

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
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.)