

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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7
8 ALBANY, NEW YORK

9
10 February 26, 2015

11 11:26 a.m.

12
13
14 REGULAR SESSION

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16
17
18 SENATOR DAVID J. VALESKY, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask everyone present to please
5 rise and recite with me the Pledge of
6 Allegiance.

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

9 ACTING PRESIDENT VALESKY: With us
10 this morning to offer an invocation is the
11 Reverend Peter G. Young, from Mother Teresa
12 Community here in Albany.

13 REVEREND YOUNG: Thank you.

14 Let us pray.

15 As we gather again on another cold
16 day, we however have a future Hall of Famer
17 here, and we're therefore optimistically
18 thinking about a warm-weather day coming up.

19 We ask you, O God, for a former
20 member of our Senate fellowship, for all his
21 dedication on behalf of New York State citizens,
22 he'll be enjoying God's reward.

23 May we pray for George Onorato and
24 for all of our past and present Senators for
25 their efforts to their constituents for the

1 better state and operation of our great work.

2 Amen.

3 ACTING PRESIDENT VALESKY: Reading
4 of the Journal.

5 THE SECRETARY: In Senate,
6 Wednesday, February 25th, the Senate met pursuant
7 to adjournment. The Journal of Tuesday,
8 February 24th, was read and approved. On motion,
9 Senate adjourned.

10 ACTING PRESIDENT VALESKY: Without
11 objection, the Journal stands approved as read.

12 Presentation of petitions.

13 Messages from the Assembly.

14 Messages from the Governor.

15 Reports of standing committees.

16 Reports of select committees.

17 Communications and reports from
18 state officers.

19 Motions and resolutions.

20 Senator Marcellino.

21 SENATOR MARCELLINO: Yes,
22 Mr. President, thank you.

23 Can we adopt the Resolution
24 Calendar, with the exception of Resolutions 589
25 and 622.

1 ACTING PRESIDENT VALESKY: All in
2 favor of adopting the Resolution Calendar, with
3 the exception of Resolution Numbers 589 and 622,
4 signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT VALESKY: Opposed,
7 nay.

8 (No response.)

9 ACTING PRESIDENT VALESKY: The
10 Resolution Calendar is adopted.

11 Senator Marcellino.

12 SENATOR MARCELLINO: Thank you,
13 Mr. President.

14 Can we at this time take up
15 Resolution 622, by Senator Murphy, have the
16 resolution read in its entirety, and then call on
17 Senator Murphy to speak on the resolution.

18 ACTING PRESIDENT VALESKY: The
19 Secretary will read.

20 THE SECRETARY: Legislative
21 Resolution Number 622, by Senator Murphy,
22 honoring Mount Pleasant Police Officer Daniel
23 Franco for saving the life of a 23-year-old male
24 who had overdosed.

25 "WHEREAS, The quality and sanctity

1 of community life are cherished values, worthy of
2 safeguarding, and this Legislative Body is moved
3 to honor those individuals who serve to preserve
4 and protect such values, lauding particularly
5 their unwavering courage and dedication in the
6 daily performance of their duties; and

7 "WHEREAS, It is the custom of this
8 Legislative Body to recognize the caring concern
9 and heroic acts of those exemplary police
10 officers who take prompt and appropriate action
11 in emergency situations, and in doing so, help
12 others to avert life-threatening danger; and

13 "WHEREAS, Attendant to such concern,
14 and in full accord with its long-standing
15 traditions, this Legislative Body is justly proud
16 to honor Mount Pleasant Police Officer Daniel
17 Franco for saving the life of a 23-year-old male
18 who had overdosed on heroin; and

19 "WHEREAS, A graduate of West Lake
20 High School, Daniel Franco received his law
21 enforcement training at the Westchester County
22 Zone 3 Police Academy in Valhalla, New York; and

23 "WHEREAS, In January of 2008,
24 Police Officer Daniel Franco began his law
25 enforcement career with the Mount Pleasant Police

1 Department, and is currently assigned to its
2 Patrol Division; and

3 "WHEREAS, On January 5, 2015, Police
4 Officer Daniel Franco responded to the call of an
5 unresponsive male at a home in Valhalla,
6 New York; he found the young man not breathing
7 and losing color in his face which, due to his
8 training, he recognized as signs of a heroin
9 overdose; and

10 "WHEREAS, Police Officer Daniel
11 Franco took immediate action, locating the NARCAN
12 kit in his patrol car and administering two
13 milligrams of naloxone; due to his quick and
14 astute actions, within seconds after the drug was
15 administered, the young man began breathing and
16 regaining color in his face; and

17 "WHEREAS, After two more milligrams
18 of naloxone were administered by a paramedic,
19 the 23-year-old young man opened his eyes and
20 soon began communicating with the officers; and

21 "WHEREAS, Even though this situation
22 could have been a dire one, Police Officer Daniel
23 Franco's heroic efforts helped save the life of
24 the young man; he is truly an inspiration to his
25 fellow officers for his courage and decisive

1 action; and

2 "WHEREAS, It is the sense of this
3 Legislative Body that those dedicated police
4 officers who unselfishly devote their lives to
5 the preservation of order and the protection of
6 others are worthy and due full praise for their
7 commitment and noble endeavors; and

8 "WHEREAS, Police Officer Daniel
9 Franco, through his spontaneous and heroic
10 actions, demonstrated his character and his
11 compassion for the welfare of others,
12 personifying, by virtue of his actions, the
13 collective concern of public servants across the
14 community of the State of New York who respond
15 when others are in need; now, therefore, be it

16 "RESOLVED, That this Legislative
17 Body pause in its deliberations to honor Mount
18 Pleasant Police Officer Daniel Franco for saving
19 the life of a 23-year-old male who had overdosed;
20 and be it further

21 "RESOLVED, That a copy of this
22 resolution, suitably engrossed, be transmitted to
23 Mount Pleasant Police Officer Daniel Franco."

24 ACTING PRESIDENT VALESKY: Senator
25 Murphy on the resolution.

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

3 It is my distinct honor and
4 privilege to recognize a hero from my district
5 and the community of Mount Pleasant.

6 Today the sad reality is that the
7 heroin epidemic continues to spread throughout
8 our state. And as the vice chair of the New York
9 State Senate Task Force on Heroin and Opioid
10 Abuse, it is my responsibility and our
11 responsibility to protect our communities and
12 shed the light on this incredible danger.

13 One way we can raise awareness on
14 this issue is by acknowledging life-saving
15 actions of our law enforcement and our first
16 responders. And here today I would ask to stand
17 Chief Oliva, from the Mount Pleasant Police
18 Department, and Officer Franco, who is here
19 today.

20 Heroes. I believe our state should
21 take time to recognize you and thank you. Thank
22 you very much.

23 (Applause.)

24 SENATOR MURPHY: On January 5,
25 2015, Officer Franco responded to a call of an

1 unresponsive male in a house in Valhalla, where
2 he found a young man literally blue. Using his
3 training and the Narcan literally saved this
4 kid's life and brought him back to life.

5 Officer Franco, I thank you on
6 behalf of myself, as your State Senator, and the
7 New York State Senate. Thank you.

8 And Chief Oliva, thank you for
9 coming up and allowing us to present this to him.

10 Thank you very much.

11 (Applause.)

12 ACTING PRESIDENT VALESKY: Thank
13 you, Senator Murphy.

14 We certainly welcome our special
15 guests here to the chamber and hope that you
16 enjoy your day here at the State Capitol.

17 The question is on the resolution.
18 All in favor signify by saying aye.

19 (Response of "Aye.")

20 ACTING PRESIDENT VALESKY: Opposed,
21 nay.

22 (No response.)

23 ACTING PRESIDENT VALESKY: The
24 resolution is adopted.

25 Senator Marcellino.

1 SENATOR MARCELLINO: Mr. President,
2 since we are awaiting the arrival of a guest,
3 which would be relevant to another action, can we
4 move to the reading of the noncontroversial
5 calendar.

6 ACTING PRESIDENT VALESKY: The
7 Secretary will read.

8 THE SECRETARY: Calendar Number 72,
9 by Senator Avella, Senate Print 712, an act to
10 amend the Correction Law.

11 ACTING PRESIDENT VALESKY: Read the
12 last section.

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

15 ACTING PRESIDENT VALESKY: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 49.

19 ACTING PRESIDENT VALESKY: The bill
20 is passed.

21 THE SECRETARY: Calendar Number 99,
22 by Senator LaValle, Senate Print 22, an act to
23 amend the Correction Law.

24 ACTING PRESIDENT VALESKY: Read the
25 last section.

1 THE SECRETARY: Section 3. This
2 act shall take effect on the first of July.

3 ACTING PRESIDENT VALESKY: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 49.

7 ACTING PRESIDENT VALESKY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 100, by Senator Klein, Senate Print 1520, an act
11 to amend the Executive Law.

12 ACTING PRESIDENT VALESKY: Read the
13 last section.

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

16 ACTING PRESIDENT VALESKY: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT VALESKY: Senator
20 Klein to explain his vote.

21 SENATOR KLEIN: Thank you,
22 Mr. President.

23 Last Sunday, myself, Senator Marty
24 Golden and Senator Diane Savino released a report
25 which is certainly important in light of what

1 we're finding day after day, year after year,
2 that unfortunately we need to protect our young
3 people from dangerous sexual predators.

4 What we found was that presently
5 there's dangerous sexual predators, Level 2 and 3
6 sexual predators that actually committed heinous
7 crimes against children, living near universal
8 pre-K programs. As a matter of fact, my office
9 found that 13 sex offenders are presently
10 residing within a thousand feet of UPK programs,
11 because these programs were not affiliated with
12 an actual grade school.

13 Most of these sexual predators lived
14 in Brooklyn, a total of six. We also found that
15 five sex offenders living near pre-Ks and
16 kindergartens that do not partner with public
17 schools.

18 You know, clearly the law that we
19 presently have is clear: A dangerous sexual
20 predator can't live within a thousand feet of a
21 school. The problem is with the proliferation of
22 all of our wonderful UPK programs, especially in
23 the City of New York, any UPK program that's not
24 affiliated with a public school, a stand-alone
25 site, is not protected.

1 So what we're doing right now is
2 allowing ticking time bombs to have access to our
3 kids, and that needs to stop. I think we have
4 taken this issue very seriously, especially in
5 this house. We've already passed a lot of
6 different bills that I think, not necessarily
7 overall are Megan's Law in New York, but really I
8 think make some changes, which is something
9 that's very important.

10 It's clear we still have to protect
11 our young people from dangerous sexual predators.
12 The facts bear me out by stating that when you
13 look at the facts here in New York, according to
14 the Division of Criminal Justice Services, a
15 dangerous sexual predator, upon their release
16 from prison, if you look over an eight-year
17 period, is 48 percent more likely to commit the
18 same or similar crime.

19 So this is one of the only crimes
20 that seems to exacerbate with age. So I think
21 it's important that we continue to monitor them
22 and continue to protect our children to make sure
23 they're not in harm's way.

24 So of course I vote yes on this
25 important piece of legislation, Mr. President.

1 ACTING PRESIDENT VALESKY: Senator
2 Klein to be recorded in the affirmative.

3 Senator Sanders to explain his vote.

4 SENATOR SANDERS: It's sad that we
5 have to make laws about what seems to be common
6 sense. But I'm very grateful that the sponsors
7 have put these bills together, I'm grateful they
8 have.

9 In my own district I had a sexual
10 predator living in a homeless shelter, a homeless
11 shelter that had children and women. And you
12 would think that there would be some type of rule
13 or some common sense that would stop people from
14 even saying this is a place where we should put
15 such a person. But that did not -- that didn't
16 happen.

17 So these laws that we're coming up
18 with are actually very useful, and in my own
19 district I have found the usefulness. So I
20 certainly want to applaud the sponsors for coming
21 up with these.

22 Thank you very much.

23 ACTING PRESIDENT VALESKY: Senator
24 Sanders to be recorded in the affirmative.

25 Announce the results.

1 THE SECRETARY: Ayes, 54.

2 ACTING PRESIDENT VALESKY: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 101, by Senator Golden, Senate Print 2269, an act
6 to amend the Correction Law.

7 ACTING PRESIDENT VALESKY: Read the
8 last section.

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

11 ACTING PRESIDENT VALESKY: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT VALESKY: Senator
15 Rivera to explain his vote.

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

18 I stand, as I've done in years past,
19 to make a distinction. We are voting on many sex
20 offender bills today. And certainly I thank
21 Senator Klein for introducing the bill we just
22 passed a second ago, and I concur both with his
23 comments and the comments of Senator Sanders.

24 The issue that I've made in the
25 past, and I want to make sure that it's for the

1 record, the distinction about the bill that we
2 just passed, the Senator Klein bill, is very
3 specific about Level 2 and 3 sex offenders. And
4 I certainly think -- I share the concerns of
5 everyone in this house that we need to make sure
6 that people are protected from folks that are
7 predators.

8 However, when the distinction is not
9 made, then the conditions are very broad. And in
10 this particular instance, the limitation that is
11 trying to be established here -- I believe if it
12 had the distinction of Level 2s and 3s, I would
13 be voting in the affirmative. I believe in this
14 particular instance it is too broad a
15 determination, and so I will be voting in the
16 negative.

17 Thank you, Mr. President.

18 ACTING PRESIDENT VALESKY: Senator
19 Rivera to be recorded in the negative.

20 Senator Golden to explain his vote.

21 SENATOR GOLDEN: Thank you,
22 Mr. President.

23 As Senator Klein has said, in the
24 report that was out there the number just in
25 Brooklyn was about six. Those are the ones that

1 we could track down that we knew they were on our
2 registry that didn't reregister.

3 That doesn't account for untold
4 numbers that are throughout our city today, and
5 throughout our state, that are living near our
6 pre-Ks. And pre-Ks are popping up left and right
7 in our communities. And it's unfortunate we're
8 not able to track these individuals any better
9 than we have been able to in the past.

10 I think the bill that I have
11 protects our children from becoming prey to sex
12 offenders, and is a priority. I believe this
13 bill further protects our children from sex
14 offenders from prohibiting all sex offenders from
15 living within 1,000 feet of a school. And this
16 includes sex offenders who offended in other
17 states. You can move in from Pennsylvania and
18 New Jersey, you can move next door and not
19 register. It's crazy.

20 We need to put a set of real
21 legislation out there, that we're doing today
22 with Senator Avella, Senator LaValle, Senator
23 Klein, myself, Senator Murphy, Senator Ortt,
24 Senator Lanza, Senator Venditto, Senator Seward
25 and other Senators, and protecting our children

1 and keeping our children safe across our city and
2 our state. It's a priority. That's what we are
3 elected to do, is to keep our families and our
4 children safe.

5 And this is a good bill. And many
6 of the bills here today I hope do become law,
7 because they would help protect those children.

8 I want to thank Senator Klein and
9 the Majority Leader, Senator Dean Skelos, for
10 putting that study together and coming up with
11 facts, some real facts that we could look at and
12 actually review and actually be able to come up
13 with some good legislation that will in fact
14 protect our children and our families.

15 I vote yes.

16 Thank you, Mr. President.

17 ACTING PRESIDENT VALESKY: Senator
18 Golden to be recorded in the affirmative.

19 Announce the results.

20 THE SECRETARY: Ayes, 54. Nays, 1.
21 Senator Rivera recorded in the negative.

22 ACTING PRESIDENT VALESKY: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 102, by Senator Murphy, Senate Print 2950, an act

1 to amend the Correction Law.

2 ACTING PRESIDENT VALESKY: Read the
3 last section.

4 THE SECRETARY: Section 2. This
5 act shall take effect on the 180th day.

6 ACTING PRESIDENT VALESKY: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 55.

10 ACTING PRESIDENT VALESKY: The bill
11 is passed.

12 Senator Marcellino.

13 SENATOR MARCELLINO: Yes,
14 Mr. President. As is our tradition in this
15 house, we acknowledge Senators who have passed
16 their first bill. This would be Senator Murphy's
17 first bill passed in this chamber.

18 (Applause.)

19 ACTING PRESIDENT VALESKY: The
20 Secretary will read.

21 THE SECRETARY: Calendar Number
22 103, by Senator Ortt, Senate Print 2981, an act
23 to amend the Correction Law.

24 ACTING PRESIDENT VALESKY: Read the
25 last section.

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

3 ACTING PRESIDENT VALESKY: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 55.

7 ACTING PRESIDENT VALESKY: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 106, by Senator Lanza, Senate Print 3811, an act
11 to amend the Correction Law.

12 ACTING PRESIDENT VALESKY: Read the
13 last section.

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

16 ACTING PRESIDENT VALESKY: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 55.

20 ACTING PRESIDENT VALESKY: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 107, by Senator Venditto, Senate Print 3925, an
24 act to amend the Correction Law.

25 ACTING PRESIDENT VALESKY: Read the

1 last section.

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

4 ACTING PRESIDENT VALESKY: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT VALESKY: Senator
8 Venditto to explain his vote.

9 SENATOR VENDITTO: Thank you very
10 much, Mr. President.

11 As we know, and as many people
12 around the state know, the State Court of Appeals
13 recently ruled unanimously that only the state
14 has the power to determine where sex offenders
15 can and cannot live. This invalidated
16 effectively about 130 local laws that were more
17 restrictive than the state law and what it said
18 on the subject.

19 Many residents spoke out in a loud,
20 clear voice -- I know they certainly did in
21 Nassau and Suffolk counties, I'm sure they have
22 around the state -- in opposition to the decision
23 that was made. Today we are responding with very
24 swift and very effective legal action.

25 It is the legislative intent of the

1 law to empower local municipalities to decide
2 where sex offenders can and cannot live. And so
3 we leave it in the hands of our cities, our
4 towns, our counties, our villages, their
5 legislatures, their executives, to be as
6 restrictive as need be, to work with the
7 residents of the jurisdictions that they
8 represent and to come up with sensible laws in
9 drawing the lines.

10 You know, whatever our politics may
11 be, and it's said in so many different ways
12 today, we can all agree that there is no more
13 valuable commodity, no more precious gift than
14 our children here in New York State. We hear it
15 said, we say it ourselves around our districts
16 every day: The future is only as bright as our
17 young people.

18 Today we take an important step in
19 securing that future and doing the right thing as
20 far as the safety and protection of our children
21 is concerned.

22 As a new Senator, more importantly
23 as a new father, I'm very thankful and proud to
24 be sponsoring this legislation and will be very
25 happy when it's signed into law.

1 And thank you all for a few moments
2 of your time. Mr. President, I vote in the
3 affirmative.

4 ACTING PRESIDENT VALESKY: Senator
5 Venditto to be recorded in the affirmative.

6 Senator Serino to explain her vote.

7 SENATOR SERINO: As some of you
8 know, before being elected to the State Senate I
9 served as both a town board member and as a
10 county legislator. Ensuring that our localities
11 have the tools they need to meet the unique needs
12 of their communities will remain a priority to
13 me.

14 When it comes to keeping our
15 children safe from predators of any kind, it is
16 especially critical that we empower our
17 municipalities. This bill guarantees that our
18 localities have the power to do all that they can
19 to protect the most vulnerable members of our
20 communities.

21 I am proud to cosponsor this
22 critical piece of legislation. I vote yes.

23 Thank you.

24 ACTING PRESIDENT VALESKY: Senator
25 Serino to be recorded in the affirmative.

1 Announce the results.

2 THE SECRETARY: Ayes, 54. Nays, 1.

3 Senator Rivera recorded in the negative.

4 ACTING PRESIDENT VALESKY: The bill
5 is passed.

6 Senator Marcellino.

7 SENATOR MARCELLINO: Again, and
8 according with the tradition of our house, so we
9 acknowledge the passage of Senator Venditto's
10 first bill.

11 (Applause.)

12 ACTING PRESIDENT VALESKY: The
13 Secretary will read.

14 THE SECRETARY: Calendar Number
15 108, by Senator Seward, Senate Print 3926, an act
16 to amend the Penal Law.

17 ACTING PRESIDENT VALESKY: Read the
18 last section.

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

21 ACTING PRESIDENT VALESKY: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 55.

25 ACTING PRESIDENT VALESKY: The bill

1 is passed.

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

4 SENATOR MARCELLINO: Thank you.

5 While we are still awaiting our
6 special guest, I think Senator Peralta, who has
7 the resolution, would like to obviously have our
8 guest hear the resolution before we read it. So
9 if we could stand at ease until our guest gets
10 here.

11 ACTING PRESIDENT VALESKY: The
12 Senate will stand at ease temporarily.

13 (Whereupon, the Senate stood at ease
14 at 11:47 a.m.)

15 (Whereupon, the Senate reconvened at
16 11:52 a.m.)

17 ACTING PRESIDENT VALESKY: Senator
18 Marcellino.

19 SENATOR MARCELLINO: Thank you,
20 Mr. President.

21 We have an announcement that the
22 Health Committee will meet today in Room 124 at
23 12:00 p.m.

24 ACTING PRESIDENT VALESKY: The
25 Senate Committee on Health will meet at

1 12:00 noon in Room 124 of the Capitol.

2 SENATOR MARCELLINO: Mr. President.

3 ACTING PRESIDENT VALESKY: Senator
4 Marcellino.

5 SENATOR MARCELLINO: May we have
6 Resolution 589, by Senator Peralta, read in its
7 entirety, please.

8 ACTING PRESIDENT VALESKY: The
9 Secretary will read.

10 THE SECRETARY: Legislative
11 Resolution Number 589, by Senators Peralta and
12 Espaillat, celebrating the many contributions and
13 legacies of Dominican-Americans, in conjunction
14 with the observance of Dominican Heritage Month,
15 and paying tribute to Pedro Martinez.

16 SENATOR MARCELLINO: Mr. President.

17 ACTING PRESIDENT VALESKY: Senator
18 Marcellino.

19 SENATOR MARCELLINO: I apologize for
20 interrupting the reading, but can we have some
21 order in the house, please?

22 There's background noise. Can staff
23 just take their places? Can people who are
24 visiting keep it down, please?

25 Thank you.

1 ACTING PRESIDENT VALESKY:

2 Conversations should be taken out of the Senate
3 chamber.

4 The Secretary will continue to read.

5 THE SECRETARY: "WHEREAS, It is the
6 sense of this Legislative Body, in keeping with
7 its time-honored traditions, to recognize and pay
8 tribute to those who foster ethnic pride and
9 enhance the profile of cultural diversity which
10 strengthens the fabric of the communities of
11 New York State; and

12 "WHEREAS, The citizens of this
13 great Empire State are proud to celebrate the
14 contributions of Dominican-Americans to New York
15 State's unique heritage; and

16 "WHEREAS, Attendant to such concern,
17 and in full accord with its long-standing
18 traditions, this Legislative Body is justly proud
19 to celebrate the many contributions and legacies
20 of Dominican-Americans, in conjunction with the
21 observance of Dominican Heritage Month, and to
22 pay tribute to Pedro Martinez; and

23 "WHEREAS, In February 2015,
24 Dominican communities across the State of
25 New York will join in celebrating Dominican

1 Heritage Month by recognizing the many
2 contributions and legacies which are attributed
3 to these fine Dominican-Americans; and

4 "WHEREAS, The following dates and
5 events are of great significance and serve as a
6 distinct reminder of the rich heritage celebrated
7 in Dominican communities: Monday, January 26,
8 2015, marks the 202nd anniversary of the birth of
9 patriarch Juan Pablo Duarte; and Friday,
10 February 27, 2015, is the 171st anniversary of
11 the independence of the Dominican Republic; and

12 "WHEREAS, It is duly fitting that
13 all New Yorkers join in these important
14 celebrations of one of our state's most vibrant
15 communities; this much-anticipated observance and
16 its accompanying activities will foster greater
17 appreciation for Dominican culture and serve to
18 promote the spirit of cooperation that is
19 characteristic of all citizens of New York State;
20 and

21 "WHEREAS, It is the custom of this
22 Legislative Body to recognize and pay tribute to
23 those esteemed individuals who distinguish
24 themselves through exceptional performance,
25 outstanding achievement, and peerless commitment

1 to excellence; and

2 "WHEREAS, This Legislative Body is
3 justly proud to congratulate Pedro Martinez upon
4 the occasion of his election to the National
5 Baseball Hall of Fame in Cooperstown, New York,
6 on January 6, 2015; he will be officially
7 inducted on Sunday, July 26, 2015; and

8 "WHEREAS, Pedro Jaime Martinez was
9 born in Manoguayabo, Dominican Republic, in 1971,
10 the fifth of six siblings living in a palm-wood
11 house with a tin roof; as a child, he learned
12 the game of baseball using broomsticks and tree
13 branches for bats; and

14 "WHEREAS, Despite his humble
15 circumstances and diminutive frame, Pedro
16 Martinez's superlative work ethic and
17 transcendent talent caught the eye of traveling
18 professional scouts and subsequently, in 1988, he
19 was signed by the Los Angeles Dodgers; and

20 "WHEREAS, Pedro Martinez is
21 recognized for being one of the most dominant
22 pitchers of his era; and

23 "WHEREAS, During a spectacular
24 18-season career, Pedro Martinez won 219 games,
25 three Cy Young Awards and struck out 3,154

1 batters; he led the league in ERA five times and
2 in strikeouts three times; furthermore, his
3 winning percentage is sixth-highest of all time
4 and first for pitchers after 1950; and

5 "WHEREAS, In the year 2000, when
6 there were more runs scored than in any other
7 season in baseball history, Pedro Martinez
8 managed an astounding 1.74 ERA; and

9 "WHEREAS, Known for his sparkling
10 intellect, unique wit, and engaging personality,
11 Pedro Martinez's career has brought pride,
12 pleasure and joy to countless millions; and

13 "WHEREAS, This Legislative Body is
14 proud to honor Pedro Martinez for his
15 extraordinary athletic accomplishments, which are
16 a tribute to his skill, dedication and
17 commitment; now, therefore, be it

18 "RESOLVED, That this Legislative
19 Body pause in its deliberations to celebrate the
20 many contributions and legacies of
21 Dominican-Americans, in conjunction with the
22 observance of Dominican Heritage Month, and to
23 pay tribute to Pedro Martinez; and be it further

24 "RESOLVED, That copies of this
25 resolution, suitably engrossed, be transmitted

1 to Ambassador Anibal de Castro; Consul General
2 Maximo Corsino of the Dominican Republic in
3 New York; and Pedro Martinez."

4 ACTING PRESIDENT CARLUCCI: Senator
5 Peralta on the resolution.

6 SENATOR PERALTA: Thank you,
7 Mr. President.

8 It is truly an honor to have the
9 great Pedro Martinez here. In the immortal words
10 of Saturday Night Live parody character Chico
11 Escuela that said "Baseball has been berry, berry
12 good to me" -- but in this case we can say that
13 Pedro has been very, very, very good to baseball.

14 He has been very good to not only
15 baseball but to the Dominican Republic. He's
16 been good to all of us for honoring us with his
17 presence today here.

18 Thank you so much, Pedro.
19 Bienvenido, Pedro Martinez. Welcome to the
20 Capitol. It is truly an honor to have you here
21 with us today as we celebrate Dominican Heritage
22 Month in our great Empire State. As a Dominican,
23 I am proud to stand here with you today.

24 And as you know, Dominicans love two
25 things: baseball and politics.

1 (Laughter.)

2 SENATOR PERALTA: And tomorrow we
3 celebrate the 171st anniversary of the
4 independence of the Dominican Republic.

5 For you, Pedro, it has been a long
6 trip from Manoguayabo, a journey that will reach
7 its highest altitude when you are inducted into
8 the Baseball Hall of Fame in July. You will be
9 the second Dominican to enter such a prestigious
10 group, following the footsteps of Juan
11 Marichal -- right now who is the only Dominican
12 Hall of Famer, but in July there will be two.

13 You are one of the best pitchers our
14 national pastime has ever had. Growing up in
15 Manoguayabo, you learned our amazing game of
16 baseball using broomsticks and tree branches for
17 bats. You probably also made gloves out of milk
18 cartons, played with baseballs made out of socks
19 or hardened lemons. For us Dominicans, I
20 understand that.

21 Your life became an inspiration to
22 countless kids who dream of one day becoming
23 Pedro Martinez. You had an outstanding career, a
24 career spanning 18 seasons playing at the highest
25 level, winning 219 games, three Cy Young Awards,

1 and striking out 3,154 batters. But who's
2 counting?

3 (Laughter.)

4 SENATOR PERALTA: Your engaging
5 personality brought pride and joy to millions.
6 You are truly an example for all of us on and off
7 the field. And playing in New York, in Queens,
8 you understood what New York fans were all about.

9 I want to read a couple of quotes
10 that you were quoted in throughout your career.
11 The first one is: "I actually realized that I
12 was somebody important because I caught the
13 attention of 60,000 people, plus the whole world
14 watching a guy that, if you reversed time back
15 15 years ago, I was sitting under a mango tree
16 without 50 cents to pay for a bus." That was one
17 of the quotes. But you are very special today.

18 Second quote: "I doubt that I will
19 get involved with politics. That's something I
20 don't have in me."

21 We're very glad that you did not get
22 involved in politics, because if you dominated
23 politics the way you dominated baseball, some of
24 us would have a lot to worry about.

25 (Laughter.)

1 SENATOR PERALTA: And third: "Some
2 of the things that I have done are really, really
3 special."

4 You are special, Pedro Martinez.
5 Thank you so much for what you have shown us on
6 the field and off the field.

7 We are so proud to present to you
8 this resolution as we congratulate you, Pedro
9 Martinez, on your election to the National
10 Baseball Hall of Fame. Congratulations,
11 felicidades, Pedro {in Spanish}.

12 (Standing ovation.)

13 ACTING PRESIDENT CARLUCCI: Thank
14 you, Senator Peralta.

15 Senator Espaillat on the resolution.

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

18 I rise to recognize a great
19 Dominican American, a great Dominican, someone
20 that now will join the high-kicking Dominican
21 Dandy in Cooperstown, Juan Marichal.

22 For over three decades, Juan
23 Marichal, who pitched for the San Francisco
24 Giants, stood alone as the only Dominican in the
25 Hall of Fame. And who could have thought that

1 with the likes of the Alou brothers, the great
2 Rico Carty, the great Manny Mota and so many
3 others, there would be only one for 30 years.
4 But he will no longer be alone, because now he
5 will be there with the great Pedro El Grande.
6 That's what they call him, Pedro El Grande.
7 Pedro the Great.

8 And who could forget -- and it hurts
9 me deeply to say it, because I am a pinstripe
10 guy --

11 (Laughter.)

12 SENATOR ESPAILLAT: -- but who can
13 forget the day he struck out 17 Yankees.

14 (Laughter; catcalls, applause.)

15 SENATOR ESPAILLAT: Who could
16 forget that, Pedro?

17 But I am also a Licey-ista. And
18 that's his team in winter baseball in the
19 Dominican Republic, where he did his own thing
20 over there. Tremendous.

21 But we can never forget the day he
22 struck out 17 Yankees. And Pedro is a major, a
23 major impact on baseball and sports. I'm glad to
24 say here today in Albany, Pedro, today, that
25 today you are our daddy.

1 (Laughter; applause.)

2 SENATOR ESPAILLAT: And so some of
3 the things that he's done, an eight-time All-Star
4 player, All-Star Game baseball player. Obviously
5 a World Series Champion, 2004, who can forget
6 that. This is very painful, Pedro, but I love
7 you.

8 (Laughter.)

9 SENATOR ESPAILLAT: A three-time Cy
10 Young Award winner. Three times. The Triple
11 Crown in pitching. For you to win the Triple
12 Crown in pitching is accomplished only by those
13 pitchers who lead the league in wins, strikeouts,
14 and earned runs. So three times Pedro El Grande
15 won the Triple Crown of pitching.

16 And so he was also many times an
17 MVP. He won an American League Championship.
18 And of course for five years, five seasons, he
19 won the ERA, the Earned Run Average Championship
20 for his league, as well as a three-time Strikeout
21 King.

22 Now, Pedro is known for his
23 splitter, his fast ball. But if he got a little
24 bit nutty with you, he would also pitch high on
25 you. And so Pedro is a guy that was respected on

1 the mound.

2 You know, the great Juan Marichal
3 and Sandy Koufax and Bob Gibson, they pitched
4 with a high mound, and they were high-kicking
5 pitchers. The mound was lowered, so it became
6 more difficult for pitchers to dominate the game.
7 But even with a lower mound, Pedro El Grande
8 dominated baseball.

9 And so we're happy to have him here
10 celebrating Dominican Heritage Month. Tomorrow,
11 the 27th, is the anniversary of Dominican
12 independence.

13 Pedro is a national, a national hero
14 in the Dominican Republic. After he was approved
15 to be inducted into the Hall of Fame, thousands
16 of people went through the streets to receive him
17 at the airport, and a major concert with hundreds
18 of thousands of people were there to share that
19 special moment with him and his lovely wife
20 Carolina, who's here with us today as well.

21 So we are happy to have you here.
22 You are a special person anywhere in New York or
23 in Massachusetts. And, Mr. President, let me
24 just finish by saying these words in Spanish,
25 because I think that they are emblematic of the

1 way we all feel today, those of us that had the
2 privilege to be born in that small island called
3 the Dominican Republic {in Spanish}.

4 (Applause.)

5 ACTING PRESIDENT CARLUCCI: Thank
6 you, Senator Espaillat.

7 Senator Seward on the resolution.

8 SENATOR SEWARD: Thank you,
9 Mr. President.

10 I'm delighted to rise to extend my
11 support for the resolution honoring Dominican
12 Heritage Month and also, of course, our special
13 guest, Pedro Martinez.

14 You know, I stand before you to do
15 so because -- a couple of reasons. First of all,
16 my son-in-law is from the Dominican Republic, and
17 so my two granddaughters are half-Dominican.

18 And I've visited the Dominican
19 Republic, and I've always been struck by
20 certainly the pride that the Dominican people
21 have in their independence and in their democracy
22 in the DR. It's a wonderful country, and a very
23 hospitable country, and very hospitable people.

24 But also I rise as a resident of the
25 Cooperstown area, and very, very proud to

1 represent the National Baseball Hall of Fame here
2 in the State Senate.

3 And I want to, on behalf of all of
4 the residents in that part of the state, in the
5 Cooperstown area, Pedro, we want to welcome you
6 to the Baseball Hall of Fame, where you will be
7 enshrined, your plaque will be enshrined in the
8 last weekend in July.

9 And I stand to applaud you here
10 today, and I will be there in July to applaud
11 your induction into the National Baseball Hall of
12 Fame.

13 You know, Juan Marichal has been
14 mentioned, the other Dominican -- the Dominican
15 Dandy, who's in the Hall of Fame, returns every
16 year for the induction ceremony. And it's great
17 to see him in Cooperstown. The fans love him.
18 And I know, Pedro, you will, along with Juan,
19 carry on that great tradition of coming back to
20 Cooperstown every year to honor baseball and to
21 honor baseball legends. It's great for the
22 community, it's great for baseball, it's great
23 for all baseball fans.

24 So I rise in full support of this
25 resolution. This is a great day, certainly for

1 the Dominican community here in New York State.
2 It's a great day for the baseball Hall of Fame to
3 be able to count you among its esteemed members.

4 Congratulations, and thank you.

5 (Appause.)

6 ACTING PRESIDENT CARLUCCI: Thank
7 you, Senator Seward.

8 Senator Gianaris on the resolution.

9 SENATOR GIANARIS: Thank you,
10 Mr. President.

11 I also rise to welcome our esteemed
12 guest to the chambers today. I understand there
13 were some fans outside with Red Sox paraphernalia
14 waiting for him. I don't know what they were
15 doing in the State of New York, but apparently
16 there are some. And as you would expect, the
17 Yankee fans had a strong reaction to that.

18 But I wanted to speak, as a
19 representative from Queens, on behalf of all the
20 Mets fans in New York State to say --

21 (Laughter; applause.)

22 SENATOR GIANARIS: -- to say thank
23 you, thank you for the great joy that you brought
24 us for the years you were pitching for the Mets,
25 and hopefully they'll get back to the status they

1 had when you were playing for them soon enough.

2 Muchisimas gracias, Pedro Martinez.

3 (Applause.)

4 ACTING PRESIDENT CARLUCCI: Thank
5 you, Senator Gianaris.

6 Senator Díaz on the resolution.

7 SENATOR DIAZ: Thank you,
8 Mr. President.

9 Let me wait till they're finished so
10 they could listen too.

11 (Pause.)

12 SENATOR DIAZ: Thank you,
13 Mr. President.

14 Ladies and gentlemen, today I join
15 my colleagues Senator Adriano Espaillat and
16 Senator Jose Peralta in cosponsoring this great,
17 outstanding, marvelous, brilliant and wonderful
18 resolution honoring Mr. Pedro Jaime Martinez.

19 Mr. Pedro Jaime Martinez started his
20 career in the Major League with the Los Angeles
21 Dodgers and played with the Expos of Montreal,
22 the Boston Red Sox, the New York Mets and the
23 Philadelphia Phillies. Today this chamber "ha
24 tirado la casa por la ventana," meaning this
25 chamber has thrown the house through the window.

1 Today, as a proud Puerto Rican, I am
2 honored to join not only my colleagues Senator
3 Espaillat and Senator Peralta, but I am also
4 proud to join other Dominican elected officials
5 in the state and the city such as Guillermo
6 Linares and Victor Pichardo in the State
7 Assembly; Fernando Cabrera, Rafael Espinal,
8 Julissa Ferreras and Ydanis Rodriguez in the
9 City Council, and Antonio Reynoso also in the
10 City Council.

11 Today is a day to remember. Today
12 is a day for the history books. And today is a
13 day for every Hispanic to feel proud and grateful
14 for all the achievements obtained by Mr. Pedro
15 Jaime Martinez.

16 Thank you, Mr. Martinez, for
17 accepting Senator Espaillat's invitation to be in
18 this chamber. And thank you, Senator Espaillat
19 and Senator Peralta, for allowing us to be part
20 of this unique day that even one of my staff
21 members, Angel Gaud, a Dominican, came all the
22 way from the City of New York to be a witness of
23 this event.

24 I want to conclude by saying, in
25 Spanish: {reciting Dominican National Anthem}.

1 (Applause; shouts from the gallery.)

2 ACTING PRESIDENT CARLUCCI: Thank
3 you, Senator Díaz.

4 Senator Serrano on the resolution.

5 SENATOR SERRANO: Thank you,
6 Mr. President.

7 How do I possibly follow that?

8 (Laughter.)

9 SENATOR SERRANO: That was
10 wonderful, Senator Díaz.

11 But I just wanted to lend my voice
12 to congratulating and honoring the Dominican
13 community as a whole, and thank the sponsors of
14 this resolution for once again giving us the
15 opportunity to say thank you for all the
16 significant contributions that the Dominican
17 community has made to our specific districts but
18 to the entire state and nation as a whole.

19 And what a special treat to have
20 Pedro Martinez here today. As many of you know,
21 I represent the South Bronx, I represent Yankee
22 Stadium, and I'm a die-hard Yankee fan. And I
23 always remember whenever Boston was coming to
24 play at the stadium, there was this buzz in the
25 neighborhood. Hours before the game started,

1 there was this excitement. And whether you were
2 a Boston fan or a Yankee fan, it didn't matter,
3 because there was this party atmosphere along
4 161st Street.

5 And I live right up the block from
6 the stadium, so when a big play happens on TV and
7 I'm watching the game, I turn down the volume, I
8 hear out the window the cheering. So that's how
9 close I am to the stadium.

10 But especially when Pedro Martinez
11 was pitching, there was this excitement, there
12 was "what's going to happen." And whether you're
13 a Yankee fan or not, you have to respect
14 greatness. And though I forever will be a Yankee
15 fan, I respect greatly great baseball players.

16 And you, Pedro Martinez, respected
17 the sport, you respected your craft, and you
18 really uplifted baseball for generations to come.
19 So thank you for being here.

20 (Applause.)

21 ACTING PRESIDENT CARLUCCI: Thank
22 you, Senator Serrano.

23 Seeing no other Senators wishing to
24 be heard, the question is on the resolution. All
25 in favor signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT CARLUCCI:

3 Opposed, nay.

4 (No response.)

5 ACTING PRESIDENT CARLUCCI: The
6 resolution is adopted.

7 (Applause.)

8 ACTING PRESIDENT CARLUCCI: Senator
9 Marcellino.

10 SENATOR MARCELLINO: Yes,
11 Mr. President.

12 (Noise from the gallery.)

13 ACTING PRESIDENT CARLUCCI: Senator
14 Marcellino.

15 SENATOR MARCELLINO: Yes, thank
16 you, Mr. President.

17 I am sure Pedro will be here to take
18 pictures with those who wish to do that, so that
19 will be great.

20 We want to open this resolution, at
21 the request of the sponsors, for cosponsorship,
22 the usual procedure to be involved. Anyone not
23 wishing to be on the resolution notify the chair.

24 Mr. President, is there any more
25 business before the house?

1 ACTING PRESIDENT CARLUCCI: Senator
2 Marcellino, there is no further business at the
3 desk.

4 SENATOR MARCELLINO: Then I move
5 that we adjourn until Monday, March 2nd, at
6 3:00 p.m., intervening days being legislative
7 days.

8 ACTING PRESIDENT CARLUCCI: On
9 motion, the Senate stands adjourned until Monday,
10 March 2nd, at 3:00 p.m., intervening days being
11 legislative days.

12 (Whereupon, at 12:18 p.m., the
13 Senate adjourned.)

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