

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 January 28, 2020

11 3:14 p.m.

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14 REGULAR SESSION

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18 SENATOR BRIAN A. BENJAMIN, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT BENJAMIN: The
3 Senate will come to order.

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

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

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

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

13 ACTING PRESIDENT BENJAMIN: The
14 reading of the Journal.

15 THE SECRETARY: In Senate, Monday,
16 January 27, 2020, the Senate met pursuant to
17 adjournment. The Journal of Sunday, January 26,
18 2020, was read and approved. On motion, Senate
19 adjourned.

20 ACTING PRESIDENT BENJAMIN: Without
21 objection, the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 Messages from the Governor.

25 Reports of standing committees.

1 Reports of select committees.

2 Communications and reports from
3 state officers.

4 Motions and resolutions.

5 Senator Gianaris.

6 SENATOR GIANARIS: Mr. President, I
7 move to adopt the Resolution Calendar, with the
8 exceptions of Resolutions 2660, 2673, and 2685.

9 ACTING PRESIDENT BENJAMIN: All in
10 favor of adopting the Resolution Calendar, with
11 the exceptions of Resolutions 2660, 2673, and
12 2685, please signify by saying aye.

13 (Response of "Aye.")

14 ACTING PRESIDENT BENJAMIN:
15 Opposed, nay.

16 (No response.)

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

19 Senator Gianaris.

20 SENATOR GIANARIS: Can we now take
21 up Resolution 2660, by Senator Thomas, read that
22 resolution title only, and recognize
23 Senator Thomas on the resolution.

24 ACTING PRESIDENT BENJAMIN: The
25 Secretary will read.

1 THE SECRETARY: Senate Resolution
2 2660, by Senator Thomas, memorializing Governor
3 Andrew M. Cuomo to proclaim January 27, 2020, as
4 Holocaust Remembrance Day in the State of
5 New York.

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

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

10 Today we remember and honor the
11 lives of 6 million Jewish people and millions of
12 others who perished in a systematic program of
13 genocide, a program that was also aimed at
14 minorities, LGBTQ people, and people with
15 disabilities.

16 The Holocaust will forever be a
17 warning to all people of the dangers of hatred,
18 bigotry, racism and prejudice. It has been
19 75 years since the survivors of Auschwitz were
20 set free, and yet we are seeing an unprecedented
21 rise in antisemitism, hate crimes, and Holocaust
22 denial across our country and even within our own
23 communities.

24 At a time when hatred and
25 divisiveness are on the rise, individual rights

1 are under attack, and abuse of authority is
2 becoming commonplace, we are called to remember
3 the lessons of the Holocaust: Never again is
4 right now. We must do everything in our power to
5 fight antisemitism united together as
6 New Yorkers. As the last living generation of
7 Holocaust survivors shrinks in numbers, it is
8 more important than ever that we share their
9 stories with our children.

10 Earlier this month I brought my
11 one-year-old daughter Layla to the march against
12 antisemitism on Long Island. I want my daughter
13 to live in a just, kind and tolerant world, and I
14 want her to know that she has a voice and a voice
15 that matters. On that day I held my daughter in
16 front of a crowd of thousands of Long Islanders
17 who used their voices to speak out against
18 antisemitism, bigotry, and hatred. People of all
19 faiths, creeds, backgrounds and origins came
20 together to reject hateful rhetoric and violence
21 against groups of people based on their identity.

22 Here in New York we will continue to
23 stand in solidarity with our Jewish communities.
24 Together we say an attack on one of us is an
25 attack on all of us. We observe this Holocaust

1 Remembrance Day to remember the atrocities
2 committed against the Jewish people. To my
3 colleagues and to the people of New York I say
4 let us never forget our commitment to speaking
5 out and taking action against hatred, bigotry and
6 racism in all forms.

7 Thank you.

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

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

12 I want to thank Senator Thomas for
13 putting forth this important resolution as we
14 commemorate International Holocaust Remembrance
15 Day.

16 And I'm truly honored and humbled to
17 have with us in the chamber not only the director
18 of the Holocaust Museum and Center for Education
19 and Tolerance in Rockland County, Andrea
20 Winograd, who's with us here today, but also we
21 have a true American hero -- and someone that
22 I've gotten to know over the years -- and that's
23 Alan Moskin.

24 And Alan Moskin is a World War II
25 veteran. And not only that, but he was one of

1 the liberators, in May of 1945, when he came at
2 the age of 18 years old and helped liberate the
3 camp of Gunskirchen. And his work is just to be
4 commemorated.

5 And it doesn't end there. Since
6 that time, Alan has spent his time dedicated to
7 educating people about his experience, about that
8 time and the atrocities that he saw personally.
9 He has now spoken to over 100,000 middle school
10 students across the country.

11 So I am just so humbled and honored
12 to be able to call him my friend. He is always
13 there at every event in the community and one of
14 those people that you see and you know, hey, you
15 never know how your example is going to impact
16 someone. And we know that not only has he
17 liberated and saved thousands of people
18 personally, but he's touched thousands of lives
19 over the years.

20 And that's why it's so important
21 that we commemorate this day here in the Senate
22 chamber. And in a time where we see a rise in
23 antisemitic attacks, we see a rise in hatred
24 across this state and across this nation, now
25 more than ever we have to remember and say "Never

1 again" means never again.

2 And in fact, where we have the
3 Holocaust Museum & Tolerance Center in
4 Rockland County, it's less than a mile down the
5 street from where the Hanukkah attack took place
6 in Monsey. And it's fitting that we commemorate
7 and we recognize this day.

8 And we're excited to see the
9 Governor put forward legislation in the Executive
10 Budget to say children should visit the Holocaust
11 Museum -- that we can't just talk about this, we
12 have to take action, we have to do it now and
13 make sure that we never forget and our children
14 never forget as well.

15 So with that, I want to thank my
16 guests here today and particularly one of my
17 heroes, Alan Moskin, for the sacrifices that
18 you've made to our country, our community, and
19 our state. Thank you.

20 Thank you, Mr. President.

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

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

25 As we confront the cancer of

1 antisemitism in our own communities and around
2 the world, it is more important than ever that we
3 keep the history of Holocaust alive and speak out
4 against antisemitism at every opportunity. The
5 history of Holocaust shows us the consequences of
6 allowing antisemitism and hatred to flourish.
7 And it is a stark reminder to us all of the
8 consequences if we don't speak out and take
9 action to stop it.

10 Today as we observe International
11 Holocaust Remembrance Day, we pause in
12 remembrance of the millions who were murdered in
13 the name of antisemitism and hate. We vow to
14 never again give up the fight against
15 antisemitism and bigotry wherever they exist, and
16 we vow to never let another Holocaust happen
17 again.

18 I thank Senator Thomas for his
19 resolution and all my colleagues who stand with
20 us.

21 Thank you.

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

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

1 I join with Senator Thomas and
2 others on this incredibly important remembrance,
3 the Holocaust Remembrance Day. We have to always
4 keep in mind that 6 million Jews, 20 million
5 Russians, innumerable blacks, browns and gypsies
6 and gays were killed in this period. I name
7 these others because we have to remember that all
8 of us are one.

9 And the reason why we should say
10 never again is that we live it in our personal
11 lives, that it will have to be a personal thing,
12 that we will have to stand against madness
13 wherever it puts its head forward. And we'll
14 have to do it on a personal level. When there's
15 nobody around and you hear foolishness that
16 normally you may just say okay, it's okay, you
17 need to stop them and say, "My friend, you're
18 wrong." And that may make people uncomfortable.
19 That may make people -- you may lose a
20 friendship. But you may educate a person under
21 those conditions. We really have to do this on a
22 personal level. Even as we have young people go
23 and tour and do other kinds of things, it must be
24 on a personal level.

25 And some may say that this should

1 be -- it's just a Jewish thing and we shouldn't
2 worry about that. They are so wrong. They are
3 absolutely wrong.

4 I am reminded, as I conclude, I am
5 reminded what James Baldwin said to Angela Davis.
6 He said: "I'm fighting for you because if they
7 come for you in the morning, they're coming for
8 me at night."

9 Never again. Thank you,
10 Mr. President.

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

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

15 Thank you, Senator Thomas, for
16 introducing this legislation.

17 And I'd like to thank our friends
18 from Rockland County for coming. I'm very
19 familiar with the museum in Rockland County.

20 Every time we pick up the newspaper
21 and we see a story or hear on the radio or
22 receive an email about an atrocity -- and that's
23 what happened in Jersey City, it happened in
24 Monsey, it happened in Pittsburgh, it happens on
25 the streets throughout the world, really. It's

1 not confined, unfortunately, to the
2 United States. But this is an issue that I think
3 resonates with everybody.

4 And I think we have to continue to
5 teach children in our schools as we do in
6 New York State, it's required, to teach not
7 necessarily the lessons but the horrible things
8 that happened so that they can continue to teach
9 their children what happened during the 1930s and
10 '40s.

11 When you pick up the newspaper and
12 you see photographs of some of the survivors --
13 and there have been stories recently, obviously,
14 in the media -- you take a look at the faces.
15 And these are people who actually experienced the
16 horrors of Auschwitz and Buchenwald and all of
17 the other terrible places. But you also see
18 resilience and hope for the future. And at the
19 same time they have expressed a fear that there's
20 a resurgence in this kind of thinking and talking
21 and behavior. And we've got to continue this
22 fight day in and day out so that we do not repeat
23 the mistakes of the past.

24 Thank you, Mr. President.

25 ACTING PRESIDENT BENJAMIN:

1 Senator Bailey on the resolution.

2 SENATOR BAILEY: Thank you,
3 Mr. President.

4 Thank you, Senator Thomas, for
5 introducing this incredibly important resolution.

6 We spoke about Dr. King just about a
7 week ago, and he said that hate cannot drive out
8 hate, only love can do that. But I'll add
9 something on top of the love. Love plus
10 education is what we need. Awareness is what we
11 need. If you understand something and you're
12 given the opportunity to understand who people
13 are, as opposed to what you think they are, we're
14 all much better off.

15 The Holocaust was a major atrocity,
16 and I remember learning about it in school. And
17 I remember learning about people of the Jewish
18 faith being persecuted and being disrespected and
19 killed for no other reason than they were being
20 who they were.

21 But it didn't get real to me until I
22 got to ninth grade at the Bronx High School of
23 Science. Inside of the Bronx High School of
24 Science, tucked in the library where I seldom
25 went as a ninth grader -- don't follow that --

1 but tucked in that library is a world-famous
2 Holocaust Museum. And on one of my free periods
3 I ambled in there, and I was amazed. I was
4 amazed that despite what I read, what I saw was
5 so much more demonstrative and so much more
6 different. And just in one day I gained so much
7 of a greater understanding and appreciation and a
8 respect for the individuals who managed to
9 survive such an atrocity.

10 And Mr. President, and anybody in
11 the chamber within the sound of my voice, I would
12 implore you, if you get a chance to go to the
13 Bronx High School of Science, to look at that
14 museum. It's in the Bronx, it's a block outside
15 of my district, unfortunately, but it's in the
16 boogie down. And you'll learn a lot. And I
17 think that you'll learn something that you didn't
18 know yesterday.

19 And I think that's what we are as
20 people, to make sure that we don't repeat these
21 atrocities. Because if you don't know your
22 history, you're doomed to repeat it. That's why
23 we have to make sure we learn our history and
24 make sure we understand that these things can
25 never, ever happen again.

1 Thank you, Mr. President.

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

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

6 I, like my colleagues, rise on this
7 very solemn occasion to remember the 6 million
8 people who died and to condemn the hatred and the
9 bigotry and the antisemitism in particular that
10 led to the Holocaust.

11 But we also have to remember to
12 condemn blind obedience to leadership that
13 preached a hateful ideology. The number of
14 people who felt that they were just following
15 orders, or just doing what their neighbors were
16 doing and that therefore it was okay, is a lot of
17 the reason why this happened. And if we don't
18 focus on that, on our personal responsibility for
19 both living a life that suits our morals but
20 living a life that questions what we are being
21 told by people around us, then we're not really
22 honoring the lesson of the Holocaust.

23 Thank you.

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

1 SENATOR MAYER: Thank you,
2 Mr. President.

3 And thank you also to Senator Thomas
4 for giving us the opportunity to be sure that we
5 speak about this publicly, which is our
6 obligation as those who are alive at this time.

7 We can't be quiet. We can't forget.
8 And we can't even remember quietly. We have to
9 remember loudly. And that's why I want to thank
10 Mr. Moskin and the others. And I've seen them in
11 my district, survivors who have come and spoken
12 to classes of young people for whom this is
13 something they really don't understand. They
14 can't imagine the story. And you provide a real
15 example of a human being who has experienced
16 this, and that they relate to. They relate to
17 the story of you as a young man, and the others
18 I've seen as young men and young women, in this
19 incredibly difficult, terrible circumstance. And
20 that is a life-changing experience.

21 And for the next generation that
22 does not know those stories, it is our obligation
23 as legislators and as those who are not afraid to
24 speak up to make sure that your story and the
25 stories like yours are heard by the young people

1 in our schools. From Brooklyn to Yonkers to
2 Buffalo to the North Country, every one of our
3 students needs to hear the real life story, the
4 real life champions, and the personal impact of
5 the most terrible thing upon our world -- not
6 only those who perished, but our entire world,
7 which suffered a grievous loss.

8 And we have to recommit ourselves:
9 Never again. But we will keep the stories alive,
10 and thank you for doing that. And thank you for
11 those like you who are committed to making sure
12 our next generation knows and feels and
13 understands how real this is.

14 So thank you, Mr. President.

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

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

19 Thank you, Senator Thomas, for
20 bringing this important resolution forward. I
21 agree with colleagues; there are some great
22 remarks.

23 I wanted to state that when the
24 Holocaust started, it started with rhetoric,
25 political rhetoric, and then it descended into

1 vandalism that had taken root in the fertility of
2 that rhetoric. And then it spread to
3 lawlessness, where law enforcement not only
4 turned the other cheek, it actually participated.
5 And then we know what happened with the mass
6 extermination program.

7 Today in our country right now we
8 have a setting where we have rhetoric that is
9 providing fertile ground. And many of us in our
10 districts are experiencing now the next level,
11 which is vandalism. In my district we've had
12 synagogues vandalized, churches vandalized,
13 mosques vandalized. Just last week we had a
14 church in Pleasantville, New York, vandalized for
15 the crime of flying the pride flag outside of the
16 church.

17 And what we do every time this
18 happens in our district is we say that this is
19 not acceptable here. You know, that "white
20 power" stickers are not acceptable in school
21 bathrooms. Swastikas are not acceptable to be
22 carved into playground equipment.

23 And it's so critical that all of us
24 in this body stand and, every time these things
25 happen in our districts, we gather with

1 like-minded people and we say "Not on our watch.
2 Not on our watch." Because we don't want this
3 descending to the next level. We don't want
4 people thinking that this distorted thinking,
5 this diseased thinking is somehow acceptable.

6 And I know in my district and in the
7 Hudson Valley we are far richer because of our
8 diversity. And that's what makes this such a
9 wonderful place to live. But it's going to take
10 all of us working together when hate rears its
11 ugly head, that we need to say no, this is not
12 acceptable, this is not a prank, this is not okay
13 on our watch.

14 And so today on this solemn day
15 remembering the Holocaust, we need to learn those
16 lessons and apply them today. Because we are a
17 tolerant and accepting and loving State of
18 New York, and bigotry has really no place in the
19 State of New York.

20 Thank you.

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

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

25 I too rise -- and thank Senator

1 Thomas for introducing this resolution -- to pay
2 my tribute on International Holocaust Remembrance
3 Day.

4 I think many of my colleagues have
5 said so eloquently the thoughts that I wanted to
6 share. It's a very scary time that we live in.
7 You know, we've seen the rise in antisemitism,
8 the rise in hate crimes manifest itself in pure
9 violence not only in our own home state of
10 New York, but across the country.

11 A few weeks ago there were banners
12 being displayed in my district for neo-Nazi white
13 supremacist groups openly on the highway and
14 stickers on light posts. Terrifying times
15 that we're all living in.

16 So yes, we all have an obligation
17 and a responsibility to condemn the rise in hate
18 crimes, the rise in antisemitism, to keep
19 uttering those powerful words "Never again,"
20 "Never forget," making sure that we are teaching
21 the people coming behind us just how important it
22 is to hold on to the memory of what happened
23 75 years ago. And we need to keep doing that.

24 I do want to share a story or call
25 attention to a book I just read about the

1 Holocaust, part of the Holocaust, called "The
2 History of the Jewish People in Greece." And I
3 didn't know this, but Greece more than any other
4 European nation -- I have to say this because I'm
5 Greek-American, of course -- lost a higher
6 percentage of its Jewish population than any
7 other nation in Europe. And I didn't know that.
8 Greater than 90 percent.

9 And when there was an uprising at
10 Auschwitz, it was led by Greek Jews who took out
11 and killed 20 SS guards at Auschwitz towards the
12 end of the war.

13 And there's a famous story, when the
14 Germans who had invaded the island of Zakynthos
15 went to the mayor and said, "Give us a list of
16 the Jews on the island," the mayor and the bishop
17 gave them a list with two names, the mayor's name
18 and the bishop's name, and said, "If you're going
19 to take the Jews, you're going to take us as
20 well." And they didn't take them.

21 After the war, the Jewish community
22 left to the newly formed country of Israel, and a
23 few years later there was an earthquake on the
24 island of Zakynthos that devastated the entire
25 island, and unsolicited aid packages came back to

1 help the island recover. And those aid packages
2 came from those who had left Zakynthos who were
3 saved and spared because of the actions of the
4 mayor and the bishop at that time.

5 So we all live in a shared world.
6 We all have a human obligation to each other to
7 love one another regardless of who we are or what
8 God we pray to. And I hope that we can take that
9 lesson of service to each other with us as we
10 look to combat the scourge of hate that we see
11 rising today.

12 So thank you very much, and I vote
13 aye.

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

16 SENATOR SEPÚLVEDA: Thank you for
17 allowing me to speak on this resolution.

18 Thank you, Senator Thomas, for this
19 resolution.

20 When I was a young law student
21 30 years ago, I had the opportunity to visit
22 Auschwitz and Birkenau. And if anyone wants to
23 experience the impact of the Holocaust, I
24 encourage everyone to make that part of a trip
25 once in your life. Nothing like that visit drove

1 home the atrocities, the brutality and the
2 complete inhumane behavior towards the Jewish
3 people.

4 And so for those of us that need to
5 be reminded always to speak up against injustice,
6 always take a position against anything that may
7 lead to this, always fight against individuals or
8 leaders that use this kind of rhetoric, this
9 rhetoric of hate to maintain power, I encourage
10 you all to go visit these locations and you'll
11 see firsthand the impact. And if that doesn't
12 change your perspective, if that doesn't change
13 the way you feel about these kinds of issues,
14 then nothing will.

15 And I want to thank Mr. Moskin for
16 being here today. The work that you do ensures
17 that something like this never happens again.

18 Thank you.

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

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

23 I wanted to thank Senator Thomas for
24 introducing this resolution, and the guests --
25 Mr. Moskin, it's an honor to have you here -- and

1 my colleagues for supporting this resolution.

2 You know, I think one of the issues
3 we have to be concerned about most top of mind,
4 given the spread of hatred, the rise in
5 antisemitic attacks, is social media. And I
6 think we as policymakers need to look at social
7 media as the instrument that antisemites and
8 other hate groups are now using, in part because
9 of the algorithms, Mr. President, that social
10 media portals use to spread hatred and of course
11 gain followers and advertisers.

12 But in addition to that, I wanted to
13 note that my husband recently came across a
14 letter that his family had found. His
15 great-grandmother was in Poland in March 1941
16 with her husband in the Bialystok region. She
17 sent a note to the family on the 26th of March,
18 to the American family, and the note said: "My
19 dear child, we received your postcard and your
20 letter with the card, and I replied immediately.
21 I assume you've already received it. How are
22 you, my beloved? You probably corresponded with
23 Sonia" -- their daughter. "How are they doing?
24 How is she doing? Why don't you send regards to
25 Rachel and to Chachi as well? Why is it that

1 none of them is writing anything to me? Thank
2 God we are in good health and doing well. We
3 don't lack anything, and we hope that things will
4 not get worse."

5 That was the last letter they ever
6 received from their great-grandmother. And she
7 was sent to the camps with her husband shortly
8 thereafter when the Nazis liquidated that region.

9 So it was so profound to our family,
10 not knowing the details of his
11 great-grandmother's demise, but learning that we
12 have this incredibly profound and sad connection
13 to what so many people across this world share.
14 But we need to amplify that so that it never
15 happens again.

16 Thank you, Mr. President.

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

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

21 This is an important resolution
22 today, and I thank the sponsor and all the
23 sponsors and my colleagues for standing up and
24 speaking out.

25 When we talk about discrimination,

1 bigotry, antisemitism, prejudice, racism, it's at
2 the very center of evil. But I don't think
3 there's one word that we should be using.

4 Individuals who perpetrated those crimes which
5 were initiated and followed through, and the
6 lives that were taken with the Holocaust and what
7 we've seen in New York City and what we've seen
8 in communities here in New York, across this
9 nation and around the world, are not mistakes.

10 Don't give people the benefit of the
11 doubt and say "we can't make those mistakes
12 again." Those were planned. These are evil
13 people. These are people that don't accept
14 diversity or differences in others. They're
15 extremists. Not only the ones that took the
16 actions to take other people's lives, but those
17 who turned their backs and said, Well, it's not
18 me. That's cowardice. That was planned. Those
19 are not mistakes when people do those types of
20 things.

21 We can't give people the benefit of
22 the doubt. There's no place in our world --
23 here, in this nation, around the world -- for
24 people who you say have made mistakes or we give
25 them the benefit of the doubt that they've made

1 mistakes. We have to stand up -- and I agree
2 with everyone who has stood up and said, We have
3 to call them out, we have to get in their face
4 wherever we see it, whenever we see it, in any
5 part of the world. And we're absolutely right to
6 stand up and speak out today.

7 And they're not mistakes. It is the
8 very center of evil that was initiated there and
9 now for individuals. And we have to try to
10 eliminate it in every way we can. And the best
11 way to eliminate the evil is with, as some have
12 said, with love. But we can't give them the
13 benefit of the doubt saying that, well, those are
14 mistakes. No, these people feel that way. They
15 have that inside of them. They don't respect
16 anybody else's differences -- cultural,
17 religious, anything else. I think we do in this
18 body. And we illustrate that today.

19 And that's why I'm proud to be here
20 today and to stand up and speak out and say we're
21 not going to allow that to happen, we're not
22 going to turn our backs, we're not going to let
23 people be part of that anywhere where it happens.

24 And I'm happy to stand up and speak
25 out and support this resolution today,

1 Mr. Speaker. President. I'm used to being in
2 the Assembly.

3 (Laughter.)

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

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

8 And thank you, Senator Thomas, for
9 introducing this resolution and for inspiring us
10 all to reflect on what this actually means for
11 the people of the State of New York.

12 This year we have seen a countless
13 number of antisemitic actions and attacks on
14 innocent New Yorkers. And when I think about how
15 it has affected my district -- in a middle school
16 in Pelham there was a swastika that was found on
17 a door. And it brought me incredible sadness,
18 not only because I had gone to that middle school
19 or had learned in those classrooms, but because I
20 actually truly believed that it was a community
21 that did not have hate.

22 But what I learned was that hate is
23 pervasive. And so when I reflected on what that
24 meant, I was brought back to something that I had
25 learned when I was in college from the

1 philosopher Hannah Arendt, who in 1961 reported
2 on the war crimes of Adolph Eichmann. Eichmann
3 was a Nazi operative who was responsible for
4 organizing and transporting millions and millions
5 of people, and Jewish people, to concentration
6 camps.

7 What she had found on his trial was
8 that Eichmann was terrifying normal, as she put
9 it, that he had evil deeds but that they didn't
10 have actually evil intentions attached to it.
11 That it was instead his evil deeds were connected
12 to his thoughtlessness, a disengagement from the
13 reality of his evil acts that he, quote, never
14 realized what he was doing due to an inability to
15 think from the standpoint of somebody else.

16 I often reflect on a quote which is
17 "The wound is the place where the light enters."
18 Let this resolution and this time together
19 reflecting on the Holocaust be one that does not
20 inspire us to continue to provoke hate, and let
21 us be loving and thoughtful and empathetic, so
22 that none of the acts that we make will harm or
23 cause any more suffering to another human being.

24 Thank you, Mr. President.

25 ACTING PRESIDENT BENJAMIN: The

1 question is on the resolution. All in favor
2 signify by saying aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT BENJAMIN:

5 Opposed?

6 (No response.)

7 ACTING PRESIDENT BENJAMIN: The
8 resolution is adopted.

9 Mr. Moskin, I welcome you on behalf
10 of the Senate. We extend to you all of the
11 courtesies and privileges of this house. Please
12 rise and be recognized.

13 (Extended standing ovation.)

14 ACTING PRESIDENT BENJAMIN: Senator
15 Gianaris.

16 SENATOR GIANARIS: Mr. President,
17 can you please recognize Senator Montgomery for
18 an introduction.

19 ACTING PRESIDENT BENJAMIN:
20 Senator Montgomery for an introduction.

21 SENATOR MONTGOMERY: Yes, thank you,
22 Mr. President and members.

23 I am very, very proud to be able to
24 introduce to you, and to acknowledge for others,
25 young people who have come to Albany to support

1 legislation that we will be voting for shortly,
2 and that is members of the YouthBuild
3 organization in the State of New York.

4 The bill that we are going to be
5 voting for today will establish for the first
6 time in our state a vital piece of legislation
7 which codifies YouthBuild in law and, as such,
8 will provide a commitment to delivering a
9 long-standing financial assistance to programs
10 with such a very strong and demonstrated benefit
11 to young people in our state.

12 Up till this legislation, YouthBuild
13 has been existing primarily on federal funding
14 and very, very little funding from our state.
15 This -- today we change that, we begin to change
16 that.

17 And I want to recognize that there
18 are 16 of us -- only 16 of us, shamefully -- who
19 now represent YouthBuild programs. And I would
20 like to name my colleagues: Senator Myrie,
21 Senator Sepúlveda, Senator Benjamin, Senator
22 Serrano, Senator Jackson, Senator Stavisky,
23 Senator Boyle, Senator Savino, Senator Amedore,
24 Senator Serino, Senator Kennedy, Senator Robach,
25 Senator Tedisco, Senator Breslin, Senator Griffo,

1 and the Majority Leader, Senator Andrea
2 Stewart-Cousins. Those are the members of this
3 body who currently represent young people who
4 have benefited from YouthBuild organizations
5 throughout our state.

6 Now, you will note that my name is
7 not listed. And that is because I don't actually
8 represent but I have stolen Senator Myrie's
9 YouthBuild program --

10 (Laughter.)

11 SENATOR MONTGOMERY: -- which is the
12 Dreams Youth Bill.

13 And if I may, Senator --
14 Mr. President -- I would like for them to stand
15 so that you can -- we can all see them and
16 recognize them. I believe Senator Myrie might
17 want to speak on his own group, but I'll just
18 recognize that -- Ms. Kohn-Evans, who is the
19 director. Where is she? She's up there. Peter
20 Rodriguez, the associate director. Dathan
21 Freeman, who is the project construction manager.
22 Theresa Patterson, AmeriCorps coordinator.
23 Marsha Tasher, case manager. Dwayne Burgess,
24 employment specialist. Keith Allah, teacher's
25 aide. Calian Lee Riviears, construction trainer.

1 Camille Grell, Department of Education
2 instructor. Augustine Osondu, also DOE
3 instructor. And Carol Noel, DOE social worker.
4 And these are the staff of Dreams.
5 Those are the people who will send these young
6 people out to a successful life beyond because of
7 their participation in YouthBuild. So I thank
8 them because the young people that we celebrate
9 today are here because of them.

10 And I would like to offer my
11 colleagues -- some of them already represent
12 YouthBuild organizations; they will speak for
13 themselves. But I thank you, Mr. President.

14 (Standing ovation.)

15 ACTING PRESIDENT BENJAMIN: So to
16 clarify, this was an introduction. So when the
17 bill comes to the floor, all members will be
18 allowed to speak at that time. But this was an
19 introduction from Senator Montgomery.

20 So we're going to move on and then
21 we'll allow for the commentary from our members
22 when the bill comes to the floor.

23 SENATOR MONTGOMERY: Thank you,
24 Mr. President. Thank you, YouthBuild.

25 ACTING PRESIDENT BENJAMIN: Thank

1 you.

2 Senator Gianaris.

3 SENATOR GIANARIS: At this time can
4 we take up previously adopted Resolution 2341, by
5 Senator Biaggi, read that resolution in its
6 entirety, and recognize Senator Biaggi.

7 ACTING PRESIDENT BENJAMIN: The
8 Secretary will read.

9 THE SECRETARY: Senate Resolution
10 2341, by Senator Biaggi, memorializing Governor
11 Andrew M. Cuomo to proclaim January 2020 as
12 Slavery and Human Trafficking Prevention Month in
13 the State of New York.

14 "WHEREAS, It is the custom of this
15 Legislative Body to recognize official months
16 that are set aside to increase awareness of
17 serious issues that affect the lives of the
18 citizens of New York State; and

19 "WHEREAS, Attendant to such concern,
20 and in full accord with its long-standing
21 traditions, this Legislative Body is justly proud
22 to memorialize Governor Andrew M. Cuomo to
23 proclaim January 2020 as Slavery and Human
24 Trafficking Prevention Month in the State of
25 New York, in conjunction with the observance of

1 National Slavery and Human Trafficking Prevention
2 Month; and

3 "WHEREAS, Beginning in 2010, by
4 Presidential Proclamation each January has been
5 designated as National Slavery and Human
6 Trafficking Prevention Month; and

7 "WHEREAS, Following the start of
8 National Slavery and Human Trafficking Prevention
9 Month, with the help of non-government
10 organizations, National Human Trafficking Day
11 began and is observed annually on January 11th;
12 and

13 "WHEREAS, The State of New York was,
14 in 2018, the state fourth most plagued by the
15 scourge of sexual and labor trafficking of
16 individuals of all ages, as recognized by the
17 Polaris Project, a leading non-government,
18 nonprofit voice in the global march towards the
19 eradication of human trafficking, which equates
20 with modern slavery; and

21 "WHEREAS, The number of sexual and
22 labor trafficking cases reported each year
23 continues to grow as more light is given to the
24 issue by various actors in New York, across the
25 United States, and around the globe; and

1 "WHEREAS, In 2018, 492 cases of
2 human trafficking were reported to the Human
3 Trafficking Hotline in the State of New York,
4 which is more than 4 percent of the 10,949 cases
5 reported across the United States; and

6 "WHEREAS, The scope and magnitude of
7 the issue of slavery and human trafficking is yet
8 to be known, both domestically and abroad; and

9 "WHEREAS, Human Trafficking
10 Awareness Month was implemented to raise
11 awareness among Americans that human trafficking
12 does not just happen in other countries, but in
13 states and communities across the United States;
14 and

15 "WHEREAS, It is imperative that
16 there be greater public awareness of this serious
17 issue, and more must be done to eradicate slavery
18 and human trafficking at the local, state and
19 national levels; now, therefore, be it

20 "RESOLVED, That this Legislative
21 Body pause in its deliberations to memorialize
22 Governor Andrew M. Cuomo to proclaim January 2020
23 as Slavery and Human Trafficking Prevention Month
24 in the State of New York; and be it further

25 "RESOLVED, That a copy of this

1 resolution, suitably engrossed, be transmitted to
2 the Honorable Andrew M. Cuomo, Governor of the
3 State of New York."

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

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

8 As I did in 2019, it is a privilege
9 in 2020 to introduce this resolution on the
10 Senate floor recognizing January as Human
11 Trafficking Prevention Month in New York State.

12 I stand in solidarity with the
13 survivors and the allies that are fighting to end
14 the injustice of child and adult exploitation.

15 Human trafficking is defined as the
16 practice illegally transporting people from one
17 country or area to another, typically for the
18 purposes of forced labor or sexual exploitation.
19 Human trafficking is an illegal \$150 billion
20 industry that touches nearly every part of the
21 world. In 2018, the United States was ranked one
22 of the world's worst places for human
23 trafficking. Due to the hidden nature of the
24 crime, there is no official number of human
25 trafficking victims in the United States, but

1 estimates place it in the hundreds of thousands.

2 According to Restore NYC, a
3 non-for-profit organization that works to support
4 victims of human trafficking transitioning back
5 into everyday life, New York City is a gateway
6 and one of the largest destinations for
7 trafficked women in the country. In fact, this
8 is an issue that touches my district and exists
9 right in the heart of the Bronx.

10 I am honored to introduce and
11 acknowledge in the chamber Monique
12 Ferguson-Riley. Monique is a survivor of human
13 trafficking. She is a wife and a mother to five
14 children. She is a leader in her community, the
15 Bronx, and all five boroughs. She is a fighter.

16 Monique is the founder of Freedom
17 Youth LLC and Freedom Youth Family Justice
18 Center, a grassroots organization of survivors
19 with the mission to educate and to prevent human
20 trafficking among teens and young adults in
21 high-risk communities by providing mentorship,
22 preventative awareness, training and support to
23 those seeking refuge.

24 Monique embodies courage and
25 resilience. Monique is transforming her trauma

1 into action to defend survivors and at-risk
2 communities from the vicious cycle of human
3 trafficking and to empower the next generation of
4 Bronxites to be agents for change.

5 It has been an honor to work with
6 her and to learn from her as well as members of
7 Freedom Youth and their partners in the Bronx
8 Human Trafficking and Domestic Violence Task
9 Force, to identify solutions to address this
10 issue.

11 Mr. President, I ask that the Senate
12 extend all of the privileges of the house to
13 Monique.

14 ACTING PRESIDENT BENJAMIN: To
15 Monique Ferguson, I welcome you on behalf of the
16 Senate. We applaud you. We extend to you all of
17 the courtesies and privileges of this house.
18 Please rise and be recognized.

19 (Standing ovation.)

20 ACTING PRESIDENT BENJAMIN: The
21 resolution was previously adopted on
22 January 14th.

23 Senator Gianaris.

24 SENATOR GIANARIS: At this time can
25 we take up Resolution 2685, by Senator Jacobs,

1 read its title only, and recognize
2 Senator Jacobs.

3 ACTING PRESIDENT BENJAMIN: The
4 Secretary will read.

5 THE SECRETARY: Senate Resolution
6 2685, by Senator Jacobs, mourning the tragic and
7 untimely death of 11 year old Luca S. Calanni of
8 Hamburg, New York.

9 ACTING PRESIDENT BENJAMIN: Senator
10 Jacobs on the resolution.

11 SENATOR JACOBS: Thank you,
12 Mr. President, for the opportunity to offer this
13 resolution. Unfortunately, it's a sad one.

14 And I have the honor of representing
15 the Town of Hamburg, New York, and a family in my
16 district just suffered the tragic loss of their
17 son, Luca Calanni, an 11-year-old who died
18 tragically as a result of the flu, a parent's
19 worst nightmare. And I am offering a resolution
20 here for their family.

21 Luca, the name means "giver of
22 light," which is very appropriate for this young
23 man. He was the light of his parents, Roger and
24 Ashley. He was the adoring little brother of his
25 older sister Isabella and doting protective older

1 brother of his sisters Talia and Frankie. It is
2 difficult to imagine the grief they feel today,
3 and the prayers and sympathies of our entire
4 community go out to the members of this loving
5 family.

6 Mr. President, this resolution does
7 more than just mourn Luca's passing, but also
8 celebrates the life of this very special young
9 man who impacted in a beneficial way anybody that
10 had the pleasure of knowing him.

11 And at this point I would like to
12 ask you to recognize Senator Borrello, who knew
13 the family personally and wanted to speak more at
14 length about this.

15 But thank you. And as we talk about
16 that the community in my district supports and
17 grieves with this family and prays for this
18 family, this resolution today is sending a
19 message that the New York State family is also
20 grieving and sympathizing and mourning with them
21 and praying for them as they move through this
22 journey of grief.

23 Thank you very much.

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

1 SENATOR BORRELLO: Thank you,
2 Mr. President.

3 First of all, I'd like to thank
4 Senator Jacobs for sponsoring this.

5 I think any parent's worst nightmare
6 is the thought of losing their child. And for my
7 friends Ashley and Roger Calanni, that nightmare
8 became a reality on January 11th when their son
9 Luca died from complications from the flu.

10 This is a tragic loss. I have known
11 the Calanni family my whole life. They are from
12 Fredonia, my hometown. I am friends with Ashley
13 and Roger. And in fact I saw them and Luca just
14 a few days before Christmas at a party. And to
15 know just a short time after he was gone was just
16 devastating for us all.

17 And as tragic as this is, the people
18 of Western New York have done what they have
19 always done. They surrounded this family and
20 supported them. The communities around Western
21 New York lit up the skies in orange, which was
22 Luca's favorite color. Buildings, restaurants,
23 people's homes were lit up with orange lights to
24 celebrate his life.

25 Also, they have started a

1 foundation -- even though their grief is still
2 fresh, they have started a foundation in Luca's
3 name. This is because not long ago Luca and his
4 father attended the Buffalo Bills game in
5 Pittsburgh. And as they were driving home, they
6 stopped at a gas station and Luca said to his
7 father, "Please buy a lottery ticket. And if we
8 win the lottery, I would like to start a
9 foundation to help children who can't afford to
10 go to events like this, to be able to go and
11 experience the things I've experienced in my
12 life." This was a very, very wise young man.

13 So he asked his father to do this to
14 support other children so they could have great
15 experiences in their life like he was so
16 fortunate to experience. So who knew that only a
17 few weeks later he would be gone and that they
18 would have this opportunity now to have him live
19 on.

20 And they have started the Luca S.
21 Calanni Foundation, the purpose of which will be
22 to help children who cannot afford to attend
23 events and to do things that they otherwise in
24 their life would not be able to do were it not
25 for the support of others.

1 Luca was an amazing young boy. An
2 athlete, he was a loving brother to his sisters,
3 and he truly cared for other children. I saw
4 that myself many times. So to know that he did
5 this and asked for this, almost prophetically,
6 before passing on gives me hope that his life
7 will live on for many, many years to come with
8 this foundation.

9 So I would ask everyone to please
10 learn more about it and to please support it and
11 to honor this family who's had such a tragic
12 loss. And may this tragic loss turn to something
13 that will help children throughout the area for
14 many years to come.

15 Thank you, Madam President.

16 ACTING PRESIDENT MAYER: Thank you,
17 Senator Borrello.

18 The question is on the resolution.
19 All in favor signify by saying aye.

20 (Response of "Aye.")

21 ACTING PRESIDENT MAYER: Opposed?

22 (No response.)

23 ACTING PRESIDENT MAYER: The
24 resolution is adopted.

25 Senator Serrano.

1 SENATOR SERRANO: Thank you.

2 Please take up Resolution 2673, by
3 Senator Thomas, read the resolution title only,
4 and recognize Senator Thomas on the resolution.

5 ACTING PRESIDENT MAYER: The
6 Secretary will read title only and recognize
7 Senator Thomas on the resolution.

8 ACTING PRESIDENT MAYER: Senate
9 Resolution 2673, by Senator Thomas, memorializing
10 Governor Andrew M. Cuomo to proclaim January 28,
11 2020, as Data Privacy Day in the State of
12 New York.

13 ACTING PRESIDENT MAYER: Senator
14 Thomas on the resolution.

15 SENATOR THOMAS: Thank you,
16 Madam President.

17 In our technology-driven world it is
18 more important than ever to be educated on the
19 safe practices of data privacy. We conduct a lot
20 of our lives online, yet few of us actually
21 understand how our information is being used,
22 collected and shared.

23 Data Privacy Day is an international
24 event that occurs on January 28th of each year.
25 This day commemorates the signing of

1 Convention 108, the first legally binding
2 international treaty dealing with privacy and
3 data protection. That was back in 1981.

4 Today data privacy remains a
5 critical issue in this state and our country,
6 especially with the growth of technology and the
7 rise in data breaches and data theft. Data
8 Privacy Day is all about empowering individuals
9 and educating businesses to respect privacy,
10 safeguard data, and enable trust.

11 Our personal data can be used in
12 both beneficial and harmful ways. Poor data
13 management can be devastating for businesses and
14 consumers. In order to understand the true value
15 of data, consumers and businesses need to
16 understand how it is collected, used and shared.

17 As more of our lives and businesses
18 rely on the digital world, it is more important
19 than ever that we educate ourselves on the safe
20 practices of data privacy and safety.

21 Thank you.

22 ACTING PRESIDENT MAYER: The
23 question is on the resolution. All in favor
24 signify by saying aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT MAYER: Opposed?

2 (No response.)

3 ACTING PRESIDENT MAYER: The
4 resolution is adopted.

5 Senator Serrano.

6 SENATOR SERRANO: Thank you,
7 Madam President.

8 At the request of the sponsors, the
9 four resolutions we just took up are open for
10 cosponsorship.

11 ACTING PRESIDENT MAYER: The
12 resolutions are open for cosponsorship. Should
13 you choose not to be a cosponsor of a resolution,
14 please notify the desk.

15 Senator Serrano.

16 SENATOR SERRANO: Thank you. Can
17 we now take up the reading of the calendar.

18 ACTING PRESIDENT MAYER: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number 14,
21 Senate Print 6935, by Senator Benjamin, an act to
22 amend the Civil Service Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the same date and in the
2 same manner as a chapter of the Laws of 2019.

3 ACTING PRESIDENT MAYER: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT MAYER: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar Number 14, those Senators voting in the
10 negative are Senators Akshar, Jacobs, Jordan,
11 Ranzenhofer and Seward.

12 Ayes, 57. Nays, 5.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number 21,
16 Senate Print 6942, by Senator Montgomery, an act
17 to amend the Civil Service Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

20 THE SECRETARY: Section 3. This
21 act shall take effect on the same date and in the
22 same manner as a chapter of the Laws of 2019.

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER: Announce
2 the results.

3 THE SECRETARY: In relation to
4 Calendar Number 21, those Senators voting in the
5 negative are Senators Amedore and Akshar.

6 Ayes, 60. Nays, 2.

7 ACTING PRESIDENT MAYER: The bill
8 is passed.

9 THE SECRETARY: Calendar Number 36,
10 Senate Print 6957, by Senator Kaminsky, an act to
11 amend the Alcoholic Beverage Control Law.

12 ACTING PRESIDENT MAYER: Read the
13 last section.

14 THE SECRETARY: Section 7. This
15 act shall take effect on the same date and in the
16 same manner as a chapter of the Laws of 2019.

17 ACTING PRESIDENT MAYER: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MAYER: Announce
21 the results.

22 THE SECRETARY: In relation to
23 Calendar Number 36, those Senators voting in the
24 negative are Senators Borrello, Boyle, Funke,
25 Gallivan, Helming, Jacobs, Jordan, Ortt,

1 Ranzenhofer and Robach.

2 Ayes, 52. Nays, 10.

3 ACTING PRESIDENT MAYER: The bill
4 is passed.

5 THE SECRETARY: Calendar Number 51,
6 Senate Print 7088, by Senator Addabbo, an act to
7 amend Chapter 473 of the Laws of 2010.

8 ACTING PRESIDENT MAYER: Read the
9 last section.

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

12 ACTING PRESIDENT MAYER: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT MAYER: Announce
16 the results.

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT MAYER: The bill
19 is passed.

20 THE SECRETARY: Calendar Number 63,
21 Senate Print 6725A, by Senator Carlucci, an act
22 to amend the Penal Law.

23 ACTING PRESIDENT MAYER: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MAYER: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MAYER: Senator
6 Carlucci to explain his vote.

7 SENATOR CARLUCCI: Thank you,
8 Madam President.

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

11 Last year when we saw the collapse
12 of MyPayrollHR, it left thousands of people here
13 in New York State and around the country really
14 helpless, because they were expecting a paycheck
15 and never got it. I had personal cases in my
16 office where we heard the horror stories of people
17 trying to make their cash flow expenses -- paying
18 college tuition, you name it.

19 What this exposed was a major
20 loophole in New York State law where payroll
21 companies could get away without doing their sole
22 job of making sure that someone's pay arrived in
23 a timely manner. We need to hold these companies
24 accountable and make sure that hardworking
25 New Yorkers get the paycheck that they deserve

1 and they're entitled to.

2 This legislation will hold these
3 companies accountable, close that loophole, and
4 bring our Laws into the 21st century to protect
5 workers here in New York. I'm hopeful that this
6 legislation will serve as a model for other
7 states to follow so that workers are protected.

8 Madam President, I'll be voting yes.
9 Thank you.

10 ACTING PRESIDENT MAYER: Senator
11 Carlucci to be recorded in the affirmative.

12 Announce the results.

13 THE SECRETARY: In relation to
14 Calendar Number 63, those Senators voting in the
15 negative are Senators Akshar and Montgomery.

16 Ayes, 60. Nays, 2.

17 ACTING PRESIDENT MAYER: The bill
18 is passed.

19 THE SECRETARY: Calendar Number 73,
20 Senate Print 6728, by Senator Breslin, an act in
21 relation to requiring the Department of Financial
22 Services, in consultation with the Department of
23 Taxation and Finance, to conduct a study
24 regarding insurance.

25 ACTING PRESIDENT MAYER: Read the

1 last section.

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

4 ACTING PRESIDENT MAYER: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MAYER: Announce
8 the results.

9 THE SECRETARY: In relation to
10 Calendar Number 73, voting in the negative:
11 Senator Akshar.

12 Ayes, 61. Nays, 1.

13 ACTING PRESIDENT MAYER: The bill
14 is passed.

15 THE SECRETARY: Calendar Number 92,
16 Senate Print 7168, by Senator Parker, an act to
17 amend the Executive Law.

18 ACTING PRESIDENT MAYER: Read the
19 last section.

20 THE SECRETARY: Section 7. This
21 act shall take effect on the same date and in the
22 same manner as a chapter of the Laws of 2019.

23 ACTING PRESIDENT MAYER: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT MAYER:

2 Senator Parker to explain his vote.

3 SENATOR PARKER: Thank you,
4 Madam President.

5 I'd like to thank my colleagues very
6 much for voting for this really important
7 legislation.

8 More than ever, we're finding
9 couples are living together in the same
10 households, outside of marriage, sharing joys,
11 happiness -- but, most importantly,
12 responsibilities. The average couple actually in
13 the State of New York will live together for five
14 years before they get married. And again, these
15 couples in long-term loving relationships, you
16 know, should have the same kinds of protections
17 as everyone else.

18 This important legislation will
19 ensure that in the context of crimes that may in
20 fact, you know, create trauma or separate these
21 families, that these -- these violent losses of a
22 loved one are recognized in the same way that we
23 do with married couples.

24 And so again I want to thank my
25 colleagues for voting for this, and I vote aye.

1 ACTING PRESIDENT MAYER:
2 Senator Parker to be recorded in the affirmative.
3 Announce the results.
4 THE SECRETARY: Ayes, 62.
5 ACTING PRESIDENT MAYER: The bill
6 is passed.
7 THE SECRETARY: Calendar Number
8 101, Senate Print 7177, by Senator Martinez, an
9 act to amend the Environmental Conservation Law.
10 ACTING PRESIDENT MAYER: Read the
11 last section.
12 THE SECRETARY: Section 3. This
13 act shall take effect on the same date and in the
14 same manner as a chapter of the Laws of 2019.
15 ACTING PRESIDENT MAYER: Call the
16 roll.
17 (The Secretary called the roll.)
18 ACTING PRESIDENT MAYER: Announce
19 the results.
20 THE SECRETARY: Ayes, 62.
21 ACTING PRESIDENT MAYER: The bill
22 is passed.
23 THE SECRETARY: Calendar Number
24 115, Senate Print 7191, by Senator Harckham, an
25 act to amend the Lien Law.

1 ACTING PRESIDENT MAYER: Read the
2 last section.

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

6 ACTING PRESIDENT MAYER: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MAYER: Announce
10 the results.

11 THE SECRETARY: Ayes, 62.

12 ACTING PRESIDENT MAYER: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 150, Senate Print 6727B, by Senator Thomas, an
16 act to amend the General Obligations Law.

17 ACTING PRESIDENT MAYER: Read the
18 last section.

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

21 ACTING PRESIDENT MAYER: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT MAYER: Senator
25 Thomas to explain his vote.

1 SENATOR THOMAS: Thank you,
2 Madam President.

3 Those of us who are lucky to have a
4 job look forward to a paycheck every week or
5 biweekly. And when that check doesn't come, it's
6 sad for the employee who has to pay rent every
7 single month or has to put food on the table for
8 their family. So when I heard about what took
9 place last year with the payroll company here in
10 New York, I had to do something.

11 As the chair of Consumer Protection,
12 it's a happy day for me because several of my
13 colleagues have also sponsored bills to make sure
14 this doesn't happen again.

15 So what my legislation does is it
16 provides a private right of action for employees
17 to sue the payroll company that has harmed them.
18 And this is a step forward, especially in an
19 industry that decided to self-regulate and put
20 profit over people.

21 I vote in the affirmative.

22 ACTING PRESIDENT MAYER: Senator
23 Thomas to be recorded in the affirmative.

24 Senator Akshar to explain his vote.

25 SENATOR AKSHAR: Madam President,

1 thank you so much.

2 Just very quickly, I make two
3 points. I think that we could all agree that
4 this issue is significant, it's one that needs to
5 be addressed. But if I may -- and this
6 particular issue is requiring us to have this
7 discussion -- I think one of the underlying
8 issues in this problem was -- or in this scandal
9 was third-party ACH providers.

10 So we have to ask ourselves what was
11 the role of a third party ACH provider in this.
12 And it was significant, right -- \$26 million
13 Cachet took.

14 I'm concerned with this particular
15 bill because I think that the definition is too
16 narrowly defined, whereas those third-party ACH
17 providers would not be captured in the current
18 language. And after all, they were the group
19 that was responsible for illegally clawing back
20 millions and millions of dollars from employers.

21 The second point, very quickly, is
22 that it's my understanding that the Department of
23 Financial Services is currently conducting a
24 study and/or an investigation into the matter.
25 And my thought, Madam President, would be to

1 allow the department to do that work, then for us
2 to take up whatever suggestions they have.

3 Madam President, I'll be voting no.

4 ACTING PRESIDENT MAYER:

5 Senator Akshar to be recorded in the negative.

6 Announce the results.

7 THE SECRETARY: In relation to
8 Calendar Number 150, voting in the negative:
9 Senator Akshar.

10 Ayes, 61. Nays, 1.

11 ACTING PRESIDENT MAYER: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 169, Senate Print 6726A, by Senator Ramos, an act
15 to amend the Labor Law.

16 ACTING PRESIDENT MAYER: Read the
17 last section.

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

20 ACTING PRESIDENT MAYER: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MAYER: Senator
24 Ramos to explain her vote.

25 SENATOR RAMOS: Thank you,

1 Madam President.

2 And I apologize because I'm starting
3 to lose my voice a little bit. But I rise
4 because this was a real hardship for so many
5 workers across the state. And it's just so
6 important for us to make sure that employees are
7 never penalized for the mistakes, even clerical
8 errors -- especially clerical errors on behalf of
9 employers or the payroll companies that they may
10 hire.

11 And so, to me, this bill was really
12 about figuring out how we can improve the trust
13 that employees should feel in their employers in
14 the process of getting paid. And I'm very
15 thankful to all of my colleagues who vote for
16 this bill, but most especially Senators Carlucci,
17 Thomas and Breslin, who really helped us together
18 tackle this big problem and make sure that
19 hopefully it never happens again.

20 Thank you.

21 ACTING PRESIDENT MAYER: Thank you.

22 Senator Ramos to be recorded in the
23 affirmative.

24 Announce the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT MAYER: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 200, Senate Print 7308, by Senator Sanders, an
5 act to amend the Labor Law.

6 ACTING PRESIDENT MAYER: Read the
7 last section.

8 THE SECRETARY: Section 3. This
9 act shall take effect on the same date and in the
10 same manner as a chapter of the Laws of 2019.

11 ACTING PRESIDENT MAYER: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MAYER: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar Number 200, those Senators voting in the
18 negative are Senators Amedore, Brooks, Flanagan,
19 Funke, Gallivan, Helming, Lanza, LaValle,
20 Martinez, Ortt, Ranzenhofer, Robach, Seward and
21 Tedisco. Also Senator Akshar. Also Senator
22 Griffo.

23 Ayes, 46. Nays, 16.

24 ACTING PRESIDENT MAYER: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 231, Senate Print 21, by Senator Parker, an act
3 to amend the Public Service Law.

4 ACTING PRESIDENT MAYER: Read the
5 last section.

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

8 ACTING PRESIDENT MAYER: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT MAYER: Announce
12 the results.

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT MAYER: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 237, Senate Print 839A, by Senator Montgomery, an
18 act to amend the Labor Law.

19 ACTING PRESIDENT MAYER: Read the
20 last section.

21 THE SECRETARY: Section 4. This
22 act shall take effect one year after it shall
23 have become a law.

24 ACTING PRESIDENT MAYER: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT MAYER: Senator
3 Myrie to explain his vote.

4 SENATOR MYRIE: Thank you,
5 Madam President.

6 One of my first experiences in the
7 State Senate was having Senator Montgomery walk
8 into my office to offer a clarification. And
9 that clarification was that there was a program
10 that was technically in my district which she in
11 fact owned --

12 (Laughter.)

13 SENATOR MYRIE: -- and that was the
14 YouthBuild program.

15 And so I rise today not only to
16 support us establishing a statewide YouthBuild
17 program, but also to salute Senator Montgomery
18 for her years of advocacy and theft of this
19 program --

20 (Laughter.)

21 SENATOR MYRIE: -- that has been so
22 successful in my district.

23 In all seriousness, we have
24 many conversations in this legislative body about
25 the problems facing our communities, about the

1 ills of our society, but rarely do we have a
2 robust conversation about how we can prevent
3 those problems and prevent those ills in our
4 society. YouthBuild is the perfect example of
5 where this state should be investing. And I look
6 forward to hopefully carrying on the legacy of
7 fighting for YouthBuild in my district and
8 throughout this state.

9 So Senator Montgomery, I want to
10 thank you for championing this issue, thank you
11 for fighting for this for so many years, and I'll
12 be voting in the affirmative.

13 Thank you.

14 ACTING PRESIDENT MAYER: Senator
15 Myrie to be recorded in the affirmative.

16 Senator Metzger to explain her vote.

17 SENATOR METZGER: Thank you,
18 Madam President.

19 I want to also thank Senator
20 Montgomery for this bill, and I'm so proud to
21 cosponsor it.

22 This is really one of my favorite
23 programs that we have in New York State. It
24 is -- it is just perfect. It serves multiple
25 needs simultaneously. It gives our youth

1 incredible skills and experience that they need
2 to succeed in underserved communities, and they
3 work on projects and needs for their underserved
4 communities while they're gaining those skills.
5 There's -- really, it's a perfect marriage.

6 And the Ulster YouthBuild was up
7 earlier today. It's just, just up the road from
8 me outside of my district, but several of the
9 young people in the program are in my community.
10 I'm thrilled that it's going to expand, from what
11 I understand, to Ellenville in my district this
12 year. And I want to see it in every underserved
13 community in New York State. It is -- it's
14 superb.

15 And I thank you for this,
16 Senator Montgomery, and I'm very proud to vote
17 aye. Thank you.

18 ACTING PRESIDENT MAYER: Senator
19 Metzger to be recorded in the affirmative.

20 Senator Bailey to explain his vote.

21 SENATOR BAILEY: Thank you,
22 Madam President.

23 Senator Metzger and Senator Myrie
24 said a lot of what I was going to say. But I
25 think that this should be the Velmanette

1 Montgomery Act, simply stated.

2 (Laughter.)

3 SENATOR BAILEY: Because again,
4 since I walked into the Senate, this is something
5 that she impressed the importance upon it. And
6 it's not about, like, things being in your
7 district or not being in your district. District
8 lines are rather arbitrary. If somebody is
9 across the street and they're not in your
10 district, are you not going to help them if they
11 need help?

12 Senator Montgomery has been the
13 embodiment of somebody who decides that she wants
14 to make sure that she makes sure that everybody
15 is okay, and via the YouthBuild Act that she's
16 been championing for the short time that I've
17 been here, but as long as she's been here. This
18 speaks volumes about you, Senator Montgomery, and
19 it speaks volumes about the organization and the
20 program -- to give children an opportunity to
21 better themselves by bettering others.

22 It teaches everybody that if you
23 want to be a part of the solution, you've got to
24 really be a part of it. Otherwise, you can't
25 complain. You've got to show up, you've got to

1 have conversations, and these programs that put
2 skills in people's hands and let them be better
3 parts of their communities will be better served.

4 So the only friendly amendment I'll
5 ever make about Velmanette Montgomery's bill
6 would be this should be the Velmanette Montgomery
7 YouthBuild Act.

8 Thank you, Madam President.

9 ACTING PRESIDENT MAYER: Senator
10 Bailey to be recorded in the affirmative.

11 Senator Amedore to explain his vote.

12 SENATOR AMEDORE: Thank you,
13 Madam President.

14 This is a great bill. I want to
15 thank Senator Montgomery for your leadership
16 here, the New York State YouthBuild Act.

17 I believe that this is an initiative
18 that I hope to see not just the Senate majority
19 as well as the Assembly majority put in their
20 one-house budgets and truly make a valiant effort
21 in negotiating with the second floor -- because
22 the \$900,000 I believe that gets appropriated to
23 this program is not enough. This program needs
24 to be in every single county in the State of
25 New York, and here's why.

1 As many of my colleagues mentioned,
2 it's a great program. It allows the youth, it
3 allows someone who's 16, 17, 18, up to 26 years
4 old who may not have gone to school or graduated
5 high school or to college, it gives them a second
6 chance in training, in education, in workforce
7 development, teaching them how to work with their
8 hands, their mind and their back muscle all
9 together, so that they can then get on the
10 pathway to success.

11 This is a great program. We need to
12 invest more into it. And I want to recognize two
13 people who have carried the baton of success. In
14 Schenectady County is Executive Director Jennifer
15 Lawrence, who is here with us, as well as in
16 Ulster County and YouthBuild in Kingston,
17 Executive Director Bonnie Landi. And without
18 their leadership and hard work and vision, these
19 two programs would not be as successful, and
20 homes wouldn't be built as good as they are
21 without their efforts. So thank you.

22 And, Madam President, I vote aye.

23 ACTING PRESIDENT MAYER: Senator
24 Amedore to be recorded in the affirmative.

25 Senator Savino to explain her vote.

1 SENATOR SAVINO: Thank you,
2 Madam President.

3 I also want to echo the comments of
4 Senator Bailey. We should name this the Senator
5 Velmanette Montgomery YouthBuild Program. She
6 has been a champion for this since the day I met
7 her.

8 And I will say I'm blessed, I have
9 two YouthBuilds in Staten Island in my district.
10 One of them draws young people from all over. A
11 lot of Senator Lanza's constituents come to
12 YouthBuild.

13 And it's not just about retraining
14 people or giving them a skill set and allowing
15 them to find a way to have a career path. You
16 have to remember who comes to YouthBuild and how
17 they get there. These are young people who have
18 been through every program under the sun --
19 they've been in special ed, they've been in
20 foster care, they've been tossed out, some of
21 them are homeless. They feel that they have no
22 place left to go. And then there are no more
23 programs available for them because they're 18 --
24 as if, suddenly, they can live on their own.

25 So kids who come to YouthBuild do it

1 because they've had a moment of self-reflection
2 and they want to be something better, they don't
3 want to be defined by the worst circumstances in
4 their life. And they walk in the door and they
5 go through a training, a mental toughness period.
6 They have to earn their way into YouthBuild. And
7 not everybody who signs up makes it.

8 But those kids who make it, you can
9 see the transformation in six to eight months of
10 their lives. Not only do they develop skills
11 that they can translate into a career path;
12 they've developed confidence in themselves. They
13 know they're going to make it no matter what
14 happens, because they've done it.

15 That's why this is the greatest
16 program, I believe, that this state has. We need
17 to do more. Senator Amedore is absolutely right,
18 \$900,000 is insufficient. We need to triple
19 that.

20 And I will say this. Every one of
21 you should want a YouthBuild in your district.
22 It is the single most successful program I have
23 ever seen, and it really transforms kids' lives.

24 Thank you, Madam President.

25 ACTING PRESIDENT MAYER: Senator

1 Savino to be recorded in the affirmative.

2 Senator Montgomery.

3 SENATOR MONTGOMERY: Yes, thank
4 you. Thank you. I want to thank my colleagues
5 for your recognition and your support.

6 But it's been really wonderful to
7 see that if you harass people enough, long
8 enough --

9 (Laughter.)

10 SENATOR MONTGOMERY: -- they start
11 to listen. And I really think that this is a
12 great moment for us in this chamber.

13 And the most wonderful thing is that
14 it really is both sides of the aisle. We're all
15 doing this together. In fact, I think some of
16 the most avid supporters have been from my
17 Republican colleagues for many years as well. So
18 this really is not just one side or the other,
19 this is all of us.

20 And the thing that I want my
21 colleagues to know, that you would appreciate
22 about the way that this bill is structured, is
23 that the YouthBuild is a model for us to use with
24 standards that we can be assured that where we
25 invest money in this particular program, you're

1 going to be assured that we will get excellent
2 results. It's already been proven based on the
3 number of young people who have already gone
4 through the program that we've seen today and
5 we've seen year after year that I've met young
6 people who come back and say now they are
7 successful in different phases -- even some small
8 businesses, because they were launched based on
9 this program being available to them.

10 So the outcome is going to be
11 positive. The investment is going to be worth
12 it. The standards in the legislation are very
13 clear, very specific. And yes, this will allow
14 us to really do an investment in what I consider
15 to be workforce development that we can all be
16 very proud of that we have done something
17 wonderful for the young people in our state.

18 So, Madam President, I vote aye.
19 Thank you.

20 ACTING PRESIDENT MAYER:
21 Senator Montgomery to be recorded in the
22 affirmative.

23 Senator Boyle to explain his vote.

24 SENATOR BOYLE: Thank you,
25 Madam President, to explain my vote very quickly.

1 I'd like to add my voice to those
2 giving praise to Senator Montgomery for her
3 leadership and advocacy for YouthBuild for these
4 many years.

5 I want to give a shout out to the
6 Long Island YouthBuild in Deer Park. I'm very
7 proud to recognize them and the work they do.

8 And for those of you who don't have
9 YouthBuild in your district, I ask you to do one
10 thing. Go to a graduation ceremony. It's like a
11 mini-Super Bowl. It's so exciting. You see
12 young people who may have had some troubles in
13 the past moving forward and going on to great
14 careers.

15 I'm excited to put this program
16 statewide. I vote in the affirmative.

17 ACTING PRESIDENT MAYER: Senator
18 Boyle to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT MAYER: The bill
22 is passed, Senator Montgomery.

23 (Extended standing ovation.)

24 ACTING PRESIDENT MAYER: Senator
25 Serrano, that completes the reading of today's

1 calendar.

2 SENATOR SERRANO: Thank you. Is
3 there any further business at the desk?

4 ACTING PRESIDENT MAYER: There is
5 no further business at the desk.

6 SENATOR SERRANO: There will be an
7 immediate meeting of the Ethics Committee in
8 LOB 904.

9 ACTING PRESIDENT MAYER: There will
10 be an immediate meeting of the Ethics Committee
11 in LOB Room 904.

12 SENATOR SERRANO: And I move that
13 we adjourn until Wednesday, January 29th, at
14 11:00 a.m.

15 ACTING PRESIDENT MAYER: On motion,
16 the Senate stands adjourned until Wednesday,
17 January 29th, at 11:00 a.m.

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

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