 demon, Holika, and her brother, King  
4 Hiranyakashipu; on the night before Holi,  
5 bonfires are lit to signify the burning of Holika  
6 and the victory of good over evil; and

7 "WHEREAS, This year, Holi begins on  
8 Wednesday, March 20th and ends on Thursday,  
9 March 21st; the timing of Holi depends on the  
10 moon, meaning the date of the event can vary,  
11 although it usually occurs in March to mark the  
12 end of winter; and

13 "WHEREAS, It is the intent of this  
14 Legislative Body to recognize and commend events  
15 which symbolize the historical, social and  
16 cultural development of this great state and  
17 embody the spirit of the principles upon which  
18 this nation was founded; now, therefore, be it

19 "RESOLVED, That this Legislative  
20 Body pause in its deliberations to celebrate  
21 Holi, an ancient Hindu Spring Festival."

22 ACTING PRESIDENT BENJAMIN: Senator  
23 Thomas on the resolution.

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

1                   I rise to celebrate the Festival of  
2                   Holi as a member of the most diverse class of  
3                   Senators in this chamber at any point in New York  
4                   history. I'm also fully aware, as an immigrant,  
5                   I owe a lot to these veterans here for what they  
6                   have done to fight for me and for me to stand  
7                   here to celebrate a festival that happens  
8                   thousands of miles away.

9                   Now let's get back to Holi. {In  
10                  Hindi.} That basically means I wish you all a  
11                  Happy Holi, from me and my family.

12                  And we have special guests with us  
13                  in our chamber from my community to celebrate  
14                  with us all. I would like to introduce Ashok  
15                  Adikoppula, Elangovan Raman, Moideen Puthenchira,  
16                  Ved Shravah, Basavaraj Benki, Venu Gunji, Milan  
17                  Susan Babu, Paul Uppal, and Kalpesh Kathiriya.

18                  Holi is one of the great festivals  
19                  of India, which is celebrated with great zeal,  
20                  zest and enthusiasm. It is also called the  
21                  Festival of Colors, during which people play with  
22                  colors and splash colors on each other. You may  
23                  have seen in this in your own constituencies and  
24                  wondered what it means.

25                  This isn't a religious festival;



1 instead, it marks the start of spring. It is  
2 also a festival of compromise. This is the day  
3 when someone you may have disagreed with in the  
4 past year, throws some colors on you, hugs you,  
5 and you all become friends.

6 As part of this festival today I  
7 wanted to come around to my Republican  
8 colleagues, throw some colors and put my arms  
9 around you to become friends, but I was advised  
10 against it. Maybe next time.

11 (Laughter.)

12 SENATOR THOMAS: Holi is also a  
13 festival of harmony, where friends and relatives  
14 get together in the evening or visit their  
15 friends, family and neighbors and greet them with  
16 colors and sweets. The mouth-watering delicacies  
17 of Holi, like laddus, add a flavor to the season  
18 of festivity. Don't worry, Senators and staff.  
19 Everyone in this chamber gets a laddu today to  
20 celebrate with us. People hug each other on Holi  
21 and give a new beginning by forgetting all the  
22 hatreds and sorrows.

23 As we take part in another yearly  
24 tradition called the New York State budget, where  
25 we are sure to have many disagreements, let us

1 take a moment today to be kind to those who  
2 disagree with us, give them a hug, and eat a  
3 laddu.

4 Thank you.

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

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

9 As the proud Senator of Southeast  
10 Queens, I actually have the largest  
11 Indo-Caribbean community, Richmond Hill and South  
12 Ozone Park, so I'm very familiar.

13 One of the things I was not familiar  
14 with was that -- you see this suit? This is not  
15 what you go to the holiday in. I quickly learned  
16 to my dismay and to my dry cleaner's joy that  
17 this is the worst and last thing that you go in.

18 I can only tell you that I never  
19 knew there were that many colors in the world,  
20 because my suit had every single color. There  
21 was not an area of my suit that was not colored.

22 I must admit that I -- I'm not even  
23 sure if I was able to wear it ever again. So if  
24 anyone wants to partake in such a holiday, can I  
25 assure you, you do not want to wear your Sunday

1 go-to-meeting clothes.

2 But the holiday was for aids for  
3 good spirits. And when people were throwing  
4 powder on me, I might not have had the best  
5 spirits, I confess, but then they would hug me.  
6 This was alarming. I didn't know what to do.  
7 What do you do in a case like that? After I  
8 guess the 12th powdering, I got into the spirit  
9 of it and said the suit is gone, let me just  
10 enjoy the moment.

11 So I have encouraged everyone -- in  
12 fact if you want to participate with it, on  
13 Sunday we're doing it in South Ozone Park, and I  
14 encourage you to all come out. But I would not  
15 wear those beautiful shoes and that nice tie. I  
16 would come a little different.

17 So I'm glad that my friends and  
18 neighbors are here. I'm glad that we are showing  
19 more customs. This is part of the beautiful  
20 mosaic that is America, a beautiful thing that  
21 we're bringing in more customs and holidays from  
22 all over and excellent people from all over.

23 So in the spirit of the season, I  
24 want to say thank you for all that you have  
25 brought up here. I'll even forgive you for the

1 suit that I can never wear again. But I look  
2 forward to being out there, and this time I want  
3 to throw the chalk first. Thank you very much.

4 Thank you, Mr. President.

5 ACTING PRESIDENT BENJAMIN: Senator  
6 Persaud on the resolution.

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

9 I rise today to thank Senator Thomas  
10 for bringing this resolution to the floor. And  
11 you may wonder why is she rising to speak on  
12 Holi. I am someone who has celebrated Holi for  
13 my entire life. Or as we call it in Guyana,  
14 Phagwah. So to everyone, Happy Phagwah. Happy  
15 Holi, Happy Phagwah.

16 And as Senator Sanders has said, if  
17 you have not experienced it, I encourage everyone  
18 to experience it just once in your life. I  
19 remember going to Amsterdam one year, and my  
20 mother and I are walking and I heard this noise,  
21 and I'm like, What is that? What are they doing?  
22 So we go around the corner. Lo and behold, they  
23 were celebrating Holi. And what did I do? In  
24 Amsterdam, the streets of Amsterdam, I  
25 celebrated.

1                   That's what it's about. It's about  
2 fun. It's about eliminating all the negative  
3 from your life and participating in something  
4 that's bringing joy to us.

5                   So to everyone again, Happy Holi,  
6 Happy Phagwah, and let's celebrate the joys in  
7 our lives. Thank you all very much.

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

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

12                  I rise to thank Senator Thomas for  
13 bringing this resolution to enlighten this  
14 chamber about the joys of Holi or Phagwah, which  
15 is also known as the Festival of Love.

16                  Members keep claiming they have the  
17 most whatever in their districts.

18                  (Laughter.)

19                  SENATOR COMRIE:    But I want to  
20 claim that I have a good representation also in  
21 my district. And I want to share Senator  
22 Sanders's example, because I went in a suit and  
23 tie to the first Holi festival, and they were  
24 waiting for me. So --

25                  (Laughter.)

1                   SENATOR COMRIE:    And I'm an easy  
2   target, so that was a --

3                   (Laughter.)

4                   SENATOR COMRIE:    It was a lot of  
5   fun.

6                   And, you know, one thing that's  
7   great about this country is that when people come  
8   here and they're showing us what their history  
9   is, what their religions are, you know, what  
10   their traditions are and that they can celebrate  
11   it here in New York in a positive way, that they  
12   can pass those traditions on to their children,  
13   that their children can see living examples of it  
14   happening within the community, and that we can  
15   all embrace it, there's another testament to the  
16   men who were just here that fought to preserve  
17   this country so that people can now come here and  
18   celebrate their traditions as well.

19                  So Happy Holi, Happy Phagwah.   And  
20   I'm just glad that we can do these types of  
21   things in a country that embraces diversity.

22                  Thank you, Mr. President.

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 To our guests, I welcome you on  
8 behalf of the Senate. We extend to you the  
9 courtesies and privileges of this house. Please  
10 rise and be recognized.

11 (Standing ovation.)

12 ACTING PRESIDENT BENJAMIN: Senator  
13 Gianaris.

14 SENATOR GIANARIS: Mr. President,  
15 Senator Thomas would like to open this resolution  
16 for cosponsorship.

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

21 Senator Gianaris.

22 SENATOR GIANARIS: Can we now call  
23 up previously adopted Resolution 678 by Senator  
24 Ramos --

25 ACTING PRESIDENT BENJAMIN: Order

1 in the chamber, please. Order in the chamber,  
2 please.

3 Senator Gianaris.

4 SENATOR GIANARIS: Sorry,  
5 Mr. President.

6 -- previously adopted Resolution  
7 678, by Senator Ramos, read its title only, and  
8 recognize Senator Ramos.

9 ACTING PRESIDENT BENJAMIN: The  
10 Secretary will read.

11 THE SECRETARY: Senate Resolution  
12 678, by Senator Ramos, memorializing Governor  
13 Andrew M. Cuomo to proclaim March 31, 2019, as  
14 Cesar Chavez Day in the State of New York.

15 ACTING PRESIDENT BENJAMIN: Senator  
16 Ramos on the resolution.

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

19 We do not have any federal holidays  
20 that celebrate American Latinos in this country,  
21 despite our numerous contributions since its  
22 inception. Growing up Latino in this country is  
23 hard. We rarely see our heroes in textbooks, and  
24 we often see ourselves and our parents denigrated  
25 in the news.



1                   We are rarely given the opportunity  
2                   to celebrate who we are and tell our own stories.  
3                   It is more important than ever that we uplift  
4                   those who have fought against the system of  
5                   supremacy that has colonized us, enslaved us,  
6                   tried to erase us from history, and continues to  
7                   exploit our labor every time there is a chance.

8                   I'm proud to say that in this  
9                   chamber, that ends today. Mr. President, I rise  
10                  to celebrate one of the greatest Americans to  
11                  have ever lived. As we hear in the resolution,  
12                  Cesar Chavez worked tirelessly to organize  
13                  farmworkers using nonviolent tactics, to have  
14                  their work appropriately compensated and their  
15                  human rights recognized. That journey began many  
16                  decades ago, and his work isn't finished.

17                 As more Latino Americans begin to  
18                 fill the halls of legislative bodies across the  
19                 country and in this state, we bring with us our  
20                 life experiences but, most importantly, the  
21                 innumerable sacrifices of our parents and our  
22                 ancestors who often come from countries that were  
23                 pillaged, only to come to this country to be  
24                 pillaged again every day.

25                 It is our duty to ensure that our

1 hardships are not endured by future generations.  
2 In New York there is a Jim Crow-era law still on  
3 our books that denies human beings, mostly black  
4 and Latino taxpaying New Yorkers, parity with  
5 nearly every other worker in this state.  
6 Farmworkers in New York State do not have the  
7 right to a day off or unemployment benefits or  
8 overtime pay or the right to collectively  
9 bargain. And that must change once and for all.

10               We know that the agricultural  
11 industry, mostly family farms, have their  
12 challenges, especially as corporations  
13 increasingly exert their political influence to  
14 take over the industry, and even as consumer  
15 preferences change. As I've begun to tour  
16 upstate New York, I have met farmers who are good  
17 employers out of their own volition, and I have  
18 met farmworkers whose living quarters are on the  
19 orchards they work, meaning they breathe in  
20 pesticides day in and day out.

21               I have heard stories of women  
22 farmworkers raising their voices against  
23 disparities in pay only to be fired for standing  
24 up for themselves. I have met men and women who  
25 toil relentlessly for the profit of others

1 without much to show for themselves. In fact, I  
2 asked one of the women I met what her plan for  
3 retirement was. She laughed at me. And she told  
4 me "you only leave farm work in very, very old  
5 age, if you're sick or you're dead." {In  
6 Spanish.}

7               This is New York in 2019. We can do  
8 better. The fate of a worker's quality of life  
9 should not be left to the fortune of finding a  
10 good employer. No human being is disposable.  
11 Their rights must be codified like everyone  
12 else's. We can pass the Farmworker Fair Labor  
13 Practices Act this session. We'll be holding  
14 hearings across the state on the subject so we  
15 can hear from every stakeholder. And I'd like to  
16 thank my colleagues Senators Metzger, May and  
17 Martinez for working with me.

18               It is always the right time to do  
19 the right thing. It is always the right time to  
20 recognize the humanity in others. It is always  
21 right to grant people the respect and the dignity  
22 that they inherently deserve.

23               As Cesar Chavez said himself: "We  
24 draw our strength from the very despair in which  
25 we have been forced to live. We shall endure."

1                   SÍ, se puede.

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

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

6                   The Bible teaches us that we're  
7 going to be judged not by how many important  
8 friends we have or who's strong and who's rich,  
9 but what have we done for the least among us.

10                  And Cesar Chavez is a person who  
11 stood out for doing for the least among us,  
12 taking his life on the line over and over to help  
13 organize folk who everyone had seemingly turned  
14 their backs on.

15                  Now, I -- this means a little  
16 something to me more than most because my father  
17 was a sharecropper. I come from this group of  
18 people. Just as good as anybody else, with needs  
19 for the opportunities of everyone else.

20                  So absolutely we can't stop until we  
21 find the last person in New York that doesn't  
22 have equality of opportunity, that doesn't have  
23 the opportunities. And if these are the  
24 farmworkers, then we need to turn our attention  
25 immediately to addressing this situation.

1                   Let's address it in a way that  
2           doesn't have the farms go out of business, but I  
3           believe that there is a way that we can find a  
4           way to -- that everybody wants to ensure the  
5           equality of opportunity, which is the thing that  
6           makes America great, if we can ever get to it.

7                   So having said those things, again,  
8           I want to thank you for bringing this to the  
9           floor. We must always continue to fight and  
10          remember that an injury to one is an insult to  
11          all of us. That we can't just say that we can  
12          turn our backs on them and we'll eat the food but  
13          we won't think about who's picking the food and  
14          getting the food to us. That's a foolish thing  
15          to do. Especially if they're getting sick in  
16          your food? Not a good thing. Let's do something  
17          about this.

18                   Thank you for Chavez, bringing the  
19          resolution. And thank him for looking out for  
20          all of us.

21                   Thank you very much, Mr. President.

22                   ACTING PRESIDENT BENJAMIN:    Senator  
23          Jackson on the resolution.

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

1                   My colleagues, I rise in order to  
2 support the resolution put forward by our  
3 colleague Jessica Ramos honoring Cesar Chavez.  
4 His birthday is two days from now, March 31st.

5                   And also in support of the bill that  
6 is sponsored by her, and which I am a cosponsor,  
7 dealing with the farmworkers in New York State,  
8 making sure that they have the opportunity to  
9 have a day's rest, making sure that they have the  
10 opportunity to receive overtime and a fair wage,  
11 and making sure that the opportunity -- that  
12 they, like other state employees, have an  
13 opportunity to join a union. That's what it's  
14 about: Basic respect and dignity for all.

15                  I've said this before, and some  
16 people don't like the analogy -- even machines  
17 have to take a break or else they burn out. And  
18 we're talking about not machines, we're talking  
19 about human beings that have families, that have  
20 issues and concerns with their health, mentally  
21 and physically.

22                  And so I stand today in support of  
23 honoring Cesar Chavez for what he's done in order  
24 to bring respect and dignity to farmworkers  
25 across not only our country but the world, in

1 order to move forward and to put the bill that's  
2 in front of us, that's been in front of both the  
3 Senate and Assembly for years. And hopefully,  
4 God willing, we'll be able to move it this year  
5 and pass it into law.

6 Thank you.

7 ACTING PRESIDENT BENJAMIN: The  
8 resolution was previously adopted on March 14th.

9 Senator Gianaris.

10 SENATOR GIANARIS: Senator Ramos  
11 would like to open up that resolution for  
12 cosponsorship, Mr. President.

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.

18 SENATOR GIANARIS: Can we now take  
19 up the reading of the calendar.

20 ACTING PRESIDENT BENJAMIN: The  
21 Secretary will read.

22 THE SECRETARY: Calendar Number 66,  
23 Senate Print 783A, by Senator Breslin, an act to  
24 amend the Economic Development Law.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is high and will be laid aside for the day.

2 THE SECRETARY: Calendar Number  
3 328, Senate Print 41, by Senator Hoylman, an act  
4 to amend the General Business Law.

5 ACTING PRESIDENT BENJAMIN: Read  
6 the last section.

7 THE SECRETARY: Section 3. This  
8 act shall take effect on the 60th 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: Senator  
14 Hoylman to explain his vote.

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

17 I rise to speak about this bill, to  
18 explain that this legislation would give courts  
19 the discretion to order some portion up to the  
20 full amount of statutory fines or civil penalties  
21 for state antitrust crimes to go to the Office of  
22 Victim Services. So that means that fines that  
23 are accrued in court over antitrust crimes can be  
24 used for the victims of domestic violence, for  
25 medical expenses, funeral expenses, loss of



1 earnings or support, counseling costs, crime  
2 scene cleanups, the cost of domestic violence  
3 shelters, loss of property and attorneys fees.

4           And I'm very grateful to my Assembly  
5 sponsor, Assemblymember Englebright, for carrying  
6 this legislation since the early 1990s and  
7 pushing forward in a way that allowed its passage  
8 in the other house. Unfortunately, it has never  
9 been brought to the floor here in the Senate even  
10 though it was 36 years ago, Mr. President, that a  
11 judge attempted to use civil penalties from a  
12 white-collar crime to go to the Office of Victim  
13 Services.

14           Well, today we're correcting that  
15 with this legislation and no longer will we be  
16 blocking an attempt to help victims through the  
17 Office of Victim Services. I vote aye.

18           Thank you, Mr. President.

19           ACTING PRESIDENT BENJAMIN:  
20 Senator Hoylman to be recorded in the  
21 affirmative.

22           Announce the results.

23           THE SECRETARY: In relation to  
24 Calendar Number 328, those Senators recorded in  
25 the negative are Senators Amedore, Antonacci,

1       Jacobs, Jordan and O'Mara.

2                   Ayes, 55.   Nays, 5.

3                   ACTING PRESIDENT BENJAMIN:    The  
4 bill is passed.

5                   THE SECRETARY:    Calendar Number  
6 329, Senate Print 745A, by Senator Montgomery, an  
7 act to amend the Executive Law.

8                   ACTING PRESIDENT BENJAMIN:    Read  
9 the last section.

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

12                  ACTING PRESIDENT BENJAMIN:    Call  
13 the roll.

14                               (The Secretary called the roll.)

15                  ACTING PRESIDENT BENJAMIN:    Senator  
16 Montgomery to explain her vote.

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

19                               I want to just thank the leaders and  
20 my colleagues for bringing forth this  
21 legislation.  It's very important for so many of  
22 us.

23                               Many of my colleagues, especially  
24 members on both sides of the aisle, especially  
25 Republicans, have asked for their waterways to be

1 designated as inland waterways for the express  
2 purpose of being eligible to participate in the  
3 program that this bill represents.

4           And so this legislation would allow  
5 for community boards in the City of New York to  
6 also be eligible to participate in this program.  
7 It allows for local communities to receive a  
8 grant that the state provides to help them with  
9 funding for planning for what should happen on  
10 the waterways in their communities.

11           And so with this, New York City will  
12 be eligible, along with the other communities  
13 around the State of New York, to participate.  
14 Those of us who represent community boards with  
15 waterfront land -- and several of us do in the  
16 City of New York -- our community boards, which  
17 is the citizens of the city, who are looking to  
18 participate in the planning for their own  
19 communities, the state would now be able to  
20 assist them in doing that.

21           So I want to thank you, and I look  
22 forward to this legislation becoming law this  
23 session. Thank you. I vote aye.

24           ACTING PRESIDENT BENJAMIN: Senator  
25 Montgomery to be recorded in the affirmative.

1                   Announce the results.

2                   THE SECRETARY:   In relation to  
3   Calendar 329, those Senators voting in the  
4   negative are Senators Akshar, Amedore, Antonacci,  
5   Boyle, Funke, Griffio, Helming, Jacobs, Jordan,  
6   Little, O'Mara, Ortt, Ranzenhofer, Robach,  
7   Serino, Seward and Tedisco.

8                   Ayes, 43.   Nays, 17.

9                   ACTING PRESIDENT BENJAMIN:   The  
10   bill is passed.

11                  THE SECRETARY:   Calendar Number  
12   332, Senate Print 1403, by Senator Carlucci, an  
13   act to amend the General Business Law.

14                  ACTING PRESIDENT BENJAMIN:   Read  
15   the last section.

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

18                  ACTING PRESIDENT BENJAMIN:   Call  
19   the roll.

20                  (The Secretary called the roll.)

21                  ACTING PRESIDENT BENJAMIN:  
22   Announce the results.

23                  THE SECRETARY:   In relation to  
24   Calendar 332, those Senators voting in the  
25   negative are Senators Akshar, Amedore, Antonacci,

1 Boyle, Flanagan, Funke, Gallivan, Griffo,  
2 Helming, Jacobs, Lanza, LaValle, Little, O'Mara,  
3 Ortt, Ranzenhofer, Robach, Serino, Seward and  
4 Tedisco.

5 Ayes, 40. Nays, 20.

6 ACTING PRESIDENT BENJAMIN: The  
7 bill is passed.

8 THE SECRETARY: Calendar Number  
9 345, Senate Print 3537, by Senator Carlucci, an  
10 act to amend the Tax Law.

11 ACTING PRESIDENT BENJAMIN: Read  
12 the last section.

13 THE SECRETARY: Section 2. 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: Ayes, 60.

21 ACTING PRESIDENT BENJAMIN: The  
22 bill is passed.

23 THE SECRETARY: Calendar Number  
24 352, Senate Print 4543, by Senator Parker, an act  
25 to amend the Executive Law.

1                   ACTING PRESIDENT BENJAMIN:    Read  
2   the last section.

3                   THE SECRETARY:    Section 7.   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:    Senator  
9   Metzger to explain her vote.

10                  SENATOR METZGER:    I want to thank  
11   Senator Parker for introducing this legislation.

12                  If we want a better world for our  
13   kids and for their kids, we have to address  
14   climate change.  And this is a great way for the  
15   state to take steps in modeling where we have to  
16   go.

17                  I drive an electric car, a Chevy  
18   Volt.  I have a huge district that I get around.  
19   But it's not just about electric cars, it's about  
20   changing the way we do things -- carpooling,  
21   telecommuting.  There are various changes that we  
22   have to make.

23                  But the fact is that transportation  
24   accounts for 42 percent of our greenhouse gas  
25   emissions, and we've got to reduce those if we're

1 going to address this threat.

2 Thank you very much.

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

5 Senator Little to explain her vote.

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

8 I certainly believe in a lot of the  
9 conservation measures that Senator Metzger was  
10 speaking of. But when I look at this bill and I  
11 think about my district, I don't see anything in  
12 here that accounts for rural areas. And my fear,  
13 when it talks about limiting the number of miles  
14 state workers could drive or limiting the number  
15 of vehicles that state workers would have, I only  
16 can think about the mileage that state workers  
17 need -- think of the Comptroller's office and  
18 audits that they're doing in the small towns in a  
19 vast area. My Senate district alone is  
20 6400 square miles.

21 I think education and working with  
22 people is the best way to do it, but not through  
23 this. My fear is that there would be limitations  
24 on what could be done. We don't have subways, we  
25 have limited bus service, and we have great

1 distances. So therefore I vote no.

2 ACTING PRESIDENT BENJAMIN: Senator  
3 Little to be recorded in the negative.

4 Announce the results.

5 THE SECRETARY: In relation to  
6 Calendar 352, those Senators voting in the  
7 negative are Senators Akshar, Antonacci, Funke,  
8 Griffo, Jordan, Lanza, Little, O'Mara, Ortt and  
9 Ranzenhofer. Also Senator Tedisco.

10 Ayes, 49. Nays, 11.

11 ACTING PRESIDENT BENJAMIN: The  
12 bill is passed.

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

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

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

19 SENATOR GIANARIS: There will be an  
20 immediate Democratic conference after session.

21 And I move to adjourn until Sunday,  
22 March 31st, at 10:00 a.m., intervening days being  
23 legislative days.

24 ACTING PRESIDENT BENJAMIN: There  
25 is an immediate meeting of the Democratic



1 Conference.

2                   And on motion, the Senate stands  
3 adjourned until Sunday, March 31st, at  
4 10:00 a.m., intervening days being legislative  
5 days.

6                   (Whereupon, at 12:37 p.m., the  
7 Senate adjourned.)

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