

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 February 5, 2020

11 11:40 a.m.

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13
14 REGULAR SESSION

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17
18 SENATOR BRIAN A. BENJAMIN, Acting President

19 ALEJANDRA N. PAULINO, ESQ., Secretary

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

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

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

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

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

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

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

15 THE SECRETARY: In Senate, Tuesday,
16 February 4, 2020, the Senate met pursuant to
17 adjournment. The Journal of Monday, February 3,
18 2020, was read and approved. On motion, Senate
19 adjourned.

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

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: On page 9, Senator

1 May moves to discharge, from the Committee on
2 Rules, Assembly Bill Number 9061 and substitute
3 it for the identical Senate Bill 7163, Third
4 Reading Calendar 87.

5 ACTING PRESIDENT BENJAMIN: The
6 substitution is so ordered.

7 THE SECRETARY: On page 9,
8 Senator Parker moves to discharge, from the
9 Committee on Rules, Assembly Bill Number 8988 and
10 substitute it for the identical Senate Bill 7179,
11 Third Reading Calendar 103.

12 ACTING PRESIDENT BENJAMIN: The
13 substitution is so ordered.

14 THE SECRETARY: On page 9,
15 Senator Kaplan moves to discharge, from the
16 Committee on Rules, Assembly Bill Number 8957 and
17 substitute it for the identical Senate Bill 7188,
18 Third Reading Calendar 112.

19 ACTING PRESIDENT BENJAMIN:
20 Substitution so ordered.

21 THE SECRETARY: On page 10, Senator
22 Mayer moves to discharge, from the Committee on
23 Rules, Assembly Bill Number 8999 and substitute
24 it for the identical Senate Bill 7196, Third
25 Reading Calendar 120.

1 ACTING PRESIDENT BENJAMIN: The
2 substitution is so ordered.

3 THE SECRETARY: On page 16, Senator
4 Myrie moves to discharge, from the Committee on
5 Rules, Assembly Bill Number 9001 and substitute
6 it for the identical Senate Bill 7309, Third
7 Reading Calendar 201.

8 ACTING PRESIDENT BENJAMIN: The
9 substitution is so ordered.

10 Messages from the Governor.

11 Reports of standing committees.

12 Reports of select committees.

13 Communications and reports from
14 state officers.

15 Motions and resolutions.

16 Senator Gianaris.

17 SENATOR GIANARIS: Mr. President,
18 at this time can we begin by taking up the
19 reading of the calendar.

20 ACTING PRESIDENT BENJAMIN: The
21 Secretary will read.

22 THE SECRETARY: Calendar Number 10,
23 Senate Print 6931, by Senator Breslin, an act to
24 amend the Insurance Law.

25 ACTING PRESIDENT BENJAMIN: Read

1 the last section.

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

5 ACTING PRESIDENT BENJAMIN: Call
6 the roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT BENJAMIN:
9 Announce the results.

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

13 Ayes, 56. Nays, 1.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number 87,
17 Assembly Print Number 9061, substituted earlier
18 by Assemblymember Weprin, an act to amend the
19 Correction Law.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

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

25 ACTING PRESIDENT BENJAMIN: Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BENJAMIN:

4 Announce the results.

5 THE SECRETARY: Ayes, 57.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 103, Assembly Print Number 8988, substituted
10 earlier by Assemblymember Vanel, an act to amend
11 a chapter of the Laws of 2019.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

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

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN:

21 Announce the results.

22 THE SECRETARY: With respect to
23 Calendar Number 103, voting in the negative:
24 Senator Seward.

25 Ayes, 56. Nays, 1.

1 ACTING PRESIDENT BENJAMIN: The
2 bill is passed.

3 THE SECRETARY: Calendar Number
4 105, Senate Print 7181, by Senator Breslin, an
5 act to amend the Financial Services Law.

6 ACTING PRESIDENT BENJAMIN: Read
7 the last section.

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

11 ACTING PRESIDENT BENJAMIN: Call
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT BENJAMIN:
15 Announce the results.

16 THE SECRETARY: Ayes, 57.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 109, Senate Print 7185, by Senator Carlucci, an
21 act to amend the Public Health Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

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

1 same manner as a chapter of the Laws of 2019.

2 ACTING PRESIDENT BENJAMIN: Call
3 the roll.

4 (The Secretary called the roll.)

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

7 SENATOR CARLUCCI: Thank you,
8 Mr. President.

9 There's not a day that goes by that
10 I don't hear the concerns of the residents in my
11 district that are complaining about the costs of
12 healthcare.

13 The legislation that we have before
14 us is named after a young girl named Dream
15 Shepherd, who unfortunately was born with sickle
16 cell disease, and at the age of five years old
17 she experienced a stroke. And in an effort to
18 save her life, she underwent experimental
19 treatment of a stem cell transplant.
20 Miraculously, that ultimately has changed her
21 life, and she's in remission. But it was a long
22 journey since that operation and since she was
23 discharged from the hospital.

24 In the hospital she was hooked up to
25 a central venous line, which in New York State

1 only a registered nurse can touch the central
2 venous line. Once she's discharged from the
3 hospital, the doctor is saying you need that
4 central venous line, but, however, you're on your
5 own.

6 The legislation that we passed and
7 we're now amending this year said that when
8 you're discharged from the hospital and a doctor
9 prescribes a remedy, that that has to be covered
10 by insurance. What was happening in Dream's case
11 was her mother was responsible for monitoring and
12 cleaning and maintaining the central venous line.

13 Unfortunately, every year in the
14 United States over 80,000 Americans develop a
15 blood infection, a bloodstream infection because
16 their central venous line is not well maintained.
17 Out of those 80,000 people, approximately 28,000
18 pass away, they die from that serious infection.

19 We know that a chain is only as
20 strong as its weakest link, and that's how we
21 have to think about healthcare -- that we could
22 provide this state-of-the-art procedure, have the
23 best doctors in the world in the hospital, but
24 once you're discharged, if we don't follow the
25 plan that the doctor has put in place, then we're

1 failing our part.

2 And we know that by mandating that
3 the insurance companies and not the bureaucrat --
4 or that the insurance companies have to follow
5 the doctor's orders, we will save lives, improve
6 our healthcare system, and make it stronger.

7 So the legislation before us today
8 expands Dream's Law and says that not only
9 central venous lines will have to be maintained
10 by a professional, but any of the procedures that
11 a doctor requires in that discharge will have to
12 be covered under insurance. This is a step in
13 the right direction in lowering the cost of
14 healthcare and making sure that we have better
15 outcomes overall.

16 I want to thank Dream Shepherd and
17 her mother for fighting and pushing forward and
18 saying what was wrong, and fixing the system for
19 everyone that will come after them.

20 Thank you so much to all my
21 colleagues for supporting this legislation.
22 Let's continue to work together to lower the
23 price of healthcare here in New York State, and
24 let's be a model for the rest of the nation to
25 follow.

1 Thank you, Mr. President.

2 ACTING PRESIDENT BENJAMIN: Senator
3 Carlucci to be recorded in the affirmative.

4 Announce the results.

5 THE SECRETARY: Ayes, 58.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 110, Senate Print 7186, by Senator Kaplan, an act
10 to amend the Alcoholic Beverage Control Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

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

16 ACTING PRESIDENT BENJAMIN: Call
17 the roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT BENJAMIN: Senator
20 Borrello to explain his vote.

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

23 This is a great bill, in my opinion.
24 I want to thank the sponsor for this, as someone
25 who's been involved in the retail and wholesale

1 business in the hospitality industry for years.

2 We are seeing, obviously, the
3 explosive growth of craft breweries in our state.
4 There are many in my district. And one of the
5 problems you have when you're in a small business
6 like that is access to the wholesale market.

7 We have many, many small brewers
8 that are able to directly deal with restaurants
9 and other retailers as a result, but this limit
10 is really quite small. So increasing the limit
11 here for them is going to give more access to
12 more small businesses to sell directly to other
13 small businesses who are often shut out of the
14 wholesale process by the big, big beer companies
15 and others.

16 So this is a great thing for small
17 business. I'm glad we've increased this. And
18 I'm proud to support this, and I vote aye.

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

21 Announce the results.

22 THE SECRETARY: Ayes, 58.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number

1 112, Assembly Print 8957, substituted earlier by
2 Assemblymember Hunter, an act to amend the
3 Executive Law.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

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

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN:
13 Announce the results.

14 THE SECRETARY: Ayes, 58.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number
18 114, Senate Print 7190, by Senator Rivera, an act
19 to amend the Social Services Law.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

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

25 ACTING PRESIDENT BENJAMIN: Call

1 the roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT BENJAMIN:

4 Announce the results.

5 THE SECRETARY: Ayes, 58.

6 ACTING PRESIDENT BENJAMIN: The
7 bill is passed.

8 THE SECRETARY: Calendar Number
9 117, Senate Print 7193, by Senator Kaplan, an act
10 to amend the Executive Law.

11 ACTING PRESIDENT BENJAMIN: Read
12 the last section.

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

15 ACTING PRESIDENT BENJAMIN: Call
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT BENJAMIN:

19 Announce the results.

20 THE SECRETARY: Ayes, 58.

21 ACTING PRESIDENT BENJAMIN: The
22 bill is passed.

23 THE SECRETARY: Calendar Number
24 120, Assembly Print 8999, substituted earlier by
25 Assemblymember Galef, an act to amend the

1 Election Law.

2 ACTING PRESIDENT BENJAMIN: Read
3 the last section.

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

7 ACTING PRESIDENT BENJAMIN: Call
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BENJAMIN:
11 Announce the results.

12 THE SECRETARY: Ayes, 58.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 201, Assembly Number 9001, substituted earlier by
17 Assemblymember Seawright, an act to amend the
18 Election Law.

19 ACTING PRESIDENT BENJAMIN: Read
20 the last section.

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

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: In relation to
5 Calendar 201, those Senators voting in the
6 negative are Senators Akshar, Amedore, Griffo and
7 Ranzenhofer.

8 Ayes, 54. Nays, 4.

9 ACTING PRESIDENT BENJAMIN: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 203, Senate Print 7311, by Senator Kennedy, an
13 act to amend the Labor Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

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

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN:

23 Announce the results.

24 THE SECRETARY: In relation to
25 Calendar Number 203, those Senators voting in the

1 negative are Senators Ranzenhofer and Seward.

2 Ayes, 56. Nays, 2.

3 ACTING PRESIDENT BENJAMIN: The
4 bill is passed.

5 THE SECRETARY: Calendar Number
6 255, Senate Print 6897A, by Senator Salazar, an
7 act to amend the Executive Law.

8 ACTING PRESIDENT BENJAMIN: Read
9 the last section.

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

12 ACTING PRESIDENT BENJAMIN: Call
13 the roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BENJAMIN: Senator
16 Salazar to explain her vote.

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

19 I cannot stress enough the urgency
20 of making the 2020 census participation more
21 accessible. The stakes are very high, especially
22 for hard-to-count communities, including
23 immigrant communities, communities of color such
24 as those that I represent. But truly the stakes
25 are high for all New Yorkers if there is an

1 undercount, as we've seen in previous censuses.

2 There are vast resources and
3 representation at the federal level at stake if
4 we fail to get a full census count. All of us
5 should be concerned about potentially losing
6 congressional seats in our state, but especially
7 those of us whose communities are already
8 underrepresented.

9 The action we're taking today is
10 necessary given that over 113,000 New Yorkers
11 speak a language at home that the Census Bureau
12 does not provide language support for. Today
13 we're choosing to do everything we responsibly
14 can to count those people and to count nearly a
15 quarter of all New Yorkers who did not respond to
16 the last census in 2010.

17 I want to thank our Majority Leader
18 for prioritizing this issue, along with two other
19 census bills that we're passing today.

20 Thank you.

21 ACTING PRESIDENT BENJAMIN: Senator
22 Salazar to be recorded in the affirmative.

23 Senator May to explain her vote.

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

1 I also want to rise to thank Senator
2 Salazar, to thank the leader, to thank the
3 sponsors of the next two bills, because on this
4 day of all days it is so important that we in
5 New York are doing what we can to shore up our
6 democracy to make sure that everyone is counted
7 and considered in our government and in our
8 policy.

9 I say on this day of all days,
10 because this is a dark day for our democracy. A
11 majority of senators in Washington are poised to
12 place the president above the law. And I am
13 proud that here in New York we are doing what we
14 can to really stand up for the rule of law and
15 for democracy.

16 So thank you, Senator Salazar, thank
17 you to the Majority Leader, and thank you to my
18 colleagues for supporting these bills.

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

21 Senator Lanza to explain his vote.

22 SENATOR LANZA: Thank you,
23 Mr. President.

24 I was sort of on the fence with this
25 legislation. I was going to vote in favor of it,

1 but just listening to the comments from my
2 colleague, does this has something to do with
3 what's going on in the Senate in Washington? If
4 it's that convoluted, I'm going to vote in the
5 negative.

6 Thank you.

7 ACTING PRESIDENT BENJAMIN: Senator
8 Lanza to be recorded in the negative.

9 Announce the results.

10 THE SECRETARY: In relation to
11 Calendar 255, those Senators voting in the
12 negative are Senators Akshar, Borrello, Funke,
13 Gallivan, Helming, Jacobs, Jordan, Lanza, O'Mara,
14 Ortt, Ranzenhofer, Ritchie, Robach, Seward and
15 Senator Tedisco. Also Senator Little.

16 Ayes, 45. Nays, 16.

17 ACTING PRESIDENT BENJAMIN: The
18 bill is passed.

19 THE SECRETARY: Calendar Number
20 304, Senate Print 6884, by Senator Stavisky, an
21 act to amend the Education Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

24 THE SECRETARY: Section 4. This
25 act shall take effect immediately.

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar Number 304, those Senators voting in the
8 negative are Senators Akshar, Amedore, Borrello,
9 Boyle, Funke, Gallivan, Griffo, Helming, Jacobs,
10 Jordan, Lanza, O'Mara, Ortt, Ranzenhofer,
11 Ritchie, Robach, Serino, Seward and Tedisco.

12 Ayes, 42. Nays, 19.

13 ACTING PRESIDENT BENJAMIN: The
14 bill is passed.

15 THE SECRETARY: Calendar Number
16 316, Senate Print 6883, by Senator Parker, an act
17 to amend the Executive Law.

18 ACTING PRESIDENT BENJAMIN: Read
19 the last section.

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

22 ACTING PRESIDENT BENJAMIN: Call
23 the roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BENJAMIN:

1 Announce the results.

2 THE SECRETARY: In relation to
3 Calendar 316, those Senators voting in the
4 negative are Senators Borrello, Funke, Gallivan,
5 Jacobs, Jordan, O'Mara and Ortt.

6 Ayes, 54. Nays 7.

7 ACTING PRESIDENT BENJAMIN: The
8 bill is passed.

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

11 SENATOR GIANARIS: Thank you,
12 Mr. President.

13 Can we now go back to motions and
14 resolutions and take up previously adopted
15 Resolution 2723, by Senator Gounardes, have it
16 read in its entirety, and recognize
17 Senator Gounardes.

18 ACTING PRESIDENT BENJAMIN: The
19 Secretary will read.

20 THE SECRETARY: Senate Resolution
21 2723, by Senator Gounardes, memorializing
22 Governor Andrew M. Cuomo to proclaim February 5,
23 2020, as Students with Disabilities Advocacy Day
24 in the State of New York.

25 "WHEREAS, It is the custom of this

1 Legislative Body to recognize official days that
2 are set aside to increase awareness of issues
3 that affect the lives of citizens of New York
4 State; and

5 "WHEREAS, Attendant to such concern,
6 and in full accord with its long-standing
7 traditions, it is the intent of this Legislative
8 Body to memorialize Governor Andrew M. Cuomo to
9 proclaim February 5, 2020, as Students with
10 Disabilities Advocacy Day in the State of
11 New York; and

12 "WHEREAS, Students with Disabilities
13 Day is a campaign which raises awareness about
14 the need for removing barriers to key reasonable
15 accommodations and support services that promote
16 access and success for students with
17 disabilities, who attend public and private
18 institutes of higher education in New York State
19 at increasingly higher rates; and

20 "WHEREAS, Our great Empire State has
21 a history of excellence in education and values
22 providing educational opportunities to students
23 with diverse backgrounds; students with
24 disabilities contribute greatly to New York
25 State's colleges and universities; and

1 "WHEREAS, According to the New York
2 State Education Department, as of late last fall
3 there were more than 73,000 identified students
4 with disabilities attending New York State
5 degree-granting colleges and universities; and

6 "WHEREAS, It is imperative that
7 these institutes of higher learning are provided
8 with the necessary resources to empower students
9 with disabilities and help them achieve
10 academically and beyond; and

11 "WHEREAS, New Yorkers with
12 disabilities, like all New Yorkers, are entitled
13 to not only full participation in our society,
14 but also full opportunity in our society; their
15 talents and contributions are vital to the
16 strength of our state's workforce and our future
17 prosperity; and

18 "WHEREAS, Together, we can ensure
19 persons living with disabilities are provided key
20 reasonable accommodations and support services
21 that promote access and success while attending
22 public and private institutes of higher education
23 in New York State; and

24 "WHEREAS, It is in the interest of
25 New York State to recognize the achievements

1 which have been made thus far, and to continue
2 these efforts by promoting the awareness and
3 fostering the understanding of persons with
4 disabilities; now, therefore, be it

5 "RESOLVED, That this Legislative
6 Body pause in its deliberations to memorialize
7 Governor Andrew M. Cuomo to proclaim February 5,
8 2020, as Students with Disabilities Advocacy Day
9 in the State of New York; and be it further

10 "RESOLVED, That a copy of this
11 resolution, suitably engrossed, be transmitted to
12 the Honorable Andrew M. Cuomo, Governor of the
13 State of New York."

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

16 SENATOR GOUNARDES: Thank you,
17 Mr. President. I'll be very brief.

18 I think that the language of the
19 resolution really speaks to the importance of
20 today as we recognize Students with Disabilities
21 Advocacy Day.

22 I want to thank the 35 members of
23 this body who have sponsored this advocacy day to
24 help support students across the entire state who
25 have come to their State Capitol to advocate for

1 support and for resources and for services to
2 help them attain the education that they are
3 rightfully entitled to.

4 The resolution language said that
5 there are 73,000 students with disabilities
6 across the state. That actually -- the number, I
7 recently learned, is a little bit outdated.
8 Actually, it's 77,000. It's the fastest-growing
9 population of college students in the state, and
10 we need to be doing a lot more to make sure that
11 we are providing the services that those students
12 need in order to achieve a college education just
13 like anybody else.

14 I want to thank and recognize that
15 we have a few student leaders who have joined us
16 in the chamber today who are sitting here, and I
17 want to recognize them by name and thank them for
18 their fierce advocacy. Because without you being
19 here to advocate and push us to do the right
20 thing, this would not happen. So I want to thank
21 Timothy Hunter, from the CUNY University Student
22 Senate; Austin Ostro, from the SUNY Student
23 Assembly; Brad Hershenson, Melanie Hecker, Luis
24 Gutierrez, and Shelby Burns for being here, for
25 your dedication and your devotion to this issue,

1 and for forcing us to do the right thing.

2 So thank you for joining us, and I
3 thank you, Mr. President.

4 (Standing ovation.)

5 ACTING PRESIDENT BENJAMIN: Senator
6 Carlucci on the resolution.

7 SENATOR CARLUCCI: Thank you,
8 Mr. President.

9 I want to thank the sponsor of this
10 important resolution and thank the students that
11 are here today, because it's so important that we
12 do everything to make education as accessible as
13 possible for children of all abilities.

14 I know I have a deep belief, and I'm
15 sure my colleagues share this, that our children
16 do not lack capacity, they only lack opportunity.
17 And when a child has a disability we have to make
18 sure we meet them where they are and give them
19 the tools so that they can live independent,
20 productive lives. And we know if we do that at
21 the earliest ages, all the way through college
22 and beyond, that we will have a productive
23 workforce, we'll have a productive economy and a
24 greater place to live and to work and to raise a
25 family.

1 So I want to thank the students for
2 stepping up and being here today and advocating
3 for all of the students of New York State.

4 And thank you to my colleagues for
5 supporting this important resolution.

6 Thank you, Mr. President.

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

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

11 I'm proud to stand with Senator
12 Gounardes and my colleagues in cosponsoring this
13 resolution today. Every student deserves the
14 opportunity to realize his, her or their full
15 potential.

16 I wanted to point out in my district
17 we have a really wonderful program at SUNY
18 Orange, the SUNY Orange Bridges Program, which
19 provides postsecondary educational opportunities
20 for people with developmental and intellectual
21 disabilities. I got to visit the program and see
22 firsthand just how incredible it was and how
23 important it was to the students in realizing
24 their career goals, their independence, their
25 autonomy. And we really need, as a state, to

1 fully support these programs.

2 Thank you very much.

3 ACTING PRESIDENT BENJAMIN: The
4 resolution was previously adopted on
5 February 4th.

6 Senator Gianaris.

7 SENATOR GIANARIS: Can we now take
8 up previously adopted Resolution 2400, by
9 Senator Tedisco, read its title only, and
10 recognize Senator Tedisco.

11 ACTING PRESIDENT BENJAMIN: The
12 Secretary will read.

13 THE SECRETARY: Senate Resolution
14 2400, by Senator Tedisco, congratulating the
15 Poland High School Girls Soccer Team and Head
16 Coach Tom Basel upon the occasion of winning the
17 New York State Class D Girls Soccer Championship.

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

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

22 I'm honored to introduce to you and
23 some of my colleagues an outstanding group of
24 student athletes from the 49th Senatorial
25 District.

1 Like you, I have often got up on the
2 floor of the New York State Senate and showed a
3 lot of pride about my Senate district. It's got
4 quite a bit of diversity -- rural, suburban,
5 city, urban, a lot of great towns, a lot of great
6 municipalities, counties, hamlets, villages. In
7 fact, what you may not know about my district,
8 being one of the largest Senate districts --
9 maybe in the top five, 4,000 square miles -- is
10 that I actually represent Russia, Ohio and
11 Poland. Russia and Ohio are towns in the
12 49th Senatorial District, and Poland is a
13 village.

14 And Poland is exceptionally well
15 represented here today up in the balcony above my
16 shoulder. They are the Tornadoes from Poland
17 Central School. They're the Girls Statewide
18 Varsity Soccer Champions, Class D, for New York
19 State.

20 And I told them earlier today that I
21 guess I can define them not as a good team, not
22 as a great team, but they are the perfect
23 Tornadoes. And I'll tell you why as I say a few
24 things about their record from last year.

25 The Poland High School Girls Soccer

1 Team ended a very successful season with a 6-1
2 victory over Section 6 Champion Avoca. And I'm
3 sorry that -- and this is quite a coincidence --
4 Senator O'Mara isn't here today, but they beat
5 Avoca, which is in his district. And I just
6 happen to be sitting right next to him. So maybe
7 he couldn't stand the heat.

8 (Laughter.)

9 SENATOR TEDISCO: Nah, he's very
10 proud of his school because they did win the
11 Section 6 championship.

12 But our team secured the Class D
13 New York State Girls Soccer Championship against
14 them on Sunday, November 17, at SUNY Cortland.
15 The Poland Tornadoes finished the campaign with a
16 perfect -- and this is why I call them perfect
17 tornadoes -- 23-0 season. Twenty-three wins, no
18 losses. They ran the table. You can't get much
19 better than that.

20 This group of young women has also
21 gained recognition beyond New York State,
22 garnering a Top 50 ranking nationally by
23 MaxPreps.

24 The Poland High School Girls Soccer
25 Team are not only champions on the pitch, but off

1 it as well. Just before the team's final match,
2 its members helped clean up their community,
3 which was hit by a devastating number of floods
4 and heavy winds, leaving more than 241,000 homes
5 without power. It was fairly devastating.

6 As I congratulate them, being
7 involved in athletics for a long period of time
8 as a player and as a coach, I also want to
9 congratulate their coach, Tom Basel. You don't
10 have an outstanding group of individuals like
11 this who achieve so much only by their talent and
12 skills, but you have to have great coaching to do
13 that.

14 And as I spoke to them, I told them
15 I think he taught them a lesson that is a great
16 lesson for all of us: If the individual doesn't
17 care who gets the credit, the group and the team
18 can achieve unbelievable successes. And that's a
19 great message for us individually, us as
20 Republicans and Democrats, but us as -- who want
21 to work, for the most part, in a bipartisan way
22 for the best interests of the constituents we
23 represent in New York State.

24 So Mr. President and my colleagues,
25 I would hope that you would welcome them,

1 congratulate them, and offer all the courtesies
2 of this august body. We're extremely proud of
3 their achievements.

4 ACTING PRESIDENT BENJAMIN: The
5 resolution was previously adopted on
6 January 14th.

7 To the Tornados, I welcome you on
8 behalf of the Senate. We extend to you all of
9 the courtesies and privileges of this house.

10 Congratulations. Please stand and
11 be recognized.

12 (Standing ovation.)

13 ACTING PRESIDENT BENJAMIN: Senator
14 Gianaris.

15 SENATOR GIANARIS: Thank you,
16 Mr. President.

17 As I heard Senator Tedisco listing
18 all the places he represents, I thought it was a
19 shame Senator Robach's not here to point out he
20 represents Greece.

21 (Laughter.)

22 SENATOR GIANARIS: But we have some
23 wonderfully named towns in upstate New York.

24 (Laughter.)

25 SENATOR GIANARIS: Can we now move

1 on to previously adopted Resolution 2737, by
2 Senator Bailey, read its title only, and
3 recognize Senator Bailey.

4 ACTING PRESIDENT BENJAMIN: The
5 Secretary will read.

6 THE SECRETARY: Senate Resolution
7 2737, by Senator Bailey, mourning the tragic
8 death of basketball icon, five-time NBA Champion,
9 18-time NBA All-Star, and two-time Olympic Gold
10 Medalist Kobe Bryant.

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

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

15 It's -- you know, we rise on a
16 solemn note today to recognize the life of
17 Mr. Kobe Bryant. And, you know, January 26th, it
18 was weird. Like I generally don't come up here
19 on Sundays, but we had a really early meeting on
20 Monday so I was getting ready to come up. And my
21 phone just started lighting up. I feel like I
22 got more calls and text messages than when I got
23 elected or when either one of my kids were born.
24 And they were saying that Kobe Bryant had passed
25 away.

1 And at first I didn't believe it. I
2 didn't want to believe it, to be honest with you.
3 It was in like my cousin's group chat -- I talk
4 about group chats a lot -- and there was
5 something from TMZ. And like, I'm not -- I'm not
6 dealing with that. I got call after call and
7 call after call, and it just -- it seemed to be
8 real.

9 And that affected me, not only
10 because it was just -- it wasn't just a celebrity
11 passing away, it was somebody that people in my
12 age range, Mr. President, believed that we kind
13 of knew him. You know, he was on NBA Inside
14 Stuff with Ahmad Rashad, and he used to rap with
15 Tyra Banks and Brian McKnight. He actually had a
16 few rap songs. Kobe can flow a little bit. If
17 you're really interested, you should go back and
18 listen to him. He wasn't bad. He actually was
19 pretty good, Mr. President.

20 But what really got me was when I
21 was driving up and I'm listening to sports radio
22 on the way up. And there had been rumors that
23 his daughter was on the helicopter as well. And
24 when that was confirmed, that really, for me,
25 crystallized it as a where-were-you moment in my

1 life.

2 You know, I mentioned that he was
3 somebody who -- we saw he took Brandy to the
4 prom, right. He was on more episodes of Moesha
5 than we care to remember. He was somebody that
6 was kind of a part of our generation in terms of
7 pop culture.

8 Yes, 18-time All-Star, MVP -- I
9 don't know how he won more than -- he only won
10 one MVP. They gave the other MVP to Steve Nash.
11 Nothing against Steve Nash, but Kobe should have
12 got that other MVP. Two-time Gold Medalist. His
13 first points that he ever scored were in the
14 Garden, Madison Square Garden. And obviously, as
15 a Knicks fan, you hope that it would have been
16 for us as opposed to against us, but it wasn't.
17 And that was a lifelong appreciation of Kobe as
18 an incredible athlete.

19 February 2nd of 2009 was his -- some
20 of us in New York called it his "Roger Maris
21 game," because he had 61 points, and at that time
22 that was the most points that had ever been
23 scored in Madison Square Garden by an opponent.
24 And I remember watching that game like it was
25 yesterday. The fadeaways -- and he modeled his

1 game after Jordan. And Kobe perfected his
2 fadeaway. Mike Jordan became Fadeaway Mike after
3 he was Air Jordan. Kobe was doing fadeaways in
4 his prime.

5 And I just remember the show that he
6 put on in the Garden. And if you look on social
7 media, he signed the scorecard for that game and
8 gave it to Spike Lee, noted Knicks fan, and said:
9 Spike, this {expletive} is your fault. Because
10 Spike used to talk to him at half court, but --
11 or court side, I should say. And it's one of
12 those things where you just remember where you
13 were at.

14 Fourth overall in NBA scoring. And
15 I guess the cruel irony is that the night before
16 he passed away was when LeBron James overtook him
17 as the fourth leading scorer in NBA history in
18 Kobe's hometown of Philadelphia. And one of his
19 hometowns, you should say, because he grew up in
20 Italy. And that shows the -- what intelligence
21 is. Kobe Bryant didn't go to college, as many of
22 us know, but he spoke three languages fluently:
23 English, Spanish and Italian. And he dabbled in
24 Chinese and German, I believe, as well. He was a
25 worldly individual without ever attending

1 college, which shows us what truly intelligence
2 is.

3 Some other things that I will note
4 about Kobe, about sneaker culture. I'm a big
5 sneakerhead, as they say. And the Flightposit,
6 the Nike Flightposits came out, they came out in
7 metallic gold and metallic purple, because
8 primarily they were trying to woo Kobe Bryant
9 into signing with Nike. And there's like a
10 special edition of a Flightposit that had like a
11 Kobe tag on it.

12 But he ultimately went to Adidas and
13 had his first sneakers, called the Crazy 8s.
14 They were nice sneakers.

15 But what happened around 2006, 2007
16 when he went back to Nike, he started wearing
17 low-tops again. And that was really -- you know,
18 it was revolutionary. Because those of us who
19 play basketball, or try to play basketball, we
20 were always told that don't wear low-top
21 sneakers, you're going to hurt your ankles.

22 Okay, and they use to play in the
23 Pumas back in the day, when Clyde Frazier -- but
24 nobody in the modern NBA had attempted to wear
25 low-tops. Kobe brought those back. And now you

1 see the KDs, Giannis Antetokounmpo, the Paul
2 Georges. A lot of NBA players are wearing
3 low-top shoes, and Kobe kind of brought those
4 back into style.

5 You know, I had two pairs of -- I
6 still have, actually, two pairs of Kobe 5s. And
7 really I have so many sneakers that I don't wear
8 them out, but I've worn out the bottoms of those
9 sneakers so much because -- big Kobe fan, and
10 they were really light and responsive, and they
11 were perfect for playing basketball. So it shows
12 that he was on to something.

13 He was really on to something in his
14 post-NBA career. He won an Oscar for "Dear
15 Basketball." He was somebody who many of us know
16 as a pop culture reference. And I don't know, I
17 don't care where you're at, what you were doing,
18 if you're balling up a piece of paper, at one
19 point in your life you balled up a piece of paper
20 (gesturing throw) and said "Kobe!" I know you
21 did.

22 And we -- because actually the week
23 before he passed away, at the State Police gym
24 where we play basketball on Tuesdays, on a couple
25 of fadeaways that I -- one that I made, one that

1 I missed, I definitely uttered a couple of
2 "Kobes!" It's not going to go away, and
3 shouldn't go away.

4 But the thing that got me the most
5 about his post-basketball career was that he was
6 a father. And even on LeBron James's remarks at
7 the first Laker game that they had since he
8 passed away, he mentioned that, Yeah, he was a
9 great player, but in the last three years you saw
10 that he was the best dad that we've ever got to
11 see.

12 You know, being the father of
13 daughters is special. Mr. President, you know
14 full well how special it is. There's a special
15 bond between father and daughter. And there
16 seemed to be an even more special bond between
17 Kobe and Gianna, his daughter that unfortunately
18 was with him when -- when -- you know, when the
19 helicopter went down.

20 And maybe that's why I'm just so
21 still taken aback by this. Maybe it's the
22 fatherhood aspect. Maybe it's because I saw him
23 grow up, or I grew up while Kobe was growing up.
24 But that fatherhood piece, seeing clips of his
25 daughter emulating him in so many ways on the

1 court. And to me, you know, there -- I can't
2 imagine anything, as a father, not being -- being
3 powerless when your child is facing something as
4 tragic as death.

5 And that's what I really want to
6 stress to everybody. It's bigger than basketball
7 and bigger than his career, his legacy, his name,
8 anything like that. He was a father. He was a
9 person who understood family and cared for his
10 family.

11 And this should just remind you to
12 give people their flowers while they can smell
13 them, man. Like you just don't know what time
14 you have left. If you love somebody, tell them
15 you love them. If you appreciate somebody, tell
16 them that you appreciate them. Because the next
17 time might not be the next time. That may not
18 happen.

19 He was supposed to help Dwight
20 Howard in the dunk contest that's coming up this
21 All-Star Weekend coming up. He mentored so many
22 young players in the NBA. Shaquille O'Neal's son
23 got a tattoo about him. He did so many things
24 that you can read that I'm not going to take the
25 time and belabor the point any further.

1 But just, you know, love the people
2 that you love, and tell them that you love them.
3 Because at some point you're not going to be able
4 to tell them that anymore.

5 And he was somebody that we looked
6 up to. Mr. President, we've got to do just one.
7 {Balling paper and throwing.} Kobe!

8 (Laughter.)

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

11 ACTING PRESIDENT BENJAMIN: The
12 resolution was previously adopted on
13 February 4th.

14 Senator Gianaris.

15 SENATOR GIANARIS: Mr. President,
16 is there any further business at the desk?

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

19 SENATOR GIANARIS: In that case I
20 move to adjourn -- {deliberately ripping paper in
21 half} --

22 (Laughter.)

23 SENATOR GIANARIS: -- until Monday,
24 February 10th, at 3:00 p.m. -- {ripping paper in
25 half} --

1 (Laughter.)

2 SENATOR GIANARIS: -- intervening
3 days being legislative days.

4 ACTING PRESIDENT BENJAMIN: On
5 motion, the Senate stands adjourned until Monday,
6 February 10th, at 3:00 p.m., intervening days
7 being legislative days {ripping paper in half}.

8 (Laughter.)

9 (Whereupon, at 12:18 p.m., the
10 Senate adjourned.)

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