

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 25, 2015

4:01 p.m.

REGULAR SESSION

SENATOR THOMAS F. O'MARA, Acting President

FRANCIS W. PATIENCE, Secretary

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

2 ACTING PRESIDENT O'MARA: The
3 Senate will come to order.

4 I would ask that everyone please
5 rise and join me in the Pledge of Allegiance to
6 our Flag.

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

9 ACTING PRESIDENT O'MARA: We are
10 joined today by the Reverend Edward VanKampen,
11 pastor of the Nassau Reformed Church.

12 REVEREND VANKAMPEN: Let us pray.
13 Almighty God, You have given us the
14 great land and resources in the State of
15 New York for which we are grateful. It is our
16 heritage, and with it we are blessed. Make us
17 always remember to use it constantly as You
18 will.

19 Forgive, we pray, our shortcomings.
20 Purify our hearts to see and love truth. Give
21 wisdom to our counselors and steadfastness to
22 our people. And bring us at last to the fair
23 city of peace whose foundations are mercy,
24 justice and goodwill, and whose builder and
25 maker You are.

1 Bless those who hold office in the
2 government of this state, that they may do their
3 work in the spirit of wisdom, kindness and
4 justice. Help them use their authority to serve
5 faithfully and to promote the general welfare of
6 all.

7 Provide that they always remember
8 Your generosity and constantly do Your will,
9 O God; that they serve to bring and maintain our
10 state with honest industry and sound learning
11 and an honorable way of life; that they save all
12 peoples of our state from violence, discord and
13 confusion, from pride and arrogance and from
14 every evil way.

15 O God, we commend all that we are
16 and all that we shall become to Your merciful
17 care, that we may live securely in peace and be
18 guided by Your providence. Guide all who lead
19 and all who follow to remember we are called to
20 serve one another as lovers of truth and
21 justice.

22 Now and forever, amen.

23 ACTING PRESIDENT O'MARA: Thank
24 you, Reverend.

25 Senator Libous.

1 SENATOR LIBOUS: Thank you,
2 Mr. President.

3 At this time could you please call
4 on -- can we have some order, Mr. President?

5 ACTING PRESIDENT O'MARA: Can we
6 please have quiet in the chamber.

7 SENATOR LIBOUS: Thank you. Could
8 I ask you to call on Senator Gianaris, please.

9 ACTING PRESIDENT O'MARA: Senator
10 Gianaris.

11 SENATOR GIANARIS: Thank you,
12 Mr. President.

13 This past weekend we lost a former
14 member of this body who was beloved on both
15 sides of the aisle. George Onorato was someone
16 who dedicated his life to service -- first as a
17 member of the military, then as a labor leader,
18 and for 27 years as a member of this body, where
19 I daresay, if I could speak on behalf of all of
20 my colleagues in a bipartisan fashion, he was
21 one of the most beloved members not only among
22 his colleagues but even among the staff here. I
23 know that the sergeant-at-arms, even to this
24 day, would ask me how George was doing.

25 Unfortunately, his health caught up

1 with him this past weekend.

2 I know everyone who knew him here
3 knew how close he was and how he always had his
4 wife Athena by his side even when in Albany. And
5 now as he rests, he's by her side once again, as
6 she passed just a couple of years ago as well.

7 So if we could open the session with
8 a moment of silence in his honor, I'd appreciate
9 it, Mr. President.

10 ACTING PRESIDENT O'MARA: Please
11 rise.

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

14 ACTING PRESIDENT O'MARA:
15 Mr. Secretary, the reading of the Journal.

16 THE SECRETARY: In Senate, Tuesday,
17 February 24th, the Senate met pursuant to
18 adjournment. The Journal of Monday,
19 February 23rd, was read and approved. On motion,
20 Senate adjourned.

21 ACTING PRESIDENT O'MARA: Without
22 objection, the Journal stands approved as read.

23 Presentation of petitions.

24 Messages from the Assembly.

25 Secretary will read.

1 THE SECRETARY: On page 8, Senator
2 Young moves to discharge, from the Committee on
3 Rules, Assembly Bill Number 2552A and substitute
4 it for the identical Senate Bill Number 2405,
5 Third Reading Calendar 46.

6 ACTING PRESIDENT O'MARA:
7 Substitution ordered.

8 Messages from the Governor.

9 Reports of standing committees.

10 Reports of select committees.

11 Communications and reports from
12 state officers.

13 Motions and resolutions.

14 Senator Libous.

15 SENATOR LIBOUS: Thank you,
16 Mr. President.

17 On behalf of Senator Griffo, on
18 page 10 I offer the following amendments to
19 Calendar Number 73, Senate Print Number 2722A,
20 and ask that said bill retain its place on the
21 Third Reading Calendar.

22 ACTING PRESIDENT O'MARA: So
23 ordered.

24 SENATOR LIBOUS: On behalf of
25 Senator Funke, Mr. President, I move that the

1 following bill be discharged from its respective
2 committee and be recommitted with instructions to
3 strike the enacting clause. And that would be
4 Senate Number 3615.

5 ACTING PRESIDENT O'MARA: So
6 ordered.

7 SENATOR LIBOUS: Mr. President, at
8 this time I would call an immediate meeting of
9 the Rules Committee in Room 332, immediate
10 meeting of the Rules Committee in Room 332. And
11 then we'll come back and finish our agenda.

12 ACTING PRESIDENT O'MARA: There
13 will be an immediate meeting of the Rules
14 Committee in Capitol Room 332.

15 The Senate will stand at ease.

16 (Whereupon, the Senate stood at ease
17 at 4:07 p.m.)

18 (Whereupon, the Senate reconvened at
19 4:18 p.m.)

20 ACTING PRESIDENT O'MARA: The
21 Senate will come to order.

22 Senator Libous.

23 SENATOR LIBOUS: Thank you,
24 Mr. President.

25 At this time could we return to

1 reports of standing committees. I believe
2 there's a report of the Rules Committee at the
3 desk.

4 ACTING PRESIDENT O'MARA: Reports
5 of standing committees.

6 The Secretary will read.

7 THE SECRETARY: Senator Skelos,
8 from the Committee on Rules, reports the
9 following bills:

10 Senate Print 22, by Senator LaValle,
11 an act to amend the Correction Law;

12 1520, by Senator Klein, an act to
13 amend the Executive Law;

14 2269, by Senator Golden, an act to
15 amend the Correction Law;

16 2950, by Senator Murphy, an act to
17 amend the Correction Law;

18 2981, by Senator Ortt, an act to
19 amend the Correction Law;

20 3547, by Senator Ranzenhofer, an act
21 to amend the Public Health Law;

22 3681, by Senator Seward, an act to
23 amend the Insurance Law;

24 3811, by Senator Lanza, an act to
25 amend the Correction Law;

1 3925, by Senator Venditto, an act to
2 amend the Correction Law;

3 And Senate 3926, by Senator Seward,
4 an act to amend the Penal Law.

5 All bills reported direct to third
6 reading.

7 ACTING PRESIDENT O'MARA: Senator
8 Libous.

9 SENATOR LIBOUS: Thank you,
10 Mr. President. Could I move to accept the report
11 of the Rules Committee.

12 ACTING PRESIDENT O'MARA: All in
13 favor of accepting the report of the
14 Rules Committee say aye.

15 (Response of "Aye.")

16 ACTING PRESIDENT O'MARA: Opposed,
17 nay.

18 (No response.)

19 ACTING PRESIDENT O'MARA: The
20 report is accepted.

21 Senator Libous.

22 SENATOR LIBOUS: Thank you,
23 Mr. President.

24 At this time could we do the active
25 list for Wednesday, February 25th, the

1 noncontroversial reading, please.

2 ACTING PRESIDENT O'MARA: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number 46,
5 by Member of the Assembly Russell, Assembly Print
6 2552A, an act to amend the Public Health Law.

7 ACTING PRESIDENT O'MARA: Read the
8 last section.

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

11 ACTING PRESIDENT O'MARA: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 59.

15 ACTING PRESIDENT O'MARA: The bill
16 is passed.

17 THE SECRETARY: Calendar Number 51,
18 by Senator Lanza --

19 SENATOR LIBOUS: Mr. President,
20 Senator Lanza would like to lay it aside for the
21 day, please.

22 ACTING PRESIDENT O'MARA: The bill
23 is laid aside for the day.

24 THE SECRETARY: Calendar Number 74,
25 by Senator Croci, Senate Print 3404, an act to

1 amend the Penal Law.

2 ACTING PRESIDENT O'MARA: Read the
3 last section.

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

6 ACTING PRESIDENT O'MARA: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT O'MARA: The bill
11 is passed.

12 SENATOR LIBOUS: Mr. President.

13 ACTING PRESIDENT O'MARA: Senator
14 Libous.

15 SENATOR LIBOUS: I believe Senator
16 Croci has just passed his first bill in the
17 Senate. Congratulations.

18 ACTING PRESIDENT O'MARA:
19 Congratulations, Senator.

20 (Appause.)

21 THE SECRETARY: Calendar Number 75,
22 by Senator Croci, Senate Print 3405, an act to
23 amend the Executive Law.

24 ACTING PRESIDENT O'MARA: Read the
25 last section.

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

3 ACTING PRESIDENT O'MARA: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT O'MARA: The bill
8 is passed.

9 THE SECRETARY: Calendar Number 76,
10 by Senator Croci, Senate Print 3406, an act to
11 amend the Penal Law.

12 ACTING PRESIDENT O'MARA: Read the
13 last section.

14 THE SECRETARY: Section 3. This
15 act shall take effect on the first of November.

16 ACTING PRESIDENT O'MARA: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT O'MARA: The bill
21 is passed.

22 THE SECRETARY: Calendar Number 77,
23 by Senator Croci, Senate Print 3407, an act to
24 amend the Executive Law.

25 ACTING PRESIDENT O'MARA: Read the

1 last section.

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

4 ACTING PRESIDENT O'MARA: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT O'MARA: Senator
8 Croci, you wish to explain your vote?

9 SENATOR CROCI: To explain my vote.
10 Thank you, Mr. President.

11 As we know, in watching what's
12 happening in the world and certainly in our
13 country, the battlefield has changed. We are
14 today taking a stride in protecting our critical
15 infrastructure.

16 The Empire State is a leader in
17 industry, is a leader in education, and these are
18 institutions that must be protected. And I
19 commend my colleagues for their votes.

20 Thank you.

21 ACTING PRESIDENT O'MARA: Senator
22 Croci will be recorded in the affirmative.

23 Announce the results.

24 THE SECRETARY: Ayes, 59.

25 ACTING PRESIDENT O'MARA: The bill

1 is passed.

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

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

6 ACTING PRESIDENT O'MARA: There is
7 no further business at the desk.

8 SENATOR LIBOUS: If there is no
9 further business, sir, then the Senate will
10 adjourn until Thursday, February 26th, at
11 11:00 a.m.

12 ACTING PRESIDENT O'MARA: On
13 motion, the Senate stands adjourned until
14 Thursday, February 26th, at 11:00 a.m.

15 (Whereupon, at 4:22 p.m., the Senate
16 adjourned.)

17

18

19

20

21

22

23

24

25