NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 14, 2014

10:16 a.m.

REGULAR SESSION

SENATOR TONY AVELLA, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT AVELLA: 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 AVELLA: In the absence of clergy, may we please bow our heads in a moment of silence.

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

ACTING PRESIDENT AVELLA: Reading of the Journal.

THE SECRETARY: In Senate, Tuesday, May 13th, the Senate met pursuant to adjournment. The Journal of Monday, May 12th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: On page 9, Senator Bonacic moves to discharge, from the Committee on Racing, Gaming and Wagering, Assembly Bill Number 7617A and substitute it for the identical Senate Bill Number 5330B, Third Reading Calendar 92.

And on page 12, Senator O'Mara moves to discharge, from the Committee on Elections, Assembly Bill Number 412 and substitute it for the identical Senate Bill Number 4671, Third Reading Calendar 155.

ACTING PRESIDENT AVELLA: Substitutions so ordered.

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.

I have a couple of motions. On behalf of Senator Lanza, on page 46 I offer the following amendments to Calendar Number 515,

Senate Print 6623, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

Senator Libous.

SENATOR LIBOUS: Thank you.

And, Mr. President, on behalf of Senator Gallivan, I move that the following bill be discharged from its respective committee and be recommitted with instructions to strike the enacting clause. And that would be Senate Print 7011.

ACTING PRESIDENT AVELLA: So ordered.

SENATOR LIBOUS: And I believe at this time if you could call on Senator Valesky, and then come back to me.

ACTING PRESIDENT AVELLA: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

On behalf of Senator Carlucci, on page 35 I offer the following amendments to Calendar 323, Senate Print 3553, and ask that

said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT AVELLA: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

At this time could you please call on Senator Griffo for a very inspiring and exciting announcement.

ACTING PRESIDENT AVELLA: Senator Griffo.

SENATOR GRIFFO: Thank you, Senator Libous. And thank you, Mr. President.

Today I have with me a special guest. About a year ago, I had a chance to read about this individual and to watch him compete in our area, which is something that is very significant.

It's an event that attracts thousands of people. It's the Utica Boilermaker. It's a 15K road race. It's a renowned road race which takes place each year. It's recognized nationally as one of the most outstanding

15K races in the nation.

This young man, Jason Robinson, participated in that race. He was born with spina bifida. But at the age of 10, he became the youngest ever to compete in the 15K Boilermaker. And he completed that race in an hour and 13 minutes. Quite an impressive accomplishment in the wheelchair division of the Boilermaker, with all these other individuals that come from across the country to compete in this race.

So I was quite impressed with that story, and then I had an opportunity to meet this young man and his family. I took the opportunity to extend him an invitation to come to Albany. Now, most people I do that to don't come.

(Laughter.)

SENATOR GRIFFO: But Jason decided to take me up on that, and I'm glad that he and his family are able to join me today.

So I would like to acknowledge today here in the chamber someone who -- not only for his inspiration and his courage despite the challenges that he has had to face and endure in his 11 years here on earth, with the support of

his family. He's truly inspiring.

He's truly somebody who has now put together an effort to raise money for others who suffer any type of disability and who want to know they can lead productive lives and do what they would like to do and participate in those activities if they have the heart, the desire, and the support.

And I know he has that. So I want to welcome Jason here today. I want to welcome his mom and dad, Jamie and Erin; his sister, Arianna; his principal, Eric Coriale; and the superintendent of schools at the Westmoreland Central School District -- all who are very supportive of Jason and his family -- Rocco Migliori.

So Jason, thank you for coming here today. I appreciate that. And you truly are our hero, and we're inspired by your courage. And continue to do good things. And we're going to keep watching you, okay?

Thank you. Thank you all.

Thank you, Mr. President.

(Standing ovation.)

ACTING PRESIDENT AVELLA: Jason, on

behalf of the Senate, we welcome you here, and you're an inspiration to all of us. Best wishes to you and your family.

Senator Libous.

SENATOR LIBOUS: Thank you, Mr. President.

At this time I think we want to take up the reading of the calendar, noncontroversial, please.

ACTING PRESIDENT AVELLA: The Secretary will read.

THE SECRETARY: Calendar Number 45, by Senator Martins, Senate Print 6210, an act to authorize.

ACTING PRESIDENT AVELLA: Read the last section.

SENATOR LIBOUS: Lay the bill aside for the day.

ACTING PRESIDENT AVELLA: The bill is laid aside for the day.

THE SECRETARY: Calendar Number 92, substituted earlier by Member of the Assembly Pretlow, Assembly Print 7617A, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 154, by Senator Martins, Senate Print 3705, an act to amend Chapter 3 of the Laws of 2011.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 51. Nays, 2.

Senators Squadron and Tkaczyk recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 155, substituted earlier by Member of the Assembly Paulin, Assembly Print 412, an act to amend the Election Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 224, by Senator Grisanti, Senate Print 6461, an act to amend the Local Finance Law.

ACTING PRESIDENT AVELLA: There is a home-rule message at the desk.

Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 52. Nays, 1. Senator Ball recorded in the negative.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 459, by Senator Squadron, Senate Print 218, an act to amend the Penal Law.

ACTING PRESIDENT AVELLA: Read the last section.

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

ACTING PRESIDENT AVELLA: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT AVELLA: Announce the result.

THE SECRETARY: Ayes, 53.

ACTING PRESIDENT AVELLA: The bill is passed.

THE SECRETARY: Calendar Number 547, by Senator Savino, Senate Print 6964, an act to authorize.

SENATOR GIANARIS: Lay it aside.

SENATOR VALESKY: Lay it aside for the day.

ACTING PRESIDENT AVELLA: The bill is laid aside for the day.

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

SENATOR LIBOUS: Mr. President, that was quite efficient.

Is there any further business at the desk?

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

SENATOR LIBOUS: There being no further business at the desk, I move that the Senate adjourn until Monday, May 19th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT AVELLA: On motion, the Senate stands adjourned until Monday,

May 19th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 10:24 a.m., the Senate adjourned.)