

WEDNESDAY, JANUARY 23, 2019

12:13 P.M.

ACTING SPEAKER AUBRY: The House will come to order.

In the absence of clergy, let us pause for a moment of silence.

(Whereupon, a moment of silence was observed.)

Visitors are invited to join the members in the Pledge of Allegiance.

(Whereupon, Acting Speaker Aubry led members and visitors in the Pledge of Allegiance.)

A quorum being present, the Clerk will read the Journal of Tuesday, January 22nd.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I move to

dispense with the further reading of the Journal of Tuesday, January 22nd and ask that the same stand approved.

ACTING SPEAKER AUBRY: Without objection, so ordered.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I'd like to provide a quote for the day. This one is, again, by the late great Dr. Martin Luther King. It says, "An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of humanity." Again, that's Dr. Martin Luther King, Jr.

Mr. Speaker, members have on their desks the main Calendar. After any introductions, which I know that Member Rozic has one; she was going to speak to a resolution that is on the Calendar. After that, we will consent the main Calendar and take up the following bills on debate: On Calendar No. 10, Mr. Speaker, Mr. Benedetto has a bill relating to assessments and teacher evaluations; on Calendar No. 9, the DREAM Act is sponsored by Assemblymember De La Rosa; and at some point we will take up a resolution honoring the life of the late Dr. Reverend Martin Luther King.

For our Majority members, there will also be a need for a Democratic Conference at the conclusion of today's Session and as always, Mr. Speaker, I will certainly consult with the Minority to determine what their needs are as it relates to after-Conference

Session, as well.

With that as a general outline, Mr. Speaker, I think we can get started. Any introductions?

ACTING SPEAKER AUBRY: Yes. We do have introductions.

Mr. Daniel Rosenthal for the purposes of an introduction.

MR. ROSENTHAL: Thank you, Mr. Speaker. I'd like to introduce Sam and Rabbi Stewart, who are standing, who are both my residents and reside in Kew Garden Hills. Sam is no stranger to Albany. This is his fifth visit here during his winter break vacation. Sam is currently a student at Yeshiva University High School, located in Washington Heights and when he's not in class, he spends time in the Office of Government Relations at Yeshiva University. In high school, Sam started NYPAC, the New York Political Action Club for students, which encourages young people to get more involved in local politics. Sam, in his spare time, also devotes a lot of time to local civic meetings and community boards and local police precinct counsel meetings. He has served as an intern for myself, Assemblyman David Weprin and Senator Joe Addabbo. I ask, Mr. Speaker, that you extend the privileges of the floor.

ACTING SPEAKER AUBRY: Certainly. On behalf of Mr. Rosenthal, Mr. Weprin, the Speaker and all the members, we welcome you back, Sam, and your father. We welcome you here to the New York State Assembly, extend to you the privileges of the

floor. Hope that you will continue to come back. We look forward to your bright and brilliant future and I'm sure you will cause Daniel to have a little nervousness as you get to (inaudible). Thank you so very much. Continue to do the great work you're doing. Thank you.

(Applause)

Ms. Jean-Pierre.

MS. JEAN-PIERRE: I'd like you to help me welcome Presiding Officer DuWayne Gregory, who has a long time history of service to his country, his county and his community. DuWayne enlisted in the United States Army in 1993. He then completed Officer Candidate School and was commissioned as a Second Lieutenant Field Artillery. Following his military service, Presiding Officer DuWayne Gregory worked as a citizen-advocate for the Town of Babylon. He was the first -- he was first elected to the Suffolk County Legislature in 2003 and has served as the first African-American Presiding Officer of the Suffolk County Legislature in 2014, and has served six terms since then. And, in 2008, he actually gave me my first shot in government. So, he truly is a smart man --

(Laughter)

-- and a mentor. So, without further adieu, Mr. Speaker, I ask you to welcome and give Presiding Officer DuWayne Gregory the cordialities of the House.

ACTING SPEAKER AUBRY: Certainly. On behalf of Ms. Jean-Pierre, the Speaker and all the members, sir, we welcome

you here to the New York State Assembly. Happy to see your colleague doing well in government. We hope that you will continue that and we salute the accomplishments that you have already achieved and look forward to more future accomplishments as we pass through time. Thank you so very much.

(Applause)

Mr. Crespo for a [sic] introduction.

MR. CRESPO: Thank you, Mr. Speaker. I wanted to take this opportunity to welcome to the Chamber someone who is no stranger to the Chamber. Many of you know that he and I were very good friends, spend a lot of time together. For those of you lucky enough to be on our Christmas card list, you know just how close we are. And he is back with us today for a special occasion. Someone who has been a champion for -- for immigrants rights and for those that have been denied certain opportunities. I know that today we are going to take up an important piece of legislation that matters to many of us and sponsored by one of my great colleagues, and I'll try to make an analogy that really speaks to what Francisco Moya stands for. And for those of you who watch football, you know that scoring a touchdown is what matters, but you've got to get through the field. And I -- I would say that he's the Carson Wentz to Nick Foles who will see us through today.

But I'm really excited to welcome to the Chamber a former colleague of this Body and a great champion for New Yorkers now serving in the New York City Council, former Assemblyman,

now Councilman Francisco Moya.

(Applause)

ACTING SPEAKER AUBRY: On behalf of Assemblymember Crespo, myself and the entire House and the Speaker, we welcome you back, Francisco. Happy to have you as my Councilperson. Miss you in Albany, but we are always close. Thank you so very much. Continue the great work and as a former member, you are always welcome here and always have the privileges of the floor. Great to see you. Great day for you to be here. Thank you so very much.

(Applause)

Resolution on page 3, the Clerk will read.

THE CLERK: Assembly Resolution No. 47, Ms. Rozic. Legislative Resolution memorializing Governor Andrew M. Cuomo to proclaim January 27, 2019 as Holocaust Remembrance Day in the State of New York.

ACTING SPEAKER AUBRY: Ms. Rozic on the resolution.

MS. ROZIC: Thank you, Mr. Speaker and Madam Majority Leader. January 27th marks the day that Auschwitz-Birkenau, the largest Nazi death camp, was liberated in 1945. In 2005, this date was established as International Holocaust Remembrance Day, a day to recognize and remember the six million Jews and millions of other minority groups, including the disabled and members of the LGBTQ community, who were murdered in the

Holocaust. Martin Niemöller wrote in his renowned poem about the Holocaust, "First they came for the Socialists and I did not speak out, because I was not a Socialist. Then they came for the trade unionists and I did not speak out, because I was not a trade unionist. Then, they came for the Jews and I did not speak out, because I was not a Jew. Then they came for me, and there was no one left to speak for me."

Holocaust Remembrance Day serves to make sure that we remember a painful past and never forget the horrors of the Holocaust and, most importantly, that we speak up. As the last generation of Holocaust survivors diminishes, it is incumbent on us, all of us, to continue remembering and telling their stories. In this diverse legislative Body, we come together to commemorate and memorialize the lives that were cut short and all of the potential that was lost.

Here at home, anti-Semitism has been dramatically increasing, along with racism, Xenophobia, Islamophobia and other forms of intolerance. Today, we honor the memories of all those who perished by renewing our commitment to speaking out on behalf of the oppressed and fighting hate whenever and wherever we see it, so that we can ensure that "never again" is not just a call to action and it is not an empty promise. Thank you, and may we always remember those who are no longer with us and the generations that have come since then.

ACTING SPEAKER AUBRY: Assemblymember Eichenstein.

MR. EICHENSTEIN: On the resolution.

ACTING SPEAKER AUBRY: On the resolution, sir.

MR. EICHENSTEIN: I rise today to share my support for making January 27th Holocaust Remembrance Day. That day, January 27th, was the day that the largest Nazi death camp in Auschwitz-Birkenau was liberated during World War II. Although the Holocaust ended over 70 years ago, and the scars for survivors and their families are still fresh. As the Assemblymember for the 48th Assembly District, I represent an area of Brooklyn that has the highest concentration of Holocaust survivors and families of Holocaust survivors than virtually anywhere in the country.

It is also personal to me, as I am a grandson of four Holocaust survivors. My grandparents were witnesses to the worst example of humanity that anyone has ever seen on this planet. While we cannot undue the horrors of the past, we can, we must make sure that such unspeakable atrocities never happen again, because anyone who forgets their history is doomed to repeat it.

It is with that in mind that I support this resolution, and I want to thank the sponsor for this resolution recognizing January 27th as Holocaust Remembrance Day. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Mr. Raia on the resolution.

MR. RAIA: Thank you, Mr. Speaker. I, too, rise in support of this resolution. Last week, I had the opportunity -- the sad

opportunity to attend the funeral of a 95-year-old Holocaust survivor who survived the most unimaginable things, but yet, came to this country, lived a full life, raised great kids and -- but never forgot the torture that she and her family had to endure. And with the rise of anti-Semitic groups on both sides of the political spectrum, it's very important that we take time out of our busy schedule to remember those that sacrificed their lives for the hatred of others. So, thank you for allowing me to speak on this resolution.

ACTING SPEAKER AUBRY: Mr. Lavine.

MR. LAVINE: Thanks, Mr. Speaker. How fortunate are we to live in a land in which we are governed by a First Amendment that says that, *Congress*, that is the State, *shall make no law respecting the establishment of religion*. That means we will never have a State religion in the United States of America, but, *Congress shall make no law establishing a religion or prohibiting the free exercise thereof*.

My family in the United States is very small. The overwhelming majority of my Jewish relatives never left Europe. They were there when the war started and, as a child, I used to see letters from them on onion skin paper that my grandmother kept. Those letters ended in the late 1930s. No more letters. Now, I had always wanted to have those translated so I could figure out what were their lives all about, but families move and move continually and when my parents died I could not find those -- those letters.

This resolution speaks for those who cannot speak for

themselves and with their memory in mind, I rise to support this resolution and, again, thank God that we live in a nation in which people are not discriminated against because of anyone's religious ideas. Thank you so much.

ACTING SPEAKER AUBRY: Thank you.

Mr. Weprin.

MR. WEPRIN: Thank you, Mr. Speaker. I, too, rise in support of this resolution. As the quote we heard from the Reverend Martin Niemöller, it's very important that we all speak out anytime hate rises its ugly head and -- raises its ugly head. And I represent a very diverse district in Queens and, as a result, I'm involved in many anti-hate crimes. But it's very important, even though it's over 70 years since the Holocaust, that we remember Holocaust Remembrance Day and we all speak out any time there's any incident anywhere, but certainly anti-Semitism is on the rise in New York State, as well as the United States and all over the world, and it's very important that we all speak out, all people of good wills, not people of any one particular religion or ethnic background, but everyone, any time we have -- certainly anytime we have any biased crime, but certainly when it comes to genocide, as what happened during the Holocaust. It's so important that everyone speak out. Thank you.

ACTING SPEAKER AUBRY: On the resolution, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Yes, Mr. Speaker. If we can go back to our Calendar on consent and go to page 4, Bill No. 108, Calendar No. 2 by Linda Rosenthal.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A00108, Calendar No. 2, L. Rosenthal, Gottfried, Bronson, Seawright. An act to amend the Public Health Law, in relation to requiring pre-admission notification of policies authorizing the refusal to follow directives in health care proxies that are contrary to a hospital's operating principles.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00212, Calendar No. 3, Galef, Dinowitz, Williams, M. G. Miller, Blake, D'Urso, Ortiz, Hyndman, Cook, Seawright, Jaffee, Raia, Byrne, Norris. An act to amend the Public Health Law, in relation to central venous lines.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Members, I want to take this opportunity to remind us all that this is our first vote of the day and the faster things go, the sooner we'll be into our respective Conferences, if the Minority needs one.

So, if we can stay in our seats and take our votes appropriately when they're called, I would greatly appreciate it. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: You're welcome.

First vote of the day, members. If you are in the Chamber and in your seats, vote now. If you're in the sound of our voice, please come to the Chamber and cast your vote. Thank you.

Mr. Goodell to explain his vote.

MR. GOODELL: Thank you very much, Mr. Speaker, and congratulations to Mrs. Galef for the first consent vote of 2019.

ACTING SPEAKER AUBRY: Well, certainly.

Thank you, Mr. Goodell.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00290, Calendar No. 4, L. Rosenthal, De La Rosa, Seawright, Walker, Dickens. An act to amend the Public Health Law, in relation to providing feminine hygiene products in charter schools.

ACTING SPEAKER AUBRY: The bill is laid aside.

THE CLERK: Assembly No. A00318, Calendar No. 5, Paulin, Gottfried, Galef, Arroyo, Barron, Blake, Dickens, D'Urso, Colton, Cook, Epstein, Seawright, Taylor, Woerner, McDonough, Jean-Pierre, Fernandez. An act to amend the Public Health Law, in relation to informing maternity patients about the risks associated with

cesarean section.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 180th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

THE CLERK: Assembly No. A00407, Calendar No. 6, Cahill, Seawright. An act to amend the Public Health Law, in relation to prior notice of physician privileges in nursing home residency agreements.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect on the 90th day.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, if we could

go to page 6, Calendar No. 10, Bill No. 783 by Mr. Benedetto and take that one up next, and then we will swing back to page 5 later. Thank you.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A00783, Calendar No. 10, Benedetto, Heastie, Nolan, Peoples-Stokes, Jaffee, Weinstein, Abbate, Abinanti, Arroyo, Aubry, Barnwell, Barrett, Barron, Bichotte, Blake, Braunstein, Bronson, Burke, Cahill, Carroll, Colton, Cook, Cruz, Cusick, Cymbrowitz, D'Urso, De La Rosa, DenDekker, Dickens, Dilan, Dinowitz, Englebright, Epstein, Fahy, Fall, Fernandez, Frontus, Galef, Glick, Gottfried, Griffin, Gunther, Hevesi, Hunter, Hyndman, Jacobson, Jean-Pierre, Jones, Joyner, Kim, Lavine, Lentol, Lifton, Lupardo, Magnarelli, McDonald, McMahon, M. G. Miller, Mosley, Niou, O'Donnell, Ortiz, Otis, Perry, Pheffer Amato, Pichardo, Pretlow, Ramos, Reyes, Richardson, Rivera, Romeo, D. Rosenthal, L. Rosenthal, Ryan, Santabarbara, Sayegh, Schimminger, Seawright, Simon, Simotas, Solages, Steck, Stern, Stirpe, Taylor, Thiele, Titus, Walker, Wallace, Weprin, Woerner, Zebrowski, DiPietro, Norris, Morinello. An act to amend the Education Law, in relation to State assessments and teacher evaluations; and to amend Chapter 56 of the Laws of 2014, amending the Education Law relating to providing that standardized test scores shall not be included on a student's permanent record, in relation to making certain provisions permanent.

ACTING SPEAKER AUBRY: On a motion by Mr.

Benedetto, the Senate bill is before the House. The Senate bill is advanced.

An explanation is requested, Mr. Benedetto.

MR. BENEDETTO: Good morning, Mr. Speaker.

ACTING SPEAKER AUBRY: Good morning, sir.

MR. BENEDETTO: This bill would eliminate the mandate that school districts use State test scores in teacher ratings. This legislation would return the decision back to the local school districts and make sure that any teacher evaluation system is the subject of collective bargaining. The bill would also keep these test scores from being included on students' permanent records.

This is identical to a bill that passed in this Chamber last June by a vote of 133-1 and was passed out of the Education Committee last week unanimously. So, I presume there will be very little, if any, debate on this particular bill.

ACTING SPEAKER AUBRY: Ms. Walsh to disprove Mr. Benedetto's theory.

(Laughter)

MS. WALSH: Thank you, Mr. Speaker. Will the sponsor yield for just a few questions?

MR. BENEDETTO: Absolutely.

ACTING SPEAKER AUBRY: Mr. Benedetto yields.

MS. WALSH: Thank you. Mr. Benedetto, I wanted to just kind of review what this bill does and what it doesn't do. You had mentioned in your explanation of the bill that this will now shift

the authority back to the local districts to make decisions about how teacher and principal evaluations are going to take place, correct?

MR. BENEDETTO: Well, yes; actually, the decision is at the local level now. What it will be doing is it will make, in every district in the State, the agreement between the school district itself and the union leaders representing the teachers in that district to come up with an evaluation plan that they can use. It is -- there is no requirement to use any standardized State test to make this evaluation.

MS. WALSH: And while I agree with you that this bill does eliminate for grades 3 through 8 the use of ELA and math State assessments in this evaluation process, doesn't this bill also say, though, that the Commissioner of Education, Ms. Elia, shall promulgate rules and regulations providing alternative assessments?

MR. BENEDETTO: Absolutely. We want teachers to be evaluated. We want administrators to do their job, to look at teacher performance to make sure they're doing right by our children. And by and large, we have a wonderful teaching force in this State and we're very proud of them, but there has to be a determination of who's going to do this and how they're going to do this, okay. And what you want to do, is you do want to measure student performance and student growth. So, since we don't want - or many of us don't want reliance on these tests - these State tests that are mandated, Federally mandated that they be given in every grade from 3 to 8, we do see the need for some assessment to be determined.

MS. WALSH: Right, so --

MR. BENEDETTO: Well, who should determine that? Well, the professionals across the street in the State Education Department. And what is expected is that they will come up with a menu, of sorts, of assessment possibilities can be used in judging the teacher and the teacher performance, such as portfolio assessments of the students.

MS. WALSH: But based on the bill that's in front of us now, do we have any insight as to what will be on this menu that Commissioner Elia will be developing of alternative assessments?

MR. BENEDETTO: Well, right now the school districts are not using the State tests as assessment tools and they seem to be getting along quite well. And if they choose, this bill will allow them just to continue on using the assessments being used right now, and that can be locally-developed assessment tools as long as they're approved by the State Education Department. And many of the localities have these assessment tools already approved by SED.

MS. WALSH: But isn't it true that as of right now we don't know what alternative assessments Commissioner Elia may come out with?

MR. BENEDETTO: Well, of course this law would authorize SED to come up with the menu of agreed-upon assessment standards. So obviously until they do that, we don't know what they're going to produce. But as I said before, they will most likely come up with things like portfolio assessments. Yes, they might say something like using standardized tests or locally-prepared tests, but that's

necessarily what's going to happen and, at any rate, bottom line is when it is finally agreed upon, it's going to be negotiated by all interested parties on the local level.

MS. WALSH: Could it be that one of the alternative assessments could be another third-party test?

MR. BENEDETTO: It could be if they produce that, yes, but what are the chances that the local interested parties will agree on that? Well, I don't know if that's a high possibility.

MS. WALSH: Okay. Does this bill, Mr. Benedetto, prohibit the use of student test scores in teacher evaluations?

MR. BENEDETTO: Does it...

MS. WALSH: Prohibit it.

MR. BENEDETTO: It doesn't prohibit it in the sense if they want to agree upon -- let's put it this way. It is prohibited unless the local school board and the teachers agree on using them.

MS. WALSH: Okay. Does this bill -- oh, I'm sorry. I didn't mean to interrupt you.

MR. BENEDETTO: I'm sorry. I didn't hear.

MS. WALSH: No, no. I wanted to ask if this bill would end the use of independent evaluators for teacher evaluations?

MR. BENEDETTO: The independent evaluators will still be there. They still will be permitted to come into the schools; however, if a school district wants to opt-out of that, they can petition SED very simply right online to do it, if they want to opt-out, and save themselves some money.

MS. WALSH: Okay. Is it your opinion, then, that the bill allows local school boards, superintendents and unions to negotiate whatever evaluation system they feel is best for their local school district, or does it continue to impose restrictions on what they can and cannot incorporate? In essence, does this bill allow for full local control?

MR. BENEDETTO: Does it allow full local control? Yes, in the sense the localities are free to do anything they want to do as long as the union and the localities agree on coming up with the evaluation process.

MS. WALSH: And as long as the -- what they want to do is part of the, to use your phrase, "the menu of options" that's going to be promulgated and put forward by SED, correct?

MR. BENEDETTO: Correct.

MS. WALSH: So, Mr. Benedetto, you and I had had a brief discussion after Committee last week about, and I think I raised during Committee that the New York State School Boards Association did express some reservations and concerns about the bill in its present form and that they were requesting some amendments. So, in essence, what they seek to do is expand the scope of the changes and limit the potential for additional testing of students. That that's a concern that we don't want duplicative and additional testing to fall on the students. So, their amendment request would allow school districts to select the measure or measures of student performance that would be used and would be authorized to implement these local

options at their discretion, full local control; to remove the threat of any State aid lost if a district doesn't have an annually approved APPR plan to eliminate the requirement for use of these independent observers and to restore the permissive use of currently prohibited evaluation elements, such as lesson plans and other artifacts of teaching and parent and teacher surveys. Do you have an opinion as to those proposed amendments or changes that are being requested?

MR. BENEDETTO: I think, number one, it's important to note that those -- that the School Board Association are not against the bill. They would like the bill, at least in their mind, to be made a little better and they have proposed certain amendments to it. I don't know if I necessarily agree with all of these amendments that they are proposing; however, I think in general what we have on both sides of this particular issue is an agreement that while this bill is not a perfect bill - and we all know making a perfect bill generally is impossible - but it's a good bill and it satisfies the wants of both sides of this argument, the decoupling of -- of testing in the -- in the teacher evaluations. And I think we have got a productive bill here that will work and I believe going forward if, indeed, it needs some tweaking, we can always revisit this bill. Hopefully not, but I happen to think this bill is going to work out quite well going forward and both sides are going to be happy with it.

MS. WALSH: Thank you, Mr. Benedetto, for your clarification and your insights.

MR. BENEDETTO: You're welcome.

ACTING SPEAKER AUBRY: Mr. Ra.

MR. RA: Thank you, Mr. Speaker. Will the sponsor yield?

ACTING SPEAKER AUBRY: Will you yield, Mr. Benedetto?

MR. BENEDETTO: Absolutely.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. RA: Thank you, Mr. Benedetto and happy to have the opportunity to discuss this with you after many, many times discussing education bills with Ms. Nolan, so...

MR. BENEDETTO: Yes. And let me tell you, I stand here in awe of my predecessor trying to fill what I consider big shoes, but I will endeavor to be as professional as she had been over the years.

MR. RA: Well, we wish you well, and on the Minority side, we'll be just as cooperative as we were with the previous Chair.

(Laughter)

Just a few questions with regard to this. You know, one of the concerns that's been raised with this and we all know the -- or many of us at least know the history of this issue, but what is being left in place with this change? Is it that kind of people have called it the matrix that kind of, you know, divvies up the different elements and how the ultimate score is achieved. That remains in place --

MR. BENEDETTO: That remains in place, correct.

MR. RA: Okay. And there's a few different sections of the current 3012(d) that are being, you know, struck or amended with this, but one section of -- of interest to me, at least, there is, in Section 6 of the current law are certain elements that had been used by local districts in the past, but are prohibited under the current law. Is there any change or new flexibility with regard to using those elements in this bill?

MR. BENEDETTO: The elements will remain the same I'm being told.

MR. RA: Okay. So none of those elements that were previously prohibited will be allowed to be --

MR. BENEDETTO: That is correct.

MR. RA: -- part of this local negotiation, correct? Okay. And then the last point I wanted to raise: As we all know, this was, you know, the current law was put forward, you know, in a budget years ago. There was a lot of opposition, obviously, with the Legislature with regard to this and one of the issues that came up was tying this to funding. You know, tying this to having to implement something in order to get increase in State aid. Is that still going to be part of the law?

MR. BENEDETTO: I don't think any local entity will be denied funds under this bill.

MR. RA: Okay. Thank you, Mr. Benedetto.

Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, Mr. Ra.

MR. RA: So, as much as we've had, you know, obviously a busy couple weeks up here, now I really feel like we're into the Session because we're talking once again about teacher evaluations. You know, this is a topic that those of us who have been here a number of years and for new members, we've discussed many times in this Chamber. I have talked about it as, you know, being like the Charlie Brown cartoon where right as he's about to kick the ball, we get pulled away because we've made so many different changes to this system over the years. And each time we make one of those changes, you know, there's a negotiation locally, there's a cost to the districts implementing it and I think the more things change, the more they remain the same. Because what we end up with is basically some type of negotiated statute that doesn't really reflect the data and the science of what makes good instruction. And that's a shame for -- for our State, that's a shame for the kids of our State and for our teachers, that we don't have a system that reflects different things that we -- we have seen and that -- that people have done research have found makes good instruction.

And, unfortunately, with this change last year, you know, I know we did this bill and I know it overwhelmingly passed, but many of us I think felt, okay, let's move the ball forward. Let's see if we can get the Senate to visit this issue and it'll keep the conversation going. And we're no longer in that situation. We're in a very different situation right now. I know there's been a change in the control of the Senate. We actually have this language in the proposed

Executive Budget which is I guess, you know, somewhat monumental given that this was something that was rammed down our throats in the Legislature by the Executive in the budget a few years ago. It had nothing to do with what we thought made good instruction, would be a good system for the students of the State. It had everything to do with -- with politics and political retribution by the Executive. And we ended up because of, you know, the powers that come with the budget process, we ended up with a bad system that everybody knew from day one wasn't going to work, that everybody knew from day one wasn't going to accurately evaluate our teachers, but what's that we ended up with. And despite having just six months before or so from that time, had the conversation about actually reducing the use of standardized testing and testing in teacher evaluations, we suddenly had it at 50 percent.

So, are we moving the ball forward here in some ways? Yes. You won't be, you know, forced to use these State tests that have become such a problem with -- with the teacher evaluations. But, unfortunately, you still will have 50 percent some type of testing in teacher evaluations where the science and data shows it should probably be somewhere around 10 percent. And here's my real concern. We can say, okay, we're making a change and we can always revisit it later. Enough. Let's get this right. It's been dating back to, you know, Race to the Top and the Federal mandates on how we had to use teacher evaluations -- we had to use testing teacher evaluations. Those have been relaxed. How many times are we going

to change this? How many times are we going to make our districts and our teachers go back, negotiate a new system, deal with the expense of implementing it and still have something that they don't feel is going to accurately measure what they do and their effectiveness at doing it?

Years ago before, you know, the whole Federal conversation and the Federal government really overstepped their bounds and, you know, stuck themselves into something that they really didn't belong in, in forcing things through dangling a little bit of funding - and we all know these mandates cost our districts way more than they were getting in Federal funding - we had local districts teacher evaluation systems. There were people who want you to believe that the districts didn't evaluate their teachers until the State stepped in and told them how to evaluate their teachers. Nonsense. That's not the case. They had systems. They utilized things like these prohibited elements that are -- currently, districts are not allowed to utilize.

So I'm concerned we're carrying that forward. I'm concerned that we're making a change that still will require that some type of test be 50 percent of the evaluation and that leaves me in a situation where I have a lot of trouble supporting this bill.

Immediately after we passed the Education Transformation Act in 2015, I introduced a bill to repeal 3012(d). That's what we should be doing. So, I understand, you know, the talk about this issue. I understand, you know, the efforts by so many to move us away from

this punitive evaluation system, but having spent countless hours talking to constituents, talking to teachers in my district, I can't support this as what we're going to move forward and something that we think is going to be our permanent teacher evaluations system. We can do better. We already have the Governor agreeing to go where this is going. We should be going further and then -- and then having a negotiation from there where we can get on this.

So, you know, it's -- I understand that this was passed last year with -- with very little opposition, but it's a different situation. This is no longer let's move the needle and see where we can -- we can ultimately end up. This is where we're conceding that we're ending up and I just don't think that's good enough. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Smith.

MR. SMITH: Thank you, Mr. Speaker. Will the sponsor yield?

ACTING SPEAKER AUBRY: Will you yield, Mr. Benedetto?

MR. BENEDETTO: Yes, indeed.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. SMITH: Thank you, Mr. Benedetto. When we're talking about this bill, the first section we're taking away the requirements for the use of the State standardized testing for the teacher evaluations; that's correct?

MR. BENEDETTO: That is correct.

MR. SMITH: Okay. Now, in the second section now, as somebody who has taught in the classroom, I'm very concerned about the wording where it says "alternative assessments". Are we talking about -- when we talk about alternative assessments in the classroom, as you had mentioned previously, we could be talking about something additional to evaluations. We could be talking about a portfolio. We could be talking about -- now, are we talking about that or are we talking about an alternative way to assess teachers that may not be tied to student performance? Or maybe both, a little bit.

MR. BENEDETTO: Well, this will be up to the local school boards to -- to determine. They will look towards State Education to come up with a menu, as I said before, of what possible alternative assessments might be employed and, certainly, portfolio assessments will probably be one of them.

MR. SMITH: And I do hope that that's an option. Now, under this bill, is there anything that will require -- so, we're talking about allowing the Commissioner to determine. So, before -- and I can respect the fact that we're including local control with the negotiations, but before we do that, the Commissioner has to determine what options they can choose from. So, she's picking the menu as far this goes. So, what do we know if -- you know, isn't it true that under her selections, State testing could still be one of the options, but what if other options don't include portfolios or -- or projects or things like that and include maybe a departmental final exam, something like that. Is that a concern? Is that addressed in the

bill?

MR. BENEDETTO: What local districts would be allowed to do is come up with -- they'll look towards, I'm sure, the State Education Department for guidance and they'll list what's on their menu, but that does not stop them from coming up with their own list that they can show to the State Education Department and get that approved.

MR. SMITH: Okay. So -- so, under this bill what you're saying, that actually is an important clarification. Our local districts then can come up with their own choice. They can then go to the State Education Department, ask is this something that's acceptable in the State Ed -- is that -- I just fear --

MR. BENEDETTO: There's nothing in this bill that will bar them from doing that.

MR. SMITH: Okay. Is there anything that would make the State have to respect that in this bill, that as far as --

MR. BENEDETTO: We give the authority to the State Education Department to approve on the assessments that are going to be employed, so we give them that power, which is probably only right that they do. They are the State Ed Department. I don't see anything wrong with that.

MR. SMITH: Okay. I'm glad that that clarification was made. As you know, we've had a high opt-out rate of the State exams. My district particularly, 70 percent of the students are not taking the tests. So my concern, as you can imagine approaching this

bill is that the same Commissioner whose, on multiple occasions, said that she would withhold funds to my district because my students are not participating that if she's determining where we go with these evaluations --

Now, the next question. Is there anything that changes -- I see there might be a change whether we're using student growth to student learning objectives? Can you speak to that a little bit?

MR. BENEDETTO: Each district will be required to make student growing adjustments, either on an individual basis or by a group basis, to see how they perform. That will be given to the local districts.

MR. SMITH: Okay. So, instead, because under the current system when we're looking at student growth scores, it's actually tricky because if you're teaching, for instance, an honors class, then in the beginning of the year to the end of the year, they may do nearly perfect, but then we're not showing growth. So, that's a concern under the current system. So that's being addressed?

MR. BENEDETTO: Indeed. We are well aware of some of the abuses in this where students were performing at a high level and then teachers were penalized because they didn't jump 10 points in their performance. And that is one of the things we're trying to cure with this new system.

MR. SMITH: Okay. That -- that's -- that's excellent. And when we talk about student learning objectives, then, because

now we're looking at the other end of the spectrum. We might have students who are in special education. With the student learning objectives, that's a local decision. The teacher in a classroom and their local school district decides what those are, right, that's not set by the State?

MR. BENEDETTO: Indeed.

MR. SMITH: Okay. That's another important thing, so we're shifting away from that. Now the next part here -- you know what? I think you answered my questions. Thank you very much, Mr. Benedetto.

MR. BENEDETTO: There you go. Thank you.

MR. SMITH: On the bill, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill.

MR. SMITH: Okay. I wanted to approach this bill, and I'm glad we just had this debate because I had a number of concerns on the bill that are not addressed and now I think we've addressed the bills and as I understand, our transcript of the debate does kind of go to speak to the legislative intent of what we're trying to do.

My concern as somebody who was previously a high school certified 7th through 12th math teacher, as many people know, the 8th grade math students in our State, they're subjected to an 8th grade State assessment. Many of them are taking integrated algebra, so they're subjected to a Regents exam, and my fear under this bill and I hope that local school districts will have that authority as it sounds

like they would, not have to now endure a departmental final exam, which would be a third exam on how we're basing this. So, a number of those concerns I'm glad were addressed and thank you very much.

ACTING SPEAKER AUBRY: Mr. Tague.

MR. TAGUE: Mr. Speaker, would the sponsor yield for a couple brief quick questions?

ACTING SPEAKER AUBRY: Mr. Benedetto, will you yield?

MR. BENEDETTO: By all means.

ACTING SPEAKER AUBRY: Mr. Benedetto yields.

MR. TAGUE: Does this bill restore the three-year tenure rights for teachers?

MR. BENEDETTO: No.

MR. TAGUE: And does this bill end receivership?

MR. BENEDETTO: I'm sorry. I didn't hear.

MR. TAGUE: Does this bill end receivership?

MR. BENEDETTO: No.

MR. TAGUE: Okay. Thank you.

MR. BENEDETTO: You're welcome.

ACTING SPEAKER AUBRY: Mr. Sayegh.

MR. SAYEGH: Thank you very much, Mr. Speaker. And I just wanted to comment in support of the bill. As an educator for some 40 years from the classroom, school principal 30 years, Board of Ed trustee, this has been an issue that has confronted teachers and trustees and educators and parents for many years. And I

think the discussions trying to follow the lead seem to focus on what do we do afterwards when, in reality, the change in -- of utilization of test data on student records and teacher evaluations I think we all agree is wrong.

As an educator, when I looked at student scores, especially English Language Learners and Special Ed children, some that were in the country a few months and they were given the exams, and those tests results were not reflective of how efficient or effective a teacher was. And very often the system is set up and the media is set up and the concept of looking at results is such where teachers are blamed, school districts are blamed when we never put the time and effort to truly determine and put a system in place that can really judge and evaluate how much performance and student growth exists.

So, I support the measure and I believe, as stated by the sponsor, that leave it to the local school districts that get parents involved and teachers involved and principals involved and trustees to really put together what they feel best is reflective of evaluation. And it's not one system that truly fits for all. For example, I've had classes of Special Ed children where when you look at the State data from 3rd to 8th and you determine that ten children in this teacher's class did not pass either the math or the ELA, and then you find out that that teacher brought their scores so high from very low 1's, if anybody understands the system, it's really four categories; 1, 2 and then 3 becomes passing and 4 is the top of the four. When you, as a teacher, work with English Language Learners or Special Ed children and you

get them at the very low 1's and they may not pass the exam, but they bring it up to a high 2, that is an amazing success story. But very often, we don't look at that.

So, I really believe we should move ahead. We should make sure that those data is removed from student's scores and teacher evaluations and then we can give that authority to local school districts, of course under State Ed guidelines, to really put together what works best for them. And -- and often, it's not even what works best for the entire district, it could be what works best for Special Ed, for English Language Learns, for Adult Education and other components that we have to deal with. Thank you very much.

ACTING SPEAKER AUBRY: Mr. Benedetto to close.

MR. BENEDETTO: Thank you, Mr. Speaker. I taught for 35 years and I never worried about being evaluated by my administrators. It was a regular procedure that they would come into my class after telling me they'll be coming in, spending an hour there watching me teach. At least twice, maybe three times a year they would do that. They would look at me in front of the classroom. They would observe me going through the halls with my class. They would observe how my class was progressing during the course of a year. They would come in and sit at my desk and my planbook would be there and they would be looking at the planbook as I taught my demonstration lesson. That's what they should be doing.

As a teacher, as a professional, it was my job to teach

the children, to advance them, to make them grow. And that is what the teachers, the teacher force that we have in the State of New York does every single day. And this is something that was used until approximately 2010 and then all of a sudden it was taken out of the hands out of the professionals who know what they do, who have dedicated their life to teaching and to observing and making sure our kids are educated and it moved into a political sphere, where all of a sudden the evaluation techniques, all of a sudden the administrators and the teachers were not to be trusted to regulate and look at the profession that they had chosen, the noble profession of educating today's students to be tomorrow's leaders.

And what have we had over the last nine years but chaos and uncertainties. It was a terrible thing what we have done to the teachers of this State, to the professionals in education of this State. We decided to say to them, *We don't trust you, and you teachers, you, are the enemy.* It's a terrible thing. I would often tell teachers when they came up here lobbying us that when I taught, we were not the enemy, *You should not be subjected to this. You should be allowed to go out and teach to your ability, to hone your craft.*

With this particular bill, we have transferred the confidence to our teachers and to our administrators. The teachers will try their best, as they always have, to teach our young. The administrators are there to observe them, to make sure they're doing what they should be doing in the classroom and if not, to go and correct them to teach them how to be better teachers. And if you've

got a good administrator, even a bad teacher could be made to be a decent teacher, and a good teacher can be made to be an excellent teacher. Those are the professionals.

I thank us all for the debate we had today. I thank the Speaker for allowing this to come up onto the floor for a vote. And I thank the teachers for the last nine years of uncertainty that we have thrust upon them and, hopefully, we're giving back some semblance of sanity to the teaching profession and the evaluation process that we all should go through. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Ms. Glick to explain her vote.

MS. GLICK: Thank you, Mr. Speaker, briefly. I just want to thank the sponsor for not just his work on this, but his clear explanation of the way in which we upended education for too many years. We undermined the confidence of teachers. We undermined the confidence of administrators and all because there were folks who, for political purposes, were not necessarily committed to public education in the way they should have been. In my own City, the Chancellor, under a prior mayor, was an anti-trust lawyer, which says all about the commitment to education, public education that was there.

So, I am grateful that we're doing this today and I again wish to thank the sponsor for not just the explanation in the bill, but his passion on behalf of the teachers across the State. I withdraw my request and happily vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Zebrowski.

MR. ZEBROWSKI: Thanks, Mr. Speaker. I'd also like to commend the sponsor for bringing this forward and for all his work as Chair of the Committee. You know, children and students across the State are not just numbers on a spreadsheet, and our teachers are not just accountants sort of manipulating those numbers. Right now in classrooms in all of our districts, teachers are doing their very best to improve the lives and to impart knowledge upon our student base. These students, some of which have varying degrees of backgrounds, varying degrees of wealth, some of whom have the ability to hire tutors, some of whom, unfortunately, don't have enough money to provide breakfast in the morning. And our teachers are doing their very best with our administrators and principals to make sure that education is the great equalizer in our State.

Unfortunately, an obsession with a culture of testing has gotten us away from allowing a collaborative approach with our teachers and administrators and school districts so that there is some sanity in the way that our teachers are evaluated. I'm hopeful that this bill is finally an end to what I think has been a nightmare for us as legislators, for the school administration and school board officials and the teachers that are in the classroom, those folks that are really

doing the work that's going to craft the next generation of New Yorkers.

Finally, I'm hopeful that this bill will get us back towards the collaborative methods of evaluation that our teachers and administrators deserve, and that's why I'll be voting in the affirmative.

ACTING SPEAKER AUBRY: Mr. Lavine.

MR. LAVINE: I rise as well to commend the sponsor. This has not only caused havoc, as was described, to teachers and administrators, but the price we have paid over the course of the last and it's ten years - it's actually more than ten years - to our students, to our children is simply nowhere near worth the aggravation. Subjecting children to a tense classroom environment serves no purpose whatsoever. So, I'm very pleased to support this meaningful measure and I'm very pleased to vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Mr. Kim.

MR. KIM: Thank you, Mr. Speaker. I believe one of the more critical questions we must ask as we are decoupling the State assessments from teacher evaluations is whether are we taking the right steps to create an environment where our kids are learning with purpose in our classrooms or being taught to the test. And with this bill, I am confident that we are taking the right steps to make sure that our kids are learning with purpose and finding passion in the classrooms.

I appreciate my colleagues in the other aisle bringing

this debate up, because we can do more. There's more that can be done to make sure our teachers are protected, make sure that they have all the freedom to do -- to create the curriculums and to make sure that they're paid well while doing so. There's a reason why 40 percent of new teachers that are coming in the market now quit within five years. You know, when you're dangling money in front them and when you're taking these punitive approaches towards teacher evaluations to a class of people that are already driven to do -- to serve and give back to our communities, you are demotivating them from doing their jobs. I appreciate the sponsor for taking this very important bill. I look forward to voting in the affirmative, Mr. Speaker. Thank you.

ACTING SPEAKER DENDEKKER: Mr. Kim in the affirmative.

Ms. Bichotte to explain her vote.

MS. BICHOTTE: Thank you, Mr. Speaker. I rise to support this teacher evaluation bill which would rid school districts of the necessity of using State-administered tests as evaluation for the overall performance of teachers. I would like to commend the sponsor of this bill in leading the initiative to decouple test scores from teacher evaluation.

As we know, State-sanctioned tests are usually unfairly bent in favor of students that have access to resources to excel. Conversely, students from low-income backgrounds typically do not have the privilege of going to -- to schools that provide

materials that will properly prepare them for State-administered examinations. In the latter situation the onus cannot be on the teacher when students cannot excel. And I can tell you from firsthand experience as a former public school math teacher teaching algebra and geometry, I had experienced how hard it was coming to a classroom where these kids in middle school were robbed of proficient learning experiences, having a crowded room, not having up-to-date books and it was really hard to teach students who could not even do basic addition and subtraction. And just imagine if I was evaluated based on the years and years of these kids, again, just being robbed of adequate basic education.

So, I stand here today in support of this bill. I was hurt to see how our system was imposing such system and I guess playing politics on the backs of our teachers. I'm happy that today is a new day. It's a blue wave and I stand today to support and honor our teachers and administrators. So, I vote in the affirmative. Thank you.

ACTING SPEAKER DENDEKKER: Ms. Bichotte in the affirmative.

Mr. Santabarbara to explain his vote.

MR. SANTABARBARA: Thank you, Mr. Speaker. I'm proud to be a sponsor of this bill that makes commonsense reforms and strengthens public education. We saw this bill here in the Assembly last year. I'm pleased to see it again here about to pass in the State Assembly knowing that it is being taken up in the Senate and closer to being a reality.

Local control of our public schools is something we've been fighting for for a very long time, and we've had students, parents and teachers alongside of us here fighting for the very same thing. In this bill, eliminating the use of State tests for teacher evaluations gives our dedicated teachers in public education the freedom to do what they do best, help our children succeed.

And I speak from firsthand experience. I mentioned this when we talked about this bill before. I'm a child of immigrants. I grew up in the City of Schenectady. I didn't speak English until I was in first grade and public education made all the difference in the world for me. My teachers never gave up on me. They had freedom to make sure that I would be able to succeed and continue on my education. And now, as a parent, I see it with my 15-year-old daughter, she's in 10th grade, and my son who was born with autism, he's in special education. Students learn in a variety of ways and this bill reflects that reality and that's why today I'm very pleased to cast my vote in the affirmative. Thank you.

ACTING SPEAKER DENDEKKER: Mr.

Santabarbara in the affirmative.

Ms. Solages to explain her vote.

MS. SOLAGES: To explain my vote. I'd like to thank the Speaker and the sponsor for really advocating on this issue. Regardless of your zip code, a student should have access to high quality education, and we need to create and foster an environment where students get a love of learning, a love of the classroom. And so,

our teachers are on the frontline of creating that love of learning, and our Special Needs and our ELL students need the support from us and also from their teachers.

So, high-stakes testing is the wrong way to go and today I vote in the affirmative because we need to give control back to our communities, back to our families. It's not a perfect bill, but this is a start of making sure that we right all the wrongs that have been happening. So I thank the Speaker and I vote in the affirmative.

ACTING SPEAKER DENDEKKER: Ms. Solages in the affirmative.

Mrs. Arroyo to explain her vote.

MRS. ARROYO: Thank you, Mr. Speaker, for giving me the opportunity to explain my vote. It's important that we understand what a teacher evaluation means. I served as a community school board 23 years before I was elected to this Assembly, and my relation with the teachers and the school was great because during the evaluation is that the teacher can explain her problems and receive advice and evaluate what she's doing that is good and is great that is going to help the supervisors of the school, to reverse the ability of this teacher with other teachers. We always see teachers evaluation as a confrontation with the teacher. It is not, because the teacher only can grow is through the evaluation. She can understand when she is doing good that is going to enhance her future, and not only that, but her ability to teach the children and help those students that are in need. Because remember, that the classroom is the kingdom of that

teacher and inside there, there is so much that she can do to help that student and if the teacher is not a good teacher, she should not be teaching. But we have the majority of our teachers that are excellent and that they -- the examples that they use to teach the children can be used with others that need that ability to do it.

I'm very proud of this and I want to congratulate Mr. Benedetto because it's his first bill as Chair of the Committee and, very proudly, I vote in the affirmative.

ACTING SPEAKER DENDEKKER: Mrs. Arroyo in the affirmative.

Mr. Raia to explain his vote.

MR. RAIA: Thank you, Mr. Speaker. I rise to explain my vote. It's hard to believe that it was about eight years ago we stood here as part of Race to the Top and implemented a horrific APPR system. I predicted back then it was going to fail, certainly it did fail. It gives me great pleasure to stand here today to be moving in the right direction. It's not a perfect bill, but let's face it. If we completely repeal the APPR, the Governor will never stand for it and we have could have something even worse.

So, I have received a number of phone calls from teachers that are concerned about this legislation, but rest assured, we're going to make sure that we finally get this right. Thank you. I vote in the affirmative.

ACTING SPEAKER DENDEKKER: Mr. Raia in the affirmative.

Ms. Richardson to explain her vote.

MS. RICHARDSON: Thank you, Mr. Speaker. I rise just to stand in solidarity with the teachers around the State of New York and to just commend the sponsors, both in the Senate and in the Assembly, on this piece of legislation. You know, I don't know where I would be without my education. And when I went to school, we had a madrid [sic] of different subject areas that I just watched get eliminated from the day because many teachers are teaching to the test. The joy of learning somehow is just, like, gone out of the classroom and I'm hoping that with this piece of legislation, we can restore that joy and to restore our confidence in all of our educators around the State of New York. So with that, I vote in the affirmative.

ACTING SPEAKER DENDEKKER: Ms. Richardson in the affirmative.

ACTING SPEAKER AUBRY: Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. We are wanting to make sure that we still get to Calendar No. 9 with the DREAM Act, but we're going to pause just a little bit while we wait for the Senate so that we don't have that cross-issue. But in the meantime, Mr. Speaker, we do have work that we could do that would happen at the end of our agenda. So, I think that I will

propose that we call up the resolution that would honor the Reverend Dr. Martin Luther King and we take this opportunity in our recess -- well, not recess, but this space that we have to honor a man that has done so much for our country, our State and our world.

So with that, Mr. Speaker, if we could call No. 0048 to the floor.

ACTING SPEAKER AUBRY: Without objection, the Clerk will read.

THE CLERK: Assembly Resolution No. 48, Mr. Heastie. Legislative Resolution commemorating the observance of the 34th Annual Martin Luther King, Jr. Day in the State of New York on January 21, 2019.

ACTING SPEAKER AUBRY: Mr. Barron on the resolution.

MR. BARRON: On the resolution, sir. You know, Dr. King -- I'm writing an article called *Frozen in History. Frozen in History: Thawing out the radical dimensions of Dr. Martin Luther King and Rosa Parks*. The white power structure and a lot of historians wanted to freeze Martin Luther King and "I Have a Dream" in 1963. That dream turned to a radical vision in 1968. By 1968, Martin Luther King was saying, *Integration, maybe I'm trying to integrate into a burning house*. By 1968, Martin Luther King was saying, *I work very, very hard to reform the institutions of the South; a little change here, a little change there, but now I think quite differently. We need a radical reorganization of the entire society, a*

revolution of values.

Dr. King wrote a letter before he started dating his wife-to-be, Coretta Scott, and said, *Coretta, I just want you to know that my philosophy economically is more socialistic than capitalistic.* Dr. King said capitalism was not built on some Protestant ethic of hard work, but rather off the backs of black slaves and the theft of the land of the indigenous people. Dr. King went against the war. He spoke out against capitalism and imperialism, but they want you to just talk his dream in 1963. As a matter of fact, even his dream in 1963, he made that speech first in June of 1963 in Detroit when 125,000 predominantly black people gathered for the largest march for Civil Rights called "The Walk to Freedom" in the history of this country. Two months before he made that speech in Washington, he made it to the black folk in Detroit, but it didn't get a play. And then he made it in '63.

Dr. King was a revolutionary. He said that we need a radical redistribution of the wealth and the power in America. That's when the CIA, Jay Edgar Hoover, did more of the COINTEL Program, the Counter Intelligent Program of the FBI, they did more to spy on Dr. King than they did the Black Panther Party, my party. They did more to spy and try to wreck Dr. King's life when he turned to a revolutionary, when he was trying to integrate - and this is the challenge we have - Dr. King, the best that we've had, one of the best we've had - was simply trying to integrate, trying to register people to vote and was murdered. People lynched. Dogs biting the skin off of

our people. Fire hoses tearing our skins to try to vote. I was a Black Panther trying to do some other kinds of things, but he was trying to just get us to vote and he was murdered.

So, Dr. King, we honor him today and when we honor him, we have to honor three women that should always be mentioned when Dr. King is mentioned. One is Claudette Colvin. Claudette Colvin was only 15-years-old in 1955. She sat down on the bus in March of that year before Rosa Parks. She was 15. She read some history on Harriet Tubman and Sojourner Truth, which is why our history is so important, and she said, *I'm not getting up today. I just read my history. I'm not getting up.* And Claudette Colvin, 15-years-old was arrested. E.D. Nixon, who was the leader of the NAACP then said maybe we should make a test case out of that, but since she was 15 and going through some changes, they said maybe not. Then Rosa Parks, months later, sat down on the bus in December of that year. She wasn't a tired seamstress who just decided she didn't want to get up. This was a strategy by the NAACP that started with Claudette Colvin.

So, I just wanted to share that history with you and never forget Jo Ann Robinson, who was a member of the Women's Political Caucus who started the '55 boycott in Montgomery before Dr. King. This catapulted him into prime time in our movement.

So, I just wanted to say Dr. King was a radical, he was a revolutionary. He died very depressed because of a lot of heat that came on him from this system that he was trying to change and

we should never, ever forget the life, the legacy of a radical revolutionary who evolved his trajectory, he revolutionarily evolved into a radical, not the soft Dr. King that they present to you to have a dream. When you're dreaming, you're sleeping. When you have a vision, you're awake. Happy birthday, Dr. King.

SPEAKER HEASTIE: Mr. Rivera on the resolution.

MR. RIVERA: Thank you, Mr. Speaker. The year was 1955, summer of 1955. For those of us in the Bronx, teenagers who, at a time, during the summer we would go to Orchard Beach to enjoy ourselves and the minute we enter section number 9, we were directed to section number 1 by the rocks. If any of you youngsters are familiar with Orchard Beach, you know what I'm talking about. Section number 1 became the Puerto Rican section because it was not safe for us to be seen swimming in section number 9.

Going home, I saw what was happening on TV. Yes, my brother mentioned the first person at the age of 15, and a single mother, who paved the way, Ms. Colvin - who, by the way, we honored here a few years ago - finally recognized that she was the first one at the age of 15, a teenager, to stand up for the rights of people to be able to move around safely and free in this country. But then again, for whatever the reason, and I -- I understand, she was not going to be the champion of the movement.

So, when I get home and I watched what's happening on TV, we began to be free, also. The Puerto Rican community became the little cousin, the little brothers to the African-American

movement, and I can prove to you. I didn't have a cell phone, I didn't have video in those days, but 50 buses by 1963 joined Dr. King in the March on Washington, 50 buses loaded with Latino, mostly Puerto Ricans. If you don't believe me, students, look it up in Hunter College. No one will tell you that. Look it up in the archives of Hunter College in the City of New York. Do that. It's all in there, pictures and everything.

So now, I get elected to office in 1982. The first thing I did was dedicate my first newsletter to Dr. Martin Luther King and the struggle who paved the way for me who, most of the time I get accused of speaking in broken English and most of the time I get accused of speaking in broken Spanish. But when I got elected, I joined Arthur Eve, (inaudible), David Gantt - not here today, but he and I are the still survivors from those days here -- and Roger Green. We went to the Second Floor and in a nice way, we were able to sit down and talk to then Governor Mario Cuomo and say the time has come for this State to pave the way and recognize the struggle and the sacrifices of Dr. Martin Luther King.

We did that, but let me backtrack a little bit.

African-American and Martin Luther King were not by them self in this struggle. The entire Labor Movement of the City of New York were behind on the March of Washington in support. And I can tell you, if I remember, there were three youngsters, three college students, college, going to college - Michael Schwerner, Andrew Goodman, two Jewish college students, one of them lived in Riverdale

the Bronx. They joined the African-American James Chaney and in 1964 began the second part of the struggle which is the right to register to vote. Medgar Evers led that struggle. These three youngsters were murdered, were set up, ambushed and killed, never to come back.

So today's a great day and it's going to end in a great way, Mr. Speaker, because -- because of your leadership, these youngsters here today will finally their Dream will be recognized by the State of New York. So I applaud this Body. I applaud you, Mr. Speaker, and I applaud these youngsters. Do your research. Nothing was given to us. Everything has come as a result of struggle and if for one minute you think it's going to be easy for you from now on? Nothing comes easy in this society. It comes out of struggle. Nothing comes by accident. It comes out of organization. So when you finish your school, please don't turn your back on your community. Share your experience, get involved in every issue because the struggle will never end here or in the day that you graduate --

SPEAKER HEASTIE: Thank you.

MR. RIVERA: There always be something to struggle about.

SPEAKER HEASTIE: Thank you, Mr. Rivera.

MR. RIVERA: So I thank you for your patience, Mr. Speaker.

SPEAKER HEASTIE: Thank you.

Mr. Fall on the resolution.

(Applause)

MR. FALL: Mr. Speaker, on the resolution.

If it wasn't for Dr. King's advocacy and paying the ultimate sacrifice, I don't think my parents would have had the opportunities that were presented to them when they came here from West Africa in the late '80s, and I also I don't think that I would have been the first African-American and Muslim to be elected from Staten Island to the State Legislature.

Martin Luther King Day is the only Federal holiday observed as a National Day of Service; a day to reflect and simply not a day off. Commemoration of Dr. King gives us the opportunity to recommit ourselves as citizens by volunteering in service to one another. It is also a time to consider how much work still remains to fulfill Dr. King's dream. Service is a powerful tool for strengthening our communities and as lawmakers, I strongly believe we must be the bridge builders of inclusion and to continue to fight against those that want to place barriers of exclusion.

Dr. King challenged us to build a more perfect union and taught us that everyone has a role to play. Five decades later, we still have work to do to realize Dr. King's dream. Thank you.

SPEAKER HEASTIE: Mr. Otis on the resolution.

MR. OTIS: Thank you, Mr. Speaker. This year in thinking about Dr. King's birthday, I think about some of the reversals that we have suffered in this country: Reversal on protection for immigrants; reversal on the war on poverty; reversal on acts of

violence and biased-related crimes around this country; reversal on education equality in this country. And think about what Dr. King would say to us today were he with us today. He would say to us we have work to do.

But the most searing and disturbing of these reversals is the one that relates to violence against individuals based upon bias, hate crimes on the rise around this country, and understand that those individual acts speak to a broader problem. They give license around the country to the policy changes that hurt people in more permanent ways.

So, we have a lot of work to do. We're doing good work here in New York, but Dr. King, I think, would be very upset about what he's seeing in this country in the last couple of years and would say to us we've come a long way. We have a lot more -- many more roads to travel, many more miles to travel to try and get this country to where we need it to be. Most disturbing is the idea that bigotry -- the Civil Rights Movement was very much based on the idea that bigotry was immoral and from even the highest office in this land, we're getting a different message. That is disappointing, that must be resisted at every turn. We honor Dr. King's birthday by making sure that we undue some of these reversals. Thank you.

SPEAKER HEASTIE: Mr. Taylor on the resolution.

MR. TAYLOR: Thank you, Mr. Speaker. I rise to celebrate this occasion and the 34th anniversary. I'm reminded as a CUNY student taking one of those buses down to D.C. in the bitter

cold of January advocating for such a day as this, and to come full circle and to stand here. I think a lot has been said and more can be said, but at some point, words kind of -- they fall off the table when action is missing. So, there's a lot of conversation and I think one of the things that Dr. King said, *The only thing necessary for evil to triumph is for good men to do nothing*, and in our context as legislators in where we find ourselves in this -- this struggle, whether we are students, whether we are seasoned legislators or lobbyists, there's a lot to be done and said, but more action is necessary.

I think one of the things that for sure, he said, *How long?* And then the response was, *Not long*, but I know that "not long" has still not arrived yet. The question is still how long before there's equality? How long before we're able to look around and say it's not for one particular organization, but it's for each and every individual that calls themselves a -- a member of this culture and this society to be involved in ways and doing service that's going to benefit their community, their neighborhood, and then it goes to a larger scale, but it has to start with the individual inside saying, *I make a difference. I matter. And if I'm going to move this dream forward I need to be engaged in my community, engaged in what's going on around me.* And, sooner or later, if -- if we're not involved, whatever we think is somebody else's problem, will eventually find its way to our door.

So I think we have a ways to go, but don't give up. And I want to encourage us: We're here, but there -- I think each one

of us represent about 150,000 residents, give or take, in this State. I think there were 20,000 -- or 20 million in the State of New York and we each have a role to play. So, let us encourage each other and sometimes when it's difficult, don't give up, don't give in and don't turn on each other, but fight the fight that needs to be fought so that we can move forward. Thank you, Mr. Speaker.

SPEAKER HEASTIE: Mr. Mosley on the resolution.

MR. MOSLEY: Thank you, Mr. Speaker, on the resolution.

I was recently watching an interview by Bishop William Barber in which he said that martyrs are never to be revered, but to be followed. And in a way in which we are honoring Dr. King for the first time in a long time since I've been elected here and as a staffer before that, in this 2019 Session I think for the very first time we have started to live out Dr. King's dream. Instead of just talking about him, we started to pass legislation, whether it was GENDA, Electoral Reform or Voting Rights Reform, RPA, these are the things that Dr. King would have been fighting for if he were alive today. These are the things that unfortunately got him killed. These are the things that going forward - and soon we'll be passing the José Peralta DREAM Act - that will not only be reflective of the life that he led and that legacy that we follow, but as I said over this past weekend, the baton has been passed to us. The question is as we pass the baton to the next generation, will we pass it to them in a better position than when we received it?

I always end my Dr. King Day at my mother's church, St. Mary's Episcopal Church in Brooklyn, and in those times we all are asked as elected officials to read a passage of Dr. King's words of some various speeches and one of his speeches, obviously, the "I Have a Dream" speech which was so noted earlier. He says, in part, *Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. They'll be neither rest nor tranquility in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundation of our nation until the bright day of justice emerges.*

Well I say, Mr. Speaker, I believe that in these past few days under your leadership and the leadership of Andrea Stewart-Cousins in the Senate, that we have brighter days amongst us, but more importantly, we have brighter days ahead of us. So on this -- on behalf of this Dr. King Day, in which I know Dr. King would be celebrating his 90th birthday. He was an alpha man. He was a family man. He was a man of faith, but more importantly, he was an American that should be revered and followed by us all. Thank you, Mr. Speaker.

SPEAKER HEASTIE: Mr. Bronson on the resolution.

MR. BRONSON: Mr. Speaker, unity and love in the face of hate. Through this resolution, we honor the contributions and lasting legacy of Dr. Martin Luther King. This day is not just to

recognize the triumphs of a progressive champion who fought for racial, economic and worker justice and the overall principles of equality, it is also recognition that serves us to remember that we cannot let hate divide us. Dr. Martin Luther King was a unifying public servant and integral to the Civil Rights Movement. Linked arm and arm with other Civil Rights leaders and allies, Dr. King marched with dignity, seeking a vision of hope and equality for all. He launched the Poor People's Campaign to bring attention to the lack of economic justice and opportunity faced by too many in this country. He exemplified service over self, delivered unity over division and, most importantly, taught us to choose love over hate.

The current Federal Administration is dividing us rather than unifying us. They are attempting to define those of us who look differently, love differently, pray differently, as an other. And if you are an "other", then you are a threat in their minds. In these troubling times, it is important to remember the words of Dr. King who said, *Darkness cannot drive out darkness, only light can do that. Hate cannot drive out -- hate cannot drive out hate, only love can do that.* I choose light and I choose love. I choose unity with allies from all aspects of our community. We follow in the footsteps of Dr. King in the never-ending march towards justice and full equality.

Although there's still much to be done to finally achieve the unity of which he dreamt, Dr. Martin Luther King, Jr. Day reminds us that we can achieve that dream through love and unity.

SPEAKER HEASTIE: Thank you.

Mr. Lavine on the resolution.

MR. LAVINE: Thank you, Mr. Speaker. I am certainly old enough to have some recollections, although they are vague, of what the world was like before 1954, the year the Supreme Court of the United States finally struck down the legally sanctioned scourge of segregation. And the memory remains with me of being in a department store in Chicago with my mother and grandmother and seeing separate rooms, bathrooms, some marked "colored", some marked "white"; water fountains with the same legends above them. And at the time I remember being fascinated by the prospect of being able to get colored water as opposed to the translucent, tasteless water that I had previously been exposed to. But I guess, even then, I must have had some liberal tendencies. And it's funny, though, how the recollections and the memories of a child stay with us throughout a lifetime, which leads me to say that so many of those who hate today have been brought up and taught to hate, but that's a subject for another day, although it's a subject that Dr. King knew and knew all too well.

So, it's 1954 the year of Brown v. Board of Education that Dr. King accepted the pastorate at the Dexter Avenue Baptist Church in Montgomery. His predecessor in the pulpit, largely unremembered today, as are so many true American heroes, was the Reverend Vernon Johns. Johns was critical of the entire community, didn't matter if they were black, white, wealthy, powerful. He put himself in danger, put his life in danger any number of times to speak

the truth. It was his courage and his dedication that paved the way for a young Dr. Martin Luther King. But even Johns stood upon and balanced himself on the shoulders of American heroes who had preceded him including, but in no way limited to people like Richard Allen and Absalom Jones, the founders of the Free American Society that later grew into the early African Methodist Episcopal Church; Medgar Evers; Viola Liuzzo; Mickey Schwerner; James Chaney; Andrew Goodman; Carole Robertson, age 14; Addie Mae Collins, age 14; Cynthia Wesley, age 14 and Carol Denise McNair, only 11, are just a few of the names of our fellow Americans whose lives were sacrificed in the battle for human rights and human dignity. Should we fail to recognize and honor all who contributed to this historic and to this truly most uniquely American movement for human rights, we will then miss the true significance of these days on which we honor Dr. King's name. You all know that Dr. King would have wanted it no other way.

So, let us stand together to honor Dr. King and every other person who fought for Civil Rights, whose spirits demand nothing less than each and every single one of us dedicate ourselves to the continuation of the struggle for human rights here in our own nation and throughout the world. And let you and I give our solemn promise to do our utmost to help bend that long arc of human development that Dr. King spoke so eloquently of towards justice and towards fairness. As Americans, this is the faith that we must keep and in the face of all the threats to Civil Rights that confront us today,

let us make sure that this is a faith that we keep, we keep deep, deep within our hearts. Thank you.

SPEAKER HEASTIE: Thank you.

Ms. Frontus on the resolution.

MS. FRONTUS: Thank you so much, Mr. Speaker. I'm very, very happy to see this Body taking up this resolution to commemorate the anniversary of Martin Luther King Day. I attended three great events on MLK Day just a couple of days ago and I want to express here the sentiments that I shared at those events, which sound very similar to what my colleague, Mr. Barron, expressed before.

I have a sense of concern. I'm very, very concerned that this Body and that Americans in general do not whitewash the legacy of Dr. King. It's very, very important to me; in fact, I used the words on social media that it's important that we don't reduce him to a feel-good caricature. The reason why I said that is because a lot of times I find that we freeze him in time and we cherry-pick and we talk about the dream and the vision that black and white children can go to the same school. But in my humble estimation, it's so much deeper than that.

He was such a radical visionary, a radical fighter for freedom and for justice; in fact, he said some words that were so piercing that I sometimes have to read them again and again, but he once said that he found the white moderate and those that were neutral and ambiguous in times of grave injustice to, frankly, be more dangerous than the KKK. What that says to me, frankly, is that this

Body needs to use this opportunity not to just sort of reminisce or talk about the racial harmony that he expels, but to be very honest, to create our own litmus test for the work that we do here.

And if I may be honest, I believe that that litmus test should always be social justice: Are we doing enough to honor his legacy by promoting justice? That, to me, is what his memory is about. That's the bottom line here in these Chambers, making sure that every single time that we come here we are protecting the most vulnerable, we're fighting for racial justice, for economic justice, for environmental justice and protecting all the people who are marginalized in our society, all the people who are living on the outskirts, all the people who are being disrespected by the government, by law enforcement. We must speak up for them. We have to be fighting for them. That's what MLK would want. That's what he asked us to do and may we all just take heed and thank you, Speaker.

SPEAKER HEASTIE: Thank you.

Mrs. Arroyo on the resolution.

MRS. ARROYO: Thank you, Mr. Speaker, for giving me the opportunity. Brother, thank you for your words, but as a Puerto Rican woman, as a minority person that raised children by herself in this country, I was here when the struggle was there, and I was here to cry the night that we would announce that Dr. Martin King was sacrificed. Well, let me that tell you something, that sacrifice bring our communities to a level that in the second -- in the --

in the first part of this -- of 19 -- of this country, we were able to put an Afro-American decedent person sitting in the White House in the United States of America, and he was a great President.

I have to say that what we have to do is that the more that you read and learn about a person like Dr. King is the bigger inspiration that you have to continue and to grab those youngsters that are around that are having problems and help them to become the persons that Dr. King want them to be. His sacrifice was not in vain. I think that God -- most of the time God is the one that put the man or the woman in the place that that person belong. I am very proud today to salute all my brothers in the minority communities and the dreams of Martin Luther King, look what is happening today. We are going to pass a DREAM Act that for years we were not able to pass in this Assembly, because God is looking and He is not blind. My congratulations to all of you and to you, Mr. Speaker, thank you for bringing this resolution to the floor.

SPEAKER HEASTIE: Thank you.

Mr. Aubry on the resolution.

MR. AUBRY: Thank you, Mr. Speaker. On this particular day, it is a significant day. We have begun the day remembering victims of the Holocaust. We, in the middle, remember the incredible hero that was Dr. Martin Luther King and toward the end of the day, we will pass the DREAM Act, recognizing the struggles of young people who come here seeking freedom, seeking education; remarkable day.

But this particular resolution makes me reflect on remarkable people and the two most remarkable people that come to mind for me are my father and my mother, who are no longer here; Thaddeus and Lianeese (phonetic). Born in Louisiana somewhere in and around New Orleans, born in a time when being African-American or colored or whatever name they were being associated at the time, some of which we don't repeat, their abilities, their skills and their lives were curtailed. There was an organized governmental societal system that denied them the ability to be the best they could be.

And I remember that land, because I went back to New Orleans many times as a youngster, even as young as five and six, and can remember seeing the signs, the "colored-only" signs; not being able to walk on a certain side of the street; having to step into the street if a white person was coming down; not being able to worship in a church in a place that you wanted having to go to a separate segregated side of a church; not being able to go to a pool and swim in the middle of the hot summer, that was in Mobile, Alabama; having to ride on the back of a train - once you got to Washington D.C., you had to get off the train and go to the back of the train. These things stay seared in your soul. They don't go away. You remember them maybe even more than the Christmases, because essentially it denied you the opportunity to be equal.

I would only say this, and we've heard so many things about it, that for African-Americans, we have always been

revolutionaries. We were revolutionaries in the boats in the Middle Passage. We sometimes committed suicide not to be taken into bondage. We fought often when we were taken to the breaking in camps, when we were sent to the plantations to work. We have always been revolutionaries. It just evolves over time what you consider to be a revolution. Martin Luther King in his time, even as he began the desegregation movement, was revolutionary. Not everybody who is African-American believed that he should do what he did. They said, *You're causing trouble*. And we had been subjugated in such a way that our mentality said, you don't complain. The best way to do it is to get along - you've heard that term - because if you didn't and it wasn't just a whimsical thought, you could be dead because you could be hanged, you could be whipped, you could be beaten and shot for merely objecting to the status quo. That was the world before Martin Luther King. And when the soldiers, African-American soldiers, came back from World War I and World War II where they had seen different worlds, different ways of doing it, there was a great dissatisfaction that was raised up in the community: *I just fought for my country and, yet, I'm not free to be a part of this country*.

And so, that revolutionary process takes place and brings us here to this place where we have a struggle that still goes on, and a struggle that we, as a community, the largest community, are beginning to win. It isn't won, but beginning to win. Days like today show that, because we would not be able to do this in my parent's

time. We would not be able to sit and have these conversations in my parent's time. We would not have leaders who look like the people who were enslaved in my parent's time in either of the Houses. We would not have had a Governor who looked like I do in my parent's time.

And so, my father, who passed away when he was 94, was amazed at the world that he saw. He was incredibly hopeful that these things have changed from what his life was like as he struggled to survive, raise a family, move them up to the north to seek freedom, find that freedom in the north was not what freedom in the north was sold to be, but still persevered to bring his children along. These are the bits of revolution. So you all, no matter who you are in one way or another, are part of a revolution; a revolution that is an American story that involves all of us because everybody here probably has been on the other side somewhere in your life. You have not been "the one". Somebody looked down at you. If you were Irish, somebody looked down at you. If you're Italian, somebody looked down at you. If you're, Polish somebody looked down at you. All of us were looked down by somebody. What we seek is a world where you have no right to look down on anyone, that you see them eye for eye and who they are. And that is what this struggle, this revolution is about.

I hope that Dr. Martin Luther King blesses us with the ability to make that happen; a vision, a dream, a belief that that is who we should be and must be in any way that we can. Thank you.

SPEAKER HEASTIE: Thank you.

Ms. Glick on the revolu -- on the revolution --

(Laughter)

-- on the resolution.

That's for you, Charles.

(Laughter)

MS. GLICK: That's okay. Revolution is right. I am humbled by the comments of many of my colleagues, the passion and the expression of hope on the one hand, and dissatisfaction on the other; they are both consistent with our journey.

What I wanted to say about Martin Luther King was his commitment to non-violence despite the pernicious and consistent violence towards African-American people was a testament to a true commitment to faith. It was not out of fear, but out of the most incredible courage to stand against the violence of both the State -- I was a youngster who saw those pictures of dogs and fire hoses and the courage it took to stand up to that, to the beating that people took, shocked the conscience of the nation that then fell back. The courage that it took for Emmett Tills' mother to say, *I want the country to see what was done to my son*; the courage that it took for so many people who are nameless to us today who marched across the Pettus Bridge; the courage of a John Lewis. Those are heros to us.

And so, as we reflect upon Martin Luther King and reflect upon that commitment to non-violence at a time when we see that the opposition to equality is always spurred to violence. The attack in Charlottesville, people peacefully protesting responded to by

violence. It says something to me and hopefully to others that the message of equality pushes forward, always confronted by the fear of others that leads to violence. And today, the constant push forward that's met with violence is now encouraged; encouraged not just in this country, but by the strong men around the world who believe that the only way that their cowardice can be supported is by the violent response to the simple request for equality. And I believe in my heart that that message of non-violence needs to be lifted up and challenge those threats to equality that are perpetrated by small minded, fearful people and that the only way they see to maintain their preeminence is through violence against those seeking justice and equality.

And so, I'm proud to stand today in this remembrance and, as I said, very humbled by the comments of my colleagues whose community has faced atrocious discrimination and continued violence when the simple and compelling request is for equality and justice.

Thank you, Mr. Speaker.

SPEAKER HEASTIE: Thank you.

Mr. Raia on the resolution.

MR. RAIA: Thank you, Mr. Speaker. I rise in support of this resolution, as I have done most of the 17 years I've been in office; in fact, it was 17 years ago during my first Martin Luther King observance that I wrote down a quote and I carry with it me because I think it means a lot, or should mean a lot to everybody in this room: "Our lives begin to end the day we become silent about things that matter." I'm proud to be part of a legislative Body that

there are no shrinking violets here. We all stand up. We speak our peace. We may differ on what that outcome should be, but we all get elected to represent people.

I grew up in a home where I was taught not to judge people by their race, by their skin, by their religion, but by the content of their character and their actions. I have to say I was a little disturbed when one of my colleagues used words from Dr. King talking about white moderates. I am a white moderate, but we all can't be grouped into one -- one group. Times -- a lot of things have changed since the days of Dr. King. I'm proud to be a Republican. I'm proud to be a Republican of the likes of Abraham Lincoln. I'm proud to be a Republican of the likes of the Republican Party that delivered so many social justice issues during the '60s. I'm proud to be a Republican, the likes of Dr. Martin Luther King.

Not all of us subscribe to what's going on in Washington. Not all of us subscribe to the hatred that, quite honestly, is on both sides of the political spectrum. But it is incumbent upon each and every one of us, no matter who we are, no matter the color of our skin, no matter our religion, no matter where we came from, to stand up and fight against injustices. I'm proud to have done that over the last 17 years, and I plan on continuing. So thank you, Mr. Speaker, but most importantly, thank you, Dr. King.

SPEAKER HEASTIE: Thank you.

Ms. Dickens on the resolution.

MS. DICKENS: Thank you, Mr. Speaker, and thank

you for taking the lead in this House to present this resolution.

Dr. King was a radical, but he chose his fights. And he was a radical at a time when it was not sexy to use the word "radical" or "revolutionary". He fought not alone, but he fought for equality in the job force, equal pay, human rights and, yes, even women's rights. But that fight continues today. I was a child that attended the March on Washington and I also remember the hatred that I saw exhibited by the policemen in Washington. As a child of about six, I would go to the beach in Atlantic City and I never understood until I was older why all of the white people would get out of the water when I got in. And I was a child of about six. I asked my father, who served in this very Body, *Why is it that you have no one that looks like me in your office?* And he had to explain to a child of ten in the '60s that only white people were in the pool to choose from. That was right here in Albany.

Today, we've evolved from that and, yes, we've won a lot of battles, but the battle still continues. There's still people being murdered on the streets, black people, just for their color; brown people, just for their color and we still must bond together. I want to add one last thing: Black people were the heart of the Republican Party for years. We were in the Republican Party. We didn't join the Democratic Party until the '40s with Roosevelt and his "chicken in every pot". That's when we joined the Democratic Party. Up until then, black people were Republicans. But the Republican Party lost their way and we had to change course.

Dr. King, I'm grateful for what he did. Everybody was not with him from his own race. He was stabbed in Harlem on 125th Street, and it was Harlem Hospital that saved his life. So, everybody was not with him, but he did have a lot of -- of friends, and a lot of supporters, Bayard Rustin, a lot of people. And they can't all be mentioned, but they all are a part of the doctrines of Dr. King. We must continue that fight. Here in New York State, we've made a lot of changes and we're still fighting, but we are one State and one -- one part of the country. We have an entire world that people of color, be it brown or be it black, that must fight. And I want to remind the DREAMers, I want to remind you of one other thing, that there was a dream before you became known as the "DREAMers". There was "I Have a Dream." That included all of us, including you, and you didn't even know it.

So, I don't want you to think that this is just your fight, this is our fight, and we've done it together. God bless us and God bless this country that we will eventually gain the equality we're entitled to. Thank you.

(Applause)

SPEAKER HEASTIE: Thank you.

Mr. Blake on the resolution.

MR. BLAKE: How do we rise again after we lose a leader? As a person of faith, obviously, it is something that resonates with me as in my Christian faith, I believe within my DNA that "On the third day, He rose." In the same aspect, Mr. Speaker and others,

we have to remember the history of how the effort began to achieve the celebration of Dr. King on the day. After four days of his assassination, it was Congressman John Conyers who began the push to try to celebrate on his day. It was defeated, but then after continual attempts, in 1986 finally it was achieved. But we have to remember when we reflect on the history, that it was not until 2000 that every single State in the Union finally celebrated Dr. King's day. If we celebrate Dr. King, we have to celebrate all the components associated with him, realizing that you have to appreciate Mahalia Jackson saying, *Tell 'em about the dream*, or Coretta Scott King and walking side-by-side with him, as well, or Dr. Dorothy Irene Height, who is the reason why he gave the full speech on that day is the appreciation that when we speak about Dr. King and the dream. It started from a speech called "The American Dream" that he gave in Brooklyn in 1963 at Plymouth Church. It was the understanding that he had pain that he had to overcome, but it's the appreciation to my colleagues and others that it was never easy for him and it should not be easy for us now.

Let us not forget that when King was taken from us, he was in Memphis standing up for sanitation workers, trying to demand that they had economic opportunity that was not provided to them. Remind ourselves that he was named Michael King and that his father renamed him at the age of six because what he learned in his travels overseas, it was appreciation that 45 years to the day of Dr. King giving "I Have a Dream" speech, Barack Obama became the

Democratic nominee, but it's also the appreciation of a dream that we can understand that in pain, you can still rise. You can celebrate and recognize, as we said earlier, about the Holocaust remembrance, that our Jewish sisters and brothers that walk side-by-side with us in the time of Civil Rights, or the time now where we can have young DREAMers that will see momentarily that we will pass this into law on both sides. Or a few years ago, when we celebrated the My Brother's Keeper Program, but before that, we could have a black Speaker and now a black Senate Leader.

Let us not forget that Dr. King said it clearly, "In the end, we remember not the words of our enemies, but the silence of our friends." So, let us not be silent and never forget why we celebrate and fight for King. In 39 years, he achieved more than some can do in 39 seconds. It's an understanding that it's not enough just to have a dream, but put the work to achieve its reality. So, we recognize him, we celebrate him and like my colleague, Assemblymember Mosley, mentioned also, as a member and a brother of Alpha Phi - our fraternity - Incorporated, forever grateful for the legacy that he's left for all of us, but again, let us never forget it is not just enough to have a dream, you have to realize those dreams every single day.

SPEAKER HEASTIE: Thank you.

Ms. Jaffee on the resolution.

MS. JAFFEE: Thank you, Mr. Speaker. It is an honor to be joining everyone today as we observe the 34th Annual Martin Luther King Day and we celebrate his life and legacy of Dr.

Martin Luther King, Jr. I love to watch it on TV and watch the history and watch him speak every year. It's so extraordinary. It -- it really just takes me in so many ways.

Dr. King's cause was firmly rooted in his true calling, that of unyielding faith, not only in matter of spiritual, but inherit decency and righteousness of his fellow man. A humanitarian, Dr. King dedicated his life to battling social injustice and was one of the most influential forces behind the Civil Rights Movement of the '50s and '60s. Dr. King said, and I quote, "We are now faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. In this unfolding conundrum of life and history, there is such a thing as being too late."

By the time of his tragic assassination in 1968 at the age of 49, Dr. King had been already awarded the Noble Peace Price and had led millions of people in non-violent movement that shattered the southern system of segregation and racism and impacted all of us. It was extraordinary. His eloquent, passionate advocacy of civil and human rights rooted in the techniques of peaceful demonstration, peaceful demonstration, brought a new dimension of dignity to people's lives and a new hope for freedom. As Alan Wolfe said in the New York Times, and I quote, "America was lifted up because King would not lay his burden down." America was lifted up because King would not lay his burden down.

Dr. King's words communicated his vision, his passion, his faith, and they demonstrated his gift to inspire others to

follow his lead. He inspired me, and continues to inspire me. He asked to be remembered as a drum major of justice, and he is. The message his words convey are as inspiring and fundamental today as it ever was during his lifetime. As a nation and a State, we must bring renewed commitment to confronting and addressing and rectifying inequalities and continued racism in this country.

For Dr. Martin Luther King, fighting for equality went hand-in-hand with helping others in need. He once said, *Life's most persistent and urgent question is what are you doing for others?* And we are now faced with the fact that tomorrow is today. We are confronted with the fear and urgency of now. Now, more than ever, we must not ignore those who have been out left out and left behind in our economy, especially challenging economic in these political times. We must take on this challenge to close the gaps that still exist in our schools and our employment systems, and our financial institutions and our criminal justice system. We must aggressively support quality education for every child, every child, strengthen our civil liberties and assure social justice.

If you're remembering and honoring Martin Luther King, we have to continue these efforts. The legacy of Dr. Martin Luther King lives with each of us and we are responsible to promote, teach and live the American Dream. And as Dr. King said, and I quote, "Human progress is neither automatic nor inevitable. This is no time for apathy and complacency. This is time for vigorous and positive action." Thank you.

SPEAKER HEASTIE: Thank you.

Ms. Romeo on the resolution.

MS. ROMEO: Thank you, Mr. Speaker, and I rise in strong support of this resolution to honor the legacy and continued work of Dr. Martin Luther King. Earlier this week in Rochester, New York, home to revolutionaries like Frederick Douglass and Susan B. Anthony, we were having a community conversation about reminding ourselves to "walk in the light" as Dr. King did and, more importantly, about how it is always a choice, that we must choose to walk in the light. And that is a choice that can't be done once a year or once a week or even daily, but constantly within the way we live our lives, the way we educate our kids, the way we conduct ourselves with one another.

And I want to echo the comments amongst all my colleagues here today, and thank you for them, but also just a reminder to all of us here that we must always choose to walk in the light and make those choices, but also remember that silence is a choice and we must also always choose to speak out. And I thank you, Mr. Speaker.

SPEAKER HEASTIE: Thank you.

Mrs. Peoples-Stokes on the resolution.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. I rise to certainly thank you for introducing this resolution and thank Dr. King for his life and for his struggles. These are struggles that he really didn't have to take. I mean, there are a lot of

people who are his same age and some of them who are still living that have never, quite frankly, lifted a finger to help anybody.

But one of the things that Dr. King was really clear on is that life was about service. It was about helping other people, about doing something that would benefit other people. And so, he left his home, he left his children, he left his wife on many occasions to travel this country trying to help people's lives be better. And in many cases, Mr. Speaker, he was met by people who didn't even want them in their community, who thought, *Why is he here? He's going to cause trouble, we don't really need this.* But had he not been willing to take that ridicule, leave his family and put forth the struggle in a non-violent way, even though he ended up in jail, in a non-violent way, had he not been willing to do that then perhaps, just perhaps, Mr. Speaker, I would never had the opportunity to run for office. And perhaps I would never had the opportunity to win and, perhaps, I would never had the opportunity to become the Majority Leader of the New York State Assembly.

So, Dr. King, thank you for your struggle. Thank you for what you put in for me because what you have done for me in my career will span generations of little girls all over this State, all over this nation, and little boys who look just like me and because of your struggle, Dr. King, they will know that they can also be just like me. Thank you, Dr. King, and thank you, Mr. Speaker.

SPEAKER HEASTIE: Thank you.

I, too, just want to give a couple of thoughts on the

resolution.

Every time we do this resolution it gives a little special meaning 'cause a little more than four years ago, the same day that all of you gave me the privilege of being Speaker, we actually did the resolution honoring Dr. King's life. So, every time we do this, it has a very special meaning to me. And listening to all of my colleagues' thoughts and different perspectives on what Dr. King has meant to -- to each one of you, to me I think he would say, looking down, seeing that I have now had the opportunity to being Speaker and with Andrea Stewart-Cousins being the Majority Leader, I think he'd be okay that we have those opportunities, but I think even further Dr. King would say, *Well, what are you going to do with those opportunities that were given to you, in terms of social justice and economic justice and even criminal justice for all people.*

And so, that's what I kind of take from it as I've always say and I always like to say, particularly when I speak at graduations and -- and also at inaugurations for new members that we should always be judged on what we do, not for the people that we know and who are familiar to us, but when we really do things for people who we don't know, will never come in contact with and, hopefully, do things for future generations. And I think that that's what we should take, and that's my personal tribute to Dr. King that he was a troublemaker, but I don't think change can come without you making a little trouble. So, Dr. King, happy birthday.

So on the resolution, all those in favor signify by

saying aye; opposed, no.

The resolution is adopted.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, in just a few moments we will be taking up Calendar No. 9, Bill No. 782 by Member De La Rosa. If you could just give me a few moments, we'll be right back. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: All the time you need, Madam Majority Leader.

(Pause)

MRS. PEOPLES-STOKES: Mr. Speaker, if you could call up our legislation sponsored by Ms. De La Rosa.

ACTING SPEAKER AUBRY: The Clerk will read.

THE CLERK: Assembly No. A00782, Calendar No. 9, De La Rosa, Heastie, Glick, Crespo, Peoples-Stokes, Rodriguez, Ortiz, Aubry, Gottfried, Ramos, O'Donnell, Lavine, Quart, Thiele, Benedetto, L. Rosenthal, M. G. Miller, DenDekker, Abinanti, Paulin, Perry, Jaffee, Cahill, Mosley, Kim, Weprin, Rivera, Rozic, Dinowitz, Zebrowski, Colton, Davila, Fahy, Arroyo, Otis, Barron, Bichotte, Blake, Dilan, Jean-Pierre, Joyner, Pichardo, Seawright, Simon, Titus, Walker, Weinstein, Hyndman, Niou, Carroll, Dickens, D'Urso, Barnwell, Vanel, Taylor, Richardson, D. Rosenthal, Simotas, Fernandez, Epstein, Bronson, Cruz, Fall, Frontus, Griffin, Jacobson, Lifton, McMahon, Reyes, Romeo, Solages, Lupardo. An act to amend

the Education Law, in relation to creating the New York DREAM Fund Commission; eligibility requirements and conditions governing general awards, academic performance awards and student loans; eligibility requirements for assistance under the Higher Education Opportunity Programs and the Collegiate Science and Technology Entry Program; financial aid opportunities for students of the State University of New York, the City University of New York and community colleges; and the program requirements for the New York State College Choice Tuition Savings Program; and to repeal subdivision 3 of Section 661 of such law relating thereto.

ACTING SPEAKER AUBRY: On a motion by Ms. De La Rosa, the Senate bill is before the House. The Senate bill is advanced. An explanation is requested, Ms. De La Rosa.

Please settle down.

MS. DE LA ROSA: Thank you, Mr. --

ACTING SPEAKER AUBRY: We're on --

Go ahead, proceed.

MS. DE LA ROSA: Thank you, Mr. Speaker. This bill known as the José Peralta New York State DREAM Act, would create a DREAM Fund Commission and establishment a New York DREAM Fund. It would make undocumented students eligible to obtain State financial aid by making them eligible for programs like the Tuition Assistance Program, TAP, Excelsior -- the Excelsior Scholarship, scholarships and opportunity programs in New York State. It would also allow for undocumented individuals who have a

taxpayer ID number to establish a New York 529 Family Tuition Savings Account.

ACTING SPEAKER AUBRY: Mr. Smith.

MR. SMITH: Thank you, Mr. Speaker. Will the sponsor yield?

ACTING SPEAKER AUBRY: Will you yield, Ms. De La Rosa?

MS. DE LA ROSA: Yes.

ACTING SPEAKER AUBRY: The sponsor yields.

MR. SMITH: Thank you, Ms. De La Rosa. Okay. To go through the bill, the first part of it, we have the DREAM Fund. Can you speak about -- is there any overhead that's spoken to in the bill, so as far as overhead goes when money's collected for student scholarships, do we know what percentage will go to the student scholarships? Is that addressed, or...

MS. DE LA ROSA: So, as far as the Fund is concerned, the Fund is a separate entity that basically will be charged with fundraising, public funds -- private funds in order to allow for scholarship monies to be available for these students. There isn't right now a projection for overhead costs. The Commission, which establishes the Fund, is charged with coming up with those procedures.

MR. SMITH: Okay. Okay. Thank you. And in 2012, I think that was a standalone bill and enjoyed widespread support as something with private funding to ensure that -- that

students get that information. So -- now, the second part of the bill is the DREAM Act part --

MS. DE LA ROSA: Yes.

MR. SMITH: So, Section 3 of the bill repeals the current eligibility right now, which says that a person's either going to be a citizen or a Green Card holder, a permanent resident, or a refugee and expands it to include that awards for undergraduate tuition and graduate tuition be extended, in addition to those groups, to lawful, non -- this is the bill text, "Lawful non-immigrant aliens", which is anybody on a Visa, and then, "An applicant without lawful immigration status"; that's correct, right?

MS. DE LA ROSA: Yes, correct.

MR. SMITH: Okay. Then when we go further in the bill, we're talking about academic eligibility. So under the bill, am I right that a person who's eligible for funding either attended a registered New York State high school for two years and graduated from that high school, and then they have to apply for the undergraduate award within five years or graduate award within ten years; that's the first part, right?

MS. DE LA ROSA: Yes, correct. Five years after graduating from high school in New York State or receiving their GED, they would be able to apply.

MR. SMITH: Right. So and -- right.

And the second part, as you just mentioned, so somebody who has received a New York State GED, so which would

be to -- to get a New York State GED in the State, you need to be a resident for at least 30 days and then complete a GED test. Or, someone who has lived in the State for 30 days, or has 24 college credits, there's a specification of what kind of credits they need. So, okay, so we have that thing for the academic eligibility. The next section in the bill, Section 6, states that the residence of a student -- so it goes in and talks about -- this is for somebody who is a resident of New York State, it would go based on where they live for the majority of the year, or, it talks about somebody who does not have State residence, it says, "And further provided that an applicant who does not have a residence in the State, but is eligible for an award for either the undergraduate or the graduate funding, shall be deemed to reside in the geographic area of the institution where they are attending for geographic purposes"; that's correct?

MS. DE LA ROSA: Can you repeat the last part?

MR. SMITH: Sorry about that. So, on this part if you don't have a residence in New York State, it's going to be based on where you're living when you're attending college, for the purpose of the award.

MS. DE LA ROSA: So, yes, correct. In order to determine the eligibility requirement for college -- for a community college payments.

MR. SMITH: Okay. And then that's also SUNY and CUNY, right? Just --

MS. DE LA ROSA: Yes. Yes.

MR. SMITH: Okay. All right, thanks. So, now, over the last several years we've always talked about how much additional funding will be needed. I remember last year and I think the year before, it was an additional \$27 million for the TAP funds; is that still the estimate?

MS. DE LA ROSA: Yes. \$27 million.

MR. SMITH: Do we have an estimate for how much additional in the Excelsior, I saw, I think \$80- --

MS. DE LA ROSA: Give me one second...

MR. SMITH: \$87 million? That's what I see, but I don't know.

MS. DE LA ROSA: Well, we expect for the increase to be minimal. Most of these students will qualify for TAP, which will cover, you know, most of the costs for their education. As we know, the Excelsior scholarship is a last dollar scholarship, so they will exhaust their TAP --

MR. SMITH: First.

MS. DE LA ROSA: -- assistance, before they could reach into their Excelsior -- the Excelsior part.

MR. SMITH: Okay. Now, at a hearing that I attended in December, I believe SUNY and CUNY estimated that at the moment we have about eight -- and I had could be wrong on this number if you have a different number, 8,300 students that are currently attending SUNY, CUNY, who we estimate do not have, currently, legal status. Is that right or do you have --

MS. DE LA ROSA: Well, you know, in New York State we've actually seen a decline in the number of undocumented students that are here and that are attending our higher education institutions. So that number varies between 6,000 and 8,000.

MR. SMITH: Okay. So, that's -- that's about that. Now, a couple of things that concerned me on this bill, for scenarios of people that we could have, so, the first one if we have -- is it correct that under this bill, we have a family who, their daughter graduated from a New York State high school and they moved to, let's say, the State of Florida, and they lived there for four-and-a-half years. Now, because the family currently is not currently paying State income tax, that that child would be eligible to apply for these programs when they move to -- you know, when they live on campus at a college as long as, you know --

MS. DE LA ROSA: So, that is correct, but I do want to state that most of these students that we're talking about today and that we're addressing in this bill, have made New York their home. They are New Yorkers. They've lived here. You must understand that for an undocumented person, they sometimes would potentially have to move out-of-State for whichever amount of reasons. And they could come back and under the requirements of the bill, could apply if they -- if they fit all the other requirements of going to high school here and getting -- or getting their GED, for this benefit.

MR. SMITH: Okay. And now we talk about the GED provisions. So, under this bill, for the GED, there's no age

requirement on the GED. So, under this bill, we could have somebody who, let's say, is a 30-year-old who lives in the State of New Jersey, if they can move to New York -- let's just say they want to go to Binghamton, take -- live here for 30 days, take and pass the GED exam, we're considering them now a New York State resident. So, despite that to date they haven't paid a dime in State income tax, they also would be eligible?

MS. DE LA ROSA: So, once you're a New Yorker, you're a New Yorker. And if in 30 days they can manage to pass the GED exam, then they would be eligible for this benefit. But you must understand that the GED exam is not a fly-by-night exam.

MR. SMITH: Right.

MS. DE LA ROSA: Someone can't just pick up a book and pass the test. They would have to have had some sort of training, whether in high school or in an accredited GED program here in order to pass that test. And that is difficult when you combine that with language access issues and other issues that we've seen in our communities as far as passing the GED exam.

MR. SMITH: Okay. So, we'll take that now a step further. If we have under this bill, if we have, say, a student from Canada that is coming to study at Albany University [sic] on an F1 Visa, under this exam -- now they could be -- because the other part of the GED is if you have 24 credits, the State specifies what they have to be in, but you could have a sophomore at -- at Albany University [sic] that's coming here from Canada and under this bill, their

residence is based on -- since they're not a New York resident, their residence is based on living on campus. They, too, now could take and pass -- I assume that they would pass the GED exam since they're a sophomore or a freshman in college --

MS. DE LA ROSA: Well, they would have had to not gone to an accredited high school or GED program in Canada. And if they're here and they -- and they are under the other requirements of this bill eligible for the benefit, then they would be able to access financial aid.

MR. SMITH: I think we really have to -- we really have to check that. Because when I looked into the GED requirements, what it said is it specified that to take the GED exam, if you're a U.S. citizen and you received a high school diploma outside the State of New York State that you could not take that exam; However, it did not specify, it actually says for the GED application that they will not consider documents from other countries or in other languages. So, potentially, you actually could have somebody who for this purpose comes from like say this example, they're a student visa and apply for TAP based on this bill for the fact that they're residing in Albany, they now are granted a GED under that program. I -- I -- you know, is there anything that changes the requirements for the GED? Because right now they would be able to take that test.

MS. DE LA ROSA: Well, to clarify, HESC, the Higher Education Services, would be in charge of those regulations. So HESC would be the agency tasked with verifying all of that

information and documentation in order to grant access to the benefit.

MR. SMITH: Okay. And now, another potential thing, down on Long Island near my district, we have a fantastic university, Stony Brook University, we have a great exchange program. So we have a number of students that, you know, they may come from China, and if they're on an exchange visa, a lot of times their home country is actually paying for them to attend college here. Now, under this bill, isn't it possible that as long as they're not commuting every day from China, if they're living on campus, I don't -- I apologize for making a joke about that, but if they're living on campus, they'd be granted in-State tuition, and then if they meet their qualifications for the GED, then they, too, could be eligible for TAP?

MS. DE LA ROSA: Okay. I just want to say that when we started the questions --

MR. SMITH: Yeah.

MS. DE LA ROSA: -- you specifically spoke about that number, those 8,300 you mentioned --

MR. SMITH: Yes.

MS. DE LA ROSA: -- that was in 2012, those were the numbers --

MR. SMITH: Okay.

MS. DE LA ROSA: These are the students that we're talking about here today.

MR. SMITH: Okay.

MS. DE LA ROSA: Under your scenario, we believe

that HESC, who is the agency tasked with making sure that all the paperwork and all the documentation in order to receive the benefits are in place, that those regulations under HESC would take care of sorting out issues such as this.

MR. SMITH: Okay. Because that -- that -- that's a concern presented the way the bill's worded. So now we go to who we're talking about today, as I understand it. As a teacher, these people were my students. You know, we're talking about -- when we're talking about a DREAMer, how I interpret it is, we're talking about somebody who was brought to this country when they were a very young age, they may have not any connection to their native country, they may not speak the language, they may not even know a single person over there, and for all intents and purposes, they've grown up as a New Yorker here in this State. Is there anything in the bill that limits -- that creates a requirement for them to live in the State for 15 years, or ten years or five years, any kind of --

MS. DE LA ROSA: There is a requirement in the bill for an affidavit that they will regulate their status once they have the opportunity to do so. But there isn't, right now in this bill, an enforcement mechanism for that affidavit. The bill doesn't speak to that. Again, HESC, as the agency charged, would -- would be the one to follow up.

MR. SMITH: Okay. And I -- I think that's an important distinction because with these funds, we're talking about TAP and Excelsior, they are conditional where if we run out of

money, that's it. I mean, that's -- you know, they're going to be basing that -- so, somebody who, under this bill, shows up in the State of New York at age 45, if they get a GED, if they pass their GED, they could have come to this country illegally under the way the bill's written, they get their GED. Now, after not paying a dime in State income tax, they, too, would be eligible. So, when we're talking about DREAMers, I don't think that this bill really -- is there any phase-in that we're talking specifically about people who were brought here when they were very young that --

MS. DE LA ROSA: This bill aims to increase that benefit, give that benefit, get them access to that benefit to students who would have made New York their home. Who, under this bill, are eligible for the benefit. And we're talking about a group of students who, as I mentioned before, are New Yorkers, have lived in New Yorkers [sic], for all intents and purposes, have paid taxes in New York. They pay local taxes, they pay excise taxes, they pay sales taxes, and some of them do pay income tax with their tax -- their individual taxpayer ID number.

MR. SMITH: Thank you, Ms. De La Rosa. Thank you, Mr. Moya.

On the bill, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill.

MR. SMITH: Okay. Thank you to my colleagues for this, I know we've had this debate many years. I have a number of concerns on this bill. Right now, we have a student loan crisis in the

State of New York. On average, our students -- New York State students owe about \$31,000 in student loans, and that's 60 percent of our residents are dealing with that. So, what we're talking about is every month having to pay \$350 to \$450 a month in student loans. And we're not really, to date, this Chamber hasn't done anything to address that.

Also, the limited funding in the TAP and Excelsior Program, under this bill it does not necessarily talk specifically about the DREAMers. It's very broad, in that we could literally have someone who's a resident of another state, a resident of New Jersey, someone who previously lived in the State now lives in the State of Florida for five -- almost five years, and -- and also someone who comes to this country as an adult, they, too, would be eligible for this funding. So, we -- we're doing nothing on that end to protect this. This has no residency requirement that says you have to live here for 15 years or ten years or even five years that would then be exclusive to the DREAMers that the bill is talking about trying to help.

So, the bottom line, I -- I just -- the way the bill is written, I think that, you know, we should be concerned about New York State taxpayers and less concerned about taxpayers of New Jersey or Connecticut or Canada, and I think that this is a little too broad on that. So, on that, I'll be voting no. But thank you.

ACTING SPEAKER AUBRY: Ms. Malliotakis.

MS. MALLIOTAKIS: Thank you. Would the sponsor yield, please?

ACTING SPEAKER AUBRY: Will you yield, Ms. De La Rosa?

MS. DE LA ROSA: Yes.

MS. MALLIOTAKIS: Thank you.

ACTING SPEAKER AUBRY: The sponsor yields.

MS. MALLIOTAKIS: So, just to be clear, this would allow individuals who are in our country unlawfully to qualify for the State's Tuition Assistance Program and for free college at City and State universities, correct?

MS. DE LA ROSA: Yes. Correct.

MS. MALLIOTAKIS: Okay. How much, currently, is distributed through -- or for the Tuition Assistance Program? And then if you have the number, how much do we spend as a State for the Tuition Assistance Program and for the free City and State college currently?

MS. DE LA ROSA: So, in the current budget, the TAP allocation is \$900- -- \$947.7 million.

What was the second part of that question? I'm sorry, I missed it.

MS. MALLIOTAKIS: Do you have a number for the combination of the Free City State College Program, as well as the TAP combined?

MS. DE LA ROSA: Okay. \$118 million.

MS. MALLIOTAKIS: Billion, you mean.

MS. DE LA ROSA: Million. For Excelsior it's \$118

million.

MS. MALLIOTAKIS: An additional, okay. Now, how many individuals do you anticipate will qualify for this program, and what will be the cost to the State?

MS. DE LA ROSA: So, right now, for under the bill, we are saying -- we are estimating that there is between 6,000 and eight -- 6,000 and 8,000 students who would benefit from the New York State DREAM Act.

MS. MALLIOTAKIS: Wasn't that the number that you gave previously for the City and State -- those who attended City and State Universities?

MS. DE LA ROSA: That's -- yeah, that's the total for --

MS. MALLIOTAKIS: So what about people who attend the private universities that would also qualify for TAP?

MS. DE LA ROSA: That's included --

MS. MALLIOTAKIS: That's included.

MS. DE LA ROSA: That's included in that number, yes. That's the number of, right now, undocumented students in New York State that we have an accounting of --

MS. MALLIOTAKIS: Okay.

MS. DE LA ROSA: -- that attend our higher education institutions, both public and private.

MS. MALLIOTAKIS: And what is the estimated cost?

MS. DE LA ROSA: \$27 million.

MS. MALLIOTAKIS: \$7 million?

MS. DE LA ROSA: \$27 million.

MS. MALLIOTAKIS: \$27 million. Okay. What are the requirements to show your financial need to qualify for TAP if you are a citizen or a legal resident of the State?

MS. DE LA ROSA: Well, those eligibility requirement under income you could show with pay stubs, with a W-2 form -- if you are a citizen, with a W-2 form, with your tax records and with receipts of work of your income, your legal income here in New York State.

MS. MALLIOTAKIS: Does this bill require that those who are in the country unlawfully and applying for TAP have a Taxpayer Identification Number?

MS. DE LA ROSA: No.

MS. MALLIOTAKIS: Why wouldn't that be in here?

MS. DE LA ROSA: Again, we are extending this benefit to the eight -- 6- to 8,000 students who have made New York their home. But this bill --

MS. MALLIOTAKIS: Yeah, I mean -- hold on a minute. For at least 30 days, have made New York their home for at least 30 days. Let's be clear. But my question is, why would we not require a Taxpayer -- I mean, an Employer Identification Number so at least they are proving their -- that they're eligible under the same income guidelines that a citizen or legal resident would have to?

MS. DE LA ROSA: Not every 18-year-old -- someone who attends a -- a university would have access to that number. There is a process for getting that number. And so, to add that as an additional burden is going to exclude people from this benefit. And our goal here today is to add this benefit to students who have made New York their home.

MS. MALLIOTAKIS: Well, what exactly is the process is to obtain an Employer Identification Number?

MS. DE LA ROSA: I don't have that in front of me right now --

MS. MALLIOTAKIS: Okay.

MS. DE LA ROSA: We can -- if you give me a second, we can get that.

MS. MALLIOTAKIS: Okay. Well, let's -- let's move on. Certainly, I feel that, at minimum, there should be an Employer Identification Number required because the citizens and legal residents have to show their income and so, it would really sort of be unfair that someone doesn't really need to show their income if they're truly eligible for the Program. But we can move on --

MS. DE LA ROSA: So, I have it here if you want me to read it for you.

MS. MALLIOTAKIS: Great.

MS. DE LA ROSA: It says, *Immigrants can obtain their I -- ITIN number by filling out a W-7 application form and submitting it to the RIS -- IRS, along with a completed tax returns.*

Individuals do not need to apply in person. When the application, if it is approved, ITIN numbers are sent to the applicant by mail. The applicant must submit original documents verifying their identity and foreign status. The IRS issues a list of 13 documents that will be accepted for that purpose. Those documents will be returned to the applicant within 60 days and -- for the processing of the W-7 form.

MS. MALLIOTAKIS: Okay. All right --

MS. DE LA ROSA: That's the process.

MS. MALLIOTAKIS: -- I mean, it sounds similar to applying for, let's say, an IDNYC card in New York City, right? Wouldn't you say that is correct? I don't think it's that much of a burden considering you're going to now receive free tuition assistance or free --

MS. DE LA ROSA: Remember that these --

MS. MALLIOTAKIS: -- yep.

MS. DE LA ROSA: -- students won't have to demonstrate their income in order to access TAP.

MS. MALLIOTAKIS: They don't have to demonstrate --

MS. DE LA ROSA: They do. They do.

MS. MALLIOTAKIS: They do. Okay. But if they don't have an EIN number, how do they do that?

MS. DE LA ROSA: Again, as I said, they can demonstrate their income by simply showing pay stubs, showing the income that they generated, because they are working and -- and

generating income. So they can show that through receipts and pay stubs and -- and HESC would be charged with doing the due diligence on -- on that -- on that matter.

MS. MALLIOTAKIS: Okay. Let me ask you a question. Are you aware that the average student loan debt in the State of New York is \$40,000?

MS. DE LA ROSA: Yes.

MS. MALLIOTAKIS: Okay.

MS. DE LA ROSA: I have student loans.

MS. MALLIOTAKIS: Oh, great. So, you -- you would understand.

MS. DE LA ROSA: Yes.

MS. MALLIOTAKIS: Are you also aware that in 2010, this very Body here voted to eliminate the Tuition Assistance Program for graduate students because we are at a fiscal crisis at that time, we had a deficit, \$13 billion deficit? Are you aware of that?

MS. DE LA ROSA: Yes, I'm aware of that. And actually, I know that our neighboring Chamber is taking -- is taking up a bill today that focuses on TAP. The bill here today is not focused on TAP, but I wouldn't disagree with you --

MS. MALLIOTAKIS: Okay.

MS. DE LA ROSA: -- if the argument that you're trying to make is that we do need to make some tweaks to TAP.

MS. MALLIOTAKIS: Okay. Among those tweets -- tweaks, would you say that increasing the income eligibility threshold,

which has not been increased since the year 2000 from \$80,000, that should maybe be a tweak that we should make --

MS. DE LA ROSA: Absolutely.

MS. MALLIOTAKIS: -- to TAP. Okay. It just -- it just seems interesting, and maybe the Speaker could answer this question, as to why we're taking up this bill that would help those individuals who are here unlawfully, and not taking up the bill that would make these tweaks to TAP that would actually help the -- the very citizens who actually elected us to be here. Do you -- do you have an answer for that?

MS. DE LA ROSA: Well, I will tell you, even though the Speaker is not here on the floor right now, I think --

MS. MALLIOTAKIS: I'm sure he'll tell me after.

MS. DE LA ROSA: -- that I can -- oh, he's right here okay --

(Laughter)

Well, he's granted me the authority to speak on his behalf in this moment, I guess. I will tell you that I -- it's something important, we're going to be looking at that. That question was asked this morning --

MS. MALLIOTAKIS: Yeah.

MS. DE LA ROSA: -- at the press conference. But I will tell you that TAP and the reform of TAP and fixing of TAP, what needs to be done, does not compete with what we're doing here today. You could be in favor of fixing the problem that we see in TAP and

granting this benefit to undocumented New Yorkers who are here and need access to higher education.

MS. MALLIOTAKIS: Well, I -- I just want to point out, you could be in favor of both, I just feel like those should take precedence and priority. And if the Speaker is willing, I have -- I sponsor both of those bills, I'd be happy to bring those to the floor for a vote, if the Speaker would allow me to do so. But I've been pushing for that since 2014, actually. I have both of those pieces of legislation. I certainly think that those should be the priority.

And so, I'll be voting no today. I really urge my colleagues to vote no. First of all, we have citizen --

On the bill, please.

ACTING SPEAKER AUBRY: On the bill, Ms. Malliotakis.

MS. MALLIOTAKIS: Well, certainly, there are many citizens in all of our districts who are suffering with student debt. We have families who are working multiple jobs to put their children through college. You know, my -- my father worked two jobs to help me pay for my college while I worked part-time. I worked full-time to be able to pay for my graduate studies, and I really believe that we are -- this is a misguided attempt here to really reject the needs of those who actually elected us to be here, and -- and putting those who are here unlawfully ahead of them. And -- and just the fact we're taking this vote today before we're taking the TAP vote shows that.

So I urge my colleagues to really vote no, and -- and you know what? If you want to bring up a bill that does this in the future, you know, that's a separate conversation, but certainly, we should be looking at the -- protecting the citizens who have elected us to be here today. So, again, I'm going to continue to push for expanding -- restoring our graduate assistance program. If you are a lawyer, a -- if you want to be a lawyer, a doctor, a teacher, earn any master's degree in the State of New York, you qualify for absolutely no assistance. If you're -- one of your -- your constituents has a household income of \$81,000, they have three, four kids they want to put through college, they get absolutely no assistance. But if you are here unlawfully -- not only unlawfully, or if you came from another part of the country, from another state and have lived here for 30 days, you can qualify for this Tuition Assistance Program if you earn a household income eligibility of less than \$80,000.

Mr. Speaker, that's wrong, and we shouldn't be taking up this bill, not now, probably not ever. But, certainly, we should not be putting this before the proposals that I have put forth, and I will continue to vote no, and I hope that we can take up the TAP proposals in the future, because it is a serious crisis that needs to be addressed, it needs to be addressed now. And if we can do this, then we can certainly do that.

ACTING SPEAKER AUBRY: Mr. Ramos.

MR. RAMOS: Mr. Speaker, on the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. RAMOS: Well, in the words -- you know, listening to this debate, in the words of ex-President Ronald Reagan, *Here we go again*, with the words "unlawful", "illegal", how can we help these people, they are taking something away from somebody else. It is the same rhetoric that we hear from Washington. And we hear it repeated. We hear the words "unlawful", "illegal", "I did something wrong". I ask my colleagues, what has a --

ACTING SPEAKER AUBRY: Ms. Malliotakis, why do you rise?

MS. MALLIOTAKIS: Well, actually, I think he said he wants to ask his colleague, but I was going to ask if he would yield.

MR. RAMOS: Sure.

MS. MALLIOTAKIS: So, let's talk about "unlawful", and let me ask you a question. If someone is here unlawfully, is it unlawful? I mean, what -- what would you call it?

MR. RAMOS: I -- well, my answer to you is that a child, regardless of what we feel about a person who crosses a border, or comes here without documents, a child did not take part in that decision. So, to use buzz words -- -

MS. MALLIOTAKIS: Well, in some -- in some cases --

MR. RAMOS: Can I finish answering the question?

MS. MALLIOTAKIS: Sure. Go ahead. Knock yourself out.

MR. RAMOS: To use buzz words, to -- for children

--

MS. MALLIOTAKIS: Yeah --

MR. RAMOS: All right? Because yesterday we heard a long debate about -- a righteous debate about how children and how we're concerned about children and we must protect them, yet, we're here now debating about how we should be marginalizing children for something that their parents did. And -- and there is no precedent of law that I know of in this country where we would punish a child for something that their parents did. And what I'm referring to is -- is boogeyman politics, that's -- that's what it is. We have to find a boogeyman to blame for everything. *They're taking something away from you.* This is -- we hear this constantly. And we just heard this in this debate and this line of questioning. These children are taking away somehow from other children --

MS. MALLIOTAKIS: Well, I mean, isn't there a little bit --

MR. RAMOS: I'm not finished with my answer.

MS. MALLIOTAKIS: You -- you asked to yield. I mean, so you either want to have a conversation --

MR. RAMOS: I --

MS. MALLIOTAKIS: -- or you just want to talk to yourself.

ACTING SPEAKER AUBRY: Ms. Malliotakis, it's a question and an answer. You asked the question --

MR. RAMOS: You don't get to tell me how to

answer, either.

ACTING SPEAKER AUBRY: -- he gets to answer.

MR. RAMOS: All right. Pitting one group against another, of children, like one group is taking away from another, we're talk -- we're providing -- we're talking about providing funding for this, not taking away from anybody else. All right. So, what I'm saying in the words of Ronald Reagan, *Here we go again*, that is what I'm referring to.

MS. MALLIOTAKIS: Okay. Great. So, let me ask you a question. Is there -- is there not a -- a pot of money that's allocated for tuition assistance? Is, you know, it's not an unlimited pot, right? We don't live in a utopia where money grows on trees. So, apparently there's a limited pot of money that we can distribute for tuition assistance, which is why we haven't restored the TAP graduate studies eligibility, or we haven't increased the income eligibility in 18 years, correct?

MR. RAMOS: Yes.

MS. MALLIOTAKIS: Yes. So, there is a -- there's priorities, wouldn't you say?

MR. RAMOS: No, no, no --

MS. MALLIOTAKIS: So either you can --

MR. RAMOS: Here we go, some are more entitled than others. We can talk about increasing funding for all. We should increase funding for all. But when we get into this argument about standing on line, they should be before others, all children are equal in

my eyes, and I think in God's eyes. And if we can expand a child's education, I think it's our obligation as legislators.

MS. MALLIOTAKIS: Okay. So -- I mean, let me -- let me ask you this question. Is there a limited pot of money -- I'm going to ask it again. There is a limited -- do you believe there are unlimited resources in the State, or that there is a limited amount of money where -- I mean, it would be great to offer things to all sorts of different groups, I mean, that's certainly why people come and lobby us in Albany and try to advocate for what their priorities are and where we should spend money. But, certainly, we have a set budget annually, and we have to determine how we utilize that money. And don't -- I mean, I would think that, you know, being as the citizens elected us to be here, that we want to make sure that we put the citizens' interests first. I mean, that just makes sense. As a -- as a representative of my district, I would say, well, gee, if I have citizens who are taking on a tremendous amount of debt at the tune of \$40,000 on average annually, if we have graduate students who can't qualify for any type of assistance, they want to be a lawyer, they want to be a doctor, they want to be a teacher, they want to get a master's degree, it just makes sense that with a limited pot of money, that we would actually put the money towards, you know, those who we represent, that we were elected to represent.

MR. RAMOS: Well, I don't know about you, but I was elected to represent every human being that lives in my district.

MS. MALLIOTAKIS: Okay. And --

MR. RAMOS: I'm not finished with my answer.

MS. MALLIOTAKIS: Sure.

MR. RAMOS: And, yes, there is a limited amount of money with everything we do here. Every single thing we do here, we have a limited amount of money. And that is why every year we vote here and find ways to increase funding for different things. There's a limited amount of money for everything. Health, but, yet, we don't say, but we're going to have a priority list as to who we should attend -- the government should attend to as far as health. We don't -- we don't pit citizen against citizen or non-citizen or human being against human being. We try and provide in a humane way for society within New York State.

MS. MALLIOTAKIS: Okay. Look, we're obviously not going to come in agreement now. What I would ask for you to do is actually join me in the future to make sure that our citizens get the resources that they need so that they could further their education. Because I think that, you know, we're -- this is -- this is not a -- a -- the way we're prioritizing today I think is not right for those who --

ACTING SPEAKER AUBRY: Ms. Malliotakis --

MS. MALLIOTAKIS: Yes.

ACTING SPEAKER AUBRY: You're using his time.

MS. MALLIOTAKIS: Oh, I'm sorry. Okay. You know what --

ACTING SPEAKER AUBRY: You had your time.

MR. RAMOS: Yes.

MS. MALLIOTAKIS: Yeah, I will, I'll come with my other 15. Thank you.

MR. RAMOS: Thank you.

Mr. Speaker, getting back to what I was talking about, you know, as you hear the rhetoric, it's, again, pitting one group against another. These children, through no fault of their own, have done nothing wrong and just as a matter of morality, as a matter of common decency, we should be providing as best we can with the same criteria that any other student in New York State has to provide for their education.

Now, those who want to argue that somehow we're paying for something and we're giving out a handout and we're not getting anything back, when you educate a child, if you -- if you marginalize a child, then they'll end up making minimum wage and paying this much money in taxes, revenues that come back to society, just this much. When you educate them, they make much more and they're paying this much more taxes, and that comes back to society. If a child lives to be 70, 80 years old, they -- they're repeating -- they're repeatedly paying these taxes for the rest of their life. More money into society, which comes back to American citizens and to everybody who -- who lives in this State in the form of infrastructure, health benefits and -- everything that government provides for society. How many things can we invest in that we would get 80 years worth of return? We're not paying for something, we're making a profit on

that investment. This is not taking away.

But, again, boogeyman politics. They're taking something from you. These children are taking something from you. This is -- this is the rhetoric that we hear. We hear a President talking about immigrants being rapists and murderers and robbers, and we hear the President talking about gang members. These are young people who want to go to college. They want to go to college. How many gang members want to go college and educate themselves and be productive members of this society? This goes totally contrary to all that divisive rhetoric that we hear, that we constantly hear. And you repeat the word "illegal", "unlawful", "unlawful", "unlawful", you say it enough times and these young people cease to be human beings in the eyes of some, and it justifies anything that can be done to marginalize them in society.

So, Mr. Speaker, I -- and to all my colleagues, I urge that we all, for the sake of humanity, for the sake -- for the moral obligation that we have to human beings who live in New York State, I urge all my colleagues to please vote yes on this bill. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Pichardo.

MR. PICHARDO: Thank you, Mr. Speaker. Would the sponsor yield for a quick question?

MS. DE LA ROSA: Sure.

ACTING SPEAKER AUBRY: Ms. De La Rosa yields.

MR. PICHARDO: Again, to the sponsor, thank you so much for your work. Very quickly, you mentioned the number of individuals who would actually qualify today for this help. How many students was it going to be? Or individuals, I'm sorry.

MS. DE LA ROSA: Six- to 8,000.

MR. PICHARDO: And that number hasn't really changed since when?

MS. DE LA ROSA: Well, the number was higher in 2012, there was about 8,300 in New York State. There has been a decline in undocumented students in our higher education system overall. And so, that number has declined between 6- and 8,000.

MR. PICHARDO: So that's why the number that the Governor allocated has basically been static since 2015 'til now; is that correct?

MS. DE LA ROSA: Yes.

MR. PICHARDO: Okay. Thank you.

On the bill, Mr. Speaker.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. PICHARDO: So, again, I want to emphasize this. First of all, I want to thank my colleague, the gentle lady from the 72nd Assembly District across the bridge from me for her work and her leadership on this issue. I also want to thank our former colleague as well as now Councilmember who, you know, sort of took a demotion to go hang out in the City Council, Francisco Moya, thank you for your leadership. And to my colleagues, again, and to the

Speaker for making sure that this continues to be a priority for this House.

I understand that, you know, Senator Peralta made this his life's work. We are joined by his family, his wife, his mother, his sons. I want to reemphasize to you, thank you for letting us have José for all those years for that fight. I know it's painful for you now, but I know that the legacy that José leaves behind and the work that he leaves behind is going to have an indelible mark not only for many New Yorkers across the State and for generations to come, but when people look back at this moment 100 years from now, 200 years from now, they will remember the name of José Peralta and that he fought to make sure that all New Yorkers are treated equally and given equal access to opportunity and moving their families forward. So, thank you so very much for your sacrifice and your support in making sure that this happens.

Regardless of how you see this issue, regardless if you believe it shouldn't be a priority for this House, whether or not we're leaving other individuals who are more meritorious behind, for whatever reason, however you get to Rome, you get to Rome. That's first and foremost. Secondly, if you believe that individuals, regardless of their -- their immigration status, either should they wait in the back of the line or make sure that they wait their turn, at the end of the day, regardless if it's in my district, in the sponsor's district, or anywhere else in this State, we are paying right now, this moment, there are kids who are undocumented in your districts getting an

education who are being supported by the New York State taxpayer. So, when they come and they are applying for colleges, regardless if it's SUNY or CUNY or a private college, whether it's in this State or out of this State, what changes? We're still paying for their education.

So at the end of the day, if we let them fall off a cliff, that's just simply a bad investment. We're leaving money on the table. And at the end of the day, if a person right now in this State gets an education and gets a bachelor's degree or a master's degree or anything, the numbers have been said that they are going to earn, at the minimum, \$1 million over the course of their lifetime, versus an individual of the same cohort who doesn't have that level of education. So, you multiply that 8,000, 6,000 times, that's a lot of money that you're leaving on the table. And at the end of the day, a \$27 million investment over the course of these individuals is going to make a massive impact, not only on creating jobs, not only creating and sustaining stability in the families of many New Yorkers across this State, but more importantly, these individuals are not going to be dependent on, for the most part, on social services that we debate, discuss and argue around the budget time. So, let's make the prudent, fiscal responsible decision.

Since I've gotten here in the last six years, we've debated this bill. You spoke about the humanity of allowing individuals who really want to make their lives better, whether it's serving in our military and our armed forces, whether it's going to college and becoming engineers, becoming scientists, starting

businesses, growing their family, supporting their communities, and time after time after time, the politics of today and the fear of losing your re-election becomes the priority versus supporting families, supporting New Yorkers across this State who did nothing wrong. Let me emphasize this: If you're a three-year-old child and you're brought there from the Dominican Republic, or Colombia or Mexico, or El Salvador or wherever, and you come here and you grow up next to my daughter, or to any of our colleagues' sons and daughters, Mr.

Speaker, is there any market -- marketable difference between that child or any of ours who enjoy the luxury of being a citizen of this country, who enjoy the ability to participate in this society, except for the idea that they do not have a Social Security Card, they do not have a Social Security Number. And that is basically the difference between my daughter or any of those folks who came here as children.

There are relevant and important conversations to be had, as my colleague was mentioning about increasing graduate TAP or increasing the threshold of folks who should -- who barely make the -- barely get by and make a little too much to qualify for financial aid. That's a valid conversation and we should absolutely have that. But in order to use that as an excuse to not give individuals the opportunity to make some -- make themselves better, I think it's shortsighted, I think it doesn't make any fiscal sense, but, more importantly, it's inhumane.

At the end of the day, when we pass this bill, because we will pass this bill, and it will be signed into law one way or

another, we will see this State transform into, again, we call ourselves a progressive beacon in this country, and sometimes we live short of that expectation. But today, when we pass this bill, we will make our light as the Empire State, shine a little brighter. I hope, I may have had not convinced most of my colleagues or many of my colleagues to support this piece of legislation, and you vote your conscience and you vote your district, and I understand that, but I want you to understand that when we move this State forward and the impact that this bill will have for thousands of New Yorkers, for thousands of families, that you will see that this was the right thing.

With that, Mr. Speaker, I want to thank again my colleagues who are supporting this bill, I encourage them to support this bill. But more importantly, I want to take this point of personal privilege again to thank Senator Peralta and his entire extended family. They understand the sacrifices that it takes for an individual to come up here, regardless of party, to debate, argue, pontificate what is the best way of moving this State forward. And I also want to take this opportunity to thank my own family for allowing me to have this opportunity to debate and push this State forward. And I want to take this opportunity to tell my daughter, my little bear cub, who is sick at home right now, I hope your Papa made you proud. I hope that my words long after we're all gone and you look at the record and you'll see that we were able to push this State forward. I encourage my colleagues to support this bill. Thank you so much, Mr. Speaker.

ACTING SPEAKER AUBRY: Assemblymember

Crespo.

MR. CRESPO: Thank you, Mr. Speaker. On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. CRESPO: *Hoy el sueño de tantos estudiantes se hace el realidad*: Today, the dream of so many students becomes a reality. It is a great day for us to have this conversation hopefully for the last time and move an issue forward that will impact the lives of so many young people in our State who call New York State home and who want to be a part simply of making it better every day.

Do you know who agrees with what I just said? Every other kid in a public school sitting right now next to a DREAMer. Not knowing sometimes, most of the time, not even knowing of each other's circumstance, they just see them as an equal, as a friend, a kid they grew up with. A kid who graduated with them. And only when they ask, *Where are you going to college*, do they find out, *Well, I just realized, my parents just broke it to me that I'm not going to qualify for assistance because -- and I can't go because I just found out I'm undocumented*. That's a true story.

I'll never forget, the year I got elected, a young woman from one of the high schools in my district, Paloma Abata (phonetic), I'll never forget her name, a valedictorian in her high school, had to not go to college because she could not afford it, her parents could not afford it, and she was ineligible for tuition assistance. You know, a lot of time -- you've heard me say this before, many of us -- all of us, actually, in this Chamber have an immigrant

story to tell. Some of us were more welcome than others. My father was an undocumented immigrant from Peru. He was a Merchant Marine who hid in the storage room of a shipping vessel. Papi contributed to the economy in this country, worked his whole life, became a union member, became a U.S. citizen and paid taxes his whole life. Mami was from Puerto Rico. I was born in Puerto Rico and citizen by birth. Proud of that. It's amazing to me that it took Hurricane Maria for half of the members of Congress to realize that Puerto Ricans are American citizens.

I -- I mention that because sometimes we're -- you know, we -- we keep getting into these debates about -- or arguments around who deserves what. I would argue that the people of Puerto Rico deserve so much better than what they received after the most devastating natural disaster to hit the island, they deserve better from the same government that sent them out to fight at war, or that utilized their land for military purposes and left it un-remediated. You could go down that road, but I could talk about the moral arguments in my opinion, my humble opinion, around investing in the contributions of our immigrant communities. Same workers who keep many farms open in this State, the same people who, through our recession, opened small businesses and created economic activity.

I talk about the economy because that's what matters to New Yorkers. Everybody who -- who usually complains about this bill says, *Why are you giving them when you don't give me enough?* Let me share my thoughts on that. First of all, if you ask me if \$27

million is worth an investment, I will say to you that it represents only 2 percent, 2 percent of the close to \$1.1 billion paid in income taxes by undocumented New Yorkers; 2 percent of the money they paid, money that is invested in our many communities. So -- so, for those that say, *Why are you giving them?* We're saying, *No, actually, we're really just using 2 percent of what they've given us to invest everywhere else.* We spend \$1.3 billion a year in Tuition Assistance Programs, the many programs that are out there. Excelsior doesn't address the needs of kids in my community. That wasn't meant for the urban young mother who has to work two jobs because she has kids, can't take enough credits to qualify for the program. Let's be honest, that was a program intended to capture a more middle-class suburban community that was left out of services. I agree and support that program, and will defend it. It's not serving my kids necessarily, but I believe that more New Yorkers should get access to tuition assistance.

We argue -- talk about the budget all the time, and not all of us get everything we want. I can tell you that if I could go back to my district and say there are \$14 million invested in one neighborhood and not in yours, they could tell me all the reasons -- all the ways they would spend that money. For example, we need resources -- you know one of the major factors why students are dropping out of college? Transportation expenses. I've learned about transportation because when we did anti-poverty hearings, went to Binghamton, went to Rochester and all these communities, not -- not my district, but in communities where poverty is a problem, and

transportation was the biggest need. And I've heard from so many of my colleagues who say, we need more bus service, we need more -- more access for our workforce to get to where the jobs are. They need money, too. And I support that. I support that and will and people in my community say, *But why you giving them money?* Because you know what? They need it, too.

But yet, there is one community that we also try to resolve this problem and invest in annually close to \$14 million to address their transportation issue. Do you know what community I'm talking about? The residents of Staten Island. And I proudly stood on the Transportation Committee to support that we subsidize the cost of going through the Verrazano Bridge because it was exorbitant to the residents of Staten Island. So I argue, is the fact that other communities are desperate for transportation dollars a sufficient argument to say we shouldn't give this one group of people the resources they need? The answer is no. They deserve it, too. It's the only bridge.

So, you know what? Let's be honest with each other about what we are doing. We are saying to a group of students who represent the very best of us, those that qualify academically and meet all the other criteria involved in the TAP Program and other programs, that we're simply saying that we will not end our investment at high school. We are saying that we will see that investment through, because we are investing in your intellectual capital. We know that you are the workforce of the future. And I know that we need the

Federal government to address all the other immigration issues. We're not here to solve immigration, we're the great State of New York. We're here to say who lives in our community? Let's invest in them. Who resides here and pays taxes and contributes economically? Let's invest in them. When undocumented New Yorkers represent close to \$12 billion to State and local tax -- actually, that's a nationwide number.

Look, they contribute economically. And this is taking nothing away from the \$1.3 billion we invest in all -- all other students. And I agree with my colleague from the other side of the aisle, we need to do more to expand TAP. We need to make college a right, not a costly endeavor. It should not cost a New Yorker or any American that much money to go to college and graduate with a degree and a -- and a mortgage before you ever get a job. We know that's a -- a problem. We know student debt is a problem. We've got ideas on that, too. But let's not confuse the people listening, or the residents of the State of New York into thinking that doing this is the reason those things haven't happened. I agree that the theater of this conversation has to end.

Students, the DREAMers that are here, they represent the very best of the State of New York, regardless of their personal story, because we all have one. Our stories are really not that much different. And so, \$27 million opening the doors of opportunity to those students who are already making an investment, who have so much to offer, who represent people from all over the world, a

diaspora that resides here to be a part of our nation. Most of them only know this language and this flag. They're not going anywhere. They live in my district and yours.

So, I encourage everybody to think of this from an economic standpoint. Think of this from -- you know, I'm not going to appeal to your moral views on immigration, or who deserves what, I'm going to appeal to you from an economic standpoint and simply say that asking these [sic] taxpaying community to give -- to use only to reinvest 2 percent of their payments to the State back into allowing these great minds to get a quality college education, I think that's an investment that reflects who we are as a State. I think that's an investment who we are as Americans. I think that's an investment that lives up to the promise of the Statue of Liberty. I think that's an investment that reflects what we're supposed to be doing.

When I come to this Chamber, I'm not just here to represent the residents of the 85th, they're my priority, but I'm also here to listen to the needs of all communities in the State. And if you have poverty in your district, if you have needs, I am willing to have that conversation. But vilifying these children as a problem is the problem. Let's be honest and say to ourselves as New Yorkers we can do better; that the dreams, whether they were of Martin Luther King or of a young Johan or any of the other DREAMers that are here, or my father and what he did to give me an opportunity to serve alongside you in this Chamber with the same title, with the same responsibilities, sometimes a difference of opinion. But I think I've

developed some great relationships along the way in this Chamber. And I think you appreciate me as an individual. And I assure you that if you take the time to get to know these DREAMers, you will appreciate them, too. And if not, ask your kids who go to many of these schools alongside those DREAMers and say, *What do you think of them?* And they will tell you, *They're one of us, my friends, they deserve to be with me in college, as well.*

It's the right thing to do for our State. It's the right thing to do for America. It's the right thing to do for humanity. It's an investment that makes sense for the State of New York. And to all New Yorkers, understand this is not taking anything away from you, your pocket or your children's pocket. We as a household continue to expand and invest more resources and opportunities. We propose that in our one-House budgets year after year. We now have a partner on the other side that maybe we'll see more of this come to fruition. And if we can do more, we will do more, we'll fight to do more. But make no mistake about it, this DREAM Act, it's not about ending other people's dreams, it's simply saying that nobody should be denied that dream. Not -- especially not children, who as has been explained before, most cases had nothing to do with how and when they got here. This is where they are. This is where they pray. This is where they live. This is where they salute the flag. This is where they will serve. This is where they will invest.

So, thank you to the sponsor, thank you to the Speaker, thank you to the former sponsor. Thank you to everybody

who for years has fought the good fight to see us to this day so that this bill, this dream becomes a reality. I'm proud to be a New Yorker today because in the words of Francisco Moya, *I believe in a New York where your immigration status should not be barrier to opportunity*. Thank you, Francisco for teaching me that line.

(Laughter)

I believe in a New York that allowed my father to have the opportunities, to give me the opportunities that I had. And I believe in a New York where I have a sense of responsibility to make sure that every other generation of DREAMers has that same chance, has that same opportunity and is able to say, *I am a proud New Yorker*, and I am grateful to the State and I am grateful to those communities that we can serve. And as the Speaker said earlier today, whether you will ever know the people that benefit from this or not, I assure that their contributions to our State and our nation will make all of you proud.

(Applause)

ACTING SPEAKER AUBRY: Ms. De La Rosa, point of personal privilege.

MS. DE LA ROSA: Mr. Speaker, I want to just take a moment, first of all, thank all our colleagues on both sides of the aisle for the vibrant debate. I'm asking us all now to please pause for a moment as I have the privilege of introducing to the floor the family, the wife, Evelyn, his boys, his mother, his extended family, his staff, those that lived and loved our Senator, José Peralta, to the Chamber.

Please take a moment.

(Applause)

Today we say that we are grateful for having José not only serve in this Chamber, but serving in this great State. We all were touched by his struggle, by his fight to defend immigrants in this nation and in our State. We thank you for sharing José's life with us. And on behalf of the entire Assembly, our Speaker and everyone here, we thank you, we are so sorry for your loss. But know that the dreams of the DREAMers present will carry on the legacy of Senator José Peralta. Thank you for being here and today's historic vote will be a tribute to not only the life of José Peralta, but also the life of the DREAMers that are here present. We do this work for you. We don't do this work for us. The life and the work of all the colleagues of this Chamber that have stood to defend this bill: Francisco Moya, who's here who carried this bill; my predecessor, Guillermo Linares, who carried this bill, and all of those who serve in the State of New York, we today honor José's legacy. We will always remember him. And New York State DREAMers thank him. Thank you.

(Applause)

ACTING SPEAKER AUBRY: Mr. Kim.

MR. KIM: Thank you, Mr. Speaker. On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. KIM: Six years ago when I came to the Chamber, the first piece of action that I took was sign on to the DREAM Act. The sponsor back then, Francisco Moya, Marcos

Crespo, they embraced me, having recognized that the first DREAMer ever was actually of Asian descent, Tereza Lee, and how it was important to also engage Asian immigrants in the struggle. And I remember for -- for years, we would go downstairs, have private meetings with the Executive. We would go to 633 Third Street -- Third Avenue, whatever, and they would try to negotiate a watered-down version of this bill. As a new lawmaker, I thought it was great. I was like, *Oh, let's take it, it's a good deal*. But it was Francisco who back then said that's not good enough. We're not going to let a watered-down version pass. We need taxpayers' money to be in the budget, all of it, not a cent less. There are outside groups who even pushed the member to take the deal. But he showed me what real courage was back then, and what determination and persistence was.

So, I want to just take a moment about how we got to this point and the journey as we are about to pass and sign this monumental legislation Francisco started, Marcos started this journey. And now, just a few hours ago I was on the -- I was just outside with Catalina Cruz as she was in tears talking about her journey as -- as the first DREAMer lawmaker in New York, and how she had to work two, three jobs going to college, and she's still struggling with debt, just like thousands of other New Yorkers right now.

And, of course, our Senator José Peralta, I still remember like it was yesterday when he was in this Chamber with his DREAM Act T-shirt walking around, you know, being in the

Minority, knowing that it was an uphill battle, he didn't give up, he persisted. We almost got it done by one for two votes a couple of years ago in the Senate. That's persistence. And that story also needs to be told that for years despite us not having the numbers in the Senate, he never gave up. And that's courage, that's character that must be remembered in this Chamber.

But, again, this is not a compassionate plea. As all my colleagues have laid out, this is an economic argument. And I agree, I agree with a lot of the things that my colleagues on the other aisle are saying, that, you know, we got to get our priorities straight. But let's get our priorities straight at the macro level. Why are we fighting for crumbs at the bottom? Why are we giving away \$6- to \$8 billion to mega corporations, multi-nationals, extracting the money out of our State, and letting the Governor giving away \$3 billion to companies like Amazon while we're fighting here for hours for crumbs? We have plenty of money for all students, all backgrounds to be taken care of. And -- and that's the travesty of this moment right now, that -- that we need to get our priorities straight and we need -- there's plenty of money -- we can fight for an economy of abundance, where every single child, regardless of their background, where you come from, can get an education, not from K-12, but K-16. It's doable. It's whether we have the political will to do so and I plan on fighting for that moving forward in the Session.

I am just extremely proud of this moment. This is the first bill that I signed onto and, finally, six years later, with Carmen

De La Rosa's leadership, we're getting it done. And that also in itself is something that should be told. This is -- this wasn't about one person, one man. It's about collective movement, passing on the baton the right way. And it's a beautiful thing and it should be celebrated in grace.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you.

Ms. Davila.

MS. DAVILA: On the bill.

ACTING SPEAKER AUBRY: On the bill, ma'am.

MS. DAVILA: For nine years, the DREAM Act has been a disappointment to -- to a lot of us, and I think Assemblyman Kim just said that, as -- as did Crespo and Pichardo. First, I want to thank the sponsors of the bill, Moya, thank you for all the work that you did, incredible; Carmen De La Rosa; our new Senator Sepulveda. Everybody pulled together to make this happen, but nine years we were going back and forth, like Kim said, going to numerous meetings. And year after year we were told it's not going to happen this year. It's not going to happen this year. We almost started believing that. There are over, I would say now about 4,500 kids that graduate from high school, from 5 to 10 percent of those kids, they -- they're the ones that are going to college. Five to 10 percent from 4,500 youngsters.

I want to give you a more personal touch to this. I have Marisol Salazar, she is one of my employees. She's a

DREAMer. She came to my office maybe about a year ago, and nothing speaks volumes more than that human touch when you start understanding their backgrounds and the hurt that they have to go through to survive. It wasn't -- it was a no-brainer picking her up and saying, *Don't worry about it. You're a DACA student, I'm going to help you, and you're going to work in my office.* And that's what she's been doing. She's been paying for her tuition and working extremely hard. And I am proud to be able to say that I -- that maybe all of you should pick up a Marisol and help them go get through their lives. But this DREAM Act today speaks volumes on Marisol and the other young people that are sitting down today.

Today is a day that the dream is going to be a reality: *Hoy es un día que el sueño va a ser realidad.* And for that, I am thankful and I am grateful to be here to be able to vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Mrs. Arroyo.

MRS. ARROYO: Mr. Speaker, thank you for the opportunity. In the bill. We -- I think that I heard something in the debate, and I have been involved on this for so many years that bothers me a little bit. Okay? But I am not fighting here with nobody. We cannot lose and forgive the purposes of this bill who a DREAMer is. We have a DREAMer sitting here in this Assembly. But how this DREAMer came here is something that is history, and she should write that down. Congratulations. God bless you. Because the struggle that this young girl had to go through to become a lawyer, a

professional, in three jobs during the day, could we realize she had clothes to wear? Could we realize if she had money in the pocket to pay for food? Those are the things that we have to have in our mind when we think about DREAMers. We cannot go away from the work.

DREAMers are individuals that are brought here when they had no age to make decisions by the parents or everybody. And that individual that was underage have to grow in a society that they know is not caring. And they struggle with that through years in the school, in the neighborhood, in the environment where they live, these DREAMers, some of them, their parents that somebody mentioned the word "illegal" here, you know, should not be used that way and with that purpose that the parents struggle to bring that child here, and the parents worked two or three jobs to maintain and support this child. But let me tell you, the (inaudible) behind that. Most of those parents send those children to the Catholic school, to the private school where they are educated. And nobody asked who they are because they're struggling and working hard to pay the bills. Then how many of us do that? You know, sometime we have a look to the mirror and say who I am.

These are part of these DREAMers that when they get to the age that they have a high school diploma and they have to apply for college, they don't have the money to pay their tuition. They're not criminals. They work day and night, some of them in jobs that you will never do, in order to obtain the money that is necessary to pay the tuition of the schools. Those are the DREAMers that we

are speaking about. DREAMers, your life is in there, United States of America is going to respect you because here in the State of New York in this day that is making history, we are changing history in the State of New York because of you DREAMers.

We have to think and we have to understand that this is not a fight with each other. They didn't come here to take anything away from nobody. They came here to have a life, to be secure. Some of them run from countries where they are -- I -- but that is not the debate. The debate is in the bill. DREAMers are those individuals that are here because somebody else brought them here. And those are the ones that we are obligated to defend. I'm Puerto Rican fortunately, I came here with seven kids, so they're American citizens. It's a different story. And there is groups that push you down, don't allow. I think that we have an obligation, and we should be proud to pass this bill today because we are going to prove to the entire United States of America that being a DREAMer is something that is important. (Speaking Spanish)

(Applause)

ACTING SPEAKER AUBRY: Ms. Dickens.

MS. DICKENS: Thank you, Mr. Speaker. On the bill. Will the Assemblymember yield?

ACTING SPEAKER AUBRY: On the bill.

MS. DICKENS: Today we speak of DREAMers as if this was something new and foreign, something to be rooted out. I just want to remind us that at the turn of the last century, families

immigrated from various European countries and upon arrival at Ellis Island, many changed their last names in order to gain entry to America. Hence, illegal immigrants. But they came to a country that stood with open arms of Lady Liberty, seeking a better life, quality education for the children that they brought over with them as illegal immigrants.

So, we've got to be careful when we throw and banter around monikers and use it - words - as detrimental to the health and mindset of people today. Because really, there is no difference between those who came over at the turn of the last century and those that are coming over today. My grand -- great-grandfather and my great-grandmother came to this country most certainly illegally because they came enslaved, for I am the granddaughter of a slave. My grandfather was a slave, born a slave. Am I an illegal immigrant? I don't think so.

This country was built by immigrants of all nationalities. This country was built on the backs of people who sought and demanded a better quality of life than they knew before, except in the case of slaves. And I also want to be a reminder that the DREAM Act is not only for those from Mexico and Colombia and Dominican Republic, but it's also for those coming from Africa, from Haiti, from Trinidad, Jamaica, Guyana. The DREAM Act is for all coming to this country seeking a quality education, a better life, and to contribute to this country. The fabric of this country has been made up of all nationalities. Who amongst us today can stand up and say

they are not the descendants of immigrants? Who? Unless you're a -- are a Native American. Who amongst us can do that?

I want to thank the sponsor and the -- and the Peralta family for standing up for what is right and -- and only asking us to pass what's needed to be passed. I am going to vote yes because it's the right thing to do. Thank you.

ACTING SPEAKER PICHARDO: Thank you.

Ms. Cruz.

MS. CRUZ: Mr. Speaker, on the bill.

ACTING SPEAKER PICHARDO: On the bill, Ms. Cruz.

MS. CRUZ: Today we're making history. Many of us have waited for this day for what feels like a lifetime. I want to thank the sponsor of the bill, for your work got us here. I also want to thank the original sponsors of the bill for never giving up on us, even in times of darkness. And I want to thank the community groups and the DREAMers who are here today because you never gave up the fight and this victory belongs to you. We're joined today by many incredible young people whose lives you're all about to change. We're also joined by Evelyn Peralta, my constituent, and the family of the late José Peralta, who's looking down at us from heaven beaming with pride.

I moved to Queens with my single mother when I was nine years old, escaping the violence in my native Colombia. I grew up undocumented. I struggled to get through school and through

college because resources for me were limited by a lack of a piece of paper. My mother saved up an entire year so that I could pay for my first semester of college, and after that I had to take on several jobs at a time in order to pay for tuition, for food, for rent and to help my family. And even on top of that, I had to maintain a full course load. I was in a fight for survival. I was forced to work twice as hard as my documented peers, and sometimes it still wasn't enough.

And so, I can tell you the struggle of DREAMers; that it's not without consequence. We're plagued by the fear of separation from our families and deportation to a country we no longer remember. And for many of us, it's a place where we no longer call home. We live with the guilt of how much our parents had to give up. Our parents, the original DREAMers. They sacrificed everything to get us to this point. And we owe it to them to succeed. This anguish that we live with every day often results in mental health issues because the anger, the fear and the sadness of living as an undocumented American takes a toll.

But it does not need to be this way. We can, today, help lighten that burden. We can remind our undocumented students that the mountains they carry, they were only meant to climb. Just like I once did. There are still tens of thousands of young children and undocumented people in the State of New York looking for an opportunity to succeed. We love this country. We are proud New Yorkers. We're as American as empanadas, samosas and apple pie. And we want to contribute and fight for our country. If not, ask my

friend, Cesar Vargas, the first undocumented attorney in the State of New York, who fought tirelessly, tirelessly for the right to practice law. And his only dream was to serve in our armed forces as a military lawyer.

I want to share the story of three other DREAMers whose lives will change when the José Peralta DREAM Act is finally passed into law. This summer I met a young man by the name of Jesus. He's here with us today. He was brought here by his mother from Mexico when he was just a baby. He wants to be a New York City Police Officer. He wants to serve and protect our community. But he's a DACA recipient, so he's not able to join the force. Or at least, not yet. By day, Jesus attends John Jay College, where I'm a proud graduate. Then he works a 10-hour shift at a Manhattan restaurant, and then late at night he returns home to the Bronx to do his homework, and then he goes to sleep and wakes up and does the same thing over and over again. The DREAM Act will help Jesus pay for college so that he can focus in school.

And there's Monica, one of the co-founders of CUNY DREAMers, who arrived with her family from her native Ecuador when she was just 16 years old. She missed qualifying for DACA by just a few months. Monica works multiple jobs simultaneously to pay for school and to help her parents. She's a brilliant student and has been now driven outside of New York State to look for graduate school opportunities because financial aid was not available for her in our State. The DREAM Act would keep talent like hers in our

schools and in our State.

And then there's Mehereen, whose family left her native India, fleeing religious persecution when she was just 11 years old. She's an outstanding DACA recipient who is able to go to law school because her brilliance and persistence got her a scholarship to New York Law School. She was lucky. I was lucky. But our ability to succeed as immigrants and our ability to contribute to the State that we love should not depend on luck. The José Peralta DREAM Act will open the door for so many young people like us to follow our footsteps.

We have worked to earn this, because according to the Fiscal Policy Institute, our undocumented families are responsible for \$40 billion, with a B, dollars in New York State economic output. We make up 5 percent of our State's labor force. Our families also pay a total \$1.1 billion in State and local taxes. Our families work and pay taxes, but our voices, our experience and our humanity is often ignored in this political process. And we're not seen as equals. Often, we're not even seen as human beings. So, if we truly are a society, a State that wants to create equality, then we need to start by equalizing educational opportunities. Because as Justice Sonia Sotomayor said, until we get equality and education, we will not have an equal society. We must understand that education is not a handout. What we're doing today is creating -- is building a bridge to success. If we provide young undocumented Americans with the opportunity to succeed, because this is what the DREAM Act represents for us, our

State will reap the benefits. We will have a workforce prepared to contribute to our economy and benefit all New Yorkers, regardless of your political affiliation.

And before I finish, I want to send a message to the original DREAMers.

(Speaking Spanish)

And so, today, as the first DREAMer to ever be elected into the New York State Legislature, I have the privilege and the honor of amplifying the voice of so many people around our State. I have the privilege of representing a district where the majority of people who live there cannot vote, and I still proudly represent them every day. And I am proud to vote today in favor of the José Peralta DREAM Act. And I urge my -- my colleagues to do the same, and to give thousands of young people a chance at success that they so rightfully deserve. Thank you.

(Applause)

ACTING SPEAKER AUBRY: Mr. Reilly.

MR. REILLY: Will the Speaker yield? I mean, the sponsor yield? Sorry.

ACTING SPEAKER AUBRY: Ms. De La Rosa, will you yield?

MS. DE LA ROSA: I yield.

ACTING SPEAKER AUBRY: The sponsor yields, sir.

MR. REILLY: Thank you. I just have a -- a couple

of questions. Does -- does the bill require eligible candidates to establish residency in New York State by a certain date?

MS. DE LA ROSA: No.

MR. REILLY: No, okay. So, if not, will the bill grant this program for those not yet here, expanding the number of students that will be eligible?

MS. DE LA ROSA: So, I think the bill is clear in that -- in the requirements, and what -- and what it takes in order to receive the benefit. If you come to New York State and qualify - and I can list again the requirements, if you'd like, have gone to a -- a -- a [sic] accredited GED program, for and -- and passed and received your GED, gone to high school for two years or more, and within that five years of receiving that benefit -- that diploma, then you can apply, qualify, and HESC will determine the final eligibility of those that apply.

MR. REILLY: So even -- so, potentially, those that are undocumented that come to New York State in the future that aren't even born yet, can actually then apply, if they go on to our schools, of course, and then they graduate with a GED or a high school diploma. So, we're talking that this could expand for decades.

MS. DE LA ROSA: Yes.

MR. REILLY: Okay. So --

MS. DE LA ROSA: We're not -- we're not -- you know, we're not just legislating for this moment that we're present in. I spoke a little bit earlier about the number of students that would

benefit from this -- this initiative, this -- this legislation. Presumably, that could happen in the future. But, as long as they meet the requirements which are listed in -- in the bill here, they would be able to qualify.

MR. REILLY: So -- and I respect that we're doing it for the here and now. But our votes and our -- our actions have impact for decades, moving forward. So, do we have a method in place to evaluate how -- how to project the expansion of the program moving forward in how many undocumented immigrants we have coming into New York State? So without having -- without having clear documentation or a method of evaluating that, we're actually making an open-ended mandate that we're going to provide if they hit the criteria that's in the bill, right? If they qualify. So -- and with the affidavit that they're going to sign, we don't have any method of requiring them to actually fill that out, because it's not in the bill. And that would give us some potential of seeing and tracking the implications of this bill for decades.

MS. DE LA ROSA: So, I just want to state, it's just like TAP, the program that exists now. You could be born tomorrow and apply for TAP when you come of age and you receive that benefit. You know, we projected that there's a \$27 million cost associated with this -- the implementation of this bill. As you've heard here today, the -- I believe, we believe, that the investment that we're making here today, the \$27 million, which is a very small percentage of the State's Education Budget is going to be -- we're going to receive

that benefit three times over in the lifetime of these DREAMers. And so, I think you said something along the lines of being -- it being a, I guess you said a mandate --

MR. REILLY: Yeah.

MS. DE LA ROSA: -- that goes forward. I see it as an investment that goes forward. Remember, we already pay for the education of all children in New York State from kindergarten to 12th grade. And so, for me, I don't view this as an expansion, I view this as giving access.

MR. REILLY: Okay. Fair enough. So, future access as well to those that currently are even -- not even in the nation.

MS. DE LA ROSA: Future access, future progress, I think that that's what our goals here are.

MR. REILLY: Okay. Thank you.

MS. DE LA ROSA: Thank you.

ACTING SPEAKER AUBRY: Mr. Ortiz. Here he comes.

MR. ORTIZ: I'm here, Mr. Speaker. Thank you very much for allowing me to explain my vote --

ACTING SPEAKER AUBRY: No, you're on the bill.

MR. ORTIZ: On the bill, I'm sorry, on the bill. On the bill.

ACTING SPEAKER AUBRY: Oh what.

MR. ORTIZ: I'm working on so many bills in the

back that I forget that I was still on the bill.

ACTING SPEAKER AUBRY: Yes, sir.

MR. ORTIZ: Okay. So, let me -- first of all, let me just thank the sponsor of the bill, and I also would like to thank the Speaker for continuing to encourage to bring this particular piece of legislation to the floor. Today not only is a new day, but we are celebrating -- since a couple of weeks ago, we've been celebrating because of the makeup and the change in the Senate.

I also would like to say, Mr. Speaker, that back then in 1996, where we began to have conversation about immigration reform in this country more seriously, in the year 2001, the House of Representatives introduced the first DREAM Act in New York State. Therefore -- they could not get it done -- therefore 15 states began to really work on different pieces of legislation throughout the country. I would like to say that during those years, I was part of some of this big discussion at the national level to -- which prompt us to say today that we are become to be the number 16 state in the country to give the DREAMers the opportunity to really to fulfill their dream.

I'm very pleased to stand in this House today, Mr. Speaker, not only as a legislator, but also as someone who has a daughter-in-law that came from the Dominican Republic, a daughter-in-law that came from Mexico, a daughter-in-law that came from China. These people came here without paperwork. These people, their family brought them here for different reason. And today, one is a teacher, the other one is an attorney, the other one is a

doctor. And being a DREAMer is not obscene. Being a DREAMer is being a human being, being somebody who is a humankind. Being a DREAMer is an individual, a person like anyone that's sitting in this room who became -- who are citizen of this country. Being a DREAMer is someone that really will have now the opportunity to fulfill their dream.

And I will -- I will say this, Mr. Speaker, and to the Peralta family, I would like to say that back in the year 2013, Senator Peralta and myself had a press conference calling on the DREAM Act to be part of the New York State. And I quote -- his quote, and I quote, "We are not a place that punish children for the act of their parents. We are a place that offers a chance to succeed to anyone that is willing to work for it." That was Senator Peralta in 2013.

And as we debating and expressing ourself on this bill, I also would like to present a quote from -- from Gandhi, and I quote, "In a gentle way you can shake the world". And that is so true, because what is happening in Washington today, those anti-immigrant sentiment that continues to attack anyone that was not born in this country -- and believe it or not, I travel throughout the country a lot, and because of my accent they say I'm from another planet, but that's another story. They don't -- they do not value you. They don't -- they do not value who we are as an individual. And because you sometimes look a little different, sometimes you speak a little different, people had -- people had their wrong mentality of whether or not we can succeed in life.

I remember in my days in NYU first coming from Puerto Rico, couldn't speak English so well, and I still don't know how, but I was trying to do the best I can. But those days in NYU, people will say, *How in the hell are you here in the Department of Natural Science?* And I said, *Because by grandma told me that I was smart.* And I never forget that.

But the bottom line here is, Mr. Speaker, that we have so many people that have come to this country, and since 19 -- since 2013, we continue to deny them the opportunity to fulfill their dream. And I'm standing here today, Mr. Speaker, to say to you that this day, today, is a big change. And I hope that tomorrow we will be able to take (inaudible) for undocumented and make New York State a glorious State. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, sir.

Ms. Bichotte.

MS. BICHOTTE: On the bill.

ACTING SPEAKER AUBRY: On the bill, madam.

MS. BICHOTTE: Mr. Speaker, I -- I want to commend the sponsor of this bill, my Dominican Hispaniola sister, for being such a staunch leader and a fighter for immigration reform and all the immigrant population. Thank you. Thank you for your hard work.

This bill will remove the obstacles laid for undocumented students who came here as a child. They will finally be eligible for financial aid, scholarship and access to college tuition.

And I must say, as a Haitian-American, a child of Haitian immigrants, I often think about the many relatives that came here undocumented struggling to battle the Afro-Franco language and English, but having the opportunity to go to public school. But then after graduating, not knowing what's the next step for them and will they be able to survive.

I represent a high populated black immigrant community, that's Haitians, Jamaicans, Trinidadians, Guyanese, Grenadians, Basians, St. Lucians, Panamanians, Arubians, Antiguan, and the list goes on. And these are people who -- who are children, who are children who grew up here and New York became their home, and wouldn't make it if their children didn't have an opportunity to integrate to the system. These are children who have been valuable to our society, many of whom became eventually doctors, educators, health care providers. And as it was mentioned by my colleague, immigrants have really, you know, been the foundation of this country. And we're here debating turning our backs, marginalizing these children who came to this country not of their own decision.

Immigrants have fought in our country's American Revolution, the World Wars, Vietnam, we go on and on and on. But still, we're debating and using terminologies "illegal" and "unlawful" when it comes to our children. Haitians alone, I can tell you, have produced a large number of doctors in this country; doctors, engineers, health care providers, educators. Imagine how many more doctors and educators we can make out of our DREAMers. I mean, we've seen the example. We have a living example of one of our own

Assemblyperson who is a DREAMer herself. And now she's serving, a public servant serving the State of New York.

Do you know how hard it is for an immigrant, a black immigrant to get political asylum? Do you know how hard it is for a Haitian to get a visa, a traveling visa in the United States? It's very difficult. But when our children do come in -- when our children do come into the States, we should not be marginalizing them. This is an opportunity for us to expand economically and socially.

(Handed water) Thank you.

Yes, I agree we need to increase more funding for TAP. We need to increase more funding for scholarship awards and so forth. But as my colleague said, we have the money. We can fund all children. We can fund all students.

So, today, as we think about what we did previously today when we memorialized Dr. Martin Luther King, Jr. Day, when we memorialized the Holocaust Remembrance Day, when we memorialized the Haiti earthquake last week, we've got to think about how we're going to vote today. We've got to vote in a very humane way and with our hearts. Today is a new day. And in Creole we would say (Speaking Creole). And what does that mean in Spanish? *Sí se puede. Sí se puede. Sí se puede.* Yes, we can.

On behalf of my district, on behalf of all the DREAMers, I stand so proud today with all of you in support of the José Peralta DREAM Act.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: Thank you, Mr. Speaker. Would the sponsor yield?

MS. DE LA ROSA: Yes.

ACTING SPEAKER AUBRY: Ms. De La Rosa yields.

MR. GOODELL: Thank you very much, Ms. De La Rosa. Thank you for your comments throughout the day, and thank you to all my colleagues for their comments and their passion on this issue. Of course, as you know, we don't vote on just concepts, we actually vote on language. So, with your permission, I wanted to review some of the language.

MS. DE LA ROSA: Yes, of course.

MR. GOODELL: I note on page 3 that this applies to an applicant that's not a legal resident. That's on page 3, line 46.

MS. DE LA ROSA: Yes.

MR. GOODELL: So, if this bill passes, you no longer need to be a legal resident of New York State to qualify for free tuition or for TAP; is that correct?

MS. DE LA ROSA: You don't have to have a law -- lawful immigrant status in order to apply for TAP.

MR. GOODELL: Well, separate and distinct from the immigration debate, this bill eliminates any requirement for anyone to be a resident. I mean, you no longer have to be a resident to qualify for this funding, correct?

MS. DE LA ROSA: I believe that the section that you're referring to is referring to the unlawful resident status, correct, because you still have to meet the eligibility requirements set forth. So, you don't have to be a resident, but you have to meet the eligibility requirements in the bill.

MR. GOODELL: Right. So, the first thing we do is we start --

MS. DE LA ROSA: It's -- it's the same -- sorry to interrupt. It's the same requirements that we have for in-State tuition, which we've had in the State for --

MR. GOODELL: Well, in-State tuition is the third category. We start out with three different categories, the third is in-State tuition, I understand that. I'm focusing just on the first category that says, this funding is available to "an applicant who is not a legal resident of the State". Are you aware of any other New York State tax-funded programs that provide benefits for people who are not a resident of New York State?

MS. DE LA ROSA: Resident tuition for SUNY and CUNY have the same -- has the same language. Resident tuition for SUNY and CUNY.

MR. GOODELL: Right. My question is, do you -- are you aware of any other State program in New York where the New York taxpayers pay assistance to people who are not New York State residents?

MS. DE LA ROSA: No.

MR. GOODELL: And so, under this bill, you could be a resident of a different state, registered to vote in a different state, driver's license in a different state, own a house in a different state, receive all your mail in a different state, have your permanent residence in a different state and still qualify for funding under this bill, correct?

MS. DE LA ROSA: If you -- again, if you come to -- if you are living in New York and are able to prove that you've been -- received a high school -- a high school diploma or a GED, 30 days in order to receive the GED, then you can apply for this benefit and receive it.

MR. GOODELL: So, you can keep all your foreign residences as long as you graduate from a New York high school within five years.

MS. DE LA ROSA: Yes.

MR. GOODELL: And that means your parents, of course, could stay residents of some other state and pay income taxes to some other state and contribute to the benefit of some other state and contribute to the economy of some other state, and the New York taxpayers would foot the bill, correct?

MS. DE LA ROSA: Well, that is correct, but I just want to reiterate: We're talking about being eligible for a benefit, and the students that we're talking about that will benefit from these bills are the students whose stories you've heard here today.

MR. GOODELL: Now --

MS. DE LA ROSA: They're the students who have lived in this State, and for some reason or another, I don't know if you've ever moved out of New York State for any reason, but especially where you're disproportionately affected by being an undocumented immigrant in this country, in this State --

MR. GOODELL: But I'm not even talking about --

MS. DE LA ROSA: -- who have moved out -- -

MR. GOODELL: Just so we're clear --

MS. DE LA ROSA: -- and you come back and you're still considered an immigrant.

MR. GOODELL: Just so we're clear, I'm not talking about undocumented immigrants --

MS. DE LA ROSA: Mm-hmm.

MR. GOODELL: -- I'm talking about U.S. citizens.
U.S. citizens --

MS. DE LA ROSA: For example, if you're a U.S. citizen --

MR. GOODELL: Let me -- I -- I apologize. Let me finish --

MS. DE LA ROSA: Go ahead.

MR. GOODELL: -- this question. So, I'm talking about U.S. citizens who graduated from a New York high school almost five years ago, whose parents no longer live in New York, who don't live themselves in New York --

MS. DE LA ROSA: Mm-hmm.

MR. GOODELL: -- who aren't registered in New York, they have absolutely no legal connection to New York other than they graduated here five years ago. Under this language - I think you had already answered this, they are eligible. My question is, we brought this issue up time and time again, year after year. Why don't we at least require the individuals who are applying for this to be residents of New York?

MS. DE LA ROSA: So, first of all, I want to say that under TAP, the current TAP Program, if your parents move out-of-State you can still apply for TAP. So that is under the current TAP Program that exists. The Federal government prohibits -- prohibits --

MR. GOODELL: Well, actually, the current TAP Program requires you to be a resident of New York State.

MS. DE LA ROSA: Repeat that, sorry.

MR. GOODELL: The current TAP Program requires the student to be a resident of New York State. That is what's being removed from this bill. That's why we keep asking why shouldn't the student at least be a resident of New York State in order to qualify for New York State-funded, taxpayer-funded financial assistance? Why don't we require the student to be a resident of our State?

MS. DE LA ROSA: So, what we're saying in this bill is that if you, for example, come to New York, you live here, by the time you get a GED equivalency or are able to graduate from high school, some time will lapse. Are we then saying that if you move

into the State, anyone can move into the State, a U.S. citizen can move into the State. Once they move into the State, they are a New Yorker and, therefore, they are, under this law, will have access to TAP --

MR. GOODELL: Okay.

MS. DE LA ROSA: -- and financial aid.

MR. GOODELL: The amount of the TAP that we give is based on the parents' reported income, correct?

MS. DE LA ROSA: Yes.

MR. GOODELL: And under Federal law, if you're not here lawfully, you're not allowed to work, correct?

MS. DE LA ROSA: They do work. That is correct --

MR. GOODELL: But they're not a -- but under Federal law, you're not legally allowed to work, correct?

MS. DE LA ROSA: Yes. You are not legally allowed to work, but they do work. And we know that they work.

MR. GOODELL: And, likewise, it's illegal for an employer to hire you if you're not here legally, correct?

MS. DE LA ROSA: Correct.

MR. GOODELL: And if you're not here legally, then you cannot get a Social Security Number, correct?

MS. DE LA ROSA: Correct.

MR. GOODELL: And so, is it fair to say that those who are here that are not here legally, who are not working for an employer legally, who have no Social Security Number, is it correct to say they're not filing New York State income taxes?

MS. DE LA ROSA: For the premises -- for the premises of this bill, we are talking about students who are coming into this State, they are working. You've heard the stories here. They're working two --

MR. GOODELL: So, you're saying they're working illegally.

MS. DE LA ROSA: -- three jobs. They are working without a lawful immigrant status. But they are working and they are paying taxes.

MR. GOODELL: So, my question again, are they paying New York State income taxes?

MS. DE LA ROSA: They are. They are. They are paying income taxes.

MR. GOODELL: And what Social Security Number are they using for their New York State income tax?

MS. DE LA ROSA: They can use their tax ID numbers in order to --

MR. GOODELL: You can only get a tax ID number if you're a foreign resident with New York or U.S. income. You can't get a -- a tax ID number is just not available for everybody, correct?

MS. DE LA ROSA: The IRS does allow you to get an ITIN number.

MR. GOODELL: And can you use the taxpayer identification number lawfully to report earnings --

MS. DE LA ROSA: Yes.

MR. GOODELL: -- in the United States for an employer that's not allowed to hire you for a job you're not allowed to take legally?

MS. DE LA ROSA: That happens every single day. You can --

MR. GOODELL: How many --

MS. DE LA ROSA: -- can report --

MR. GOODELL: How many individuals in New York, do you have any idea how many people file an income tax in New York using a Taxpayer Identification Number?

MS. DE LA ROSA: We don't -- I don't have the exact number of how many. But, as you've heard here today and it has been reiterated from the colleagues that have spoken, we know that they contribute about \$1.1 billion to the State. And so --

MR. GOODELL: Well, that's \$1.1 billion in State and local taxes. And if I heard correctly, what we're talking about is sales tax, property tax, right? Other taxes that have --

MS. DE LA ROSA: And income tax.

MR. GOODELL: That was not in the list.

MS. DE LA ROSA: And income tax. They pay income tax with their taxpayer IDs.

MR. GOODELL: Okay. Well, that would be news to me, by the way, because if you're not allowed to work in New York under Federal law, if you're not allowed to be hired under Federal law, who is, then, hiring them?

MS. DE LA ROSA: Well, we know that 50 to 75 percent of immigrants without unlawful status pay income tax in New York State.

MR. GOODELL: Okay. Now, you also talk about those who are here without lawful immigration status, correct?

MS. DE LA ROSA: Can you repeat that? I'm sorry.

MR. GOODELL: We also talk about those who are here without lawful immigration --

MS. DE LA ROSA: Yes.

MR. GOODELL: -- status. That's the third category. And we talk about those who are here in a lawful non-immigrant status, correct?

MS. DE LA ROSA: Mm-hmm.

MR. GOODELL: Non-immigrant status would be like a student visa?

MS. DE LA ROSA: Yes.

MR. GOODELL: And, of course, if you come in on a student visa, I think my colleague mentioned that as long as you take the New York State GED and you're eligible to take it, you get free TAP.

MS. DE LA ROSA: Yes.

MR. GOODELL: And then, it presumably would also be based the amount of your parents' reported income?

MS. DE LA ROSA: Yes.

MR. GOODELL: And how would New York State

know what your income from your parents would be if they live in France or Canada or some other foreign country?

MS. DE LA ROSA: So, the bill doesn't speak to that part. What we are --

MR. GOODELL: And, in fact --

MS. DE LA ROSA: -- counting -- sorry --

MR. GOODELL: -- in fact, they might not be paying any income tax in New York because they don't even live in New York. This is not limited to students whose parents live in New York, correct?

MS. DE LA ROSA: Correct. But let me just say that HESC, the agency that we've tasked with already being -- regulating how TAP and how other financial aid in our State happens, is going to be tasked with that duty, to make sure that the people who are receiving the benefit are in compliance, that the documents are submitted and they will continue to do that under this bill.

MR. GOODELL: Now, this bill requires that if you're here without a lawful legal status that you file an affidavit saying you'll apply for lawful legal status in the future if it becomes available, correct?

MS. DE LA ROSA: Yes, correct.

MR. GOODELL: Is there any method to ensure that that is actually complied with?

MS. DE LA ROSA: There is -- - this bill does not speak to a method for enforcement of that.

MR. GOODELL: And if an individual just flat out refuses, is there any obligation to reimburse the taxpayers for the funds that were advanced on their behalf?

MS. DE LA ROSA: No, not under this bill.

MR. GOODELL: And if they graduate from college with a degree, as you know, many of our immigration programs are designed not only to help us, but help foreign countries. There's no obligation they use their advanced degree to help their original home country, right? They can stay here?

MS. DE LA ROSA: Well, not under the TAP version, but the section -- the -- the section that extends the Excelsior benefit does have a requirement to live and work in the State of New York while -- for the same amount of time as the benefit you received.

MR. GOODELL: Very good. Thank you very much, I sure appreciate your comments.

MS. DE LA ROSA: Thank you.

MR. GOODELL: On the bill.

ACTING SPEAKER AUBRY: On the bill, Mr. Goodell.

MR. GOODELL: I know that many of my colleagues and, certainly, many people in this room and in our State are very sympathetic and want to help out students who came here, particularly young children that came here without -- with their parents, really without their own volition. But I hope and trust that all of us here are also sensitive to the needs of our taxpayers. And one of the hard

realities that we wrestle with in New York State is that our taxes are the highest in the nation, and our property taxes are amongst the highest in the nation, and our out-migration is amongst the highest in the nation.

And while I really do sincerely appreciate the generosity of my colleagues, I'm not aware of any other state in the nation that provides free college tuition for students who are not residents of the State, haven't been a resident for nearly five years, whose parents aren't residents of the State, whose parents and themselves are not paying anything in State income taxes. That's very generous of the State of New York and all of its taxpayers to extend free college tuition to non-residents. But that's what the language of this bill does. We don't just vote on concepts, we vote on language and as you just heard, that is exactly what this language does.

But it takes it a next step further. TAP awards are based on your parents' reported income, your income and your parents' reported income. So, if you're a New York taxpayer, and you're making decent money, as your income goes up, the TAP award for your child goes down. But if you're in New York and you're not reporting your income tax because you're not allowed to work under Federal law, and no one's allowed to hire you under Federal law, and you're not reporting your income, think about this: The TAP eligibility goes up. So we say if you engage in a tax fraud and you work here without authorization, illegally, in violation of Federal law, then we will give your child the maximum tuition assistance paid for

by all those parents who are lawfully reporting their income, and whose children then get lower TAP awards.

We need to look at the financial ramifications, look at the language, these are not new issues, we've been bringing them up year after year, and bring our language in line with our intent so the taxpayers are treated fairly, as well as treating fairly all the students in our State.

Thank you very much, Mr. Speaker.

And, again, thank you, Ms. De La Rosa and my colleagues for their comments.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes for an announcement.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker. Very briefly, I want to commend my colleagues and our guests that are in the Chambers today, for their patience. But, this is a very important, a very important topic. The conversation has been long. We do have at least another eight speakers, I want to say. So I -- I would just encourage folks to be considerate of the folks who have been here all day, including Mr. Peralta's family. And if you can make your comments on the issue as concise as possible. And I want to thank you in advance for considering that request.

Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Thank you, Mrs. Peoples-Stokes.

Mr. Rodriguez.

MR. RODRIGUEZ: Thank you, Mr. Speaker. On the bill.

ACTING SPEAKER AUBRY: On the bill.

MR. RODRIGUEZ: As I listen to the debate, the -- the quote that continues to ring in my ears is, is Langston Hughes, "A dream deferred is a dream denied". And what we have done since we introduced this bill over the nine years that I've been in the Legislature is, we've denied dreams to 20,000 folks who live in New York, 20,000 young people who are aspiring to achieve higher education and could be contributing to our economy. And I think what's important is that, you know, if you -- if the moral argument of why we should support these young people, you know, doesn't hit home, you shouldn't leave this room with any fallacy about the economic reasons about why we should be supporting these young people.

So, we've already heard that \$40 billion is the economic output that undocumented immigrants contribute to New York State, the \$1.1 billion in tax revenue that we gain annually as a result of their contributions. We've already heard that this program only costs \$27 million. But let's look backwards for a second. Let's look at the 20,000 DREAMers who have been denied the opportunity for higher education. The studies say if they achieve a bachelor's degree, they pay \$60,000 more in income -- in taxes over the course of their life. So, that's roughly \$800 million, versus what the TAP award would have been; \$40,000 times 20,000 students. That's what we gave up in terms of potential revenue by denying and deferring these

dreams.

So, not only does it pay for itself, this is an investment in the future. These are people who are already paying taxes, that are -- that are asking for equality in the way that we treat their young people and we allow access for higher education. So, there should not be this conception that we are taking one thing away from one group to give it to another. There's clearly contributions coming in and a minimal contribution coming out. But what we, as a New York State, will get in return in terms of economic output, in terms of what we're talking about in terms of future tax dollars, far outweighs the \$27 million that we're talking about, the 2 percent of TAP budget that we're currently looking at expending in this budget.

And there is no doubt in my mind, you know, that we will continue to increase access to higher education. But I think one of the -- the -- the worst arguments I've heard here today is that we don't want to allow TAP for more people because of the student loan crisis that might exist, we might be exposing them to that at the same time. I think if nothing else, you have heard that that investment equals at least \$60,000 in tax revenues, and no question about higher earnings in the future.

So, when we all look at the student loans that we have taken out and continue to pay, none of us go back and says, *Man, I shouldn't have got that graduate degree. Or, oh, I shouldn't have gone to college.* No, it's an investment in ourselves that has clearly brought us to this place, that has clearly brought us to the place where

we can provide for our families, and the DREAMers are asking for that same opportunity.

So, for that reason, as well as the moral reasons, as well as, you know, the -- the obvious reason that -- I represent DREAMers, I represent people in our community, and -- and while not being an immigrant, only because being Puerto Rican means three generations ago there was a war that happened and our immigration status was settled that way, but otherwise, I would be in their place. And I want them to have the same opportunities that I was afforded. So, as a result, I'll be voting in the affirmative and urge my colleagues to do the same.

ACTING SPEAKER AUBRY: Mr. Rivera.

MR. RIVERA: Thank you, Mr. Speaker. I want to congratulate you. (Speaking Spanish) I am gonna get to what I believe is the root of the problem, if I'm allowed. My colleague from the right earlier said to the students, there are people here who have lost their way. Americans who have lost their way. The nation has lost its mind and its way. All right, let's be clear. I want to congratulate the Speaker, Mrs. Stokes and Carmen De La Rosa because this bill was supposed to have been heard and debated earlier. But there were -- they decided -- or we decided we want to hear the number one DREAMer in this country, Martin Luther King. Was it easy for him? No. The other side always have the weapons of mass destruction. When Martin Luther King and the students and everybody used to demonstrate, the other side had dogs, shotguns,

water hoses and -- and everything was applied to people who decide on what's to be part of a great America.

I'm going to tell you something. I don't have time to read this book (indicating). It says, *How the Nation was Won: America's Untold Story Volume 1 from 1630-1754*. The words I said earlier were in the first European language spoken in this continent. And it was spoken here in Florida by Juan Ponce de León, the first Governor of Puerto Rico.

So, you know, we can tell a story, America was won, simple, by pushing originally in those days black people, pushing them around, pushing the Indians around, pushing the Mexican out of Arizona and not allowed to come back. That's how America was won. So, let's -- let's be honest. In 1980, that man right there (indicating) Cecil -- Cecil -- Cecil Romero with the camera, and the Carmen Arroyos and others, we came together and we went -- we heard, we believed. We believed the newspaper when they said the decades of the '80s was the decades of Latino empowerment. We took them serious. So we started to mobilize. I think that's what the problem is. I think that's what the problem is.

I was saying to my friend, one of my friends here, the problem part is "Different strokes for different folks". It's a good old American saying. When Jimmy Carter was President, he talked with Fidel Castro, *I represent a free country, anybody wants to leave, I welcome them here*. Two hundred and fifty thousand arrived to Miami. So Fidel say, *You want freedom? Okay. Go to New York*.

Go -- go to Florida. And there's something that very few people know. During those days, hundreds of children not born here, hundreds of children were allowed to come to this country, was placed in different homes around the entire nation. You know how much it cost? Billions of dollars. We got 25,000 people in Puerto Rico when we have no jobs. We have no jobs in Puerto Rico, but we take everybody in. They spent billions of dollars. Don't tell me that what we've been talking about for a number of years, it's only going to cost \$25 million, if at all, that we don't have in this budget of over \$170 billion, \$25 million to invest on people like Catalina Cruz, Karines Reyes? Right? Carmen De La Rosa, Nathalia Fernandez? These are children, their parents were born either in Cuba, Colombia, Dominican Republic. And most of them came here and they were undocumented. Look where they're at right now. They were the first speakers to speak up here, stand up so proud because their dream has been realized. But their dream is not complete until they make it much easier for the DREAMers of today to reach their dream and their goals.

So it is an exciting day. I'm glad that we listen -- that you were able to listen to the history of Martin Luther King, the first DREAMer, the first real good general this country ever had, who led his people into freedom. And then people like me, we take it back, we got to do it, and we take it back, Puerto Ricans and others. And we also were able to reach our goal.

So, having said that, don't tell me that this is not

about the fear that there is right now 50 million Latinos in this country and there are those from here to Washington are afraid of the numbers, and we continue to grow. I think that's what it is. Let's be honest, I think that's what it is. Fear. But don't fear all these youngsters, all of us want to be like you and your parents. We want to achieve the American Dream.

Mr. Speaker, thank you very much. I think I said all I needed to say for the moment. I'm ready for celebration.

(Applause)

ACTING SPEAKER AUBRY: Ms. Richardson.

MS. RICHARDSON: Oh, My Lord.

ACTING SPEAKER AUBRY: Yes.

MS. RICHARDSON: On the bill.

ACTING SPEAKER AUBRY: On the bill.

MS. RICHARDSON: You know, Mr. Speaker, I stand here in this moment so emotional as I listen to the testimony of my colleague, Catalina Cruz. And as I listen to the awesome sponsor of this legislation defend this bill and all the other testimonies from my colleagues in this Chamber, I'm emotional because of who I am. I'm emotional because of who I represent.

You see, I hail from the Borough of Brooklyn in the 43rd A.D. where we have a large population of Caribbean-Americans and Caribbean immigrants, as well as people from Latin countries, Asian countries, so on and so forth. What I love about the beauty of my district is that we are a melting pot and a true reflection of

America.

I am a daughter of immigrants. I am the granddaughter of immigrants. When my family migrated here to United States of America in the '40s, it was by happenstance that my grandmother, who is Dominican, by the way, had birthrights here in the U.S., and for that, although she married a man from Saint Martin, they were able to bring the two of them and their eight children along with him, one of them being my mother. But had that not been the case, had my grandmother not at that time had a birthright to America, what would have been the story for my family? What would have happened to us? Well, guess what? It was turmoil back in our native land, and guess what? They were going to come to American anyway, the same America that opened its doors on Ellis Island to those immigrants who were going to open the doors to my family.

But, guess what? We got lucky. We got lucky by the combination of how my family was configured. And I am not a DREAMer, but you know what, Mr. Speaker? When I was in school, I sat next to DREAMers every single day. I watched the level of anxiety that my classmates had, whether they were going to be found out, deported. You know, I watched the struggle, the struggle of basic needs, like transportation, like food, and all because they want to what? They want to excel and move further in this American society and take advantage of the dreams that we told them they could find here.

I've watched so many people, and I'm a strong

proponent of education. If anyone knows me, they'll tell you that. I went to Medgar Evers College and I watched so many people drop out of college because they could not further finance their way through receiving a higher education.

So, what kind of America is this where we tell you we'll take care of you now from pre-K to 12, but when you want to go get an associate's degree, a bachelor's degree, a master's degree to further yourself and further pour economically into this society, the - squeak - the road stops there.

Well you know what? I want to commend Senator José Peralta, because he had a dream. And when it wasn't favorable, he walked around in this Chamber and he championed that piece of legislation. I want to thank all of my colleagues who stood up in this Chamber and testified and shared your stories and spoke in your native tongue. Because to all the other colleagues who don't get the point, this is what New York looks like. This is what America looks like. And as we are going to pass this DREAM Act today, we are going to create access, education access for so many people who deserve the right to just learn.

And with that, I vote in the affirmative.

(Applause)

ACTING SPEAKER AUBRY: Mr. Epstein.

MR. EPSTEIN: On the bill.

ACTING SPEAKER AUBRY: On the bill, sir.

MR. EPSTEIN: So, I shouldn't have gone after our

former -- prior speaker.

So, I'm here to talk about what we're experiencing today and the conversation we're having. Friends of mine are DREAMers. People who are my constituents are DREAMers. My father only went to CUNY and graduated from undergrad because CUNY was free. It isn't free anymore. We have a pathway. It's a pathway that my family was able to go through to benefit his family, my father raised, I said, by a single mom with three boys. That was his only pathway through.

We want to see the DREAMers having the same opportunities that my parents had. Young people in my district. Friends of my kids. Friends who came here because of what their parents wanted for them, like what my grandparents and parents wanted for me. Let's be clear that students who are undocumented aren't an issue about residency. People who are undocumented are fearful for their lives, fearful any moment they'll be sent back to a country they don't know. And we're asking to see -- make sure that they're residents?

We also know that DACA recipients do get Social Security Numbers. Others have ITIN numbers. We have opportunities to use those to help them get a pathway forward. I feel like what we've heard people say is the -- the tail wagging the dog, that one or two people who might "abuse the system" because they actually live in Florida, but want to get a free education here in New York. Well, New York is willing to welcome them here, because

that's what New Yorkers are about. People who come to this great State and say you belong. People who set roots here, 98 percent, maybe 99 percent of the people who are going to take advantage of this are people who are living here, raised here. They all went to school here. Maybe we'll see someone who wants a -- get a GED and go through this path, but what we're going to see mostly is people who are sitting in the Chamber, people who are my constituents saying, *I want a pathway to college, and I need financial aid to make it work.*

So, we know change is hard. And we know power sees nothing without demand. But today, we're demanding change. Today, we're speaking up for people who can't speak. Today, we're thinking about the future, doctors and lawyers, elected officials who will change our lives because we've given them a pathway today.

I vote in the affirmative on this bill. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Perry.

MR. PERRY: Thank you, Mr. Speaker. Mr.

Speaker, I have pondered and thought through the whole issue of the DREAM Act and why some of my colleagues stand -- seems eternally opposed to giving just a little chance to the DREAMers in our State. I've concluded, Mr. Speaker, that this is not a Republican wall, and the facts clearly show that that's not the case. My colleagues who stand so committed to vote over and over and over again against this dream wall -- DREAM Act, appears to have built their own wall. It's -- it can be attributed to their --

MR. GOODELL: Mr. Speaker, point of order.

ACTING SPEAKER AUBRY: Mr. Goodell, why do you rise?

MR. GOODELL: Would you remind the speaker that it is appropriate to talk about his views on the bill, but in our House we refrain from attacking other members on the floor.

ACTING SPEAKER AUBRY: Certainly, Mr. Goodell. Mr. Perry, please confine your comments to the bill at hand. Thank you.

MR. PERRY: Mr. Speaker, I don't believe my words attacked anyone or is attacking in any way. I am merely stating my observation which I believe I have a right to do, and my observation is that some of my colleagues appear to have built their own wall --

MR. GOODELL: Point of order.

MR. PERRY: -- and that's a very generic statement --

MR. GOODELL: Mr. Speaker.

MR. PERRY: -- that I am sure is a --

ACTING SPEAKER AUBRY: One minute, please. One minute, please. We have had a long day. We will get nowhere if we don't exercise some respect between the members. I think that is the Rule of the House. Please observe it.

MR. PERRY: I believe that people who build their own walls against reasonable, moral and rational action and stand in the way of willfully blocking DREAMers --

ACTING SPEAKER AUBRY: Mr. Raia.

MR. RAIA: Will the speaker yield for a question?

ACTING SPEAKER AUBRY: Will you yield, Mr. Perry?

MR. PERRY: No.

ACTING SPEAKER AUBRY: Mr. Perry does not yield.

MR. PERRY: -- stand in the way of blocking --

ACTING SPEAKER AUBRY: Mr. Reilly.

One minute, please. Mr. Reilly, why do you rise?

MR. REILLY: Will the member yield?

ACTING SPEAKER AUBRY: Will you yield, Mr. Perry?

MR. PERRY: No, Mr. Speaker, I will not yield.

ACTING SPEAKER AUBRY: Mr. Perry does not yield.

MR. PERRY: Those who stand in the way of the mere dreams of young people in America --

ACTING SPEAKER AUBRY: Mr. Tague, why do you rise?

MR. TAGUE: Will the speaker yield?

ACTING SPEAKER AUBRY: Mr. Perry, will you yield?

MR. PERRY: Mr. Speaker, I will not yield to anyone at this time.

ACTING SPEAKER AUBRY: Mr. --

MR. PERRY: I prefer to make my comments and just urge anyone else to listen. I will continue, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Mikulin, why do you rise?

MR. MIKULIN: Will the speaker yield?

ACTING SPEAKER AUBRY: Mr. Perry, will you yield?

MR. PERRY: Mr. Speaker, I refuse to yield.

ACTING SPEAKER AUBRY: Mr. Perry will not yield.

MR. PERRY: Mr. Speaker, I assert my right to express what I think. I think that people who stand in the way of young people who dream of an opportunity to become an American --

ACTING SPEAKER AUBRY: Mr. Ra, the two of you rising together, or...

MR. RA: No. Mr. Speaker, again, we have a specific rule that prohibits attacking the character or motives of another member. Mr. Perry is free to speak about the merits of our arguments, but not about our motives in making them. Thank you.

ACTING SPEAKER AUBRY: Your point is well-taken.

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I think we're getting a little sensitive here. Mr. Perry actually has the ability to say how he feels about this issue. I don't think anyone on the other

side of the aisle should take it personally what he's saying. He's called no one's name. He's not pointed one finger. So, I would ask people if they would have some patience in allowing him to explain himself without talking about anybody or what their thought process is on the other side of the aisle.

ACTING SPEAKER AUBRY: Mr. Goodell.

MR. GOODELL: I appreciate the comments of the Majority Leader, of course, to maintain the decorum in our Chamber. We are very clear you cannot attack a specific member. It should be equally clear that you cannot attack a group of members. If the speaker wishes to explain his view why he loves this bill or why he hates this bill, I would certainly encourage him to express his views about his feelings and his analysis and his approach. But it is not appropriate, I believe, for any of us to attack any individual or any other group of individuals on the floor of the Assembly by questioning their motives, their intent, their knowledge, their abilities or any other aspect. So, again, Mr. Speaker, I know you've reminded Mr. Perry several times, I would encourage you to remind him again and I would encourage Mr. Perry to freely express his opinions as to how he feels, not his opinions about others.

ACTING SPEAKER AUBRY: In the course of debate in this House from both sides of the aisle, we often characterize each others' Party's position on issues. I don't think Mr. Perry is doing any more than I've heard other members characterize what the intent of actions are either from the Majority or the Minority. So, we are not

allowed to attack individual members. We certainly have the ability to dispute the standing positions of each others' Party. And so, in that spirit, Mr. Perry, you are standing between -- I need not commit anymore. Sir, would you proceed in the decorum required in this House.

MR. PERRY: Mr. Speaker, my impression that people across this nation and any part in this world who oppose this bill do so because they have built their own wall. And these people, their action, they cannot see how immoral and wrong it is because they are blocked from rational reason because of the wall they built.

I can say, Mr. Speaker, that this is not based on the facts. It is not a Republican wall. It is not a Republican issue. It's a personal issue and the people who stand behind this, there are enough evidence to prove that it is not a Republican issue. Here is just one of the facts: In Kansas, the State of Kansas which is known to be a red state, where so -- since 1968, that State has not voted for a Democrat. All of the representatives to the Senate for Democratic candidate for President and -- and have not sent a Democrat to -- to the Senate. It is a red state, as red as it can be; a sure Republican. And in Kansas, Mr. Speaker, they have passed a DREAM Act. They provide an opportunity for DREAMers to go to college and reach their dream of becoming a great American one day. That's all we're asking for in this State.

So, I will challenge my colleagues to get from behind this wall and to open their eyes to the future and what the promises for

America, a nation of immigrants where we allow people to reach their dreams, reach their goals and provide good, open, reasonable opportunities for them to attain those dreams. That's all we're asking for, Mr. Speaker, and we shouldn't be riled when we have to face the truth about this. Let's stop the nonsense. Let's vote to support this bill.

Mr. Speaker, thank you for the opportunity.

ACTING SPEAKER AUBRY: Read the last section.

THE CLERK: This act shall take effect immediately.

ACTING SPEAKER AUBRY: The Clerk will record the vote.

(The Clerk recorded the vote.)

Mrs. Peoples-Stokes to explain her vote.

MRS. PEOPLES-STOKES: Thank you, Mr. Speaker, to explain my vote. It's been a long evening, but it's certainly been a great day. We had the opportunity earlier to celebrate the life of Dr. Martin Luther King and the awesome dream that he had for all people, regardless of color, and certainly all poor people, regardless of color. And now to be at a point where we have an opportunity to vote on making some of Dr. King's dreams come to reality, is an exciting moment.

I will remind us all that in order to work in America now, most any job where you're going to earn a living wage, you're going to have to have a college education. And so, we have one choice or the other for the undocumented [sic]. We can leave them

without a college education where they can end up doing maybe two or three menial jobs to make ends meet, maybe even some of those menial jobs for those of us who may need some services done, or they will have to rely on our government to provide them services to be able to take care of themselves and to eat. Or, we can allow them an opportunity to get educated and do and get the kind of jobs that they're very, very capable of doing.

Mr. Speaker, I will also remind my colleagues that undocumented immigrants to the tune of I want to say at least 1,900 of them now serve in our armed services. If they are good enough to serve in our armed services, they ought to be good enough to go to our colleges and universities. So it is my pleasure to vote in the majority -- with the Majority in this bill and hope that my colleagues will do the same. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mrs. Peoples-Stokes in the affirmative.

Ms. De La Rosa.

MS. DE LA ROSA: Thank you, Mr. Speaker, to explain my vote. I want to first take this moment to thank Speaker Heastie for entrusting me to be the voice of the DREAMers in New York State. Thank you for this privilege to be able to defend this bill on the floor. I also want to say to the DREAMers here today that your fight has inspired us all. Moments ago, we celebrated the life and legacy of Dr. Martin Luther King, and King said that, *Our lives begin to end the day that we become silent about things that matter.* Well,

our DREAMers matter, our children matter, and we will not be silent.

Today, we are moved to action. I want to take the opportunity to thank everyone who has laid their bodies on the line to make sure that this legislative Body does the right thing. I want to thank the prior sponsor of this legislation, Francisco Moya, who has been here fighting and is still here fighting to make sure that this day could be a reality. But most importantly and most of all, we dedicate this vote, I dedicate this vote to the DREAMers, to all of you here. Thank you. *Sí se puede*. (Speaking Spanish). Thank you, *Gracias*, New York State dreams. Thank you. I vote in the affirmative.

(Applause)

ACTING SPEAKER AUBRY: Ms. De La Rosa in the affirmative.

Mr. DenDekker.

MR. DENDEKKER: Thank you, Mr. Speaker, for allowing me to explain my vote. I came to this Chamber ten years ago and I got to serve with Assemblymember José Peralta, and then I got to watch him be elevated and go over to the other Chamber, as we say. And during that time, Assemblymember Peralta and I would -- would try to compare on who had the most diverse district, whether it was the 34th Assembly District or the 39th Assembly District, because in each district we share Jackson Heights and have hundreds of languages spoken from people from around the world.

And one thing that we were agreed on is that if you were one of our neighbors, you were a New Yorker. Didn't matter

where you were born, didn't matter where you came from, if you lived in our neighborhood, you were our constituent, you were our neighbor. I think he would be extremely proud today to see that we have all come together and that we're going to support our neighbors, because that's what we're supposed to do. Thank you very much for the family, the Peralta family, for being here, Evelyn and the -- and the children, and his mom, and it's quite an honor and I will be voting in the affirmative.

ACTING SPEAKER AUBRY: Mr. DenDekker in the affirmative.

Ms. Glick.

MS. GLICK: Thank you, Mr. Speaker. I rise to explain my vote and want to commend the sponsor who is here today, along with the prior sponsor who is also here with us today, as well as our departed colleague -- and condolences to the family and, hopefully, this is some measure of consolation that this will be part of Senator Peralta's legacy.

But I just want to say something that -- a phrase my grandmother used, "Don't cut your nose to spite your face". Denying students the right to finish their education after we have invested in them through their high school education is the State cutting its nose to spite its face. There -- we benefit -- we don't know what we are denying ourselves, the talents of these young people, if they are unable to struggle and afford college on their own.

Very few students go to school full-time anymore.

Almost all are working full-time. Half the students at CUNY are coming from families with an income of less than \$30,000. College has gotten more and more expensive, certainly since I went to CUNY, and this is just a matter of fairness and economic sense. And I hate to think that we are not as progressive as Texas, Washington, Minnesota, New Mexico and California who already have this measure in place. I withdraw my request and vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Glick in the affirmative.

Ms. Niou.

MS. NIOU: Thank you, Mr. Speaker, for allowing me to explain my vote. I just also wanted to thank our sponsor, our former sponsor and all of the folks who dedicated their lives to making this a possibility for so many New Yorkers.

As an immigrant and a policymaker, I am proud to stand with my colleagues from all across New York in support of the DREAM Act. Our DREAMers are deeply integrated into our communities, they are our family, our friends, our neighbors and our colleagues. In New York City alone, there are thousands of individuals who are DACA recipients. Now under President Trump, their future as New Yorkers is shrouded in uncertainty. This is a critical time for DACA recipients and we cannot stand idly by as our DREAMers and their families across our country have their livelihoods jeopardized each time a new President is sworn into office. These essential protections have to be secured through legislation, not

just Executive action. And so, today, we're taking that step.

You know, my parents immigrated here to -- to the United States and I was only six months old. I had a little Mohawk. I was a little cross-eyed. I drooled a lot. And when they came, I got a little card and on my face it said "alien". In our immigrant communities, our parents imagine a brighter future for their children. They enter a foreign country, learning a new language and becoming engrained in an entirely different culture. How does anybody think that this is easy? They sacrifice and they sacrifice all for their kids. And through it all, they dream of their children having lives better than the ones that they had.

Education is a huge priority in our community because we know that this is a path to transforming their dream into reality. Education is transformative. It drives social and economic mobility. It is the great equalizer in our society. And so here in New York, I pledge to do all that we can to protect our immigrant communities and with that, I would like to vote in the affirmative because New York does not forget you. (Speaking Chinese).

ACTING SPEAKER AUBRY: Ms. Niou in the affirmative.

Ms. Hyndman.

MS. HYNDMAN: Thank you for allowing me to explain my vote. Imagine having the audacity to dream. Imagine coming here in the '80s in the height of the crack epidemic to Hollis, Queens, because my parents said this is the country they want to raise

their children in. They wanted to make sure that we had the opportunities to go to college, because they didn't see that in Europe. So we came here, two kids not knowing why we were coming to this country, not wanting to come here, but that was the dream of our parents.

So coming here, my parents bought a house.

Undocumented, they worked. They didn't ask for any handouts. I tried to get a job in the summertime and that's when I realized, about 14-years-old, that I was undocumented. I couldn't even get a job at McDonald's. Couldn't even get a job at SYP. All my friends were asking me, *We're all going to fill out applications, why aren't you coming?* Because I was undocumented. That's when I learned I didn't have a Social Security Number. Never knew I needed one, because I was living the American Dream.

So to the sponsor, I thank you for your steadfastness, to the previous sponsor, because it takes a lot to make sure you have the courage to speak for change and when questions are asked over and over of you. And to our brother who recently passed from Queens, when you talk about a champion who leaves a legacy, to have a bill named after in this manner, to the Peralta family, we have lost a lion in Queens, but know his dream, the American Dream lives on in this Chamber and now we finally get to pass this bill and it's really a feeling of -- of gratitude to making sure that our colleagues, we work together to get this done. No one does anything alone. We go farther together to make sure that this country, this State, recognizes that

these DREAMers come here to go to school, because education is that great equalizer.

ACTING SPEAKER AUBRY: Ms. Hyndman, how do you vote?

MS. HYNDMAN: I vote in the affirmative. Thank you.

ACTING SPEAKER AUBRY: Thank you.

Mr. Blake.

We have two minutes, ladies and gentlemen, to explain the vote.

MR. BLAKE: As a son of immigrants, we come here today to realize the dreams of so many. And to the DREAMers, we say that we salute you. That we are proud of you and we are grateful to you. To the advocates, whether it be United We Dream or Forward or New York Immigration Coalition, we thank you. To our sponsors and our leaders of De La Rosa and Moya and the Peralta family, we say we thank you for all that you continue to do, and we honor you.

For the DREAMers, whether if you are Latino or African or Caribbean, we understand that this is about helping someone to realize your dreams and that's what happens on today. As the President wants to build a wall, we get to come here to say that we're building hopes and dreams. And for those that seem to forget, because they want to intentionally misquote Scripture, I remind folks that Romans 13:10 says, "Love does no harm to a neighbor. Love is the fulfillment of the law". We sometimes forget that Jesus was an

immigrant. Jesus was a man of color. Jesus had to understand the impact of what happens right now and He was the ultimate DREAMer.

So, we come here today to remind people that this is why we are here. We are here to serve the least of these and to help the people. We get to go home tonight saying that we fulfilled the dream in many ways of Dr. King living out a legacy and showing the young people that you can go to school and graduate from school and everything will be okay.

So, in honor of those immigrants in our districts, in honor of my staffers who have been living in the shadows for years, in the honor of those that come from the Bronx or wherever you may be in New York City or across our country, I proudly vote in the affirmative because we honor the Peralta family, we honor the people, we honor the DREAMers today.

ACTING SPEAKER AUBRY: Mr. Blake in the affirmative.

Ms. Joyner.

MS. JOYNER: Thank you, Mr. Speaker. Today, I rise in support of the DREAM Act. I commend the sponsor of this legislation for her leadership on this critical piece of legislation.

This -- today we will open the doors of educational opportunity to hundreds of my constituents by giving them a hand up, not a hand out, and making it possible for them to earn the college degree they long aspired to. It is -- it is an investment in their future

and the future of our State. Just as I have benefitted from participating in the EOP Program, which was established by this Body more than five decades ago, it would not -- I would not be here today if it was not for the EOP Program. Today, we are giving back to even more student -- even more students who will stand to benefit from the DREAM Act. I am proud that we are honoring the life of José Peralta in this manner and I proudly cast my vote in the affirmative today. Thank you.

ACTING SPEAKER AUBRY: Ms. Joyner in the affirmative.

Ms. Rosenthal.

MS. ROSENTHAL: Thank you, Mr. Speaker, to explain my vote. I rise in support of the José Peralta New York State DREAM Act, and I would like to commend my colleagues, the current sponsor, as well as past sponsors, who gave their all to see that this bill becomes a law, which it will soon as the Governor signs it.

You know, for many years we've tried to pass this bill into law, as the hatred and xenophobia around immigrants has continued to rise. At the highest levels of government sits a person who demonizes immigrants, who refers to them as criminals and has chosen to shut down the Federal government in an attempt to build a wall meant to keep immigrants out. But that's not who we are as Americans and, certainly, not as New Yorkers. America is a land of immigrants, each of us originating somewhere else, and we must just accept that fact. I am the daughter and the granddaughter of

immigrants who had to flee the nightmare of Nazi Germany, but they came to America to realize their American Dream. And why would we deprive people who so earnestly just want to contribute to society and get a good education so they can become productive, creative, able members just to be told, *No, you are not worthy. You are not a person.* That is not who we are in America, that's not who we are in New York and so I'm so proud to cast my vote in the affirmative to ensure that the young DREAMers get their chance at their American Dream. Thank you.

ACTING SPEAKER AUBRY: Ms. Rosenthal in the affirmative.

Mr. Crespo.

MR. CRESPO: Thank you, Mr. Speaker, to explain my vote. You've heard me explain why I'm passionate about this issue, but I've also been blessed to be so close to the action in regards to this legislation and to be close friends with somebody who worked so hard to see it through. And I'm glad to see that Councilmember Moya is here with us. I'm grateful for the leadership of Assemblywoman De La Rosa for her clarity in explaining the bill and dealing with the opposition, for making it clear that we believe in DREAMers. I'm happy to see the DREAMers that are here to make history.

But I -- I want to share that when I came here in 2009 as an intern, I got to know a young man named José Peralta, he was yet to be elected. And we became close friends. He was somebody

who inspired me in terms of public service. I watched him get elected in 2010. We celebrated when he went to the Senate, first Dominican in the Senate. His smile was contagious. His fight for our community was contagious. His passion for public service was contagious. Today, we will clap at the end of this and celebrate passage of a historic bill for so many immigrants, my family included, but it will also -- let it also be an applause, a thunderous applause to celebrate the life and legacy of a man who gave himself to the community, who fought for this issue like he fights for all immigrants and New Yorkers. José, you should have been in this Chamber today. I know your spirit is, and I just want to say, *Gracias amigo*. (Speaking Spanish). Because your work has led us to this day. Thank you, José Peralta. Thank you, Mr. Speaker, for having the vision to bring us to this day.

ACTING SPEAKER AUBRY: Mr. Crespo in the affirmative.

(Applause)

Assemblymember Fernandez.

MS. FERNANDEZ: Thank you, Mr. Speaker, for allowing me to explain my vote and excuse my tears, but your words were beautiful, Mr. Crespo.

The José Peralta DREAM Act is a necessary step for more -- for a more inclusive society. We should not be denying those who seek an education the opportunity to earn that education. This is why we are all here. This is what our families came here to do, for the

opportunity to have a better life, a better life for their kids and for each other. I know that's what my parents did, and that's what many of your parents and ancestors did. And this bill that services thousands of students who are trying to learn, trying to give back, trying to better themselves and better the State, to better their home, this gives them the opportunity, an opportunity that everyone in the State is entitled to.

So I'd like to thank the dynamic sponsor, the sponsor before her for fighting for this issue. I have to thank the late José Peralta for, again, putting your life for this cause and for many people in the State. And thank you to the activists who never gave up and trusted that we would get this done for you. It has been an honor to serve and to be able to fight for you and with you. And with that, I proudly vote in the affirmative.

ACTING SPEAKER AUBRY: Assemblymember Fernandez in the affirmative.

Assemblymember Arroyo.

MRS. ARROYO: Thank you, Mr. Speaker. I want to thank and ask God to give His benediction to Francisco Moya that had a dream. Your dream came true. And I remember when our friend and brother, José Peralta, was together here with those thinking and planning for the future of the DREAMers. Today, I thank the Speaker, Carl Heastie, for his leadership in helping those to get together today to make this a reality.

At this moment, I would like to tell the family of José

Peralta, his wife and children, his mother, people that love him and that miss him every day, we miss him, too, but we are perpetuating his name in the name -- in the title of this bill, because José Peralta was a real leader and you have to be proud to be part of him. Thank you, Mr. Speaker. I vote in favor.

ACTING SPEAKER AUBRY: Mrs. Arroyo in the affirmative.

Ms. Solages.

MS. SOLAGES: I stand to explain my vote. I really just want to stand and really commend the champions and sponsors of this legislation. To Speaker Heastie, thank you so much for always, you know, following up and making sure that this is a priority. To the two sponsors, the current and the former, thank you for your tenacity, your patience, as well as your courage. I've been around the table with you and to really, you know, been on the table during negotiations, discussions, and this is a long time coming. It feels good today.

And so today, we send a clear message that we prioritize the education of all students. Today, we send a clear message and we join other states of both Democratic and Republican persuasion saying that we need to educate all our students regardless of their immigration status, regardless of where they came from because we believe that we are all Americans and we are all New Yorkers. Today, we say that all New Yorkers -- we say with all New Yorkers that no one deserves to be in the shadows. We uplift you, we

hold our hand out to you because we are all together as one, united.

I am proud today that we are representing New York values. So, congratulations, to all the advocates, to all the DREAMers, because it's a new day in the State Legislature. I withdraw my request and vote in the affirmative.

ACTING SPEAKER AUBRY: Ms. Solages in the affirmative.

Mr. Taylor.

MR. TAYLOR: Good afternoon, Speaker, thank you. I rise to congratulate the former and current sponsor of this bill, to José Peralta family, his wife, his children and his mother.

I'm encouraged today. There's so much enthusiasm and excitement happening. These DREAMers have done the hard work. They've done the primary education. They've gone from K-12 and today, we honor them. We give them back their life. This is in -- in the economic world, this is ROI, "Return On Investment". We've invested in these kids - these young people, I apologize - and now they're going to go on and they're going to make us even prouder than what they've done before. And I don't think anyone, regardless of their skin, their religion or their sexual orientation should be denied an opportunity to move ahead simply because someone says they don't matter or they don't measure up. I think this is leveling the playing field and I'm excited to be a part of this history.

And if we're going to keep in the spirit of Dr. King, and -- and I'm going to share this again, in order for evil to advance, it

just means good people do nothing. And we have all of these DREAMers, and I think it's \$27 billion that they've contributed and we're asking them -- I'm sorry, sorry -- they've contributed over \$27- -- \$100-some-odd million and we're asking for \$27 billion. I think we're getting a return on our investment. So I stand and I withdraw and I support this -- this legislation. Thank you.

ACTING SPEAKER AUBRY: Mr. Taylor in the affirmative, math notwithstanding.

(Applause)

Ms. Simon.

MS. SIMON: Thank you, Mr. Speaker, for allowing me to explain my vote. I want to commend the sponsors, the DREAMers, the advocates who have been fighting for this for so long. As many people have mentioned, all of us here are descended from people who came to the United States seeking a better life. When my grandparents came here, they didn't speak English; they never did. They had a funny sounding last name, but education was what they gave to their children. In those days, a high school diploma was all you needed and it was free. But education is the key to American success. And I am just so honored and proud to be able to vote for this bill tonight. Thank you.

ACTING SPEAKER AUBRY: Ms. Simon in the affirmative.

Mr. Mosley.

MR. MOSLEY: Thank you, to explain my bill [sic],

Mr. Speaker. I want to thank, first and foremost, the leadership for coupling the resolution of Dr. King along with the DREAM Act, the José Peralta Dream Act, and having the foresight to understand the correlation between the two.

In the words of Dr. King, "Now I stand today, my friends, even though we face --" a difficult -- "difficulties of today and tomorrow, I still have a dream. It's a dream deeply rooted in the American Dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident, that all men and women are created equal."

The José Peralta DREAM Act is about opportunities for young people, all young people and as I stand here today, a father of two, I could never imagine someone thwarting their -- the opportunity to go on to college just because of their point of origin. I thank the Speaker for his diligence and his leadership, for our bill sponsor here in the Assembly and our previous bill sponsor, Councilmember Moya, to our former colleague Senator Sepulveda, to our Senate Majority Leader Andrea Stewart-Cousins and, of course, finally last, but certainly not least, to our dear friend, former Assemblymember and Senator José Peralta who fought so hard for this bill in the Senate. And, unfortunately, he's not here, but as my colleague so noted, I know his spirit is in these halls.

I'm a proud member of this Body, prouder today than probably any other day, because as so noted by my colleague from Long Island, we are living in a new New York, a new normal that

came about only because of the courageous acts of men and women like Senator Peralta. It is my honor that I proudly support this bill and vote in the affirmative. Thank you, Mr. Speaker.

ACTING SPEAKER AUBRY: Mr. Mosley in the affirmative.

Ms. Fahy.

MS. FAHY: Thank you, Mr. Speaker, I rise to explain my vote. And I am rising in support of this measure. I spoke a number of years ago when I first came to this Body, six years ago, on this bill. I think at that time I was one of the few Upstate members to speak about it, but I felt it was important to speak because I, too, am a first-generation American, I'm first-generation college; I'm even first-generation high school. And I often think that, "There but for the grace of God go I", as I think about the DREAMers and so many others that we have talked about today.

But I -- I remember that my parents came here for the exact same reasons that so many others, the universal goals: That they would have a chance at a job and that their children would have a chance at an education. And it's funny that was now almost 70 years ago, but those are still very, very universal goals with those that come to these shores and, certainly, with the DACA students or -- or children, they came here without -- often without any input into that decision.

But it is sad as we see some of these debates play out that we have often forgotten where we come from and, in the end,

though, this is -- this is more than giving others an opportunity. I try to look -- I always try to look at things from an economic standpoint, especially as an Upstate New Yorker, and, in the end, even if I separate the emotions and I separate my own personal story, this just makes economic sense. So, I see this as a -- a small investment with a tremendous payout, and that is educating some of our most driven, driven residents here in New York and giving them a chance at an opportunity that so many of us have had. I also see this as -- in some way, some small measure, a way to pay it forward for the opportunities that my parents were given.

With that, I stand and I vote in the affirmative. I thank the sponsors, the previous sponsors and I hope it is of some solace to Senator Peralta's family. Thank you.

ACTING SPEAKER AUBRY: Ms. Fahy in the affirmative.

Mr. Weprin.

MR. WEPRIN: Thank you, Mr. Speaker, I'd like to be excused from voting to explain my vote. My mother came to Ellis Island in 1938 at the age of eight with her parents. The rules were a little different back then, and I'm not sure all their papers were in order. But she got a public school education in Brooklyn and she went on to Brooklyn College and got a master's -- undergraduate and master's degree all for free back then. My mother, in her own way, was a DREAMer, but my Assembly District has over 50 percent first-generation immigrants and I can join in that debate that we heard

from one of our colleagues about whose district is more diverse.

But, so many of those new immigrants are really DREAMers and it is appropriate that we are doing this bill the same day as the Resolution commemorating the ultimate DREAMer, Dr. -- the Reverend Dr. Martin Luther King, Jr. We all know about his dream. This is probably -- this is my tenth year here, this is probably one of my proudest votes that I will be casting. I want to thank the previous sponsors and the current sponsor of this bill, and I also want to say to the Peralta family, José was a friend of mine and this is truly an eternal legacy for his memory. I withdraw my request and proudly vote in the affirmative.

ACTING SPEAKER AUBRY: Mr. Weprin in the affirmative.

Are there any other votes? Announce the results.

(The Clerk announced the results.)

The bill is passed.

(Applause)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Thank you, Mr.

Speaker. It's been a long day. We do have one other piece of business on our agenda. There is a resolution from our colleague, Ms.

Williams, which she wishes to be heard on, and then immediately following Ms. Williams' comments, we will ask for Mr. Otis to make a brief announcement.

ACTING SPEAKER AUBRY: The Clerk will read.

Shh, please.

THE CLERK: Assembly Resolution No. 49, Ms. Williams. Legislative Resolution recognizing January 24th, 2019 as International Day of Education.

ACTING SPEAKER AUBRY: Ms. Williams on the resolution.

MS. WILLIAMS: On the resolution and, thank you, Mr. Speaker.

On this very momentous day, I think -- and I rise because the impetus of collegiate congress and with the goal of stressing the need and importance of global education, a proposal was submitted to the United Nations Member States to present to the General Assembly to observe an International Day of Education. On December 3rd, the United Nations General Assembly adopted with consensus a Resolution proclaiming January 24th as International Day of Education in celebration of rule of education for peace and development.

This Resolution was co-authored by Nigeria and 58 other Member States. The importance of recognizing this day stresses that education plays a key role in building sustainable and resilient societies and contributes to the achievement of all. Through this recognized day, the International Day of Education, shall increase productivity of individuals and strengthen the potential for economic growth; develop the skills needed for decent work, including in the fields of water and sanitation, green energy and conservation of

natural resources; help to eradicate poverty and hunger and contributes to improved health, promotes gender equality and can reduce inequality; promotes peace, the rule of the law and respect for human rights.

My colleagues, New York State understands the importance of the right for all to have an education and on this very momentous day of this DREAM Act and how the State can further the well-being to both the State of New York, our great nation and the world as a whole. Thank you.

ACTING SPEAKER AUBRY: Thank you.

On the resolution, all those in favor signify by saying aye; opposed, no. The resolution is adopted.

We have -- we have numerous other resolutions which we will take up with one vote. On the resolutions, all those in favor signify by saying aye; opposed, no. The resolutions are adopted.

(Whereupon, Assembly Resolution Nos. 50-52 were unanimously approved.)

Mr. -- Mr. Otis.

MR. OTIS: There will be an immediate and efficiently-run Democratic Conference held immediately upon the gravel being struck.

(Laughter)

ACTING SPEAKER AUBRY: From your mouth to God's ears.

(Laughter)

Mrs. Peoples-Stokes.

MRS. PEOPLES-STOKES: Mr. Speaker, I now move that the Assembly stand adjourned until Thursday, January 24th, tomorrow being a legislative day, and that we reconvene on January 28th at 2:00 p.m., that Monday being a Session day.

ACTING SPEAKER AUBRY: The Assembly stands adjourned.

(Whereupon, at 6:07 p.m., the Assembly stood adjourned until Thursday, January 24th, Thursday being a legislative day, and to reconvene on Monday, January 28th at 2:00 p.m., Monday being a Session day.)