NEW YORK STATE SENATE

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3:13 p.m.

REGULAR SESSION

SENATOR JOHN J. FLANAGAN, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT FLANAGAN: The Senate will come to order.

I ask that everyone present please rise and repeat the Pledge of Allegiance.

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

ACTING PRESIDENT FLANAGAN: In the absence of clergy, I would respectfully ask that everyone bow their heads in a moment of silence.

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

ACTING PRESIDENT FLANAGAN: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, March 8, the Senate met pursuant to adjournment. The Journal of Monday, March 7, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Libous.

SENATOR LIBOUS: Mr. President, Senator Rivera has a privileged resolution at the desk. He would ask that we read it in its entirety and then call on him before its adoption, please.

ACTING PRESIDENT FLANAGAN: The Secretary will read.

Excuse me. Before the Secretary reads, can we just have some quiet for Senator Rivera's resolution.

The Secretary will read.

THE SECRETARY: Legislative Resolution Number 676, by Senator Rivera, honoring Dr. Frances Fox Piven upon the occasion of the 40th anniversary of the publication of Regulating the Poor: The Functions of Public Welfare.

"WHEREAS, It is the sense of this

Legislative Body that individuals who distinguish themselves in their profession and who have dedicated their lives to improving the lives of others merit the highest commendation; and

"WHEREAS, Attendant to such concern, and fully in accord with its long-standing traditions, this Legislative Body is justly proud to pay tribute to Dr. Frances Fox Piven, distinguished professor of political science and sociology at the CUNY Graduate Center, upon the occasion of the 40th anniversary of the publication of the Regulating the Poor: The Functions of Public Welfare, her groundbreaking book on social policy in the United States; and

"WHEREAS, Regulating the Poor: The Functions of Public Welfare remains a pioneering social analysis of the Great Depression and the social upheaval of the 1960s, co-authored by Dr. Piven with her late husband Richard Cloward; and

"WHEREAS, Dr. Piven has dedicated her life to making sure all Americans have work, food on the table, and above all a voice

in our democracy. Over the past half-century, she has written more than 10 books and countless articles exploring the causes of poverty in the United States, the government's role in alleviating economic suffering, and the power of working people to join together to gain a voice in the corridors of power; and

"WHEREAS, She has put her principles into action, as well as leading efforts to expand voting rights, access to the social safety net, and the ability of all Americans to make their voices heard; and

"WHEREAS, Putting her ideas into practice, Dr. Piven and her husband, Richard Cloward, worked to fight for greater access to services for the poor. Her efforts were instrumental in enabling needy people to receive federal aid; and

"WHEREAS, In the 1980s, Dr. Piven was a leader in the movement to expand access to the ballot box to traditionally disenfranchised groups, including the poor, African-Americans, and immigrants. Her movement was a driving force behind the passage of the National Voter Registration Act

of 1993, also known as the 'Motor Voter Act,' which requires all social services agencies, including public assistance and disability centers, as well as Departments of Motor Vehicles, to offer voter registration forms to the public; and

"WHEREAS, When President Bill Clinton signed the bill into law at a White House ceremony in 1993, Dr. Piven spoke and was honored to receive one of the pens the President used to sign the bill as a testament to her key role in the law's passage. Her work expanding access to the ballot box also earned her a National Association of Secretaries of State's Annual Award in 1994; and

"WHEREAS, Since 1982, Dr. Piven has taught in the Political Science and Sociology Departments at the City University of New York Graduate Center, and for the past 45 years she has served as a mentor to countless New Yorkers who have taken their place as productive educators and scholars in the great State of New York; and

"WHEREAS, In keeping with its

time-honored traditions, this Legislative Body is proud to honor individuals, such as Dr. Frances Fox Piven, who distinguish themselves in their chosen field of endeavor, dedicating themselves to its enhancement and leading it in new directions; now, therefore, be it

"RESOLVED, That this Legislative Body pause in its deliberations to honor Dr. Frances Fox Piven upon the occasion of the 40th anniversary of the publication of her important work Regulating the Poor: The Functions of Public Welfare; and it be further

"RESOLVED, That a copy of this resolution, suitably engrossed, be transmitted to Dr. Frances Fox Piven."

ACTING PRESIDENT FLANAGAN: Senator Rivera on the resolution.

SENATOR RIVERA: Thank you, Mr. President.

I rise today to kind of tell you a little story about myself. There's many people in this room that might know this, but not everyone does. When I originally came from Puerto Rico in 1998, I came to study

political science in a Ph.D. program in the CUNY Graduate Center. And I came as somebody who was very interested in political science, but somebody who didn't know a lot about politics and about political change.

One of the first classes that I took was with Dr. Frances Fox Piven, who's with us here today. And during that class what Dr. Piven taught me, the discussions that we had in that class kind of taught me about American politics and change in American politics.

I learned to appreciate the fact that this country and the social movements that have existed in the history of this country have driven positive change. I learned about collective action, what people together can achieve.

As I tell my students all the time, since I've actually gone on to teach college myself -- not in the same quality that Dr. Piven does, but certainly trying my best -- and I tell my students that when they have an issue and they want to discuss it with an elected official, they can go and say,

"Hey, I have this very important issue that I need you to address," and a couple of different things can happen if they go by themselves.

They can have an elected official on the other side of the table who really cares about their issue and is going to respond immediately. They can have somebody on the other side of the table who doesn't really want to respond to their issue and tells their staff never to let that person in the room again. Or you can have another elected official who does care but might want to put that off because it's not that important.

But if that person comes with 100 people, that elected official on the other side of the table has to listen, has to pay attention. That is the power of collective action.

And her work has taught me that if you look at the history of this country, it is collective action, it is people together, fighting for their rights and for better conditions, that make it better for all of us.

Whether it's the abolitionist movements, the women's rights movements, the civil rights movements, the workers' rights movements -- and we can even include in that list the right-to-life movement or the Tea Party movement -- even if you disagree with their political affiliations, you cannot ignore the fact that in American democracy it is collective action, it is people working together that actually can achieve things.

So Dr. Piven, as accomplished as she is as a scholar, she is a better mentor to her students. My policy director, Dr. Christopher Malone, who affectionately refers to her as Frances, always, always refers to her as his mentor and the reason why he is doing what he is doing today.

And I daresay were it not for that class that I took the first semester when I got off that plane in cold New York, I would not be standing here with you today.

So I am honored today to sponsor this resolution which recognizes a great teacher, a great scholar, and a great American, Dr. Frances Fox Piven, who joins us

here today.

Thank you, Mr. President.

ACTING PRESIDENT FLANAGAN: Thank you, Senator Rivera.

Dr. Piven, it's a pleasure to see you here today. Welcome to the New York State Senate. Yesterday, had you been here, you could have seen democracy in action, probably in a way that you could have written another book about.

But we welcome you here today nonetheless and -- I'm sorry, Senator Krueger on the resolution.

SENATOR LIZ KRUEGER: Thank you very much. Thank you, Mr. President.

I also am very proud to stand here to say thank you, Senator Rivera, for putting forth this very important resolution, and how delighted I am to see Frances Piven here with us today.

I also went to a graduate school -- earlier than you, I'm older -- in a different city, in Chicago. I went to Public Policy School at the University of Chicago. And one of the most important books I read when I was

in graduate school was the book by Cloward and Piven.

And then when, years later, I came to New York City to work on antipoverty programs, I had the opportunity to meet them both in person and to work with them around the motor voter issue and the importance of making sure everyone had access to register to vote, everyone had access, needed access to participate in democracy by voting, regardless of their income, regardless of where they lived or who they were.

And so both as a symbol of academic freedom in our time and the importance of it, and a national and international symbol of speaking out and educating others about the role we all play in democracy, I am delighted that Senator Rivera has brought Dr. Piven here to us today. And I hope that everybody will take an opportunity to do a little research into the amazing work that she has done for students and people throughout the world for many, many years.

Thank you very much, Dr. Piven, for all your work.

Thank you, Senator Rivera.

Thank you, Mr. President.

ACTING PRESIDENT FLANAGAN: Thank you, Senator Krueger.

Senator Perkins on the resolution.

SENATOR PERKINS: Thank you very much. I'll just be brief.

I want to first thank my colleague for the resolution and for the opportunity to meet Dr. Piven. I am probably amongst many others like yourself who have had the privilege of being influenced by her work, especially in undergraduate school and especially as it relates to the poor.

And to many of us who are from poor families, poor communities, who are dedicated to trying to empower them and to move them along, your work has been very, very important in terms of an appreciation of how that can be done and what has been wrong with the system that we've been living through for so long.

So I thank you so much for your work, thank you for providing us with the opportunity to recognize her and to meet her, and I hope that we get a chance to see more of

your work as time goes on.

Thank you so much.

ACTING PRESIDENT FLANAGAN: Thank you, Senator Perkins.

Is there any other Senator wishing to be heard on the resolution?

Hearing none, the question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT FLANAGAN: Opposed, nay.

(No response.)

ACTING PRESIDENT FLANAGAN: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

There's a privileged resolution at the desk by Senator Lanza. May we please have the title read and move for its immediate adoption.

ACTING PRESIDENT FLANAGAN: The Secretary will read.

THE SECRETARY: Legislative

Resolution Number 782, by Senator Lanza, commemorating the Staten Island Advance upon the occasion of celebrating its 125th anniversary.

ACTING PRESIDENT FLANAGAN: The question is on the resolution. All those in favor signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT FLANAGAN: Opposed, nay.

(No response.)

ACTING PRESIDENT FLANAGAN: The resolution is adopted.

Senator Libous.

SENATOR LIBOUS: At this time, Mr. President, I believe we can take up the reading of the noncontroversial calendar.

ACTING PRESIDENT FLANAGAN: The Secretary will read.

THE SECRETARY: Calendar Number 105, by Senator Gallivan, Senate Print 2385, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT FLANAGAN: Read the last section.

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

ACTING PRESIDENT FLANAGAN: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays, 2. Senator Duane and Senator Serrano in the negative.

ACTING PRESIDENT FLANAGAN: The bill is passed.

Senator Libous.

SENATOR LIBOUS: Mr. President, I believe that was Senator Gallivan's first bill.

Congratulations, Senator.

ACTING PRESIDENT FLANAGAN: Senator Gallivan, congratulations.

(Applause.)

ACTING PRESIDENT FLANAGAN: The Secretary will read.

THE SECRETARY: Calendar Number 148, by Senator Ranzenhofer, Senate Print 2682, an act to repeal Section 2975-a of the Public Authorities Law.

ACTING PRESIDENT FLANAGAN: Read

the last section.

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

ACTING PRESIDENT FLANAGAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT FLANAGAN: Senator Valesky, why do you rise?

SENATOR VALESKY: Mr. President, just to explain my vote.

ACTING PRESIDENT FLANAGAN: To explain your vote.

SENATOR VALESKY: I want to thank Senator Ranzenhofer for bringing this measure to the floor today.

I sponsor similar legislation in the Senate, Senate Bill 1910. Both bills do essentially the same thing, which is to correct a measure that was included in the state budget from a few years ago that is very much anti-economic development and would repeal what has become known as the IDA tax.

So again, I want to thank you, Senator Ranzenhofer, for your leadership on this issue and hope that the Assembly will

follow suit.

I vote in the affirmative.

ACTING PRESIDENT FLANAGAN: Thank you, Senator Valesky.

Announce the results.

THE SECRETARY: Ayes, 58. Nays, 1. Senator Duane in the negative.

ACTING PRESIDENT FLANAGAN: The bill is passed.

THE SECRETARY: Calendar Number 158, by Senator Carlucci, Senate Print 2404, an act to authorize the Town of Orangetown, County of Rockland, to discontinue the use of certain town lands.

ACTING PRESIDENT FLANAGAN: A home-rule message is at the desk.

Read the last section.

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

ACTING PRESIDENT FLANAGAN: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT FLANAGAN: Senator Carlucci, to explain his vote.

SENATOR CARLUCCI: Thank you,

Mr. President.

This legislation is a win/win situation for the residents of the Town of Orangetown, for the local businesses, for the local utility company. It's a great example of how a public/private partnership can foster economic development and job growth in New York.

So I'll be voting in the affirmative on this legislation. Thank you.

ACTING PRESIDENT FLANAGAN: Announce the results.

THE SECRETARY: Ayes, 59.

ACTING PRESIDENT FLANAGAN: The bill is passed.

Senator Libous.

SENATOR LIBOUS: Mr. President, I believe that was Senator Carlucci's first bill.

(Applause.)

SENATOR LIBOUS: And, Mr. President, it wasn't Senator Ranzenhofer's first bill, but it may be his last.

(Laughter.)

SENATOR LIBOUS: Mr. President,

is there any further business at the desk?

ACTING PRESIDENT FLANAGAN: Senator Libous, there is none.

SENATOR LIBOUS: There being no further business at the desk, I move we adjourn until Thursday, March 10th, at 11:00 a.m.

ACTING PRESIDENT FLANAGAN: On motion, the Senate stands adjourned until Thursday, March 10th, at 11:00 a.m.

(Whereupon, at 3:31 p.m., the Senate adjourned.)