

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 April 23, 2015

11 11:05 a.m.

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14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask all present to please rise
5 and join with me as we recite the Pledge of
6 Allegiance to our Flag.

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

9 ACTING PRESIDENT GRIFFO: Today's
10 invocation will be offered by Bishop June
11 Montague, pastor of the United Pentecostal
12 Deliverance Temple in Brooklyn.

13 Bishop Montague.

14 BISHOP MONTAGUE: Most holy and
15 righteous Father, as we gather in this place, we
16 ask for Your blessings.

17 Father, we ask for Your anointing
18 and we ask that You bless each and every one of
19 Your people here.

20 Father, we pray that You will send
21 down a fresh anointing of wisdom, knowledge and
22 understanding upon Your people as they take this
23 task to lead the greatest country in the world.

24 Please, Father, bless their going
25 out and their coming in. Bless them, Lord, and

1 give them the wisdom, knowledge and
2 understanding as they sit in Your presence.

3 In the name of the Father, in the
4 name of the Son, in the name of the blessed Holy
5 Ghost, I decree this blessing upon this place
6 right now in Your name.

7 God bless you.

8 ACTING PRESIDENT GRIFFO: Amen.

9 BISHOP MONTAGUE: Amen.

10 ACTING PRESIDENT GRIFFO: The
11 reading of the Journal.

12 THE SECRETARY: In Senate,
13 Wednesday, April 22nd, the Senate met pursuant
14 to adjournment. The Journal of Tuesday,
15 April 21st, was read and approved. On motion,
16 Senate adjourned.

17 ACTING PRESIDENT GRIFFO: Without
18 objection, the Journal will stand approved as
19 read.

20 Presentation of petitions.

21 Messages from the Assembly.

22 Messages from the Governor.

23 Reports of standing committees.

24 Reports of select committees.

25 Communications and reports of state

1 officers.

2 Motions and resolutions.

3 Senator DeFrancisco.

4 SENATOR DeFRANCISCO: Yes,
5 Mr. President. Can we take up the previously
6 adopted Resolution 1459, by Senator Hoylman, and
7 title to be read only.

8 ACTING PRESIDENT GRIFFO: The
9 Secretary will read.

10 THE SECRETARY: Legislative
11 Resolution Number 1459, by Senator Hoylman,
12 memorializing Governor Andrew M. Cuomo to
13 proclaim April 24, 2015, as World Meningitis Day
14 in the State of New York.

15 ACTING PRESIDENT GRIFFO: Senator
16 Hoylman.

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

19 I just wanted to take a few minutes
20 to speak about this resolution which proclaims
21 April 24th, tomorrow, as World Meningitis Day in
22 the State of New York.

23 The resolution is really designed
24 to increase awareness of the deadliness of
25 bacterial meningitis and the importance of

1 preemptive immunization campaigns in preventing
2 outbreaks of meningitis here in New York and
3 across the country.

4 You know, 25 percent of us carry the
5 meningitis strain in our nose or our mouth. So
6 that's 15.75 Senators who are carriers. We might
7 not get sick from it, but we are infectious to
8 other people. And if other people are in fact
9 infected with meningitis, it can cause severe
10 brain damage and it's fatal in about 50 percent
11 of the cases.

12 It's especially frightening because
13 it occurs so swiftly. Some victims are found
14 dead in their beds before they've even had a
15 chance to seek medical attention. And the
16 initial symptoms are very innocuous. It could be
17 just a stiff neck or a headache, but it rapidly,
18 rapidly progresses.

19 Now, the issue carries particular
20 weight in my district because it was the
21 epicenter of an unnerving outbreak in 2012 that
22 has lasted for several years, and it's had a
23 particular impact on the LGBT population.
24 Although we often associate meningitis with
25 college dorms and military barracks, gay men are

1 often the victims too.

2 And the outbreak was only contained
3 and kept at bay due to the tireless work of a
4 number of City Health Department officials,
5 including Dr. Demetre Daskalakis and Dr. Jay
6 Varma. Dr. Daskalakis went into nightclubs and
7 private parties and inoculated young gay men with
8 the meningitis vaccination one by one. And
9 thousands of men across the city were
10 inoculated, and it staved off an outbreak that
11 could have been much worse. And this direct
12 community-based approach was very successful.

13 We here, though, in the Senate did
14 something too, and I wanted to thank my
15 colleagues Senator Ken LaValle and Senator Kemp
16 Hannon for working with me on passing a bill in
17 2013 to allow licensed pharmacists and certified
18 nurse practitioners to administer the meningitis
19 vaccination to adults 18 years or older. And
20 this is an important safeguard as well.

21 We're very fortunate to have public
22 health officials and colleagues in this body who
23 recognize the importance of getting inoculated.
24 Whether you're a preteen, age 16 to 21, a kid age
25 11 to 12, college students, military recruits,

1 people who are HIV-positive or gay men, you
2 should strongly consider the advice of the CDC
3 and get inoculated even tomorrow on World
4 Meningitis Day.

5 Thank you, Mr. President.

6 ACTING PRESIDENT GRIFFO: Thank
7 you, Senator Hoylman.

8 As noted, the resolution was
9 previously adopted.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: Yes, could
12 you go to the noncontroversial reading of the
13 calendar.

14 ACTING PRESIDENT GRIFFO: We'll
15 have the noncontroversial reading of today's
16 active-list calendar. The Secretary will read.

17 THE SECRETARY: Calendar Number 88,
18 by Senator Golden, Senate Print 685, an act to
19 amend the Vehicle and Traffic Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

22 THE SECRETARY: Section 2. This
23 act shall take effect on the 180th day.

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 51.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number 92,
6 by Senator Nozzolio, Senate Print 1584, an act to
7 amend the Vehicle and Traffic Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

10 THE SECRETARY: Section 2. This
11 act shall take effect on the first of April.

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 51.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 188, by Senator Funke, Senate Print 3095, an act
20 to amend the State Technology Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

23 SENATOR GIANARIS: Lay it aside.

24 ACTING PRESIDENT GRIFFO: Lay the
25 bill aside.

1 THE SECRETARY: Calendar Number
2 210, by Senator LaValle, Senate Print 327, an act
3 to amend the Education Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 52.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 242, by Senator Lanza, Senate Print 3342, an act
16 to amend the Public Housing Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

19 THE SECRETARY: Section 2. This
20 act shall take effect on the 90th day.

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 52.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 270, by Senator Croci, Senate Print 3137, an act
4 to amend the Executive Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 54.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 282, by Senator Golden, Senate Print 1414, an act
17 relating to waiving.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 55.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 297, by Senator Griffo, Senate Print 3227, an act
5 to amend the Highway Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 55.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 Senator DeFrancisco, that completes
17 the noncontroversial reading of today's
18 active-list calendar.

19 Senator DeFrancisco.

20 SENATOR DeFRANCISCO: I would just
21 like to make an announcement that one amongst us,
22 Senator Gianaris, has a birthday today. And we
23 want to all wish him happy birthday.

24 (Appause.)

25 SENATOR DeFRANCISCO: I don't know

1 how old he is, but he's old enough to know
2 better, I know that.

3 (Laughter.)

4 ACTING PRESIDENT GRIFFO:
5 Congratulations. Happy birthday, Senator
6 Gianaris.

7 SENATOR DeFRANCISCO: Would you now
8 call the controversial calendar, please.

9 ACTING PRESIDENT GRIFFO: The
10 Secretary will ring the bell.

11 SENATOR DeFRANCISCO: Excuse me.
12 Excuse me. I made a mistake. We've agreed, both
13 sides of the aisle, to remove the lay-aside.

14 And would you call that bill up,
15 please.

16 ACTING PRESIDENT GRIFFO: Without
17 objection, the lay-aside will be removed.

18 And we'll return to the
19 noncontroversial reading of today's calendar, and
20 we will take up Calendar Number 188, Senate Bill
21 3095, by Senator Funke.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number
24 188, by Senator Funke, Senate Print 3095, an act
25 to amend the State Technology Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect on the 30th day.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 55.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 Senator DeFrancisco, that now
12 completes the reading of the noncontroversial
13 calendar.

14 SENATOR DeFRANCISCO: It's my
15 understanding there's no further business at the
16 desk.

17 ACTING PRESIDENT GRIFFO: Seeing
18 that you've wished Mr. Gianaris a happy birthday,
19 there is no further business before the desk.

20 SENATOR DeFRANCISCO: On motion,
21 the Senate stands adjourned until Monday,
22 April 27th, at 3:00 p.m., intervening days being
23 legislative days.

24 ACTING PRESIDENT GRIFFO: On
25 motion, the Senate will stand adjourned until

1 Monday, April 27th, at 3:00 p.m., intervening
2 days being legislative days.

3 The Senate is adjourned.

4 (Whereupon, at 11:17 a.m., the
5 Senate adjourned.)

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