NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 19, 2022

3:11 p.m.

REGULAR SESSION

SENATOR ROXANNE J. PERSAUD, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT PERSAUD: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT PERSAUD: The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, January 18, 2022, the Senate met pursuant to adjournment. The Journal of Sunday, June 16, 2022, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT PERSAUD: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

I move to adopt the Resolution Calendar, with the exception of Resolutions 1631 and 1706.

ACTING PRESIDENT PERSAUD: All those in favor of adopting the Resolution Calendar please signify by stating aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed, nay.

(No response.)

ACTING PRESIDENT PERSAUD: The Resolution Calendar is adopted, with the exception of Resolutions 1631 and 1706.

Senator Gianaris.

SENATOR GIANARIS: At this time can we take up the reading of the calendar, please.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Calendar Number 41, Senate Print 7713, by Senator Ortt, an act to amend the Executive Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 41, voting in the negative: Senator Skoufis.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 45, Senate Print 7717, by Senator Kavanagh, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This

act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 48, Senate Print 7720, by Senator Thomas, an act to amend the General Business Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 48, those Senators voting in the negative are Senators Griffo and Martucci.

Ayes, 61. Nays, 2.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 49, Senate Print 7721, by Senator Kennedy, an act to amend the Tax Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 51, Senate Print 7723, by Senator Gaughran, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 51, voting in the negative: Senator Lanza.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 52, Senate Print 7724, by Senator Biaggi, an act to amend the Banking Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 52, voting in the negative: Senator Serino.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 53, Senate Print 7725, by Senator Bailey, an act to amend the Labor Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 54, Senate Print 7726, by Senator Skoufis, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 54, voting in the negative: Senator Martucci.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 59, Senate Print 7731, by Senator Skoufis, an act to amend the Real Property Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Senator Serino to explain her vote.

SENATOR SERINO: Thank you very much, Madam President.

I just ask to recuse myself because I am a real estate broker. Thank you.

ACTING PRESIDENT PERSAUD: Senator Serino will be recorded as recused.

Announce the results.

THE SECRETARY: In relation to Calendar Number 59, those Senators voting in the negative are Senators Akshar, Borrello, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Stec and Weik.

And Senator Serino recused herself.

Ayes, 46. Nays, 16.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 63, Senate Print 7735, by Senator Liu, an act to amend the General Obligations Law and the Real Property Law.

ACTING PRESIDENT PERSAUD: Read the

last section.

THE SECRETARY: Section 4. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 64, Senate Print 7736, by Senator Kaplan, an act to amend the Penal Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to

Calendar Number 64, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 44. Nays, 19.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 65, Senate Print 7737, by Senator Kaminsky, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 8. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 66,

Senate Print 7738, by Senator Brooks, an act to amend the County Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 146, Senate Print 7775, by Senator Hinchey, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 166, Senate Print 7800, by Senator Ramos, an act to amend the Social Services Law.

ACTING PRESIDENT PERSAUD: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 166, voting in the negative: Senator Helming.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number

172, Senate Print 7806, by Senator Gianaris, an act to amend a chapter of the Laws of 2021.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 172, those Senators voting in the negative are Senators Akshar, Borrello, Boyle, Gallivan, Griffo, Helming, Jordan, Lanza, Martucci, Mattera, Oberacker, O'Mara, Ortt, Palumbo, Rath, Ritchie, Serino, Stec, Tedisco and Weik.

Ayes, 43. Nays, 20.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 183, Senate Print 7819, by Senator Myrie, an act to amend the Public Officers Law and the Election Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 183, those Senators voting in the negative are Senators Jordan, O'Mara and Ortt.

Ayes, 60. Nays, 3.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 186, Senate Print 7823, by Senator Sanders, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 194, Senate Print 7836, by Senator Kennedy, an act to amend the Public Service Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 194, those Senators voting in the negative are Senators Akshar, Borrello, Jordan, Martucci, Oberacker, O'Mara, Ortt, Rath, Serino, Stec, Tedisco and Weik.

Ayes, 51. Nays, 12.

ACTING PRESIDENT PERSAUD: The bill is passed.

THE SECRETARY: Calendar Number 195, Senate Print 7837, by Senator Breslin, an act to amend the Public Health Law.

ACTING PRESIDENT PERSAUD: Read the last section.

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

ACTING PRESIDENT PERSAUD: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT PERSAUD: Announce the results.

THE SECRETARY: In relation to Calendar Number 195, Senator Gallivan in the negative.

Ayes, 62. Nays, 1.

ACTING PRESIDENT PERSAUD: The bill is passed.

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

SENATOR GIANARIS: Thank you, Madam President.

At this point if we could return to motions and resolutions and take up Resolution 1631, by Leader Stewart-Cousins, read

that resolution in its entirety, and recognize our Majority Leader on the resolution.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution Number 1631, by Senator Stewart-Cousins, commemorating the observance of the 37th Annual Martin Luther King, Jr. Day in the State of New York, on January 17, 2022.

"WHEREAS, From time to time we take note of certain individuals whom we wish to recognize for their valued contributions and to publicly acknowledge their endeavors which have enhanced the basic humanity among us all; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, it is the custom of this Legislative Body to join the people of this great Empire State in proudly observing the 37th Annual Martin Luther King, Jr. Day in the State of New York, on January 17, 2022, taking note of his many accomplishments and contributions to mankind; and

"WHEREAS, Dr. Martin Luther King, Jr., was born the grandson of a slave into

a segregated society in Atlanta, Georgia, on January 15, 1929, and was instrumental in formulating a policy which ultimately destroyed legal apartheid in the southern states of our nation; and

"WHEREAS, In February of 1968, Dr. Martin Luther King, Jr., spoke about the inevitability of his death and hoped that when we spoke of his life, we would not concentrate on his academic achievements: that he graduated from Morehouse College, that he attended the Crozer Theological Seminary and Boston University, where he earned a doctorate in Systematic Theology; and

"WHEREAS, Furthermore, Dr. Martin Luther King, Jr., did not find it important that we mention that he won the Nobel Peace Prize and over 300 other awards; and

"WHEREAS, Dr. Martin Luther King, Jr.'s finest legacy of greater social justice for all Americans was truly reflected in his devotion to serve and respect others, and in his steadfast love for all humanity; and

"WHEREAS, Standing in a long line of great American Black leaders, Dr. Martin Luther

King, Jr., represents the historical culmination and the living embodiment of a spirit of united purpose rooted in Black African culture and the American dream; and

"WHEREAS, An apostle of peace, Dr. Martin Luther King, Jr., fought unrelentingly for the civil rights of all Americans and taught us that through nonviolence, courage displaces fear, love transforms hate, acceptance dissipates prejudice, and mutual regard cancels enmity; and

"WHEREAS, Dr. Martin Luther King, Jr., manifestly contributed to the cause of America's freedom, and his commitment to human dignity is visibly mirrored in the spiritual, economic, and political dimensions of the civil rights movement; and

"WHEREAS, In addition, Dr. Martin Luther King, Jr.'s life was devoted to the liberation of his people, and his courage transcended the advocates of mindless retrenchment; and

"WHEREAS, It is the sense of this Legislative Body that the common and shared responsibility of governance demands an irrevocable commitment to the preservation and

enhancement of human dignity as exemplified by Dr. Martin Luther King, Jr.; and

"WHEREAS, Upon the occasion of the celebration of the birthday of Dr. Martin Luther King, Jr., it is the practice of this Legislative Body to commemorate the heroic efforts of Dr. King, who loved and served humanity, and who was a drum major for peace, justice and righteousness; and

"WHEREAS, The 2022 Dr. Martin Luther King, Jr., holiday observance marks the 93rd anniversary of his birth, and the 37th annual holiday celebrated in the State of New York in his honor; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to memorialize and pay tribute to the legendary life and achievements of Dr. Martin Luther King, Jr., upon the occasion of the anniversary of his birth and the celebration of Martin Luther King, Jr. Day in the State of new York and throughout the nation; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the Black, Puerto Rican, Hispanic and Asian

Legislative Caucus."

ACTING PRESIDENT PERSAUD: Senator Stewart-Cousins on the resolution.

SENATOR STEWART-COUSINS: Thank you, Madam President.

I always look forward to this day because it's a day of teaching and learning. It's an opportunity for all of us. It's a holiday of deep reflection. It's a holiday of enduring hope. And it's a day that we are reminded not only how far we've come, but also how far we've yet to go.

As we celebrate this anniversary of Dr. King -- this holiday that, by the way, was signed into law by President Ronald Reagan -- I want to look back at its creation and the story it tells of persistent righteousness over hatred.

When lawmakers first brought the idea for an MLK Day to the floor of the House of Representatives, only two other individuals had holidays reserved for them: George Washington and Christopher Columbus.

It took more than a decade after his death in 1968 for federal officials to recognize the true impact of Dr. King's work. Now we

understand the truly shaping force of this historic figure.

Recognizing Dr. King acknowledges that our nation's power doesn't stem from holding down members of our society but from recognizing that our American creed requires justice for all. In the debate about creating this holiday, Senator Jesse Helms led a vicious filibuster against its passage. Fueled by racist sentiments and hateful ideology, he and others questioned whether Dr. King should even be acknowledged in this way.

But New York should be proud, because it was our own statesman, Senator Daniel Patrick Moynihan, who called the filibuster against that holiday -- and this is his words -- a packet of filth. And the filibuster failed, and the legislation ultimately passed in 1983.

But we should recognize that it wasn't until the year 2000 that all 50 states celebrated this national holiday. So just think of it: For almost two decades after the signing of the legislation, our union remained divided on the legitimacy of the holiday.

The fight to recognize Dr. Martin

Luther King, Jr., Day serves as an important reminder that such hallmarks of progress are heavily contested. Amidst our great strides, it's easy to forget the history was really not that long ago and that the stain of our nation's racist past often seeps through to this present day.

How ironic, in fact, that on this day, the same day we're celebrating King's life in this Senate chamber, the very same filibuster deployed by Senator Helms is currently being used to doom the John Lewis Voting Rights Advancement Act and the Freedom to Vote Act.

To add to the crisis of our democracy, this past year we've seen a true regression on the franchise of voting. Nearly 500 bills were introduced nationwide with some element of vote suppression built in.

We know why voting is so sacred. It's the right that begets all others and codifies every individual as a fully endowed citizen. It's the mechanism by which the people hold power accountable.

Our flurry of advancements since King's murder are in great thanks to a more

inclusive vote. We ushered in a promising era of hope and change by electing Barack Obama as the first Black president of the United States. We saw those in leadership start to look more like the diversity of America. We breathed a sigh of relief that finally the American dream was attainable for everyone and that Dr. King had not died in vain.

Unfortunately, these sighs of relief were short-lived. Our amazing accomplishments, the sense of finally summiting the mountaintop were met with a backlash of bigotry and vitriol, the same kinds of things that Dr. King and so many others fought against.

We've witnessed events that uprooted the traumas from the past in Charlottesville, when groups marched with tiki torches, spouting racist and antisemitic slogans, burning crosses in the night.

And a year ago this month, we saw those same symbols of hatred and racism breaking down the doors of our democracy. For the first time in our nation's history, the Confederate flag waved in the halls of Congress.

As a country, we've been here

before: An ugly wound that has yet to heal reopened. These attacks showed us once again that our humanity and the sanctity of our democracy are intertwined. But these atrocities are not part of the American dream. The dream that Dr. King believed so fervently is one where we don't fear each other's differences because we know that those differences make us stronger. We don't suppress our varied neighbors because we know their presence makes us better. That's what makes our nation great.

In the spirit of Dr. King, we must continue the hard work of holding America accountable for what it's professed to be on paper -- a country with liberty and justice for all. And that hinges on the right to vote.

That's why this chamber opened the session with another slate of election reforms and will continually pressure our federal leaders to take similar action. Any tools to suppress American voices must be rebuked in all forms.

The refusal to commit to racial and social justice will erode our democracy and the strength of this great nation. We know progress takes time, and we know, as Dr. King said, the

moral arc of the universe does indeed bend towards justice -- but it takes continued hard work and sacrifice.

Luckily for us, we have this holiday every year to remind us not only of Dr. King's ultimate sacrifice, but that history repeats itself. And as Dr. King said, change does not roll in on the wheels of inevitability, but comes through continuous struggle. May we have strength for this struggle so that we indeed will finally celebrate, in all of its aspects, the legacy of Dr. King.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator Stewart-Cousins.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

And thank you, Madam Leader, for always sponsoring this really important resolution to commemorate the life and legacy of one of our nation's greatest people.

It's always an experience for me to do this, because this is the commemoration of the first time that I spoke on the floor. And I

haven't stopped speaking much since then.

(Laughter.)

SENATOR BAILEY: But Dr. King meant a lot to a lot of people. And what he did lives through all of us. It lives through hip-hop artists: "The pressure weigh a ton, it's gettin' too heavy; had to inspire them again like I didn't already." This was the very first line on Nas's album King's Disease II, the song called "The Pressure." And when I hear that song, I think about the struggle of Dr. King and I think about the pressure that he faced on a daily basis -- the scourge of racism, the pressures within the community -- and I wonder how did he carry on in such grace while inspiring so many people.

So Happy 93rd Birthday, Dr. King -- a reverse in order of the tender age of 39 years in which you left this earth far too soon.

And as I speak on this resolution every year, I think about -- or I thought about how close I was to that age of 39 years old. And I wondered what could I do in the scope of my own life, my own career, to even come close to what Dr. King did. Now, the gravity has hit me now

that I am at the age of 39, the same age that Dr. King left us -- and, ironically enough, that Malcolm X left us. I've come to the realization that it's not about measuring what I can do as related to Dr. King, it is what I can do in my own capacity. It is what we can do in our own individual capacities.

So I ask myself, as the sun rises each day and the moon circles the earth, I think about my favorite Dr. King quote, the famous Dr. King quote: "Life's most persistent and urgent question is, What you are doing for others?" And I think about what am I doing for others. What am I doing to be a better Senator, to be a better father, husband, friend?

On this day that we celebrate as a national day of service -- make no mistake about it, Madam President, the life and legacy of Dr. King can never just be brought to one word. But if we did have to distill it down to one word, I believe that word would be "service." On this unique national holiday, people from all walks of life, they -- we flock to houses of worship, community centers and yes, in this COVID-19 era, Zoom gatherings, to extol the

virtues of Dr. King, to quote him and to think about the life well-lived that he had.

But you know, sometimes -- like the goodwill of the holidays fades on January 2nd sometimes, the good rhetoric and the good quotes, they seem to expire by some of the individuals who state these quotes. Maybe there's a Dr. King score card for some folks where they check a box and say a quote, and they say some things that they truly don't understand or don't believe, or that were in direct opposition to what Dr. King stood for. But maybe -- you know what, Madam President, maybe I thought that they don't actually know what he stood for. And it's never too late to learn.

Dr. King famously said: "We must remember that intelligence is not enough. Intelligence plus character -- that is the goal of true education. The complete education gives one not only power of concentration, but worthy objectives upon which to concentrate."

See, education is part of learning, and learning is a natural process. I talk about my kids all the time. You're never too old or too young to learn anything. And as my kids

attend school -- my oldest, Giada, is in 2nd grade now, and my youngest, Carina, is in kindergarten -- they've learned different things throughout the years about Dr. King. And with each level of education, it graduates a little bit more.

And so I was talking to my daughters and I was asking them, What did you learn? Right? What did you learn this year in school about Dr. King? And Giada was talking about how she heard the "I Have A Dream" speech. "But did you know, Dad, that Dr. King gave more than one speech?" "Yes, Giada, I did." "I'd like to hear those someday." "Well, maybe you'll get to hear them someday, Giada."

She also noted that he fought for civil rights. And she knew where he was born and where he passed away and what he was doing when he passed away. He was fighting for the rights for people, sanitation workers.

My youngest, Carina, you know, she's in kindergarten; she learned that, simply put, Dr. King helped people. And he didn't want Black people and white people to be separate. And it wasn't fair, in Carina's eyes, that Black people

and white people used different bathrooms. They should have been able to use the same bathroom because if you have to go to the bathroom, it shouldn't matter what the color of your skin is.

Things like that that seem so simple were the things that we could not figure out as a society prior to the civil rights movement.

You know, so we think about learning. And even Dr. King's own granddaughter had to learn more about him. Yolanda Renee King, an incredibly well-spoken, incredibly articulate, incredible activist in her own right, she said that throughout her life her parents told her that your family has done some really phenomenal work, and that you're the granddaughter of really phenomenal people who changed the country and the world. And she didn't understand the significance of it until she got older, so she had to learn. Right?

She also said that MLK Day is not a day off, it's a day on. It's a day of service. And you have to go out and support those movements. And although you may not be old enough to vote, you're the future. You, in your decisions, determine the future of the world.

Dr. King said, in his "Give Us the Ballot" speech in May of 1957, "So long as I do not firmly and irrevocably possess the right to vote, I do not possess myself. I cannot make up my mind -- it is made up for me. I cannot live as a democratic citizen observing the laws that I have helped to enact -- I can only submit to the edict of others. The denial of this sacred right is a tragic betrayal of the highest mandates of our democratic tradition."

Learning. Now, I need to learn more every day. And I know about his great catalogue of speeches, and I've listened to a great many of them, but each year certain things out stand out more to me. His final speech, "I've Been to the Mountaintop," it was far more than just a prescient speech that eerily predicted his sadly too-soon departure from this earth.

Dr. King said: "I don't know what will happen now. We've got some difficult days ahead. But it doesn't matter with me now, because I've been to the mountaintop. And I don't mind. Just like anybody, I would like to live a long life. Longevity has its place. But I'm not concerned about that now. I just want to

do God's will. And He's allowed me to go up to the mountain. And I've looked over, and I've seen the promised land. I may not get there with you, but I want you to know tonight that we as a people will get to the promised land. And I'm happy tonight. I'm not worried about anything. I'm not fearing any man. Mine eyes have seen the glory of the coming of the Lord."

And his speech was more than just that eerie forecasting of his too-soon demise, it was a call for economic justice and solidarity. He called for a bank-in movement in Memphis. It was an understanding that in the collective there is great strength. And there's nothing that can stop the collective. We know he was fighting for sanitation workers, much like we fight for people that do -- for laborers now.

Now, what did Dr. King see from that proverbial mountaintop? I can't opine on that. Well, I can't tell you, but I can opine on it. But I can imagine that from that mountaintop what he did not see was a future of legislatures trying to make it harder for people to vote. I imagine it certainly wasn't a future full of political divisiveness. And I imagine it wasn't

a world where people that would eventually quote him would, in the same breath, do things that were directly contrary to his dream that they so often invoke. I imagine he didn't see those things from that mountaintop, Madam President.

"Ten thousand fools proclaim themselves into obscurity, while one wise man forgets himself into immortality." Not my words, the words of Dr. King.

But maybe those who are willfully blind and who haven't learned yet, Madam President, they have a chance, an opportunity to learn. Because Dr. King said, "I believe that unarmed truth and unconditional love will have the final word in reality." And as we know, the time is always right to do what is right.

And that song, "The Pressure," that I opened up with, it ends with the phrase "Weight of the world, embrace the pressure." Dr. King had the weight of the world on his shoulders, and he embraced that pressure like few we have seen in the history of our nation. He embraced that pressure. It's a meaningful statement for all of us. Remember that pressure makes diamonds. And he was one of the diamonds of the civil rights

era, and his legacy still shines to this day.

May the legacy of Dr. Martin Luther King, Jr., forever shine.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Lanza on the resolution.

SENATOR LANZA: Thank you, Madam President.

First I want to thank Senate Leader Senator Andrea Stewart-Cousins for bringing this resolution to the floor.

You all know, through the years, I'm not big on resolutions. I rarely if ever speak. But in my opinion, if we could only do one resolution a session, it ought to be this one.

Of Dr. Martin Luther King, I will simply say two things today. First, I believe one of the biggest problems in the world today is that there are not enough people like Dr. Martin Luther King living in it.

And of all the lessons Dr. Martin Luther King left for us, there is one for me that stands apart, because it is as profound as anything that has ever been uttered by any human

being. And it is when he said and tried to teach us and continues to teach us that hate cannot drive out hate, only love can do that.

If we all embrace that sentiment, if we all accept that challenge, if we all model our lives around that one thought, I can only imagine the great things we can do together on behalf of each other and everyone across this land and around the world.

Those words are as profound and as important and true today as they were when he said them, because it is an eternal truism.

May God bless the life and the legacy of one of the greatest Americans of all time, Dr. Martin Luther King.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The question is on the resolution.

All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed?

(No response.)

ACTING PRESIDENT PERSAUD: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

Now let's move to Resolution 1706, also by Leader Stewart-Cousins, read that resolution in its entirety, and recognize the Majority Leader.

ACTING PRESIDENT PERSAUD: The Secretary will read.

THE SECRETARY: Senate Resolution Number 1706, by Senator Stewart-Cousins, mourning the death of the Honorable Reginald A. LaFayette, renowned civic leader in Westchester County, distinguished citizen and devoted member of his community.

"WHEREAS, There are certain outstanding members of our community who, through their selfless commitment and dedication, have served to better the quality of life in our community and have had a measurable positive impact on the lives of its residents; the Honorable Reginald A. LaFayette was one such individual; and

"WHEREAS, It is with profound sorrow and deep regret that this Legislative Body records the passing of the Honorable Reginald

A. LaFayette, noting the significance of his purposeful life and accomplishments; and

"WHEREAS, The Honorable Reginald A. LaFayette, a beloved member of the Mount Vernon, New York community, died on Saturday, January 15, 2022, at the age of 69; and

"WHEREAS, Born and raised in Charleston, South Carolina, Reginald A. LaFayette moved to Mount Vernon in 1972, where he quickly became an important and vital part of his community, serving in various capacities such as Deputy Comptroller, City Clerk, and New York State Committeeman, representing the 84th Assembly District; and

"WHEREAS, The Honorable Reginald A. LaFayette was a member of the United States Selective Service Board No. 104, Mount Vernon Postal Service Board, and served on the Board of Directors for both the Mount Vernon Day Care Center and the Westchester Opportunity Program; and

"WHEREAS, This kind and compassionate, yet strong leader also held the title of executive vice president of the Mount Vernon Chapter of the NAACP, treasurer of

the Independent Citizen's League, and president of the Mount Vernon Lion's Club; and

"WHEREAS, In addition to his many civic endeavors, the Honorable Reginald A. LaFayette was an active member of the Greater Centennial A.M.E. Zion Church, Progressive Lodge No. 64, F&AM, Prince Hall Affiliation and Terrace City Lodge No. 1499 I.B.P.O.E. of W.; and

"WHEREAS, Throughout his illustrious career, spanning several decades, the Honorable Reginald A. LaFayette tirelessly worked to ensure people of color and women were elected at every level of government; and

"WHEREAS, For his steadfast and unremitting commitment to his community, the Honorable Reginald A. LaFayette was the recipient of numerous awards and accolades, including the 2000 Martin Luther King Service Award, by the United Black Clergy of Westchester; and

"WHEREAS, The Honorable Reginald A. LaFayette's infinite selflessness and benevolence will shine on through his family's vivid and happy memories; his insight and strength will forever serve as a beacon of love, light and hope to the countless lives he touched; and

"WHEREAS, Armed with a humanistic spirit and imbued with a sense of compassion, the Honorable Reginald A. LaFayette leaves behind a legacy which will long endure the passage of time and will remain as a comforting memory to all who were privileged to have known and loved such an amazing man; he will be deeply missed, and truly merits the grateful tribute of this Legislative Body; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to mourn the death of the Honorable Reginald A. LaFayette, and to express its deepest condolences to his family; and be it further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to the family of the Honorable Reginald A. LaFayette."

ACTING PRESIDENT PERSAUD: Senator Stewart-Cousins on the resolution.

SENATOR STEWART-COUSINS: Thank you, Madam President.

I rise to pay tribute to my friend, a mentor, a confidant, Reginald A. LaFayette, who died too soon this past Saturday at the age of

69, leaving the entire Westchester community shaken, really, to its core. Because Reginald LaFayette was someone who had always been there and was somehow someone you'd expect to always be there.

If there was, however, any day that Reginald LaFayette would have wanted to die, it would probably have been on the birthday of Reverend Dr. Martin Luther King, Jr.

So it again is ironic that in that sense they shared that day, because many of us know -- and my colleagues who are here will speak for themselves about Reggie, but we know that he dedicated his life to access to voting. He spent decades between being the county commissioner for elections in Westchester on the Democratic side, as well as being the county chair of the party.

It was all about empowering people, and very, very many people who looked like me, to aspire to positions that we would never have had access to prior, to reach judgeships and appointed positions and places of power behind the scenes -- and in the forefront -- with the understanding that this iconic man, Reginald LaFayette, was somehow always going to be there

as a resource, as a guide, sharing his witticism, his wisdom, and the hard truth, frankly, that he learned from being a Black man in historic positions so much of his life.

I was talking to someone who was close to him today, Tajian, who had been the executive assistant working with Reginald for about 18 years, and I was saying, What did he teach you? And one of the things she said is that -- and these are things we all know in these positions, but she said: "He taught me that you're just never going to make everyone happy, so you do the best you can, you take a position, you stand by the position, and you just make sure that you give it your heart and soul. Whether they like you or not, you are going to be able to live with yourself and rest in peace if you just follow your heart and your mind and you work hard to get things done."

That's who my friend Reginald LaFayette was, and that is what he's left for us.

We will be paying tribute throughout, I'm sure, the weeks to come. But on this day, in this chamber, we really wanted to pause because he had such a tremendous impact,

not only on our county but on the state, with his leadership and the role model that he was for us.

So again, my condolences to his children, his family, and all who will feel a void because Reggie is gone. But again, in the spirit of Dr. King, we know what's important and we know we must continue to struggle. We're just so happy that we had examples like Reginald to follow.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Harckham on the resolution.

SENATOR HARCKHAM: Thank you, Madam President.

It's good to be back in the chamber for a new session, although it's sad to be speaking on this occasion on the passing of my friend Reginald LaFayette.

I would like to thank our Majority Leader, Senator Andrea Stewart-Cousins, for bringing this resolution to the floor.

The Majority Leader really covered a lot about Reggie's life. I called him Reggie, but I also called him "the chair," "Mr. Chair,"

for 20 years. I worked with Reggie for 20 years both in his capacity as board of elections commissioner -- you know, as the leader mentioned how important voter integrity is. We worked together on HAVA issues and voting machines a decade ago. I worked with him in his role as the chair of the party.

And he had a stature about him. And that's why I referred to him always as "the chair," even though we knew each other for 20 years, because he had a presence about him. Whether it was testifying before the board of legislators, whether it was in his conference room at the board of elections, or whether he was holding court at Mulino's, he always had command of the room.

And his emphasis on politics was because politics were the pathway to policy. And I remember his emphasis so clearly. When I first got involved with the Democratic Party at the county level in Westchester, he was a leading voice for diversifying judicial appointments and judicial nominations. And he always said that with opportunity will come greatness. And we just saw that as our body last week proudly voted

for Judge Troutman to the state's highest court.

So, you know, I will miss Reggie. I think we will all miss his influence. You know, he could be viewed as stubborn on occasion. And I don't think it's that he did not want to help; it's that any fight that you were going to have and you wanted Reggie with you, he had already had, and so he wanted to spare you the agita of getting your clock cleaned if there was a better way to achieve the goal that you were going to do.

And that was Reggie's purpose. And in the end, Reggie was always there with you when you needed an ally and when you needed a friend.

And so like everyone else, I will miss Reggie greatly, and my condolences go out to his family.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Mayer on the resolution.

SENATOR MAYER: Thank you, Madam President.

And thank you to our Majority Leader, Andrea Stewart-Cousins, for ensuring that

we get to speak about Reggie sooner rather than later, because his death was a shock to all of us.

But Reggie -- or, as my colleague said, we called him "Mr. Chairman" or "Commissioner" always in his presence -- was a major player in the political and election life of our county. And for those of us in elected office, he was a leader, a colleague, and a fierce advocate for our party. He was chairman of the Westchester Democratic Committee for over 15 years, and he led, as my colleagues have said, with principle, a strong sense of decorum, profound faith in our institutions, and a commitment to fairness and justice.

From the time I first met him, more than 20 years ago, like my colleagues, he was determined to ensure our leaders -- and particularly our judges -- more fairly represented the diversity of our county. He supported a wide group of diverse candidates with strong legal qualifications, commitment to our sense of justice but, most important, the ability to empathize, relate to and respect the litigants who appeared before them, particularly in our

city and town courts and in family court.

He was not deterred by those who resisted change in the makeup of the judiciary, and they were powerful, nor by the adage "We always did it this way." He was determined to make our elected leaders and courts reflect a changing and diverse county, and he did it. He had a tough job, but he did it exceptionally well, satisfying ambitious political egos while keeping a steady hand focused on principle, ethical standards, and opportunity.

And in addition, as commissioner of the county board of elections during a time of major change in our election laws, as well as COVID-related changes, it was no secret he regarded many these changes as challenging, even as we here, his colleagues, adopted them.

But he made it his business to make them work. And as a result, voting turnout increased throughout Westchester in the past two years, with remarkably fewer glitches. I recall pushing him, and my colleagues may remember, on early voting to ensure that we had more people to help the long lines that were there in the highly charged elections. Reggie heard us, he worked

with us, and he made it possible for hundreds if not thousands of people to participate in early voting.

In addition, to his credit, he was an excellent colleague and fair-minded partner with his Republican co-commissioner, and they had a relationship built on mutual trust and commitment to the fair execution of voting. What a welcome thing.

At the heart of Commissioner LaFayette was a profound belief that our democratic system could lead to more equal justice and opportunity for all, but only if we pushed it to do so. And he was willing to do unpopular things, as was said, to make it happen. He knew from his own experience it was imperative to have qualified people of color and women in positions of authority -- not just for the symbolism, not for the personal success, not taking away from that, but Reggie knew it was important for everyone in our community to actually view and experience diverse leadership in positions of power.

Through his work, we began to achieve that, as my colleagues have attested.

His life ended too soon, but his impact in the world of those on the ground in politics in our county, as well as those deeply influenced by him, will remain strong.

To his family, his son and daughter, friends and colleagues, our deepest condolences. And his memory and his influence will stay with us forever.

Thank you.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

Senator Bailey on the resolution.

SENATOR BAILEY: Thank you, Madam President.

Thank you, Madam Leader, for introducing this resolution, as Senator Mayer said.

Quickly, I can tell you on Saturday there was a nonstop influx of calls and text messages from people not just in Mount Vernon, not just in Westchester, throughout the city, through upstate, who revered Reggie LaFayette. He was one of these one-name people. If you said "Reggie" in Westchester County, we knew who you were talking about. There was just one.

He was a very fair, very conscientious, and just a solid overall guy. As a Bronxite, when I first ran for -- for this seat, it had been held by my predecessor, Ruth Hassell-Thompson, who was from the City of Mount Vernon. And it was the first time in quite some time that a Bronxite had held it, as opposed to a Mount Vernonite.

Not only did Reggie not hold that against me, he embraced me. He told me the ins and outs of the city. He told me some history in the city. He explained to me what he had seen. And as Senator Harckham said, you know, he did not want history to repeat itself if it could all be avoided.

Generous with his time, generous with his advice, but he was very generous in opening up a pathway for people of color, for younger black folks to run for office. And I remember one particular time when Reggie got an award and he started rattling off an oral history of the county in -- from the days of David Ford on down. And for someone who was not from Westchester County, but who proudly represents it, it was a master class. It was hearing about

the history that -- the soil that had been tilled, so to speak, so that someone like me can bloom.

So I'm eternally grateful for Mr. Chairman. And in my other capacity, he gave me some advice about being a county chair as well.

It was again, to what Madam Leader said, you're not going to make everyone happy. But when you make a decision, make decisions with integrity and fairness and let the chips fall where they may.

He was a great man, and he -- this -- this loss sent shock waves throughout the City of Mount Vernon. My deepest condolences go out to his son and his daughter and his family, his loved ones, and to the four square miles of the city of Mount Vernon. He loomed large in that city. He was a legendary figure. He will be missed incredibly.

May God bless the memory of Reggie LaFayette.

Thank you, Madam President.

ACTING PRESIDENT PERSAUD: Thank you, Senator.

The question is on the resolution.

All in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT PERSAUD: Opposed?

(No response.)

ACTING PRESIDENT PERSAUD: The resolution is adopted.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Madam President.

At the request of the leader, these resolutions are open for cosponsorship.

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

Senator Gianaris.

SENATOR GIANARIS: Is there any further business at the desk?

ACTING PRESIDENT PERSAUD: There is no further business at the desk.

SENATOR GIANARIS: Before we adjourn, let me ask you to call a reconvening of the Health Committee, virtually, immediately upon the adjournment of session.

And I now move to adjourn until tomorrow, Thursday, January 20th, at 11:00 a.m.

ACTING PRESIDENT PERSAUD: The Health Committee meeting will reconvene virtually immediately following session.

On motion, the Senate stands adjourned until Thursday, January 20th, at 11:00 a.m.

(Whereupon, at 4:11 p.m., the Senate adjourned.)