

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 4, 2014

11 3:41 p.m.

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13
14 REGULAR SESSION

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18 SENATOR DIANE SAVINO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

8 ACTING PRESIDENT SAVINO: In the
9 absence of clergy, may we all please bow our
10 heads in a moment of silence.

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

13 ACTING PRESIDENT SAVINO: The
14 reading of the Journal.

15 The Secretary will read.

16 THE SECRETARY: In Senate, Monday,
17 March 3rd, the Senate met pursuant to
18 adjournment. The Journal of Sunday, March 2nd,
19 was read and approved. On motion, Senate
20 adjourned.

21 ACTING PRESIDENT SAVINO: 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 Report of select committees.
3 Communications and reports from
4 state officers.

5 SENATOR LIBOUS: Madam President,
6 could I ask for -- let's wait for the people
7 to -- the door's open, it's a little loud. If we
8 could just wait for people to file in and out.
9 And then that way we can hear you.

10 Because I can't speak for everybody
11 in the chamber, but as I get a little younger I
12 find that hearing is a little bit more of a
13 difficulty. And especially when that back door
14 is open, so -- and I want very much to hear what
15 you have to say.

16 Could we have the doors closed,
17 please, members in the house. Members in the
18 house.

19 Thank you, Madam President. If you
20 would proceed at this time.

21 ACTING PRESIDENT SAVINO:
22 Communications and reports from state officers.

23 Motions and resolutions.

24 Senator Libous.

25 SENATOR LIBOUS: Thank you,

1 Madam President.

2 I have a motion, and I'm the only
3 one, I'm told. So on behalf of Senator Seward,
4 on page 16 I offer the following amendments to
5 Calendar Number 123, Senate Print 6408A, and ask
6 that said bill retain its place on the Third
7 Reading Calendar.

8 ACTING PRESIDENT SAVINO: So
9 ordered.

10 SENATOR LIBOUS: At this time,
11 Madam President, may we please adopt the
12 Resolution Calendar, with the exception of
13 Resolutions 3556 and 3679.

14 ACTING PRESIDENT SAVINO: All those
15 in favor of adopting the Resolution Calendar,
16 with the exceptions of Resolutions 3556 and 3679,
17 signify by saying aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT SAVINO: Opposed,
20 nay.

21 (No response.)

22 ACTING PRESIDENT SAVINO: The
23 Resolution Calendar is adopted.

24 Senator Libous.

25 SENATOR LIBOUS: Thank you,

1 Madam President.

2 At this time I would call an
3 immediate meeting of the Committee on Racing and
4 Wagering in Room 332. That's an immediate
5 meeting on Racing and Wagering in Room 332. And
6 then that would be followed immediately by a
7 Finance Committee meeting.

8 In the meantime, the Senate will
9 take up resolutions. Therefore, no members who
10 are at either the Finance or the Racing meeting
11 will be missing any activity, because they will
12 be here in spirit.

13 So if we would have the Racing
14 meeting, and then followed by Finance Committee,
15 and in a minute we'll proceed with resolutions.

16 ACTING PRESIDENT SAVINO: There is
17 an immediate meeting of the Racing, Gaming and
18 Wagering Committee in Room 332, followed by an
19 immediate meeting of the Senate Finance
20 Committee.

21 Senator Libous.

22 SENATOR LIBOUS: All right, I
23 believe the members have filed to their committee
24 meeting.

25 At this time there's a resolution by

1 Senator Bonacic, Number 3679, at the desk.
2 Please read the title, and we'll move for its
3 immediate adoption.

4 ACTING PRESIDENT SAVINO: The
5 Secretary will read.

6 THE SECRETARY: Legislative
7 Resolution Number 3679, by Senator Bonacic,
8 memorializing Governor M. Andrew Cuomo to
9 proclaim March 2014 as Developmental Disabilities
10 Awareness Month in the State of New York, in
11 conjunction with the observance of National
12 Developmental Disabilities Awareness Month.

13 ACTING PRESIDENT SAVINO: The
14 question is on the resolution. All in favor
15 signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT SAVINO: Opposed,
18 nay.

19 (No response.)

20 ACTING PRESIDENT SAVINO: The
21 resolution is adopted.

22 Senator Libous.

23 SENATOR LIBOUS: Thank you,
24 Madam President.

25 Senator Bonacic would like to open

1 this resolution up to all members. And as the
2 policy goes, your name will be posted on the
3 resolution unless for some reason you wish not to
4 be on it. And if that's the case, please let the
5 desk know.

6 ACTING PRESIDENT SAVINO: The
7 resolution is open for cosponsorship. Again, if
8 you do not wish to be a cosponsor, please notify
9 the desk.

10 Senator Libous.

11 SENATOR LIBOUS: Thank you,
12 Madam President.

13 I believe there's a resolution at
14 the desk by Senator Kennedy, Number 3556. Please
15 read the title, and I believe you can call on
16 Senator Kennedy before its adoption.

17 ACTING PRESIDENT SAVINO: The
18 Secretary will read.

19 THE SECRETARY: Legislative
20 Resolution Number 3556, by Senator Kennedy,
21 commending Sergeant Major William J. Webb, a
22 veteran of the 555th "Triple Nickles" Infantry
23 Battalion, for his distinguished military
24 service, in observance of the 70th Anniversary of
25 this First All-Black Airborne Unit and its

1 members' many contributions to the United States
2 of America.

3 ACTING PRESIDENT SAVINO: Senator
4 Kennedy on the resolution.

5 SENATOR KENNEDY: Thank you,
6 Madam President.

7 I rise today to honor Sergeant
8 Major William Webb and to remember the
9 contributions of all those who serve or have
10 served our country.

11 Sergeant Major Webb is a veteran of
12 the 555th "Triple Nickles" Infantry Battalion.
13 And today we commend him for the distinguished
14 military service he has given to this country.

15 This honor also comes in observance
16 of the 70th anniversary of the first all-black
17 airborne unit, the 555th Parachute Infantry
18 Battalion, which was first activated in 1944
19 during World War II.

20 Sergeant Major Webb and the 555th
21 truly merit the recognition of this legislative
22 body for their courageous service and many
23 sacrifices which played a significant role in
24 black history and the history of our great
25 nation.

1 Sergeant Major William Webb, a
2 native of Buffalo, was born in June of 1925. At
3 the age of 16, Webb changed his age to 18 so he
4 could enlist in the Army. Webb began his tour of
5 duty as part of the 520th Truck Regiment,
6 transporting ammunition, fuel and food supplies
7 to the front. These shipments were instrumental
8 in the Allied advance through Western Europe in
9 1944.

10 After the Battle of the Bulge,
11 Sergeant Major Webb was invited to join the first
12 all-black parachute unit, the "Triple Nickles,"
13 the 555th Infantry Battalion. The "Triple
14 Nickles" served in more airborne operations
15 during both war and peacetime than any other
16 group in the history of the United States. They
17 kept watch and guarded the lands of the American
18 Northwest.

19 At the time, the Japanese were
20 taking advantage of the jet stream to float
21 incendiary devices across the Pacific to try to
22 start forest fires. The "Triple Nickles" would
23 bravely jump into the burning forest to seek out
24 and extinguish these so-called balloon bombs.

25 The 555th "Triple Nickles" Infantry

1 Battalion was disbanded in 1950 as military
2 segregation was ending, due in great part to
3 their valiant service. Members of the unit
4 continued to serve their country in the
5 Korean War and beyond, and their place in history
6 is well-secured.

7 Retiring from the military in 1974,
8 after 32 years of honorable service, Sergeant
9 Major William Webb is justly deserving of praise
10 for the bravery, heroism and true grit he
11 displayed in service to our nation.

12 It is with great respect that we pay
13 tribute today to this remarkable man who so
14 courageously served this state and this nation in
15 defense of freedom and democracy.

16 We commend Sergeant Major Webb and
17 all of the brave men who served and sacrificed as
18 part of the "Triple Nickles" Infantry Battalion,
19 and we say thank you to those men and women who
20 have made the ultimate sacrifice and to all
21 veterans and active-duty service members who have
22 given so much of themselves on behalf of New York
23 State and the United States of America.

24 Thank you, Madam President.

25 ACTING PRESIDENT SAVINO: Thank

1 you, Senator Kennedy.

2 Are there any other members wishing
3 to be heard on the resolution?

4 Seeing none, the question is on the
5 resolution. All those in favor signify by saying
6 aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT SAVINO: Opposed,
9 nay.

10 (No response.)

11 ACTING PRESIDENT SAVINO: The
12 resolution is adopted.

13 Senator Libous.

14 SENATOR LIBOUS: Thank you,
15 Madam President.

16 I believe that Senator Montgomery
17 has a previously adopted resolution, Number 3329,
18 which is at the desk. Could we have the title
19 read and call on Senator Montgomery.

20 ACTING PRESIDENT SAVINO: The
21 Secretary will read.

22 THE SECRETARY: Legislative
23 Resolution Number 3329, by Senator Montgomery,
24 commending Elizabeth Gaynes upon the occasion of
25 being honored in conjunction with Women's History

1 Month 2014 in the State of New York.

2 ACTING PRESIDENT SAVINO: Senator
3 Montgomery on the resolution.

4 SENATOR MONTGOMERY: Thank you,
5 Madam President.

6 I rise today to pay a special
7 tribute to one of those women in our state that I
8 consider to be a phenomenal woman.

9 And I say that because Elizabeth
10 Gaynes represents to us, as women in our state,
11 and to so many people, especially young people,
12 people who are incarcerated and their families,
13 she represents a person who has been totally
14 committed to making sure that they are
15 acknowledged and that their rights and that their
16 interests are spoken of and are represented in
17 this state, in government as well as in our
18 prison system.

19 Elizabeth Gaynes is an attorney
20 herself, and she has been for the last 28 years
21 the executive director of the Osborne
22 Association. The Osborne Association was
23 established in 1933 as a major advocacy
24 organization representing the interests of
25 incarcerated people and their families.

1 As executive director of this
2 organization, Liz Gaynes has become a significant
3 voice on behalf especially of children, young
4 people, families whose parents are incarcerated
5 or formerly incarcerated, trying to help those
6 young people maintain as much as possible a
7 wholesome and productive and progressive life.

8 She is a committed person who has
9 never turned away from her interest and her
10 determination that we should not forget those who
11 are the least among us. She is widely known and
12 has gained international recognition for her
13 efforts.

14 In 2004, for instance, she along
15 with her daughter, Emani Davis, was the first
16 American to be nominated for the prestigious
17 international award, World's Children's Prize for
18 the Rights of the Child, for their work, she and
19 her daughter, for their work defending the
20 children of prisoners.

21 So it is my privilege and honor
22 today to rise to honor this woman who has given
23 so much of her own life, her own skills as an
24 attorney, and that she epitomizes to me and to
25 all of us, in this month as we acknowledge

1 women's history, she epitomizes the values of
2 character, courage and commitment in her
3 unwavering service to her peers, to colleagues,
4 and to fellow citizens, and especially to the
5 children and families of incarcerated people in
6 our state.

7 Thank you, Madam President, for
8 allowing me to honor this essentially very, very
9 outstanding and committed woman in 2014.

10 Thank you.

11 ACTING PRESIDENT SAVINO: Thank
12 you, Senator Montgomery.

13 Senator Rivera on the resolution.

14 SENATOR RIVERA: Thank you,
15 Madam President.

16 When I came into the Senate in 2011,
17 I was named as the ranking member in the Crime
18 Victims, Crime and Corrections Committee. I now
19 serve as the ranking member in the Health
20 Committee. But when I started serving in that
21 committee a couple of years ago, I started to
22 reach out to organizations that had done work in
23 criminal justice because I wanted to learn about
24 the issues from people that had been working on
25 this for a very long time.

1 And I remember the first time that I
2 met Liz Gaynes. She came into my office with
3 some of her staff members, and we talked for
4 about an hour and a half about all sorts of
5 things, not just criminal justice.

6 It was, I should mention, from that
7 first conversation where she mentioned an idea
8 for the Fulton Correctional Facility in the Bronx
9 that eventually we managed last year, through the
10 efforts of folks in this body as well as the
11 Governor's office, to take the Fulton
12 Correctional Facility and transfer it to the
13 Osborne Association for a future project which
14 would be an unprecedented and first-of-its-kind
15 reentry facility in the Bronx. We're still
16 working on that. But that stemmed from that
17 first conversation.

18 And that conversation of an hour and
19 a half really told me so much of what I needed to
20 know about who Liz Gaynes is. Somebody who is
21 incredibly knowledgeable, incredibly passionate,
22 knows more than anybody else that I know about
23 criminal justice, and somebody who cares, truly,
24 about incarcerated folks.

25 She also cares about the victims,

1 let there be no doubt about that. But she cares
2 about those folks that are incarcerated and
3 making sure that they can become productive
4 members of society again.

5 And I can certainly say that in the
6 time that I've had working with her, we have
7 become friends. As a matter of fact, we joke
8 because there are so many Elizabeths in my
9 professional life, whether it's Liz Krueger or
10 Liz Gaynes, many. So I call her "Second,"
11 because Liz Krueger is first, she's second, and
12 many other Elizabeths in my life.

13 But we talk constantly, and she has
14 taught me a lot about the criminal justice
15 system, certainly about issues of legislation
16 that deal with formerly incarcerated individuals.
17 And I look forward to the work that we will do
18 for many years to come.

19 Because again, Senator Montgomery
20 was exactly right; she is exactly the type of
21 exemplary woman that we need to be recognizing.
22 Because in her field, in her area of expertise,
23 she is an unparalleled professional and she adds
24 much to the conversation. And she's also a great
25 woman. And I am very happy to be her friend and

1 very happy to be standing on the floor of the
2 Senate honoring her today.

3 Thank you, Madam President.

4 ACTING PRESIDENT SAVINO: Thank
5 you, Senator Rivera.

6 Are there any other members wishing
7 to be heard on the resolution?

8 Seeing none, this resolution was
9 previously adopted on February 4th.

10 Senator Libous.

11 SENATOR LIBOUS: Thank you,
12 Madam President.

13 I believe there's another previously
14 adopted resolution by Senator Montgomery, Number
15 3337. It's at the desk. Could we ask that the
16 title be read and call on Senator Montgomery.

17 ACTING PRESIDENT SAVINO: The
18 Secretary will read.

19 THE SECRETARY: Legislative
20 Resolution Number 3337, by Senator Montgomery,
21 commending Reverend Vivian Nixon upon the
22 occasion of being honored in conjunction with
23 Women's History Month 2014 in the State of
24 New York.

25 ACTING PRESIDENT SAVINO: Senator

1 Montgomery.

2 SENATOR MONTGOMERY: Thank you,
3 Madam President.

4 I rise again to honor another one of
5 those phenomenal women. This one is Reverend
6 Vivian Nixon.

7 Reverend Nixon has been known to me
8 for a number of years as an absolutely dedicated
9 and determined advocate -- again, in the
10 interests of women in particular, but people in
11 general who are incarcerated and their families.

12 She is one of those people who works
13 to try and make sure that people, once they
14 return to their communities, that they are able
15 to actually survive and become successful
16 citizens on the outside once they have served
17 their terms.

18 Having been incarcerated herself,
19 she fully understands how difficult it is and
20 what is required, what kinds of supports are
21 required in order for people to be successful.

22 Reverend Vivian Nixon is an
23 impassioned advocate for access to higher
24 education, which she has defined and determined
25 as being critical to allowing an opportunity for

1 people, especially women, to have a successful
2 return to their families and their communities.

3 With a background in both the
4 corporate and nonprofit sectors, Reverend Nixon
5 is currently the executive director of an
6 organization, College and Community Fellowship.
7 This organization is committed to removing
8 individual and structural barriers to higher
9 education for women with criminal records. And
10 she has earned a bachelor of science degree from
11 the State University of New York, the Empire
12 State College.

13 She is a woman of faith. She is an
14 ordained local deacon in the African Methodist
15 Episcopal Church, and she serves as an associate
16 minister at Mt. Zion African Methodist Episcopal
17 Church in New York City.

18 She gives of herself unstintingly,
19 both as an advocate around legislation and policy
20 as well as spending much time with community
21 organizations to offer leadership, to help people
22 design programs and other activities which she
23 feels are important toward helping people
24 successfully reenter their society.

25 She is herself one of the members of

1 the board of directors of the Fortune Society,
2 and she is a cofounder of the Education Inside
3 Out Coalition, which is a collaborative effort to
4 increase access to higher education for
5 justice-involved students.

6 So I am very, very honored to take
7 this opportunity, this month in particular, to
8 honor this what I consider to be another
9 phenomenal woman who has used her own experience
10 and herself, her energy and her skills, to
11 demonstrate the power of a woman who is committed
12 to making a change in this society that reflects
13 the best of what our society offers to people no
14 matter where their walk of life has led them.

15 So thank you, Madam President, for
16 this opportunity. And I am so thankful that we
17 pause today to express our gratitude and our
18 congratulations to Reverend Vivian Nixon, a
19 phenomenal woman in New York State.

20 Thank you.

21 ACTING PRESIDENT SAVINO: Thank
22 you, Senator Montgomery.

23 This resolution also was previously
24 adopted on February 4th of 2014.

25 Senator Libous.

1 SENATOR LIBOUS: Madam President,
2 the Senate will stand at ease pending the report
3 of the Finance Committee.

4 ACTING PRESIDENT SAVINO: The
5 Senate will stand at ease pending the return of
6 the Finance Committee.

7 (Whereupon, the Senate stood at ease
8 at 4:03 p.m.)

9 (Whereupon, the Senate reconvened at
10 4:46 p.m.)

11 ACTING PRESIDENT SAVINO: The
12 Senate will please come to order.

13 Senator Libous.

14 SENATOR LIBOUS: Thank you,
15 Madam President.

16 I believe there's a report of the
17 Finance Committee at the desk.

18 ACTING PRESIDENT SAVINO: There is
19 a report of the Finance Committee.

20 The Secretary will read.

21 THE SECRETARY: Senator
22 DeFrancisco, from the Committee on Finance,
23 reports the following nomination:

24 As member and chair of the State of
25 New York Gaming Commission, Mark D. Gearan, of

1 Geneva.

2 ACTING PRESIDENT SAVINO: Senator
3 DeFrancisco.

4 SENATOR DeFRANCISCO: Thank you.

5 I rise to move the nomination of
6 Mark D. Gearan from the city of Geneva, New York,
7 for the position of chairperson and member of the
8 New York State Gaming Commission. He appeared
9 before the Senate Racing, Gaming and Wagering
10 Committee as well as the Finance Committee, was
11 unanimously recommended by both.

12 And I just want to say briefly, and
13 then I'll turn it over to Senator Bonacic, that
14 the Governor again made an outstanding
15 nomination.

16 And my only question of the nominee
17 was -- and I've asked him privately, and I've
18 asked him during the hearing -- was why, with all
19 your accomplishments, with your current position,
20 why you'd want to do it. Because it isn't an
21 easy job. I figured out it wasn't the money,
22 because it's \$300 per meeting, I think it is,
23 something like that. And that wouldn't do it.

24 And he said it very clearly, two
25 words: "Public service." And judging from his

1 record, he is a person of integrity, of good
2 judgment, and he will make a great chairperson of
3 this important commission.

4 With that said, I would ask you to
5 recognize Senator Bonacic to second the
6 nomination.

7 ACTING PRESIDENT SAVINO: Senator
8 Bonacic to second the nomination.

9 SENATOR BONACIC: Thank you,
10 Madam President.

11 I rise to also support the
12 nomination of Mark Gearan for chairman of the
13 Gaming Commission.

14 In our committee meeting, questions
15 came up that he lacked background in gaming
16 experience. That's not what's needed for this
17 job. What's needed for this job, and I commend
18 Governor Cuomo for putting this gentleman
19 forward, is qualities of integrity, honesty,
20 management skills and good character.

21 And of course there will be a
22 learning curve, getting familiar with his
23 colleagues on this commission, getting familiar
24 with the language. And I have no doubt in my
25 mind that as he's an accomplished individual, an

1 attorney, it's not going to take him very long to
2 be up to speed with everything.

3 So I'm here to second the
4 nomination, and I want to thank you very much,
5 Madam President.

6 ACTING PRESIDENT SAVINO: Thank
7 you, Senator Bonacic.

8 Senator Nozzolio on the nomination.

9 SENATOR NOZZOLIO: Thank you,
10 Madam President. On the nomination.

11 I rise with a great amount of
12 happiness that Governor Cuomo would choose a
13 candidate for this very important position with
14 the highest levels of integrity.

15 That Senator DeFrancisco's question
16 can be answered very clearly, that Mark Gearan
17 has dedicated his life to public service, has
18 been involved in a number of governmental
19 positions of importance. And of course one of
20 his favorite positions has been the ultimate of
21 public service, and that is to direct the public
22 servants who are involved in the Peace Corps
23 worldwide.

24 Mark Gearan decided to come to
25 New York after that experience for two reasons.

1 The first was to head the Colleges of Hobart and
2 William Smith -- they're located in the Central
3 Finger Lakes in Geneva, New York -- as well as,
4 and this is in priority the most important, to
5 raise his family.

6 He and his wife Mary have two lovely
7 daughters. They chose to educate those daughters
8 in the public schools of Geneva, New York, and
9 they've raised fine young ladies who are
10 themselves growing in accomplishment each and
11 every year.

12 Of all the university and college
13 presidents that I have ever had the opportunity
14 to work with, I can honestly say that Mark Gearan
15 is by far the most community-spirited of those
16 individuals.

17 Every college president and
18 university president is concerned about their
19 institution, as they need to be. Mark Gearan
20 shares that concern and has moved Hobart and
21 William Smith into great directions. But he has
22 always kept his eye on the fact that as the
23 community that is the situs, is the home of the
24 colleges he represents, that that community is
25 given back to ensure that the better the

1 community, the better the college experience.

2 President Gearan has encouraged his
3 students, his faculty, his administration to be
4 involved in every aspect of the community in
5 terms of service in the greater Geneva area. His
6 record is second to none. He has done great
7 work.

8 He has helped the entire Finger
9 Lakes region by creating what's called the
10 Finger Lakes Institute at the Colleges of Hobart
11 and William Smith, an institute that's designed
12 to help preserve, protect and promote the
13 greatest natural resources we have in upstate
14 New York, and that's the beautiful Finger Lakes
15 region.

16 But above all, and the reason why
17 this appointment is so well taken, is so well
18 deserved and is so well placed, is that in an
19 important role in government an individual must
20 possess the highest levels of integrity. There
21 is no doubt that Mark Gearan possesses those
22 levels, that he has exceeded all standards and is
23 a man of genuine integrity.

24 That's, Madam President, why with
25 great pride that I rise in support of this

1 nomination. I know he will serve the taxpayers
2 of the State of New York extremely well. I move
3 the nomination.

4 ACTING PRESIDENT SAVINO: Thank
5 you, Senator Nozzolio.

6 Are there any other members wishing
7 to be heard on the nomination?

8 Seeing none, the question is on the
9 nomination of Mark D. Gearan as member and chair
10 of the New York State Gaming Commission. All in
11 favor signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT SAVINO: Opposed,
14 nay.

15 (No response.)

16 ACTING PRESIDENT SAVINO: The ayes
17 have it.

18 Mark Gearan is here in the chamber.

19 You are hereby confirmed as member
20 and chair of the New York State Gaming
21 Commission.

22 (Applause.)

23 ACTING PRESIDENT SAVINO: Senator
24 Libous.

25 SENATOR LIBOUS: Thank you,

1 Madam President.

2 May we move to the noncontroversial
3 reading of the calendar.

4 ACTING PRESIDENT SAVINO: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number 69,
7 by Senator Maziarz, Senate Print 4004A, an act to
8 amend the Public Authorities Law.

9 ACTING PRESIDENT SAVINO: Read the
10 last section.

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

13 ACTING PRESIDENT SAVINO: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT SAVINO: Senator
17 Maziarz to explain his vote.

18 SENATOR MAZIARZ: Thank you very
19 much, Madam President. Just very briefly.

20 Madam President, right now, just as
21 an example, plumbers, steamfitters, electricians,
22 members of other trade groups who take years of
23 training, are licensed to do their trade in the
24 State of New York, are ignored by NYSERDA when it
25 comes to requiring these individuals to take

1 additional courses in order to do solar,
2 geothermal, wind and other renewable energy
3 installations in this state under various
4 programs that NYSERDA offers.

5 These individuals are already
6 certified, they're already trained, and they
7 should be able to just be able to do it without
8 having to go through further training.

9 I vote aye. Thank you,
10 Madam President.

11 ACTING PRESIDENT SAVINO: Senator
12 Maziarz to be recorded in the affirmative.

13 Any other members wishing to explain
14 their vote?

15 Seeing none, announce the results.

16 THE SECRETARY: Ayes, 60.

17 ACTING PRESIDENT SAVINO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 105, by Senator Larkin, Senate Print 280A,
21 Concurrent Resolution of the Senate and Assembly.

22 ACTING PRESIDENT SAVINO: Call the
23 roll on the resolution.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT SAVINO: The
2 resolution is adopted.

3 THE SECRETARY: Calendar Number
4 149, by Senator Seward --

5 SENATOR LIBOUS: Lay the bill aside
6 for the day, please.

7 ACTING PRESIDENT SAVINO: The bill
8 is laid aside for the day.

9 THE SECRETARY: Calendar Number
10 158, by Senator Maziarz, Senate Print 6485, an
11 act to amend the Public Service Law.

12 ACTING PRESIDENT SAVINO: Read the
13 last section.

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

16 ACTING PRESIDENT SAVINO: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT SAVINO: Announce
20 the results.

21 THE SECRETARY: Ayes, 60.

22 ACTING PRESIDENT SAVINO: The bill
23 is passed.

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

1 SENATOR LIBOUS: Thank you,
2 Madam President.

3 Is there any further business at the
4 desk?

5 ACTING PRESIDENT SAVINO: There is
6 no further business at the desk.

7 SENATOR LIBOUS: Madam President,
8 there being no further business, I move that the
9 Senate adjourn until Wednesday, March 5th, at
10 3:00 p.m.

11 ACTING PRESIDENT SAVINO: There
12 being no further business, the Senate stands
13 adjourned till Wednesday, March 5th, at 3:00 p.m.

14 (Whereupon, at 4:55 p.m., the Senate
15 adjourned.)

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