

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 24, 2013

11 4:19 p.m.

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14 REGULAR SESSION

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18 SENATOR DAVID J. VALESKY, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

2 ACTING SENATOR VALESKY: The  
3 Senate will come to order.

4 I ask everyone present to please  
5 rise and recite with me the Pledge of  
6 Allegiance.

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

9 ACTING PRESIDENT VALESKY: In the  
10 absence of clergy, may we bow our heads in a  
11 moment of silence.

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

14 ACTING PRESIDENT VALESKY: The  
15 reading of the Journal.

16 THE SECRETARY: In Senate,  
17 Saturday, March 23rd, the Senate met pursuant to  
18 adjournment. The Journal of Friday, March 22nd,  
19 was read and approved. On motion, Senate  
20 adjourned.

21 ACTING PRESIDENT VALESKY: Without  
22 objection, the Journal stands approved as read.

23 Presentation of petitions.

24 Messages from the Assembly.

25 Messages from the Governor.

1 Reports of standing committees.

2 Reports of select committees.

3 Communications and reports from  
4 state officers.

5 Motions and resolutions.

6 Senator Libous.

7 SENATOR LIBOUS: Thank you,  
8 Mr. President.

9 Mr. President, on behalf of  
10 Senator Ritchie, I move that the following bill  
11 be discharged from its respective committee and  
12 be recommitted with instructions to strike the  
13 enacting clause. And that would be Senate Print  
14 4300.

15 ACTING PRESIDENT VALESKY: So  
16 ordered.

17 Senator Libous.

18 SENATOR LIBOUS: Thank you,  
19 Mr. President. At this time there will be an  
20 immediate meeting of the Finance Committee in  
21 Room 332, an immediate meeting of the Finance  
22 Committee in Room 332.

23 In the meantime, we will stand at  
24 ease.

25 ACTING PRESIDENT VALESKY: The

1 Senate Finance Committee meets at this moment in  
2 Room 332.

3 The Senate will stand at ease.

4 (Whereupon, the Senate stood at  
5 ease at 4:21 p.m.)

6 (Whereupon, the Senate reconvened  
7 at 4:41 p.m.)

8 ACTING PRESIDENT VALESKY: Senator  
9 Libous.

10 SENATOR LIBOUS: Mr. President,  
11 could we please return to reports of standing  
12 committees. I believe there's a report of the  
13 Finance Committee at the desk.

14 ACTING PRESIDENT VALESKY: Reports  
15 of standing committees.

16 The Secretary will read.

17 THE SECRETARY: Senator  
18 DeFrancisco, from the Committee on Finance,  
19 reports the following bills:

20 Senate Print 2604E, Senate Budget  
21 Bill;

22 Senate 2605D, Senate Budget Bill;

23 And Senate 2608D, Senate Budget  
24 Bill.

25 All bills reported direct to third

1 reading.

2 ACTING PRESIDENT VALESKY: Senator  
3 Libous.

4 SENATOR LIBOUS: Thank you,  
5 Mr. President. I move that we accept the report  
6 of the Finance Committee.

7 ACTING PRESIDENT VALESKY: All in  
8 favor of accepting the report of the  
9 Finance Committee signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT

12 VALESKY: Opposed, nay.

13 (No response.)

14 ACTING PRESIDENT VALESKY: The  
15 report of the Finance Committee is adopted.

16 Senator Libous.

17 SENATOR LIBOUS: Mr. President, if  
18 we could just wait till everything is  
19 distributed to all the members. We wouldn't  
20 want to start before all the members have what  
21 they need in front of them, please.

22 Mr. President.

23 ACTING PRESIDENT VALESKY: Senator  
24 Libous.

25 SENATOR LIBOUS: I'm sorry, you

1 were in the middle of a discussion. Do you need  
2 to finish that discussion?

3 ACTING PRESIDENT VALESKY:

4 Continue. We're all set.

5 SENATOR LIBOUS: Mr. President,  
6 we'd like to do the noncontroversial reading of  
7 Supplemental Calendar 24A.

8 ACTING PRESIDENT VALESKY: The  
9 Secretary will read.

10 THE SECRETARY: Calendar Number  
11 270, Senate Budget Bill, Senate Print 2604E, an  
12 act making appropriations.

13 ACTING PRESIDENT VALESKY: Senator  
14 Krueger, why do you rise?

15 SENATOR KRUEGER: Thank you,  
16 Mr. President. I rise with a point of order.

17 My understanding is that Section  
18 54-A of the Legislative Law calls for the  
19 procedure by which the Legislature addresses  
20 issues of public transparency and accountability  
21 by providing a conference committee report to be  
22 on the desk of each member of the Legislature  
23 prior to taking up appropriation and language  
24 bills.

25 Is there a copy of that report

1 available to us?

2 ACTING PRESIDENT VALESKY: Senator  
3 DeFrancisco, why do you rise?

4 SENATOR DeFRANCISCO: I just would  
5 like to answer the question.

6 The answer is no.

7 SENATOR KRUEGER: Through you,  
8 Mr. President, then point of order.

9 The law requires it to be on our  
10 desks. I have it here from 2007-2008,  
11 2008-2009, 2009-2010, 2012-2013. I'm quite sure  
12 there was one in between, but I couldn't find it  
13 today.

14 So why would we be taking up bills  
15 if we don't have it on our desks, since the law  
16 requires it?

17 ACTING SENATOR VALESKY: Senator  
18 Krueger, all of the budget bills have not been  
19 introduced at this point in time. And as a  
20 result, your point of order is not well taken.

21 SENATOR KRUEGER: Through you,  
22 Mr. President.

23 ACTING PRESIDENT VALESKY: Senator  
24 Krueger.

25 SENATOR KRUEGER: Thank you.

1                   So is it your clarification that we  
2 will get this report? And if so, when?

3                   ACTING PRESIDENT VALESKY: I'm  
4 simply clarifying as a fact that all budget  
5 bills have not been introduced yet, and  
6 therefore your point is not well taken.

7                   SENATOR KRUEGER: Oh. One moment.

8                   ACTING PRESIDENT VALESKY: Senator  
9 DeFrancisco, why do you rise?

10                  SENATOR DeFRANCISCO: Yes, the  
11 answer to that question is yes, you will get  
12 them, we hope. We're trying our darnedest to  
13 get all the rest of the budget bills printed by  
14 midnight tonight. Once the bills are printed  
15 and we've got the whole plan together, we will  
16 provide that same report.

17                  But we're trying to jump-start the  
18 process. Since there are three budget bills  
19 ready for people to discuss, rather than having  
20 nine or ten budget bills at one time, we thought  
21 this would be the better way to get a reasonable  
22 debate on the bills and give everybody ample  
23 time.

24                  ACTING PRESIDENT VALESKY: Thank  
25 you, Senator DeFrancisco.



1 Read the last section.

2 SENATOR GIANARIS: Lay it aside.

3 ACTING PRESIDENT VALESKY: The  
4 bill is laid aside.

5 THE SECRETARY: Calendar Number  
6 271, Senate Budget Bill, Senate Print 2605D, an  
7 act --

8 SENATOR GIANARIS: Lay it aside.

9 ACTING PRESIDENT VALESKY: The  
10 bill is laid aside.

11 THE SECRETARY: Calendar Number  
12 272, Senate Budget Bill, Senate Print 2608D, an  
13 act to authorize.

14 SENATOR GIANARIS: Lay it aside.

15 ACTING PRESIDENT VALESKY: The  
16 bill is laid aside.

17 Senator Libous, that concludes the  
18 noncontroversial reading of Senate Supplemental  
19 Calendar 24A.

20 SENATOR LIBOUS: Thank you,  
21 Mr. President. And I believe we can now take up  
22 the controversial reading of Supplemental  
23 Calendar 24A.

24 ACTING PRESIDENT VALESKY: The  
25 Secretary will ring the bells.

1           The Secretary will read.

2           THE SECRETARY:   Calendar Number  
3   270, Senate Budget Bill, Senate Print 2604E, an  
4   act making appropriations.

5           ACTING PRESIDENT VALESKY:   Senator  
6   Krueger.

7           SENATOR KRUEGER:   Thank you,  
8   Mr. President.  Will the sponsor please yield?

9           ACTING PRESIDENT VALESKY:   Senator  
10  DeFrancisco, do you yield?

11          SENATOR DeFRANCISCO:   Yes.

12          ACTING PRESIDENT VALESKY:   The  
13  sponsor yields.

14          SENATOR KRUEGER:   Thank you.

15                 So this is an appropriations bill  
16  on capital projects.  So going back to my  
17  earlier point that there should be a report -- I  
18  believe on the entire budget collection, but my  
19  colleague pointed out earlier in my point of  
20  order that we don't have all the bills so we  
21  can't do it on all of them.

22                 But where is the materials that  
23  meet Section 54-A law on this specific capital  
24  bill?  And that would be including conference  
25  committee details -- excuse me -- and specifics

1 on the dollars and cents in this budget bill.

2 SENATOR DeFRANCISCO: This budget  
3 bill has been in print for at least three days,  
4 but I think probably more than that, as are the  
5 other two bills that we're going to discuss  
6 today, which gives everyone ample notice -- not  
7 only members, but also the general public -- to  
8 look at all the entire list of things that this  
9 particular capital projects budget bill, for  
10 example, is going to approve by the approval of  
11 this particular bill.

12 The entire plan will be released as  
13 soon as we've got the other budget bills in  
14 print.

15 SENATOR KRUEGER: Through you,  
16 Mr. President, if the sponsor would continue to  
17 yield.

18 SENATOR DeFRANCISCO: Yes.

19 ACTING PRESIDENT VALESKY: The  
20 sponsor yields.

21 SENATOR KRUEGER: Thank you.

22 Just to read Section 54, "Report on  
23 the Budget": "Before voting upon an  
24 appropriation bill submitted by the Governor and  
25 related legislation as amended in accordance

1 with Article 7 of the Constitution, each house  
2 shall place on the desks of its members a report  
3 relating to each such bill. And preceding final  
4 action on all such appropriation bills and  
5 legislation, members shall be so provided with a  
6 comprehensive cumulative report relating to all  
7 such bills and legislation.

8 "The reports prepared by each house  
9 shall include, for the General Fund, a summary  
10 of proposed legislation, revisions to the  
11 Executive Budget for the ensuing fiscal year, and  
12 shall separately identify and present all  
13 legislative additions, reestimates, and other  
14 revisions that increase or decrease" --

15 ACTING PRESIDENT VALESKY: Senator  
16 Krueger, do you have any question for Senator  
17 DeFrancisco?

18 SENATOR KRUEGER: I do. I'm just  
19 reading from the law.

20 So to continue the paragraph, "and  
21 separately identify and present all legislative  
22 additions, reestimates and other revisions that  
23 increase or decrease available resources."

24 Such report for each appropriation  
25 bill to be on our desks "shall, where

1 practicable, display and the separately identify  
2 and present all legislative additions,  
3 reestimates and other revisions that increase or  
4 decrease state funds and All Funds spending,  
5 including an estimate of the impact of the  
6 proposed revisions on local governments and the  
7 state workforce."

8                   So yes, the sponsor answered that  
9 the bill has aged three days. But again, my  
10 question is, under the law, we are supposed to  
11 have on our desks a report that lays out these  
12 specifications for this specific capital  
13 appropriations bill. I'm wondering where that  
14 report is.

15                   SENATOR DeFRANCISCO: I mentioned  
16 before that you don't have a complete report in  
17 view of the fact that we don't have all the  
18 budget bills printed.

19                   However, I appreciate Senator  
20 Krueger's reading that section of the law,  
21 because there were words in there that she said  
22 a little silently, but it said "where  
23 practicable." And in this particular situation,  
24 I'd be happy to read them more loudly.

25                   It's not practical in view of the

1 fact that we don't have the rest of the budget  
2 bills. However, that summary is extremely  
3 important when we're doing it like we used to do  
4 business, with messages of necessity where no  
5 one really knew what the plan or knew what these  
6 bills stood for, and you couldn't read it in  
7 such a short time.

8 We've had plenty of time to do  
9 that. It's not practicable. We don't want to  
10 waste the time we have here to do three of the  
11 many budget bills, so we do it in an orderly  
12 fashion. So that's why we don't have it. It's  
13 not practicable presently.

14 SENATOR KRUEGER: Through you,  
15 Mr. President. On -- I don't know that I'm on  
16 the bill, I'm on my point about we should have a  
17 report on our desks. So on the bill.

18 ACTING PRESIDENT VALESKY: Senator  
19 Krueger on the bill.

20 SENATOR KRUEGER: I don't believe  
21 I was quieter on "practicable," although I agree  
22 I have trouble saying that word also.

23 But since we all know that we don't  
24 have messages of necessity, this bill has aged  
25 three days -- and certainly in every other

1 previous year since the law passed, we were able  
2 to do this work prior to bringing the bill to  
3 the floor -- I actually do think it was  
4 perfectly practicable for us to have the report  
5 on our desks that we should have on our desks.

6 I'm led to believe that despite the  
7 fact that we are in violation of Section 54 of  
8 the budget law, we are going to continue to take  
9 up this bill. So now I'm happy to open it up to  
10 other questions from the floor.

11 Thank you, Mr. President.

12 ACTING PRESIDENT VALESKY: Are  
13 there any other Senators who wish to be heard?

14 Seeing none, the debate is closed.

15 The Secretary will ring the bells.

16 Read the last section.

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

19 ACTING PRESIDENT VALESKY: Call  
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT VALESKY: Senator  
23 DeFrancisco to explain his vote.

24 SENATOR DeFRANCISCO: Just very  
25 briefly, I want to mention a couple of the

1 highlights of this bill that I think most people  
2 should be happy with, especially Western  
3 New York.

4           There's Empire State Development  
5 money for various projects in Western New York,  
6 including Ralph Wilson Stadium, another  
7 \$2.1 million for the retention of the  
8 professional football team, the Buffalo regional  
9 innovations cluster, and many, many more. It's  
10 part of the Governor's promise for that  
11 \$1 billion lift for Western New York to get that  
12 economy going.

13           However, the other part that's  
14 really important, I believe, is how we dealt  
15 with transportation this year. For five  
16 straight years we had no increase in CHIPS  
17 funding, which is so important for our  
18 localities to be able to keep their roads in  
19 good shape. And there's a \$75 million increase  
20 this year, and the plan is for another \$75  
21 million increase next year.

22           And we have a total budget for  
23 transportation of \$3.4 billion, which is subject  
24 to an MOU, and the projects are listed in the  
25 MOU, which is available.



1           There's also some other funding  
2   that's available for specific projects for  
3   transportation, including aviation, rail, and  
4   some of the regional transportation authorities  
5   as well as the MTA. So it's a very broad -- and  
6   also for SUNY.

7           So there's substantial capital  
8   money here that's been lacking in prior years  
9   that we were able to put in this year which is  
10  crucial for the infrastructure of the State of  
11  New York and to keep our economy going.

12           So it's an excellent bill, and I'm  
13  glad we're going to pass this today.

14           ACTING PRESIDENT VALESKY:    Senator  
15  DeFrancisco to be recorded in the affirmative.

16           Senator Latimer to explain his  
17  vote.

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

20           I rise in support of the bill, but  
21  I would like to share a cautionary note. We  
22  have the major capital project downstate of the  
23  Tappan Zee Bridge, which is not just only  
24  linking Westchester and Rockland County but is a  
25  key connector for business throughout the

1 downstate region.

2           We have applied for \$2.5 billion  
3 from a TIFIA loan. We've received \$1.5  
4 billion. That leaves a gap of a billion  
5 dollars. This budget does not have an  
6 allocation of capital to address that, and I  
7 think there's legitimate concern that we may be  
8 heading toward excessively high tolls if we  
9 can't bridge that gap through some capital  
10 activity.

11           But absent that, I will support  
12 this bill.

13           ACTING PRESIDENT VALESKY: Senator  
14 Latimer to be recorded in the affirmative.

15           Senator Parker to explain his vote.

16           SENATOR PARKER: Thank you,  
17 Mr. President. To explain my vote.

18           I'm voting no on this bill, and I'm  
19 voting no probably on the entire budget,  
20 Mr. President.

21           This has been frankly an atrocity.  
22 To have a process in which you have no  
23 African-Americans, no Latinos, no women, no  
24 Asians involved in the budget process, the third  
25 largest budget in the entire country, is just

1 absolutely horrendous. And not to have our  
2 leader engaged in this.

3 As I look over this bill, I see  
4 nothing in there for my constituents, I see  
5 nothing for Brooklyn. Why would I vote for  
6 something does nothing for my constituents?

7 I have not been able to talk to the  
8 Governor for six, seven months about doing  
9 something around Downstate Medical Center, have  
10 not even had a conversation with him or his  
11 staff. I vote no.

12 I'm looking at a conversation that  
13 we're having about minimum wage. We're talking  
14 about, you know, phasing it in over three years  
15 as a measly \$9. By the time we phase it in,  
16 it's already going to be obsolete. I vote no.

17 We haven't done anything about  
18 plain-sight marijuana and decriminalizing it. I  
19 vote no.

20 And so because of all the things  
21 that are lacking in this budget bill,  
22 Mr. President, I only have a couple of seconds,  
23 but just in case people weren't clear, I'm  
24 voting no.

25 ACTING PRESIDENT VALESKY: Senator

1 Parker to be recorded in the negative.

2 Senator Espaillat to explain his  
3 vote.

4 SENATOR ESPAILLAT: Thank you,  
5 Mr. President.

6 Several days ago we began this  
7 budget process with the debt services bill, and  
8 now we have this capital projects bill with many  
9 worthy projects, including \$53.89 million for  
10 the Ralph Wilson Stadium. For us football  
11 lovers, that will be a great investment.

12 We also have a \$10.25 million  
13 investment for zoos and botanical gardens. It  
14 was actually increased a million dollars for us  
15 folks that like to visit the zoos. That's also  
16 a nice investment.

17 In addition to that, we have  
18 \$4.6 million for invasive species control,  
19 including \$100,000 for Lake George, not too far  
20 from here, and \$20 million for land  
21 acquisition.

22 This is the beginning of a budget  
23 process that will conclude with a budget of  
24 around \$143 billion. And yet there has been no  
25 talk as we concluded this weekend -- the Somos

1 El Futuro weekend, where hundreds of young  
2 people came to the State Capitol -- there is no  
3 talk about the DREAM Act. So it lacks  
4 investment in the human capital. And I think  
5 that's a very negative shortfall for this  
6 budget.

7 In addition to that, the minimum  
8 wage debate continues to linger. And while we  
9 shoot for a \$9 an hour minimum wage in 2015, our  
10 U.S. Senator, Kirsten Gillibrand, is asking for  
11 a \$10.10 minimum wage nationally. And by the  
12 time we get to 2015, I am sure that the federal  
13 government will have implemented a \$9 minimum  
14 wage across the country, across states with much  
15 lower standards and costs of living than New  
16 York City and New York State.

17 So, Mr. President, this is the  
18 beginning of a long process where I, as well as  
19 my colleague who spoke before me, will continue  
20 to vote no in all these budget issues.

21 ACTING PRESIDENT VALESKY: Senator  
22 Espaillat to be recorded in the negative.

23 Senator Libous to explain his vote.

24 SENATOR LIBOUS: Thank you,  
25 Mr. President.

1           It was commented earlier, and I  
2   don't recall who did it, who said it, but I just  
3   want to make a clarification. The New York City  
4   region, in this budget bill, will get  
5   \$1.26 billion. And that money is going to go to  
6   the Counties of Richmond, Kings, Queens,  
7   New York, and Bronx. So I just want to make  
8   that point and clarification.

9           ACTING PRESIDENT VALESKY: And,  
10   Senator Libous, how do you vote?

11          SENATOR LIBOUS: I vote aye.

12          ACTING PRESIDENT VALESKY: Senator  
13   Libous to be recorded in the affirmative.

14          Senator Kennedy to explain his  
15   vote.

16          SENATOR KENNEDY: Thank you,  
17   Mr. President.

18                I rise today to express my support  
19   for the funding allocated in this budget  
20   specifically toward the Buffalo Bills, keeping  
21   the Buffalo Bills in Western New York and in  
22   New York State.

23                The Bills, as we all know, are an  
24   important part of the fabric of the Western  
25   New York community, of the New York State

1 economy. It's a strategic investment targeted  
2 to benefit our region's infrastructure, our  
3 economy, a long-term focus that's going to  
4 ensure that we have a positive economic impact  
5 felt from the retention of the Bills in Buffalo.

6 This isn't just about football,  
7 this is about jobs. This is about keeping jobs,  
8 the thousands of jobs that are important to the  
9 Western New York economy, the New York State  
10 economy, working.

11 If the Bills were to leave Buffalo,  
12 it would send a negative economic ripple effect  
13 throughout our community, throughout our state.  
14 Businesses throughout Western New York would  
15 have to consider laying off workers.  
16 Merchandisers, restaurants, bars, food  
17 suppliers, busing companies, shipping companies  
18 and others all would feel an economic pain.

19 Negotiating a lease deal for the  
20 stadium was a long process, but it was essential  
21 to keep the Bills in Buffalo. The Governor and  
22 other stakeholders deserve a great amount of  
23 credit. All the stakeholders came together to  
24 devise a solution that will work to benefit our  
25 economy, our county, our state, our football

1 team, and our fans.

2 I want to thank also Senator  
3 DeFrancisco for giving us Syracuse University's  
4 coach, Doug Marrone, who undoubtedly are going  
5 to lead the Bills to the Super Bowl in the very  
6 near future, to see the fruits of our labor.  
7 And the next step is finding a quarterback to  
8 ensure this is a positive investment for all of  
9 New York State.

10 Again, I vote aye on this budget  
11 portion of this bill and look forward to seeing  
12 the Bills' successes in the near future.

13 Thank you.

14 ACTING PRESIDENT VALESKY: Thank  
15 you, Senator Kennedy.

16 Senator Kennedy will be recorded in  
17 the affirmative.

18 And just let the record reflect  
19 that I in fact represent Syracuse University.  
20 So thank you.

21 Senator Grisanti to explain his  
22 vote.

23 SENATOR GRISANTI: Yes, thank you,  
24 Mr. President.

25 I won't go any further on the



1 Buffalo Bills issue than they're getting their  
2 funding and God pray that they get a  
3 quarterback.

4 But, you know, this budget bill  
5 isn't just about the Buffalo Bills. I mean,  
6 it's about numerous things across New York  
7 State. This is first time EPF funding has been  
8 increased, ladies and gentlemen, a \$19 million  
9 increase. It affects a variety of issues across  
10 your districts, from research to farmers to  
11 protect against pollution in the environment.  
12 That's very significant that that actually went  
13 forward.

14 In particular, they have the  
15 New York SUNY 2020, New York CUNY 2020,  
16 significant amounts of money, a combination of  
17 \$110 million.

18 The CHIPS funding alone, the CHIPS  
19 funding alone -- an increase that has not been  
20 seen for five years -- is mandate relief for  
21 your municipalities. That is money the  
22 municipalities do not have to spend on various  
23 infrastructure, that we have given them some  
24 mandate relief with regards to those areas.

25 And in particular in Western

1 New York, there's numerous funding in here for  
2 the waterfront development, for parks and for  
3 various municipalities to deal with  
4 environmental issues.

5 And it's a budget on the capital  
6 projects that's much needed for the state, but  
7 in particular for Western New York. I vote  
8 aye.

9 Thank you very much, Mr. President.

10 ACTING PRESIDENT VALESKY: Senator  
11 Grisanti to be recorded in the affirmative.

12 Announce the results.

13 THE SECRETARY: Ayes, 60. Nays,  
14 2. Senators Espaillat and Parker recorded in  
15 the negative.

16 ACTING PRESIDENT VALESKY: The  
17 bill is passed.

18 The Secretary will continue to  
19 read.

20 THE SECRETARY: Calendar Number  
21 271, Senate Budget Bill, Senate Print 2605D, an  
22 act authorizing.

23 ACTING PRESIDENT VALESKY: Read  
24 the last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT VALESKY: Senator  
3 Rivera, why do you rise?

4 SENATOR RIVERA: Thank you,  
5 Mr. President, to explain my vote -- on the  
6 bill.

7 ACTING PRESIDENT VALESKY: Senator  
8 Rivera on the bill.

9 Senator Rivera, you're recognized  
10 to speak on the bill.

11 SENATOR RIVERA: Thank you,  
12 Mr. President. And as I am speaking on the  
13 bill, I will also explain my vote, so it covers  
14 two at the same time.

15 I will be voting in the affirmative  
16 on this piece of legislation. There's a couple  
17 of things that I think certainly that we needed  
18 to do a little bit differently. Certainly the  
19 closing of the facility, of the Beacon facility,  
20 is something that we have been concerned about,  
21 certainly myself and many members of my  
22 conference, particularly my colleague Terry  
23 Gipson. I'm sure he will speak to it.

24 But I wanted to speak briefly about  
25 one part of the budget that deals with the

1 transfer of the Fulton Correctional Facility.  
2 It is a former work-release facility that is in  
3 my district.

4           We have been, the last couple of  
5 years, working -- along with members of my  
6 conference, certainly Senator Ruth Hassell-  
7 Thompson, and many members in the Assembly as  
8 well as folks on the second floor -- we've been  
9 working on putting together something that  
10 hopefully with this transfer of a facility will  
11 actually come a little bit closer to fruition.

12           Many folks that are incarcerated in  
13 upstate New York right now and in places all  
14 across the state will come back to neighborhoods  
15 like the ones I represent in the Bronx. And we  
16 want to make sure that when these folks come  
17 back, they have a way to become productive  
18 members of society again.

19           What this facility, once it starts  
20 operation, and hopefully this will -- this  
21 definitely gets us closer to that -- it will  
22 serve as a one of a kind and first of its kind  
23 reentry facility in the Bronx, providing both  
24 housing and education opportunities, as well as  
25 workforce development. It will allow an

1 opportunity for folks that are coming back to  
2 the city, and particularly to the Bronx, to be  
3 able to train so that they do not go back into  
4 the criminal justice system.

5 I am very glad that we were able to  
6 include it in this budget process. We are  
7 transferring the facility now to an organization  
8 known as the Osborne Association that has done  
9 excellent work with incarcerated individuals,  
10 formerly incarcerated individuals. We still  
11 have a long way to go to make sure that this  
12 program and this facility is up and running, but  
13 the first part of it has to be this transfer of  
14 this facility. So I'm very happy that we are  
15 doing it today.

16 I will be voting in the affirmative  
17 on this piece of legislation, Mr. President.  
18 Thank you.

19 ACTING PRESIDENT VALESKY: Thank  
20 you, Senator Rivera.

21 Senator Parker on the bill.

22 SENATOR PARKER: Thank you very  
23 much, Mr. President. On the bill.

24 In a move that's probably going to  
25 surprise this chamber, I'm voting no on this

1 bill as well, Mr. President.

2 I want to maintain, I guess mostly  
3 for emphasis, my problem with the process. And  
4 we talk about -- you know, there's a lot of  
5 conversation about dysfunction in this body and,  
6 you know, dysfunction in the Legislature and  
7 dysfunction in Albany. And understand that  
8 dysfunction was a term that talked about the  
9 three men in a room.

10 We now have four men in a room.  
11 And this is not personal to who the four men  
12 are. It's that you have 150 people who  
13 represent, you know, 20 million people, and you  
14 only have four of them making decisions.

15 And if anybody tries to raise issue  
16 of those tables, which are just jive -- I mean,  
17 they're less than a billion dollars. You're  
18 talking about a vote being taken over the next  
19 few days on, Mr. President, 142-point-something  
20 billion dollars. Right? And you put less than  
21 a billion at these little tables that we're  
22 doing, you know, it's tricks.

23 And it is what it is. And, you  
24 know, I get we're doing it for effect. But, you  
25 know, don't -- don't tell me that. Right? I

1 mean, the reality is that we have not been part  
2 of it. I don't know why I would vote for  
3 something in which my input has been not just  
4 ignored but essentially told no.

5 I came to the table essentially  
6 with one major issue, which is the preservation  
7 of Downstate Medical Center as both a medical  
8 school and health center as well as a hospital.  
9 Could not even get a meeting with the Governor  
10 or his people for seven months. For seven  
11 months. We wrote letters, I stopped people in  
12 the hallway, went to the Governor's mansion and  
13 asked the Governor personally, and was denied a  
14 conversation.

15 Why would I vote for a budget when  
16 I've asked for one thing and I was told,  
17 Mr. President, that I can't even have a  
18 conversation with the people making the decision  
19 about the one thing that was the most important  
20 to me? Why would I give you my vote on anything  
21 in this budget?

22 This is a medical center that  
23 85 percent of the people who get services there  
24 and primary care there are African-American and  
25 people of African descent and Latino. And this

1 is what you think is the right thing to do,  
2 Mr. Governor? We produce 800 medical  
3 professionals every single year. And you want  
4 to close the hospital and fire people in this  
5 economy?

6 So you want to run these nice ads  
7 about New York is open for business? It must  
8 not be open for business in Brooklyn, because  
9 you're closing the fourth-largest employer in  
10 Brooklyn. And then you want my vote for that.

11 This bill is not -- this bill  
12 doesn't deal with that directly, and I  
13 understand that. But my objections on all of  
14 this stuff, I cannot vote for any of this due to  
15 the fact that things that I'm asking for are not  
16 being resolved.

17 ACTING PRESIDENT VALESKY: Senator  
18 DeFrancisco, why do you rise?

19 SENATOR DeFRANCISCO: I'd ask if  
20 Senator Parker would please yield to a very  
21 quick question which may make him feel better.

22 ACTING PRESIDENT VALESKY: Senator  
23 Parker, do you yield?

24 SENATOR PARKER: For my friend  
25 Senator DeFrancisco, absolutely.



1                   ACTING PRESIDENT VALESKY:    Senator  
2   Parker yields.

3                   SENATOR DeFRANCISCO:    Senator, as  
4   I mentioned earlier, we don't have all the  
5   budget bills prepared in print.  But, however --  
6   oh, this one is in print, actually.  I'm sorry,  
7   I'm mistaken.

8                   But this is Budget Bill 2606D.  
9   There is a provision.  There is a provision  
10  concerning the Downstate hospital that you're  
11  concerned about that was negotiated.  And I can  
12  refer you -- or actually, Senator Hannon is in a  
13  better position to refer you to the exact  
14  section, and maybe can you take a look at that  
15  before you -- Part Q of that bill, 2606D.

16                  SENATOR PARKER:    Okay.

17                  SENATOR DeFRANCISCO:   And you  
18  might want to take a look at it, because I think  
19  there was an extensive provision concerning your  
20  issue.

21                  SENATOR PARKER:    Thank you,  
22  Senator DeFrancisco.

23                  If I can continue on the bill.

24                  ACTING SENATOR VALESKY:   Continue.

25                  SENATOR PARKER:    I have two

1 problems with Downstate, and I'm going to kind  
2 of end here.

3                   One was about the need for about  
4 \$150 million -- and this is according to the  
5 SUNY people, and the chairman there, have  
6 indicated they need \$150 million. I have not  
7 seen anything -- and in fact, everybody I've  
8 talked to has said it's not been there. I'm  
9 hoping that the clarification I got from Senator  
10 DeFrancisco is in fact correct and in fact there  
11 is some money there to make this hospital go  
12 further.

13                   My second problem is language that  
14 privatizes the hospital. And I don't think  
15 there's any place for privatization in a public  
16 hospital.

17                   And the reality is we have public  
18 institutions, and the reason why we have  
19 government is that frankly there isn't a market  
20 to do some of the things that need to be done in  
21 our society. Point-blank, period. That's why  
22 you need government. If there was a market to  
23 pave every street in the country, then in fact,  
24 you know, there would be private companies that  
25 did nothing but own the streets and pave them.

1 If there was a market to educate everybody, then  
2 you would not need public schools, you would  
3 just have private education.

4 The reality is there are some  
5 things that we actually do better, believe it or  
6 not. And efficiency cannot just be about  
7 economic efficiency, it has to be about service  
8 efficiency. It has to be about quality of  
9 care. It has to be about making sure that  
10 people in our society get the things that they  
11 need.

12 And so I can't vote on a bill that  
13 begins the process of privatizing a public  
14 hospital and a public medical center.

15 I have vast concerns about other  
16 parts of this budget. No DREAM Act. I think,  
17 again, a woefully inadequate minimum-wage  
18 proposal. The fact that we have not dealt with  
19 just many, many of the important things,  
20 including the developmentally disabled community  
21 that's going to lose about \$120 million, is my  
22 understanding still, and that we haven't  
23 resolved.

24 And so some of these things have to  
25 be resolved before I can feel comfortable voting

1 yes on this budget.

2 Mr. President, I vote no.

3 ACTING PRESIDENT VALESKY: Thank  
4 you, Senator Parker.

5 Senator Gipson on the bill.

6 SENATOR GIPSON: Thank you,  
7 Mr. President, for the opportunity to speak on  
8 this bill.

9 There are some very good things in  
10 this bill that I am very happy about, and one of  
11 them is the local government efficiency grant  
12 program. This program will allow local  
13 municipalities that are experiencing severe  
14 budget crunches, it will help them in reaching  
15 out for more opportunities to share services and  
16 making the entire process more streamlined. And  
17 it will, more importantly, speed up the process  
18 in which grant money is brought back to these  
19 local governments. I'm very happy to see that  
20 that is in here.

21 I'm also happy to see that this  
22 adjudication of traffic violations has been  
23 changed from what the Executive was originally  
24 proposing. The Executive's proposal would have  
25 taken power away from our local governments, it

1 would have taken power away from the ability for  
2 them to plea bargain tickets. This would have  
3 led to an increase in trials, and the resulting  
4 expenses would have gone back to our local  
5 governments.

6 This new solution will reduce local  
7 governments' traffic court expenses and, more  
8 importantly, it will continue an important  
9 stream of revenue for our local governments.

10 These two things are good.  
11 However, in this bill there is one thing that is  
12 particularly bad. And that is that the Beacon  
13 Correctional Facility, which is located in the  
14 southern end of my district, is proposed to be  
15 closed.

16 As many of you know, I fought hard  
17 to keep this facility open, along with many of  
18 my colleagues. There are women there that  
19 receive valuable services that will be  
20 unfortunately displaced to other locations that  
21 will not be able to offer the quality of care  
22 that they were receiving there. Jobs are at  
23 stake. And more importantly, the local economy  
24 stands to suffer greatly from this decision.

25 Having said that, apparently I'm

1 left no other course of action than to try to  
2 find a way to make use of this outstanding  
3 facility, which is over 300 acres right in the  
4 middle of a thriving metropolis, the City of  
5 Beacon. It's a great place to visit. If you  
6 haven't been there, I hope you'll come and see  
7 what they've done there, on their own, with art  
8 galleries and restaurants. The education system  
9 there is growing. It's an exciting place to  
10 be.

11 So what we have to do now is we  
12 have to find a way to revitalize this important  
13 venue there. And so I'm committed to working  
14 with the Governor's office and the local  
15 community in finding a way to make sure that we  
16 develop good local jobs at this location and  
17 that we find a way to make sure that the economy  
18 continues to grow as a result of the work that  
19 we're doing there. And that's where my focus  
20 will be moving forward.

21 As I said, there are good things in  
22 this bill that I support. But the fact that a  
23 facility that offered so many good services and  
24 such a great economic benefit to my community is  
25 being closed, I will have to vote no on this

1 bill.

2 Thank you, Mr. President.

3 ACTING PRESIDENT VALESKY: Thank  
4 you, Senator Gipson.

5 Seeing no other Senator who wishes  
6 to be heard on the bill, the debate is closed.

7 The Secretary will ring the bells.

8 Read the last section.

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

11 ACTING PRESIDENT VALESKY: Call  
12 the roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT  
15 VALESKY: Announce the results.

16 THE SECRETARY: In relation to  
17 Calendar Number 271, those recorded in the  
18 negative are Senators Espaillat, Gipson, and  
19 Parker.

20 Ayes, 59. Nays, 3.

21 ACTING PRESIDENT VALESKY: The  
22 bill is passed.

23 Senator DeFrancisco, why do you  
24 rise?

25 SENATOR DeFRANCISCO: I just

1 wanted to explain my vote very briefly.

2           It was just mentioned by Senator  
3 Gipson about this help to the localities, not  
4 only in these local efficiency grants, but one  
5 of the biggest things in my community -- and, I  
6 know, a lot of people upstate -- the Governor  
7 wanted to take away plea bargaining on various  
8 motor vehicle provisions. And the intended  
9 purpose was to make sure that tickets were not  
10 plea bargained down to an offense that only the  
11 localities receive the funds.

12           There was a great compromise so  
13 that the localities could still plea bargain and  
14 not have the cost of trials or additional cost  
15 because of not being able to get a lower charge,  
16 but also so the localities could keep the  
17 funding, which was critical for the towns and  
18 villages especially.

19           In addition, there's another  
20 provision in here that I think is very important  
21 with respect to safety in the schools. And  
22 we've included language in this budget to allow  
23 the Commissioner of Education the discretion to  
24 eliminate earning limitations for retired police  
25 officers employed to districts as school



1 resource office. In other words, they can allow  
2 for more than the minimum amount of wage for  
3 retired police officers dealing with this 211  
4 waiver.

5 It gives the flexibility for the  
6 school districts to hire these officers and be  
7 in a position to make their schools safer. So I  
8 think that's a significant part of the public  
9 protection bill as well.

10 Thank you. I vote aye.

11 ACTING PRESIDENT VALESKY: Senator  
12 DeFrancisco to be recorded in the affirmative.

13 The bill is passed.

14 The Secretary will continue to  
15 read.

16 THE SECRETARY: Calendar Number  
17 272, Senate Budget Bill, Senate Print 2608D, an  
18 act to authorize.

19 ACTING PRESIDENT VALESKY: Senator  
20 Parker on the bill.

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

23 I rise to vote no on this budget  
24 bill. I don't see the 18-a utility assessment  
25 surcharge in it. And I wish that meant that it

1 was going to go away, as it should. This is a  
2 harmful tax to our constituents and people who  
3 use utilities across the state.

4 And even though that's not in this  
5 budget, we still have failed to do many of the  
6 important things, Mr. President, that I think  
7 that we need to do to take care of the people of  
8 the State of New York, particularly the people  
9 in my district.

10 Downstate Medical Center's  
11 financial crisis and the privatization language  
12 in the budget must be dealt with. Education,  
13 particularly restoring the full funding for our  
14 schools and restoring the \$250 million to  
15 New York City schools has to happen.

16 We also have not held up our  
17 promise for the Campaign for Fiscal Equity. And  
18 so we have high-needs districts across the State  
19 of New York, from Buffalo to Bath, from Brooklyn  
20 to Brookhaven, that all are suffering because we  
21 have not fulfilled our promise to the Campaign  
22 for Fiscal Equity lawsuit.

23 Lack of progress on minority and  
24 women-owned business enterprises is really a  
25 problem. In fact, my understanding is that this

1 budget is going to contain a \$3 million  
2 deduction when in fact we are actually supposed  
3 to be increasing the amount of money that we're  
4 putting in for MWBEs.

5           That in fact for you to in fact get  
6 to the threshold that the Governor himself has  
7 said he wants to see every agency get to, which  
8 is 20 percent -- which is laudable, but it's one  
9 thing to pay lip service to it. It's another  
10 thing, Mr. Governor, to put your money where  
11 your mouth is. And we need about \$14 million  
12 across the state in agencies in order to make a  
13 20 percent goal happen in each agency. And I  
14 don't see that reflected in this budget, so I'm  
15 going to vote no.

16           Lack, again, of marijuana  
17 decriminalization and public protection. Some  
18 of you have heard in Brooklyn that there have  
19 been a number of disruptions and civil  
20 disobedience in regards to the death of a young  
21 man named Kimani Gray. That's in my district.

22           You know, when are we going to do  
23 something about stop and frisk? We've been  
24 asking for months to do that. We could have  
25 done that in this budget and dealt with

1 something that's important for the people of the  
2 State of New York. And, again, failing to  
3 provide a significant living wage is also a real  
4 problem.

5           Let me suggest, as I close, that we  
6 get together with the Assembly and take back our  
7 power on the budget. I know that a number of  
8 years ago that there was a lawsuit, you know,  
9 and we sued and lost. And because of that, we  
10 are now the most ineffective legislature in the  
11 entire country as relates to a budget  
12 negotiation.

13           We could actually take that back by  
14 deciding what is fair, coming up with a bill,  
15 passing it. Of course, the Governor won't sign  
16 it, but we can bring it here and we can override  
17 the Governor's veto and take back our own  
18 power. Instead of having these tables with  
19 \$550 million, which is than a half a percent of  
20 the budget that we're making decisions on.

21           You know, we lost all of our member  
22 items and capital funding -- at least we did in  
23 the minority, we didn't have any. Member  
24 items -- and you know, let's call it the nice  
25 word, legislative initiative funds -- was less

1     than \$200 million for the entire Legislature.  
2     And the Governor has scooped that up, put it in  
3     his little Economic Development Councils, and  
4     have left our communities, particularly black  
5     and Latino communities, bare, without an ability  
6     to decide where funding goes in our  
7     communities.

8                     And so what continues to get  
9     funding are large organizations. And meanwhile,  
10    community-based organizations that are doing a  
11    lot of the grassroots work that is really  
12    critical in districts like mine, is not getting  
13    done.

14                    For all of those reasons, I vote no  
15    on this budget.

16                    ACTING PRESIDENT VALESKY:     Senator  
17    Kennedy on the bill.

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

20                    I rise today to express my support  
21    for the language included in this bill that  
22    brings New York State in line with federal  
23    regulations regarding distracted driving.

24                    It's vitally important that all  
25    drivers and those with whom they share the road

1 are protected from dangerous of texting while  
2 driving and distracted driving. We've been long  
3 fighting to end distracted driving, but lives  
4 continue to be put at risk by motorists that are  
5 texting while driving or engaged in other  
6 distractions behind the wheel.

7           The expanded provisions in this  
8 budget bill take another step in the right  
9 direction toward improving roadway safety and  
10 ultimately saving lives.

11           Momentum began building to ban  
12 texting when driving as a result of the work in  
13 Western New York by Kelly Cline, a Western  
14 New Yorker who lost her son, A.J. Larsen, to a  
15 texting while driving accident. Since then,  
16 Kelly has been an unwavering advocate for safer  
17 driving laws.

18           Together, we passed a ban on  
19 distracted driving back in the last couple of  
20 years. I was proud to vote for a statewide ban  
21 against distracted driving here in New York  
22 State.

23           In the first year since the ban,  
24 more than 20,000 distracted driving tickets were  
25 written. As law enforcement officials continue

1 to crack down on this dangerous activity, lives  
2 are being saved across our state. The language  
3 in this bill will prohibit drivers from using  
4 handheld mobile telephones or portable  
5 electronic devices while operating commercial  
6 motor vehicles.

7 Thank you, Mr. President. I vote  
8 aye.

9 ACTING PRESIDENT VALESKY: Senator  
10 Gipson on the bill.

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

13 I am very happy about some things  
14 in this bill that really will help promote  
15 farming in my community. I want to point out  
16 that the Environmental Protection Fund not only  
17 helps protect our environment, but it also helps  
18 protect our farmland. For every \$1 invested in  
19 the EPF, New York's farm economy will help  
20 generate \$7 back into New York's economy.

21 Our state is a leader in  
22 agriculture. We are the third-largest dairy  
23 industry in the nation. And with the right  
24 investments, our agricultural industry will  
25 continue to grow.

1                   Farms in New York today face a  
2   immense pressure to sell land for development,  
3   especially farms in the Hudson Valley, where my  
4   district is located and where property values  
5   have increasingly been on the rise. However,  
6   funding from the EPF helps protect this farmland  
7   so that farmers can obtain additional land or  
8   keep the land from being sold.

9                   Recently the Farmland Protection  
10  Program was not seeing the types of funding that  
11  it really needed to assist farmers. But now,  
12  with this bill, we'll be changing that. And as  
13  you know, food security is critical to  
14  protecting our farmland.

15                  I would also point out that my  
16  district is the home of the Dutchess County  
17  Fair, which is what I consider to be a real  
18  jewel in terms of promoting agriculture in not  
19  only my district but in New York State. So it  
20  is my goal over the next few years, you're going  
21  to see an increase in agriculture in the Hudson  
22  River Valley because of what the EPF fund is  
23  doing in this bill.

24                  So thank you, Mr. President.

25                  ACTING PRESIDENT VALESKY:     Senator



1 Latimer on the bill.

2 SENATOR LATIMER: Thank you,  
3 Mr. President. On the bill.

4 There is an omission in this bill  
5 which may be caught in some bill before we're  
6 finished with our work on the budget, but for  
7 the moment the Governor placed in this section  
8 of the budget a proposal to implement  
9 recommendations made by the Moreland Commission  
10 on utility storm preparedness and response.

11 There are many good people in my  
12 home district in Westchester County and I  
13 suspect in other parts of the state -- in Queens  
14 and Staten Island and Long Island -- that are  
15 very concerned over the performance of the  
16 utilities during Superstorm Sandy. And the  
17 Governor was very forthright, and I think  
18 accurately so, in indicating that we needed to  
19 beef up enforcement of the Public Service  
20 Commission.

21 That whole topic area has been left  
22 out of this bill. I'll look to see that it's  
23 referred in some other bill going forward. But  
24 I think it's a very important point, and I don't  
25 think we can afford, if we're going to deal with

1 these issues within the budget, to close this  
2 budget without dealing with that proposal by the  
3 Governor. Because I think many of our  
4 residents are expecting to see us respond with a  
5 greater degree of enforcement of these  
6 regulations.

7 Thank you.

8 ACTING PRESIDENT VALESKY: Seeing  
9 no other Senator who wishes to be heard, the  
10 debate is closed.

11 The Secretary will ring the bells.

12 Read the last section.

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

15 ACTING PRESIDENT VALESKY: Call  
16 the roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT VALESKY: Senator  
19 Carlucci to explain his vote.

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

22 I want to thank Governor Cuomo and  
23 my colleagues for working on this budget, this  
24 budget bill particularly. We have language in  
25 here that addresses a real commonsense issue

1 that we realized in the aftermath of Hurricane  
2 Sandy.

3 In the days following Superstorm  
4 Sandy we came to realize the painful truth, that  
5 our state is dependent on gasoline. And we saw  
6 that when gas stations can't pump gasoline, that  
7 our society, our economy grinds to a screeching  
8 halt.

9 In this legislation, in this budget  
10 bill, we put in language to make sure that gas  
11 stations have backup generators, that the  
12 rewiring -- that gas stations will be able to  
13 get money to do rewiring so that when a  
14 disaster strikes, generators will kick in to  
15 make sure that that gasoline can pump.

16 This is a commonsense approach to  
17 make sure that we can move our society along, to  
18 make sure that our economy doesn't grind to a  
19 screeching halt, and to make sure that emergency  
20 service workers can move throughout the  
21 community. What we saw in the aftermath of  
22 Superstorm Sandy was traffic lining the streets,  
23 emergency service workers not being able to get  
24 by, people not being able to get to work.

25 This is an important piece of

1     legislation. I want to thank my colleagues for  
2     working on a commonsense approach that helps the  
3     gas stations, helps commuters, helps emergency  
4     service workers to make sure that we can provide  
5     relief in the aftermath of a disaster like  
6     Hurricane Sandy.

7                     So I vote aye on this and want to  
8     thank my colleagues for doing the same.

9                     Thank you, Mr. President.

10                    ACTING PRESIDENT VALESKY:    Senator  
11    Carlucci to be recorded in the affirmative.

12                    Senator Farley to explain his vote.

13                    SENATOR FARLEY:    I rise to bring  
14    attention to one part of this which is very  
15    worthwhile, and I applaud my colleagues for  
16    fighting for it. And that's CHIPS for our roads  
17    upstate and around the state. Because here  
18    we're spending millions to actually save  
19    billions.

20                    It's something that's been very,  
21    very important, and I'm pleased to vote for  
22    this.

23                    ACTING PRESIDENT VALESKY:    Senator  
24    Farley to be recorded in the affirmative.

25                    Senator Grisanti to explain his

1 vote.

2 SENATOR GRISANTI: Yes, thank you,  
3 Mr. President.

4 You know, what Senator Carlucci  
5 said, it is very important for downstate and  
6 those gas stations. However, the initial  
7 proposal was for it to go statewide.

8 Now, being a Western New Yorker  
9 from Buffalo, we don't really have those type of  
10 storms that would require these gas stations to  
11 spend \$40,000 to \$60,000 to implement a  
12 generator program. So I'm glad that upstate was  
13 actually taken out of that particular part of  
14 the bill.

15 However, they can opt in if they  
16 want to, if federal money becomes available. So  
17 that's very important that it would not add that  
18 burden on the gas station industry in upstate  
19 New York.

20 And then besides CHIPS funding and  
21 everything else, what's important in this  
22 legislation as well is that trappers do have a  
23 separate identity when it comes to their  
24 licenses, so they're not grouped together with  
25 other hunting licenses. So I know that that was

1 very important for the trappers to maintain  
2 their separate identity.

3 And in the previous legislation, I  
4 appreciate everybody's vote with regard to the  
5 increased aid to Roswell Park Cancer Institute  
6 so they can continue with their capital projects  
7 moving forward, for the economy as well. We  
8 know it's important not only for Western New  
9 York and the state, but they're world-renowned  
10 in the research they do and saving lives in  
11 cancer research.

12 For those reasons, on all three of  
13 those budget bills, as I said before, I vote  
14 aye, Mr. President.

15 ACTING PRESIDENT VALESKY: Senator  
16 Grisanti to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: In relation to  
19 Calendar Number 272, those recorded in the  
20 negative are Senators Espaillat and Parker.

21 Ayes, 60. Nays, 2.

22 ACTING PRESIDENT VALESKY: The  
23 bill is passed.

24 Senator Libous, that completes the  
25 bills on Senate Supplemental Calendar 24A.

1                   SENATOR LIBOUS:    Mr. President,  
2    did you call my name?

3                   ACTING PRESIDENT VALESKY:    I did.

4                   SENATOR LIBOUS:    Since you called  
5    my name, is there any further business at the  
6    desk?

7                   ACTING PRESIDENT VALESKY:    There  
8    is none.

9                   SENATOR LIBOUS:    Mr. President,  
10   there being no further business at the desk, I  
11   move that the Senate will adjourn until  
12   March 25th -- that's tomorrow, Monday -- at  
13   11:00 a.m.

14                   ACTING PRESIDENT VALESKY:    On  
15   motion, the Senate stands adjourned until  
16   Monday, March 25th, at 11:00 a.m.

17                   (Whereupon, at 5:36 p.m., the  
18   Senate adjourned.)

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