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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 18, 2016

11:24 a.m.

REGULAR SESSION

SENATOR TERRENCE P. MURPHY, Acting President

FRANCIS W. PATIENCE, Secretary

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

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

4 Please rise for the Pledge of
5 Allegiance.

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

8 ACTING PRESIDENT MURPHY: Today's
9 invocation will be given by Reverend Peter
10 Young, from Mother Teresa Community in Albany.

11 REVEREND YOUNG: Thank you,
12 Senator.

13 Being a Senator, you have been
14 accepted into the leadership position so that
15 you can more fully serve the people of New York
16 State. It's a difficult position that you will
17 be required to do endless constituency events
18 and meetings, always concerned for the necessary
19 campaigning expenses, and that time for your
20 family matters with priorities put tremendous
21 pressure on all of your dedicated lifestyles.

22 We know that your personal lives
23 are put on this tension and keeps the tension on
24 a calendar of this day so that you can then
25 fulfill your commitment and responsibilities.

1 And we thank you for being a public servant.

2 In this more dedicated spirit of
3 community, our prayer today, then, will be to
4 better achieve the strength that you need as
5 Senators so that you will be able to be that
6 dedicated representation in the power that is
7 entrusted to you by our legislative leadership.

8 May you attain your satisfaction in
9 your services to your constituents.

10 Amen.

11 ACTING PRESIDENT MURPHY: We'll
12 have the reading of the Journal.

13 THE SECRETARY: In Senate,
14 Tuesday, May 17th, the Senate met pursuant to
15 adjournment. The Journal of Monday, May 16th,
16 was read and approved. On motion, Senate
17 adjourned.

18 ACTING PRESIDENT MURPHY: Without
19 objection, the Journal stands approved as read.

20 Presentation of petitions.

21 Messages from the Assembly.

22 The Secretary will read.

23 THE SECRETARY: On page 19,
24 Senator Stewart-Cousins moves to discharge, from
25 the Committee on Local Government, Assembly Bill

1 8659 and substitute it for the identical Senate
2 Bill 6355, Third Reading Calendar 264.

3 ACTING PRESIDENT MURPHY:
4 Substitution ordered.

5 THE SECRETARY: On page 36,
6 Senator Akshar moves to discharge, from the
7 Committee on Elections, Assembly Bill 7597 and
8 substitute it for the identical Senate Bill
9 6979, Third Reading Calendar 731.

10 ACTING PRESIDENT MURPHY:
11 Substitution ordered.

12 THE SECRETARY: On page 44,
13 Senator Savino moves to moves to discharge, from
14 the Committee on Banks, Assembly Bill Number
15 9480 and substitute it for the identical Senate
16 Bill 7184, Third Reading Calendar 819.

17 ACTING PRESIDENT MURPHY:
18 Substitution ordered.

19 Messages from the Governor.

20 Reports of standing committees.

21 Reports of select committees.

22 Communications and reports from
23 state officers.

24 Motions and resolutions.

25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: Yes,
2 Mr. President, I wish to call up Senator
3 Marchione's bill, Print Number 5857A, recalled
4 from the Assembly, which is now at the desk.

5 ACTING PRESIDENT MURPHY: The
6 Secretary will read.

7 THE SECRETARY: Calendar Number
8 171, by Senator Marchione, Senate Print 5857A, an
9 act to authorize.

10 SENATOR DeFRANCISCO: I now move to
11 reconsider the vote by which the bill was passed.

12 ACTING PRESIDENT MURPHY: Call the
13 roll on reconsideration.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 42.

16 SENATOR DeFRANCISCO: I now offer
17 the following amendments.

18 ACTING PRESIDENT MURPHY: The
19 amendments are received, and the bill retains its
20 place on the Third Reading Calendar.

21 SENATOR DeFRANCISCO: Also, on
22 page number 32, I offer the following amendments
23 to my bill, Calendar Number 649, Senate Print
24 3785, and ask that said bill retain its place on
25 the Third Reading Calendar.

1 ACTING PRESIDENT MURPHY: So
2 ordered.

3 SENATOR DeFRANCISCO: On page 22, I
4 offer the following amendments to Calendar 344,
5 Senate Print 1909A, a bill by Senator Marcellino,
6 and ask that said bill retain its place on the
7 Third Reading Calendar.

8 ACTING PRESIDENT MURPHY: So
9 ordered.

10 SENATOR DeFRANCISCO: Can you now
11 take up previously adopted Resolution 5620, by
12 Senator Kaminsky, and read the title only and
13 call on the Senator, please.

14 ACTING PRESIDENT MURPHY: The
15 Secretary will read.

16 THE SECRETARY: Legislative
17 Resolution Number 5620, by Senator Kaminsky,
18 congratulating the State of Israel upon the
19 occasion of the 68th Anniversary of its
20 independence and reaffirming the bonds of
21 friendship and cooperation between the State of
22 New York and Israel.

23 ACTING PRESIDENT MURPHY: Senator
24 Kaminsky.

25 SENATOR KAMINSKY: Thank you,

1 Mr. President.

2 I rise today to commemorate the
3 68th anniversary of Israel's independence and to
4 reaffirm the bonds of friendship between our
5 state and the Jewish homeland.

6 This last Thursday we celebrated
7 Israel's establishment as a sovereign state, as a
8 homeland for the Jewish people, a bastion of
9 freedom and democracy.

10 Rising from the ashes of the
11 Holocaust, Israel has come to embody the true
12 meaning of perseverance and resilience. She has
13 overcome seemingly insurmountable challenges
14 since 1948 and has had to defend itself time and
15 time again against enemies seeking to destroy it.

16 Today Israel stands proudly as the
17 Middle East's sole true democracy, rooted in
18 equality and freedom, as the nation thrives in
19 the ancestral homeland of the Jewish people.

20 Bound by its steadfast commitment to
21 freedom and democracy, New York and Israel share
22 an unbreakable friendship as economic, strategic
23 and cultural partners. We as a body have stood
24 together to condemn the vile BDS movement and its
25 thinly veiled attempt to harm Israel while

1 desensitizing our young people to the
2 anti-Semitic movement it truly is.

3 Just last December I was proud to
4 have attended, with an Assembly delegation, a
5 visit to Israel with my colleagues on a mission
6 to the Jewish state, where we saw firsthand the
7 prosperity that Israel has built, along with its
8 security challenges.

9 We were down on the Gaza border in a
10 town called Sderot, and we left that town at
11 2 o'clock in the afternoon. Just two hours later
12 that day, the air raid warning sounded as a
13 rocket was fired from Hamas toward that area.
14 The challenges still exist every day, even while
15 the country continues to advance and thrive.

16 So I therefore offer this resolution
17 to recognize that Israel has made tremendous
18 advancements in science, medicine and technology.
19 Its economy prosperous, its agriculture
20 bountiful, and its innovation astounding, it is a
21 true testament to what freedom and democracy can
22 accomplish. And I'm proud to recognize the
23 anniversary of its independence today.

24 Thank you, Mr. President.

25 ACTING PRESIDENT MURPHY: Senator

1 Stavisky.

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

4 And thank you, Senator Kaminsky, for
5 those words about the establishment of the State
6 of Israel, and particularly for your comments
7 condemning the BDS movement, which has been the
8 subject of so much discussion even here in this
9 chamber.

10 Hopefully there will be a solution
11 to some of the crises in the Middle East and
12 Israel will continue to flourish. But I really
13 wanted to thank Senator Kaminsky for his comments
14 and for his support of the State of Israel.

15 Thank you.

16 ACTING PRESIDENT MURPHY: Thank
17 you, Senator Stavisky.

18 Senator Martins.

19 SENATOR MARTINS: Thank you,
20 Mr. President.

21 I also rise to join our colleagues
22 in recognizing the anniversary for the State of
23 Israel, recognizing the relationship, the special
24 relationship that we here in New York have with
25 Israel, recognizing the importance of Israel as

1 an ally of the United States, recognizing the
2 efforts that we in this house have already passed
3 a bill combating the BDS movement.

4 We passed it months ago. We have
5 made a statement that we stand in solidarity with
6 Israel in this house as a Senate chamber. But
7 yet we have yet to have a bill pass the other
8 house, we have yet to have a bill that has been
9 presented to the Governor.

10 Words mean more if we actually
11 follow up on those words, Mr. President. We have
12 a responsibility as State Senators that stand
13 with Israel to do more than just speak about it
14 but to advocate that we take actual steps to
15 demonstrate that resolve. We did it here in the
16 Senate. It has yet to be passed in the Assembly.
17 There is yet to be a bill presented to the
18 Governor.

19 I thank the sponsor for this
20 opportunity to speak out once again on a lack of
21 commitment by the Assembly on this issue, and I
22 call them to do so the same that we did months
23 ago.

24 Thank you, Mr. President, for this
25 opportunity.

1 ACTING PRESIDENT MURPHY: Thank
2 you, Senator Martins.

3 Senator DeFrancisco.

4 SENATOR DeFRANCISCO: Yes, could
5 you please open this resolution up for
6 cosponsorship.

7 ACTING PRESIDENT MURPHY: The
8 resolution is open for cosponsorship. If you do
9 not wish to be a cosponsor, please notify the
10 desk.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: Yes, would
13 you now take up previously adopted Resolution
14 3618, by Senator Griffo, read the title only, and
15 recognize Senator Griffo.

16 ACTING PRESIDENT MURPHY: The
17 Secretary will read.

18 THE SECRETARY: Legislative
19 Resolution Number 3618, by Senator Griffo,
20 memorializing Governor Andrew M. Cuomo to
21 proclaim May 2016 as Lupus Awareness Month in the
22 State of New York.

23 ACTING PRESIDENT MURPHY: Senator
24 Griffo.

25 SENATOR GRIFFO: Thank you,

1 Mr. President.

2 I want to once again bring this
3 resolution to the attention of the house. This
4 is something we have done annually.

5 Lupus is a chronic inflammatory
6 autoimmune disease. We have a number of the
7 advocates with us this afternoon. And this is a
8 disease that has affected so many in so many
9 different ways. Everyone can recount a story of
10 a family member or a friend. It is more common
11 than AIDS and sickle cell anemia, multiple
12 sclerosis, cystic fibrosis and cerebral palsy.

13 Unfortunately, lupus research is
14 underfunded in comparison with diseases of
15 comparable magnitude. And that's why it is so
16 important that we continue to call attention to
17 this, to advocate, along with the advocates, to
18 continue to not only focus on this but to find a
19 way to provide the research dollars to find a
20 cure.

21 The organizations are dedicated to
22 improving the quality of life of individuals who
23 have lupus, and their loved ones. We want to
24 talk about public education and support, again,
25 more research and promoting more programs of

1 awareness.

2 So today I am honored to have with
3 us Kathleen Arntsen and a number of lupus
4 advocates from across the State of New York. If
5 you would just please rise and be recognized.
6 Thank you so much for all of your hard work and
7 your efforts. We sincerely appreciate what you
8 do, and we will continue to support you in your
9 efforts.

10 Thank you, Mr. President.

11 ACTING PRESIDENT MURPHY: Thank
12 you, Senator Griffo.

13 Senator Savino.

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

16 I also want to thank my colleague
17 Senator Griffo for again bringing this resolution
18 to the floor asking Governor Cuomo to dedicate
19 May 10th to Lupus Awareness Day.

20 I also want to welcome Kathleen
21 Arntsen and the Lupus and Allied Diseases
22 Association back to the Capitol for their annual
23 advocacy day on this very important issue.

24 Of the many diseases that affect
25 women, one of the most deadly and dreadful and

1 debilitating is lupus. The sad thing is many
2 women don't know anything about lupus. Many
3 young women don't know that lupus exists, and
4 they will suffer for many years from many of the
5 symptoms that lupus produces.

6 Lupus attacks just about every part
7 of the body -- skin, joints, blood and kidneys.
8 It affects 1.5 million women in the United
9 States, and more than 5 million women worldwide.
10 It is a very difficult disease to diagnose
11 because the symptoms vary, and they arrive in
12 stages and they are highly individualized. Many
13 young women will go years not knowing exactly
14 what is wrong with them, not understanding who to
15 talk to and what is wrong with them. And as a
16 result of that, they don't get the care and the
17 attention that they deserve.

18 It is one of the reasons why this
19 resolution is so important and also one of the
20 reasons why Senator Griffo and I have been trying
21 for the past couple of years to get the state to
22 adopt an awareness program, an education program,
23 so that we can make sure that more women in
24 New York State know about lupus, know about early
25 detection, so they will get the care and

1 attention that they need.

2 So again, I want to thank Senator
3 Griffo for joining us in highlighting this very
4 important issue that is important to all women
5 everywhere. And I ask all of my colleagues to
6 support this resolution on lupus awareness.

7 Thank you, Mr. President.

8 ACTING PRESIDENT MURPHY: Thank
9 you, Senator Savino.

10 Senator Parker.

11 SENATOR PARKER: Thank you,
12 Mr. President. On the resolution.

13 First let me also add my thanks to
14 the leadership of Senator Griffo in continuing to
15 bring the issue of lupus to this body and to the
16 people of the state.

17 And let me also associate myself
18 with the comments made by Senator Savino on this
19 resolution and talking about how important it is
20 to combat this dreaded disease.

21 Let me also welcome the folks who
22 are here, many of whom are suffering from lupus.
23 And I'm really hoping that people in this chamber
24 will take time to meet our constituents who are
25 dealing with this every single day.

1 If you don't know, lupus is an
2 autoimmune disease where the body's immune system
3 becomes hyperactive and attacks normal, healthy
4 tissue. And the results and symptoms such as
5 inflammation, swelling, damage to the joints,
6 skin, kidneys, blood, heart, lungs, hair loss,
7 bruising, anxiety, depression, headaches and
8 memory loss, are amongst a few of the things that
9 people are suffering with when they have this
10 horrible disease. And currently there's no cure,
11 as we know, for lupus.

12 So according to the Lupus Foundation
13 of America, there's 1.5 to 2 million Americans
14 who have some form of lupus. And the prevalence
15 is about 40 cases per 100,000 persons amongst
16 northern Europeans, and 200 per 100,000 for
17 African-Americans.

18 This disease affects both men and
19 women, but it's nine times more likely to affect
20 women than affect men.

21 And so although there's no cure for
22 this disease, members of this body have been
23 working on it. As you heard, Senator Savino
24 indicated that she and Senator Griffo have a bill
25 that would do some education in the State of

1 New York around lupus education.

2 But I have a bill, Senate Bill
3 S553A -- and it has a corresponding Assembly
4 sponsor, which is A2581A -- that will establish
5 the Lupus Education and Prevention Fund. And so
6 the bill that I have put forward would actually
7 fund the work that Senator Savino and Senator
8 Griffo's bill would do. And I'm going to take
9 this time to ask that this bill be brought to the
10 floor as soon as possible and passed in this
11 house, and we'll work hard to get it passed in
12 the Assembly.

13 This bill would allow individuals to
14 make optional monetary contributions that can be
15 taken as a taxpayer exemption on all corporate or
16 personal income tax forms. This bill would give
17 corporate and individual taxpayers the option to
18 contribute to the Cancer Education and Prevention
19 Program through voluntary contributions that
20 would provide a source of funding for research
21 and study into the causes and the cure -- the
22 cure -- for lupus. With this in this place, I
23 believe that we can begin to focus on the
24 approach dedicated to finding a cure for lupus.

25 And I sincerely urge my colleagues

1 in the Senate and the Assembly to both first
2 cosponsor this bill and then let's move together
3 for passage. And I believe that passing my
4 legislation, as well as Senators Savino and
5 Griffo's legislation, we will be one step closer
6 to a cure.

7 Thank you very much.

8 ACTING PRESIDENT MURPHY: Thank
9 you, Senator Parker.

10 We would like to welcome you all to
11 the New York State Senate chamber here and extend
12 to you all the courtesies of the house.

13 (Applause.)

14 ACTING PRESIDENT MURPHY: Senator
15 DeFrancisco.

16 SENATOR DeFRANCISCO: Could you
17 please open that resolution up for cosponsorship.

18 ACTING PRESIDENT MURPHY: The
19 resolution is open for cosponsorship. If you do
20 not wish to be a cosponsor, please notify the
21 desk.

22 Senator DeFrancisco.

23 SENATOR DeFRANCISCO: Next would
24 you take up previously adopted Resolution 5718,
25 by Senator Kennedy, read the title only, and call

1 on Senator Kennedy.

2 ACTING PRESIDENT MURPHY: The
3 Secretary will read.

4 THE SECRETARY: Legislative
5 Resolution Number 5718, by Senator Kennedy,
6 commemorating the 75th anniversary of the
7 production of Cheerios in Buffalo, New York.

8 ACTING PRESIDENT MURPHY: Senator
9 Kennedy.

10 SENATOR KENNEDY: Thank you very
11 much, Mr. President.

12 I rise today to honor a long-time
13 employer in Western New York and a contributor to
14 the fabric of our great city, state and nation.
15 See, General Mills in Buffalo is celebrating its
16 75th anniversary of the production of Cheerios in
17 the city.

18 In fact, Buffalo has produced the
19 cereal since Cheerios was first introduced in
20 1941 as the first oat-based, ready-to-eat cereal.
21 And even today, if you drive by the plant on the
22 right morning, the smell of freshly baked
23 Cheerios lingers in the air.

24 During its 75-year production, the
25 plant has provided good jobs to thousands of

1 Western New Yorkers. The plant today employs
2 over 400 workers, many of them coming from the
3 second or third generation of Cheerio plant
4 workers. These workers, proud members of the
5 Bakery, Confectionery, Tobacco Workers and Grain
6 Millers' International Union, Local 36G, and the
7 International Longshoremen's Association, Local
8 1286, make everything from Cheerios to Lucky
9 Charms to Gold Mill flour.

10 The plant itself was completed in
11 1941, and the oldest structure on the property
12 dates to 1903. Over the years, General Mills has
13 modernized the plant. But at a time when
14 companies seem to move to new and bigger
15 facilities, Cheerios and General Mills have
16 remained committed to Buffalo, continuing its
17 manufacturing success in our city.

18 And workers are proud of their
19 efficiency in producing Cheerios even when
20 compared to more modern production plants. The
21 Buffalo facility often ranks in the top tier of
22 General Mills properties for plant facility
23 performance, which is a testament to the workers
24 who make the Cheerios. In fact, if you took the
25 number of cereal boxes produced annually at the

1 plant and laid them end to end, they would circle
2 the globe and then some.

3 The facility is home to one of the
4 last working grain elevators in Buffalo, the city
5 that invented them. Oats are still shipped in by
6 rail or by the occasional boat traveling across
7 the Great Lakes from Minnesota. Buffalo's
8 central location results in boxes of Cheerios
9 being shipped to markets along the East Coast of
10 the United States as well as into Ontario and
11 Quebec.

12 You can tell if your Cheerios were
13 made in Buffalo -- just look at the box, and the
14 production code will tell you. If it begins with
15 the letters B-U, then that box of Cheerios was in
16 fact made in our great city.

17 And I promise, if you have that box
18 of cereal made in Buffalo, it will be the best
19 box of Cheerios you have ever had. As a matter
20 of fact, I'm going to be bringing a box of
21 Cheerios in to my colleagues next week for you
22 all to test yourselves. I'm looking forward to
23 you getting back to me on that.

24 (Applause.)

25 SENATOR KENNEDY: And finally,

1 finally, it's important to note that General
2 Mills gives back to the community as well,
3 donating over 1,000 cases of cereal each month to
4 the Food Bank of Western New York.

5 So to General Mills and Cheerios,
6 thank you for your continued commitment to
7 produce Cheerios and other products in Buffalo.
8 To the workers, congratulations on 75 years of
9 hard work, and thank you for the immense pride
10 you give our great city. I know Buffalo is proud
11 to be one of the homes of Cheerios. Here's to
12 another 75 years and more.

13 With that, Mr. President, I'd like
14 to open this resolution up for cosponsorship, and
15 I vote aye. Thank you very much.

16 ACTING PRESIDENT MURPHY: Cheerios.
17 (Laughter.)

18 ACTING PRESIDENT MURPHY: Senator
19 DeFrancisco.

20 SENATOR DeFRANCISCO: Yes, it's
21 quite obvious, based upon the energy that was
22 just expressed in that resolution, the remarks on
23 the resolution, that Senator Kennedy had several
24 boxes of Lucky Charms this morning for breakfast.

25 (Laughter.)

1 SENATOR DeFRANCISCO: And I also
2 just wanted to mention that it's a good thing,
3 it's a good thing that this product is being made
4 in Buffalo, especially the Lucky Charms. Because
5 if it was manufactured in the City of New York,
6 there might be an elected official that would
7 want to limit the size of the box --

8 (Booing; laughter.)

9 SENATOR DeFRANCISCO: -- because it
10 may not be good for you.

11 So congratulations, Buffalo. Thank
12 you.

13 ACTING PRESIDENT MURPHY: Thank
14 you, Senator DeFrancisco.

15 Senator Krueger.

16 SENATOR KRUEGER: Thank you.

17 He's not an official of the City of
18 New York anymore. It's okay, Senator, you don't
19 have to live in fear anymore about size limits on
20 your food products.

21 I want to congratulate Senator
22 Kennedy on his resolution honoring 75 years of
23 Cheerios. But I also just wanted to point out
24 that if you look further back in the history of
25 cereal in this country, New York State, our

1 state, was the creator of the very first
2 recognized breakfast cereal back in 1863.

3 It also was produced and invented in
4 Western New York -- although not Buffalo -- and
5 it was called Granula. And it was invented in
6 1863 by James Caleb Jackson, who had a health
7 sanatorium in Dansville, which I believe is in
8 Senator Young's district.

9 But back in 1863, New York State was
10 leading the country in recognizing the value of
11 breakfast cereal. And clearly that message was
12 picked up at a later date by the Cheerios folks
13 in Buffalo, New York.

14 So thank you for educating us on
15 cereal, Senator Kennedy.

16 ACTING PRESIDENT MURPHY: Thank
17 you, Senator Krueger.

18 This resolution will be open for
19 cosponsorship. If you do not wish to be a
20 cosponsor, please notify the desk.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Yes, could we
23 now recognize Senator Venditto for the
24 introduction of some students.

25 ACTING PRESIDENT MURPHY: Senator

1 Venditto.

2 SENATOR VENDITTO: Thank you very
3 much, Mr. President.

4 ACTING PRESIDENT MURPHY: Can we
5 get a little order in the house.

6 SENATOR VENDITTO: If any of our
7 members have the privilege of walking into the
8 Legislative Office Building today and passing
9 The Well at the Capitol, you may see some
10 wonderful works of art that have been furnished
11 by some tremendous students across New York
12 State, two of whom hail from the 8th Senatorial
13 District and the hamlet of Wantagh. And I just
14 wanted to take a moment to introduce them to our
15 members.

16 We have, first, Madalyn Rhodes, who
17 is accompanied by her parents, Laura and Charles.
18 And Madalyn is a student at Forest Lake School in
19 Wantagh.

20 And secondly, we have John Michael
21 Lagares, who is accompanied by his mother,
22 Corsalyn {ph}. And John is a student at Wantagh
23 High School.

24 And both Madalyn and John have taken
25 part in our legislative art exhibit, and they

1 have shown at a very early age that they are able
2 to do some wonderful things in the artistic
3 field.

4 So we welcome them here to the
5 chamber today, thank them for participating, and
6 encourage them to continue to do great work so
7 that we can enjoy the fruits of their talents.

8 Congratulations to you, Madalyn and
9 John, for being selected to be part in our
10 exhibit today, and welcome to the Senate chamber.

11 Thank you, Mr. President.

12 (Applause.)

13 ACTING PRESIDENT MURPHY: Thank
14 you, Senator Venditto.

15 John, Madalyn, and family members,
16 welcome to the New York State chambers.

17 Senator DeFrancisco.

18 SENATOR DeFRANCISCO: Would you
19 please call on Senator Amedore for an
20 introduction.

21 ACTING PRESIDENT MURPHY: Senator
22 Amedore.

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

25 I rise to introduce two groups, two

1 introductions, real quick, that I believe are
2 special to me and to all of us here.

3 The first group, we have a group of
4 young students. They are seniors from
5 Fonda-Fultonville High School in Montgomery
6 County, and they are here at the Capitol today as
7 part of their College in the Classroom government
8 class.

9 And I've had an opportunity to meet
10 with them and to talk and to answer their
11 questions, but also had the privilege of
12 introducing Senator Larkin to them. And he spent
13 some time with them to share some of his stories.
14 And we all know the stories of Senator Larkin.

15 They have with them the
16 superintendent, Tom Ciaccio, as well as a special
17 honor to introduce Barbara Baker, who is the
18 Instructor of the Year, the Regional Technology
19 Teacher of the Year, who has been nominated and
20 awarded that honor and that designation. So
21 thank you for all of your hard work and your
22 dedication for the students.

23 The second introduction is very
24 important to all of us because these two young
25 ladies are Blue Star Moms.

1 And Blue Star Moms we all know, we
2 all have them in our districts. They are here
3 today touring the Capitol and actually shadowing
4 me and going around and seeing how things work.
5 And I am honored to have both of them from my
6 district, and that is Robin Johnson and Donna
7 Vickery, who are here today.

8 So thank you so much for your
9 dedication, your love of country. And we pray
10 for you and the protection of your loved ones who
11 are serving in our armed forces.

12 Thank you, Mr. President.

13 ACTING PRESIDENT MURPHY: Thank
14 you, Senator Amedore.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: Would you now
17 recognize Senator Serino for an introduction.

18 ACTING PRESIDENT MURPHY: Senator
19 Serino.

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

22 I just want to take a minute to
23 recognize some very special guests that are here
24 with us today. Mr. Harry McMurtry, his wife
25 Deborah and their son Tom, and friends, are here

1 as part of a very unique initiative. Harry and
2 his group are walking 500 miles from New York
3 City to Toronto to raise awareness for the
4 debilitating effects of Parkinson's disease.

5 But the most amazing thing is Harry
6 was diagnosed with Parkinson's disease in 2005
7 and had deep brain stimulation surgery in 2011
8 which enables him to be able to do this walk.
9 And he has his friends here who also have
10 Parkinson's: Sue Thompson, of Toronto, and
11 Dr. Ross Sugar.

12 I was honored to have met these
13 folks last week when their journey brought them
14 to the Walkway over the Hudson in my district.
15 And let me tell you, inspiration is an
16 understatement. And Harry, you're one of the
17 most positive people I've ever had the pleasure
18 to meet in my life.

19 They're on a mission to raise
20 awareness and spread an important message about
21 strength and perseverance. We are honored to
22 have all of you here with us today to raise
23 awareness for this important cause, and we wish
24 you a safe and happy journey.

25 Thank you.

1 ACTING PRESIDENT MURPHY: Thank
2 you, Senator Serino.

3 Senator Serino, I would also like to
4 welcome your father to the New York State Senate
5 chamber here, who is visiting from Virginia.

6 Welcome.

7 Senator DeFrancisco.

8 SENATOR DeFRANCISCO: For the last
9 introduction, would you please call on Senator
10 Breslin.

11 ACTING PRESIDENT MURPHY: Senator
12 Breslin.

13 SENATOR BRESLIN: Thank you,
14 Mr. President. And thank you, Senator
15 DeFrancisco.

16 I'm proud to stand and acknowledge
17 some young women making a meaningful and
18 sustainable difference in the world. And I think
19 you guess if they're young women doing good
20 things, they're generally Girl Scouts.

21 And the Girl Scouts are here today
22 with Allison Marinucci, who is the manager of the
23 Young Women's Leadership Initiative. And she has
24 some wonderful Girl Scouts.

25 And I might add there's Girl Scouts

1 throughout the Capitol and the LOB, and they all
2 do a wonderful job.

3 But if you could stand and be
4 recognized, we're very happy for you to be here.

5 (Applause.)

6 SENATOR BRESLIN: Thank you,
7 Allison.

8 And thank you, Cheerios.

9 (Laughter.)

10 SENATOR BRESLIN: Thank you,
11 Mr. President.

12 ACTING PRESIDENT MURPHY: Thank
13 you, Senator Breslin.

14 The Girl Scouts of America, welcome
15 to the New York State Senate chambers.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: It's obvious
18 that some of them have been in parades before;
19 they have the wave down pat.

20 (Laughter.)

21 SENATOR DeFRANCISCO: Can we now
22 take up the noncontroversial reading of the
23 calendar.

24 ACTING PRESIDENT MURPHY: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 264, substituted earlier by Member of the
3 Assembly Pretlow, Assembly Print 8659, an act to
4 amend the Local Finance Law.

5 ACTING PRESIDENT MURPHY: There is
6 a home-rule message at the desk.

7 The Secretary will read the last
8 section.

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

11 ACTING PRESIDENT MURPHY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MURPHY: Announce
15 the result.

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT MURPHY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 330, by Senator Martins, Senate Print 6685, an
21 act to authorize.

22 ACTING PRESIDENT MURPHY: Read the
23 last section.

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

1 ACTING PRESIDENT MURPHY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MURPHY: Announce
5 the result.

6 THE SECRETARY: Ayes, 55. Nays, 1.
7 Senator Bonacic recorded in the negative.

8 ACTING PRESIDENT MURPHY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 691, by Senator Hannon, Senate Print 5458C, an
12 act to amend the Public Health Law.

13 ACTING PRESIDENT MURPHY: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MURPHY: Read the
17 last section.

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

20 ACTING PRESIDENT MURPHY: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT MURPHY: Senator
24 Hoylman to explain his vote.

25 SENATOR HOYLMAN: Thank you,

1 Mr. President.

2 I'm voting in the negative because I
3 want my colleagues to understand that this is
4 truly a seismic shift in the way we operate
5 healthcare in New York. This is a back-door
6 allowance that will allow the corporatization of
7 physicians' offices -- really, in my opinion,
8 putting profits over the well-being of patients.

9 I would urge us to put the pause
10 button on this model and conduct a study. In
11 fact, Mr. President, one of my first bills in the
12 Senate, which I worked with Senator Hannon on,
13 was to instruct the Department of Health to look
14 at the issue of urgent care centers: Let's get
15 some regulations from the Department of Health to
16 determine how urgent care centers should be
17 regulated. That was one of my first bills, over
18 three and a half years ago. To this date,
19 Mr. President, the Department of Health has not
20 conducted or issued the results of that study.

21 I'll be voting no. I believe the
22 Hippocratic oath is "Do no harm," not "Make lots
23 of money."

24 Thank you, Mr. President.

25 ACTING PRESIDENT MURPHY: Senator

1 Hoylman will be recorded in the negative.

2 Announce the results.

3 THE SECRETARY: In relation to
4 Calendar 691, those recorded in the negative are
5 Senators Comrie, Dilan, Gianaris,
6 Hassell-Thompson, Hoylman, Krueger, Latimer,
7 Montgomery, Perkins, Persaud, Rivera, Serrano,
8 Squadron, Stavisky and Stewart-Cousins.

9 Ayes, 41. Nays, 15.

10 ACTING PRESIDENT MURPHY: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 731, substituted earlier by Member of the
14 Assembly Cusick, Assembly Print 7597, an act to
15 repeal subdivision 8 of Section 4-104 of the
16 Election Law.

17 ACTING PRESIDENT MURPHY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MURPHY: Read the
21 last section.

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

24 ACTING PRESIDENT MURPHY: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 56.

3 ACTING PRESIDENT MURPHY: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 750, by Senator Marcellino, Senate Print 6504, an
7 act to amend the Education Law.

8 ACTING PRESIDENT MURPHY: Read the
9 last section.

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

12 ACTING PRESIDENT MURPHY: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 56.

16 ACTING PRESIDENT MURPHY: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 752, by Senator Marcellino, Senate Print 6507, an
20 act to amend the Education Law.

21 ACTING PRESIDENT MURPHY: Read the
22 last section.

23 THE SECRETARY: Section 35. This
24 act shall take effect July 1, 2017.

25 ACTING PRESIDENT MURPHY: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 56.

4 ACTING PRESIDENT MURPHY: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 765, by Senator Gallivan, Senate Print 405, an
8 act to amend the Vehicle and Traffic Law.

9 ACTING PRESIDENT MURPHY: Read the
10 last section.

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

13 ACTING PRESIDENT MURPHY: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT MURPHY: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 766, by Senator Gallivan, Senate Print 437, an
21 act to amend the Highway Law.

22 ACTING PRESIDENT MURPHY: Read the
23 last section.

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

1 ACTING PRESIDENT MURPHY: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT MURPHY: Announce
5 the results.

6 THE SECRETARY: Ayes, 55. Nays, 1.
7 Senator Perkins recorded in the negative.

8 ACTING PRESIDENT MURPHY: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 770, by Senator Martins, Senate Print 4101A, an
12 act to amend the Highway Law.

13 ACTING PRESIDENT MURPHY: Read the
14 last section.

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

17 ACTING PRESIDENT MURPHY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MURPHY: Senator
21 Krueger to explain her vote.

22 SENATOR KRUEGER: Thank you,
23 Mr. President.

24 I rise to explain I'm voting no.
25 While I am a big fan of Mr. Joel's music, last I

1 checked, he is still alive and well, living on
2 Long Island. And I actually don't think we
3 should name things after living people.

4 I also hope that my colleague who's
5 sponsoring the bill understands that now he can
6 never accept free entertainment from Mr. Joel or
7 have him participate in any kind of political or
8 fundraising events for him, since he's sponsoring
9 a highway in the name of this living musician.

10 So I think it's a little bit of a
11 risky precedent and it's not the right precedent
12 for the state. Great people do live here, and
13 they die, and at some point after, exploring
14 whether we should recognize them by honoring them
15 with namings of buildings, roads, et cetera, is
16 appropriate. Not while they're alive and well.

17 Thank you, Mr. President.

18 ACTING PRESIDENT MURPHY: Senator
19 Krueger will be recorded in the negative.

20 Senator Stavisky.

21 SENATOR STAVISKY: Thank you,
22 Mr. President.

23 I too will vote no, because I think
24 setting a precedent for naming structures or
25 buildings or roads after somebody who is still

1 alive -- and I certainly don't wish Mr. Joel any
2 harm. But on the other hand, I will vote no for
3 that reason, that we should not be naming
4 anything after people who are still alive.

5 Thank you.

6 ACTING PRESIDENT MURPHY: Senator
7 Stavisky will be recorded in the negative.

8 Senator Martins.

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

11 And I want to thank my colleagues
12 who have supported this effort once again. This
13 bill has passed this house in the past.

14 And I do understand the concerns
15 that exist. But let me lay some of the concerns
16 aside.

17 I happen to be a Billy Joel fan. I
18 think many people here in the chamber and across
19 the country and around the world happen to be
20 Billy Joel fans. But Billy Joel did grow up on
21 Long Island, he did grow up in the Hicksville
22 area. This small piece of a state highway being
23 renamed in his honor is just a recognition of
24 that.

25 Now, there is a debate out there as

1 to whether or not we should name things after
2 people who are living. And there are people who
3 think that people should be dead before you give
4 them the honor of recognizing them. I happen to
5 disagree. And frankly, I didn't hear any protest
6 when we have named bridges after former New York
7 City mayors. We have named office buildings
8 after former New York City mayors. We've had
9 people in this chamber who have gotten up and
10 complained about naming things after people who
11 are still alive who were at those events and
12 stood at those events and yet have voted no.

13 So I would say this. I've had the
14 privilege in my life to serve in different
15 capacities in public office. And one of the
16 great privileges of my life was, as mayor of the
17 Village of Mineola, being able to recognize an
18 individual who had exceptional service to the
19 community by renaming the pool after him, the
20 village pool. So we now have the John S. DaVanzo
21 Village Pool in the Village of Mineola.

22 John passed away a few years back,
23 but before he passed he had the privilege of
24 knowing that his community honored him and to be
25 there for that presentation. There's something

1 special about that, Mr. President, the ability to
2 honor people in the moment and to let them know
3 that their efforts in their lives and that their
4 achievements in their lives are being recognized
5 not only by their peers, by people at large and
6 by the public.

7 Billy Joel is a person who deserves
8 such a recognition. For those who supported this
9 bill, thank you. For those who didn't support
10 the bill, I know you'll reconsider and perhaps
11 vote for it next time.

12 Mr. President, thank you.

13 ACTING PRESIDENT MURPHY: Senator
14 Martins will be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: In relation to
17 Calendar 770, those recorded in the negative are
18 Senators Hoylman, Kaminsky, Krueger and Stavisky.
19 Also Senator Perkins.

20 Ayes, 52. Nays, 5.

21 ACTING PRESIDENT MURPHY: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 773, by Senator Ranzenhofer, Senate Print 4462,
25 an act to amend the Vehicle and Traffic Law.

1 ACTING PRESIDENT MURPHY: Read the
2 last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect on the 120th day.

5 ACTING PRESIDENT MURPHY: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 57.

9 ACTING PRESIDENT MURPHY: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 804, by Senator Carlucci, Senate Print 1971, an
13 act to amend the Executive Law.

14 ACTING PRESIDENT MURPHY: Read the
15 last section.

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

18 ACTING PRESIDENT MURPHY: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 57.

22 ACTING PRESIDENT MURPHY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 818, by Senator Savino, Senate Print 7183, an act

1 to amend the Banking Law.

2 ACTING PRESIDENT MURPHY: Read the
3 last section.

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

6 ACTING PRESIDENT MURPHY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MURPHY: Announce
10 the results.

11 THE SECRETARY: Ayes, 56. Nays, 1.
12 Senator Robach recorded in the negative.

13 ACTING PRESIDENT MURPHY: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 819, substituted earlier by Member of the
17 Assembly Jean-Pierre, Assembly Print 9480, an act
18 to amend Chapter 526 of the Laws of 1998.

19 ACTING PRESIDENT MURPHY: Read the
20 last section.

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

23 ACTING PRESIDENT MURPHY: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 57.

2 ACTING PRESIDENT MURPHY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 853, by Senator Young, Senate Print 7187, an act
6 to amend Chapter 142 of the Laws of 2014.

7 ACTING PRESIDENT MURPHY: Read the
8 last section.

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

11 ACTING PRESIDENT MURPHY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MURPHY: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 853, those recorded in the negative are
18 Senators Hoylman, Perkins and Serrano.

19 Ayes, 54. Nays, 3.

20 ACTING PRESIDENT MURPHY: The bill
21 is passed.

22 Senator DeFrancisco, that completes
23 the noncontroversial reading of the calendar.

24 SENATOR DeFRANCISCO: Is there any
25 further business at the desk?

1 ACTING PRESIDENT MURPHY: No
2 further business.

3 SENATOR DeFRANCISCO: Then I would
4 move to adjourn until Monday, May 23rd, at
5 3:00 p.m., intervening days being legislative
6 days.

7 ACTING PRESIDENT MURPHY: On
8 motion, the Senate stands adjourned until Monday,
9 May 23rd, at 3:00 p.m., intervening days being
10 legislative days.

11 Thank you.

12 (Whereupon, at 12:06 p.m., the
13 Senate adjourned.)

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