NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 24, 2014

3:46 p.m.

REGULAR SESSION

SENATOR DAVID CARLUCCI, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

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

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

ACTING PRESIDENT CARLUCCI: Today we have with us Rabbi Shmuel Butman, from the Lubavitch Youth Organization in Brooklyn, New York, to lead us in the invocation.

RABBI BUTMAN: {in Hebrew}

Our Heavenly Father, we ask You to bestow Your blessings upon all the members of the New York State Senate. On the members and on the members of their family, watch them, keep them, and bless them with all good things.

We are here in honor of the 112th Birthday of the Rebbe. We are here every year, and we are happy that you are here together with us celebrating 112 years of the birth of the Lubavitcher Rebbe.

In Psalm 112, King David speaks about people who are God-fearing, and he says that their reward will be that their children

will follow their footsteps. You are legislating laws that will help the education of all children.

The Rebbe was very, very strong about education -- not only Jewish education, education in general. Education of the American child, of the French child, of the Chinese child, of the Arab child. That every child, the Rebbe wanted, should know that there is an Eye that sees and an Ear that hears and that the world is not a jungle.

And if we'd adhere to that, everything in this world would be much better than it is today. And with God's help, it will improve.

In 1991 I went to Washington to open the United States Senate in Washington, which as I understand is a branch of the Senate of the State of New York. And before I went there, I went to see the Rebbe. And the Rebbe said to me, "You should take with you a pushkeh." A pushkeh is a charity box. "And when you are opening with a prayer the United States Senate, you should give charity, and everybody should see what you are doing so that they should know what money

should be used for."

It is in that spirit that I'm offering a dollar for charity. And on the dollar it says "In God We Trust." And I would like to invite everyone, if you would be kind enough, to also put in only one dollar. I don't want you to think that this is a fundraising campaign. Otherwise, we would ask you for much more money.

This is a campaign to do more good things, goodness and kindness, as the Rebbe always called it.

I want you to know that in our prayers in our shuls every Shabbos, every Saturday, we offer a special prayer for you. We say {in Hebrew}, which means all those who serve the public faithfully, as you do, we ask for a special prayer for your health, for your success, and that you should have a lot of success, not only in the things that you do but also success in your own personal life.

And as the Rebbe says, we live in a special generation, the last generation of exile and the first generation of redemption. Let us all be there to witness that great redemption speedily in our very own days.

Thank you.

ACTING PRESIDENT CARLUCCI: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, March 23rd, the Senate met pursuant to adjournment. The Journal of Saturday, March 22nd, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT CARLUCCI: 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 Libous.

SENATOR LIBOUS: Thank you, Mr. President.

Mr. President, I have a number of motions that I would like to read. And could we have just a little -- we appreciate the members who want to give charity, but we could do with it

order. Thank you.

On behalf of Senator Martins, on page 10 I offer the following amendments to Calendar Number 125, Senate Print 6424A, and ask that said bill retain its place on the Third Reading Calendar.

On behalf of Senator Ritchie, on page 20 I offer the following amendments to Calendar Number 252, Senate Print 6693A, and ask that said bill retain its place on the Third Reading Calendar.

On behalf of Senator Little, on page 24 I offer the following amendments to Calendar Number 306, Senate Print 6588, and ask that said bill retain its place on the Third Reading Calendar.

On behalf of Senator Marcellino, on page 24 I offer the following amendments to Calendar Number 307, Senate Print 1486, and I ask that said bill retain its place on the Third Reading Calendar.

And on behalf of Senator Martins, on page 25, Mr. President, I offer the following amendments to Calendar Number 316, Senate Print 6744, and ask that said bill retain its place on

the Third Reading Calendar.

ACTING PRESIDENT CARLUCCI: So ordered. The amendments are all accepted and the bills will retain their place on the Third Reading Calendar.

Senator Libous.

SENATOR LIBOUS: Mr. President, at this time I would call an immediate meeting of the Rules Committee in Room 332.

There will be an immediate meeting of the Rules Committee in Room 332. And in the meantime, the Senate will stand at ease.

ACTING PRESIDENT CARLUCCI: There'll be an immediate meeting of the Rules Committee in Room 332 of the Capitol.

The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:52 p.m.)

(Whereupon, the Senate reconvened at 4:02 p.m.)

ACTING PRESIDENT CARLUCCI: The Senate will come to order.

Senator Libous.

SENATOR LIBOUS: Mr. President, may we return to the reports of standing committees.

I believe there's a report of the Rules Committee at the desk.

ACTING PRESIDENT CARLUCCI: Reports of standing committees.

The Secretary will read the report of the Rules Committee.

THE SECRETARY: Senator Skelos, from the Committee on Rules, reports the following bill direct to third reading:

Senate Print 6865, by Senator Ball, an act to amend the Executive Law.

ACTING PRESIDENT CARLUCCI: Senator Libous.

SENATOR LIBOUS: At this time, Mr. President, I move to accept the report of the Rules Committee.

ACTING PRESIDENT CARLUCCI: All in favor of accepting the report of the Rules Committee signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT CARLUCCI: Opposed, nay.

(No response.)

ACTING PRESIDENT CARLUCCI: The Rules Committee report is accepted.

Senator Libous.

SENATOR LIBOUS: At this time could we have the reading of the noncontroversial calendar, please.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Calendar Number 43, by Senator Marchione, Senate Print 5596A, an act to amend the Village Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 3. This act shall take effect immediately.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 56. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 97, by Senator Ritchie, Senate Print 4199, an act to amend the Education Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 141, by Senator DeFrancisco, Senate Print 3036, an act to amend the Military Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes --

SENATOR DeFRANCISCO: What calendar number are we on?

ACTING PRESIDENT CARLUCCI: Calendar Number 141.

Announce the result.

SENATOR DeFRANCISCO: Oh, no --

(Laughter; cross-talk.)

ACTING PRESIDENT CARLUCCI: Senator DeFrancisco.

SENATOR LIBOUS: Could you -- could you tell us what's going on, Mr. President?

ACTING PRESIDENT CARLUCCI: Senator DeFrancisco.

SENATOR DeFRANCISCO: I'd like to explain my vote.

ACTING PRESIDENT CARLUCCI: To explain his vote.

(Laughter.)

SENATOR DeFRANCISCO: I was originally going to vote nay, but then I looked at the sponsor. And based upon his recommendations and his eloquent argument that he had with me shortly thereafter, I'm going to change my vote to aye.

Thank you.

(Laughter.)

ACTING PRESIDENT CARLUCCI: Senator DeFrancisco to be recorded in the affirmative.

SENATOR LIBOUS: -- just like the Syracuse basketball team.

(Groans, laughter.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 147, by Senator Golden, Senate Print 1959A, an act to amend the Insurance Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

THE SECRETARY: Section 9. This act shall take effect 270 days after it shall have become a law.

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 56. Nays, 1. Senator DeFrancisco recorded in the negative.

ACTING PRESIDENT CARLUCCI: The

bill is passed.

THE SECRETARY: Calendar Number 162, by Senator Young, Senate Print 2192, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 186, by Senator Maziarz, Senate Print 6138, an act to amend the Public Service Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 54. Nays, 3. Senators Carlucci, Hoylman and Squadron recorded in the negative.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 188, by Senator Savino, Senate Print 6619A, an act to amend the Public Service Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 196, by Senator Nozzolio, Senate Print 3305, an

act to amend the Correction Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

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

ACTING PRESIDENT CARLUCCI: The bill is passed.

THE SECRETARY: Calendar Number 206, by Senator Skelos, Senate Print 1459, an act to amend the Penal Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Announce the result.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT CARLUCCI: The bill is passed.

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

SENATOR LIBOUS: Thank you, Mr. President.

At this time I believe everybody has Calendar Number 25A. If we could have the noncontroversial reading of the bill on that calendar.

ACTING PRESIDENT CARLUCCI: The Secretary will read.

THE SECRETARY: Calendar Number 326, by Senator Ball, Senate Print 6865, an act to amend the Executive Law.

ACTING PRESIDENT CARLUCCI: Read the last section.

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

ACTING PRESIDENT CARLUCCI: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT CARLUCCI: Senator Ball to explain his vote.

SENATOR BALL: So I -- just briefly, this piece of legislation will provide a 6 percent set-aside. The federal government has a 3 percent set-aside. Many other states have moved forward to provide that 3 percent set-aside to businesses owned by our service-disabled veterans.

This piece of legislation will be the first in the nation -- it's a landmark piece of legislation -- to double the federal set-aside. But not only that, it's not aspirational in nature but it provides an actual set-aside for authorities in state contracting of 6 percent.

And it should also be clear that this in no way competes with the Minority and Women-Owned Business program, which of course is very successful as well.

I want to start by thanking Senator Skelos in our conference and my partners, Senator Addabbo, who's here, and many Senators that have already fought on this piece of legislation for many years, including

Senator Larkin and others.

This is literally decades in the making to do the right thing for men and women who are real heroes. A lot of people watch TV and they watch these movies and they're entertained by the movies, and I know my nephews, they go to the movies and see these superheroes.

These are America's superheroes. And each and every one of you today voting yes and in support of this piece of legislation can be proud that you know that you've done God's work.

And it's one thing to shake a veteran's hand and say "Thank you for your service," and it's another thing to mean it.

I thank the Governor for his leadership on this. This has been a heck of a fight. And sometimes Albany is considered to be the land that common sense forgot. And I know many of you that do good work, you realize in Albany how it can be tough to even get good common-sense things done.

And I thank the Governor for helping us get this over the finish line and making this a real set-aside and actually doubling that

federal standard.

I also want to thank some of our veterans -- Eugene Parrotta, who chairs my Veterans Advisory Council; Big Ben Downing, Joseph Krulder -- and I look forward to going trap shooting with Joe soon -- Carolyn Hulse, Caul Quinn, Matt Kuskie, Matt Tully, Bill Nelson, and many others.

You know, when we think about the fact that less than 1 percent of the population serves in the United States military -- and I always talk about my military service. I was a former Air Force officer, graduated from the Air Force Academy in 2001. And I tell the joke as many times as I can, that the worst combat I ever saw was probably at a cocktail party in Washington, D.C., at 2 o'clock in the morning.

I had a great job. I enjoyed my time in the military. I think about my friends who continue to serve to this day. But I was never on the tip of the spear. And I do not know if I ever would have made it out or if I just would have been a ball of mush and a ball of tears when confronted with what these superheroes have been through.

Now, we have two combat vets here too, Senator Larkin and Senator Lee Zeldin that are in this chamber right now.

But the point is is that we live in a country where many of us are disconnected from the reality of what it means to serve. And they don't only serve, but their families serve.

And I know men and women that have deployed first, I know female troops that deploy when their kids are 2 years old, 3 years old. Imagine leaving your child, who's 3 years old, for six months and how it tears apart her heart.

I know men and women that have gone on deployments eight, nine times. Try to keep a marriage together. Try to raise a family deploying eight or nine times.

And fewer than 1 percent is serving, and even less are these combat troops that are on the tip of that spear.

About three years ago I met a man named Jerry Majetich. I want to read this to you. We all think that we have a bad day because politics can be tough. When you hear Jerry's story, you're going to say "Give me back my problems."

Jerry was deployed to Iraq in March of 2005, stationed south of Baghdad in support of the 184th. On October 18, 2005, while traveling as the 27th vehicle in a 69-vehicle convoy as part of Operation Clean Sweep, he was hit by an IED. His vehicle had a bounty on it.

The rear half of the vehicle disintegrated immediately, killing a member of the security detachment who was a friend and roommate of Jerry's, and the battalion information officer, also a good friend. If you saw a picture of this Humvee and took a look, it was literally disintegrated. You wonder how anybody can make it out of this alive.

The driver's door blew off, and he was ejected from the vehicle, receiving minor burns to his right arm and leg. The gunner was thrown about 50 feet into a nearby field from the explosion, shattering his right leg and suffering second- and third-degree burns on his arm, leg and lower back.

The propane tank in the IED set the vehicle on fire, and Jerry was trapped inside, unable to escape because the door next to him had been welded closed. A Navy dog handler, an Air

Force UAV pilot, and the captain leading the convoy somehow pulled him out.

While his injuries were being treated, the battle fire continued for nearly 50 minutes. Because the flames on the vehicle were so not, one of the M16 rounds inside the vehicle cooked off, flying out to hit Jerry in the upper rear of his right leg.

When it was finally safe for a medical helicopter to land, Jerry was shot by an AK47 in the right upper portion of his right leg as he was being transported by stretcher to it. He remained in Baghdad for a day because his condition was so serious medics could not keep his stabilized. He was flown to Germany, where he stayed for two days.

He was then flown back to Brook Army Medical Center, Fort Sam Houston, on November 2nd. He had 35 percent total body surface third-degree burns and 100 percent face, neck, and scalp third-degree burns, causing loss of all hair, both ears, most of his nose and his vision gone for two months, with the inability to close either eye for almost three months.

His intestines were ruptured and his

stomach bruised, causing the loss of a third of his small intestines. I'm shaking, and I'm not going to read the rest of this.

But to say to my colleagues, thank you. And to this Governor, thank you. This is the single greatest thing, what we're passing today, that we can do for these heroes.

This country does a very good job at getting young men and women to raise their right hand and be willing to fight and die for this country. We do a pretty poor job, as a state and as a country, of helping those veterans transition back into the civilian workplace.

I told Jerry three years ago that I would be like a pit bull on a ham bone on this, and that we would get it done. And if weren't for all of you -- this Governor, our leader, and everybody in this room -- we wouldn't have gotten it done.

We had a press conference four or five weeks ago where we had a young vet talking about his buddy, who committed suicide. And I realized, I was told a couple of days later he was actually talking about my buddy who I met at Valley Forge Military Academy. It's a small

world. When you're part of that 1 percent, it's an even smaller world.

This is certainly about jobs, there's no doubt about that. And the good news is that vets hire vets. And this is about meaningful employment connecting service-disabled veterans and their businesses to hundreds of millions of dollars in state contracting.

But beyond just jobs, it's about ending the epidemic of veteran suicide, where we're losing dozens of vets that are committing suicide every day. And we're going to save those vets through meaningful employment.

So to everybody and especially the staff -- Krista Gobins on my staff, Bob Farley and others that have done the hero's work of getting this done -- thank you. And to each and every one of you, God bless, and this is a very good and special day.

So thank you.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Ball.

Senator Hassell-Thompson.

SENATOR HASSELL-THOMPSON: Thank you, Mr. Chairman.

I rise to raise concerns that I have. And I listened very carefully to the impassioned speech that Senator Ball has raised, and I am in total agreement with all of it. But I continue to have in this chamber concern about process.

Several months ago when one of my other colleagues presented a bill giving a percentage of contracts in the state to veterans, I had suggested at that time that we might want to not only look at doing a separate allocation for veterans, but doing it through a disparity study.

My understanding of law tells me that the Richmond v. Croson decision said that you cannot do set-asides, that they are illegal. And if we're very serious about doing this, I don't understand how we are suggesting that we do this in absence of a disparity study that demonstrates all the things that you have said.

We stand in these chambers and we continue to talk about process. And I'm not clear whether we're talking about the 6 percent in this contract coming out of existing MWBEs, or is this on top of the 20 percent MWBEs, so that's

26 percent?

None of this is -- you know, you talk about all the people in this room who have been participatory in helping to put this together, but I don't know anyone in the Senate Democratic Conference that was consulted. And as someone who has had 35 years of experience in doing these kinds of contracts, I would have been able to give some assistance to ensure that if we're going to do this that we don't set ourselves up for a constitutional setback.

So I am deeply concerned that while I think this is probably, as you said, the most important thing that we do, I don't want to see us get pushed back because we have not completed the process in the proper manner.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Hassell-Thompson.

Senator Nozzolio.

SENATOR NOZZOLIO: Thank you, Mr. President. I rise in support of this measure and wish to explain my vote.

First and foremost, let me thank Senator Greg Ball and Senator Dean Skelos for

bringing this measure to the floor. And especially Senator Ball, who was I think certainly modest in sharing credit for this important legislative measure.

But thank you, Senator Ball, for having the courage and the persistence to bring this important support mechanism to our veterans to now become the law of New York State. Job well done.

As a volunteer member of the United States Naval Reserve and, after that, as a commander in the Naval Militia of this state, I certainly enjoyed experiences in those volunteer capacities. But as Senator Ball indicated, he himself and myself have never seen the horrors of combat.

We are talking about the individuals that have, that have seen combat, our wounded warriors. We owe them the greatest debt. They volunteered to defend freedom and democracy for the United States of America and for other parts of the world.

Many of them have volunteered to serve a number of tours of duty in Iraq and Afghanistan. Many of them have fought in the

most horrendous and horrific conditions known to humankind, and many of them are wounded warriors who, to paraphrase President Abraham Lincoln, demonstrated a clear measure of devotion to these United States.

Their scars as they returned home are physical. The wounds are apparent in many cases. Some of them are not apparent, in that they suffer from the fatigues of battle and the mental strains that being in those types of theaters present. A number of them have lost limbs.

This measure helps them, as business entrepreneurs, get a leg up, get a leg up to be able to successfully grow their business, expand their business, become productive members in New York State of the business community.

But let's be clear, Mr. President, this measure is not about business. This is about the families of our veterans. And the families who also we owe a a great debt to, the families that saw their loved one go into harm's way and returned harmed. The families are the beneficiaries of this, and I thank those who support it. It's about saying thank you to those

who gave so much to defend freedom for all Americans.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Nozzolio.

Senator Larkin.

SENATOR LARKIN: Thank you, Mr. President.

I want to thank Greg Ball. We joke a lot about service -- you know, how the Air Force runs us over and then comes home and has their cocktails and we have to sit up and fight. Greg, this is a home run. This proves that we collectively can do something for those members of the armed forces.

Those young men today rise up, put up their hand. I had the pleasure of commanding combat troops. I had the pleasure of serving as a GI. And I saw some of my friends lose arms and legs and come home. It was hell. In Korea I commanded a combat unit. And I saw our troops come home; many of them, nobody cared.

But this is an opportunity to say we're not giving you money -- you know, as the President said, you didn't build that store.

They built something, and now they want to move it forward. We've got a chance to say to a disabled veteran: We appreciate what you did for our country. Because if they weren't there, we might be speaking Japanese or German in this chamber today. We owe these veterans something.

I'm damn proud to be a veteran. I'm proud to be an American. But I'm more proud today in saying we stood up for those who stood up for us.

You know, Greg told you the story about a young man. There are a lot of stories out there. When you think that there's probably 90,000 veterans from World War II in this great State of New York -- they're not looking for a handout, they're not looking to be special. All they're looking for is an opportunity to prove that they deserve to be recognized. They'll hire other veterans.

You know, anybody who can't vote yes for this bill today, I want to know where your loyalty to this country and to this state -- and more important, to the young veterans who made a sacrifice. Just look at some of them in your home territory -- without a leg, without an arm,

without an eye. They did that for you, for me.

And now you have a chance to say to them: I recognize what you've done, and I want you to know that I support you in your endeavors. This is for those who gave something so that we would have a better life ourself.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Larkin.

Senator Ranzenhofer.

SENATOR RANZENHOFER: Thank you, Mr. President.

I'd also like to rise today and start off and thank and congratulate my colleague Senator Ball. I know how hard that he has worked on this piece of legislation, and he has done an awesome job in bringing it to the floor today.

I too have had an opportunity to meet many of these folks who have gone into combat and come back into our community. And the first thing we have to remember is that some of them don't come back. But for those that do, they're not looking for a handout, they're looking for a little bit of help.

Because while we and our children and our grandchildren had the luxury of entering

the political profession, the teaching profession, become lawyers, become plumbers or whatever else they've done, they've had the opportunity to do that.

These folks have basically put their lives and put their careers on hold, saying we are going to serve in the armed forces, we are going to protect you. We're not going to put our family first, we're not going to put ourselves first, we're going to put you first, we're going to put our country first.

And when they come home, when they come home, they deserve the little bit of assistance that we are providing them today. Because while others have had the opportunity to build their businesses, to grow their companies, to engage in the marketplace and to have that advantage which those that serve did not, this is our opportunity to say thank you and to give them a little bit of catchup while they have put their lives on hold.

So to you, Senator Ball, you understand that problem. You've been a leader on this problem. I thank you. But this is going to help constituents in my district. This is going

to help even the score, so to speak, for these people who put their lives on hold, come home and now we are giving them a little bit of help, which they deserve.

So I want to say thank you, this is an excellent piece of legislation, and I vote yes.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Ranzenhofer.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes. Senator Ball, job well done. This is an outstanding piece of legislation.

And I wasn't going to speak, but one of the comments that was made in the discussion of the basis for people's votes kind of caught me a little bit. The concept that we would have to hold this bill up until a disparity study was done, otherwise it's going to be unconstitutional, I don't quite get it. I honestly don't quite get it.

The studies that are being referred to by some of those cases in court are those that are determining special amounts of numbers of people of different races, different sexes, to

determine whether there's really been a disparity between how they were treated in the minority class and how others were treated and whether there's a justification for singling out a certain percentage for a contract or whatever.

Veterans come in all sexes, all races, all sizes and all types of backgrounds. And to suggest that we have to determine whether it's constitutional to award a disabled veteran a break, when they're the ones who make our constitution relevant and make it work by protecting this country and serving this country on behalf of all of us.

So I think there was a misreading of those cases and it's clearly something that the Legislature is allowed to do, should have done a long time ago and, thanks to Senator Ball, are doing today.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator DeFrancisco.

Senator Savino.

SENATOR SAVINO: Thank you, Mr. President.

I want to thank Senator Ball and his

staff for the work that they've done on this bill. In the 2011-2012 session I was a member of the Veterans Committee. I'm no longer a member of Veterans, but during those two years he led many hearings around this issue.

Remember, in 2011 we were still reeling from the economic collapse. We were looking at national unemployment numbers that were unprecedented. While they were hovering around 8 percent for the general population, the unemployment rate for our returning veterans was hovering at 14 percent for those who were not disabled. That was a national disgrace.

But even worse than that, the unemployment rate for service-disabled vets was hovering around 26 percent. And so we felt we needed to do something about that, that we had an obligation to these young men and women to find a way to close that unemployment gap in a real and meaningful way.

And we have a history of doing things like that. If you look at the Civil Service merit system, we give service credit, extra credit for veterans when they take an exam for a government job in recognition of the fact,

as Senator Ranzenhofer said, that they have to put their lives on hold, their careers on hold while they go and they serve.

Today's veterans are being deployed multiple times, four, five and six times. This is not, you know, Senator Larkin's Army anymore -- no offense to Senator Larkin. This is an Army that has been sent out numerous times.

It's also a very different Army in that many of them have very high levels of education and training. It's a technical Army. Many of them have degrees and they have expertises in foreign languages, in technology, in international espionage, international finance. So they came home with a real skill set that is not being utilized.

And so this particular bill that Senator Ball has been pushing for the past four years that has gotten the Governor's attention is in recognition of the fact that we owe these young men and women a future, we owe them an equal opportunity, we owe them a leg up, and we owe them, most importantly, our gratitude.

And we can certainly do that by giving them an opportunity to compete. They're

not asking for a handout, they are asking for an opportunity to compete and get state contracts so they can demonstrate the expertise that they have. That's what this bill is about.

And I think this is a wonderful piece of legislation, and I look forward to seeing this implemented in the State of New York.

Congratulations, Senator Ball.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Savino.

Senator Marchione.

SENATOR MARCHIONE: Thank you, Mr. President.

First, I certainly would also like to congratulate Senator Ball and Senator Skelos and Governor Cuomo on this piece of legislation. I've only been here just a little over a year, but I have to tell you that I think this is one of the if not the most important piece of legislation that has gone through our body.

You know, it actually and definitely helps people that we represent all through New York State -- not certain people, but all people who served our country who come home disabled and need some assistance.

You know, I did some research myself. And these are not disabled companies, but veteran-owned companies in New York State rank fourth in the number of companies that we have in the nation, but they rank 49th in their overall gross receipts. I don't know how many of those companies are owned by someone who's disabled.

But I can say that I believe our veterans, disabled and otherwise, need a leg up, need us to give a little bit of assistance to them.

You know, not serving in the military, I'm one of those people who say to our veterans: "Thank you, thank you for serving." And I mean it from the bottom of my heart. Or help to raise gifts to send overseas, you know, or go to veterans' ceremonies and participate and say thank you. And that's all meaningful and all heartfelt.

But today, it's truly meaningful where they live, for their families, for themselves. I'm just so honored to be here today to be a member of this body, to vote yes, and to say thank you, Senator Ball.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Marchione.

Senator Kennedy.

SENATOR KENNEDY: Thank you, Mr. President.

First of all, let me start by thanking and congratulating the Senate sponsor of this important legislation as well as the Governor and both houses in a bipartisan fashion for coming together to enact this important legislation.

Our veterans have sacrificed so much in service to our country and now we have a duty to serve our veterans and their families. We need to make sure veterans receive the benefits and recognition they deserve, and we have to take steps to provide our veterans with opportunities to rejoin our workforce.

A few stats have always frustrated me. The unemployment rate for veterans who have served since 2001 still stands at 9 percent, considerably higher than the unemployment rate for the rest of the population, at under 7 percent. And our youngest veterans, those age 18 to 24, they experience an incredibly high

unemployment rate of over 21 percent. That's unacceptable.

A few years back it's estimated that about a thousand veterans of Western New York who made the sacrifice to leave their families in order to defend our freedom were forced to endure the struggle of unemployment when they returned home.

With statistics like these, action is absolutely necessary. We must do all we can to support our veterans.

This legislation that we're passing today is another important step in the right direction. It's us taking action. You know, we're always thanking our veterans. But you know, actions speak louder than words. And this is us in this Senate chamber and in Albany taking action to thank our veterans and make sure that they know that they're a priority for us.

By awarding 6 percent of state contracts to service-disabled veteran-owned small businesses, we'll provide our veterans with a more level playing field and allow these courageous veterans to take advantage of state business opportunities.

Also, the Division of Service-Disabled Veterans Business Development will provide ongoing opportunities in support of veterans who start their own businesses. Our veterans deserve this opportunity. They came from all walks of life to put on the uniform in the respective branches of our armed forces and risk their lives on behalf of this great country, and on behalf of this state and all of our communities that we represent.

When they return home, they should have access to opportunities to return to civilian life and not only support themselves and their families but have opportunities to thrive.

We can't thank our veterans enough for everything they've done for our nation, our community, and our families. But we can start by passing this important legislation to give them access to more state business opportunities.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Kennedy.

Senator Addabbo.

SENATOR ADDABBO: Thank you,

Mr. President.

As ranking member of the Veterans Committee, I want to thank Senator and Chair Greg Ball and his staff for their persistence and tenacity on this issue. This issue didn't come overnight. We had many discussions about this issue. And I don't think there's anybody in this chamber who wouldn't jump at the chance to try and help a veteran.

And what we do today is we build upon what we did last year when we gave incentives to those who even hire a veteran.

And for those who have some concerns about possibly losing out on a state contract because of this piece of legislation, well, if they lose out on a state contract they lost out to a veteran, a disabled veteran.

We have identified our veterans as some people we need to step forward because they stepped forward to help. These are disabled veterans. We all know of a disabled veteran. And our state has an obligation, we have an obligation as elected officials to do what we can for our veterans.

I am proud to be a supporter of this

bill, and I want to thank the Governor for his efforts as well, and the chair.

Thank you, Mr. President.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Addabbo.

Senator Diaz.

SENATOR DIAZ: Thank you, Mr. President. Just a few words to thank Senator Ball.

I went to the Army, I joined the Army in 1960. And when I came back to Puerto Rico, there was shame, people abused us. They did the kind of thing that was Hanoi Jane, a Jane Fonda atmosphere. And we didn't feel welcome when we came back.

Now, when I see people like Senator Ball presenting this legislation, and the atmosphere, the environment to welcome and to make those members of the armed forces that give their life or put their life in danger for our country, to make them feel welcome and feel needed and feel appreciated, I have no other thing but to praise Senator Ball and all of you guys that remember and that try to do better, a lot better than what Jane Fonda and her followers

did in the '60s.

Thank you, Mr. President, and I vote yes.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Diaz.

Senator Ritchie.

SENATOR RITCHIE: Thank you, Mr. President.

I want to start off by saying thank you to Senator Ball for shepherding this really remarkable piece of legislation through.

Just a few weeks ago I was at a deployment ceremony in Fort Drum. And, you know, Senator Ball got choked up a little bit reading that article. Well, I got choked up a little bit when I saw the young men and women who were getting ready to go overseas, knowing that many may not come back or many may come back with a severe disability.

And watching them deploy, and having the sergeant major come up and say that he had been either in Iraq or Afghanistan 56 months during his career, it was really a remarkable commitment.

But last week we had Fort Drum Day.

And when I went down and looked at the exhibits, I know that as we came in there was a mannequin there and it was fairly graphic. Both limbs were missing. And I know for some, I think they were a little shocked when they looked at it. And once again, I got pretty choked up when I saw it.

But I think it was extremely important to have that there, because a lot of times, you know, out of sight is out of mind. It's pretty easy for us to say "Thank you for your service." But then when you come down and you look at the young men who are working on the mannequin to practice so when something happens out in the field they're able to respond, then looking at the young soldier who would be laying there -- you know, that's a pretty big commitment to every one of us in here, putting your life on the line every day to protect the country.

And, you know, I'm fortunate to be able to represent Fort Drum, and it gives me the opportunity to see on a regular basis all that they do for, you know, not only New York but for America.

And, Senator Ball, I just want to tell you that this means so much to so many of

those that I represent. You know, over the last four years we've passed a lot of bills in here and hardly a one even comes close to this. So thank you for your commitment.

I want to thank the leader, thank the Governor for everybody working together to pass this important piece of legislation.

Thank you.

ACTING PRESIDENT CARLUCCI: Thank you, Senator Ritchie.

Seeing no other members wishing to be heard on the bill, the Secretary will announce the result.

THE SECRETARY: Ayes, 60.

ACTING PRESIDENT CARLUCCI: The bill is passed.

Senator Libous.

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

ACTING PRESIDENT CARLUCCI: There is no further business at the desk.

SENATOR LIBOUS: Thank you, Mr. President.

There being no further business, I move that we adjourn until Tuesday, March 25th,

at 3:00 p.m.

ACTING PRESIDENT CARLUCCI: On motion, the Senate stands adjourned until Tuesday, March 25th, at 3:00 p.m.

(Whereupon, at 4:42 p.m., the Senate adjourned.)