NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 26, 2014

3:41 p.m.

REGULAR SESSION

SENATOR DAVID J. VALESKY, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT VALESKY: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT VALESKY: The reading of the Journal.

The Secretary will read.

THE SECRETARY: In Senate, Tuesday, February 25th, the Senate met pursuant to adjournment. The Journal of Monday, February 24th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 10, Senator Savino moves to discharge, from the Committee on Labor, Assembly Bill Number 8451 and substitute it for the identical Senate Bill Number 6336A, Third Reading Calendar 58.

ACTING PRESIDENT VALESKY: Substitution ordered.

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: Thank you, Mr. President.

Mr. President, on behalf of Senator Martins, on page 9 I offer the following amendments to Calendar Number 46, Senate Print 6211, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT VALESKY: So ordered.

Senator Libous.

SENATOR LIBOUS: Again on behalf of Senator Martins, Mr. President, on page 9 I offer the following amendments to Calendar Number 47, Senate Print 6217, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT VALESKY: So ordered.

Senator Libous.

SENATOR LIBOUS: And this is Senator Martins Day. Again, on behalf of Senator Martins, on page 9 I offer the following amendments to Calendar Number 48, Senate Print 6245, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT VALESKY: So ordered.

Senator Libous.

SENATOR LIBOUS: And on behalf of Senator Martins, on page 15 I offer the following amendments to Calendar Number 125, Senate Print 6424, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT VALESKY: So ordered.

Senator Libous.

SENATOR LIBOUS: And Mr. President, on behalf of Senator Seward, on page 15 I offer the following amendments to Calendar Number 123, Senate Print 6408, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT VALESKY: So ordered.

Senator Libous.

SENATOR LIBOUS: Mr. President, at this point in time may we please have the reading of the noncontroversial calendar, please.

ACTING PRESIDENT VALESKY: The Secretary will read.

THE SECRETARY: Calendar Number 38, by Senator Bonacic, Senate Print 1884, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of July.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: In relation to Calendar Number 38, recorded in the negative are Senators Espaillat, Hassell-Thompson, Hoylman, Krueger, Marcellino, Perkins, Rivera, Serrano, Squadron, Stavisky and Tkaczyk.

Ayes, 45. Nays, 11.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 55, by Senator LaValle, Senate Print 347, an act to amend the Real Property Actions and Proceedings Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT VALESKY: The bill is laid aside.

The Secretary will continue to read.

THE SECRETARY: Calendar Number 58, substituted earlier by Member of the Assembly Wright, Assembly Print 8451, an act to amend the Labor Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the

roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 64, by Senator Flanagan, Senate Print 2208, an act to amend the Public Authorities Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 5. This act shall take effect on the same date and in the same manner as Chapter 500 of the Laws of 2012.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 89, by Senator Ball, Senate Print 3507A, an act to

amend the Domestic Relations Law.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 90, by Senator Klein, Senate Print 2440, an act to amend the General Municipal Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 22. This act shall take effect on the first of January.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays, 2. Senators Espaillat and Diaz recorded in the

negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: In relation to Calendar Number 90: Ayes, 54. Nays, 2. Senators Diaz and Sanders recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 93, by Senator Ranzenhofer, Senate Print 1695A, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the first of January.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: Ayes, 55. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 98, by Senator Farley, Senate Print 6329, an act to amend Chapter 498 of the Laws of 2011.

ACTING PRESIDENT VALESKY: Read the last section.

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

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Senator Farley to explain his vote.

SENATOR FARLEY: Just to explain my vote.

My colleagues, this is Library Day. And this is a major priority of the Library Association of New York State. And it involves the Construction Fund, and it is very, very important for anybody.

And I know that this Senate has been so supportive of libraries. I appreciate your support. It's very, very important. This is a good bill. So when you see your librarian today, you can tell them you voted for it.

Thank you very much, Mr. President.

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

The Secretary will announce the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT VALESKY: The bill is passed.

THE SECRETARY: Calendar Number 101, by Senator Young, Senate Print 4355, an act to amend the Public Health Law.

ACTING PRESIDENT VALESKY: Read the last section.

THE SECRETARY: Section 7. This act shall take effect on the first of April.

ACTING PRESIDENT VALESKY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT VALESKY: Announce the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT VALESKY: The bill is passed.

Senator Libous, that completes the noncontroversial reading of the calendar.

SENATOR LIBOUS: Mr. President, I

believe Senator Gianaris laid aside Calendar Number 55. And I'd like to lay that aside for the day.

ACTING PRESIDENT VALESKY: Calendar Number 55 will be laid aside for the day.

SENATOR LIBOUS: And before we go any further, if you'd just give me a second.

Thank you, Mr. President.

ACTING PRESIDENT VALESKY: Senator Libous.

SENATOR LIBOUS: I think at this time if you would call on Senator Gianaris to hand up a change.

ACTING PRESIDENT VALESKY: Senator Gianaris.

SENATOR GIANARIS: Mr. President, we have a hand-up for the front desk that our staff will deliver promptly.

ACTING PRESIDENT VALESKY: The hand-up will be filed in the Journal.

Senator Libous.

SENATOR LIBOUS: I believe Senator Savino, for the IDC, would also like to hand up a change.

ACTING PRESIDENT VALESKY: That

will also be filed in the Journal.

Senator Libous.

SENATOR LIBOUS: Mr. President, is there any further business at the desk at this time?

ACTING PRESIDENT VALESKY: The desk is clear.

SENATOR LIBOUS: All right. I've got some meetings to announce. If you have no further business, I do.

ACTING PRESIDENT VALESKY: Okay.

SENATOR LIBOUS: The Children and Families Committee will meet immediately following session in Room 944 of the LOB. And Consumer Protection will meet in Room 801 of the LOB.

ACTING PRESIDENT VALESKY: The Senate Children and Families Committee will meet following session in Room 944 of the Legislative Office Building. The Senate Committee on Consumer Protection will meet in Room 801 of the Legislative Office Building.

Senator Libous.

SENATOR LIBOUS: And, Mr. President, there being no further business, I

move that the Senate adjourn until Thursday, February 27th, at 11:00 a.m.

ACTING PRESIDENT VALESKY: On motion, the Senate stands adjourned until Thursday, February 27th, at 11:00 a.m.

(Whereupon, at 3:51 p.m., the Senate adjourned.)