

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 March 5, 2014

11 4:22 p.m.

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14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

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

13 REVEREND YOUNG: Thank you,
14 Senator.

15 Let us pray.

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

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

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

6 May God bless this assembly.

7 ACTING PRESIDENT GRIFFO: Thank
8 you, Father Young.

9 The reading of the Journal.

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

14 On motion, Senate adjourned.

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

17 Presentation of petitions.

18 Messages from the Assembly.

19 Messages from the Governor.

20 Reports of standing committees.

21 Reports of select committees.

22 Communications and reports from
23 state officers.

24 Motions and resolutions.

25 Senator LaValle.

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

6 ACTING PRESIDENT GRIFFO: The
7 Secretary will read.

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

14 ACTING PRESIDENT GRIFFO: Senator
15 Montgomery.

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

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

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

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

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

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

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

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

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

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

9 Thank you, Mr. President.

10 ACTING PRESIDENT GRIFFO: Thank
11 you, Senator Montgomery.

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

14 Senator LaValle.

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

18 ACTING PRESIDENT GRIFFO: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number
21 130, by Senator Martins, Senate Print 988A, an
22 act to amend the Penal Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect on the 180th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

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

8 Ayes, 53. Nays, 2.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 131, by Senator Robach, Senate Print 1016, an act
13 to amend the Penal Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

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

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 133, by Senator Grisanti, Senate Print 1590, an
2 act to amend the Penal Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Senator
11 Grisanti to explain his vote.

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

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

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

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

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

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

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

22 I vote aye.

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

25 Announce the results.

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

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 135, by Senator Young, Senate Print 2205, an act
7 to amend the Criminal Procedure Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Senator
16 Gipson to explain his vote.

17 SENATOR GIPSON: Thank you,
18 Mr. President.

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

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

1 the realm of domestic violence.

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

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

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

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

17 Announce the results.

18 THE SECRETARY: Ayes, 57.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 136, by Senator Klein, Senate Print 2322, an act
23 to amend the Penal Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

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

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

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

13 SENATOR LaVALLE: Thank you,
14 Mr. President.

15 Is there any other business at the
16 desk?

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

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

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

25 Senate adjourned.

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