NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 5, 2014

4:22 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

I ask all present to please rise and join with me as we recite the Pledge of Allegiance to our Flag.

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

ACTING PRESIDENT GRIFFO: Today's invocation will be offered by the Reverend Peter G. Young, of the Mother Teresa Community here in Albany.

REVEREND YOUNG: Thank you, Senator.

Let us pray.

God never fails to provide our New York State citizens with dedicated leadership and Senators. May God pour forth His blessings on our legislators and provide them with the spirit of courage to accept the many demands of their elected offices.

As Senators, they report on this day to the session bell that will again call them to hear one another for the benefit of our New York State constituents.

This invocation calls us to be true to be the best at what we might be able to become as a legislative leader. We need to heed the call of our own hearts with compassion and with equity.

May God bless this assembly.

ACTING PRESIDENT GRIFFO: Thank you, Father Young.

The reading of the Journal.

THE SECRETARY: In Senate, Tuesday, March 4th, the Senate met pursuant to adjournment. The Journal of Monday, March 3rd, was read and approved.

On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator LaValle.

SENATOR LaVALLE: Mr. President, I believe there is a previously adopted resolution by Senator Montgomery, Resolution 3334, at the desk. And I ask to have the title read and call on Senator Montgomery.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 3334, by Senator Montgomery, commending Gale Stevens Haynes, Esquire, upon the occasion of being honored in conjunction with Women's History Month 2014 in the State of New York.

ACTING PRESIDENT GRIFFO: Senator Montgomery.

SENATOR MONTGOMERY: Thank you, Mr. President.

I rise again today to honor another woman during this Women's History Month. She is a woman who is the provost of one of the major higher educational institutions in our state that happens to be in my district; that is, Long Island University.

Gale Stevens Haynes is the vice president, chief operating officer and legal

counsel of Long Island University. And she is the Long Island University Brooklyn Campus provost.

I have been able to have a relationship with Provost Gale Haynes for some years, and I have watched as she has made that campus, the Long Island University campus, a very, very major player as it relates to higher education, especially for adults but as well for young adults.

There are a number of certificate programs, there are a number of arts programs. The university itself, the campus itself has become in and of itself a wonderful example of what a university campus in the urban setting could look like. It has wonderful artwork and buildings, and it is teeming with activity at all times.

So this all has happened over the past 15 to 20 years since Provost Gale Haynes has been there, really leading that university to be a very major institution in our state. And I am very, very proud of the work that she has done.

So today I can stand here very, very proudly to say that not only is Provost Stevens a

friend, but she is one of those phenomenal women who has steered a very major institution into this century so that it serves so many hundreds of thousands of people in the borough of Brooklyn and across the city.

So today we are honoring Gale Stevens Haynes, the provost of the Long Island University Brooklyn campus.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Montgomery.

As indicated, this resolution was adopted on February 4th of 2014.

Senator LaValle.

SENATOR LaVALLE: Mr. President, may we please have the noncontroversial reading of the calendar.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 130, by Senator Martins, Senate Print 988A, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar Number 130, those recorded in the negative are Senators Dilan and Montgomery.

Ayes, 53. Nays, 2.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 131, by Senator Robach, Senate Print 1016, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 54. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

133, by Senator Grisanti, Senate Print 1590, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Grisanti to explain his vote.

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

My fellow colleagues, this is a piece of legislation that we've passed the last few years. And it's named after, in honor of Amanda Wienckowski, who died tragically in 2008 in Buffalo.

And what this legislation is is quite simply this. Right now there are no laws on the books that deal with concealing or hiding of a dead body. Amanda Wienckowski was found naked in a garbage can in Buffalo. She did not get there by herself. Somebody moved that body from one scene to another, thereby disturbing the

possible investigation and possible leads into not only the cause of her death but who may have caused her death, who may have been a part of it.

The only legislation that is on the books at the present time only has to do with, you know, directors, medical professionals and cemeteries on how to dispose of human bodies, and only misdemeanor levels.

This piece of legislation time and time again passes this house. We need to get the Assembly on board with this legislation and get it passed, because under current law a person can hide a body from authorities and disturb a crime scene without any real punishment whatsoever.

I urge all my colleagues in this house to vote for it and urge your Assemblymembers that something needs to be done. Because this law, as I said, does not exist -- and tragedy strikes and you have somebody that died, and really they don't know the reason why or who may have been a part of it.

I vote aye.

ACTING PRESIDENT GRIFFO: Senator Grisanti to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 54. Nays, 1. Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 135, by Senator Young, Senate Print 2205, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Gipson to explain his vote.

SENATOR GIPSON: Thank you, Mr. President.

I want to commend the sponsor for taking a big step forward in helping our victims of domestic violence.

Domestic violence is a real crisis here in our state. There are more and more victims than we've ever had that are suffering from a variety of different horrible crimes in

the realm of domestic violence.

This bill will help those witnesses who are vulnerable testify against those who have committed the crimes against them.

There are many, many more things that we should continue to do to help our victims of domestic violence. For instance, there are specially trained dogs that are trained to help witnesses on the witness stand. I have a bill called Rosie's Law that does exactly that, and I would encourage my colleagues to take a look at that.

I will be voting yes for this piece of legislation. Thank you.

ACTING PRESIDENT GRIFFO: Senator Gipson to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 136, by Senator Klein, Senate Print 2322, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 55. Nays, 2. Senators Montgomery and Perkins recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

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

SENATOR LaVALLE: Thank you, Mr. President.

Is there any other business at the desk?

ACTING PRESIDENT GRIFFO: There is no further business before the desk.

SENATOR LaVALLE: There being no further business, I move we adjourn until Thursday, March the 6th, at 11:00 a.m.

ACTING PRESIDENT GRIFFO: On motion, the Senate stands adjourned until Thursday, March 6th, at 11:00 a.m.

Senate adjourned.

(Whereupon, at 4:31 p.m., the Senate adjourned.)