

1 NEW YORK STATE SENATE

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3  
4 THE STENOGRAPHIC RECORD

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7  
8 ALBANY, NEW YORK

9  
10 February 4, 2020

11 4:02 p.m.

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13  
14 REGULAR SESSION

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18 SENATOR BRIAN A. BENJAMIN, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

8 ACTING PRESIDENT BENJAMIN: We have  
9 with us today Rabbi Yisroel Kahan, from Oizrim  
10 Jewish Council in Monsey.

11 Rabbi.

12 RABBI KAHAN: Good afternoon.

13 Thank you, Senator Carlucci, for the  
14 invitation. It's a great honor.

15 In Judaism we are taught to hold a  
16 high regard for law and order. As our sages tell  
17 us: Pray for the well-being of government, for  
18 in its absence, men would swallow one another  
19 alive.

20 These are troubling times that we  
21 live in today, barely 75 years after the  
22 liberation of Auschwitz, and antisemitism is on  
23 the rise again. The eyes of New Yorkers are upon  
24 you to pass legislation for a better and brighter  
25 tomorrow.

1           As the Talmud says, "He who saves  
2 one life is as if he has saved the world entire."  
3 And the reasoning behind it being that all the  
4 good deeds that the person will do from today on  
5 will be attributed to the rescuer.

6           So whether you're passing laws to  
7 improve education, additional resources for those  
8 battling, struggling with mental illness,  
9 providing security for houses of worship and  
10 schools, or, as later today, you will be passing  
11 Stephen's Law, in memory of Stephen Canastraro,  
12 which will improve communication between -- with  
13 the families of those struggling with substance  
14 abuse addiction, you are the saviors of New York.  
15 You are our heroes.

16           And so I will recite a prayer that  
17 we do every Saturday in the synagogue: He who  
18 has blessed our fathers Abraham, Isaac and Jacob,  
19 may He bless the members of this chamber, along  
20 with all bodies of government, and may all those  
21 who engage with the needs of the public  
22 faithfully, may He reward them abundantly, may He  
23 cast away from them all illness, may He  
24 rejuvenate their bodies, and may He bestow grace  
25 and prosperity in all their endeavors.

1                   And let us all say amen.

2                   (Response of "Amen".)

3                   ACTING PRESIDENT BENJAMIN:     Reading  
4 of the Journal.

5                   THE SECRETARY:     In Senate, Monday,  
6 February 3, 2020, the Senate met pursuant to  
7 adjournment. The Journal of Sunday, February 2,  
8 2020, was read and approved. On motion, Senate  
9 adjourned.

10                  ACTING PRESIDENT BENJAMIN:     Without  
11 objection, the Journal stands approved as read.

12                   Presentation of petitions.

13                   Messages from the Assembly.

14                   Messages from the Governor.

15                   Reports of standing committees.

16                   Reports of select committees.

17                   Communications and reports from  
18 state officers.

19                   Motions and resolutions.

20                   Senator Gianaris.

21                  SENATOR GIANARIS:     Mr. President,  
22 can we begin by taking up Resolution 2690, by  
23 Leader Andrea Stewart-Cousins, read it in its  
24 entirety, and recognize Leader Stewart-Cousins on  
25 the resolution.

1                   ACTING PRESIDENT BENJAMIN:     The  
2     Secretary will read.

3                   THE SECRETARY:     Senate Resolution  
4     2690, by Senator Stewart-Cousins, memorializing  
5     Governor Andrew M. Cuomo to proclaim  
6     February 2020 as Black History Month in the State  
7     of New York.

8                   "WHEREAS, Black History Month,  
9     previously known as Negro History Week, was  
10    founded by Dr. Carter G. Woodson, and was first  
11    celebrated on February 1, 1926; since 1976, it  
12    has become a nationally recognized month-long  
13    celebration, held each year during the month of  
14    February to acknowledge and pay tribute to  
15    African-Americans neglected by both society and  
16    the history books; and

17                  "WHEREAS, The month of February  
18    observes the rich and diverse heritage of our  
19    great state and nation; and

20                  "WHEREAS, Black History Month seeks  
21    to emphasize black history is American history;  
22    and

23                  "WHEREAS, Black History Month is a  
24    time to reflect on the struggles and victories of  
25    African-Americans throughout our country's

1 history and to recognize their numerous valuable  
2 contributions to the protection of our democratic  
3 society in war and in peace; and

4 "WHEREAS, Some African-American  
5 pioneers whose many accomplishments, all of which  
6 took place during the month of February, went  
7 unnoticed, as well as numerous symbolic events in  
8 February that deserve to be memorialized  
9 include: John Sweat Rock, a noted Boston lawyer  
10 who became the first African-American admitted to  
11 argue before the U.S. Supreme Court on  
12 February 1, 1865, and the first African-American  
13 to be received on the floor of the U.S. House of  
14 Representatives; Jonathan Jasper Wright, the  
15 first African-American to hold a major judicial  
16 position, who was elected to the South Carolina  
17 Supreme Court on February 1, 1870; President  
18 Abraham Lincoln submits the proposed 13th  
19 Amendment to the U.S. Constitution, abolishing  
20 slavery, to the states for ratification on  
21 February 1, 1865; civil rights protester Jimmie  
22 Lee Jackson dies from wounds inflicted during a  
23 protest on February 26, 1965, leading to the  
24 historic Selma, Alabama, civil rights  
25 demonstrations, including Bloody Sunday, in which

1     600 demonstrators, including Martin Luther King,  
2     Jr., were attacked by police; Autherine J. Lucy  
3     became the first African-American student to  
4     attend the University of Alabama, on February 3,  
5     1956; she was expelled three days later 'for  
6     her own safety' in response to threats from a  
7     mob; in 1992, Autherine Lucy Foster graduated  
8     from the university with a master's degree in  
9     education, the same day her daughter, Grazia  
10    Foster, graduated with a bachelor's degree in  
11    Corporate finance; the Negro Baseball League was  
12    founded on February 3, 1920; Jack Johnson, the  
13    first African-American World Heavyweight Boxing  
14    champion, won his first title on February 3,  
15    1903; and Reginald F. Lewis, born on December 7,  
16    1942, in Baltimore, Maryland, received his law  
17    degree from Harvard Law School in 1968, and was a  
18    partner in Murphy, Thorpes & Lewis, the first  
19    black law firm on Wall Street, and in 1989, he  
20    became president and CEO of TLC Beatrice  
21    International Food Company, the largest  
22    black-owned business in the United States; and  
23                "WHEREAS, In recognition of the  
24    vast contributions of African-Americans, a joyful  
25    month-long celebration is held across New York

1 State and across the United States, with many  
2 commemorative events to honor and display the  
3 cultural heritage of African-Americans; and

4 "WHEREAS, This Legislative Body  
5 commends the African-American community for  
6 preserving, for future generations, its  
7 centuries-old traditions that benefit us all and  
8 add to the color and beauty of the tapestry which  
9 is our American society; now, therefore, be it

10 "RESOLVED, That this Legislative  
11 Body pause in its deliberations to memorialize  
12 Governor Andrew M. Cuomo to proclaim February  
13 2020 as Black History Month in the State of  
14 New York; and be it further

15 "RESOLVED, That copies of this  
16 resolution, suitably engrossed, be transmitted to  
17 the Honorable Andrew M. Cuomo, Governor of the  
18 State of New York, and to the events  
19 commemorating Black History Month throughout  
20 New York State."

21 ACTING PRESIDENT BENJAMIN:  
22 Majority Leader Stewart-Cousins on the  
23 resolution.

24 SENATOR STEWART-COUSINS: Thank you  
25 so much, Mr. President.



1                   And I want to thank Rabbi Yisroel  
2 Kahan for your prayer today. It's good to see  
3 you, from my native -- my neighbor, as we're  
4 Westchester County and I know you're Rockland.

5                   And, Mr. President, every year I'm  
6 proud at this time to honor African-American  
7 culture and history during this special month.  
8 Not only because I'm African-American, but  
9 because it shines a light on American history.  
10 And again, I recognize the rabbi because my  
11 remarks have so much to do with what's gone on  
12 over the past couple of months.

13                  You know, over these past few months  
14 our state and country reeled following the  
15 horrific acts of antisemitism, and some  
16 unfortunately by African-Americans. And I was  
17 repeatedly asked at menorah lightings why was  
18 there not more attention paid to the shared  
19 experiences of the black and Jewish communities  
20 in the struggle for justice.

21                  You know, I knew that Dr. King's  
22 1965 march on Selma was significant for so many  
23 reasons, but also because he linked arm in arm  
24 with Rabbi Heschel, forcing the nation to  
25 acknowledge the exclusion of black Americans from

1 the equality promised in our Constitution.

2 I was acutely aware of the critical  
3 involvement of the Jewish community in the  
4 founding of the NAACP, which happened right here  
5 in New York.

6 And I also knew of Dr. King's  
7 unequivocal and outspoken support of Jewish  
8 people as he rebuked Hitler. Dr. King famously  
9 said, and I quote, "We should never forget that  
10 everything Adolf Hitler did in Germany was legal,  
11 and everything the Hungarian freedom fighters did  
12 in Hungary was illegal. It was illegal to aid  
13 and comfort a Jew in Hitler's Germany. Even so,  
14 I'm sure that had I lived in Germany at the time,  
15 I would have aided and comforted my Jewish  
16 brothers."

17 Sadly, it was shared oppression,  
18 dehumanization and marginalization that brought  
19 together blacks and Jews in a struggle to make  
20 America and the world recall and condemn  
21 injustice and inequality.

22 So with that thought, I asked my  
23 friend and Jewish Senator Shelley Mayer, whose  
24 district is intertwined with mine, to work with  
25 me on an educational project. She agreed, and

1 because it is an educational endeavor, we engaged  
2 one of the schools where we shared mutual  
3 constituents.

4           The meeting at the school took  
5 place, and I was amazed that there was a  
6 discussion about whether or not we should  
7 actually celebrate Black History Month at all.  
8 You have some kids who argue it's insulting that  
9 the accomplishments of blacks are relegated to  
10 one month, and the information was very often  
11 redundant -- same names, same stories.

12           In the end, we assured them that  
13 although this was being initiated during Black  
14 History Month, it was an important enough  
15 project, an important enough subject matter to be  
16 shared long after the month, because the  
17 achievements of black America and the  
18 partnerships because of our belief in the  
19 democracy and the ideals of this country are  
20 very, very important.

21           So I'm personally grateful to  
22 Dr. Carter G. Woodson for his insistence on  
23 setting aside the month of February. As was said  
24 in the resolution, it was initially a week, but  
25 it was February because it celebrated the birth

1 of Abraham Lincoln and the birth of Frederick  
2 Douglass. That's why February was named.

3 And it was important to really  
4 acknowledge the accomplishments of a community  
5 who, in our founding documents, were classified  
6 as three-fifths of a person. That thinking  
7 allowed for the systemic exclusion and  
8 appropriation of black contributions in America.  
9 And we are still battling that thinking in 2020.

10 As a nation, we should be told,  
11 reminded that blacks invented many of the things  
12 we use every day: That Garrett Morgan invented  
13 the technology for the traffic light, and  
14 Frederick Jones invented refrigerated trucks, and  
15 Sarah Boone invented the ironing board.  
16 Dr. Patricia Bath, more recently, groundbreaking  
17 cataract treatment through laser surgery.

18 We should hear the names of  
19 Sojourner and Harry and Ida and Shirley and  
20 Constance Baker Motley, who was the first  
21 African-American Senator who served in this  
22 chamber. We should hear about Martin and Malcolm  
23 and Frederick Douglass, who the president seemed  
24 to have thought was still alive last year.

25 Today, in a world teaming with

1 information and misinformation, it's sometimes  
2 hard for our new generation to imagine a time in  
3 America when black people were forbidden to read  
4 or, just a little more than 50 years ago, attend  
5 school with whites in the South. It's hard to  
6 imagine a time when black families were separated  
7 and sold off to work for other people's profits.  
8 Black History Month forces us to be reminded of  
9 these not-too-distant historic realities.

10 Black history also gives context to  
11 what we see today. When we see children  
12 separated from their families, when we see  
13 intergenerational poverty and over-incarceration  
14 of black and brown bodies, it is contextual.

15 Black History Month serves as a  
16 reminder that our stories are not always rooted  
17 in pain, but the story of African-Americans in  
18 America is also one of perseverance, ingenuity,  
19 strength, courage and resilience. We celebrate  
20 black history because black activism has helped  
21 pave the way for others, other minorities, to  
22 have equal opportunities here in America. Black  
23 history is American history. Its lessons, its  
24 partnerships should be learned and repeated and  
25 understood daily.

1                   When thinking about why it's  
2   important to celebrate Black History Month, I'm  
3   reminded of a quote by Alexis de Tocqueville:  
4   "The greatness of America lies not in being more  
5   enlightened than any other nation, but rather in  
6   her ability to repair her faults."  
7   African-American community has helped repair  
8   those faults.

9                   As we recognize Black History Month,  
10   I hope that we keep celebrating, keep leading,  
11   keep learning, keep advancing our march towards  
12   justice for all as we echo the resolve of our  
13   Jewish brothers and sisters: Never again.

14                  Thank you.

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

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

19                  That will be an incredibly difficult  
20   act to follow, Madam Leader. You set the tone  
21   for us in many ways in our conference, and I  
22   thank you so much for being you and also just  
23   being part of black history. You see, Black  
24   History Month isn't just about MLK, it's about  
25   ASC. In the other chamber it's about CEH. It's

1 about Velmanette Montgomery. It's about that  
2 three-fifths compromise that we spoke about.  
3 Now, three-fifths of the statewide leaders are  
4 African-American. That's the way we turn a  
5 three-fifths compromise on its head here in the  
6 State of New York.

7 It's about lifting every voice and  
8 singing. Only the first verse, though.

9 (Laughter.)

10 SENATOR BAILEY: Because you know  
11 what happens after the first verse of "Lift Every  
12 Voice and Sing." There's a lot of humming.

13 (Laughter.)

14 SENATOR BAILEY: It's knowing about  
15 those legendary names and their accomplishments,  
16 but it's also knowing about somebody named Sylvia  
17 Richardson Holder. Now, you might be wondering  
18 who Sylvia Richardson Holder -- and please don't  
19 Google her just yet.

20 June 22, 2015, from the Raleigh News  
21 & Observer, telling a story in pictures in  
22 Johnson County Revisited, the newest addition to  
23 Arcadia Publishing's Images of America series:  
24 "H. Smith Richardson of Vick Chemical Company  
25 reconnects in the 1940s with his family's aged

1     former slave, Sylvia Richardson Holder, who is  
2     said to have had a hand in concocting the VapoRub  
3     that became an American household name following  
4     World War I."

5                     Now, even while in slavery, people  
6     who were thought to be inferior, they came up  
7     with products that we use to this day. And I  
8     want to illustrate that we're not that far  
9     removed from slavery.

10                    Now, why is Sylvia Richardson Holder  
11    important to me? Well, Sylvia Richardson Holder  
12    was the mother of Cora Holder Bailey, the mother  
13    of U.T. Bailey, who was the father of J.T.  
14    Bailey, who was the father of Stanley Bailey, who  
15    was my father. My great-great-great-grandmother  
16    was a slave -- 117 years old, born in 1835,  
17    passing away in 1952, a year before my father was  
18    born.

19                    We're not that far removed from  
20    slavery. So for those who like to say "Get over  
21    it," we're not that far removed from slavery.  
22    Not that many generations away.  
23    Great-great-great-grandmother.

24                    Now, I illustrate that brief family  
25    history not just to say that the Vick Company



1     probably owes us a little bit of money because my  
2     great-great-great-grandmother came up with  
3     VapoRub --

4                     (Laughter.)

5                     SENATOR BAILEY:     We're going to  
6     look into that, Mr. President.

7                     But plain and simple, black history  
8     is American history. There is no substitution,  
9     there is no difference. Black history and  
10    American history, period, point blank. People  
11    must learn about black history because you have  
12    to understand that in the fallacy of this  
13    post-racial America, we still suffer from the  
14    vestiges of slavery every day: Mass  
15    incarceration, food insecurity, lack of  
16    healthcare, subpar education. And these all stem  
17    from slavery.

18                    You see, if anybody is interested,  
19    we can speak later. And I have her birth  
20    certificate here. Very interesting to see how we  
21    were considered in that day and time. Colored.  
22    Negroid. Bills of sale. Bills of sale of  
23    humans, a hundred and some years ago. We are not  
24    that far removed.

25                    So on a lighter note, I asked my

1 father and many people in my family group chat --  
2 and those of us who have family group chats, we  
3 know how they can get. So I asked, What does  
4 black history mean to you?

5 My father: It's the recognition  
6 that black people -- their history, their culture  
7 and their blood, sweat and tears -- are  
8 inextricably woven into the fabric of America's  
9 past, present and future.

10 My aunt Barbara: After teaching for  
11 over 30 years, I've concluded that since the  
12 majority of my students were black, and that most  
13 of the grandparents had a Southern background, I  
14 thought that I should have been preaching to the  
15 choir. Black History Month should be a black  
16 studies course that is taught starting in middle  
17 school and part of the curriculum at all grade  
18 levels, so that people of all backgrounds will  
19 learn of the contributions that we made to  
20 building this country.

21 Black history, to me, is my  
22 ancestors, like Sylvia Richardson Holder, born a  
23 slave but persevered to be over a hundred years  
24 old. Black history is now and will be engrained  
25 in this country whether people accept us or not.

1                   You see, even if you don't directly  
2     see the struggle, we all have a front row seat.  
3     Twenty-one years ago on this date, Amadou Diallo  
4     was taken away from us, because he was black and  
5     had a wallet.

6                   Today is Rosa Parks' birthday,  
7     another leader in the civil rights movement that  
8     we speak about. We're grateful for her small  
9     action that became so big in our society.

10                  Speaking of front row seats, on the  
11     heels of the Super Bowl, when we wonder why 12  
12     black quarterbacks started games in the NFL this  
13     year -- a unanimous MVP of the regular season,  
14     the Super Bowl MVP and an offensive coordinator  
15     who helped win the Super Bowl -- but not one  
16     person of color got a head coaching job this  
17     whole season. That's a problem. So we've tried  
18     just speaking up. Because as Brother Malcolm put  
19     it: Education is our passport to the future, for  
20     tomorrow belongs to the people who prepare for it  
21     today.

22                  Now, education isn't just  
23     traditional education, it's about knowledge,  
24     knowledge of the role that black folks played in  
25     our society. As I often do, I learn every day,

1 Mr. President, I learn through the lens of my  
2 daughters. So here's today's Giada and Carina  
3 moment.

4                   So I'm in the car the other day, and  
5 I'm saying, "Hey, Giada, Black History Month is  
6 coming up in school, you're going to start  
7 learning things." And she's like: "Well, what's  
8 that?" And she goes, "I think I heard something  
9 about it," on YouTube or Nick Jr. or Disney Jr.  
10 or one of these channels. I'm like, "All right.  
11 Well, one, you have too much screen time. We've  
12 got to cut that down. And the second thing is  
13 I'm going to explain to you what it is."

14                   I said, "Black History Month is  
15 where we celebrate the accomplishments of great  
16 African-Americans who have affected history."  
17 And without skipping a beat, she says: "Dad,  
18 like me?" "Absolutely like you." So Carina is  
19 there, and Carina is not going to be outdone.  
20 "Me too, Dad. I'm great."

21                   So obviously me and my wife aren't  
22 Nick Jr., but we're doing something okay.

23                   (Laughter.)

24                   SENATOR BAILEY: Our kids are that  
25 passport to the future that we spoke about, that

1 Malcolm X spoke about.

2           And then she said, "Well, are there  
3 other great African-Americans?" So we go down a  
4 list of people, and she's like, "Well, what about  
5 Pa?" That's my dad. "Yeah." "What about  
6 Grandma?" "Sure." So for the next 15 minutes  
7 she starts naming everybody that she knows that's  
8 a great African-American person. Because in her  
9 mind, we're all great.

10           And that's the message that we  
11 should be learning about in Black History Month.  
12 We all have greatness within us. Some people's  
13 greatness is in certain areas, while others are  
14 great in others. But there is greatness in all  
15 of us.

16           And it is incumbent upon us to have  
17 Black History Month so that people understand not  
18 only the struggle, but the triumph thereafter.  
19 And we still have lots of firsts coming up.  
20 We've done so much, but there's still so much  
21 more to do.

22           I'm grateful for this opportunity to  
23 sit in this body. I'm grateful for Black History  
24 Month. And even though I can't sing, we lift  
25 every voice and sing.

1                   Thank you, Mr. President.

2                   ACTING PRESIDENT BENJAMIN:

3                   Senator Sanders on the resolution.

4                   SENATOR SANDERS:    I ask you,  
5                   Mr. President, to never have me go in back of my  
6                   colleague.  But I'm back, I must go.

7                   I want to thank our leader for  
8                   understanding and -- understanding the necessity  
9                   of this, and I applaud her for this resolution.

10                  Mr. President, I have faith in  
11                  America.  I have a great faith that one day we're  
12                  going to get it right and we're going to be at  
13                  such a place where these curriculums of everybody  
14                  is finally going to be put into one complete book  
15                  on American history.  I have faith that that day  
16                  will come.  That day, sadly, is not today.  But I  
17                  have faith that that day will come.

18                  I still think that we're not so far  
19                  from Arturo Schomburg.  You may know the name;  
20                  he's the creator of the Schomburg Library,  
21                  arguably the greatest library on black history in  
22                  the world, who got into it because his teacher  
23                  told him that "You blacks have no history, none  
24                  at all."  And he set out to collect and disprove  
25                  that notion.  So we're not that far from it where

1 Carter G. Woodson was able to create such a day.

2 But as my colleague before me said,  
3 black history is American history. And American  
4 history is black history. You cannot fully  
5 understand American history -- it's like trying  
6 to understand American history without looking at  
7 George Wa -- Wa -- George Wallace? Mm. Him too.  
8 Yes, him too -- George Washington, Alexander  
9 Hamilton. Imagine trying to understand American  
10 history and taking out all of these people. You  
11 cheat yourself. You'll never get the idea right.

12 In fact, I'll show it to you real  
13 quickly. Everyone -- as my colleague said, this  
14 is the birthday of Rosa Parks. Everyone has seen  
15 that famous picture of Rosa Parks sitting in the  
16 bus not moving, and standing up by sitting down.  
17 But if you look at that picture carefully, you'll  
18 see a white gentleman sitting right behind her.  
19 Careful, now. That white guy was from New York,  
20 for one. He just happened to be on the bus. And  
21 he stayed on the bus to make sure that she wasn't  
22 beaten to a pulp. He's actually a Jewish  
23 gentleman, also. He stayed on the bus to just  
24 make sure.

25 You see, by focusing on one, you

1 have to look at the whole. This is true American  
2 history, the history of all of us, if you read,  
3 if we just are taught right, which we're not.

4 I contend that by just looking at  
5 it, if you scratch a Nazi, you're going to find a  
6 racist. If you scratch a racist, you're going to  
7 find a Nazi. Those types of thinking go  
8 together. We beat the Nazis once; we'll beat  
9 them again, if need be. I'm talking America.  
10 And the world, for that matter, but I'm talking  
11 America.

12 You see, we have to learn so that we  
13 don't repeat these errors over and over. Had the  
14 world population stopped the fascists when they  
15 were invading Ethiopia and now Namibia, we might  
16 not have had the Holocaust.

17 We are in all this together. We  
18 don't have a choice here. We have to share this  
19 planet. Therefore, we need to understand that.

20 I know that one day we're going to  
21 have the ability to get real American history so  
22 that we can have a real American future. That  
23 day seems troubled today, Mr. President, as I  
24 conclude. That day seems troubled today while we  
25 have so many people dividing us and finding ways



1 to say who is an American and who is not. And  
2 that becomes so ever-more picayune.

3 I will say this. I have faith in  
4 the youth of America. I have faith that by  
5 understanding history -- and I encourage all of  
6 us to study everyone's history. Start with black  
7 history, but everyone's history and their  
8 contribution to America. And by then, we can  
9 really claim the great distinction of being part  
10 of the American family.

11 Thank you very much, Mr. President.

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

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

16 I rise to thank our leader, the  
17 Majority Leader of the Senate, Senator Andrea  
18 Stewart-Cousins, a historic figure in her own  
19 right, as the first woman leader of this house,  
20 for bringing forth this annual resolution.

21 I also rise to declare that Black  
22 History Month is February, but black history is  
23 made every day, 365, 24/7. Our history is being  
24 made each and every day here in New York State  
25 and around the world.

1                   But the month of February being  
2           designated as Black History Month provides us an  
3           opportunity to reflect on our history,  
4           particularly on the struggles that we have all  
5           endured, and how we as black Americans as a  
6           collective, as we as immigrants as a collective,  
7           remain resolute in our fight for freedom,  
8           justice, and basic fairness throughout centuries.

9                   Often we highlight notable  
10          individuals who have risen to great heights in  
11          academia, government, business, athletics,  
12          entertainment and other fields. My district,  
13          Southeast Queens in particular, has been home to  
14          some of the iconic names in black history:  
15          W.E.B. Dubois, Ella Fitzgerald, Count Basie, John  
16          Coltrane, Eddie "Lockjaw" Davis, Jackie Davidson,  
17          Jackie Robinson, Lena Horne, LL Cool J,  
18          Run-D.M.C., to name a few.

19                   I could keep going, because we have  
20          a lot of product in Southeast Queens, and product  
21          that's happening every day. In fact, I met two  
22          young people today that get up at 4:30 in the  
23          morning just to get from one part of Queens to  
24          another part because they want to be the next  
25          black heroes of our time.

1                   Often we have a lot of local heroes  
2     in Queens -- civil rights leaders like Stokely  
3     Carmichael and Roy Wilkins, who was a Queens  
4     resident; tennis player and coach William (Bill)  
5     Briggs; Human Rights Commissioner for New York  
6     City Kenneth Drew; the dean of Southeast Queens,  
7     Archie Spigner, one of the first black  
8     entrepreneurs citywide; Larry Cormier, who we  
9     lost this year. We had our own Erin Brockovich,  
10    who we lost this year, Linda Hazel, who pointed  
11    out that the Jamaica water supply was  
12    contaminated before anybody knew it and saved  
13    thousands of people's lives because now Southeast  
14    Queens is being taken care of by city water  
15    instead of Jamaica water. And my personal angel,  
16    Dorothy Harvey, who made sure that I got elected  
17    when I first ran for office.

18                  They are just indicative of the  
19    thousands of people in my district that have  
20    transformed lives and lifted entire communities  
21    through their commitment to the success of  
22    younger generations behind them.

23                  We take pride in the accomplishments  
24    of our ancestors as well as our brothers and  
25    sisters today, because we know that in our

1 society black women and black men invariably must  
2 work harder in order to achieve equal  
3 recognition. We similarly take pride in our own  
4 accomplishments and those of our forebears and  
5 our grandparents and those before us because they  
6 too struggled to build our communities, provide  
7 for us, and leave us with more opportunity than  
8 they were ever given.

9 I'm proud to represent one of the  
10 strongest African-American and Caribbean  
11 communities in the entire country. I have often  
12 said that I represent the best district in  
13 New York State --

14 UNIDENTIFIED SENATOR: Huh.

15 SENATOR COMRIE: "Huh" yourself.

16 (Laughter.)

17 SENATOR COMRIE: -- alongside other  
18 elected and community leaders who, despite the  
19 diversity of our backgrounds and upbringing,  
20 share a common history. My success and good  
21 fortune is only made possible by the community  
22 that I am so blessed to have been raised in and  
23 now represent here in Albany.

24 Highlighting the exemplary  
25 contributions of African-Americans shouldn't be

1 limited to one month. However, I think the best  
2 way to honor the history of African-American  
3 accomplishment is to continue to foster a climate  
4 in New York State that facilitates more black  
5 achievement in the future.

6           Passing stronger MWBE policy,  
7 mandating diversity in our schools and in the  
8 professional world, combating the systemic  
9 economic inequality that continues to hamper the  
10 financial well-being of black families are ways  
11 that we can do this every day of the year.

12           I also want to take time and thank  
13 the Governor for allowing a commission to  
14 research the 400 years of history in New York  
15 State to come forward. I'm glad of the fact that  
16 he wanted to own the commission and take  
17 responsibility for making sure that we move  
18 around the state and find out our history, that  
19 we can talk to every part of New York State and  
20 find out those people that we're part of, making  
21 sure that New York had a black history.

22           New York, as you know, was part of  
23 the movement to move people from the South to the  
24 North. We have burial grounds. We have people  
25 that were part of this history that we need to

1 highlight and illuminate, hopefully eventually in  
2 our school curriculum in New York State. So I  
3 want to take time to thank the Governor for  
4 allowing that to happen.

5 I hope this month that we will all  
6 take time to reflect on the distinct, important,  
7 and sobering history of people throughout our  
8 state and our country and celebrate the unbounded  
9 contributions of black people past and present.

10 Thank you, Mr. President.

11 ACTING PRESIDENT BENJAMIN:

12 Senator Parker on the resolution.

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

15 Ladies and gentlemen, we've actually  
16 reached that part of the program where  
17 essentially everything has been said, but not  
18 everybody has said it.

19 (Laughter.)

20 SENATOR PARKER: But let me just  
21 associate myself with all of the comments that  
22 were made today. I think that they're really  
23 important. I'm going to keep my comments  
24 relatively short, particularly given me and my  
25 penchants for hyperbole.

1                   That being said, this is a really  
2     important month for not just African-Americans,  
3     but for America -- and really not even just for  
4     America anymore, but really for the world, a time  
5     in which we remember the achievements of people  
6     of African descent.

7                   One of the first things to remember  
8     about Black History Month or African-American  
9     History Month, that it's not just about the  
10    accomplishments of people of African descent once  
11    they've reached the New World. That the history  
12    of people of African-American descent doesn't  
13    begin in 1619 in Jamestown, Virginia, but begins  
14    on the continent of Africa. That it's important  
15    when you start to study the history of  
16    African-American people that you remember that  
17    people of African descent were the first people  
18    on this earth. Not saying they're better, just  
19    first.

20                  So when you look at Australopithecus  
21    pithecus, the very first humanoid that they ever  
22    found, found on the continent of Africa. But  
23    what's important is not that the first person is  
24    found there, but the last person is also found  
25    there. So when you see Homo sapiens sapiens,

1 they're also first found on the continent of  
2 Africa.

3           Then Africa becomes important  
4 because it is the cradle of civilization. Then  
5 it becomes the beginning of everything that we  
6 understand about politics, economics, science,  
7 mathematics, astrology, astronomy, architecture.  
8 It all began on the continent of Africa.

9           And so that when you see people  
10 talking about, you know, people were slaves --  
11 and I'm going to disagree with my colleague  
12 Senator Bailey for a minute, because his  
13 great-great-great-grandmother, you know, wasn't a  
14 slave. She was an African person who happened to  
15 be in bondage. Slavery is a mentality. And I  
16 would put forward to this body that African  
17 people never were slaves. Yes, you know, forced  
18 into bondage, forced into servitude, but always  
19 kept the spirit to fight.

20           And so we call on the spirit now of  
21 Nat Turner and Denmark Vesey and Gabriel Prosser  
22 and all those unknown and unheard people who  
23 fought their captors tooth and nail from the very  
24 moment. And that you saw within the context of  
25 the slave trade, right, a beginning of what's



1     called the Maafa -- or, if you want to, in  
2     American terms, the African Holocaust -- where  
3     roughly 200 million people were killed during the  
4     transporting of people into bondage. Two hundred  
5     million. And that's a conservative estimate.

6             That we understand the notion of  
7     holocaust, as we start connecting with our Jewish  
8     brothers and sisters, the notion of holocaust --  
9     not just of what happened in Germany and Poland  
10    and other parts of Europe, but understand it as a  
11    moral description, not a specific event. Because  
12    there have been many people who have gone through  
13    holocausts. And we have to understand in those  
14    contexts that what happened to Jews in that  
15    period and what happened to African people in  
16    that period has also happened to Native  
17    Americans, and can also happen to other people.  
18    That if we forget this month to remember the  
19    lessons of history, we're doomed to repeat them.

20            One of the things that's important  
21    about this month is we reach into our cultural  
22    ethos and we bring forward a symbol, out of  
23    Ghana, of a bird looking backwards. That symbol  
24    is called Sankofa. And Sankofa is the notion --  
25    it literally means -- Sankofa, in Twi, among the

1     Akan people in Ghana, literally means "to go  
2     fetch."   Right?

3                     But the notion, as my father would  
4     say all the time, he says, How do you know where  
5     you're going if you don't know where you've been?  
6     Right?   How do you know where you're going if you  
7     don't know where you've been?   And if you don't  
8     know where you're going, any road will take you  
9     there.

10                    That during African-American History  
11    Month we're called on as a people to remember  
12    this history and remember, as we study it -- and  
13    I'm not just talking about people back in the  
14    Senate, I mean all of us in this chamber, as we  
15    study the history of people of African descent,  
16    we are studying all of our history.   Because  
17    there is no place in this world that African  
18    people haven't impacted the development of the  
19    culture.

20                    Some of you should check out a  
21    brother named Ivan Van Sertima, who wrote several  
22    books:   African Presence in Early Asia, African  
23    Presence in Early Europe, African Presence in  
24    Early South America -- sorry, in the Americas.  
25    Right?   They Came Before Columbus, we can go on

1 and on. Right?

2 But there's no place in which there  
3 hasn't been an impact. Not to mention the things  
4 that we've talked about in this chamber all the  
5 time. There's only been two major musical forms  
6 developed, you know, in the beginning of the  
7 development of this country, right, jazz and  
8 hip-hop, both out of the African ethos.

9 And so we remember Carter G.  
10 Woodson, who in 1926 took his organization, the  
11 Association for the Study of Negro Life and  
12 History, and took the work that he had spent his  
13 life working on, the Journal of Negro History,  
14 and began as a week, just as a beginning, just to  
15 say, look, we've got to start talking about this.  
16 Because even at that point people were talking  
17 about African people like they were tabula rasa;  
18 that is, blank slates. Right?

19 Like we forget that the greatest  
20 evil that was done by people to African people  
21 here in this world was to tell them that they had  
22 no history, they had no culture, that they come  
23 from nothing, that they were less than human.  
24 Right? We look at works of anthropology like --  
25 you know, many people who have studied

1 anthropology don't know that literally that the  
2 field of anthropology was actually created as a  
3 scientific justification of the enslavement of  
4 African people.

5           It actually began with skull  
6 capacity tests in which they put seeds in  
7 different skulls, took a black skull, took a  
8 white skull, put smaller seeds in the white skull  
9 and then counted the seeds and said there were  
10 more seeds in the white skull and thus there was  
11 a greater cranial capacity and thus more  
12 intelligence, and then used the inverse to say  
13 that African people were less than human.

14           We've got to remember that history,  
15 because that becomes the basis, right, that fake  
16 history and that fake science becomes the basis  
17 of how we create public policy.

18           And so we study this month to  
19 remember who we are -- not just where we came  
20 from, but to understand where we're going. To  
21 understand that history is just the documentation  
22 of culture, of the development of culture, and  
23 that culture is nothing but the living  
24 manifestation of our history.

25           And I think that we will find, as

1 many of us find as we talk to each other in this  
2 room, that as we understand this history, that  
3 there's actually far more that binds us than  
4 divides us.

5                   And so I challenge us all to spend  
6 some time this year studying this particular  
7 culture and this particular history, because I  
8 think that this becomes the basis for us to  
9 understand a lot of things about ourselves no  
10 matter where we are. Because there's no place in  
11 which we don't find that people of African  
12 descent have impacted those places or the  
13 development of American life and culture.

14                   And so my particular thanks to the  
15 leader today for bringing this resolution  
16 forward, and certainly her comments were  
17 expansive and exhaustive.

18                   And I'm looking forward to the  
19 continued work that we do in this chamber to  
20 continue to honor the history of people of  
21 African descent and to make sure that everyone  
22 has an opportunity to live their lives and to  
23 continue a history that rejects the oppression  
24 that we have seen amongst people across the  
25 state.

1                   Thank you, Mr. President.

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

4                   SENATOR JACKSON:     Well, I'm told I  
5 must filibuster until tomorrow morning, so get  
6 ready. Joking. Joking.

7                   (Laughter.)

8                   SENATOR JACKSON:     But seriously,  
9 with regards to the resolution and celebration of  
10 Black History Month, I want to give you a little  
11 story about myself and my family. And it's not  
12 going to take long, seriously.

13                   I'm still trying to find the history  
14 of my family. So I go on all of the census  
15 documents and what have you. My daughter, my  
16 oldest daughter, is helping me. And so we have  
17 traced our family back about five generations  
18 into Athens, Georgia.

19                   And if you know anything about  
20 Athens, Georgia, going way back -- that's the  
21 University of Georgia right now. But going way  
22 back, you had a family, especially brothers, and  
23 their last name was Willingham. And that was my  
24 family's last name, Willingham. And Willinghams  
25 married into Jackson, and so that's why my name

1 is Jackson.

2 My grandmother died at 22 years of  
3 age during childbirth in Athens, Georgia. And so  
4 my mother, who was 6 years old at the time, and  
5 her younger sister, an aunt from Chicago came  
6 back and took them to Chicago. And then an aunt  
7 from New York went to Chicago and brought my  
8 mother to New York, and that's how we winded up  
9 there.

10 But also, going back as far as  
11 looking at the census data to 1940, '30, '10,  
12 1900, 1860, they only listed the owners and just  
13 put the slave was either a female or a male, and  
14 an approximate age. So you didn't know who it  
15 was. And so even when doing some research trying  
16 to find out where my mother was when I took my  
17 daughter to apply for Spelman University down in  
18 Georgia, I went to the city of Atlanta, Georgia,  
19 and asked them to look up information about my  
20 mother's birth. They said, Okay, we have to go  
21 to the colored section, because that's what it  
22 was referred to at that time, the colored  
23 section, you know. We were not black, they  
24 referred to them as colored and other words that  
25 are not very positive. So they didn't find

1 anything.

2 But also in looking at where my  
3 grandmother is buried, she's buried at a colored  
4 cemetery in Athens, Georgia. And so the  
5 university students and the trustees, the third  
6 or fourth trustees that were involved with it,  
7 they said, We know where your grandmother -- the  
8 area where she was buried at, but we don't know  
9 her specific grave. And why? Because at that  
10 time when you're po' -- you know what "po'"  
11 means, right? When you're poor and you're black.  
12 Basically, if you weren't rich, then you were  
13 poor. And then from a Southern point of view,  
14 you don't say "poor," you say "po'."

15 They said at that time they put a  
16 stick in the ground with the name on it. So the  
17 stick is not there anymore. But they know the  
18 geographical area.

19 And then looking at my family, my  
20 great-aunt, my mother's aunt in Chicago -- my  
21 great-grandmother is buried in Chicago, because  
22 my great-aunt was, I guess, the oldest of the  
23 family, and they brought their mother to Chicago.  
24 And my great-uncle, who was a veteran of World  
25 War II, is buried there also. So I'm learning a



1 little bit about my history, you know, in that  
2 respect.

3 But I say to all of you that my  
4 nephew -- my brother Donald Jackson, his son is  
5 named Donald Jackson also. So he has a couple of  
6 kids and what have you. And he texts me one  
7 time, and let me just read you the text. He  
8 said: "Uncle Rob, your grand-niece had to write  
9 about a famous black person, so I told her she  
10 had a famous uncle."

11 And so this is a picture of her  
12 holding up a picture of me, and I'll read what  
13 she wrote: "My uncle is a New York State  
14 Senator, and he helps people in his community."  
15 That's what my great-niece wrote about me.

16 So I say all that to say that, loud  
17 and clear, as James Brown has said, "Say it loud,  
18 I'm black and I'm proud." So all of you should  
19 be proud of who you are and your family's  
20 history. And so all of us, in reality, are  
21 brothers and sisters of the human race. And  
22 that's what it is.

23 As-salamu alaykum means "peace be  
24 upon all of you." Thank you.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Myrie on the resolution.

2                   SENATOR MYRIE:    Thank you,  
3 Mr. President. I will be brief for as long as it  
4 takes.

5                   (Laughter.)

6                   SENATOR MYRIE:    No, in all  
7 seriousness, my colleagues have said this much  
8 more eloquently than I can.

9                   As we take this time to recognize  
10 the greatness of being black and being black in  
11 this country, I would remind everyone here in the  
12 chamber that we are still, as a people, under  
13 siege. For every white woman that dies of a  
14 pregnancy-related condition, 12 black women die.  
15 The number-one cause of death in young black men  
16 is homicide. We have a foreclosure crisis that  
17 hit the country pretty hard in 2008 that is still  
18 ravaging black communities today all over this  
19 state. And in New York City, we still have the  
20 most segregated school system in this entire  
21 country.

22                   So I would urge all of us, as we  
23 celebrate the greatness of being black, that we  
24 recognize the current pain and the current  
25 tragedy that it is to be black in this country,

1 and that we use that to bring our people up  
2 collectively and do it together.

3 So I want to thank the leader for  
4 bringing this resolution, and I want to thank my  
5 colleagues.

6 Thank you, Mr. President.

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

10 (Response of "Aye.")

11 ACTING PRESIDENT BENJAMIN:

12 Opposed?

13 (No response.)

14 ACTING PRESIDENT BENJAMIN: The  
15 resolution is adopted.

16 Senator Gianaris.

17 SENATOR GIANARIS: Mr. President,  
18 can we now take up Resolution 2661, by  
19 Senator Metzger, read that resolution in its  
20 entirety, and recognize Senator Metzger.

21 ACTING PRESIDENT BENJAMIN: The  
22 Secretary will read.

23 THE SECRETARY: Senate Resolution  
24 2661, by Senator Metzger, memorializing Governor  
25 Andrew M. Cuomo to proclaim February 22 through

1     29, 2020, as FFA Week in the State of New York.

2             "WHEREAS, It is the sense of this  
3     Legislative Body to support and promote the  
4     historic and significant observance of Future  
5     Farmers of America (FFA) Week in the State of  
6     New York; and

7             "WHEREAS, Attendant to such concern,  
8     and in full accord with its long-standing  
9     traditions, this Legislative Body is justly proud  
10    to memorialize Governor Andrew M. Cuomo to  
11    proclaim February 22-29, 2020, as FFA Week in the  
12    State of New York, in conjunction with the  
13    observance of National FFA Week; and

14            "WHEREAS, The FFA motto -- Learning  
15    to Do, Doing to Learn, Earning to Live, Living to  
16    Serve -- gives direction and purpose to those  
17    students who take an active role in succeeding in  
18    agricultural education and leadership; and

19            "WHEREAS, Growing from a handful of  
20    students from agricultural classes who came  
21    together to form Future Farmers clubs throughout  
22    the country in the 1920s, to an FFA membership of  
23    100,000 by 1935; today, the National FFA  
24    organization has more than 610,000 members in  
25    more than 7,600 chapters and encompasses all

1 50 states as well as Puerto Rico and the Virgin  
2 Islands; and

3 "WHEREAS, FFA develops members'  
4 potential and helps them to discover their talent  
5 through hands-on experiences, giving the tools  
6 to achieve real-world success; these members are  
7 future chemists, veterinarians, government  
8 officials, entrepreneurs, bankers, international  
9 business leaders, teachers, and premier  
10 professionals in many career fields; and

11 "WHEREAS, In the past year alone,  
12 New York FFA has experienced a 60 percent  
13 increase; they have been recognized as having the  
14 highest percentage of membership increase  
15 nationally in 2019; with 12 new chapters in that  
16 same year, that brings the total of new chapters  
17 in the last few years to 41 across New York; and

18 "WHEREAS, The U.S. Department of  
19 Education provides leadership and helps set  
20 direction for the FFA as a service to state and  
21 local agricultural education programs; and

22 "WHEREAS, In accomplishing its  
23 mission, FFA has made a positive difference in  
24 the lives of students by developing their  
25 potential for premier leadership, personal growth

1 and career success through agricultural  
2 education, promoting citizenship, volunteerism,  
3 patriotism and cooperation; and

4 "WHEREAS, Agricultural education and  
5 FFA ensure a steady supply of young professionals  
6 to meet the growing needs in the science,  
7 business and technology of agriculture; and

8 "WHEREAS, Agricultural education in  
9 New York affects and instructs students in all  
10 parts of the state, and through their efforts,  
11 the officers and members of New York FFA are  
12 achieving increased levels of national  
13 recognition for themselves, and their schools and  
14 communities, as well as New York agriculture; and

15 "WHEREAS, It is the custom of this  
16 Legislative Body to recognize and applaud the  
17 leaders of commerce and industry whose  
18 accomplishments contribute to the economic health  
19 and prosperity of the communities of the State of  
20 New York and to the quality of life of its  
21 people; now, therefore, be it

22 "RESOLVED, That this Legislative  
23 Body pause in its deliberations to memorialize  
24 Governor Andrew M. Cuomo to proclaim  
25 February 22-29, 2020, as FFA Week in the State of

1 New York; and be it further

2 "RESOLVED, That a copy of this  
3 resolution, suitably engrossed, be transmitted to  
4 the Honorable Andrew M. Cuomo, Governor of the  
5 State of New York."

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

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

10 With great pleasure I rise today to  
11 sponsor this resolution proclaiming February 22nd  
12 to 29th to be Future Farmers of America Week in  
13 the State of New York.

14 We have a lot to be proud of here in  
15 New York. As you heard in the resolution, we are  
16 leading the nation in membership gains in FFA.  
17 We nearly -- well, membership climbed in just  
18 three years from 4,300 to 7,000, which is a huge  
19 achievement.

20 I was very proud that my children's  
21 school district, the Rondout Valley School  
22 District, was one of 12 new FFA chapters in  
23 New York. Young women are increasingly in  
24 leadership roles in FFA across the state, and  
25 represent 45 percent of New York FFA members. We

1 have the statewide leadership here, and it looks  
2 like they represent about 50 percent. I think we  
3 have more work to do in this chamber; you're a  
4 model for us.

5 I want to mention I'm very proud  
6 this past year one of the FFA chapters in my  
7 district, the Delaware Academy, received the  
8 New York State Chapter of the Year Award from the  
9 New York State Agricultural Society in Grange for  
10 their diverse programing, from their maple  
11 sugaring and sap house enterprise, their advocacy  
12 for the dairy industry, to their school garden  
13 that contributes fresh vegetables to the school  
14 lunchroom, and their community service, raising  
15 nearly \$1500 for the local food bank to help  
16 address food insecurity.

17 FFA chapters across our state are  
18 giving back to their communities. They're so  
19 committed to agriculture, and they are our future  
20 leaders. As I've seen firsthand, FFA members  
21 demonstrate talent and dedication. And as  
22 Commissioner Ball has so rightly said, "New York  
23 FFA is clearly a model for the nation, shining  
24 the spotlight on the many strengths of New York  
25 agriculture. If these young agricultural leaders



1 are any indication, we can be assured that  
2 agriculture is in good hands in the State of New  
3 York."

4 I am so pleased that the leadership  
5 could join us today. Mr. President, I  
6 respectfully request that you extend them all the  
7 privileges and courtesies of the Senate.

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

11 (Response of "Aye.")

12 ACTING PRESIDENT BENJAMIN:  
13 Opposed?

14 (No response.)

15 ACTING PRESIDENT BENJAMIN: The  
16 resolution is adopted.

17 To our guests, I welcome you on  
18 behalf of the Senate. We extend to you all of  
19 the courtesies and privileges of this house.

20 Please rise and be recognized.

21 (Standing ovation.)

22 ACTING PRESIDENT BENJAMIN:  
23 Senator Gianaris.

24 SENATOR GIANARIS: Thank you. At  
25 the request of the sponsors, the two resolutions

1 we took up today are open for cosponsorship,  
2 Mr. President.

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

7 Senator Gianaris.

8 SENATOR GIANARIS: I now move to  
9 adopt the remainder of the Resolution Calendar.

10 ACTING PRESIDENT BENJAMIN: All in  
11 favor of adopting the Resolution Calendar please  
12 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: And can we now  
21 begin reading the calendar, but can we start with  
22 Calendar Number 330 and then proceed with the  
23 remainder from there.

24 ACTING PRESIDENT BENJAMIN: The  
25 Secretary will read.

1           THE SECRETARY:   Calendar Number  
2   330, Senate Print 4741B, by Senator Harckham, an  
3   act to amend the Mental Hygiene Law.

4           ACTING PRESIDENT BENJAMIN:   Read  
5   the last section.

6           THE SECRETARY:   Section 4. This  
7   act shall take effect on the 120th day after it  
8   shall have become a law.

9           ACTING PRESIDENT BENJAMIN:   Call  
10   the roll.

11           (The Secretary called the roll.)

12           ACTING PRESIDENT BENJAMIN:   Senator  
13   Harckham to explain his vote.

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

16           Today we announced the release of  
17   the report of our bipartisan Task Force on  
18   Opioids Addiction and Overdose Prevention. I  
19   want to thank all colleagues in the chamber who  
20   participated in a number of hearings and meetings  
21   all over the state.

22           We thank our leader, Andrea  
23   Stewart-Cousins, for empowering us to get  
24   together. And I certainly thanks my cochairs,  
25   Senator Carlucci and Senator Rivera.

1                   And one of the things that happens  
2                   in this process is that we met with hundreds of  
3                   advocates, hundreds of professionals, and we met  
4                   with hundreds of families and parents who had  
5                   been impacted by this crisis.

6                   And it's a pain that I can't even  
7                   imagine as a parent, to lose a child. And yet  
8                   all across this state are people who are turning  
9                   their grief into positive energy and making a  
10                  positive difference in their community and moving  
11                  the needle forward to help us address this  
12                  crisis.

13                 And we have a couple of people with  
14                 us today who have been exemplary role models and  
15                 pathfinders. And so with us today are Angela  
16                 Robertson and her daughter, Ashleah Canastraro,  
17                 and we also have Stephanie Marquesano from  
18                 The Harris Project. And Angela and Ashleah are  
19                 here in relation to the first bill. Stephanie,  
20                 who is from Lower Westchester, has really changed  
21                 the conversation about how we treat substance use  
22                 disorder and the need for co-occurring disorder  
23                 treatment at the same time.

24                 So if it's appropriate with you,  
25                 Mr. Chair, before we take up this bill, I would

1 just like colleagues to acknowledge and if you  
2 would, sir, offer them the privileges of the  
3 house.

4 Thank you, sir.

5 ACTING PRESIDENT BENJAMIN: To our  
6 guests, I welcome you on behalf of the Senate.  
7 We extend to you all of the courtesies and  
8 privileges of this house.

9 Please all rise and be recognized.

10 (Standing ovation.)

11 ACTING PRESIDENT BENJAMIN: Senator  
12 Harckham.

13 SENATOR HARCKHAM: Thank you.

14 So now as we speak on the law, this  
15 is a bill that was first brought to the chamber  
16 by Senator Ortt. Thank you for your work on  
17 this. And Senator Kennedy has done a great deal  
18 of work on this bill as well.

19 And what it does is it increases the  
20 formalized partnership between a treatment center  
21 and a family. And this came about because  
22 Stephen had signed his parents up, and another  
23 group, Friends of the Michaels, to receive  
24 information about his care, and didn't receive  
25 that information. And unfortunately, because the

1 family didn't have the information to act,  
2 Stephen passed away from an overdose.

3 And so we don't have any more  
4 Stephens, we thank you for your persistence in  
5 pursuing this law, and colleagues who wouldn't  
6 let this go and also kept pushing this bill.

7 This will require substance use  
8 providers, in consultation with the patient, that  
9 they -- if they agree to provide the names of  
10 people who are their caregivers and their  
11 support, when there are signs of relapse or risky  
12 behavior, they must inform them so that the  
13 families and the caregivers can be involved.

14 So I want to thank you for your  
15 persistence in everything that you've done, and  
16 I'm proud to vote aye on this.

17 Thank you.

18 ACTING PRESIDENT BENJAMIN: Senator  
19 Harckham to be recorded in the affirmative.

20 Senator Kennedy to explain his vote.

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

23 As I rise today I'd like to  
24 recognize, first of all, the sponsor of this  
25 legislation. Senator Harckham, thank you so much

1 for your leadership. Also to all of our  
2 colleagues that worked so hard to make this  
3 happen, and to Leader Andrea Stewart-Cousins for  
4 bringing this to the floor so expeditiously here.

5 I'd also like to recognize those  
6 folks that have already been identified for  
7 joining us here today in this session, people  
8 that are making a difference each and every day  
9 in the lives of those struggling with opioid  
10 dependency. Because, heartbreakingly, they  
11 personally understand these stories all too well.

12 Joining us again today is Angela  
13 Robertson, who lost her son Stephen Canastraro,  
14 who battled his own fight and for who this bill  
15 is named after. We also have Ashleah Canastraro,  
16 the sister of Stephen, and Stephanie Marquesano,  
17 the founder of The Harris Project.

18 Thank you all again, and welcome to  
19 the Senate chambers on this very auspicious day  
20 as we recognize your family and your son and his  
21 struggles.

22 The opioid epidemic has already  
23 claimed far too many lives. Through this bill  
24 we're passing here today in Stephen's memory,  
25 we're working to save lives. By passing this

1     legislation we're giving individuals in treatment  
2     the ability to identify people who can be  
3     notified in case of an emergency or when red  
4     flags arise, like missing critical appointments  
5     or drug screenings.

6                 This would have made a world of  
7     difference in Stephen's recovery story. In the  
8     days leading up to his death, he demonstrated  
9     warning signs of relapse, but his mother and  
10    other advocates were never notified. If this  
11    legislation were enacted then, Stephen's story  
12    may have ended differently. But instead, his  
13    mother and her incredible support team have  
14    committed themselves to making sure this doesn't  
15    happen to another individual -- individuals who  
16    have already been brave enough to take that first  
17    step towards sobriety, but who need support  
18    structures around them in order to stay on that  
19    steady path.

20                Last year Angela and her team,  
21    through her constant work in various recovery  
22    ministries, helped thousands of individuals  
23    looking for help. We must do our part to ensure  
24    that those who need it the most are given that  
25    opportunity and they're given the support that



1 they need in treatment and to stay on that path  
2 toward recovery. To Angela, Ashleah, and all of  
3 those that have been affected by this epidemic,  
4 this is one small step, but one step that we take  
5 today that we know will save lives and we know  
6 it's worth every single second of your work and  
7 your advocacy. And we recognize your entire  
8 family for everything that you've done to get us  
9 to this point.

10 And may Stephen rest in peace. And  
11 may the work that you have done in his memory  
12 save the lives that we intend to save with this  
13 law. Thank you once again for being here, and  
14 thank you to all my colleagues for supporting  
15 this legislation.

16 Mr. President, I vote aye.

17 ACTING PRESIDENT BENJAMIN: Senator  
18 Kennedy to be recorded in the affirmative.

19 Senator Ortt to explain his vote.

20 SENATOR ORTT: Thank you,  
21 Mr. President.

22 I'd like to thank the sponsor, my  
23 colleague Senator Harckham, for having the good  
24 sense and the leadership to pick up this bill.

25 You know, everyone in this chamber,

1 most people over the last several years,  
2 understand the opioid epidemic that we have faced  
3 here in New York State. And I'm proud to say  
4 that this body, on both sides of the political  
5 aisle, have supported significant measures that  
6 have absolutely, undoubtedly saved people's lives  
7 in the State of New York and in each of our  
8 communities.

9 But one of the things I always  
10 recognize when you meet with parents like Angela  
11 is that they're always looking for -- there's a  
12 resolution. Right? They want to make sure that  
13 their loved one did not die in vain, that they  
14 did not die for nothing, that their struggle  
15 means something. And even if they did not win  
16 their struggle, that perhaps someone else could  
17 win their struggle as a result of lessons  
18 learned.

19 I can remember when Angela was in my  
20 office, in my district office a couple of years  
21 ago now, and she told me her story. And it was  
22 heart-wrenching to listen to, but it was one of  
23 those moments that we all -- one of the reasons  
24 we all run for office, because you could clearly  
25 see that there was an issue and there was an

1 easily identifiable solution where we could  
2 actually do something to prevent future cases  
3 like Stephen's. And that's why we all serve, I  
4 think, in government, is to actually try to be  
5 part of the solution.

6           And at the end of the day, none of  
7 this would be possible if Angela hadn't had the  
8 courage to sit in my office alongside others,  
9 including Avi Israel, who many of you in this  
10 chamber know. But she told her story in my  
11 office, we put a bill together, and I'm proud to  
12 say we're going to pass a version of this bill  
13 for the second year in a row here in the Senate.

14           So I want to thank my colleague  
15 Senator Harckham, but I want to thank Angela for  
16 your courage and for your commitment to Stephen,  
17 but also your commitment to numerous other young  
18 people here in the State of New York whose lives  
19 could be saved because of your work and your  
20 actions. And it's really an honor to carry that  
21 torch and to work on behalf of people like  
22 Angela, and alongside on behalf of Stephen's  
23 memory, to get something done, which we are doing  
24 here today.

25           And I would certainly encourage my

1 colleagues in the Assembly to pass this bill, put  
2 it on the Governor's desk, let's get it signed,  
3 and we can save lives, continue to save lives,  
4 and try to end the scourge of the opioid epidemic  
5 here in New York State.

6 So Mr. President, thank you for your  
7 indulgence.

8 I vote aye.

9 ACTING PRESIDENT BENJAMIN: Senator  
10 Ortt to be recorded in the affirmative.

11 Announce the results.

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT BENJAMIN: The  
14 bill is passed.

15 THE SECRETARY: Calendar Number 64,  
16 Senate Print 1063A, by Senator Persaud, an act to  
17 amend the Mental Hygiene Law.

18 ACTING PRESIDENT BENJAMIN: Read  
19 the last section.

20 THE SECRETARY: Section 2. This  
21 act shall take effect on the 120th day after it  
22 shall have become a law.

23 ACTING PRESIDENT BENJAMIN: Call  
24 the roll.

25 (The Secretary called the roll.)

1                   ACTING PRESIDENT BENJAMIN:

2   Announce the results.

3                   THE SECRETARY:    Ayes, 61.

4                   ACTING PRESIDENT BENJAMIN:    The  
5   bill is passed.

6                   THE SECRETARY:    Calendar Number 65,  
7   Senate Print 2507, by Senator Kaplan, an act to  
8   amend the Mental Hygiene Law.

9                   ACTING PRESIDENT BENJAMIN:    Read  
10   the last section.

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

13                   ACTING PRESIDENT BENJAMIN:    Call  
14   the roll.

15                   (The Secretary called the roll.)

16                   ACTING PRESIDENT BENJAMIN:  
17   Senator Kaplan to explain her vote.

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

20                   We all recognize by now that our  
21   state is in crisis.  Addiction has touched every  
22   family, every school, and every community,  
23   particularly on Long Island.

24                   We've lost far too many innocent  
25   young souls to this disease.  And we've watched

1     our friends and family desperate to get help,  
2     having been repeatedly failed by a system that  
3     doesn't understand their struggle and doesn't  
4     provide them with the support that they need.

5                 I'm proud to stand here as a sponsor  
6     of this bill that will help break the cycle of  
7     addiction. And I'm proud to stand here as a  
8     member of this Senate Majority as we stand  
9     together and pass this sweeping agenda to combat  
10    the opioid crisis in New York.

11                And I want every New Yorker whose  
12    life has been touched by this crisis to know that  
13    we are doing everything we can to help, and we  
14    will continue to work tirelessly to fight  
15    addiction and help every New Yorker to achieve  
16    recovery.

17                Thank you. I vote in the  
18    affirmative.

19                ACTING PRESIDENT BENJAMIN:  
20    Senator Kaplan to be recorded in the affirmative.

21                Announce the results.

22                THE SECRETARY:    Ayes, 61.

23                ACTING PRESIDENT BENJAMIN:    The  
24    bill is passed.

25                THE SECRETARY:    Calendar Number 66,

1 Senate Print 4496A, by Senator Martinez, an act  
2 to amend the Mental Hygiene Law.

3 ACTING PRESIDENT BENJAMIN: Read  
4 the last section.

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

7 ACTING PRESIDENT BENJAMIN: Call  
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN:  
11 Senator Martinez to explain her vote.

12 SENATOR MARTINEZ: Good afternoon,  
13 Mr. President, and thank you.

14 As we all know, we have heard, we  
15 are in the middle of an opioid crisis, and many  
16 of us, if not all, have been impacted by this  
17 crisis.

18 This recovery living task force is a  
19 step in the right direction. What we have seen  
20 across the state, we have recovery homes -- well,  
21 they've been known as sober homes, and that's one  
22 of the reasons why I would like it to be known as  
23 recovery homes. Because the issue is these  
24 individuals that are in these homes are trying to  
25 recover from substance abuse and chemical

1 dependency.

2           And what we're seeing across the  
3 state is that these homes do not have the proper  
4 management, they do not have proper protocol, no  
5 guidelines in place to help someone recover. And  
6 that is the point of these homes, and we are not  
7 doing that. We have failed these individuals.  
8 We need to do our job.

9           Many will say, why a task force? We  
10 have to start somewhere. We have nothing in  
11 place for our recovery homes. And what we keep  
12 seeing is individuals leaving hospitals, going to  
13 the recovery homes, and then instead of going  
14 through the actual process of recovery, they're  
15 going and they're getting set back because there  
16 are drugs in the house, management is not there,  
17 there is nothing to help them out, and we are  
18 failing them.

19           This task force will charge these  
20 members to create a protocol on how these homes  
21 will be handled and further help these  
22 individuals who are fighting and struggling with  
23 chemical dependency.

24           So Mr. President, thank you for  
25 allowing me to speak on behalf of my bill, and I



1 encourage my colleagues to please support me on  
2 such an important task.

3 Thank you.

4 ACTING PRESIDENT BENJAMIN:  
5 Senator Martinez to be recorded in the  
6 affirmative.

7 Senator May to explain her vote.

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

10 I want to thank Senator Martinez for  
11 putting this bill forward.

12 In my district there is a family  
13 that created a foundation called Road to  
14 Recovery, because they sent their son to a home  
15 in Texas where he was able to really get the  
16 treatment that he needed and put him on the road  
17 to recovery. And now they fund other people who  
18 are suffering from addiction to go to this home  
19 in Texas to undergo the treatment that they get  
20 there.

21 It saddens me that we don't have --  
22 they're not sending them somewhere in New York.  
23 And I think this bill offers us an opportunity to  
24 look at models all around the country where  
25 things are being done better than they are in

1 New York, and potentially create the kinds of  
2 programs that we need here.

3 I vote aye.

4 ACTING PRESIDENT BENJAMIN: Senator  
5 May to be recorded in the affirmative.

6 Announce the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT BENJAMIN: The  
9 bill is passed.

10 THE SECRETARY: Calendar Number 67,  
11 Senate Print 4599, by Senator Parker, an act to  
12 amend the Mental Hygiene Law.

13 ACTING PRESIDENT BENJAMIN: Read  
14 the last section.

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

18 ACTING PRESIDENT BENJAMIN: Call  
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BENJAMIN: Senator  
22 Parker to explain his vote.

23 SENATOR PARKER: Thank you,  
24 Mr. President, to explain my vote.

25 This bill is important. As we've

1 heard through the day as we've been dealing with  
2 this issue of the opioid crisis and trying to  
3 address the myriad of issues that are going on in  
4 our communities, our communities and our state is  
5 in crisis. I've dealt with this before in the  
6 context of even my own personal family.

7           And so the issue around treatment is  
8 really, really critical. You heard  
9 Senator Martinez talk about in the context of her  
10 bill and what needs to happen.

11           The bill that I'm putting forward  
12 today -- and I'm thanking everyone here for their  
13 vote for -- is about a bill of rights for people  
14 who are in treatment. And this bill of rights,  
15 once this becomes law, will be posted around  
16 every facility that provides treatment as well as  
17 handed to people who come in to receive  
18 treatment.

19           The bill of rights should include --  
20 but not limited to -- that every patient has the  
21 right to participate in developing an  
22 individualized plan of treatment, to receive an  
23 explanation of services in accordance with that  
24 treatment plan, to fully be informed of the  
25 proposed treatment plan. They have the right to

1 object or to terminate treatment unless otherwise  
2 directed by a court order. They have a right to  
3 privacy in treatment and care for personal needs.  
4 They have the right of access to treatment  
5 records and to receive courteous, fair,  
6 respectful treatment that is appropriate to the  
7 individual's needs. And these are just some of  
8 the rights that they have.

9 It's going to be important that we  
10 uphold those and that we help people along as we  
11 fight our way out of this crisis.

12 Thank you, Mr. President. I vote  
13 aye.

14 ACTING PRESIDENT BENJAMIN: Senator  
15 Parker to be recorded in the affirmative.

16 Announce the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT BENJAMIN: The  
19 bill is passed.

20 THE SECRETARY: Calendar Number 68,  
21 Senate Print 5457, by Senator Harckham, an act to  
22 amend the Public Health Law.

23 ACTING PRESIDENT BENJAMIN: Read  
24 the last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT BENJAMIN: Call  
3 the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BENJAMIN:  
6 Announce the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT BENJAMIN: The  
9 bill is passed.

10 THE SECRETARY: Calendar Number 69,  
11 Senate Print 6650, by Senator Harckham, an act to  
12 amend the Mental Hygiene Law.

13 SENATOR GRIFFO: Lay it aside.

14 ACTING PRESIDENT BENJAMIN: Lay it  
15 aside.

16 THE SECRETARY: Calendar Number 71,  
17 Senate Print 3159A, by Senator Harckham, an act  
18 to amend the Insurance Law.

19 ACTING PRESIDENT BENJAMIN: Read  
20 the last section.

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

23 ACTING PRESIDENT BENJAMIN: Call  
24 the roll.

25 (The Secretary called the roll.)

1           ACTING PRESIDENT BENJAMIN:

2   Announce the results.

3           THE SECRETARY:    Ayes, 61.

4           ACTING PRESIDENT BENJAMIN:    The  
5   bill is passed.

6           THE SECRETARY:    Calendar Number  
7   133, Senate Print 7132, by Senator Stavisky, an  
8   act to amend the Education Law.

9           ACTING PRESIDENT BENJAMIN:    Read  
10   the last section.

11          THE SECRETARY:    Section 8.  This  
12   act shall take effect on the 180th day after it  
13   shall have become a law.

14          ACTING PRESIDENT BENJAMIN:    Call  
15   the roll.

16               (The Secretary called the roll.)

17          ACTING PRESIDENT BENJAMIN:  
18   Announce the results.

19          THE SECRETARY:    Ayes, 61.

20          ACTING PRESIDENT BENJAMIN:    The  
21   bill is passed.

22          THE SECRETARY:    Calendar Number  
23   171, Senate Print 5653A, by Senator Metzger, an  
24   act to amend the Public Health Law.

25          ACTING PRESIDENT BENJAMIN:    Read

1 the last section.

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

4 ACTING PRESIDENT BENJAMIN: Call  
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BENJAMIN:  
8 Senator Metzger to explain her vote.

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

11 First, I rise to thank my  
12 colleagues, Senators Harckham, Rivera and  
13 Carlucci, for their really superb leadership on  
14 the Joint Senate Task Force on Opioid Addiction  
15 and Overdose Prevention. They did truly  
16 outstanding work over these many months. The  
17 task force has gathered extremely valuable  
18 information and testimony from around the state  
19 and developed a truly meaningful package of  
20 legislation today to address substance use  
21 disorder and stem the opioid crisis plaguing our  
22 communities.

23 The communities in my district have  
24 been deeply affected by the crisis. I represent  
25 Ulster, Sullivan, Orange and Delaware Counties,

1 communities within them. They all face  
2 staggering opioid-related deaths that far exceed  
3 the state average. Ulster, Sullivan and Orange  
4 Counties, the opioid-related death rate is almost  
5 twice the state average.

6           The devastation this public health  
7 crisis has caused is almost beyond words.  
8 Parents losing their teenaged son or daughter,  
9 children losing their parents and placed into  
10 foster care, people losing their jobs, families  
11 becoming homeless. I don't think I have yet to  
12 meet someone who has not had a friend, a  
13 colleague, or a relative touched by the impacts  
14 of substance use disorder in some way. There's  
15 no doubt that the package of opioid legislation  
16 passed today will help save lives.

17           The bill I sponsor is intended to  
18 prevent the illegal overprescribing of opioids.  
19 Less than year and a half ago, in October 2018, a  
20 Staten Island doctor was arrested for doling out  
21 opioids to patients with visible signs of  
22 addiction without appointments, at all hours of  
23 the night, making them pay hundreds of dollars in  
24 cash for each prescription. On that same day he  
25 was charged, four other New York doctors were



1 charged with the same crime. Collectively, they  
2 had prescribed 8.5 million opioid pills to  
3 patients whose health and well-being they had  
4 sworn to protect.

5 I have the greatest respect for the  
6 medical profession and believe that these bad  
7 apples are exceptions to the rule, but we cannot  
8 afford any exceptions. They can cause outsized  
9 harm and can cost lives.

10 This bill affirmatively directs the  
11 Department of Health to periodically analyze data  
12 in the prescription monitoring program registry  
13 to see if any violations have occurred in the  
14 prescribing of controlled substances, and to take  
15 action on those violations. This is an important  
16 step that will help prevent abuse in our state.

17 I'm proud to participate in this  
18 package. I want to thank you all for your  
19 leadership again. This is an important day, and  
20 I vote aye.

21 Thank you very much.

22 ACTING PRESIDENT BENJAMIN:

23 Senator Metzger to be recorded in the  
24 affirmative.

25 Announce the results.

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT BENJAMIN: The  
3 bill is passed.

4 THE SECRETARY: Calendar Number  
5 172, Print 6397, by Senator Carlucci, an act to  
6 amend the Public Health Law.

7 ACTING PRESIDENT BENJAMIN: Read  
8 the last section.

9 THE SECRETARY: Section 3. This  
10 act shall take effect on the 120th day after it  
11 shall have become a law.

12 ACTING PRESIDENT BENJAMIN: Call  
13 the roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BENJAMIN:  
16 Announce the results.

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT BENJAMIN: The  
19 bill is passed.

20 THE SECRETARY: Calendar Number  
21 173, Senate Print 7102A, by Senator Benjamin, an  
22 act to amend the Public Health Law.

23 ACTING PRESIDENT BENJAMIN: Read  
24 the last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect on the 120th day after it  
2 shall have become a law.

3 ACTING PRESIDENT BENJAMIN: Call  
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT BENJAMIN:  
7 Announce the results.

8 THE SECRETARY: In relation to  
9 Calendar Number 173, those Senators voting in the  
10 negative are Senators Funke, Griffo, Helming,  
11 Jordan, Little, Ritchie and Serino. Also Senator  
12 Jacobs.

13 Ayes, 53. Nays, 8.

14 ACTING PRESIDENT BENJAMIN: The  
15 bill is passed.

16 THE SECRETARY: Calendar Number  
17 174, Senate Print 7115, by Senator Rivera, an act  
18 to amend the Public Health Law and the  
19 Education Law.

20 ACTING PRESIDENT BENJAMIN: Read  
21 the last section.

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

24 ACTING PRESIDENT BENJAMIN: Call  
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BENJAMIN:

3 Announce the results.

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT BENJAMIN: The  
6 bill is passed.

7 THE SECRETARY: Calendar Number  
8 183, Senate Print 6288A, by Senator Sepúlveda, an  
9 act to amend the Mental Hygiene Law.

10 ACTING PRESIDENT BENJAMIN: Read  
11 the last section.

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

14 ACTING PRESIDENT BENJAMIN: Call  
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT BENJAMIN: Senator  
18 Sepúlveda to explain his vote.

19 SENATOR SEPÚLVEDA: Thank you,  
20 Mr. President, for allowing me to explain my  
21 vote.

22 We've heard many discussions today  
23 about the failure of the opioid crisis and what  
24 we're dealing with. But what this bill does is  
25 deal with what happens when we fail with this

1 crisis, what happens to the individual. And  
2 generally speaking, they wind up incarcerated.

3 So, you know, we know that about  
4 60 percent of individuals that are incarcerated  
5 are dealing with some level of abuse, substance  
6 abuse. And what this bill does is going to  
7 require the state to provide an annual report on  
8 substance abuse disorder treatment programs in  
9 our facilities.

10 This data will include what  
11 substance abuse incarcerated individuals are  
12 commonly using. And the importance of that is  
13 that it will help us with treatment. It will  
14 help us understand how many individuals are  
15 receiving treatment and how we can provide them  
16 with the services while incarcerated so that when  
17 they come out, they don't return to drug use, to  
18 opioid use, hopefully can cure their addiction  
19 and become productive members of our society and  
20 won't return to prisons where the cost is over  
21 \$300,000 per inmate to support them there.

22 I think we could do a better use of  
23 our tax dollars by providing treatment and  
24 getting people out there to get jobs, to stay in  
25 their jobs and become taxpaying citizens.

1                   So this is crucial to raise  
2 awareness of our crisis. And let's raise it not  
3 only outside of prisons, but certainly inside of  
4 prisons where the need is greater.

5                   Thank you.

6                   ACTING PRESIDENT BENJAMIN:    Senator  
7 Sepúlveda to be recorded in the affirmative.

8                   Senator Little to explain her vote.

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

11                   I would just like to explain my  
12 vote, because I do believe that in our prisons we  
13 need more drug programs. And that's something  
14 that they are trying to do. Currently drug  
15 programs are given to inmates as they approach  
16 the time -- within three years, I believe it  
17 is -- of their first opportunity for parole.

18                   But the fact that we are getting  
19 drugs in our prisons is a problem. And it's a  
20 problem that corrections and the Department of  
21 Corrections is working on all the time. We have  
22 seven-day visitation in the maximum-security  
23 prisons. We have all kinds of ways of trying to  
24 see that drugs are not coming into the prisons.  
25 And yet they're still getting in.

1                   And the vendor program, which is one  
2                   that would say that in order to send a package to  
3                   someone, you want to send food and stuff to your  
4                   inmate -- and I have people who call my office  
5                   who have sons and daughters who are in prison, so  
6                   I emphasize with them tremendously. But their  
7                   fear, too, is that, you know, they need to be  
8                   protected from drugs while they are in prison.

9                   This vendor program, you would have  
10                  to go and you'd order what you wanted, buy it,  
11                  and the store itself would send it. But that has  
12                  been rejected, as have many of the things to try  
13                  to screen for drugs coming into the prisons.

14                  So I'd be glad to find a better way  
15                  to do it. I know Corrections would like to find  
16                  a better way to keep drugs out of the prisons --  
17                  I think we all would -- and have more drug  
18                  rehabilitation programs in prison.

19                  But this bill basically just  
20                  requires a lot more reporting, and they already  
21                  do a lot of reporting. But it's just a mandate  
22                  on them without any help to achieve the good  
23                  results that we're all looking for.

24                  Thank you. I vote no.

25                  ACTING PRESIDENT BENJAMIN:     Senator

1 Little to be recorded in the negative.

2 Announce the results.

3 THE SECRETARY: In relation to  
4 Calendar Number 183, those Senators voting in the  
5 negative are Senators Borrello, Funke, Helming,  
6 Jacobs, Jordan, Little, O'Mara, Ortt, Ritchie and  
7 Robach. Also Senator Akshar.

8 Ayes, 50. Nays, 11.

9 ACTING PRESIDENT BENJAMIN: The  
10 bill is passed.

11 THE SECRETARY: Calendar Number  
12 184, Senate Print 6694, by Senator Carlucci, an  
13 act to amend the Mental Hygiene Law.

14 ACTING PRESIDENT BENJAMIN: Read  
15 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call  
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN: Senator  
23 Carlucci to explain his vote.

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



1           I want to thank Senator Harckham and  
2   Senator Rivera and especially our leader, Senator  
3   Andrea Stewart-Cousins, for pushing forward this  
4   legislative package today.

5           And unfortunately, in the  
6   United States over 130 Americans pass away each  
7   day from an overdose. In fact, in New York  
8   State, every two hours another New Yorker passes  
9   away from an overdose. Meaning the time that  
10   we've spent together in this chamber today,  
11   another New Yorker has passed away.

12           That means that the sirens need to  
13   be running, the alarm bells need to be going off,  
14   and we have to be doing everything we possibly  
15   can to end this horrible epidemic that we're  
16   facing.

17           The legislation that we have before  
18   us right now is an effort to make the parity  
19   real. We've seen the efforts from the federal  
20   level to the state level to issue parity between  
21   health and mental health services. The fact is  
22   we have to treat addiction for what it is.  
23   Addiction is a disease. Just like we fight  
24   against heart disease or diabetes, we have to  
25   address addiction the same way.

1           But the reality is that people  
2     living with substance use disorder, the rates  
3     have not kept up. In fact, most of the Medicaid  
4     rates for substance use disorder have not changed  
5     in the past 10 years.

6           This legislation before us will  
7     require a workgroup to make sure that we're  
8     meeting that parity, that we're lifting up the  
9     reimbursement rates. Because when we've been  
10    traveling around the state, the providers we talk  
11    to can barely keep the doors open.

12          That means that we're not only  
13    trying to keep these doors open, but what  
14    incentive is there to provide more providers, to  
15    provide more treatment? We have to make sure we  
16    don't just talk about parity but we treat mental  
17    health and substance use disorder the same way we  
18    treat healthcare. And in doing this, in getting  
19    people the treatment and the care that they need,  
20    we can help people recover, live independent,  
21    productive lives, and overall reduce the cost of  
22    healthcare.

23          So I want to thank my colleagues for  
24    supporting this important legislation. Let's  
25    make sure we keep the momentum going and make

1     sure that other states and the nation are looking  
2     to New York as leaders in finding the way forward  
3     to ending the horrible overdose epidemic that  
4     we've seen.

5                     Thank you, Mr. President.

6                     ACTING PRESIDENT BENJAMIN:     Senator  
7     Carlucci to be recorded in the affirmative.

8                     Announce the results.

9                     THE SECRETARY:     Ayes, 61.

10                    ACTING PRESIDENT BENJAMIN:     The  
11     bill is passed.

12                    THE SECRETARY:     Calendar Number  
13     321, Senate Print 5480, by Senator Rivera, an act  
14     to amend the Public Health Law.

15                    ACTING PRESIDENT BENJAMIN:     Read  
16     the last section.

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

19                    ACTING PRESIDENT BENJAMIN:     Call  
20     the roll.

21                    (The Secretary called the roll.)

22                    ACTING PRESIDENT BENJAMIN:     Senator  
23     May to explain her vote.

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

1           I want to thank the members of the  
2 task force for the important work they did and  
3 for coming to my district.

4           I have the honor of representing the  
5 exact geographical center of New York State, but  
6 my region has the dubious distinction of having  
7 almost double the rate of overdose deaths that we  
8 see statewide and being among the very top  
9 counties for neonatal -- or newborns born with  
10 neonatal abstinence syndrome.

11           It meant a lot that the task force  
12 came to my district, that they held a roundtable  
13 specifically about rural issues with opioids, and  
14 that they have responded now to some of the  
15 specific concerns that they heard from the first  
16 responders and the social service providers and  
17 the parents and the addicts themselves that they  
18 talked to in my district.

19           So this pilot program for infant  
20 recovery centers across the state will help us  
21 keep children alive and healthy. And that --  
22 what could be more important than that?

23           So I want to congratulate  
24 Senator Rivera on this bill, and I proudly vote  
25 aye.

1                   ACTING PRESIDENT BENJAMIN:    Senator  
2   May to be recorded in the affirmative.

3                   Announce the results.

4                   THE SECRETARY:    Ayes, 61.

5                   ACTING PRESIDENT BENJAMIN:    The  
6   bill is passed.

7                   THE SECRETARY:    Calendar Number  
8   331, Senate Print 5150B, by Senator Harckham, an  
9   act to amend the Public Health Law.

10                  ACTING PRESIDENT BENJAMIN:    Read  
11   the last section.

12                  THE SECRETARY:    Section 2.   This  
13   act shall take effect on the 180th day after it  
14   shall have become a law.

15                  ACTING PRESIDENT BENJAMIN:    Call  
16   the roll.

17                  (The Secretary called the roll.)

18                  ACTING PRESIDENT BENJAMIN:  
19   Announce the results.

20                  THE SECRETARY:    In relation to  
21   Calendar Number 331, those Senators voting in the  
22   negative are Senators Gallivan, Griffio, Jordan  
23   and Little.   Also Senator O'Mara.   Also  
24   Senator Ortt.   Also Senator Helming.

25                               Ayes, 54.   Nays, 7.

1                   ACTING PRESIDENT BENJAMIN:    The  
2 bill is passed.

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

5                   SENATOR GIANARIS:    Can we now go to  
6 the reading of the controversial calendar,  
7 please.

8                   ACTING PRESIDENT BENJAMIN:    The  
9 Secretary will ring the bell.

10                   The Secretary will read.

11                   THE SECRETARY:    Calendar Number 69,  
12 Senate Print 6650, by Senator Harckham, an act to  
13 amend the Mental Hygiene Law.

14                   ACTING PRESIDENT BENJAMIN:  
15 Senator Akshar.

16                   SENATOR AKSHAR:    Mr. President,  
17 thank you.

18                   Would the sponsor be so kind to  
19 yield to a few questions?

20                   ACTING PRESIDENT BENJAMIN:    Will  
21 the sponsor yield?

22                   SENATOR HARCKHAM:    Absolutely.

23                   ACTING PRESIDENT BENJAMIN:    The  
24 sponsor yields.

25                   SENATOR AKSHAR:    Thank you,

1 Mr. President.

2 Can the sponsor tell me what the  
3 genesis of the bill was?

4 SENATOR HARCKHAM: Absolutely.

5 Through you, Mr. President, we have  
6 found a lot of gaps in the system as we toured  
7 the state and we listened to folks. And the two  
8 spots where we lose folks the most and we have  
9 the highest rate of fatality for overdose is  
10 after people leave a hospital and after people  
11 leave a correctional facility -- especially after  
12 a correctional facility.

13 Because if they've been there a  
14 while and their underlying substance use disorder  
15 or co-occurring mental disorder is not diagnosed  
16 and treated, they may be abstinent, but the  
17 craving for drugs is still there. They go out  
18 and use the same amount, but they've lost their  
19 tolerance. And that's why we have such a high  
20 rate of fatalities.

21 And also immediately after an  
22 overdose hospitalization, when people have come  
23 back, come to, and they leave a hospital without  
24 going into treatment, they are especially at  
25 especially high risk for overdose.

1                   So those are the two gaps that we're  
2 trying to fill with this law.

3                   SENATOR AKSHAR:    Thank you.

4                   Mr. President, through you, if the  
5 sponsor would continue to yield.

6                   ACTING PRESIDENT BENJAMIN:   Does  
7 the sponsor yield?

8                   SENATOR HARCKHAM:   Absolutely.

9                   ACTING PRESIDENT BENJAMIN:   The  
10 sponsor yields.

11                  SENATOR AKSHAR:    Mr. President, the  
12 sponsor talks about specifically -- I want to  
13 focus my attention on Section 2 of the particular  
14 piece of legislation as it pertains to  
15 correctional facilities. That's where my line of  
16 questioning will be.

17                  In all of the statute, though, it  
18 references opioid use disorder. I'm wondering if  
19 the sponsor could tell me who, within the  
20 confines of a correctional facility, will make  
21 that diagnosis of an inmate.

22                  SENATOR HARCKHAM:    Absolutely,  
23 Mr. Chair.

24                  There is an intake that is now done  
25 through Department of Corrections where they do a



1 screening of behavioral and physical and  
2 psychosocial matters, and that's where many  
3 people are diagnosed. And if not, there are  
4 other people who come forward while they're  
5 incarcerated. And it needs to be a formal  
6 diagnosis by a physician, by a CASAC, somebody  
7 who is professionally certified to diagnose  
8 someone with opioid use disorder.

9 SENATOR AKSHAR: Mr. President,  
10 through you, if the sponsor will continue to  
11 yield.

12 ACTING PRESIDENT BENJAMIN: Does  
13 the sponsor yield?

14 SENATOR HARCKHAM: I continue.

15 ACTING PRESIDENT BENJAMIN: The  
16 sponsor yields.

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

19 Within the confines of a  
20 correctional facility, who is expected to  
21 administer this program?

22 SENATOR HARCKHAM: Yes, absolutely,  
23 it would -- through you, Mr. President, it would  
24 be through the medical professionals at the  
25 facility upon discharge.

1                   SENATOR AKSHAR:    Mr. President,  
2    through you, if the sponsor would continue to  
3    yield.

4                   ACTING PRESIDENT BENJAMIN:   Does  
5    the sponsor yield?

6                   SENATOR HARCKHAM:   Absolutely.

7                   ACTING PRESIDENT BENJAMIN:   The  
8    sponsor yields.

9                   SENATOR AKSHAR:    This statute that  
10   we're discussing, does this all pertain both to  
11   county correctional facilities as well as state  
12   correctional facilities?

13                  SENATOR HARCKHAM:   Through you,  
14   Mr. President, no, it does not.  It's only state  
15   facilities.

16                  We were concerned about another  
17   unfunded mandate coming from this body.  So it is  
18   for state facilities only.  And we estimate it to  
19   be a cost of about \$4.3 million.

20                  SENATOR AKSHAR:    Mr. President,  
21   through you, if the sponsor will continue to  
22   yield.

23                  ACTING PRESIDENT BENJAMIN:   Does  
24   the sponsor yield?

25                  SENATOR HARCKHAM:   Absolutely.

1                   ACTING PRESIDENT BENJAMIN:     The  
2     sponsor yields.

3                   SENATOR AKSHAR:     So let me just ask  
4     you quickly, if I may, about that particular sum  
5     or cost.   How do we arrive at that \$4.3 million?

6                   And what are we doing to address  
7     that particular issue?   I'm encouraged, actually,  
8     when I hear you say we're not talking about it at  
9     the county level because we were genuinely  
10    concerned about the cost that the counties would  
11    have to incur.   So how are we addressing the  
12    \$4.3 million that we expect this program to cost?

13                  SENATOR HARCKHAM:     Sure.   Through  
14    you, Mr. Chair, this is something that we will  
15    have to put in our one-house budget, we will  
16    fight for as we need to.

17                  And this is really the first step of  
18    a greater expansion of treatment in the  
19    correctional facilities.   And when we get to the  
20    county facilities, we need to invest a larger  
21    share.   We started that process last year, we  
22    need to continue it this year.   But this  
23    \$4.3 million needs to be put in by this body as a  
24    prerogative that we're catching people at a  
25    vulnerable time, and we're hoping to fill that

1 gap.

2 SENATOR AKSHAR: Mr. President,  
3 through you, if the sponsor will continue to  
4 yield.

5 ACTING PRESIDENT BENJAMIN: Does  
6 the sponsor yield?

7 SENATOR HARCKHAM: Absolutely.

8 ACTING PRESIDENT BENJAMIN: The  
9 sponsor yields.

10 SENATOR AKSHAR: Mr. President,  
11 through you. Does the inmate need to be in an  
12 approved substance use disorder jail-based  
13 program in order to receive the Narcan and the  
14 education upon their departure?

15 SENATOR HARCKHAM: This is upon  
16 discharge. They don't necessarily need to be in  
17 a program. In fact, there are some state  
18 facilities that do not have formal programs  
19 addressing opioid use disorder, which is  
20 unfortunate. Most of them are centered in a  
21 cluster of prisons where that's a specialty.

22 So it's really upon determination of  
23 the physician upon discharge.

24 SENATOR AKSHAR: Mr. President,  
25 through you, if the sponsor will continue to

1 yield.

2 ACTING PRESIDENT BENJAMIN: Does  
3 the sponsor yield?

4 SENATOR HARCKHAM: Absolutely.

5 ACTING PRESIDENT BENJAMIN: The  
6 sponsor yields.

7 SENATOR AKSHAR: Just so I  
8 understand, then, if I were to go through the  
9 intake process and then be diagnosed with a  
10 substance use disorder upon my arrival or my  
11 intake, I spend some time in the correctional  
12 facility, however long that may be. Upon my  
13 release, whether I've gone through a substance  
14 use disorder program or not, I'm going to be  
15 given this education as well as two doses of  
16 Narcan.

17 SENATOR HARCKHAM: Yes, that is  
18 correct. Through you, Mr. President.

19 SENATOR AKSHAR: Mr. President,  
20 through you, if the sponsor will continue to  
21 yield.

22 ACTING PRESIDENT BENJAMIN: Does  
23 the sponsor yield?

24 SENATOR HARCKHAM: Absolutely,  
25 Mr. President.

1                   ACTING PRESIDENT BENJAMIN:    The  
2   sponsor yields.

3                   SENATOR AKSHAR:    Did we seek the  
4   input of the Department of Corrections prior to  
5   the statute, you know, making its way to the  
6   floor of the Senate and during your  
7   deliberations?

8                   SENATOR HARCKHAM:    Sure.   We  
9   received testimony and we had lengthy  
10   conversation with the Department of Corrections.  
11   I do not know if they viewed this draft of the  
12   bill, to be quite honest.

13                  SENATOR AKSHAR:    Mr. President,  
14   through you, if the sponsor would continue to  
15   yield.

16                  ACTING PRESIDENT BENJAMIN:   Does  
17   the sponsor yield?

18                  SENATOR HARCKHAM:    Absolutely.

19                  ACTING PRESIDENT BENJAMIN:   The  
20   sponsor yields.

21                  SENATOR AKSHAR:    Did you have  
22   conversations with the corrections officer union  
23   or anybody else about the implementation of this  
24   particular piece of legislation?

25                  SENATOR HARCKHAM:    Through you,

1 Mr. President, no, we did not. Because the  
2 correction officers themselves will not be  
3 involved in this. This will be done through a  
4 physician.

5 And again, this is part of  
6 addressing a very vulnerable population as they  
7 leave the correctional facility. So this is not  
8 an ongoing mandate or a responsibility to the  
9 security guards, to the union. This is done by  
10 the medical staff upon discharge.

11 SENATOR AKSHAR: Mr. President,  
12 through you, if the sponsor will continue to  
13 yield.

14 ACTING PRESIDENT BENJAMIN: Does  
15 the sponsor yield?

16 SENATOR HARCKHAM: Absolutely.

17 ACTING PRESIDENT BENJAMIN: The  
18 sponsor yields.

19 SENATOR AKSHAR: All right, so just  
20 so we're on the same sheet of music, the  
21 corrections officers will not be required to  
22 administer this program.

23 SENATOR HARCKHAM: No. Through  
24 you, Mr. Chair, no.

25 SENATOR AKSHAR: On the bill,

1 Mr. President.

2 ACTING PRESIDENT BENJAMIN:

3 Senator Akshar on the bill.

4 SENATOR AKSHAR: Let me thank the  
5 sponsor for the bill. I thank him for -- I have  
6 the good pleasure of serving as the ranking  
7 member on the Alcoholism and Substance Abuse  
8 committee, so appreciate the work that we're  
9 doing.

10 I appreciate the work that this body  
11 is doing and continues to do in this area. I  
12 would argue -- respectfully, of course -- that  
13 it's probably one of the only areas in which we  
14 really work in a bipartisan fashion. And, you  
15 know, we're doing really great work.

16 You know, at the end of the day this  
17 is an incredibly robust calendar, a robust  
18 agenda. And I think most of what we saw today by  
19 way of legislation was good, and it's going to  
20 help New Yorkers.

21 But to the chairman of the committee  
22 and to this body as a whole, I implore us, as we  
23 move forward with the budget process, that we  
24 properly allocate funds to deal with this issue.  
25 I think that we fell flat last year. To keep the



1 number at 240 million, I think we did a  
2 disservice to the community-based providers that  
3 are fighting on the front lines every single day.

4 And I go back to what I said  
5 yesterday, and people are probably tired of  
6 hearing me say it, but in an environment in which  
7 we can spend \$300 million to reface the  
8 Erie Canal, we must be able to find additional  
9 monies to spend to increase funding in this  
10 particular area. Because all of the legislation  
11 that we've passed and all of the good things we  
12 are doing by way of statute, Mr. President, we  
13 can't implement that on the ground unless the  
14 people who are fighting on the front lines have  
15 the resources they need.

16 So Mr. President, again, I  
17 appreciate the sponsor's willingness to answer my  
18 questions. When it comes time, I'll be voting in  
19 the affirmative.

20 ACTING PRESIDENT BENJAMIN: Senator  
21 Lanza.

22 SENATOR LANZA: Thank you,  
23 Mr. President. Mr. President, would the sponsor  
24 yield for just a couple of questions?

25 ACTING PRESIDENT BENJAMIN: Does

1 the sponsor yield?

2 SENATOR HARCKHAM: Absolutely.

3 ACTING PRESIDENT BENJAMIN: The  
4 sponsor yields.

5 SENATOR LANZA: Thank you,  
6 Mr. President. Through you.

7 First I want to commend my colleague  
8 for his work with regard to this very important  
9 issue that is ravaging our state. And I think --  
10 I want to say you're doing a great job, and I  
11 appreciate it.

12 I do have a slight concern with this  
13 legislation, and so my question is this. Is the  
14 Narcan provided directly to the person suffering  
15 through the addiction?

16 SENATOR HARCKHAM: Through you,  
17 Mr. President, I'm not sure I got your question.  
18 Is it how is it administered?

19 SENATOR LANZA: No. So --

20 SENATOR HARCKHAM: Or how is it  
21 given when someone leaves?

22 SENATOR LANZA: Through you,  
23 Mr. President. When the person is leaving, is  
24 the Narcan provided directly to that person?

25 SENATOR HARCKHAM: Yes. Through

1     you, Mr. President, what happens is the  
2     healthcare provider will explain how Narcan is  
3     used, when it should be used, how it is  
4     administered. And then after that education  
5     process they will be handed a Narcan kit. It  
6     comes in a pouch -- similar to the ones that when  
7     many of us do trainings in our district, it comes  
8     in a pouch, there are gloves, there's a mask, and  
9     there are two doses of Narcan in squirt vials.

10           SENATOR LANZA:     Mr. President,  
11     would the sponsor yield for a question?

12           ACTING PRESIDENT BENJAMIN:     Does  
13     the sponsor yield?

14           SENATOR HARCKHAM:     Absolutely.

15           ACTING PRESIDENT BENJAMIN:     The  
16     sponsor yields.

17           SENATOR LANZA:     Thank you. Through  
18     you, Mr. President.

19                   Over the last eight years I've  
20     sponsored dozens upon dozens of Narcan training  
21     programs where we've handed out thousands of  
22     Narcan kits to people across the community of  
23     Staten Island that I represent. Typically the  
24     people that come to these programs are not the  
25     people that are suffering through the addiction

1 but their family and friends and just concerned  
2 residents. The thought being that the more these  
3 kits are out there, the more likely it is that  
4 someone might be at the scene of where a person  
5 is suffering through an overdose.

6 My question to you is, I don't think  
7 we can expect a person who is suffering an  
8 overdose to be able to self-administer Narcan.  
9 So wouldn't it be more efficient or effective if  
10 these kits were handed to that leaving -- that  
11 departing person's family or friends?

12 SENATOR HARCKHAM: Through you,  
13 Mr. President. Not everybody has family and  
14 friends. And certainly they are not in the  
15 facility when someone is being discharged.

16 The thought is that in harm  
17 reduction strategies, the point is if people are  
18 going to use, we want to keep them alive until  
19 they're ready for treatment. That's the point of  
20 harm reduction.

21 So the point is to encourage people,  
22 if they're going to use, to use with somebody  
23 else. I'll watch you, you watch me. That's why  
24 there are two doses. So the thought is that  
25 whoever this person either is using with or

1 living with -- so, for instance, they may go to a  
2 shelter, as often happens when people come out of  
3 prison, and they don't have family there. But  
4 maybe they have a buddy there who can watch them,  
5 who can be their supervisor while they need to do  
6 what they need to do.

7           If someone goes to a location that  
8 has a family, great, even better. Like you, I  
9 have a lot of families who come to our Narcan  
10 trainings as well.

11           But at least we're getting them  
12 started on the process initially, in the hopes  
13 that -- obviously our hope is that they get  
14 linked to treatment immediately. But we know  
15 that relapse is part of this disease, and so  
16 especially when they're that vulnerable, we want  
17 them to have this on them.

18           SENATOR LANZA: Mr. President, on  
19 the bill.

20           ACTING PRESIDENT BENJAMIN: Senator  
21 Lanza on the bill.

22           SENATOR LANZA: Again, I want to  
23 thank the sponsor.

24           I'm going to support this  
25 legislation for the simple reason that I believe

1 the more of these kits that are out there in the  
2 community, the better it is for all of us. And,  
3 you know, this issue is so widespread and  
4 devastating that every little bit helps.

5 I just think it might be better in  
6 this case to make sure that if someone is leaving  
7 and they do have friends and they do have family,  
8 that we somehow get the kits into their hands.  
9 Because clearly we all understand if you're going  
10 through -- if you're overdosing, you're not going  
11 to be in a position to be able to save yourself,  
12 you need somebody to be there with this kit.

13 Again, the more kits in the  
14 community, the better it is for all of us, so I  
15 support the legislation.

16 Thank you, Mr. President.

17 ACTING PRESIDENT BENJAMIN: Senator  
18 Harckham on the bill.

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

21 I want to thank both my colleagues  
22 for their good and probing questions. And I  
23 agree with them, we should put our money where  
24 our mouth is, not just in terms of this  
25 legislation but in terms of the whole safety net

1 in terms of mental health treatment and substance  
2 use disorder treatment.

3 We heard out in the field very  
4 clearly from the professionals that we are  
5 \$100 million short of where we need to be to  
6 address this crisis. And a subway platform, a  
7 homeless shelter, a correctional facility should  
8 not be the first location that somebody gets  
9 treatment for substance use disorder or mental  
10 health. If that's the case, we have failed them.  
11 We as a society have failed them, and we as a  
12 government body have failed them.

13 So are we going to come up with  
14 \$100 million tomorrow? No. But last year we did  
15 add 7.5. I think we need to do much more than  
16 that this year, in challenging times.

17 But if we are all committed to this,  
18 as it sounds like everybody is, you know, we're  
19 going to have some tough decisions to make about  
20 how we raise this revenue, because a lot of the  
21 things that we talk about as flash-button issues,  
22 at the heart of it is the lack of treatment for  
23 mental health disorders, substance use disorders,  
24 and the two combined.

25 So I thank my colleagues, I agree

1     this has been a good area for us to work in a  
2     bipartisan fashion, and I support the bill.

3             Thank you.

4             ACTING PRESIDENT BENJAMIN:    Are  
5     there any other Senators wishing to be heard?  
6     Seeing and hearing none, debate is closed.

7             Senator Gianaris.

8             SENATOR GIANARIS:    Mr. President,  
9     by consent, can we return this to the  
10    noncontroversial calendar and take up the vote,  
11    please.

12            ACTING PRESIDENT BENJAMIN:    Without  
13    objection, so ordered.

14            Read the last section.

15            THE SECRETARY:    Section 4.   This  
16    act shall take effect on the 180th day after it  
17    shall have become a law.

18            ACTING PRESIDENT BENJAMIN:    Call  
19    the roll.

20            (The Secretary called the roll.)

21            ACTING PRESIDENT BENJAMIN:  
22    Announce the results.

23            THE SECRETARY:    In relation to  
24    Calendar Number 69, those Senators voting in the  
25    negative are Senators Flanagan, Gallivan, Griffo,



1 O'Mara, Ortt, Ritchie and Robach.

2 Ayes, 54. Nays, 7.

3 ACTING PRESIDENT BENJAMIN: The  
4 bill is passed.

5 Senator Gianaris, that completes the  
6 reading of the controversial calendar.

7 SENATOR GIANARIS: Mr. President,  
8 if we can return to motions for a second, on  
9 behalf of Senator Kaminsky, on page 11, I offer  
10 the following amendments to Calendar 161,  
11 Senate Print 5786A, and ask that said bill retain  
12 its place on Third Reading Calendar.

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

16 SENATOR GIANARIS: There will be,  
17 at the conclusion of session, a meeting of the  
18 Labor Committee in Room 124.

19 And with that, is there any further  
20 business at the desk?

21 ACTING PRESIDENT BENJAMIN: There  
22 will be an immediate meeting of the Labor  
23 Committee in Room 124 of the Capitol.

24 There is no further business at the  
25 desk.

1                   SENATOR GIANARIS:    I move to  
2 adjourn until tomorrow, Wednesday, February 5th,  
3 at 11:00 a.m.

4                   ACTING PRESIDENT BENJAMIN:    On  
5 motion, the Senate stands adjourned until  
6 Wednesday, February 5th, at 11:00 a.m.

7                   (Whereupon, at 5:52 p.m., the Senate  
8 adjourned.)

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