NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 22, 2020

3:37 p.m.

REGULAR SESSION

SENATOR SHELLEY B. MAYER, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT MAYER: The Senate will come to order.

I ask everyone present to please rise and recite the Pledge of Allegiance.

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

ACTING PRESIDENT MAYER: In the absence of clergy, let us bow our heads in a moment of silent reflection or prayer.

(Whereupon, the assemblage respected a moment of silence.)

ACTING PRESIDENT MAYER: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, January 21, 2020, the Senate met pursuant to adjournment. The Journal of Monday, January 20, 2020, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT MAYER: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator May moves

to discharge, from the Committee on Rules, Assembly Bill Number 8956 and substitute it for the identical Senate Bill 7162, Third Reading Calendar 86.

ACTING PRESIDENT MAYER: Substitution so ordered.

THE SECRETARY: Senator Sanders moves to discharge, from the Committee on Higher Education, Assembly Bill Number 2405 and substitute it for the identical Senate Bill 7118, Third Reading Calendar 132.

ACTING PRESIDENT MAYER: Substitution so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

On behalf of Senator Thomas, on page 19 I offer the following amendments to Calendar Number 150, Senate Print 6727A, and ask

that said bill retain its place on the Third Reading Calendar.

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

SENATOR GIANARIS: And on behalf of Senator Ramos, on page 19 I offer the following amendments to Calendar Number 169, Senate Print 6726, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR GIANARIS: At this time, Madam President, I move to adopt the Resolution Calendar, with the exception of Resolutions 2478 and 2583.

ACTING PRESIDENT MAYER: All in favor of adopting the Resolution Calendar, with the exception of Resolutions 2478 and 2583, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT MAYER: Opposed, nay.

(No response.)

ACTING PRESIDENT MAYER: The Resolution Calendar is adopted.

Senator Gianaris.

SENATOR GIANARIS: Madam President, at this time I'd like to acknowledge a group that's with us in the gallery. The New York Immigration Coalition is here in Albany doing their work today.

This is their 33rd year of work on behalf of the communities in New York. And there's no state that is more defined by immigrants and the contributions they've made to our state than New York. And so the work that NYIC has done is one that has left its mark on our state in a very positive way, and I want you to please recognize them, thank them for their good work, and welcome them here to our chamber today.

ACTING PRESIDENT MAYER: To our guests, I welcome you on behalf of the Senate. We extend to you the privileges and courtesies of the house. Thank you for your work. Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT MAYER: Senator

Gianaris.

SENATOR GIANARIS: Thank you.

At this time, Madam President, can we take up Resolution 2583, by Senator Kavanagh, read that resolution's title only, and recognize Senator Kavanagh.

ACTING PRESIDENT MAYER: The Secretary will read.

THE SECRETARY: Senate Resolution 2583, by Senator Kavanagh, commemorating the Asian American community's celebration of the Lunar New Year, the Year of the Rat, on January 25, 2020.

ACTING PRESIDENT MAYER: Senator Kavanagh on the resolution.

SENATOR KAVANAGH: Thank you, Madam President.

I rise to speak of this important resolution noting -- taking a pause in this chamber to note the oncoming Lunar New Year, which is January 25th and is the beginning of the year of the Rat.

As we know, the Lunar New Year celebrated by Asian-Americans and indeed Asian people throughout the world, and some people of

some other cultures and descents, is part of a twelve-year cyclical calendar, with each year symbolized by a particular animal.

This year we have this resolution, which we've done many years. I should note at the outset that it is cosponsored by Senators Liu, Gounardes, Stavisky, Metzger and Montgomery. And I think we'll hear from a number of people here today.

But the Lunar New Year is of course an opportunity for us to celebrate the great cultural diversity of our country, the contribution of Asian-Americans to our country over many years, and also the diversity within the Asian-American community. Many people of many different cultural backgrounds celebrate this as the principal holiday of the year, and indeed the most important of new year festivals.

People celebrate particularly -- with particular enthusiasm in my own community that I represent in Chinatown in Lower Manhattan. There will be a great firecracker festival this weekend, and in a couple of weeks the great Chinese New Year Parade, which is, in my humble opinion, the best of the Chinese New Year

parades, although we may hear from others in this chamber about other commemorations.

So again, I appreciate the opportunity to speak on this resolution and take this opportunity to wish all who celebrate this holiday a great and wonderful New Year and a prosperous year going ahead.

ACTING PRESIDENT MAYER: Thank you, Senator Kavanagh.

Senator Liu on the resolution.

SENATOR LIU: Thank you, Madam President, for the opportunity to speak on this. I want to thank Senator Kavanagh for introducing this resolution.

What can I say -- have dinner with your folks on Friday or Saturday, depending on your preference, and don't wash your hair on Saturday. It's the custom not to wash your hair on New Year's Day.

Beyond that, I will say that about 8 -- a little more than 8 percent of the people in this room were born in the Year of the Rat. Absolutely nothing wrong with being born in the Year of the Rat. The Rat is a revered form of being, and you should be proud to be born in the

Year of the Rat, which is what we're about to ring in.

Thank you, Madam President.

ACTING PRESIDENT MAYER: Thank you, Senator Liu.

Senator Stavisky on the resolution.

SENATOR STAVISKY: Thank you, Madam President.

And I too join in the celebration of the Year of the Golden Rat. I represent a district in Queens, with Senator Liu, that has a great many people celebrating the Lunar New Year, and they celebrate it in so many different ways. They celebrate it with lion dancing. Saturday we have a really, really large parade, Senator Kavanagh, in downtown Flushing, one of the largest in the country, with floats. And the nice part about the Lunar New Year celebration in Flushing is that it's celebrated by all Asian-Americans -- not just the Chinese community, but the Korean community as well.

They celebrate the year of the Rat, the Lunar New Year, with family gatherings. Families come together -- they even come from China to the United States and to New York so

that the whole family can celebrate. And they celebrate particularly with eating. Food is an important part, the dumplings and everything else. These are important ingredients, so to speak, as the families celebrate the Lunar New Year. And in fact they celebrate by wearing red. That is another important ingredient in the Asian-American community.

But it's more than that. It's more than the parades and the eating and everything else. It shows the respect that the community has, and the city and state and nation have, for the Asian-American community. They have made so many contributions to our culture, to our government, sharing their traditions, and we all celebrate together.

And I wish everybody a very happy and prosperous Lunar New Year. And as they say in Mandarin, Xin Nian Kuai Le. And in Cantonese, it's Gong Hei Fat Choi. And in Korean it's Saehae Bok Manhi Baduseyo. And by learning these phrases and other phrases in the languages, I think we make government more accessible to the Asian-American community. And they in turn have done so much for us.

And I represent a district that is more than half Asian-American, and I stand here proudly and thank Senator Kavanagh for his resolution.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Gounardes on the resolution.

SENATOR GOUNARDES: Thank you, Mr. President.

I too rise to celebrate the Lunar New Year celebration that we're about to embark on. I represent a district that is nearly 30 percent Asian-American. And this is a very special time of the year we get to celebrate with this community that offers so much to the fabric of Southern Brooklyn. I look forward to the month ahead. We have so many parades and festivals and celebrations, so many feasts. As Senator Stavisky said, this is a big holiday to eat at.

And I look forward to this every single year, even before I was elected into office, because it becomes a tradition in the community, and one that so many people look forward to. I look forward to celebrating with

my neighbors yet again this year, the Year of the Rat. I wish all of my constituents and all who celebrate the Lunar New Year a very happy and prosperous year. May this coming year be filled with blessings, riches, and all that you desire.

Thank you.

ACTING PRESIDENT BENJAMIN: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN: Opposed?

(No response.)

ACTING PRESIDENT BENJAMIN: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, can we now please take up Resolution 2478, by Leader Stewart-Cousins, read that resolution in its entirety, and recognize Senator Bailey on that resolution.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Senate Resolution 2478, by Senator Stewart-Cousins, commemorating

the observance of the 35th Annual Martin Luther King, Jr. Day in the State of New York, on January 20, 2020.

"WHEREAS, From time to time we take note of certain individuals whom we wish to recognize for their valued contributions and to publicly acknowledge their endeavors which have enhanced the basic humanity among us all; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, it is the custom of this Legislative Body to join the people of this great Empire State in proudly observing the 35th Annual Martin Luther King, Jr. Day in the State of New York, on January 20, 2020, taking note of his many accomplishments and contributions to mankind; and

"WHEREAS, Dr. Martin Luther King, Jr. was born the grandson of a slave into a segregated society in Atlanta, Georgia, on January 15, 1929, and was instrumental in formulating a policy which ultimately destroyed legal apartheid in the southern states of our nation; and

"WHEREAS, In February of 1968,

Dr. Martin Luther King, Jr., spoke about the inevitability of his death and hoped that when we spoke of his life, we would not concentrate on his academic achievements: that he graduated from Morehouse College, that he attended the Crozer Theological Seminary and Boston University, where he earned a doctorate in systematic theology; and

"WHEREAS, Furthermore, Dr. Martin Luther King, Jr., did not find it important that we mention that he won the Nobel Peace Prize and over 300 other awards; and

"WHEREAS, Dr. Martin Luther King, Jr.'s finest legacy of greater social justice for all Americans was truly reflected in his devotion to serve and respect others, and in his steadfast love for all humanity; and

"WHEREAS, Standing in a long line of great American black leaders, Dr. Martin Luther King, Jr., represents the historical culmination and the living embodiment of a spirit of united purpose rooted in black African culture and the American dream; and

"WHEREAS, An apostle of peace, Dr. Martin Luther King, Jr., fought unrelentingly

for the civil rights of all Americans and taught us that through nonviolence, courage displaces fear, love transforms hate, acceptance dissipates prejudice, and mutual regard cancels enmity; and

"WHEREAS, Dr. Martin Luther King, Jr., manifestly contributed to the cause of America's freedom, and his commitment to human dignity is visibly mirrored in the spiritual, economic, and political dimensions of the civil rights movement; and

"WHEREAS, In addition, Dr. Martin Luther King, Jr.'s life was devoted to the liberation of his people, and his courage transcended the advocates of mindless retrenchment; and

"WHEREAS, It is the sense of this Legislative Body that the common and shared responsibility of governance demands an irrevocable commitment to the preservation and enhancement of human dignity as exemplified by Dr. Martin Luther King, Jr.; and

"WHEREAS, Upon the occasion of the celebration of the birthday of Dr. Martin Luther King, Jr., it is the practice of this Legislative Body to commemorate the heroic efforts of

Dr. King, who loved and served humanity, and who was a drum major for peace, justice and righteousness; and

"WHEREAS, The 2020 Dr. Martin Luther King, Jr., holiday observance marks the 91st anniversary of his birth, and the 35th annual holiday celebrated in the State of New York in his honor; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to memorialize and pay tribute to the legendary life and achievements of Dr. Martin Luther King, Jr., upon the occasion of the anniversary of his birth and the celebration of Martin Luther King, Jr. Day in the State of New York and throughout the nation; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the Black, Puerto Rican, Hispanic and Asian Legislative Caucus."

ACTING PRESIDENT BENJAMIN: Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Mr. President.

I'm honored to be able to speak on

behalf of Leader Stewart-Cousins on this resolution, this incredibly important resolution, one resolution that unifies instead of dividing. It's not about policy, it's about people, it's about purpose, it's about passion. And Leader Stewart-Cousins is the embodiment, the physical embodiment of Dr. King's dream -- the first African-American woman to ever lead a conference in the history of the State of New York. That is remarkable. It's incredible.

I think about Dr. King and what he did and what he accomplished, and I think about this past Monday where many of us, if not all of us, back in our districts, we went to churches and rallies and meetings and we spoke to different people, Mr. President. And one of the things I want to make us aware of is that it's not a day off, it's a day on, as we've heard. And it's not just a day of service, as we've heard, but it's a day of reflection.

It's a day of incredible reflection for me as I get closer to the age of 39, that magic number 39. Dr. Martin Luther King, Jr., died at the age of 39, Mr. President. And I am 37. And every year I reflect a little bit more

about what I have not done that Dr. King was able to get accomplished in his 39 years. I think about the 39 that I -- the only thing I have in common with Dr. King is my license plate number, Mr. President. It's 39, and he was 39 when he passed away.

I have a lot more to do. We all have a lot more to do. But we have to do it in an attitude and with an attitude of service. And Dr. King's dream can't be realized on one day. We can't say all is great on Monday and on Tuesday we're back to the hate. That's not what Dr. King stood for.

And if you observe his day -- the only holiday named after a single man -- if you observe his day, then you should observe what his dream is 365, and not just on January 15th and the Monday that follows it.

You see, I think about Dr. King's quote: "Life's most persistent and urgent question is what are you doing for others." And that's the service component, Mr. President. And we're lucky to serve in this body, despite your political ideology, what you may believe, where you come from. I want us to understand something

about the ability to serve that we have. We are 63 people out of a state that is approximately 20 million people strong. That is 0.00000315. That's the only time I'll ever be a part of the 1 percent, Mr. President.

(Laughter.)

SENATOR BAILEY: And it's a part of the 1 percent that I cherish.

Dr. King also said everybody can be great because anybody can serve. And we must serve. Whatever it is that we believe in, we must serve the communities we come from -- capably, well, and with passion and purpose.

I think about the connection that Dr. King had to my own grandfather, James Thomas Bailey, the original J.T. Bailey, my hero. They were both born in 1929, and they both had roots to Selma. We know about the march on Selma. And God bless Colonel Larkin, and I miss Colonel Larkin and his commentary about the days where he was around in the civil rights movement. And you see it's not about party, it's about purpose, Mr. President.

I think about 1929 and Selma in North Carolina -- the forgotten Selma, we like to

call it in my family. That's where my grandfather was born. I know if you ask my family members, my grandpa was more Malcolm than he was Martin. He still believed in the mission. He still believed that if we achieved together, we could achieve greatness. And that's what we're here for -- for our children, for our families, for our communities to achieve greatness.

But what about the greatness that seems to escape so many people? Mr. President, you know I'm a fan of music, and specifically hip-hop music. And I think about the rapper and actor Christopher Bridges, who many know as Ludacris. And he has a song called "Do Your Time." And he said, "I'd give my eyes to Stevie Wonder just to see what he's seen, but then I'd take them right back to see Martin Luther's dream. I'd dream that I could tell Martin Luther we'd made it, but half of my black brothers are still incarcerated, locked up in a cell block, lost from shell shock."

It reminds me of the Letter from a Birmingham Jail, where Martin Luther King famously wrote: "My friends, I must say to you

that we have not made a single gain in civil rights without determined legal and nonviolent pressure. Lamentably, it is an historical fact that privileged groups seldom give up their privileges voluntarily. Individuals may see the moral light and voluntarily give up their unjust posture; but, as Reinhold Niebuhr has reminded us, groups tend to be more immoral than individuals.

"We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded" -- demanded -- "by the oppressed. Frankly, I have yet to engage in a direct action campaign that was 'well timed' in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word 'Wait!' It rings in the ear of every Negro with piercing familiarity. This 'Wait' has almost always meant 'Never.' We must come to see, with one of our distinguished jurists, that 'justice too long delayed is justice denied.'

"We have waited for more than 340 years for our constitutional and God-given rights. The nations of Asia and Africa are

moving with jetlike speed toward gaining political independence, but we still creep at horse and buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps it is easy for those who have never felt the stinging darts of segregation to say 'Wait.'"

Mr. President, that's why we couldn't wait to do what we had to do to make sure we reform things. That's why people march, Mr. President, because they're tired of waiting. People are tired of waiting. And Martin Luther King, Jr. -- and it's hard for to be able to say this is what he would have wanted us to do, but that's what he said. He was worried about us waiting for too long.

And I think about what the dream is today. How close are we to realizing that dream? And we know the dream through Leader Stewart-Cousins. We know the dream through Speaker Heastie. But we can't be silent. Because, as Dr. King famously said, "Our lives end the day we begin to become silent about those things that matter."

So what matters? Well, what matters is your impact. Your impact is greater than you

can ever imagine. You harness your energy, you harness your passion and your direction, and you make sure your passion has direction. Because I've said before, passion without purpose is pointless.

Now, I imagine while Dr. King worked really hard, and as was read in the resolution, he didn't want the accolades. I'm sure he didn't intend on being a legendary figure, that he'd be the first African-American to have this holiday named after him. I imagine that he wasn't doing any of the work that he did in anticipation of having this day. As he said, the time is always right to do what's right. And that's why he did what he did. He did what he had to do. So many of us can do what we want to do.

Freedom matters. Opportunity matters. Liberty matters. And family matters. And I don't mean Steve Urkel, Mr. President.

(Laughter.)

SENATOR BAILEY: Dr. King famously said, "I submit to you if a man has not discovered something he will die for, then he isn't fit to live."

And that's my family, what they do,

what they teach me, what they do for me on a daily basis. You see, education is the great equalizer, Mr. President. And I think about my daughter in school and what she's learning, and I think about when she came home from school she said, "I learned about Martin Luther King, Jr., Dad. Remember, I learned about him last year in pre-K, but this is kindergarten. We're learning more."

(Laughter.)

SENATOR BAILEY: I'm like, "All right, Giada. Well, how much more did you learn?"

"Well, Dad, I learned that -- do you know that he was arrested?"

I'm like, "No, Giada, tell me more about how he was arrested."

"He was arrested standing up for what he believed in."

I was like, "Wow."

And then she said, "You know what? You know what else, Dad? You know what I think?"

"Sure, Giada, what do you think?"

"You know the people that arrested him? They should have been arrested, because

they were in the way of his doing the right thing."

Ladies and gentlemen, if a 5-year-old can figure that out, I think we can all figure it out too. What's right is right. Fight for what's right.

And I want you to understand that what unites us will always be stronger than what could ever divide us. Dr. King reminds us that darkness cannot drive out darkness, only light can do that. Hate cannot drive out hate, only love can do that.

Whether you're from Broome County or the Bronx, you love your people. Whether you like baccala or swordfish -- Mr. President, it's the same thing, if we're really talking about it -- whether you like callaloo or collard greens -- they're both vegetables, just a little different seasoning -- we all have the roots in the same things that we want. We want our people to be better. That's what Dr. King wanted. That's what I want for my kids, for Carina too. I didn't mention Carina. She'll get mad if I didn't mention her.

But in all seriousness,

Mr. President, it's an honor to be able to speak on this every year, because this is the anniversary of when I first spoke on the floor. So it's always a moment of deep reflection for me and deep gratitude for our leader, for being a member of this body. I do, because King dreamed.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Liu on the resolution.

SENATOR LIU: Thank you, Mr. President.

It's tough to follow that act, Senator Bailey.

I agree with everything he said. I Just want to say that, you know, as an Asian-American, as an immigrant here, I do not believe that I would be in this position or even in this country if not for the civil rights movement that was really in many ways sparked by the late Reverend Dr. Martin Luther King, Jr.

So I stand in reverence to him, his legacy, and honored him on his day with service as well as speaking at a number of events in order to project his legacy.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Sanders on the resolution.

SENATOR SANDERS: Thank you, Mr. President.

I have to commend the leader for coming up with this resolution. And the two previous speakers, they were very eloquent.

But Mr. President, I have discovered something that troubles me when I think of the Reverend Dr. Martin Luther King, Jr. I discovered that there's a process where we're really fighting whether he is a monument or whether he is a reflection of a movement.

Now, I have found that systems that want to get rid of folks sometimes promote them up. Sometimes they deify and ossify. They encase a person in a stone, perhaps down in D.C., and say here lies this great movement, and all of the things that were involved have been encased there. We need not speak of this any further. It is over. We can all go out and look at the monument and say, Well, everything was done.

However, I understand that a movement moves. That Martin Luther King, Jr., the Reverend Doctor, was a man of movement. That

a movement, by its very nature, has to move. And that the problems that were being addressed by the Reverend Doctor are not, have not been resolved. It is an ongoing process. It is an American process. It's as American as apple pie. And we have to find our way into this movement.

Now, we are blessed, we 63 who are here, we are blessed. We don't have to say what we would do in those days. We get a chance to do it every day. We get a chance to live his dream every single day. In fact, we're in the middle of his dream -- or his nightmare -- now. We're dealing with the budget. We're dealing with are we going to see what Martin Luther King spoke of or are we going to encase it in stone, move it away and push everything under the carpet, if you wish.

It's easy in one sense. It's easy if you just keep it simple. Before anyone has cake, we all should have bread. That simple.

So I close, Mr. President, in paraphrasing one of the Reverend Dr. Martin Luther King's favorite scriptures. It comes from the Book of Amos. Everyone should dig it out and get used to that book. He says that we have to

keep fighting until justice flows down like a mighty stream and righteousness flows down like a mighty river.

Thank you very much, Mr. President. Let us not entomb Martin Luther King; let us rather join the movement for justice.

ACTING PRESIDENT BENJAMIN: Senator Robach on the resolution.

SENATOR ROBACH: Yes, Mr. President, I would also -- I'm happy to rise and glad we do this resolution every year here. I think it's important and fitting.

And I'm also very glad to come from the City of Rochester, where we have a number of celebrations, workshops, activities to do and implement and continue to do Dr. King's work. I think that's critically important. I would agree with the other speakers that this is -- should be a 365-day event.

And I would say this on a personal note. I'm a little bit older than Senator Bailey's 37 years, but I remember profoundly in 1968, when Dr. King was assassinated, the horror my mother had and couldn't uncontrollably stop crying and thought it was so terrible. I don't

know if that's what affected me, but throughout my life as a young man and an old man, I've probably read more things about Dr. King than any other person.

And he was, just simplistically, not only fair but a brilliant person. And it's so hard -- and a religious person. And a Republican.

(Laughter.)

SENATOR ROBACH: It was hard for him to be a person of peace and implement that, as my father said, not only talk the talk but walk the walk. When people spit in his face and verbally abused him, physically abused him, arrested him, as your daughter said, he stuck to his principles. And it made an impact. Because for a lot of people that were on the fence, walking the walk and talking the talk did it.

He really is a great person, a great human being. And it is important that children learn it, the next generation, and that we honor it. Because great people should be emulated.

And you've already done a lot of quotes, and I do love that one too, but it's never the wrong time to do the right thing. But

the one that always sticks out in my head so simplistically, because no one can argue that: No one wants to be judged by anything else but by what they do and the content of their character, nothing else. And Dr. King epitomized that, sacrificed, and was struck down in his prime because that was his core belief and he wanted to make others know it was the right thing to do.

So thank you for this resolution; very fitting that we honor this great American.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Funke on the resolution.

SENATOR FUNKE: Thank you, Mr. President. And I thank the -- Leader Stewart-Cousins for bringing this resolution forward.

I think a lot of us today, while we honor Dr. Martin Luther King, we think of Colonel Larkin as well, and Senator Bailey brought that up in his stories, who so eloquently told about protecting the marchers on Selma that day. None of us on this side can be as eloquent as Colonel Larkin was, and we miss him and we love him and we think about him today.

But as we pause to honor the good work of Dr. Martin Luther King, it's important to reflect, I think, on some of his most enduring contributions. His thirst for justice from a Birmingham jail, the eloquent inspiration at the March on Washington and the enduring achievement he realized with the passage of the Civil Rights Act in 1964.

But we should also remember that Dr. King was first and foremost a man of God. He had a deep and abiding faith in our Lord, and his public life was influenced and directed by that faith. In this age of conflict and turmoil, let's also remember what I consider and Senator Robach considers to be perhaps the most important message, that we must not judge people by the color of their skin but by the content of their character. If we all took that message to heart, wouldn't the world be a better place and our lives be vastly improved?

So we thank you for all that you did to change our country for the better, Dr. King. May your words, faith and may your example continue to change the hearts of all in this turbulent time.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN: Senator Little on the resolution.

SENATOR LITTLE: Thank you, Mr. President.

This past weekend I had the privilege of attending three Martin Luther King memorial services. And at the first one we had a young man who in high school memorized the "I Have a Dream" speech. His name is Trevor, and he is, 10 years later, still giving the speech. But he gave it with such passion, compassion, and unbelievable emphasis on all of the words that I actually closed my eyes and pictured Dr. King giving that speech in front of us.

But the speech truly was about working together and the need for all of us to work together in a better way in order to accomplish much more.

So the next day I did a little research and started looking at some of the readings and speeches of Dr. King, and there was one that he gave at Queens College in 1965. And he gave the speech there because a young man, a college student, Andrew Goodman, had gone to

Alabama and had marched in one of the voting rights marches and was killed, unfortunately.

And in his speech, which I would like to quote, he just really says so much that is so applicable throughout all of our lives. And I do quote.

"You love every man not because you like him, not because his ways appeal to you, but as theologians say, because God loves him. You rise to the level of loving the person who does the evil deed while hating the deed that the person does. You resist the evil with all of your might and all of our strength that you can muster. You maintain this active goodwill. Knowing that hate destroys the hater as well as the hated."

And as he ended that speech, at the conclusion, being a man of faith and a minister, as he was, I would quote what he said then: "I still have faith in the future. However dark the night, however dreary the day, I still believe we shall overcome."

And I think that's a message that applies today to all Americans.

So it's an honor, and thank you for

the resolution.

ACTING PRESIDENT BENJAMIN: Senator Krueger on the resolution.

SENATOR KRUEGER: Thank you, Mr. President.

I also want to thank Andrea Stewart-Cousins for bringing this resolution again.

Sometimes when you're in politics for a long time, and I'm starting to feel like I have been in it for a long time, you wonder where your mentorship comes from, what inspires you, what do you remember. Certainly the teachings and the life of Martin Luther King is one of the things that I never lose track of. The teachings and the life of Eleanor Roosevelt is someone else I never lose track of and turn to for inspiration.

And I'm very glad that we videotape what gets said on this floor, because your children, Senator Jamaal Bailey, need to be able to, as they grow up, hear what you said today about the fight, the march, the progress we must continue to make, and what you were doing for them -- and they're young, so I'm not sure

they'll understand it all, even though at 5 your one daughter seems scarily smart to put all of this in perspective -- but for all of us, for children, for grandchildren, to hear the next generations of leaders in this country speak about what they've learned and what they are there to teach us as we go forward.

So thank you all for speaking on behalf of Dr. Martin Luther King today, but please, everybody's children, watch Jamaal Bailey's tape later on.

Thank you.

ACTING PRESIDENT BENJAMIN: Senator Savino on the resolution.

SENATOR SAVINO: Thank you, Mr. President.

First I want to thank Senator Andrea Stewart-Cousins for bringing this resolution again.

And I just want to touch on what Senator Krueger just said. Because when Senator Bailey sat down, I turned to him and said "That might be the best speech you've ever given in your life." And I absolutely believe that. It was heartfelt and it was brilliant.

And we have stood on this floor year after year in recognition of the life of the Reverend Dr. Martin Luther King. And I, like many of you, miss Senator Larkin for so many reasons, but mostly because this was a day where he got to share his role in history and meet Dr. Martin Luther King.

I am considerably older than you, Senator Bailey -- just about 18 years older than you -- but for me, the Reverend Dr. Martin Luther King was also a person in history. I was born a month after the March on Washington, and I was in kindergarten when he was assassinated. And so more for me he was a historic figure.

And so for so many of you, when you talk about his role in the civil rights movement, it's so important. But for me, I always reflect and I take to the floor every year to talk about his commitment to the labor movement.

The Reverend Dr. Martin Luther King truly believed that workers were best served by unions. In fact, he spoke in 1965 at the AFL-CIO's National Convention, where he said: "The labor movement was the principal force that transformed misery and despair into hope and

progress. Out of its bold struggles, economic and social reform gave birth to unemployment insurance, old age pensions, government relief for the destitute and, above all, new wage levels that meant not mere survival but a tolerable life."

He understand that the labor movement was not just about money, that it was about dignity for workers. And it was that demand for dignity, that people be treated like human beings, that led him to Memphis in 1968, when he went to lead a march of a ragtag bunch of sanitation workers, AFSCME Local 1755, who were on strike against the City of Memphis.

The City of Memphis didn't recognize their union, let alone their humanity. Two of their workers had been brutally killed in the back of a sanitation truck because black sanitation workers in Memphis weren't allowed to wear uniforms, weren't allowed to ride in a truck. And they were killed in the back when the truck malfunctioned. The City of Memphis wouldn't recognize their union, their humanity, or their deaths. And Dr. King went there to lead a strike.

And in fact it was in Memphis during a rally for those workers that he delivered his infamous "I Have a Dream" speech -- prophetic, predicting his own death. But he was there as a band leader for justice for working people.

Again, I was way too young to know anything about him. But in 1993, as an activist with the parent organization AFSCME, I went to Washington for the 30th anniversary of the March on Washington. And I will tell you, 30 years after the first march, the passion, the commitment, the respect and the devotion to that man was as evident, as millions of people marched on Washington to celebrate not just his life or his legacy -- his commitment to working people, his commitment to civil rights, his commitment to a better America.

So if I'm here again next year, I will rise again to speak on Dr. King's role in the labor movement. And I want to thank all of my colleagues for doing this every year, it is so critically important, and of course thank our leader for bringing this resolution to the floor.

Thank you, Mr. President.

ACTING PRESIDENT BENJAMIN:

Senator Montgomery on the resolution.

SENATOR MONTGOMERY: Thank you, Mr. President.

I want to join my colleagues and thank our leader for introducing this resolution to remind us of the importance of one person who is determined to deliver us to the extent that they give their lives.

I just want to -- I'm thinking about Dr. King and what it must have been when he started out in Montgomery. And I want to pay tribute to the people who joined him for the bus boycott. That must have been, for him, proof that if he built an organization, a movement in a certain way, that it would work. That was his formula for success, that those people were willing to walk miles every day to get to work, to get to do whatever they had to do, to walk miles to show that they were no longer willing to live under this Jim Crow process where you -- to get on a bus, that you pay to get on the bus and you had to go to the back of the bus. And if you sat in the wrong seat on the bus, you could be arrested. And a lot of people were arrested before they started the boycott true -- in

reality.

And they stuck with it. He was a leader that they agreed to listen to. And that must have really given him inspiration to go forward with a movement that lasted way beyond.

And then I think about him and what it must have been, how many hours and how many times he was so afraid for his life, but he figured this is what God has put me here to do. And that my people are going to be with me, and that I am going to be -- I have been called to deliver my people to a place, and if I don't get there with them, I still have to be in front and I still have to be working.

So it was a movement to try and disband Jim Crow in the country. So people couldn't vote. People couldn't ride on the bus. People couldn't sit in the -- at the -- people couldn't go to a Woolworth counter and buy a hamburger. And on and on. So it was a terrible, terrible time for black people in this country.

And he decided that he would put his life on the line and bring his people together and create a movement to disrupt this system.

So I have to -- sometimes I think,

when I sit and think, I really appreciate the fact that people who don't know, didn't know him -- I didn't know him -- but people who never walked in those shoes, that they can still talk about him. I have to give you absolute, so much admiration, because you didn't walk in those shoes. And you have to have walked in those shoes. You have to have sat and been looked down upon because of the color of your skin. You have to have been required to walk to school because there was no school bus to pick you up. You have to have experienced such a level of disrespect and disregard and invisibility and violation and violence just because you're a person of color.

So for people who never experienced that, I have to say I admire them. So I admire my colleagues who really cannot possibly understand what Dr. King meant to America.

And so here is the man who, after all of his activity, after organizing us, after creating a pathway to a new life and a new possibility for people of color in this country, voting rights came about, civil rights came about. These are the basic rights of Americans that people had to die for, that -- and right now

I think it is important that we're saying to ourselves, to each other, to our children: This is what Dr. King meant. We shall never, never forget that, especially people of color.

But it is so inspiring too to see people not of color, who never had to walk in those shoes, never had to suffer what we had to suffer, that they too can admire Dr. King. So I thank you for that.

I thank our leader for giving us this chance every year, this chance this hour to say -- as I say, I saw a Harriet Tubman movie recently, and after seeing that, I no longer say Harriet Tubman, I say we are Harrieting. Harrieting. We are standing up for what is right because we believe that Dr. King gave so much just for us to be able to stand here and speak about him and his movement.

So thank you, Mr. President. And thank you, Leader Stewart-Cousins.

ACTING PRESIDENT BENJAMIN: The question is on the resolution. All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT BENJAMIN:

Opposed?

(No response.)

ACTING PRESIDENT BENJAMIN: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, at the request of the sponsors, the two resolutions we just took up are open for cosponsorship.

ACTING PRESIDENT BENJAMIN: The resolutions are open for cosponsorship. Should you choose not to be a cosponsor of the resolutions, please notify the desk.

Senator Gianaris.

SENATOR GIANARIS: Can we now take up the calendar, please.

ACTING PRESIDENT BENJAMIN: The Secretary will read.

THE SECRETARY: Calendar Number 18, Senate Print 6939, by Senator Parker, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the

same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 62, Senate Print 5517, by Senator Bailey, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 86,

Assembly Number 8956, substituted earlier by Assemblymember Lupardo, an act to amend the Tax Law and the Alcoholic Beverage Control Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 86, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Flanagan, Funke, Gallivan, Griffo, Helming, Jacobs, Jordan, Lanza, LaValle, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 40. Nays, 21.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 88, Senate Print 7164, by Senator Mayer, an act to

amend a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 88, voting in the negative: Senator Akshar.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 94, Senate Print 7170, by Senator Brooks, an act to amend the Military Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 98, Senate Print 7174, by Senator Persaud, an act to amend the Social Services Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 98, voting in the negative: Senator Griffo.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 107, Senate Print 7183, by Senator Kaplan, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 108, Senate Print 7184, by Senator Gounardes, an act to amend the Real Property Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the

same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 108, those Senators voting in the negative are Senators Flanagan and Gallivan.

Ayes, 59. Nays, 2.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 118, Senate Print 7194, by Senator Benjamin, an act to amend the Election Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2019.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to Calendar Number 118, those Senators voting in the negative are Senators Akshar, Amedore, Borrello, Flanagan, Funke, Gallivan, Griffo, Helming, Jacobs, Jordan, Lanza, LaValle, Little, O'Mara, Ortt, Ranzenhofer, Ritchie, Robach, Serino, Seward and Tedisco.

Ayes, 40. Nays, 21.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 123, Senate Print 3012, by Senator Gaughran, an act to amend the Navigation Law.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Senator Akshar to explain his vote.

SENATOR AKSHAR: Mr. President, thank you.

I'm always pleased and encouraged

when this house advances bills that of course will help law enforcement and help our fire departments, and I thank the sponsor for advancing this piece of legislation.

I can't help but think, Mr. President, though, another day has gone by and I would describe it as another missed opportunity. If my friends across the aisle want to help law enforcement and they want to help the fire department, I would suggest that they dig deep and they find the political will to repeal what has been a disastrous piece of legislation by way of bail reform and discovery reform.

That is what the vast majority of New Yorkers want us to do. I think that's exactly what we should do. This house should, in fact, repeal these particular pieces of legislation.

I vote aye on this piece of legislation. Thank you.

ACTING PRESIDENT BENJAMIN: Senator Akshar to be recorded in the affirmative.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, I just want to remind my colleagues -- I'm happy to

let my colleague express his opinion on the vote, and I didn't interrupt him. But going forward, let's try and keep our comments germane to the bill that's before the house.

Thank you.

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 130, Senate Print 4873A, by Senator Stavisky, an act in relation to directing the Board of Trustees of the State University of New York and the City University of New York.

ACTING PRESIDENT BENJAMIN: Read the last section.

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

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN: Announce the results.

THE SECRETARY: In relation to

Calendar Number 130, voting in the negative: Senator Lanza.

Ayes, 60. Nays, 1.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 132, Assembly Print 2405, substituted earlier by Assemblymember Glick, an act to amend the Education Law.

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT BENJAMIN: The bill will be laid aside for the day.

THE SECRETARY: Calendar Number 154, Senate Print 1265, by Senator Gianaris, an act to amend the State Administrative Procedure Act.

ACTING PRESIDENT BENJAMIN: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the first of January.

ACTING PRESIDENT BENJAMIN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BENJAMIN:

Announce the results.

THE SECRETARY: Ayes, 61.

ACTING PRESIDENT BENJAMIN: The bill is passed.

THE SECRETARY: Calendar Number 160, Senate Print 5509, by Senator Metzger, an act to amend the Alcoholic Beverage Control Law.

SENATOR GIANARIS: Lay it aside for the day.

ACTING PRESIDENT BENJAMIN: The bill will be laid aside for the day.

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

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

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

SENATOR GIANARIS: I move to adjourn until tomorrow, Thursday, January 23rd, at 11:00 a.m.

ACTING PRESIDENT BENJAMIN: On motion, the Senate stands adjourned until Thursday, January 23rd, at 11:00 a.m.

(Whereupon, at 4:32 p.m., the Senate adjourned.)