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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 28, 2015

3:48 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

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: In the  
10 absence of clergy, I ask everyone present to  
11 please bow their heads in a moment of silent  
12 reflection and prayer.

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

15 ACTING PRESIDENT GRIFFO: The  
16 reading of the Journal.

17 THE SECRETARY: In Senate, Monday,  
18 April 27th, the Senate met pursuant to  
19 adjournment. The Journal of Friday, April 24th,  
20 was read and approved. On motion, Senate  
21 adjourned.

22 ACTING PRESIDENT GRIFFO: Without  
23 objection, the Journal will stand approved as  
24 read.

25 Presentation of petitions.

1 Messages from the Assembly.  
2 Messages from the Governor.  
3 Reports of standing committees.  
4 Reports of select committees.  
5 Communications and reports of state  
6 officers.  
7 Motions and resolutions.  
8 Senator LaValle.  
9 SENATOR LaVALLE: Mr. President, I  
10 have an amendment. On behalf of Senator Griffo,  
11 on page number 26, I offer the following  
12 amendments to Calendar Number 384, Senate Print  
13 Number 2653, and ask that said bill retain its  
14 place on the Third Reading Calendar.  
15 ACTING PRESIDENT GRIFFO: The  
16 amendments are received, and the bill shall  
17 retain its place on third reading.  
18 Senator LaValle.  
19 SENATOR LaVALLE: Would you  
20 recognize Senator Valesky.  
21 ACTING PRESIDENT GRIFFO: Senator  
22 Valesky.  
23 SENATOR VALESKY: Thank you,  
24 Mr. President.  
25 On behalf of Senator Avella, I move

1 that the following bills be discharged from their  
2 respective committees and be recommitted with  
3 instructions to strike the enacting clause:  
4 Senate Bill 1815 and Senate Bill 4707.

5 ACTING PRESIDENT GRIFFO: So  
6 ordered.

7 Senator LaValle.

8 SENATOR LaVALLE: Mr. President,  
9 can we adopt the Resolution Calendar, with the  
10 exception of Resolutions 1771, 1696, and 1689.

11 ACTING PRESIDENT GRIFFO: All in  
12 favor of adopting the Resolution Calendar, with  
13 the exception of Resolutions 1771, 1696, and  
14 1689, signify by saying aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT GRIFFO: Opposed?

17 (No response.)

18 ACTING PRESIDENT GRIFFO: The  
19 Resolution Calendar is adopted.

20 Senator LaValle.

21 SENATOR LaVALLE: Can we take up  
22 previously adopted Resolution 977, by Senator  
23 Golden, read it in its entirety, and then  
24 recognize Senator Golden to speak.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will read.

2 THE SECRETARY: Legislative  
3 Resolution Number 977, by Senator Golden,  
4 commemorating the 150th anniversary of the end of  
5 the American Civil War on April 9, 2015, and  
6 paying tribute to those who fought.

7 "WHEREAS, It is the sense of this  
8 Legislative Body to commemorate the events during  
9 the American Civil War and those involved in such  
10 events that led to the indelible unity of our  
11 great nation; and

12 "WHEREAS, This Legislative Body is  
13 proud to commemorate the 150th anniversary of the  
14 end of the American Civil War and to pay tribute  
15 to those who, both in and out of battle,  
16 contributed to the preservation of our great  
17 Union and the foundation of a greater set of  
18 values upon which our nation has considerably  
19 progressed; and

20 "WHEREAS, The American Civil War  
21 involved over 3 million Americans, and was the  
22 deadliest of American wars, costing the lives of  
23 over 600,000 soldiers and leaving over 400,000  
24 soldiers wounded; and

25 "WHEREAS, New York State provided

1 more than 400,000 recruits to the military, and  
2 lost nearly 40,000 soldiers to combat and  
3 disease, the greatest loss of any state by the  
4 end of the war, while not a single battle was  
5 fought in New York State; and

6 "WHEREAS, New York State produced  
7 myriad notable individuals among the hundreds of  
8 thousands from the state who were vital to the  
9 aims of the Union and to the end of the war,  
10 including General Gouverneur K. Warren, General  
11 John McAllister Schofield, and Union Brigadier  
12 General George Crockett Strong; and

13 "WHEREAS, New York State saw many of  
14 its African-American residents join the  
15 54th Massachusetts Regiment, the first regiment  
16 in the nation that permitted African-Americans  
17 to join the war, and in doing so promoted the  
18 equality of races; and

19 "WHEREAS, Nationally, these  
20 regiments lost 35,000 soldiers, second only to  
21 the numbers lost by New York State, in the most  
22 admirable pursuit of equality and preservation of  
23 meritorious principles; and

24 "WHEREAS, New York's 69th Infantry  
25 Regiment, the 'Fighting Sixty-Ninth,' was an

1 Irish regiment organized in New York State and  
2 was a pivotal actor in key battles such as  
3 Bull Run, Malvern Hill, Antietam, and Gettysburg;  
4 and

5 "WHEREAS, The U.S.S. Monitor,  
6 constructed in Greenpoint, Brooklyn, was the  
7 first ironclad ship commissioned by the  
8 Union Navy and was involved in the critical  
9 Battle of Hampton Roads; and

10 "WHEREAS, This Legislative Body,  
11 attendant to its commemoration of the end of the  
12 American Civil War, advances that the state and  
13 the nation sedulously remember the events and  
14 individuals who fought for a stronger, unified  
15 nation instilled not only with laudable  
16 principles but also with the aspiration to  
17 improve; now, therefore, be it

18 "RESOLVED, That this Legislative  
19 Body pause in its deliberations to commemorate  
20 the 150th anniversary of the end of the American  
21 Civil War on April 9, 2015, and to pay tribute to  
22 those who fought; and be it further

23 "RESOLVED, That copies of this  
24 resolution, suitably engrossed, be transmitted to  
25 the New York State Museum, the New York State

1 Military Museum, The New York Historical Society,  
2 The American Legion, The Brooklyn Historical  
3 Society, and the Seward House Historical Museum."

4 ACTING PRESIDENT GRIFFO: Senator  
5 Golden on the resolution.

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

8 I'd like to start by thanking my  
9 Mitch Lucas, my legislative aide, for putting  
10 this together today.

11 This is a great month, April. We'll  
12 be talking next week about the 150th anniversary  
13 of the New York City Fire Department. But on  
14 April 9th was the 150th anniversary of the end of  
15 the Civil War.

16 This resolution is a reminder of how  
17 important preserving the Union was to becoming  
18 the great nation that it is today, the greatest  
19 nation in the world. And New York State had a  
20 critical role in this effort, even though no  
21 battles were fought here. And New York State had  
22 the most soldiers of any state recruited and the  
23 most killed in the Civil War.

24 The first ironclad ship, as has been  
25 read, the U.S.S. Monitor, was built right in

1 Brooklyn, at the Brooklyn Navy Yard, which still  
2 exists today and has created thousands of jobs  
3 and economic development for our families and our  
4 communities across the city and state of  
5 New York.

6           And New York has some of the most  
7 notable generals in history, one of them being  
8 Thomas Francis Meagher, commander of the  
9 "Fighting Sixty-Ninth" Irish Regiment.

10           This state served well, as it has in  
11 many wars, but it proved itself in that Civil War  
12 by the number of members that were not only  
13 recruited but gave their blood so that this could  
14 be a free and great nation. And it has proven,  
15 over the last 150 years, not only to be a great  
16 nation but to be the greatest nation in the  
17 world.

18           So I tell my colleagues thank you  
19 for being part of this. And I thank Brooklyn for  
20 its role. And I thank this great state for all  
21 it's contributed to making and continuing to make  
22 this the greatest state in the nation.

23           Thank you.

24           ACTING PRESIDENT GRIFFO: Thank  
25 you, Senator Golden.

1           As noted, the resolution was  
2 previously adopted.

3           Senator LaValle.

4           SENATOR LaVALLE:    Can we take up  
5 another previously adopted resolution, 871, by  
6 Senator LaValle, and read the title and then  
7 recognize Senator Bonacic.

8           ACTING PRESIDENT GRIFFO:    The  
9 Secretary will read.

10          THE SECRETARY:    Legislative  
11 Resolution Number 871, memorializing Governor  
12 Andrew M. Cuomo to proclaim April 19-25, 2015, as  
13 Osteopathic Medicine Week in the State of  
14 New York, in conjunction with the observance of  
15 National Osteopathic Medicine Week.

16          ACTING PRESIDENT GRIFFO:    Senator  
17 Bonacic.

18          SENATOR BONACIC:    Thank you,  
19 Mr. President.

20                 I want to thank Senator LaValle and  
21 Senator Marcellino for their work with respect to  
22 this resolution.

23                 I would ask you all to look in the  
24 chamber above, and you'll see a lot of young  
25 students with their white jackets on.  And they

1 are medical students learning to be doctors. And  
2 we had spoken to them earlier today; they're  
3 going to enter the healthcare field. And we  
4 welcome them to the chamber, and we thank them  
5 for their commitment to medicine and holistic  
6 learning in your profession.

7 Thank you very much, Mr. President.

8 And the other thing I'd like to  
9 mention -- which I did not, and excuse me -- is  
10 they're representatives from Touro College, both  
11 from the campus in Harlem and those in  
12 Middletown, Orange County, New York. And in  
13 addition to that, the New York Institute of  
14 Technology, the College of Osteopathic Medicine  
15 in Old Westbury, New York. Welcome to all of  
16 you.

17 Thank you, Mr. President.

18 ACTING PRESIDENT GRIFFO: Thank  
19 you, Senator Bonacic.

20 And we welcome you all to the Senate  
21 chambers today. Thank you.

22 Senator LaValle.

23 SENATOR LaVALLE: Could we  
24 recognize Senator Addabbo. He wants to introduce  
25 some people to us.

1                   ACTING PRESIDENT GRIFFO:    Without  
2                   objection, Senator Addabbo is recognized.

3                   SENATOR ADDABBO:    Thank you,  
4                   Mr. President.

5                   And I ask my colleagues to join me  
6                   in welcoming one of the finest schools in my  
7                   district, P.S. 88 from Ridgewood, Queens.

8                   Students, professors, teachers,  
9                   welcome. Thank you.

10                  (Applause.)

11                  ACTING PRESIDENT GRIFFO:    We  
12                  welcome the students here today. Thanks for  
13                  being in the gallery, and thanks for doing such a  
14                  great job in leading us in the Pledge of  
15                  Allegiance today.

16                  Senator LaValle.

17                  SENATOR LaVALLE:    Mr. President,  
18                  can we take up Resolution 1696, by Senator  
19                  Hassell-Thompson, and the title only be read.  
20                  Also, can we open up the resolution for  
21                  cosponsorship and then recognize Senator  
22                  Hassell-Thompson.

23                  ACTING PRESIDENT GRIFFO:    The  
24                  Secretary will read the title.

25                  THE SECRETARY:    Legislative

1 Resolution Number 1696, by Senator  
2 Hassell-Thompson, commending Executive Director  
3 Lillian Roberts upon the occasion of her  
4 retirement after numerous years of distinguished  
5 service to District Council 37.

6 ACTING PRESIDENT GRIFFO: Senator  
7 Hassell-Thompson.

8 SENATOR HASSELL-THOMPSON: Thank  
9 you, Mr. President.

10 In anticipation that this resolution  
11 was to have been read in its entirety, I limited  
12 my remarks. Now I'm going to extend my remarks,  
13 since we've only read the title.

14 I thank you for allowing me the  
15 opportunity to rise to commend Executive Director  
16 Lillian Roberts upon the occasion of her  
17 retirement after numerous years of distinguished  
18 service to District Council 37, New York City's  
19 largest public employee union.

20 Lillian Roberts was a force to be  
21 reckoned with in the history of our nation's  
22 labor movement. By dedicating her life to  
23 organizing and empowering others, she led  
24 Council 37 during some of its most turbulent  
25 years in history. Under Lillian Roberts'

1 leadership, DC 37 grew to a peak membership of  
2 125,000 public workers in New York City and the  
3 state, 50,000 retirees, 1,000 job titles, and  
4 55 locals.

5 Whether she was fighting for a fair  
6 contract or against outsourcing plots or fighting  
7 against harsh budget cuts, she made sure that her  
8 members had the best representation possible.

9 She was named one of the 25 Most  
10 Influential Black Women in business by the  
11 Network Journal in 2010, and Essence Magazine  
12 called her probably the most powerful black  
13 person in American labor.

14 Some of her most innovative and  
15 excellent programs included establishing the  
16 largest union-based adult education program in  
17 the United States during her role as the  
18 associate director. And in 2005 she launched the  
19 DC 37 Municipal Housing Program, which allows  
20 members and city workers preference for 5 percent  
21 of units in city-sponsored lotteries for  
22 affordable homes and apartments, down payment  
23 grants, and home buyer training and education.

24 Lillian Roberts was also a  
25 trailblazer who, from 1981 to 1987, served as the

1 New York State Labor Commissioner, becoming both  
2 the first woman as well as the first  
3 African-American to hold this esteemed position.

4           Throughout her tenure, Lillian  
5 Roberts received many awards and accolades,  
6 including the 2007 30 Most Influential Black  
7 New Yorkers by the New York Post, the NAACP Roger  
8 Wilkins Award, the First Lady of Labor Award from  
9 the Episcopal Church Women, the Freedom Fighters  
10 Award from the Coalition of Black Trade  
11 Unionists, and the Distinguished Leadership Award  
12 from the United Negro College Fund. She was also  
13 appointed to the New York State September 11th  
14 Workers Protection Task Force.

15           In addition, Lillian Roberts also  
16 accepted the Triumph Award for Advocacy from the  
17 National Coalition of 100 Black Women, Inc., as  
18 well as the Clara Lemlich Public Service Award  
19 from Triangle Shirtwaist Factory Fire Memorial  
20 leaders for her efforts to reform workers' comp  
21 and improve occupational safety in New York  
22 State.

23           Once again, I wish to congratulate  
24 Lillian Roberts for all of her tireless years of  
25 dedication and service to the labor movement, on

1 her retirement. She fought for the rights of  
2 working men and women in New York and Illinois  
3 and has left a legacy that will forever impact  
4 the labor movement of the United States of  
5 America.

6 Thank you, Mr. President.

7 ACTING PRESIDENT GRIFFO: Thank  
8 you, Senator Hassell-Thompson.

9 The question is on the resolution.  
10 All in favor signify by saying aye.

11 (Response of "Aye.")

12 ACTING PRESIDENT GRIFFO: Opposed?

13 (No response.)

14 ACTING PRESIDENT GRIFFO: The  
15 resolution is adopted.

16 And again, the resolution is open  
17 for cosponsorship. Should you choose not to be a  
18 cosponsor, please notify the desk.

19 Senator LaValle.

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

22 Can we take up Resolution 1771, by  
23 Senator Little, read the title only -- and  
24 Senator Little has requested that the resolution  
25 be opened for cosponsorship -- and then recognize

1 Senator Little.

2 ACTING PRESIDENT GRIFFO: The  
3 Secretary will read the title of the resolution.

4 THE SECRETARY: Legislative  
5 Resolution Number 1771, by Senator Little,  
6 memorializing Governor Andrew M. Cuomo to  
7 proclaim May 2, 2015, as I Love My Park Day in  
8 the State of New York.

9 ACTING PRESIDENT GRIFFO: Senator  
10 Little on the resolution.

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

13 This Saturday, May 2nd, will be our  
14 fourth annual I Love My Park Day. It's a day  
15 that is an invitation for those who love our  
16 parks and historic sites to roll up their sleeves  
17 and pitch in in each of our districts to help  
18 make our parks that we have there the gems that  
19 they are, to shine and be improved.

20 This weekend volunteers will  
21 celebrate New York's park system by cleaning up  
22 winter damage and other debris on parklands and  
23 beaches. They will plant trees, restore trails  
24 and wildlife habitat, and remove invasive  
25 species. There will be something for all ages

1 and all abilities.

2           Since its start in 2012, the number  
3 of parks involved in I Love My Parks Day has  
4 doubled and the number of volunteers who have  
5 taken part has tripled. Just last year we had  
6 more than 6,000 volunteers working in our parks  
7 logging more than 12,000 hours.

8           This year, 95 parks in New York  
9 State will participate, from Montauk Point to  
10 Niagara Falls, so there's plenty of opportunity  
11 for everyone to find something to do.

12           I Love My Park Day is sponsored by  
13 the New York State Office of Parks, Recreation  
14 and Historic Preservation, by Parks & Trails  
15 New York, as well as by our local friends groups  
16 that we have in many of our parks.

17           But it's not only a chance to  
18 volunteer, it's really a chance to highlight our  
19 parks and make everyone more aware of the  
20 tremendous assets that we have, reminding people  
21 that they need not travel far from their own home  
22 area or outside of New York State to have fun and  
23 to have a relaxing getaway.

24           I would encourage each of you to do  
25 what you can to spread the word, encourage

1 volunteers to get out and participate this  
2 Saturday. Details can be found at  
3 [www.nysparks.com](http://www.nysparks.com).

4           And while I'm standing, I'd also  
5 like to thank all of you for your support of this  
6 past year's New York State budget, which really  
7 and truly supported major investments in our  
8 New York State parks, helping them to improve and  
9 to continue to provide a wonderful means of  
10 enjoyment for the residents of New York State and  
11 those outside of the state.

12           Thank you very much, Mr. President.

13           ACTING PRESIDENT GRIFFO: Thank  
14 you, Senator Little.

15           Senator Serrano on the resolution.

16           SENATOR SERRANO: Thank you very  
17 much, Mr. President.

18           And I would like to thank the  
19 sponsor, Senator Betty Little, for bringing forth  
20 this resolution once again. I have the good  
21 fortune of serving as the ranking member on the  
22 Senate's Cultural Affairs, Parks and Tourism  
23 Committee. Under her leadership as chair of that  
24 committee, we have worked together to address  
25 many issues involving parks and the important

1 economic engine that tourism, especially nature  
2 tourism, provides to the State of New York.

3           But we both, and all of our  
4 colleagues here in the Senate chamber, understand  
5 that the wonderful park system that provides and  
6 affords us so many wonderful recreational  
7 opportunities, that is historic in nature, it's  
8 grand -- it is really the crown jewel in the  
9 State of New York, providing hundreds of miles of  
10 trails, of camping experiences, canoeing,  
11 boating, and all-around healthy recreational  
12 activity -- is in dire need of much  
13 infrastructure improvements.

14           There is a long multi-billion-dollar  
15 list of backlog in regards to capital  
16 improvements that need to be made to these  
17 wonderful parks, which are aging. Many of the  
18 park systems were developed during the WPA era,  
19 so we know a tremendous amount of time has  
20 passed, and there is much need for improvements  
21 and to modernize the facilities.

22           I Love My Park Day is a great  
23 opportunity for everyone in the State of New York  
24 to come together and show love for our beloved  
25 park system by getting in there, getting their

1 hands dirty, cleaning up parks, painting, making  
2 the trails more accessible -- there are so many  
3 different ways that we, as average New Yorkers,  
4 can have an impact on the parks that we love so  
5 much.

6 More importantly than that, it  
7 provides New Yorkers the opportunity to have a  
8 vested feeling about their park. More than just  
9 a place to visit, this is a place that  
10 New Yorkers are helping to grow and to nurture.  
11 And we hope that this becomes a generational  
12 thing, where young New Yorkers come and be a part  
13 of this. I know in my area, any of the park days  
14 that we have on the city level or so on, I like  
15 to get involved and bring my family and children  
16 along as well.

17 So once again, I just want to thank  
18 Senator Little for her tremendous leadership on  
19 all issues involving parks, nature tourism. We  
20 had a great time yesterday for Adirondack Day.  
21 And I hope all of my colleagues support this  
22 resolution.

23 Thank you.

24 ACTING PRESIDENT GRIFFO: Thank  
25 you, Senator Serrano.

1                   The question is on the resolution.

2 All in favor signify by saying aye.

3                   (Response of "Aye.")

4                   ACTING PRESIDENT GRIFFO:    Opposed?

5                   (No response.)

6                   ACTING PRESIDENT GRIFFO:    The  
7 resolution is adopted.

8                   And the resolution is open for  
9 cosponsorship. Should you choose not to be a  
10 cosponsor, please notify the desk.

11                   Senator LaValle.

12                   SENATOR LaVALLE:    Mr. President,  
13 can we take up Resolution 1689, by Senator  
14 Marchione, and read the title only. Senator  
15 Marchione would like the resolution opened for  
16 cosponsorship. And then if you would recognize  
17 Senator Marchione.

18                   ACTING PRESIDENT GRIFFO:    The  
19 Secretary will read the title.

20                   THE SECRETARY:    Legislative  
21 Resolution Number 1689, commemorating the 64th  
22 annual observance of the National Day of Prayer  
23 in the State of New York, Thursday, May 7, 2015.

24                   ACTING PRESIDENT GRIFFO:    Senator  
25 Marchione.

1                   SENATOR MARCHIONE:    Mr. President  
2   and my colleagues, I rise to speak on my  
3   resolution commemorating the 64th annual  
4   observance of the National Day of Prayer in  
5   New York State, which will be on Thursday, May 7,  
6   2015.

7                   Millions of Americans will take part  
8   in the National Day of Prayer, a special  
9   nonpartisan day when people of faith will humbly  
10   seek the Lord's healing and renewing power for  
11   ourselves, our nation, and our leaders.

12                  The theme of the National Day of  
13   Prayer this year is "Lord, Hear Our Cry," which  
14   comes from 1 Kings 8:28, that says "Hear the cry  
15   and the prayer that your servant is praying in  
16   your presence this day."

17                  A special prayer will be read at  
18   noon on May 7th which launches a powerful  
19   nationwide wave of prayer.

20                  Prayer is an important part of our  
21   nation's heritage. Prayer guides us, prayer  
22   sustains us, and prayer helps us.

23                  I invite all of my colleagues to  
24   join myself, Pastor Steve Lalor, other spiritual  
25   leaders, and people of faith in their local

1 observance of the National Day of Prayer on  
2 May 7th. Our observance here in the Capital  
3 Region is at 11 a.m. and at noon at the Cathedral  
4 of All Saints at 62 Swan Street in Albany.

5 Thank you, Mr. President.

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

8 Senator Díaz.

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

11 Just to congratulate Senator  
12 Marchione for this so important resolution about  
13 prayer, dedicating a day of prayer in the State  
14 of New York.

15 This is something that is needed.  
16 Our nation is going through different troubles --  
17 people killing each other, disrespecting the  
18 elderly. We have so much trouble in this nation  
19 and especially in this state, especially in the  
20 City of New York, that like Senator Marchione  
21 said, prayer is helpful. Prayer doesn't hurt  
22 anyone.

23 The Bible asks us to pray for our  
24 leaders. The Bible asks us to pray for our  
25 friends, for our enemies. The Bible asks us to

1 pray for everyone. Prayer is great.

2           And this state, this state needs a  
3 lot of prayer. And this nation needs a lot of  
4 prayer. So a resolution like this one is  
5 commendable. It's very needed. And Senator  
6 Marchione, thank you very much. And I proudly  
7 join you and ask all my colleagues to join in  
8 supporting this resolution.

9           And let's do something that day,  
10 let's do something that day in this chamber to  
11 pray all together, holding our hands like friends  
12 and God-fearing people.

13           So thank you, Mr. President.

14           ACTING PRESIDENT GRIFFO: Thank  
15 you, Senator Reverend Díaz.

16           The question is on the resolution.  
17 All in favor signify by saying aye.

18           (Response of "Aye.")

19           ACTING PRESIDENT GRIFFO: Opposed?

20           (No response.)

21           ACTING PRESIDENT GRIFFO: The  
22 resolution is open for cosponsorship. Should you  
23 choose not to be a cosponsor, please notify the  
24 desk.

25           Senator LaValle.

1                   SENATOR LaVALLE:    Mr. President,  
2    can we take up a previously adopted resolution,  
3    1334, by Senator Hoylman, read the title only,  
4    and then recognize Senator Hoylman.

5                   ACTING PRESIDENT GRIFFO:    The  
6    Secretary will read the title.

7                   THE SECRETARY:    Legislative  
8    Resolution Number 1334, by Senator Hoylman,  
9    memorializing Governor Andrew M. Cuomo to  
10   proclaim April 24-30, 2015, as World Immunization  
11   Week in the State of New York.

12                   ACTING PRESIDENT GRIFFO:    Senator  
13   LaValle.

14                   SENATOR LaVALLE:    Yes.  Would you  
15   open this resolution for cosponsorship.

16                   ACTING PRESIDENT GRIFFO:    The  
17   resolution will be open for cosponsorship.  
18   Should you choose not to be a cosponsor, notify  
19   the desk.

20                   As indicated, it's been previously  
21   adopted.

22                   Senator Hoylman on the resolution.

23                   SENATOR HOYLMAN:    Thank you,  
24   Mr. President.

25                   I'm proud to bring this resolution,

1 which proclaims April 24th through April 30th as  
2 World Immunization Week in the State of New York.  
3 The purpose of the week is to recognize the vast  
4 leaps forward in medical technology which have  
5 allowed us to immunize ourselves against terrible  
6 diseases as well as raise the awareness of the  
7 safety and effectiveness of vaccines in  
8 preventing disease and saving lives.

9           You know, the first vaccination  
10 occurred way back in 1798 for the smallpox  
11 illness, and we've seen benefits ever since then.  
12 Last century, in the 1950s, Jonas Salk, I think  
13 folks know from high school, introduced the world  
14 to the polio vaccine, which changed the course of  
15 world history.

16           Now, immunization of children has  
17 been particularly effective in protecting them  
18 against some of the most dangerous diseases known  
19 to man. And vaccines protect not just kids but  
20 adolescents and adults against a whole host of  
21 diseases -- the flu, meningitis, cervical cancer  
22 caused by the HPV virus, liver cancer, diphtheria,  
23 hepatitis B, measles, mumps. A parade of  
24 horrors, to say the least.

25           The CDC estimates that the lives of

1 more 732,000 children have been saved by routine  
2 vaccination in the last 20 years and that  
3 322 million cases of kids getting sick were  
4 prevented.

5           Now, they not only save lives, but  
6 vaccinations also substantially lower the costs  
7 of our healthcare system. According to the CDC  
8 again, routine immunization prevented more than  
9 21 million hospitalizations, saving nearly  
10 \$295 billion in direct costs and \$1.38 trillion  
11 in total social costs, which include things like  
12 lost productivity due to disability and early  
13 death.

14           Now, despite the incredible benefits  
15 of vaccinations, the World Health Organization  
16 estimates that up to 1.5 million kids around the  
17 world still die each year from diseases which  
18 could have been prevented with a simple vaccine.

19           Here in the U.S. there continues to  
20 be, unfortunately, misinformation spread about  
21 the potential negative side effects of  
22 vaccination of our kids in particular, an issue  
23 close to me with a 4-year-old. These arguments  
24 are often based on a 1998 research paper by  
25 somebody named Andrew Wakefield, a British

1 medical researcher. He claimed to find a link  
2 between measles, mumps and rubella, MMR, that  
3 vaccine and the development of autism in kids.

4           The study has since been thoroughly  
5 discredited time and time again by the medical  
6 community, most recently in the last couple of  
7 weeks in a study published in the Journal of the  
8 American Medical Association, which examined a  
9 group of more than 95,000 children who were  
10 identified to be at higher risk for developing  
11 autism to see if the administration of the MMR  
12 vaccine made them any more likely to develop the  
13 disability.

14           Well, the answer, my colleagues, is  
15 a resounding no. The study found that the MMR  
16 vaccine receipt was not associated with an  
17 increased risk of ASD, autism spectrum disorders,  
18 at any age.

19           It's time to put the idea that  
20 vaccines can cause a child to develop autism or  
21 awaken with some other latent disability to rest.  
22 Such contentions really play off the worst fears  
23 of parents -- I know -- across the country and  
24 pose a serious danger to our kids.

25           We only need to look at California's

1 most recent epidemic of whooping cough, also  
2 known as pertussis, to see how misinformation can  
3 spread. Over 28,000 cases of whooping cough were  
4 reported in California in the year 2014 -- which,  
5 although down from a high of nearly 50,000 cases  
6 in 2012, still represents an unacceptable risk  
7 for kids who have not been exposed to the  
8 illness.

9           Now, in our own State of New York we  
10 had an outbreak of mumps last year, in part for  
11 the same reasons of misinformation.

12           Vaccines have proven to be  
13 incredibly useful, Mr. President, to prevent so  
14 much suffering and loss of life. And on this  
15 World Immunization Week I urge my colleagues in  
16 the Legislature to promote their use and fight  
17 against the spread of misinformation regarding  
18 their effects on our children.

19           I also want to thank the dynamism of  
20 New York's own home-grown pharmaceutical and  
21 biotechnology industry which have contributed to  
22 the success of so many vaccinations across the  
23 world.

24           Thank you, Mr. President.

25           ACTING PRESIDENT GRIFFO:    Thank

1 you, Senator Hoylman.

2 As indicated, the resolution has  
3 been previously adopted.

4 Senator LaValle.

5 SENATOR LaVALLE: Mr. President,  
6 can we have the noncontroversial reading of the  
7 calendar.

8 ACTING PRESIDENT GRIFFO: The  
9 Secretary will read.

10 THE SECRETARY: Calendar Number 60,  
11 by Senator Robach, Senate Print 834, an act to  
12 amend the Penal Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 58. Nays, 2.  
21 Senators Montgomery and Perkins recorded in the  
22 negative.

23 ACTING PRESIDENT GRIFFO: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 218, by Senator Robach, Senate Print 1961, an act  
2 to amend the Vehicle and Traffic Law.

3 ACTING PRESIDENT GRIFFO: Read the  
4 last section.

5 THE SECRETARY: Section 2. This  
6 act shall take effect on the first of November.

7 ACTING PRESIDENT GRIFFO: Call the  
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Announce  
11 the results.

12 THE SECRETARY: In relation to  
13 Calendar Number 218, those recorded in the  
14 negative are Senators Hoylman, Krueger,  
15 Montgomery, Panepinto, Perkins and Rivera.

16 Ayes, 54. Nays 6.

17 ACTING PRESIDENT GRIFFO: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 234, by Senator Ortt, Senate Print 3636, an act  
21 to amend the Mental Hygiene Law.

22 ACTING PRESIDENT GRIFFO: Read the  
23 last section.

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

1                   ACTING PRESIDENT GRIFFO:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 60.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number  
8 236, by Senator Bonacic, Senate Print 1370, an  
9 act to amend the Education Law.

10                  ACTING PRESIDENT GRIFFO:    Read the  
11 last section.

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

14                  ACTING PRESIDENT GRIFFO:    Call the  
15 roll.

16                  (The Secretary called the roll.)

17                  THE SECRETARY:    Ayes, 60.

18                  ACTING PRESIDENT GRIFFO:    The bill  
19 is passed.

20                  THE SECRETARY:    Calendar Number  
21 264, by Senator Croci, Senate Print 3994, an act  
22 to authorize.

23                  ACTING PRESIDENT GRIFFO:    Read the  
24 last section.

25                  THE SECRETARY:    Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 274, by Senator Parker, Senate Print 3549, an act  
10 to amend the Not-for-Profit Corporation Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

13 THE SECRETARY: Section 2. This  
14 act shall take effect November 11, 2016.

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 Senator LaValle, that completes the  
22 reading of the noncontroversial calendar today.

23 SENATOR LaVALLE: Mr. President,  
24 I'm calling an immediate meeting of the Finance  
25 Committee in Room 332. So those members of the

1 Finance Committee should immediately proceed to  
2 Room 332.

3           ACTING PRESIDENT GRIFFO: There  
4 will be an immediate meeting of the Senate  
5 Finance Committee in Room 332. Members should  
6 proceed to Room 332.

7           Senator LaValle.

8           SENATOR LaVALLE: For the rest of  
9 us, Mr. President, is there any further business  
10 at the desk?

11           ACTING PRESIDENT GRIFFO: There is  
12 no further business before the desk.

13           SENATOR LaVALLE: Then I move that  
14 we adjourn until Wednesday, April 29th, at  
15 11:00 a.m.

16           ACTING PRESIDENT GRIFFO: On  
17 motion, the Senate will stand adjourned until  
18 Wednesday, April 29th, at 11:00 a.m.

19           The Senate is adjourned.

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

22

23

24

25