

1 NEW YORK STATE SENATE

2  
3  
4 THE STENOGRAPHIC RECORD

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7  
8 ALBANY, NEW YORK

9  
10 February 10, 2020

11 3:56 p.m.

12  
13  
14 REGULAR SESSION

15  
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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: Reading  
14 of the Journal.

15 THE SECRETARY: In Senate, Sunday,  
16 February 9, 2020, the Senate met pursuant to  
17 adjournment. The Journal of Saturday,  
18 February 8, 2020, was read and approved. On  
19 motion, Senate 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: Senator Bailey

1 moves to discharge, from the Committee on Rules,  
2 Assembly Bill Number 9060 and substitute it for  
3 the identical Senate Bill 6944, Third Reading  
4 Calendar 23.

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

7 THE SECRETARY: Senator Gounardes  
8 moves to discharge, from the Committee on Rules,  
9 Assembly Bill Number 8983 and substitute it for  
10 the identical Senate Bill 6967, Third Reading  
11 Calendar 46.

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

14 THE SECRETARY: Senator Salazar  
15 moves to discharge, from the Committee on Rules,  
16 Assembly Bill Number 9134 and substitute it for  
17 the identical Senate Bill 7192, Third Reading  
18 Calendar 116.

19 ACTING PRESIDENT BENJAMIN: The  
20 substitution is so ordered.

21 THE SECRETARY: Senator Hoylman  
22 moves to discharge, from the Committee on Rules,  
23 Assembly Bill Number 9646 and substitute it for  
24 the identical Senate Bill Number 7623, Third  
25 Reading Calendar 322.

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

3           Messages from the Governor.

4           Reports of standing committees.

5           Reports of select committees.

6           Communications and reports from  
7   state officers.

8           Motions and resolutions.

9           Senator Gianaris.

10          SENATOR GIANARIS:    Mr. President,  
11   on behalf of Senator Sanders, I move to amend  
12   Senate Bill 3851A by striking out the amendments  
13   made on June 19th and restoring it to its  
14   previous print number, 3851.

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

18          Senator Gianaris.

19          SENATOR GIANARIS:    Mr. President,  
20   there's a privileged resolution at the desk.  
21   Please read its title only and recognize Senator  
22   Kennedy on the resolution.

23          ACTING PRESIDENT BENJAMIN:   The  
24   Secretary will read.

25          THE SECRETARY:    Senate Resolution

1 2662, by Senator Kennedy, memorializing Governor  
2 Andrew M. Cuomo to proclaim February 10, 2020, as  
3 Canada Day in the State of New York.

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

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

8 It's a great privilege and honor of  
9 mine today to welcome and honor the relationship  
10 between the United States and Canada and to  
11 recognize a few distinguished guests that we have  
12 joining us here today on the Senate floor.

13 We have with us here today the  
14 Acting Consul General of Canada in New York,  
15 Khawar Nasim; the Quebec Delegate General,  
16 Catherine Loubier; Ontario's Representative to  
17 the United States, Ian Todd; Nada Jarjour, the  
18 Quebec Delegate General; and Rachael Homewood,  
19 the Senior Advisor to the Canadian Consulate,  
20 along with Peter Rose, from the Quebec Government  
21 Office in New York.

22 These distinguished leaders are here  
23 with us to celebrate February 10, 2020, as  
24 Canada Day here in the State of New York.

25 And as we all know, New York and

1 Canada share deep economic, historic and cultural  
2 ties, in addition to the largest bilateral  
3 tourism industry in the United States.

4 Billions and billions of dollars are  
5 exchanged between our two great countries and  
6 uniquely between New York State and Canada every  
7 single year. In vacation spending alone, there's  
8 over \$1.6 billion in money that's spent by over  
9 5 million Canadians that visit the State of  
10 New York each and every year.

11 This partnership has led to more  
12 than 700 Canadian-owned companies putting down  
13 roots and growing our economy right here in  
14 New York State. These very companies are  
15 responsible for creating hundreds and hundreds of  
16 thousands of jobs here in New York. And with a  
17 shared border measuring 444 miles in length and  
18 17 international border crossings, our economies  
19 are tightly linked.

20 Canada serves as New York's primary  
21 export market, to the tune of \$13.8 billion in  
22 annual exports -- and that list is only expected  
23 to grow in the years to come.

24 On top of that, Canada has a very  
25 unique history with us, not only here in the

1 State of New York but in the United States of  
2 America. The millions and millions of immigrants  
3 that came over hundreds of years ago to our  
4 hemisphere from across the pond, many of them  
5 could not get into our great country, were turned  
6 away at the border for various reasons, including  
7 disease. The country of Canada welcomed them.  
8 Many of our ancestors made their way through  
9 Canada, still live there today, and many came  
10 down and ended up settling right here in the  
11 United States and here in the great State of  
12 New York.

13 So our histories are very much  
14 linked, our cultures are very much linked,  
15 whether we're talking about the great American  
16 pastime of baseball, where people cross over the  
17 border to see the Toronto Blue Jays or they come  
18 over and visit the Buffalo Bills, the only  
19 New York State football team --

20 (Laughter.)

21 SENATOR KENNEDY: -- or we are  
22 sharing our rivalries, be it the Rangers or the  
23 Islanders or of course the great Buffalo Sabres  
24 organization, the Toronto Maple Leafs, the  
25 Montreal Canadiens, and the list goes on and on.

1                   Our communities respect each other,  
2   we love each other, and we share our economies  
3   and our mutual histories and futures together.

4                   So we welcome you with open arms.  
5   Thank you so much for visiting us here today.  
6   Thank you for celebrating Canada Day today here  
7   in the State of New York. Please offer all  
8   privileges of the house to our guests, and we  
9   look forward to our relationship growing even  
10  stronger in the years ahead.

11                  Welcome, and thank you.

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

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

16                  It's my honor to stand and to  
17  welcome our neighbors but, more importantly, our  
18  friends to the north. My district borders Canada  
19  with Clinton County, Franklin County; the  
20  Akwesasne Reservation is partly in Canada, partly  
21  in the U.S.; and we are so intertwined.

22                  The City of Plattsburgh has a huge  
23  number of Canadian companies which are operating  
24  in Plattsburgh, to the point that 15 percent of  
25  the workforce in Plattsburgh goes to work every



1 morning to a Canadian company who is operating in  
2 Plattsburgh.

3 And we have companies throughout the  
4 district: Kruger has two hydro plants, we have  
5 Irving Tissue in Washington County, as well as  
6 Bombardier, Nova Bus, and so many others.

7 So we have also, in athletics, one  
8 of the most popular economic engines in the  
9 Lake Placid area is CAN/AM Hockey, which is  
10 operating every week. And you see youngsters  
11 playing hockey, and a real international event  
12 and tournament that goes on.

13 And just Friday night at our local  
14 hockey team, the Adirondack Thunder, in  
15 Glens Falls, the Queensbury Middle School sang  
16 the Canadian National Anthem because we were  
17 playing a Canadian team.

18 So it's a pleasure to have you here.  
19 And I look forward to seeing you tonight at our  
20 Canada reception, which they are having at 5:30,  
21 and everyone is invited. So thank you very much  
22 for being here, and thanks for being such a great  
23 partner. Thank you.

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

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

3                   I want to welcome our distinguished  
4     guests today. And as another member of the  
5     Senate who has the border of Canada with northern  
6     New York, we do appreciate all of the goodwill  
7     and all of the continued conversations that we  
8     have together to ensure that we make both our  
9     state and nation here in America, as well as the  
10    provincial governments in the nation of Canada,  
11    continue to be good partners.

12                  And I just want to add something  
13    today, and we continue looking forward to that  
14    positive relationship moving forward. And  
15    Senator Kennedy, you were very eloquent today,  
16    but there was another Kennedy more eloquent than  
17    you. And I just want to remember what President  
18    John F. Kennedy once said: Geography has made us  
19    neighbors. History has made us friends.  
20    Economics has made us partners, and necessity has  
21    made us allies. Those whom God has so joined  
22    together, let no man put asunder.

23                  God bless you, and welcome.

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

1                   SENATOR RITCHIE:    Thank you.

2                   I'd just like to add my voice to  
3   welcoming our neighbors.  I actually do only live  
4   a couple of miles from the border and have a  
5   pretty regular trip across either the bridge on  
6   Alex Bay or in Ogdensburg.  And we spend a lot of  
7   time there.

8                   I do, on pretty much a daily basis,  
9   check the parking lots to see how many of our  
10  Canadian friends are there.  And this afternoon  
11  is a little special for us, because our Canadian  
12  counterparts are going to be meeting at a city  
13  council meeting in Ogdensburg.  They've been  
14  working on a project with us:  The first bicycle  
15  ferry back and forth from Ogdensburg to Prescott.  
16  And we look forward to having that up and  
17  running.  I want to say I appreciate the  
18  friendship.

19                  And we talk about another country.  
20  When you live so close to the border, we don't  
21  see Canada as another country, we just see it as  
22  an extension of our family and friends.

23                  So welcome, glad to have you back,  
24  and look forward to making my next trip over.

25                  ACTING PRESIDENT BENJAMIN:   The

1 question is on the resolution.

2 All in favor signify by saying aye.

3 (Response of "Aye.")

4 ACTING PRESIDENT BENJAMIN:

5 Opposed?

6 (No response.)

7 ACTING PRESIDENT BENJAMIN: The  
8 resolution is adopted.

9 To our guests from Canada, I welcome  
10 you on behalf of the Senate. We extend to you  
11 all of the privileges and courtesies of this  
12 house. Please rise and be recognized.

13 (Standing ovation.)

14 ACTING PRESIDENT BENJAMIN: Senator  
15 Gianaris.

16 SENATOR GIANARIS: Mr. President,  
17 at the request of Senator Kennedy, that  
18 resolution is open for cosponsorship.

19 ACTING PRESIDENT BENJAMIN: The  
20 resolution is open for cosponsorship. Should you  
21 choose not to be a cosponsor of the resolution,  
22 please notify the desk.

23 Senator Gianaris.

24 SENATOR GIANARIS: Can we now take  
25 up the reading of the calendar, please.

1                   ACTING PRESIDENT BENJAMIN:    The  
2   Secretary will read.

3                   THE SECRETARY:    Calendar Number 23,  
4   Assembly Print Number 9060, substituted earlier  
5   by Assemblymember Wright, an act to amend the  
6   Correction Law.

7                   ACTING PRESIDENT BENJAMIN:    Read  
8   the last section.

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

12                  ACTING PRESIDENT BENJAMIN:    Call  
13  the roll.

14                  (The Secretary called the roll.)

15                  ACTING PRESIDENT BENJAMIN:  
16  Senator Akshar to explain his vote.

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

19                  When I come here on Monday morning,  
20  when I drive up to Albany on Monday morning, I  
21  ask myself, When will the madness ever stop?

22                  First it was the disastrous bail  
23  reform, then the discovery reform, now we've  
24  suggested we're going to take away facial  
25  recognition from the NYPD.  We've suggested that

1 we're going to offer elder parole. We've  
2 suggested about repealing 50-A. This weekend an  
3 attempted assassination on the NYPD. How do we  
4 respond? We say now if you get a degree when  
5 you're in prison, we will consider letting you  
6 out early.

7 I for one am disgusted with the  
8 message that this house continues to send to  
9 law-abiding New Yorkers. And it's abundantly  
10 clear what we're saying. We're saying, once  
11 again, that this house is putting criminals  
12 before law-abiding citizens.

13 Mr. President, I vote no.

14 ACTING PRESIDENT BENJAMIN:  
15 Senator Akshar to be recorded in the negative.

16 Senator Bailey to explain his vote.

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

19 I must disagree with my esteemed  
20 colleague across the aisle, as this is a  
21 clarification on a chapter amendment that was  
22 passed last year. And I didn't hear the same  
23 energy on this bill, Mr. President, last year.

24 So for those reasons, I vote aye.

25 ACTING PRESIDENT BENJAMIN: Senator

1 Bailey to be recorded in the affirmative.

2 Announce the results.

3 THE SECRETARY: In relation to  
4 Calendar Number 23, those Senators voting in the  
5 negative are Senators Akshar, Amedore, Borrello,  
6 Flanagan, Funke, Gallivan, Griffio, Helming,  
7 Jacobs, Jordan, Lanza, Little, O'Mara, Ortt,  
8 Ranzenhofer, Ritchie, Robach and Seward. Also  
9 Senator Tedisco. Also Senator Boyle. Also  
10 Senator Serino.

11 Ayes, 39. Nays, 21.

12 ACTING PRESIDENT BENJAMIN: The  
13 bill is passed.

14 THE SECRETARY: Calendar Number 46,  
15 Assembly Print Number 8983, substituted earlier  
16 by Assemblymember Carroll, an act to amend the  
17 Vehicle and Traffic Law.

18 ACTING PRESIDENT BENJAMIN: Read  
19 the last section.

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

23 ACTING PRESIDENT BENJAMIN: Call  
24 the roll.

25 (The Secretary called the roll.)

1           ACTING PRESIDENT BENJAMIN:

2   Announce the results.

3           THE SECRETARY:    Ayes, 60.

4           ACTING PRESIDENT BENJAMIN:    The  
5   bill is passed.

6           THE SECRETARY:    Calendar Number 56,  
7   Senate Print 1054A, by Senator Persaud, an act to  
8   amend the Penal 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   Announce the results.

18          THE SECRETARY:    In relation to  
19   Calendar Number 56, voting in the negative:  
20   Senator Ranzenhofer.

21               Ayes, 59.  Nays, 1.

22          ACTING PRESIDENT BENJAMIN:    The  
23   bill is passed.

24          THE SECRETARY:    Calendar Number  
25   111, Senate Print 7187, by Senator Kaplan, an act



1 to amend the Real Property Tax 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, 60.

13 ACTING PRESIDENT BENJAMIN: The  
14 bill is passed.

15 THE SECRETARY: Calendar Number  
16 116, Assembly Print Number 9134, substituted  
17 earlier by Assemblymember Lavine, an act to amend  
18 the Public Health 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, 60.

4                   ACTING PRESIDENT BENJAMIN:    The  
5   bill is passed.

6                   THE SECRETARY:    Calendar Number  
7   122, Senate Print 2494, by Senator Serrano, an  
8   act to amend the Parks, Recreation and Historic  
9   Preservation 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:  
18   Announce the results.

19                  THE SECRETARY:    Ayes, 61.

20                  ACTING PRESIDENT BENJAMIN:    The  
21   bill is passed.

22                  THE SECRETARY:    Calendar Number  
23   139, Senate Print 5723, by Senator Jackson, an  
24   act to amend the Administrative Code of the City  
25   of New York.

1                   ACTING PRESIDENT BENJAMIN:    Read  
2   the last section.

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

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:    Ayes, 60.   Nays, 1.  
11   Senator Felder voting in the negative.

12                  ACTING PRESIDENT BENJAMIN:    The  
13   bill is passed.

14                  THE SECRETARY:    Calendar Number  
15   147, Senate Print 5574, by Senator Sepúlveda, an  
16   act to amend the Civil Practice Law and Rules.

17                  ACTING PRESIDENT BENJAMIN:    Read  
18   the last section.

19                  THE SECRETARY:    Section 3.   This  
20   act shall take effect on the 30th day after it  
21   shall have become a law.

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:    Ayes, 61.

3                   ACTING PRESIDENT BENJAMIN:    The  
4     bill is passed.

5                   THE SECRETARY:    Calendar Number  
6     156, Senate Print 4661, by Senator Kaminsky, an  
7     act to amend the Alcoholic Beverage Control Law.

8                   ACTING PRESIDENT BENJAMIN:    Read  
9     the last section.

10                  THE SECRETARY:    Section 7.  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:

16     Announce the results.

17                   THE SECRETARY:    Ayes, 61.

18                   ACTING PRESIDENT BENJAMIN:    The  
19     bill is passed.

20                   THE SECRETARY:    Calendar Number  
21     162, Senate Print 2174, by Senator Bailey, an act  
22     to amend the Social Services Law.

23                   ACTING PRESIDENT BENJAMIN:    Read  
24     the last section.

25                   THE SECRETARY:    Section 2.  This

1 act shall take effect on the 90th 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: Ayes, 61.

9 ACTING PRESIDENT BENJAMIN: The  
10 bill is passed.

11 THE SECRETARY: Calendar Number  
12 163, Senate Print 3041, by Senator Sanders, an  
13 act to amend the Social Services 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:  
23 Announce the results.

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 THE SECRETARY: Calendar Number  
3 178, Senate Print 4188, by Senator Kennedy, an  
4 act to amend the Banking Law.

5 ACTING PRESIDENT BENJAMIN: Read  
6 the last section.

7 THE SECRETARY: Section 2. This  
8 act shall take effect on the 90th day after it  
9 shall have become a law.

10 ACTING PRESIDENT BENJAMIN: Call  
11 the roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BENJAMIN:  
14 Announce the results.

15 THE SECRETARY: In relation to  
16 Calendar Number 178, those Senators voting in the  
17 negative are Senators Borrello, Flanagan, Jacobs,  
18 Jordan, O'Mara, Ortt and Seward.

19 Ayes, 54. Nays, 7.

20 ACTING PRESIDENT BENJAMIN: The  
21 bill is passed.

22 THE SECRETARY: Calendar Number  
23 179, Senate Print 7063, by Senator Little, an act  
24 to amend the Real Property Law.

25 ACTING PRESIDENT BENJAMIN: Read

1 the last section.

2 THE SECRETARY: Section 2. 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: Ayes, 61.

11 ACTING PRESIDENT BENJAMIN: The  
12 bill is passed.

13 THE SECRETARY: Calendar Number  
14 180, Senate Print 3872A, by Senator Carlucci, an  
15 act to amend the Mental Hygiene Law.

16 ACTING PRESIDENT BENJAMIN: Read  
17 the last section.

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

20 ACTING PRESIDENT BENJAMIN: Call  
21 the roll.

22 (The Secretary called the roll.)

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

25 SENATOR CARLUCCI: Thank you,

1 Mr. President.

2 As we've seen from recent reports,  
3 the senior population in the United States within  
4 the next 30 years is expected to double. This  
5 legislation that we have before us today will  
6 help to break down the silos that exist between  
7 the Department of Health, between Mental Health  
8 and the home care services that exist.

9 We have to make sure that as our  
10 seniors are aging, as all of us are aging, that  
11 we're able to meet the challenges of our time.  
12 We have to make sure that we are working together  
13 between agencies, between Mental Health and home  
14 care providers, to provide the most  
15 comprehensive, patient-centered service possible.  
16 This will lead to better outcomes, as we all  
17 know.

18 And this is an effort to be  
19 proactive instead of reactive, to really show an  
20 example of what's possible in treating people  
21 living with mental illness, treating them at home  
22 and making sure they can live as productive and  
23 independent lives as possible.

24 So, Mr. President, I'll be  
25 supporting this legislation, and I want to thank



1 my colleagues for doing the same.

2 Thank you.

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

5 Announce the results.

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT BENJAMIN: The  
8 bill is passed.

9 THE SECRETARY: Calendar Number  
10 322, Assembly Print Number 9646, substituted  
11 earlier by Assemblymember Magnarelli, an act to  
12 amend the Vehicle and Traffic Law.

13 ACTING PRESIDENT BENJAMIN: Read  
14 the last section.

15 THE SECRETARY: Section 5. This  
16 act shall take effect on the same date and in the  
17 same manner as a chapter of the Laws of 2020.

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: Ayes, 61.

24 ACTING PRESIDENT BENJAMIN: The  
25 bill is passed.

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

3           SENATOR GIANARIS:    Mr. President,  
4     can we now go back to motions and resolutions and  
5     take up previously adopted Resolution 2713, by  
6     Senator Harckham, read it in its entirety, and  
7     recognize Senator Harckham.

8           ACTING PRESIDENT BENJAMIN:    The  
9     Secretary will read.

10          THE SECRETARY:    Senate Resolution  
11     2713, by Senator Harckham, mourning the death of  
12     Judith Johnson, prominent educator, distinguished  
13     citizen, and devoted member of her community.

14          "WHEREAS, It is the custom of this  
15     Legislative Body to pay tribute to citizens of  
16     the State of New York whose lifework and civic  
17     endeavors served to enhance the quality of life  
18     in their communities and the great State of  
19     New York; and

20          "WHEREAS, Judith Johnson of  
21     New Hempstead, New York, died on Tuesday, October  
22     22, 2019, at the age of 80; and

23          "WHEREAS, Starting her career as a  
24     teacher in the New York City schools, Judith  
25     Johnson went on to serve in administrative roles

1 for the Mamaroneck, Southern Westchester BOCES,  
2 Nyack, and White Plains school systems; and

3 "WHEREAS, Judith Johnson's  
4 immaculate career included a tenure in the  
5 United States Department of Education under  
6 President Bill Clinton, first serving as Deputy  
7 Assistant Secretary and later as the Acting  
8 Assistant Secretary for Elementary and Secondary  
9 Education; and

10 "WHEREAS, Following this endeavor,  
11 Judith Johnson returned to New York State and  
12 served as Superintendent of Peekskill Schools  
13 from 2001 to 2011, and Interim Superintendent of  
14 Mount Vernon Schools from 2012 to 2014; and

15 "WHEREAS, In 2008, Judith Johnson  
16 was named New York State School Superintendent of  
17 the Year, making her the first African-American  
18 to receive this auspicious award from the  
19 New York State Council of School Superintendents;  
20 and

21 "WHEREAS, Furthermore, in 2015,  
22 Judith Johnson was inducted into the Rockland  
23 County Civil Rights Hall of Fame; that same year,  
24 she was chosen by legislative leaders to  
25 represent the 9th Judicial District on the Board

1 of Regents, which creates educational policy; and

2 "WHEREAS, A true pillar in her  
3 community, Judith Johnson was often seen at  
4 schools, nonprofits, and community events; this  
5 extraordinary woman truly cared about the life  
6 and well-being of all the students and families  
7 she came in contact with; and

8 "WHEREAS, Armed with a humanistic  
9 spirit and imbued with a sense of compassion,  
10 Judith Johnson leaves behind a legacy which will  
11 long endure the passage of time and will remain  
12 as a comforting memory to all she served and  
13 befriended; now, therefore, be it

14 "RESOLVED, That this Legislative  
15 Body pause in its deliberations to mourn the  
16 death of Judith Johnson, prominent educator,  
17 distinguished citizen, and devoted member of her  
18 community, and to acknowledge all the work she  
19 did over her illustrious career to nurture the  
20 hearts and minds of young New Yorkers in the  
21 Lower Hudson Valley; and be it further

22 "RESOLVED, That a copy of this  
23 resolution, suitably engrossed, be transmitted to  
24 the family of Judith Johnson."

25 ACTING PRESIDENT BENJAMIN: Senator

1 Harckham on the resolution.

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

4 It's fitting that today we are  
5 passing this resolution for Regent Judith  
6 Johnson, as tonight at 5:00 the Board of Regents  
7 will be holding a tribute in her honor at the  
8 State Museum, to which many of you have been  
9 invited and will be attending.

10 Although she resided technically in  
11 Rockland County, we like to claim her in  
12 Westchester County because much of her storied  
13 career happened in Westchester.

14 But whether she lived in Rockland or  
15 served in Westchester, her legacy of helping  
16 children and putting children first really  
17 impacted every child in this state. And Judith  
18 Johnson believed that every child had a right to  
19 an equal education regardless of the zip code  
20 from which they came. She fought tirelessly for  
21 funding for every child to get a sound education,  
22 and yet she also believed that the community  
23 which that child came from needed to surround all  
24 of the children, to help support them as they  
25 strove for that education.

1                   Now, she had a varied career. But  
2 she started as a teacher, as an administrator,  
3 and she served prominent positions in White  
4 Plains, in Mount Vernon, and in my home city, the  
5 Peekskill School District, where she was a  
6 superintendent for 10 years. And in 2008, she  
7 was named the New York State Superintendent of  
8 the Year, the first African-American in the  
9 history of that award to win that award.

10                  So upon her passing, you know, we  
11 need to remember her legacy. Her son was on his  
12 way here, which is why I thank everyone for  
13 holding this. He's not quite here, but we'll  
14 give him this resolution this evening.

15                  But her legacy is a lasting one and  
16 a powerful one. She leaves big shoes to be  
17 filled. I know there are interviews underway,  
18 and thanks to Chairwoman Mayer for taking up  
19 those efforts. But she left a great legacy, and  
20 we are all better off and our children are better  
21 off for her service to the State of New York.

22                  Thank you, Mr. President.

23                  ACTING PRESIDENT BENJAMIN:    Senator  
24 Carlucci on the resolution.

25                  SENATOR CARLUCCI:    Thank you,

1 Mr. President.

2 I want to thank Senator Harckham for  
3 putting forward this important resolution.

4 And I was just so honored and  
5 privileged to get to know Regent Judith Johnson.  
6 Before she became our Regent, she helped us on a  
7 consistent basis in finding a way forward in the  
8 East Ramapo School District. Judith Johnson  
9 lived in the East Ramapo School District and was  
10 a constituent of mine, and we were just so  
11 blessed and fortunate to have her as part of our  
12 team.

13 Before, she had the resume that  
14 anyone would dream of in education, and her  
15 experience in the White House, working under  
16 President Clinton, and her time as superintendent  
17 in Mount Vernon, as the previous speaker had  
18 mentioned. But what was most fitting was she  
19 spent the time. She listened. And she used her  
20 expertise for such great good things.

21 We have a long road ahead of us when  
22 it comes to fixing education policy in this  
23 state, and particularly for the districts that I  
24 represent like East Ramapo, like Ossining, that  
25 we've been left so far behind with the changing

1 dynamic in our community. And Judith Johnson got  
2 that and understood that and said, Hey, we're in  
3 the 21st century. We're dealing with situations  
4 that we haven't before, and our education policy  
5 has to keep up. And she fought and pushed and  
6 pulled to really drag our education policy into  
7 the 21st century.

8                   And I'm just so grateful to her  
9 legacy, to the work that she did, the work that  
10 is not mentioned in the resolutions -- the  
11 tireless -- the lengthy hours that she spent, the  
12 going to the board meetings and on the side to  
13 work with us to craft legislation, whether it was  
14 the monitor in the East Ramapo School District or  
15 spin-up legislation for the East Ramapo School  
16 District, thinking of creative ways, things that  
17 hadn't been done before, but ways that we could  
18 move forward and make sure that all of our  
19 children got the best education possible.

20                   So it's just humbling to be here and  
21 speak on the resolution to honor and commemorate  
22 the life of Judith Johnson. It's a legacy that  
23 won't be forgotten in Rockland County. And I'm  
24 hopeful it's a legacy that inspires so many  
25 throughout the State of New York.



1                   So I want to thank my colleagues for  
2     taking up this resolution. Thank you,  
3     Mr. President.

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

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

8                   It's truly an honor to speak about  
9     the legacy of Judith Johnson, Regent and many  
10    other things.

11                  I want to thank my colleague Senator  
12    Harckham for bringing this to the floor, and to  
13    the Board of Regents for celebrating her tonight.

14                  You know, there were some  
15    characteristics of Judith Johnson that I think  
16    are frequently forgotten. First of all, she was  
17    incredibly courageous and forward-thinking. She  
18    did not hesitate to question and to criticize,  
19    but she did it in a most loving way. She came to  
20    every meeting thoroughly prepared, every speech  
21    had written remarks prepared. She had done her  
22    homework. But she always asked the question:  
23    What is fair, what is just, how can we do better?  
24    And she did it in the most positive way.

25                  All of us could learn a lesson from

1 her leadership in that regard. She viewed us as  
2 on the path to justice, but it wasn't going to  
3 happen right away. And really she was a role  
4 model in that respect.

5 Also she was -- her commitment to  
6 equity and justice was the most dominant theme of  
7 her life, whether in East Ramapo, coming to  
8 Yonkers, Ossining, the City of New York -- every  
9 place she went, she cared about every child and  
10 she exhibited it in the most personal way. She  
11 got joy out of every child. And you could see  
12 that when she went to schools.

13 She loved going to schools and  
14 seeing children. It was the experience of  
15 children that motivated her. She cared less  
16 about the adults and more about the children.

17 Finally, something that she did is  
18 that she talked about arts and music everywhere  
19 she went in school, she talked about the changing  
20 of her own life through exposure as a young girl  
21 in New York City to art and music. And it just  
22 carried her through the day.

23 It's a tremendous loss. And as we  
24 interviewed Regent candidates last week, it was  
25 clear, her shoes will not be filled. She was

1 really larger than life in the most human and  
2 loving way, a way that showed that she cared  
3 about children.

4               So it's fitting that we honor her,  
5 but also we should not forget her, because she  
6 had a lesson to teach us and we need to carry it  
7 on. May her memory be a blessing.

8               Thank you, Mr. President.

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

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

13              I thank Senator Harckham as well for  
14 introducing this very important resolution about  
15 somebody who was a giant in the educational  
16 community, and her name resonated far beyond the  
17 district that she represented.

18              On the Sunday of her services that  
19 were up in Rockland, I happened to be attending a  
20 church service a few blocks from where I grew up  
21 on 227th Street in the Bronx. And it was  
22 mentioned that somebody was going to go to -- we  
23 were going to go to her services, and the room  
24 quieted down. Many of these folks from the  
25 Bronx, many of these folks from Lower Westchester

1 County all knew about Judith Johnson and the  
2 indelible impact that she had on education.

3 As a Bronx boy, I didn't really  
4 fully understand her greatness until I sat down  
5 with her one day, sat down with her and  
6 Dr. Hamilton, the Mount Vernon superintendent,  
7 one day. She had an incredible recall, an  
8 incredible ability to talk about educational  
9 policy -- not just in terms of theoretical, but  
10 she could really break it down. She understood  
11 where Mount Vernon was in the direction that she  
12 wanted it to go. And she was incredibly  
13 passionate about the students, everything that  
14 Senator Mayer said.

15 She spoke about the transformation  
16 of Thornton High School to have a more profound  
17 effort on music and the arts in the City of  
18 Mount Vernon, and she was very proud about that.  
19 And she had so many things that she wanted to do.

20 And every time I saw her, it was  
21 when I was visiting a school and she was visiting  
22 the school too. She wasn't just a Regent in  
23 name, she was a Regent in action. And not  
24 inaction, she was in action. Mr. President, she  
25 was in every possible school. And I felt that at

1 some times she was kind of checking up on me,  
2 because we'd always be at the same school at the  
3 same time.

4 But I am grateful for what she did  
5 and the legacy that she will leave, in that she  
6 makes sure that we understand that education is  
7 first, second and last for our children.

8 Thank you, Mr. President.

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

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

13 And I too want to express my  
14 gratitude to Senator Harckham for bringing some  
15 attention to what is -- or who is one of the most  
16 remarkable people that I've encountered in my  
17 eight years here in the State Legislature.

18 And, you know, much has been made,  
19 rightfully so, about Judith Johnson's resume, her  
20 experience. I was part of the Hudson Valley  
21 delegation that interviewed her and many others  
22 when she was first seeking appointment. And  
23 seeing her resume, it is second to none -- anyone  
24 that has ever applied to the Board of Regents,  
25 second to none, the vast set of experience that

1 she brought to this job.

2 But that's not what I want to focus  
3 on. What I want to focus on is the fact that  
4 Judith Johnson is someone, once she got  
5 appointed, was someone who lived and breathed  
6 every moment on behalf of the students in this  
7 state. There are some Regents -- all of whom are  
8 good people, but some Regents who have other  
9 jobs, other commitments, other focuses. Judith  
10 Johnson, this is what she did all day, every day,  
11 40, 50, 60 hours a week. I'd spend entire days  
12 with her in my district.

13 This is someone whose shoes cannot  
14 be filled. We have great applicants who are  
15 coming to fill this seat that she filled for a  
16 number of years, but there is no one who can fill  
17 the shoes of Judith Johnson. She will be greatly  
18 missed. Her mark that she has left on this state  
19 is indelible.

20 And I am very fortunate to have  
21 counted her as a friend and a colleague on behalf  
22 of education and the children in this state.

23 Thank you, Mr. President.

24 ACTING PRESIDENT BENJAMIN: The  
25 resolution was previously adopted on

1 February 4th.

2 Senator Gianaris.

3 SENATOR GIANARIS: At the request  
4 of Senator Harckham, that resolution is also open  
5 for cosponsorship.

6 ACTING PRESIDENT BENJAMIN: The  
7 resolution is open for cosponsorship. Should you  
8 choose not to be a cosponsor of the resolution,  
9 please notify the desk.

10 Senator Gianaris.

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

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

15 SENATOR GIANARIS: I move to  
16 adjourn until tomorrow, Tuesday, February 11th,  
17 at 3:00 p.m.

18 ACTING PRESIDENT BENJAMIN: On  
19 motion, the Senate stands adjourned until  
20 Tuesday, February 11th, at 3:00 p.m.

21 (Whereupon, at 4:30 p.m., the Senate  
22 adjourned.)

23

24

25