

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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7
8 ALBANY, NEW YORK

9
10 February 26, 2014

11 3:41 p.m.

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13
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 PRESIDENT VALESKY: The
3 Senate will come to order.

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

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 please bow our heads in
11 a moment of silence.

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

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

16 The Secretary will read.

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

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

24 Presentation of petitions.

25 Messages from the Assembly.

1 The Secretary will read.

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

7 ACTING PRESIDENT VALESKY:
8 Substitution ordered.

9 Messages from the Governor.

10 Reports of standing committees.

11 Reports of select committees.

12 Communications and reports from
13 state officers.

14 Motions and resolutions.

15 Senator Libous.

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

18 Mr. President, on behalf of
19 Senator Martins, on page 9 I offer the following
20 amendments to Calendar Number 46, Senate Print
21 6211, and ask that said bill retain its place on
22 the Third Reading Calendar.

23 ACTING PRESIDENT VALESKY: So
24 ordered.

25 Senator Libous.

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

6 ACTING PRESIDENT VALESKY: So
7 ordered.

8 Senator Libous.

9 SENATOR LIBOUS: And this is
10 Senator Martins Day. Again, on behalf of
11 Senator Martins, on page 9 I offer the following
12 amendments to Calendar Number 48, Senate Print
13 6245, and ask that said bill retain its place on
14 the Third Reading Calendar.

15 ACTING PRESIDENT VALESKY: So
16 ordered.

17 Senator Libous.

18 SENATOR LIBOUS: And on behalf of
19 Senator Martins, on page 15 I offer the following
20 amendments to Calendar Number 125, Senate Print
21 6424, and ask that said bill retain its place on
22 the Third Reading Calendar.

23 ACTING PRESIDENT VALESKY: So
24 ordered.

25 Senator Libous.

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

6 ACTING PRESIDENT VALESKY: So
7 ordered.

8 Senator Libous.

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

12 ACTING PRESIDENT VALESKY: The
13 Secretary will read.

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

17 ACTING PRESIDENT VALESKY: Read the
18 last section.

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

21 ACTING PRESIDENT VALESKY: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT VALESKY: Announce
25 the results.

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

6 Ayes, 45. Nays, 11.

7 ACTING PRESIDENT VALESKY: The bill
8 is passed.

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

13 SENATOR GIANARIS: Lay it aside.

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

16 The Secretary will continue to read.

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

21 ACTING PRESIDENT VALESKY: Read the
22 last section.

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

25 ACTING PRESIDENT VALESKY: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT VALESKY: Announce
4 the results.

5 THE SECRETARY: Ayes, 56.

6 ACTING PRESIDENT VALESKY: The bill
7 is passed.

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

11 ACTING PRESIDENT VALESKY: Read the
12 last section.

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

16 ACTING PRESIDENT VALESKY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT VALESKY: Announce
20 the results.

21 THE SECRETARY: Ayes, 56.

22 ACTING PRESIDENT VALESKY: The bill
23 is passed.

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

1 amend the Domestic Relations Law.

2 ACTING PRESIDENT VALESKY: Read the
3 last section.

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

6 ACTING PRESIDENT VALESKY: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT VALESKY: Announce
10 the results.

11 THE SECRETARY: Ayes, 56.

12 ACTING PRESIDENT VALESKY: The bill
13 is passed.

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

17 ACTING PRESIDENT VALESKY: Read the
18 last section.

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

21 ACTING PRESIDENT VALESKY: Call the
22 roll.

23 (The Secretary called the roll.)

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

1 negative.

2 ACTING PRESIDENT VALESKY: The bill
3 is passed.

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

8 ACTING PRESIDENT VALESKY: The bill
9 is passed.

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

13 ACTING PRESIDENT VALESKY: Read the
14 last section.

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

17 ACTING PRESIDENT VALESKY: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT VALESKY: Announce
21 the results.

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

24 ACTING PRESIDENT VALESKY: The bill
25 is passed.

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

4 ACTING PRESIDENT VALESKY: Read the
5 last section.

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

8 ACTING PRESIDENT VALESKY: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT VALESKY: Senator
12 Farley to explain his vote.

13 SENATOR FARLEY: Just to explain my
14 vote.

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

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

25 Thank you very much, Mr. President.

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

3 The Secretary will announce the
4 results.

5 THE SECRETARY: Ayes, 56.

6 ACTING PRESIDENT VALESKY: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 101, by Senator Young, Senate Print 4355, an act
10 to amend the Public Health Law.

11 ACTING PRESIDENT VALESKY: Read the
12 last section.

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

15 ACTING PRESIDENT VALESKY: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT VALESKY: Announce
19 the results.

20 THE SECRETARY: Ayes, 56.

21 ACTING PRESIDENT VALESKY: The bill
22 is passed.

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

25 SENATOR LIBOUS: Mr. President, I

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

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

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

8 Thank you, Mr. President.

9 ACTING PRESIDENT VALESKY: Senator
10 Libous.

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

14 ACTING PRESIDENT VALESKY: Senator
15 Gianaris.

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

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

21 Senator Libous.

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

25 ACTING PRESIDENT VALESKY: That

1 will also be filed in the Journal.

2 Senator Libous.

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

6 ACTING PRESIDENT VALESKY: The desk
7 is clear.

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

11 ACTING PRESIDENT VALESKY: Okay.

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

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

23 Senator Libous.

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

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

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

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

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