

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 May 1, 2019

11 11:24 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 -- order in the chamber, please.

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

8 (Whereupon, the assemblage recited  
9 the Pledge of Allegiance to the Flag.)

10 ACTING PRESIDENT BENJAMIN:  
11 Lieutenant Colonel Donald S. Carrothers, the  
12 chaplain for the United States Corps of Cadets at  
13 West Point, will deliver today's invocation.

14 Lieutenant Colonel.

15 CHAPLAIN CARROTHERS: Please bow  
16 your hearts with me. Allow me to voice a prayer  
17 for us this morning.

18 O God, we ask Your blessings on this  
19 body today as they represent New Yorkers' dreams  
20 and hopes for a better life.

21 At West Point we weekly pray in our  
22 chapel services the words of our Cadet Prayer  
23 that say: "Encourage us in our endeavor to live  
24 above the common level of life. Make us to  
25 choose the harder right instead of the easier

1 wrong and never to be content with the half-truth  
2 when the whole can be won."

3 O God, continue to guide the Senate  
4 as they govern above the common level of  
5 governance, as they choose the harder right over  
6 the easier wrong, as they continue to represent  
7 their fellow New Yorkers' dreams and hopes for a  
8 better life.

9 We pray for our soldiers, sailors,  
10 airmen, Marines and Coast Guardsmen who are  
11 deployed in harm's way today. Bless their  
12 families who await their safe return.

13 God bless this State Senate, all the  
14 staffers who work behind the scenes to make  
15 things happen, and God bless America.

16 Amen.

17 ACTING PRESIDENT BENJAMIN: The  
18 reading of the Journal.

19 THE SECRETARY: In Senate, Tuesday,  
20 April 30, 2019, the Senate met pursuant to  
21 adjournment. The Journal of Monday, April 29,  
22 2019, was read and approved. On motion, Senate  
23 adjourned.

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

1 Presentation of petitions.

2 Messages from the Assembly.

3 The Secretary will read.

4 THE SECRETARY: On page 27,  
5 Senator Skoufis moves to discharge, from the  
6 Committee on Corporations and Authorities,  
7 Assembly Bill Number 453 and substitute it for  
8 the identical Senate Bill 2734, Third Reading  
9 Calendar 367.

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

12 THE SECRETARY: On page 28,  
13 Senator Kaplan moves to discharge, from the  
14 Committee on Veterans, Homeland Security and  
15 Military Affairs, Assembly Bill Number 4413 and  
16 substitute it for the identical Senate Bill 2405,  
17 Third Reading Calendar 379.

18 ACTING PRESIDENT BENJAMIN: The  
19 substitution is so ordered.

20 THE SECRETARY: On page 31,  
21 Senator Mayer moves to discharge, from the  
22 Committee on Finance, Assembly Bill Number 5246  
23 and substitute it for the identical Senate Bill  
24 2669, Third Reading Calendar 427.

25 ACTING PRESIDENT BENJAMIN: The

1 substitution is so ordered.

2 Messages from the Governor.

3 Reports of standing committees.

4 Reports of select committees.

5 Communications and reports from  
6 state officers.

7 Motions and resolutions.

8 Senator Gianaris.

9 SENATOR GIANARIS: Mr. President,  
10 on behalf of Senator Gaughran, on page 25 I offer  
11 the following amendments to Calendar 305, Senate  
12 Print 3337A, and ask that said bill retain its  
13 place on the Third Reading Calendar.

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

17 SENATOR GIANARIS: Can we now take  
18 up previously adopted Resolution 1116, by  
19 Senator Skoufis, read that resolution in its  
20 entirety, and recognize Leader Stewart-Cousins on  
21 the resolution.

22 ACTING PRESIDENT BENJAMIN: The  
23 Secretary will read.

24 THE SECRETARY: Senate Resolution  
25 1116, by Senator Skoufis, memorializing Governor

1 Andrew M. Cuomo to proclaim May 1, 2019, as  
2 West Point Day in New York State.

3 "WHEREAS, This Legislative Body is  
4 justly proud to celebrate the establishment of  
5 the United States Military Academy at West Point  
6 and to call upon Governor Andrew M. Cuomo to  
7 proclaim May 1, 2019, as West Point Day in the  
8 State of New York; and

9 "WHEREAS, By an act of Congress, on  
10 March 16, 1802, the United States Military  
11 Academy was established within the borders of  
12 New York State, on the banks of the Hudson River;  
13 and

14 "WHEREAS, The Academy and its  
15 graduates are an integral part of the proud  
16 history of this state and nation; and

17 "WHEREAS, The leadership and  
18 sacrifices of the members of the Long Gray Line  
19 have helped this country withstand countless  
20 threats to our cherished democratic way of life;  
21 and

22 "WHEREAS, The alumni have excelled  
23 not only on the battlefield but in many fields of  
24 endeavor; and

25 "WHEREAS, The Academy continues to

1 provide our country with able and dedicated  
2 future leaders; and

3 "WHEREAS, Its scenic campus is a  
4 mecca each year for thousands of visitors from  
5 across our state, continent and other countries;  
6 and

7 "WHEREAS, The United States Military  
8 Academy is in the forefront of our state's  
9 outstanding institutions of higher learning; and

10 "WHEREAS, Sixty-seven years ago, the  
11 late James T. McNamara, then a member of the  
12 New York State Assembly, and a member of the  
13 Academy's Class of 1939, was the author of the  
14 State Legislature's first 'West Point Day'  
15 resolution; and

16 "WHEREAS, For decades, our nation  
17 has enjoyed the legacy of freedom and the  
18 United States Military Academy at West Point has  
19 played a vitally significant role in the  
20 maintenance of peace and freedom; and

21 "WHEREAS, The members of this  
22 Legislative Body are proud to commemorate this  
23 event, marking May 1, 2019, as West Point Day in  
24 New York State; now, therefore, be it

25 "RESOLVED, That this Legislative

1 Body pause in its deliberations to celebrate the  
2 establishment of the United States Military  
3 Academy at West Point and to memorialize Governor  
4 Andrew M. Cuomo to proclaim May 1, 2019,  
5 as West Point Day in New York State; and be it  
6 further

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

11 ACTING PRESIDENT BENJAMIN: Leader  
12 Stewart-Cousins on the resolution.

13 SENATOR STEWART-COUSINS: Thank you  
14 so much, Mr. President.

15 And it is certainly an honor to  
16 stand here and welcome the wonderful men and  
17 women who are joining us today from West Point.

18 I want to specially recognize -- and  
19 I met Captain Bindon, who is the First Captain,  
20 and he's an honorary New Yorker today, because  
21 he's actually from Michigan.

22 (Laughter.)

23 SENATOR STEWART-COUSINS: And also  
24 Colonel Mark Bieger, who's West Point chief of  
25 staff; and Lieutenant Colonel Donald Carrothers,



1 the chaplain, who was gracious enough to extend  
2 the prayer; Lieutenant Colonel Christopher  
3 Ophardt, chief of public affairs for West Point;  
4 SFC Josephine Pride, also public affairs; SFC  
5 Lindsay Crudup; and Sergeant Major, retired,  
6 David Brzywczy. I hope I didn't massacre that.  
7 And of course to all the cadets.

8 I also want to acknowledge the  
9 brother of Senator Breslin, another proud alum,  
10 Major Michael Breslin. And also I understand  
11 from Senator John Liu that his niece, Iris Yu, is  
12 here.

13 I think on a day like today, we all  
14 want to say that we are proud to be part of your  
15 family, that we are proud that you are here. It  
16 has been 67 years that we have celebrated  
17 West Point Day, and your being here reminds us of  
18 how privileged we are to play host to this  
19 incredible military organization that trains our  
20 leaders to the highest standards, picks our best  
21 and our brightest to lead this nation in any of  
22 the military endeavors that we depend so much on  
23 great leadership and great talent, integrity,  
24 duty, honor and courage.

25 I am the daughter of a veteran, the

1 sister of a veteran, and we all know here the  
2 amount of sacrifice that goes into these  
3 particular positions. In your case, you know, we  
4 know that you have planned a lifetime of service  
5 to this nation. We thank you, and we are so  
6 proud that you are here.

7                   We usually would have -- and  
8 many of you have never been here before, and I  
9 want to say that Colonel Larkin, who is not here  
10 but was so very, very proud of what you  
11 represent, would have stood up and honored you  
12 and said great words. We miss him. Senator  
13 Skoufis, who now represents West Point, however,  
14 is equally proud and will address you later.

15                   But I want to say on behalf of the  
16 State Senate that we couldn't be prouder, we  
17 couldn't be more enthusiastic about your future,  
18 and we couldn't be more assured of our future in  
19 your hands.

20                   Thank you so much for being here.

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

23                   SENATOR SKOUFIS:    Thank you. And  
24 my thanks to Madam Leader for extending that warm  
25 welcome to the West Point delegation.

1                   And thank you, Mr. President, for  
2                   allowing me to speak on the resolution.

3                   It is an honor to stand before both  
4                   my colleagues here in the New York State Senate  
5                   as well as these celebrated cadets, as the new  
6                   Senator representing the United States Military  
7                   Academy at West Point.

8                   I would be remiss if I did not  
9                   acknowledge the many years that my predecessor,  
10                  Colonel Bill Larkin, a military hero in his own  
11                  lifetime, hosted this day in this chamber, and it  
12                  is my privilege to be in a position to continue  
13                  this illustrious tradition.

14                  It is my great honor to welcome all  
15                  the cadets and officers joining us in the Senate  
16                  today. Representing the nation's finest military  
17                  and educational institution, these cadets are  
18                  undeniably the future leaders of our great state  
19                  and country. They join the ranks of presidents,  
20                  successful entrepreneurs, pioneering astronauts  
21                  and, yes, even a few New York State legislators.

22                  West Point has firmly solidified its  
23                  importance in the Hudson Valley and throughout  
24                  our nation as decade after decade, it trains the  
25                  men and women who will stand guard and defend our

1 United States against any potential threats to  
2 our lives and liberties.

3 As we all know, West Point also  
4 holds tremendous historical significance. It's  
5 the institution that ousted the treason of  
6 Benedict Arnold, protected New York and  
7 New England during the Revolutionary War, and of  
8 course produced graduates that have served and  
9 led our country in every major conflict since.

10 Today this great body, the New York  
11 State Senate, recognizes an even greater body,  
12 West Point and its cadets.

13 To our cadets here, please know that  
14 my colleagues and I are profoundly grateful for  
15 your steadfast commitment to honor, duty and  
16 country, whether in times of peace or in times of  
17 peril. You have dedicated your lives to serving  
18 our country and protecting the freedoms that we  
19 hold so dear.

20 So it is with much pride that I  
21 salute our brave cadets not just on West Point  
22 Day, but every day.

23 And of course, go Army, beat Navy!

24 (Laughter.)

25 SENATOR SKOUFIS: It's now my

1 privilege to acknowledge also the West Point  
2 Society of the Capital district that's here and  
3 introduce Colonel Mark Bieger, chief of staff,  
4 who I know wants to share some remarks to the  
5 chamber.

6           Colonel Bieger graduated from the  
7 U.S. Military Academy himself in 1991 and was  
8 commissioned as an infantry officer. After  
9 attending the Infantry Officer Advance Course, he  
10 served in a number of roles until being deployed  
11 as a member of the Lancer Brigade to Operation  
12 Iraqi Freedom. He then served in the Pentagon as  
13 the aide to the vice chief of staff of the Army,  
14 went back to Fort Lewis, where he served as the  
15 battalion commander of the 4th Battalion,  
16 9th Infantry Regiment. During that assignment,  
17 his battalion deployed to Western Baghdad in  
18 support of Operation Iraqi Freedom.

19           Most recently he served as the  
20 executive officer to the commanding general of  
21 U.S. Army Pacific.

22           Currently, as I mentioned before, he  
23 serves as the chief of staff to the United States  
24 Military Academy at West Point in New York.

25           He is a highly decorated officer.

1 His awards and decorations include the Silver  
2 Star, Defense Superior Service Medal, Legion of  
3 Merit, Bronze Star, and many, many others.

4 He is married to Miss Amy Althide,  
5 originally from Sutter, Illinois, and they  
6 married in 1992.

7 Very proud to have you here. Thank  
8 you, Colonel, for joining us.

9 ACTING PRESIDENT BENJAMIN: It is  
10 now my pleasure to introduce Colonel Mark Bieger.

11 (Standing ovation.)

12 COLONEL BIEGER: Good morning and  
13 thank you, ladies and gentlemen, for that  
14 incredible welcome and reception of me and our  
15 wonderful cadets.

16 Majority Leader Senator Cousins,  
17 ma'am, thank you for those words, and thanks for  
18 the invitation to spend some time here with you  
19 and your colleagues; Senator Brooks; especially  
20 Senator Skoufis. Sir, thank you for your  
21 leadership. You're a celebrity back home to  
22 West Point, and it's very nice that we'll be able  
23 to share some of your words when we head back  
24 home, especially for our younger ones in the high  
25 school and middle school.

1 Distinguished Senate, good morning  
2 and, again, thank you for having us here today.

3 On behalf of Lieutenant General  
4 Darryl Williams, who's our superintendent at the  
5 United States Military Academy, I am honored,  
6 personally honored to address you this morning on  
7 behalf of the entire team at the United States  
8 Military Academy, and we sincerely thank you for  
9 this recognition.

10 As Senator Cousins mentioned, I'm  
11 joined today by Cadet David Bindon, who's our  
12 First Captain of the Corps of Cadets, and  
13 12 cadets from the great State of New York,  
14 representing more than 4,000 of the Corps of  
15 Cadets, 258 of whom call the Empire State their  
16 home.

17 A little over a century ago more  
18 than 2 million Americans were mobilized for  
19 service to fight on the battlefields of France as  
20 part of General John Pershing's American  
21 Expeditionary Force. Among them was a young  
22 22-year-old clerk from Albany named John Brennan,  
23 who would serve as a saddler in the 27th Infantry  
24 Division and see combat there in France. And  
25 unlike the majority of men who would serve with

1 the AEF, Brennan volunteered to enlist.

2           Years later he wrote in his memoirs  
3 detailing his experiences in the Great War. In  
4 the preface to his memoir, he wrote: "This is  
5 not the diary of a hero but the diary of one of  
6 the many who enlisted in the Army to serve his  
7 country and to accept and carry out whatever job  
8 was assigned to do."

9           Brennan, like these young men and  
10 women with me here today, are representative of  
11 the many New Yorkers who throughout our history  
12 have stepped forward to do their duty, to serve  
13 their great country and stand in the defense of  
14 this nation.

15           From the regiments of the New York  
16 line during the American Revolution to units like  
17 the Fighting Irish of the 69th Infantry Regiment  
18 in Iraq and Afghanistan, New Yorkers have fought  
19 and served with valor and distinction, with some  
20 making the ultimate sacrifice.

21           The United States Army has always  
22 had a strong presence in New York, to include  
23 West Point from its early days as a strategic  
24 garrison in the fight against the British and the  
25 defense of the American colonies to our role



1     today as the world's preeminent leader  
2     development institution.

3             And just as West Point has been an  
4     important thread in the fabric of the  
5     Empire State, so too have New Yorkers been an  
6     important thread in the fabric of West Point.

7             In addition to the 258 cadets that  
8     are currently attending, more than 7700  
9     graduates -- nearly 10 percent of the Long Gray  
10    Line -- claim New York as their birthplace, and  
11    many of whom have earned their place in the  
12    history books as leaders not only in the Army but  
13    in government, business, academia and more.

14            Our mission at West Point is to  
15    enhance the readiness of the United States Army  
16    by developing leaders of character who are ready  
17    to fight and win our nation's wars.

18            Developing leaders of character  
19    requires strong relationships and partnerships  
20    with many outside stakeholders, particularly  
21    those throughout New York State. We would not be  
22    successful without the tremendous support of the  
23    New York State Legislature and our neighbors  
24    throughout the state and especially throughout  
25    the Hudson Valley. And on behalf of the entire

1 West Point community, we greatly, greatly  
2 appreciate your support.

3 Our commitment to strong  
4 partnerships means that we are also committed to  
5 being good neighbors with towns and communities  
6 across this state. We're always looking for ways  
7 to connect and build relationships and partner  
8 together on opportunities that will not only  
9 enhance the leader development experience at  
10 West Point but will also benefit the community as  
11 well.

12 Military members are often thanked  
13 for their service, but this morning I want to  
14 take this opportunity to thank you for your  
15 service. A strong relationship, civil and  
16 military, and the mutual trust between the  
17 military and the society it serves is a  
18 cornerstone for our democracy.

19 Ladies and gentlemen, on behalf of  
20 the entire West Point community and especially  
21 the men and women of the Corps of Cadets, thank  
22 you for your continued support and thank you for  
23 honoring us today.

24 Go Army, beat Navy!

25 (Laughter.)

1 (Standing ovation.)

2 ACTING PRESIDENT BENJAMIN: Senator  
3 Ortt -- Senator Brooks on the resolution.

4 Senator Brooks.

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

7 Again, we are very blessed to have  
8 the members of West Point here with us today. We  
9 all recognize the outstanding history West Point  
10 has had with this state.

11 The idea of West Point was conceived  
12 by President Washington and chartered by  
13 President Jefferson. From West Point we received  
14 such great national leaders as Eisenhower,  
15 Patton, Bradley, Ulysses Grant, Sherman,  
16 Pershing, Buzz Aldrin, and Douglas MacArthur.  
17 MacArthur, in his farewell speech to the academy,  
18 spoke of the values incorporated in the sacred  
19 motto of West Point: "Duty, Honor, and Country."

20 We are joined today with both the  
21 officership and the cadets of this great academy.  
22 Before us sits future leaders of this nation,  
23 individuals who are dedicating themselves to this  
24 country. We welcome them. We thank them. We  
25 congratulate them. And we look forward to their

1 great success in the years to come.

2 Thank you, Mr. President.

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

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

7 I'd like to thank the Majority and  
8 my colleagues, the sponsor of this resolution.

9 You know, West Point really belongs  
10 to all of us as New Yorkers and as Americans. No  
11 doubt Senator Skoufis feels a certain special  
12 pride because it resides in his district, but I  
13 think everyone here feels that same pride because  
14 it resides in New York.

15 And there is that history that's a  
16 great history of our country and our state, right  
17 here, as the oldest military academy founded by  
18 President Jefferson. And you think about the  
19 leaders that have come out of West Point and the  
20 difference that they have made not just in the  
21 United States, but in the world.

22 And I certainly want to thank my  
23 colleagues for continuing this long tradition.  
24 It's one of my favorite days here in the Senate.  
25 I think it's one of the better things that we do.

1 Sometimes it might be the best thing we do. But  
2 I certainly think it's a great tradition that we  
3 have here.

4 We have a lot of new members in this  
5 house this year; this is their first West Point  
6 Day. And I would just encourage everyone here to  
7 think about the young men and women there not  
8 just on West Point Day, but every day, especially  
9 when we're in session. When we're debating bills  
10 and we're having policy discussions and  
11 disagreements, we can do that here -- and we  
12 should do that here -- because they are somewhere  
13 else. They are on the front lines, sometimes in  
14 places where this does not occur, defending our  
15 values, our culture, our way of life and our  
16 freedoms.

17 You know, I had the privilege to  
18 attend the Army-Navy football game a couple of  
19 years ago, and it was the year that we broke the  
20 streak.

21 (Laughter.)

22 SENATOR ORTT: Right? It was a  
23 good year, right? And it was a great experience.  
24 I would encourage anyone, if you ever get a  
25 chance to go to one football game, that's the one

1     you should go to. Everyone is a winner no matter  
2     what happens. But to see the reaction from the  
3     Army cadets that rushed the field -- I mean, it  
4     was like they won the Super Bowl. Right?

5                 And it was a great experience, but  
6     it was a reminder that the seniors who were there  
7     who were playing in that game very shortly  
8     afterward would be on a very different field.  
9     And it would not be a game, and the stakes would  
10    be a lot higher. And there wouldn't be a lot of  
11    fanfare either.

12                So to the cadets who are here, you  
13    have chosen -- you weren't born to the United  
14    States Military Academy, you weren't born to the  
15    Army, you chose. You made a deliberate choice.  
16    And that choice stands in contrast to a lot of  
17    other things going on in the world today. At a  
18    time when everything is about me, about  
19    individuals, when many people your age go to  
20    college to party late, sleep in, find  
21    themselves -- there's nothing more terrifying, I  
22    think, than trying to find yourself.

23                You don't have that problem. You  
24    already know who you are. You have chosen a  
25    harder path, but I think a more important path.

1 You have chosen a path that says I'm going to put  
2 myself second, I'm going to put myself last.  
3 That's how you're going to lead when you get  
4 command, when you're platoon leaders and when  
5 you're company commanders. It's going to be  
6 your -- you're the first boots on the ground, and  
7 you're the last ones off. And that is not a  
8 mantra that is popular in the country or in the  
9 world, for that matter.

10 But that's exactly why it's so  
11 important that you've chosen to do what you do.  
12 We need you more than ever, in my opinion.

13 And let's not forget that the  
14 academy exists to train future leaders in the  
15 United States Army. So the Joint Chiefs of  
16 Staff -- you're going to be -- some of you are  
17 going to be advising future Secretaries of  
18 Defense and future Commanders in Chief of this  
19 country. That is an awesome responsibility. And  
20 you should all understand that, as I'm sure you  
21 do.

22 But I want you to know that we are  
23 all grateful to you that we still are producing  
24 young men and women who raise their hand and say:  
25 Send me, I will go to defend the greatest nation

1 in the world.

2 So on behalf of all of us, God  
3 bless, Godspeed, thank you.

4 Go Army, beat Navy!

5 (Laughter; applause.)

6 ACTING PRESIDENT BENJAMIN: Senator  
7 Jacobs on the resolution.

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

10 First, to all the cadets that are  
11 here and all that are here from West Point, thank  
12 you very much for coming here today. Thank you  
13 for your service to our country.

14 And I also wanted to thank my  
15 colleagues and everyone in -- anyone in this  
16 chamber who has worn a uniform and served this  
17 country. Thank you for your service.

18 It is a tremendous privilege and  
19 honor for New York State to be the home of the  
20 nation's first federal military academy, the  
21 United States Military Academy at West Point.  
22 The leaders and statesmen that have been trained  
23 at West Point since its establishment in 1802 are  
24 as legendary as their accomplishments and their  
25 impact on the history and the course of our great



1 nation.

2 True to their motto of "Duty, Honor  
3 Country," that tradition of educating the very  
4 best and brightest young Americans and training  
5 and preparing them to lead our country and our  
6 troops in a very challenging and complex world  
7 continues today.

8 One of those best and brightest is a  
9 constituent of mine from the Town of Tonawanda  
10 who is here with us today. Mr. President, it is  
11 a great honor for me to recognize and welcome to  
12 the chamber today Cadet Colin Lynch, Class of  
13 2021.

14 A 2017 graduate of Kenmore West High  
15 School, Cadet Lynch is a team leader and a life  
16 science major, excelling in perhaps the most  
17 rigorous leadership development and academic  
18 curriculum in our country's system of higher  
19 education.

20 As if that was not enough, he is  
21 also active in the Spirit Band and Pre-Med Club,  
22 adding to the diversity and well-roundedness of  
23 his West Point experience.

24 Cadet Lynch, I want to congratulate  
25 you and all your fellow cadets on the wonderful

1 accomplishments of being accepted into the United  
2 States Military Academy at West Point and for the  
3 exceptional commitment that you have made and  
4 work you have performed.

5 Your parents, Timothy and Mary, your  
6 friends and former Blue Devils at Kenmore West,  
7 your hometown of Tonawanda and elected  
8 officials are all extremely proud of you. That  
9 pride, Cadet Lynch, is accompanied by the  
10 unwavering support and sense of gratitude from  
11 your community for your commitment and  
12 willingness to serve this country in the years  
13 ahead.

14 The State of New York and the entire  
15 country owe you a great debt of gratitude as well  
16 as each and every one of the cadets here today.

17 Thank you, Mr. President. Thank you  
18 again for being here.

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

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

23 I rise today to also thank the  
24 leaders and Senator Skoufis for continuing this  
25 great tradition of having West Point Day here at

1 the Capitol, continuing a tradition that truly  
2 gives us an insight and an opportunity to salute  
3 the young people that are going to be running  
4 this country in the future -- as an earlier  
5 speaker said, to salute people that are taking a  
6 better path, a path that is already creating them  
7 a focus and an opportunity to be people that are  
8 honored, people that are understanding what duty  
9 and country is by their example.

10                   This is the first time in my five  
11 years that I actually have a cadet from my  
12 district here today, and I'm glad to introduce  
13 Cadet Mike McPherson, from my district, who is in  
14 the Class of 2021. Stand up, Mike. Let them see  
15 how tall you are.

16                   (Laughter.)

17                   SENATOR COMRIE: So I'm incredibly  
18 proud to have a cadet from my district that was  
19 raised in Southeast Queens that is now going to  
20 be a leader in our country.

21                   He serves now as a team leader at  
22 the academy, displaying a natural aptitude for  
23 responsibility and initiative. From a young age,  
24 he has been focused on engineering and the  
25 sciences. At West Point he's deeply involved in

1 the Electronic Experimenters Club and the Special  
2 Interest Group in Security Audit and Control.

3 Cadet McPherson is the type of young  
4 man who has understood that we will -- and who  
5 needs to understand, and I hope that he  
6 understands and all of the cadets understand that  
7 we are so very proud of you. You have made a  
8 choice to honor our country, to continue a  
9 tradition to keep us safe, to continue a  
10 tradition to represent us in the best way  
11 possible.

12 Thank you for your service. Thank  
13 you for what you're going to do to make our  
14 country proud. Thank you all for being here  
15 today.

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

18 SENATOR LIU: Thank you,  
19 Mr. President, for this opportunity to welcome  
20 our young delegation to the State Senate.

21 You know, I think we all understand  
22 how important West Point is to not only our state  
23 but our nation. It is an institution that  
24 commands and demands the highest level of  
25 excellence, the highest, the utmost of diligence,

1 of discipline, of accomplishment and  
2 perseverance. It is not an easy place to be at  
3 West Point. But once these cadets get through  
4 West Point, they are indeed on their way to  
5 becoming the leaders of our great nation.

6 I want to give a shout-out to my  
7 constituent from Fresh Meadows, Queens, Cadet  
8 Zhang. Cadet Zhang, stand up, take a bow. Or a  
9 salute, as you will. Or wave, that's good.

10 (Laughter.)

11 SENATOR LIU: Thank you.

12 And of course I am going to have to  
13 acknowledge Senator Stavisky's constituent, my  
14 niece, Iris Yu. Iris, take a -- whatever you'd  
15 like.

16 (Laughter.)

17 SENATOR LIU: I'm going to leave  
18 Iris to battle it out with Uncle Rob about  
19 whether the Army or Navy will win this year.

20 And lastly, I will give a postscript  
21 to my colleagues here. If you would like to come  
22 to West Point, there is going to be, on August  
23 24th and 25th, a Spartan Race. Sign up now.

24 (Laughter.)

25 SENATOR LIU: Thank you,

1 Mr. President.

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

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

6 First and foremost, let me thank all  
7 the cadets for being here today, for all their  
8 efforts to keep our freedom and liberty, which  
9 makes us the greatest nation in the world, and  
10 being a part of the greatest fighting force for  
11 good in the whole world.

12 I'm exceptionally proud to be able  
13 to introduce and welcome a cadet, Cadet Martino  
14 An, from the 49th Senatorial District. And I  
15 want to tell you a few facts about him.

16 He's the current Class of 2021. And  
17 as we are proud of him, all of us sitting here  
18 and all of his peers and their leaders, there are  
19 two people who are exceptionally proud of him, to  
20 the right of me up in the balcony -- maybe they  
21 can raise their hands -- they're his parents,  
22 Seungwon An and Misook Kim, the parents of  
23 Cadet An. They're here today with us.

24 This is an important one too, his  
25 hometown. I want to tell you, he lives in one of

1 the greatest hometowns in the world. It's a  
2 beautiful place to live in. And the Simpsons got  
3 it wrong, they missed the boat. The Town of  
4 Niskayuna is a great place to live, and they send  
5 great people like Cadet An out there to represent  
6 us.

7                   And I'm very proud, I know he loves  
8 living in the Town of Niskayuna. If they'd like  
9 to come, we'd take a walk with them through the  
10 town and show them what beautiful opportunities  
11 there is in the great Town of Niskayuna.

12                   So he's also a graduate of Niskayuna  
13 High School, Class of 2017. And his leadership  
14 position is a team leader. Academic  
15 concentration/major is life science and pre-med.  
16 And his extracurricular activities are sailing  
17 and soccer.

18                   And I'm very proud to represent him.  
19 I always like to say all good things emanate from  
20 the 49th Senatorial District. He happens to be  
21 from there, and it happens to be my Senate  
22 district.

23                   So congratulations to you, Cadet An,  
24 your parents and your entire family, and thanks  
25 for your service.

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

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

5                   I rise also to welcome the cadets  
6     and thank the colonel for his comments, which we  
7     should all heed.

8                   I wanted to welcome the cadet from  
9     the 27th Senate District, whose name is Brian J.  
10    Patterson. Welcome, Brian. Please stand.

11                   Brian is from the hallowed grounds  
12    of Peter Cooper-Stuyvesant Village, which is the  
13    bastion of middle-class housing in our Senate  
14    district, and also served, after it was completed  
15    shortly after World War II, as a place where  
16    returning soldiers began their lives. So it's  
17    very fitting that you will continue that  
18    tradition, although Brian says he doesn't get  
19    back to Stuy Town very much these days because he  
20    has rugby practice on most weekends.

21                   That said, I know you will do great  
22    things for our country, for our community. And I  
23    know that all of the cadets here will be  
24    protecting our civil liberties, our democracy,  
25    doing what we try to do here on a daily basis



1     also, which is make the lives of New Yorkers and  
2     Americans better.

3                     Thank you very much.

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

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

8                     And thank you for coming to Albany.

9                     I was taken with something that  
10    Colonel Bieger said; he referred to the American  
11    Expeditionary Forces under General Pershing. And  
12    my father served there during the First World  
13    War, and in fact always had a photograph, an ink  
14    drawing of General Pershing, one of his most  
15    prized possessions. And in fact when the  
16    servicepeople came back after the First World  
17    War, there was a march in Washington to celebrate  
18    their return, and I still have the telegram that  
19    General Pershing sent inviting him to march in  
20    Washington.

21                    But that's the tradition of  
22    West Point. And we here in the Senate also have  
23    a tradition which we continue, and it's the  
24    tradition of recognizing the contributions of our  
25    colleagues to governmental service overseas.

1 Colonel Larkin did this for so many years. Major  
2 Breslin has come back to keep an eye on his State  
3 Senator, I think.

4 But the Breslin family has served  
5 for so many years, devoting their careers to  
6 their nation and to the people of our state, and  
7 we thank them for that.

8 I am particularly proud to welcome a  
9 cadet from Queens County, John Liu's cousin. Her  
10 name is Iris Wu. And Cadet Wu attended Francis  
11 Lewis High School, as did, I believe,  
12 Cadet Zhang.

13 Francis Lewis High School is in my  
14 district. And it's a remarkable school because  
15 they have a very, very active Junior ROTC. And  
16 you see these young people at parades, you see  
17 them marching. They represent really the finest  
18 of Queens County, and we're very, very proud of  
19 them.

20 Cadet Wu is a squad leader in the  
21 Corps of Cadets at West Point. She's majoring in  
22 engineering psychology with a minor in Chinese.  
23 And as you know, I sometimes speak very  
24 elementary Mandarin when we have visitors from  
25 Taiwan and China here in the chamber.

1                   Interestingly, she is on the Crew  
2 Team. And I don't know how the Crew Team is  
3 doing, but I'm sure they're going to have  
4 literally big shoes to fill when Cadet Wu  
5 graduates in 2020.

6                   So we thank you for your service.  
7 We thank you for representing really some of the  
8 best of our young people. And I'm not going to  
9 comment on Army-Navy.

10                   (Laughter from cadets.)

11                   SENATOR STAVISKY: Thank you.

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

14                   SENATOR ADDABBO: Thank you,  
15 Mr. President. I want to thank Senator Skoufis,  
16 our Majority Leader Stewart-Cousins for this  
17 resolution today.

18                   Colonel Bieger, to the cadets and  
19 personnel of West Point, as a member of the  
20 Senate Veterans Committee, I want to welcome you  
21 to our Senate chambers and thank you for the path  
22 that you chose. Truly appreciate the young men  
23 and women who took the pledge of West Point to  
24 protect duty, honor and country, and certainly to  
25 follow in the footsteps of the great graduates

1 that came out of West Point mentioned by our able  
2 chair, Senator Brooks.

3           One of those graduates, General  
4 Douglas MacArthur, once said that no man is  
5 entitled to the blessings of freedom unless he is  
6 vigilant in its preservation. That is  
7 absolutely, in a nutshell, really what West Point  
8 is all about. Because you have taken that  
9 pledge, you have chosen the path to protect our  
10 freedoms, stand vigilant, ready to protect the  
11 liberties that sometimes we take for granted.  
12 And for that choice of that path, for that we  
13 will forever be grateful.

14           So thank you very much for your  
15 commitment and dedication to our country.

16           Thank you, Mr. President.

17           ACTING PRESIDENT BENJAMIN:    Senator  
18 Antonacci on the resolution.

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

21           I rise to welcome, from the 50th  
22 Senatorial District, Andrew J. Marsh. I'm very  
23 proud of you. Stand up, please.

24           The only one I believe that is a  
25 member of the Opera Club, is that correct?

1 That's right, we're very well-rounded in the  
2 50th District.

3 (Laughter.)

4 SENATOR ANTONACCI: Andrew's dad is  
5 a personal friend of mine, also a high school  
6 basketball coach. And I can see where his duty  
7 and commitment to his fellow citizens comes from.  
8 I'm sure your dad is very proud of you, as well  
9 as your mom.

10 So again, keep up the good work and  
11 good luck.

12 And thank you, Mr. President.

13 ACTING PRESIDENT BENJAMIN: Senator  
14 O'Mara on the resolution.

15 SENATOR O'MARA: Thank you,  
16 Mr. President.

17 It is with great pride that I rise  
18 today to again welcome West Point to the Senate.  
19 It is truly one of the highlights we have each  
20 year to welcome you. Certainly proud that  
21 New York State is the home of West Point.

22 I happen to have three cousins who  
23 are graduates of West Point, so it runs deep in  
24 my family. I don't know what happened to me.  
25 But they've all gone on to great careers.

1           But I am particularly proud today to  
2 welcome here, for the second time in three years,  
3 Cadet Lili Ruland. Lili, if you could stand,  
4 please.

5           She hails from the 58th Senate  
6 District, hometown of Corning, New York, daughter  
7 of Kenneth and Jennifer Ruland. Lili is a  
8 battalion operations NCO, and she's majoring in  
9 defense and strategic studies. So I guess you're  
10 in for life.

11           Very proud to have you here today,  
12 Lili, and keep up the great work. You make us  
13 all proud at home. I know you make your family  
14 very proud. I am proud to stand here today and  
15 welcome you to the Senate.

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

18           SENATOR BRESLIN: Thank you very  
19 much, Mr. President.

20           I rise to introduce someone from the  
21 44th Senate District, retired Major Michael  
22 Breslin, who happens to be a brother of mine --  
23 an older brother, significantly older.

24           (Laughter.)

25           SENATOR BRESLIN: And it's the one

1 day of the year that I recognize my brother  
2 Michael. In a big Irish family, there was a lot  
3 of competition and sibling rivalries, and this is  
4 a day that I get to praise him and eliminate all  
5 my problems with not being able to do it on other  
6 days of the year.

7 Mike is a graduate of West Point,  
8 the Class of 1961, after he was recruited to play  
9 football at West Point and ended up playing  
10 varsity basketball and baseball. But when he  
11 graduated, he went to jump school, ranger school,  
12 jungle warfare school, air transportation school,  
13 jump master school, and ended up in Vietnam,  
14 where he -- among other things, a Bronze Star  
15 winner and ended up at 27 being a major in the  
16 Airborne Infantry.

17 And when he returned to the States,  
18 they sent him to the College of the Americas  
19 where he taught counterinsurgency in Spanish to  
20 South American officers. And subsequent to that,  
21 he stayed in the Army a while, came out, went to  
22 law school, and we eventually practiced law  
23 together.

24 He ultimately became the county  
25 executive of Albany for 16 years and now is

1     enjoying retirement. And connected to this, he's  
2     a member of the board of directors for the  
3     Indigent Legal Services for the state and does  
4     other things that I view to be something that  
5     helps this state become a better place.

6                 So my day of praise is over.

7                 (Laughter.)

8                 SENATOR BRESLIN: And I salute all  
9     of the cadets for what you're going through now  
10    and what you will be, the future of our country.

11                To the officers here today, and to  
12    my leader, Andrea Stewart-Cousins, this is and  
13    will always be one of the happiest days that we  
14    experience, because it -- I often kid my brother  
15    that he served, those many years, both his time  
16    and mine. And in reality, it's true.

17                And I thank you for your service. I  
18    thank you cadets for your service now and your  
19    service to come.

20                Go Army, beat Navy, lose to Fordham!

21                Thank you.

22                (Laughter.)

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

25                SENATOR KAPLAN: I too stand, and



1 I'm honored to be standing here as a freshman  
2 Senator and to have a cadet from my district --  
3 which Senator Thomas was trying to take over, so  
4 I said we are going to share.

5 Cadet Chae, I want to welcome you  
6 and all your friends and all the other cadets  
7 here. We want to say -- give you a warm welcome,  
8 say thank you. And we are looking forward to  
9 seeing wonderful things that you will do as you  
10 go on.

11 Thank you again. God bless you.

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

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

16 I too want to thank our Majority  
17 Leader, Andrea Stewart-Cousins, and Senator  
18 Skoufis for carrying on this wonderful tradition  
19 of honoring, celebrating and paying tribute to  
20 our cadets at West Point and the entire  
21 West Point institution.

22 And I have the distinct privilege of  
23 introducing a cadet from my district, Cadet  
24 Daniel Hernandez -- please stand up, Daniel --  
25 who lives right down the street from me in

1 New City and is a team leader on the cheerleading  
2 team at West Point. And if any of you have been  
3 to a game, you know that the cheerleaders are  
4 some of the toughest members at West Point. I  
5 mean, they're throwing people way up into the air  
6 and -- and it's just great to see all of these  
7 wonderful talents that all of our future leaders  
8 possess.

9                   We have the best and the brightest  
10 sitting right here in the chamber representing  
11 the hundreds of other cadets who are dedicated to  
12 serving our community, serving our nation.

13                   I couldn't be prouder, and  
14 especially today because we have with us in the  
15 gallery my student advisory committee of high  
16 school students from around the district, where  
17 we get to talk about issues that are affecting  
18 students every day. And what a day to not only  
19 be inspired by the legislators here in the  
20 chamber, but inspired by the cadets from  
21 West Point.

22                   So what a fitting day. It's an  
23 honor to have you here in the chamber. Thank  
24 you, Mr. President, for allowing me to share  
25 these words.

1                   ACTING PRESIDENT BENJAMIN:    The  
2   resolution was previously adopted on April 30th.

3                   To our officers and cadets from  
4   West Point, I welcome you on behalf of the  
5   New York State Senate. We extend to you all of  
6   the privileges and courtesies of this house.

7                   Please rise and be recognized.

8                   (Sustained standing ovation.)

9                   ACTING PRESIDENT BENJAMIN:    Senator  
10   Gianaris.

11                  SENATOR GIANARIS:    Mr. President,  
12   let me remind our colleagues that at the  
13   conclusion of session there will be a reception  
14   in honor of our guests from West Point in the  
15   Majority Conference Room, in Room 332.

16                  And I would also like to open this  
17   resolution for cosponsorship.

18                  ACTING PRESIDENT BENJAMIN:    There  
19   will be a reception in honor of our guests from  
20   West Point in Room 332.

21                  And the resolution is open for  
22   cosponsorship. Should you choose not to be a  
23   cosponsor of the resolution, please notify the  
24   desk.

25                  Senator Gianaris.

1                   SENATOR GIANARIS:    Can we now take  
2   up previously adopted Resolution 1124, by  
3   Senator Martinez, read the resolution's title  
4   only, and call on Senator Martinez.

5                   ACTING PRESIDENT BENJAMIN:    The  
6   Secretary will read.

7                   THE SECRETARY:    Senate Resolution  
8   1124, by Senator Martinez, congratulating the  
9   Sachem High School North Cheer Team upon the  
10   occasion of capturing the New York State Public  
11   High School Athletic Association Division I  
12   Large Schools Cheerleading Championship on  
13   March 2, 2019.

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

16                  SENATOR MARTINEZ:    Thank you,  
17   Mr. President, for allowing me this opportunity  
18   to speak on this resolution.

19                  Unfortunately, our Sachem North  
20   Cheerleading ladies were unable to come today to  
21   Albany, as they are working very hard in their  
22   classrooms right now.

23                  But it is my honor to congratulate  
24   them today for becoming not only the Suffolk  
25   County champs, but also advancing to the state

1 tournament where they finished second in the  
2 preliminary round, which allowed them to compete  
3 in the final round of competition.

4 The Flaming Arrows, as they are  
5 known, locked down this championship by sticking  
6 a series of difficult and complex stunts into  
7 their routine.

8 Not too many feel that cheerleading  
9 is a sport, but it definitely has become a sport.  
10 And this type of accomplishment requires support  
11 from outstanding staff, teachers, administrators,  
12 coaches, parents, as well as skills in  
13 athleticism, flexibility and endurance.

14 The sport of cheerleading is often  
15 overlooked and underestimated, but these young  
16 women have made it very clear that they are  
17 serious athletes and they are deserving of  
18 recognition.

19 I applaud them and their coaches for  
20 their dedication and great achievement, and they  
21 have made the 3rd Senatorial District very proud.  
22 This is the first time that Sachem North takes a  
23 state title, but I know this is the first of many  
24 to come, and I wish the ladies of this team much  
25 success.

1                   Thank you.

2                   ACTING PRESIDENT BENJAMIN:    The  
3   resolution was previously adopted on April 30th.  
4                   Senator Gianaris.

5                   SENATOR GIANARIS:    At Senator  
6   Martinez's request, please also open that  
7   resolution to cosponsorship.

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

12                  Senator Gianaris.

13                  SENATOR GIANARIS:    Returning to  
14   motions, Mr. President, on behalf of  
15   Senator Brooks, on page 31 I offer the following  
16   amendments to Calendar 422, Senate Print 1672,  
17   and ask that said bill retain its place on  
18   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.

23                  SENATOR GIANARIS:    On behalf of  
24   Senator Carlucci, I move the following bills be  
25   discharged from their respective committees and

1 be recommitted with instructions to strike the  
2 enacting clause: Senate Bill 131.

3 ACTING PRESIDENT BENJAMIN: It is  
4 so ordered.

5 SENATOR GIANARIS: Can you please  
6 call on Senator Griffo.

7 ACTING PRESIDENT BENJAMIN: Senator  
8 Griffo.

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

11 On behalf of Senator LaValle, I  
12 would move that Senate Bill 3726 be discharged  
13 from its respective committee and be recommitted  
14 with instructions to strike the enacting clause.

15 ACTING PRESIDENT BENJAMIN: It is  
16 so ordered.

17 SENATOR GRIFFO: And also, on  
18 behalf of Senator Antonacci, I would move that  
19 Senate Bill 4954 also be discharged from its  
20 respective committee and be recommitted with  
21 instructions to strike the enacting clause.

22 ACTING PRESIDENT BENJAMIN: It is  
23 so ordered.

24 Senator Gianaris.

25 SENATOR GIANARIS: May we now take

1 up the reading of the calendar, please.

2 ACTING PRESIDENT BENJAMIN: The  
3 Secretary will read.

4 THE SECRETARY: Calendar Number 44,  
5 Assembly Print 1691, by Assemblymember Abbate,  
6 previously substituted for Senate Print 2042, an  
7 act to amend the Civil Service Law.

8 ACTING PRESIDENT BENJAMIN: Read  
9 the last section.

10 THE SECRETARY: Section 2. This  
11 act shall take effect on the same date and in the  
12 same manner as a chapter of the Laws of 2018.

13 ACTING PRESIDENT BENJAMIN: Call  
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT BENJAMIN:  
17 Announce the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT BENJAMIN: The  
20 bill is passed.

21 THE SECRETARY: Calendar Number  
22 298, Senate Print 3872A, by Senator Carlucci, an  
23 act to amend the Mental Hygiene Law.

24 ACTING PRESIDENT BENJAMIN: Read  
25 the last section.



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

3           ACTING PRESIDENT BENJAMIN:    Call  
4   the roll.

5                           (The Secretary called the roll.)

6           ACTING PRESIDENT BENJAMIN:    Senator  
7   Carlucci to explain his vote.

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

10                          I want to thank my colleagues for  
11   supporting this legislation.

12                          We know right now that one of the  
13   fastest-growing demographics in our community and  
14   throughout the state is senior citizens, people  
15   living older than the age of 65.  And our latest  
16   census tells us that by the year 2050 our senior  
17   population here in New York State and throughout  
18   the country will double.

19                          So we need to start today to make  
20   sure we're breaking down barriers to access to  
21   allow our seniors to age with elegance, with  
22   dignity, with grace in their homes and keep as  
23   many people as we can in their homes and out of  
24   institutions.

25                          This legislation will allow the

1 commissioners of health and mental health to work  
2 with home care providers to really break down  
3 those barriers, to integrate, to collaborate and  
4 make sure that people that are aging and have  
5 physical ailments -- double that with mental  
6 health issues -- that they're able to collaborate  
7 and work together, keep people in their homes.  
8 Not only will this allow for us to improve the  
9 quality of life of our seniors, but it will also  
10 save money for the State of New York.

11 So I want to thank my colleagues for  
12 supporting this legislation, and I will be  
13 voting in the affirmative.

14 Thank you, Mr. President.

15 ACTING PRESIDENT BENJAMIN: Senator  
16 Carlucci to be recorded in the affirmative.

17 Senator May to explain her vote.

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

20 I want to thank Senator Carlucci for  
21 bringing forward this bill.

22 This year the State Legislature, the  
23 New York State government has made great strides  
24 in helping older New Yorkers age in place so they  
25 can stay in their homes as long as they want and

1 not have to move to assisted living or nursing  
2 homes. And this bill is one more piece of the  
3 puzzle in how we help them do that, by breaking  
4 down bureaucratic barriers and promoting a  
5 holistic, person-centered approach to how we help  
6 seniors age in place.

7 So I am very pleased to support this  
8 bill, and I thank Senator Carlucci for it.

9 ACTING PRESIDENT BENJAMIN:  
10 Announce the results.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT BENJAMIN: The  
13 bill is passed.

14 THE SECRETARY: Calendar Number  
15 367, Assembly Print 453, substituted earlier by  
16 Assemblymember Steck, an act to amend the Limited  
17 Liability Company Law.

18 ACTING PRESIDENT BENJAMIN: Read  
19 the last section.

20 THE SECRETARY: Section 2. This  
21 act shall take effect on the 60th day after it  
22 shall have become a law.

23 ACTING PRESIDENT BENJAMIN: Call  
24 the roll.

25 (The Secretary called the roll.)

1           ACTING PRESIDENT BENJAMIN:

2     Announce the results.

3           THE SECRETARY:     In relation to  
4     Calendar Number 367:   Ayes, 60.   Nays, 1.  
5     Senator Lanza recorded in the negative.

6           ACTING PRESIDENT BENJAMIN:    The  
7     bill is passed.

8           THE SECRETARY:     Calendar Number  
9     379, Assembly Print 4413, substituted earlier by  
10    Assemblymember Stern, an act to amend the  
11    Executive Law.

12           ACTING PRESIDENT BENJAMIN:   Read  
13    the last section.

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

17           ACTING PRESIDENT BENJAMIN:   Call  
18    the roll.

19                               (The Secretary called the roll.)

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

22           SENATOR KAPLAN:     Sometimes, despite  
23    the best intentions, government services can be  
24    very difficult to navigate; other times they can  
25    be downright confusing.   So I'm really happy to

1 find a way to make it easier for our constituents  
2 to access the services they need, and  
3 particularly when it comes to our veterans.

4 This simple bill will ensure that  
5 veterans seeking information about local veterans  
6 services can easily find information all in one  
7 place, and ensures that the information stays up  
8 current.

9 I'm proud to sponsor this bill, and  
10 I cast my vote in the affirmative.

11 Thank you, Mr. President.

12 ACTING PRESIDENT BENJAMIN: Senator  
13 Kaplan to be recorded in the affirmative.

14 Announce the results.

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT BENJAMIN: The  
17 bill is passed.

18 THE SECRETARY: Calendar Number  
19 404, Senate Print 3300, by Senator Brooks, an act  
20 to amend the Civil Service Law.

21 ACTING PRESIDENT BENJAMIN: Read  
22 the last section.

23 THE SECRETARY: Section 2. This  
24 act shall take effect immediately.

25 ACTING PRESIDENT BENJAMIN: Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BENJAMIN:

4 Announce the results.

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT BENJAMIN: The  
7 bill is passed.

8 THE SECRETARY: Calendar Number  
9 407, Senate Print 2960, by Senator Kaplan, an act  
10 to amend the Vehicle and Traffic 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, 61.

21 ACTING PRESIDENT BENJAMIN: The  
22 bill is passed.

23 THE SECRETARY: Calendar Number  
24 421, Senate Print 1089, by Senator Persaud, an  
25 act to amend the Social Services Law.

1                   ACTING PRESIDENT BENJAMIN:    Read  
2   the last section.

3                   THE SECRETARY:    Section 2.   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   Jacobs to explain his vote.

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

12                  I believe that this legislation is  
13   well-intended, but the principal tuition program  
14   that's being referenced here is the 529 program.  
15   A great program, but it has very broad limits  
16   about the amount that individuals can put into  
17   that fund.  I believe a couple could put in  
18   \$30,000 a year.

19                  And I think when we're talking about  
20   public benefits, there needs to be controls and  
21   constraints if we're going to do something like  
22   this.  Like a lot of the other exemptions, with  
23   the amount of fraud and abuse we currently have  
24   in our social service programs, I believe we need  
25   to be a bit more thoughtful before we put

1 something like this forward.

2 That is why I'm in the negative.

3 Thank you.

4 ACTING PRESIDENT BENJAMIN: Senator  
5 Jacobs to be recorded in the negative.

6 Senator Persaud to explain her vote.

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

9 This bill is just codifying what is  
10 already done. It's -- qualified tuition accounts  
11 are governed by the federal Internal Revenue  
12 Code. And all of the rules that are in place  
13 will still remain in place, we're just codifying  
14 what is already done, allowing families to not  
15 have that amount counted against their income  
16 while they're receiving public assistance.

17 So to my colleagues, I would  
18 encourage you to support this legislation because  
19 it is already being done.

20 Thank you all very much. I vote  
21 yes.

22 ACTING PRESIDENT BENJAMIN: Senator  
23 Persaud to be recorded in the affirmative.

24 Announce the results.

25 THE SECRETARY: In relation to



1 Calendar Number 421, those Senators voting in the  
2 negative are Senators Akshar, Antonacci, Boyle,  
3 Flanagan, Funke, Gallivan, Griffo, Helming,  
4 Jacobs, O'Mara, Ortt, Ritchie, Seward and  
5 Tedisco. Also Senator LaValle. Also  
6 Senator Ranzenhofer. Also Senator Jordan.

7 Ayes, 44. Nays, 17.

8 ACTING PRESIDENT BENJAMIN: The  
9 bill is passed.

10 THE SECRETARY: Calendar Number  
11 425, Senate Print 2328, by Senator Kavanagh, an  
12 act to amend the State Finance Law.

13 ACTING PRESIDENT BENJAMIN: Read  
14 the last section.

15 THE SECRETARY: Section 2. This  
16 act shall take effect on the 180th day after it  
17 shall have become a law.

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: Ayes, 61.

24 ACTING PRESIDENT BENJAMIN: The  
25 bill is passed.

1                   THE SECRETARY:    Calendar Number  
2    427, Assembly Print 5246, substituted earlier by  
3    Assemblymember Buchwald, an act to amend the  
4    Tax Law.

5                   ACTING PRESIDENT BENJAMIN:   Read  
6    the last section.

7                   THE SECRETARY:    Section 4.   This  
8    act shall take --

9                   SENATOR GIANARIS:   Lay it aside  
10   temporarily, please.

11                  ACTING PRESIDENT BENJAMIN:   Lay it  
12   aside temporarily.

13                  THE SECRETARY:    Calendar Number  
14    443, Senate Print 4492, by Senator Liu, an act in  
15    relation to ordering a study and report on a  
16    proposed extension of the Long Island Motor  
17    Parkway Trail.

18                  ACTING PRESIDENT BENJAMIN:   Read  
19    the last section.

20                  THE SECRETARY:    Section 2.   This  
21    act shall take effect immediately and shall  
22    expire one year after it shall have become a law.

23                  ACTING PRESIDENT BENJAMIN:   Call  
24    the roll.

25                               (The Secretary called the roll.)

1           ACTING PRESIDENT BENJAMIN:

2   Announce the results.

3           THE SECRETARY:   In relation to  
4   Calendar Number 443, those Senators voting in the  
5   negative are Senators Antonacci and Griffo.

6           Ayes, 59.   Nays, 2.

7           ACTING PRESIDENT BENJAMIN:   The  
8   bill is passed.

9           THE SECRETARY:   Calendar Number  
10   446, Senate Print 1456, by Senator Sanders, an  
11   act to amend the Labor Law.

12           ACTING PRESIDENT BENJAMIN:   Read  
13   the last section.

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

16           ACTING PRESIDENT BENJAMIN:   Call  
17   the roll.

18           (The Secretary called the roll.)

19           ACTING PRESIDENT BENJAMIN:  
20   Announce the results.

21           THE SECRETARY:   In relation to  
22   Calendar Number 446, those Senators voting in the  
23   negative are Senators Akshar, Amedore, Antonacci,  
24   Boyle, Brooks, Flanagan, Funke, Gallivan, Griffo,  
25   Helming, Lanza, LaValle, Little, Martinez,

1 O'Mara, Ortt, Ranzenhofer, Robach, Seward and  
2 Tedisco.

3 Ayes, 41. Nays, 20.

4 ACTING PRESIDENT BENJAMIN: The  
5 bill is passed.

6 Senator Gianaris.

7 SENATOR GIANARIS: Mr. President,  
8 can we now return to Calendar Number 427, which  
9 was laid aside temporarily, remove the lay-aside  
10 and take up that bill.

11 ACTING PRESIDENT BENJAMIN: The  
12 Secretary will read.

13 THE SECRETARY: Calendar Number  
14 427, Assembly Print 5246, substituted earlier by  
15 Assemblymember Buchwald, an act to amend the  
16 Tax Law.

17 ACTING PRESIDENT BENJAMIN: Read  
18 the last section.

19 THE SECRETARY: Section 4. This  
20 act shall take effect immediately.

21 ACTING PRESIDENT BENJAMIN: Call  
22 the roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT BENJAMIN:  
25 Announce the results.

1                   THE SECRETARY:   In relation to  
2   Calendar Number 427, those Senators voting in the  
3   negative are Senators Akshar, Amedore, Antonacci,  
4   Brooks, Funke, Gaughran, Helming, Jordan, Kaplan,  
5   Lanza, Martinez, Metzger, Ortt, Robach, Skoufis,  
6   Tedisco and Thomas.

7                   Ayes, 44.   Nays, 17.

8                   ACTING PRESIDENT BENJAMIN:   The  
9   bill is passed.

10                  THE SECRETARY:   Calendar Number  
11   447, Senate Print 4573, by Senator Kennedy, an  
12   act to amend the Labor Law.

13                  ACTING PRESIDENT BENJAMIN:   Read  
14   the last section.

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

17                  ACTING PRESIDENT BENJAMIN:   Call  
18   the roll.

19                  (The Secretary called the roll.)

20                  ACTING PRESIDENT BENJAMIN:   Senator  
21   Kennedy to explain his vote.

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

24                  First let me start by thanking my  
25   colleagues for supporting this legislation.

1           In recent years, organized labor has  
2       been under attack by the federal government.  
3       From administrative measures to decrease labor  
4       protections, rolling back worker safety  
5       protections, to the Janus decision by the Supreme  
6       Court, working men and women across this state  
7       and across this country, their backs are against  
8       the wall.

9           This legislation will help level the  
10      playing field for workers who are at a  
11      significant disadvantage when negotiating for a  
12      fair contract in the workplace. Currently,  
13      striking workers who are trying to support their  
14      families must wait eight weeks before they're  
15      able to receive unemployment benefits -- unlike  
16      any other unemployment insurance claimants, who  
17      have to wait only one week. This puts members of  
18      organized labor who are part of collective  
19      bargaining agreements at a serious disadvantage.

20           The current suspension period is  
21      arbitrary, based on an antiquated law from 1941,  
22      when the world was a very different place. At  
23      this time all unemployment insurance claims had a  
24      three-week suspension period before they were  
25      eligible for benefits. While this three-week

1 suspension period has been changed, it still  
2 unfairly applies to striking workers.

3           The current system leaves members of  
4 organized labor negotiating with their hands tied  
5 behind their backs. It singles out striking  
6 workers and unions, forcing them to wait nearly  
7 two months before they can claim unemployment  
8 benefits. This is simply unfair. It is also  
9 unethical to give employers such leverage over  
10 workers and their families during negotiation.

11           Attempting to force hardworking men  
12 and women to agree to an unacceptable contract by  
13 starving their families is a truly vindictive  
14 act, and it's absolutely unacceptable.

15           We all need a little help at some  
16 time in our lives. Even companies get subsidies  
17 and tax breaks from the government during hard  
18 times. These individuals, these workers, help to  
19 pay for that, and they need to be treated like  
20 anyone else in society.

21           If you are laid off or downsized  
22 today, you qualify for unemployment benefits  
23 after one week. If your employer goes out of  
24 business, you qualify after one week. If you  
25 quit your job and take a new one and that offer

1 falls through, you qualify for unemployment  
2 benefits after one week.

3           If you go on strike, you're targeted  
4 and you cannot claim unemployment benefits for  
5 that one week and then seven extra weeks on top  
6 of that, eight weeks in total. This is an unfair  
7 policy that directly targets members of organized  
8 labor. In all these cases individuals only have  
9 to wait that one week and can begin collecting  
10 benefits, but if you're that worker, you have to  
11 wait longer. This is putting an unfair burden on  
12 these workers' families, and it's time that  
13 New York State steps up, steps in and levels the  
14 playing field across the board.

15           We cannot allow striking workers to  
16 put their families at risk -- at risk of losing  
17 their house, at risk of losing their car, at risk  
18 of falling behind on child support payments, on  
19 daycare costs, and at risk of potentially taking  
20 food off of their table because a company is not  
21 negotiating in good faith and simply wants to  
22 make these workers on the line wait longer.

23           This legislation is the right time  
24 for this, and it is an absolute game-changer for  
25 working men and women as they fight for dignity,



1     respect, proper treatment, fair wages in the  
2     workplace.

3                     Once again, I thank my colleagues  
4     for working together to move this legislation. I  
5     want to thank the chair of Labor, Senator Ramos,  
6     for moving this expeditiously through committee.  
7     And I want to applaud our leadership, Senator  
8     Andrea Stewart-Cousins, for bringing this to the  
9     floor today.

10                    Mr. President, I vote aye.

11                    ACTING PRESIDENT BENJAMIN:     Senator  
12     Kennedy to be recorded in the affirmative.

13                    Announce the results.

14                    THE SECRETARY:     In relation to  
15     Calendar Number 447, those Senators voting in the  
16     negative are Senators Akshar, Amedore, Boyle,  
17     Flanagan, Funke, Helming, Jacobs, Jordan, Lanza,  
18     O'Mara, Ortt, Ranzenhofer, Serino and Tedisco.

19                    Ayes, 47.   Nays, 14.

20                    ACTING PRESIDENT BENJAMIN:     The  
21     bill is passed.

22                    THE SECRETARY:     Calendar Number  
23     448, Senate Print 4992, by Senator Ramos, an act  
24     to amend the Labor Law.

25                    SENATOR GIANARIS:     Lay it aside for

1 the day.

2 ACTING PRESIDENT BENJAMIN: Lay it  
3 aside for the day.

4 THE SECRETARY: Calendar Number  
5 450, Senate Print 3358A, by Senator Jackson, an  
6 act to amend the Administrative Code of the City  
7 of New York.

8 ACTING PRESIDENT BENJAMIN: Read  
9 the last section.

10 THE SECRETARY: Section 6. 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:  
16 Announce the results.

17 THE SECRETARY: In relation to  
18 Calendar Number 450, those Senators voting in the  
19 negative are Senators Akshar, Amedore, Antonacci,  
20 Boyle, Flanagan, Funke, Gallivan, Griffo,  
21 Helming, Jacobs, Jordan, Lanza, LaValle, Little,  
22 O'Mara, Ortt, Ranzenhofer, Ritchie, Serino,  
23 Seward and Tedisco.

24 Ayes, 41. Nays, 21.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number  
3 487, Senate Print 3558A, by Senator Kennedy, an  
4 act to amend the Vehicle and Traffic Law.

5 ACTING PRESIDENT BENJAMIN: Read  
6 the last section.

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

10 ACTING PRESIDENT BENJAMIN: Call  
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:  
14 Announce the results.

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT BENJAMIN: The  
17 bill is passed.

18 THE SECRETARY: Calendar Number  
19 488, Senate Print 4385, by Senator Parker, an act  
20 to amend the Vehicle and Traffic Law.

21 ACTING PRESIDENT BENJAMIN: Read  
22 the last section.

23 THE SECRETARY: Section 5. This  
24 act shall take effect on the first of January.

25 ACTING PRESIDENT BENJAMIN: Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BENJAMIN:

4 Announce the results.

5 THE SECRETARY: In relation to  
6 Calendar Number 488, Senator Ranzenhofer recorded  
7 in the negative.

8 Ayes, 61. Nays, 1.

9 ACTING PRESIDENT BENJAMIN: The  
10 bill is passed.

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

13 SENATOR GIANARIS: Is there any  
14 further business at the desk?

15 ACTING PRESIDENT BENJAMIN: There  
16 is no further business at the desk.

17 SENATOR GIANARIS: I move to  
18 adjourn until Monday, May 6th, at 3:00 p.m.,  
19 intervening days being legislative days.

20 ACTING PRESIDENT BENJAMIN: On  
21 motion, the Senate stands adjourned until Monday,  
22 May 6th, at 3:00 p.m., intervening days being  
23 legislative days.

24 (Whereupon, at 12:37 p.m., the  
25 Senate adjourned.)