

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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