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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 28, 2015

11:36 a.m.

REGULAR SESSION

SENATOR THOMAS CROCI, Acting President

FRANCIS W. PATIENCE, Secretary

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

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

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

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

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

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

14 ACTING PRESIDENT CROCI: The
15 reading of the Journal.

16 THE SECRETARY: In Senate,
17 Wednesday, May 27th, the Senate met pursuant to
18 adjournment. The Journal of Tuesday, May 26th,
19 was read and approved. On motion, Senate
20 adjourned.

21 ACTING PRESIDENT CROCI: Without
22 objection, the Journal stands approved as read.

23 Presentation of petitions.

24 Messages from the Assembly.

25 The Secretary will read.

1 THE SECRETARY: On page 15,
2 Senator Hannon moves to discharge, from the
3 Committee on Health, Assembly Bill Number 6062
4 and substitute it for the identical Senate Bill
5 Number 3687, Third Reading Calendar 164.

6 On page 61, Senator Golden moves to
7 discharge, from the Committee on Insurance,
8 Assembly Bill Number 453 and substitute it for
9 the identical Senate Bill Number 1454, Third
10 Reading Calendar 968.

11 On page 64, Senator Savino moves to
12 discharge, from the Committee on Labor, Assembly
13 Bill Number 4759 and substitute it for the
14 identical Senate Bill Number 3674, Third Reading
15 Calendar 992.

16 On page 64, Senator Parker moves to
17 discharge, from the Committee on Health,
18 Assembly Bill Number 375 and substitute it for
19 the identical Senate Bill Number 3804, Third
20 Reading Calendar 996.

21 On page 65, Senator Valesky moves
22 to discharge, from the Committee on Education,
23 Assembly Bill Number 5953 and substitute it for
24 the identical Senate Bill Number 4225,
25 Third Reading Calendar 1002.

1 ACTING PRESIDENT CROCI: The
2 substitutions are so ordered.

3 Messages from the Governor.
4 Reports of standing committees.
5 Reports of select committees.
6 Communications and reports from
7 state officers.

8 Motions and resolutions.

9 Senator DeFrancisco.

10 SENATOR DeFRANCISCO: On behalf of
11 Senator Robach, on page 31 I offer the following
12 amendments to Calendar Number 532, Senate Print
13 4957, and ask that said bill retain its place on
14 the Third Reading Calendar.

15 ACTING PRESIDENT CROCI: So
16 ordered.

17 SENATOR DeFRANCISCO: Would you
18 please recognize Senator Valesky.

19 ACTING PRESIDENT CROCI: Senator
20 Valesky.

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

23 On behalf of Senator Carlucci, on
24 page 20 I offer the following amendments to
25 Calendar 329, Senate Bill 4669A, and ask that

1 said bill retain its place on the Third Reading
2 Calendar.

3 ACTING PRESIDENT CROCI: So
4 ordered.

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO: Mr.
7 President, can we please adopt the Resolution
8 Calendar, with the exception of Resolutions 2377
9 and 2287.

10 ACTING PRESIDENT CROCI: All in
11 favor of adopting the Resolution Calendar, with
12 the exception of Resolutions Number 2377 and
13 2287, signify by saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT CROCI: Opposed,
16 nay.

17 (No response.)

18 ACTING PRESIDENT CROCI: The
19 Resolution Calendar is adopted.

20 Senator DeFrancisco.

21 SENATOR DeFRANCISCO: Can we take
22 up Resolution 2287, by Senator Stewart-Cousins,
23 read the title only, and call on Senator
24 Stewart-Cousins.

25 ACTING PRESIDENT CROCI: The

1 Secretary will read.

2 THE SECRETARY: Legislative
3 Resolution Number 2287, by Senator
4 Stewart-Cousins, commending Irvington Fire Chief
5 Chris DePaoli in recognition of his heroic
6 actions in stopping a violent attack at the
7 Irvington Metro-North Station.

8 ACTING PRESIDENT CROCI: Senator
9 Stewart-Cousins.

10 SENATOR STEWART-COUSINS: Thank
11 you, Mr. President.

12 I rise to congratulate and to
13 recognize a real hero amongst us. Chief Chris
14 DePaoli is the fire chief in Irvington. It's an
15 all-volunteer fire force with 70 members. And he
16 is also, after 30 years, still employed by the
17 Irvington, which is a village in Westchester
18 County, Parks Department.

19 He has multiple hats. He is not
20 only the chief of the fire department, an
21 employee there, but he is a loving husband, he is
22 a great son and he is a great father.

23 And the reason why we're here today
24 is because as he was taking his daughters -- and
25 one daughter is 16-year-old Lara, and 10-year-old

1 Natasha. As he was taking them to watch a
2 softball game, this fire chief saw an assault
3 happening on the train station in Irvington. And
4 what he saw was somebody who had a knife who was
5 attacking a woman. And there was no one there,
6 but he saw that taking place.

7 And with his daughters in tow, the
8 fire chief did not call 911. Because indeed, in
9 every sense of the word, he's a first responder,
10 he did exactly that. He jumped out of his car,
11 he took his daughter's baseball bat and ran and
12 stopped the assault.

13 Now, the woman had been -- yes, I
14 know.

15 (Appause.)

16 SENATOR STEWART-COUSINS: Now, you
17 know, by the time he'd gotten there, the woman
18 had already been stabbed, had been stabbed in
19 several places, including the jugular vein.

20 So he was able, without a thought of
21 his own safety, and even the daughters who were
22 there in the car, it didn't take a moment for him
23 to just stop and act.

24 And his parents are here from
25 Florida, and I got a chance to talk to his mom.

1 And she was talking about how proud she was and
2 of course how her husband had certainly been a
3 great model for Chris.

4 But I thought that he, who's here
5 with his sister and with Larry Schopfer, who's
6 the village manager, he would be a great model
7 for all us.

8 It's not all of us who aspire to be
9 heroes. It's not all of us who devote as much
10 time and attention to the little and big things
11 in the communities that we live in. But it
12 really is up to all of us to be able to
13 highlight, spotlight and honor people who, in the
14 course of what they think is everyday activities,
15 go above and beyond.

16 It is an inspiration. And I'm
17 certainly happy to recognize Chris DePaoli for
18 all that he's done and to thank him for being a
19 tremendous, tremendous person and someone to
20 emulate in New York State.

21 Congratulations.

22 (Standing ovation.)

23 ACTING PRESIDENT CROCI: Thank you,
24 Senator Stewart-Cousins.

25 Senator DeFrancisco.

1 SENATOR DeFRANCISCO: Yes, I was
2 just wondering what happened to the guy who got
3 hit with the baseball bat. I didn't hear that
4 part.

5 SENATOR STEWART-COUSINS: He's in
6 jail.

7 SENATOR DeFRANCISCO: He's in jail,
8 okay.

9 ACTING PRESIDENT CROCI: So the
10 question is on the resolution. All in favor of
11 adopting the resolution please indicate by saying
12 aye.

13 (Response of "Aye.")

14 ACTING PRESIDENT CROCI: Opposed,
15 nay.

16 (No response.)

17 ACTING PRESIDENT CROCI: The
18 resolution is adopted.

19 Senator DeFrancisco.

20 SENATOR DeFRANCISCO: Yes, Senator
21 Stewart-Cousins would like to open the resolution
22 up to all other Senators. If you do not want to
23 be a cosponsor, notify the desk.

24 Would you please take up Resolution
25 2377, by Senator Little, read it in its entirety,

1 and recognize Senator Little, please.

2 ACTING PRESIDENT CROCI: The
3 Secretary will read.

4 THE SECRETARY: Legislative
5 Resolution Number 2377, by Senators Little and
6 Nozzolio, congratulating Derek Sprague upon the
7 occasion of his election as President of the
8 Professional Golf Association of America.

9 "WHEREAS, It is the custom of this
10 Legislative Body to take notice of and publicly
11 acknowledge individuals who have distinguished
12 themselves through their exemplary careers,
13 accomplishments, and purposeful lives of service
14 to their community and their profession; and

15 "WHEREAS, Attendant to such concern,
16 and in full accord with its long-standing
17 traditions, this Legislative Body is justly proud
18 to congratulate Derek Sprague upon the occasion
19 of his election as President of the Professional
20 Golf Association of America on November 22, 2014;
21 and

22 "WHEREAS, A native of Malone,
23 New York, Derek Sprague competed on the golf team
24 at James Madison University, where he earned a
25 Bachelor's of Business Administration degree in

1 marketing in 1988; and

2 "WHEREAS, Derek Sprague turned
3 professional in 1989, and began his career at the
4 Malone Golf Club; he was elected to Professional
5 Golf Association (PGA) membership in 1993; and

6 "WHEREAS, In 1998, Derek Sprague
7 began his service with the Northeastern New York
8 PGA Board of Directors, serving as Section
9 President from 2003-2004 and as a member of the
10 employment committee from 1995-2001; and

11 "WHEREAS, This esteemed man provided
12 outstanding service to the national golf
13 community as both PGA of America Secretary and
14 PGA Vice President, prior to his appointment as
15 Interim President in October of 2014; and

16 "WHEREAS, As PGA President, Derek
17 Sprague's tenure will coincide with the
18 organization's 100th Anniversary, the
19 re-introduction of golf to the Olympics, and
20 the" --

21 ACTING PRESIDENT CROCI: Secretary
22 suspend.

23 Can we have some order in the house,
24 please. Thank you.

25 Continue.

1 THE SECRETARY: "WHEREAS, As PGA
2 President, Derek Sprague's tenure will coincide
3 with the organization's 100th Anniversary, the
4 re-introduction of golf to the Olympics, and the
5 2016 Ryder Cup, to be held at Hazeltine National
6 Golf Club in Chaska, Minnesota; and

7 "WHEREAS, Derek Sprague has been the
8 recipient of numerous awards and honors,
9 including both the 2005 and 2008 Northeastern
10 New York PGA Golf Professional of the Year; he is
11 also a four-time Section Bill Strausbaugh Award
12 recipient, a two-time Section Merchandiser of the
13 Year for Public Facilities, and the winner of the
14 2006 Section President's Plaque for Outstanding
15 Contributions to Player Development; and

16 "WHEREAS, With him throughout have
17 been his wife, Jennifer, and their two children,
18 Alexandra and Davis, all of whom feel privileged
19 to be a part of his life and rejoice in his
20 achievements; and

21 "WHEREAS, It is the sense of this
22 Legislative Body that when individuals of such
23 noble aims and accomplishments are brought to our
24 attention, they should be celebrated and
25 recognized by all the citizens of the great State

1 of New York; and

2 "WHEREAS, It is the sense of this
3 Legislative Body that those who enhance the
4 quality of life in their community and have shown
5 a long and sustained commitment to the
6 maintenance of high standards in their
7 profession, certainly have earned the recognition
8 and applause of all the citizens of this great
9 Empire State; now, therefore, be it

10 "RESOLVED, That this Legislative
11 Body pause in its deliberations to congratulate
12 Derek Sprague upon the occasion of his election
13 as President of the Professional Golf Association
14 of America; and be it further

15 "RESOLVED, That a copy of this
16 resolution, suitably engrossed, be transmitted to
17 Derek Sprague."

18 ACTING PRESIDENT CROCI: Senator
19 Little.

20 SENATOR LITTLE: Thank you,
21 Mr. President.

22 It's my pleasure today to have as a
23 guest in the chamber Derek Sprague, who is the
24 president of the PGA of America, we believe the
25 first New Yorker to be president of that

1 association certainly in more time than we could
2 find.

3 So as chairman of the Senate
4 Cultural Affairs, Tourism, Parks and Recreation
5 Committee, I was honored to have Derek speak at
6 our Tourism Committee meeting today about the
7 importance of golf, not only as a recreational
8 activity but as an economic boon to New York
9 State.

10 I'm also honored --

11 ACTING PRESIDENT CROCI: Senator
12 Little, one moment, please.

13 May we please have some order in the
14 house. Thank you.

15 Senator Little.

16 SENATOR LITTLE: Thank you.

17 I'm also honored to count Derek as a
18 constituent. He's a lifelong resident of Malone,
19 New York, in Franklin County.

20 And as he discussed at our meeting,
21 golf is a tremendous economic driver, generating
22 \$5.3 billion in revenue in New York State each
23 year. The industry in New York employs more than
24 57,000 people and pays \$1.6 billion in wages on
25 an annual basis. New York boasts more than

1 1.5 million golfers who play at close to
2 1200 golf courses in the state.

3 And New York has a unique history
4 with the PGA, dating back to 1916. It was in
5 1916, at the Hotel Martinique in New York City,
6 where the PGA was born. Since then, New York
7 State has hosted 12 PGA Championship Golf
8 Tournaments, more than any other state in the
9 country can boast about.

10 The most recent, at Oak Hill Country
11 Club in Rochester in 2013, had a \$100 million
12 economic impact. That championship employed
13 1800 people and also partnered with the Taste of
14 New York program to successfully showcase and
15 promote our wonderful agricultural products.

16 We can look forward to similar
17 success in 2019, when the PGA Championship
18 Tournament will be held on Long Island, and in
19 2024, when Bethpage and Long Island will host the
20 Ryder Cup.

21 As the PGA looks forward to
22 celebrating its centennial next year, I don't
23 think that we could have a better person at the
24 helm than Derek Sprague. He's a wonderful
25 ambassador for golf, and believe me, he's a

1 wonderful ambassador for New York State as he
2 travels around the country and visits other
3 places even in the world.

4 Derek will be president of the PGA
5 until November of next year, and at that time
6 they will host their centennial celebration at
7 his outgoing dinner, and that too will be held in
8 New York State. Which is pretty significant, a
9 native New Yorker serving in this capacity at the
10 celebration of the 100th anniversary of PGA of
11 America, which began in New York and will be
12 celebrated again in New York in November.

13 I really wish him continued success,
14 congratulate him on his achievements, and thank
15 him for all of his efforts that he puts forth for
16 not only the game of golf but many, many other
17 programs that he has instituted under his
18 leadership in this program, but also for what he
19 does for the economy of New York State and what
20 he does to promote New York State.

21 So thank you very much for joining
22 me in this resolution, and I would ask you to
23 welcome Derek Sprague.

24 (Applause.)

25 ACTING PRESIDENT CROCI: Senator

1 Nozzolio.

2 SENATOR NOZZOLIO: Thank you,
3 Mr. President. My colleagues, on the resolution.

4 Thank you, Senator Little, for
5 recognizing the strength of one of your
6 constituents who has become, first and foremost,
7 a very important component of the economy of your
8 district as a small business man, but who has
9 joined and now is the leader of an organization
10 of small business that has a huge national
11 impact.

12 President Sprague, congratulations,
13 Derek, on this great tenure as president,
14 national president of the national Professional
15 Golf Association.

16 This organization in everyday
17 existence, as Senator Little has indicated,
18 has a dramatic impact on local economies. But it
19 also, when it runs a championship, its annual PGA
20 of America championship, as well as its senior
21 PGA championships, they have tremendous economic
22 impact to a region.

23 Just as an example, in 2013 the PGA
24 conducted their championship at the Oak Hill
25 Country Club in Pittsford, New York. That

1 championship created over a \$70 million impact to
2 the greater Finger Lakes region in just a week of
3 tournament play. That impact has expanded
4 through a number of championships.

5 And as Senator Little indicated, and
6 it cannot, I think, bear overstatement, that the
7 fact is we have a New York State Park course --
8 let me emphasize, a New York State Park golf
9 course that is situs of the PGA championship --
10 that will be the first time -- and the
11 establishment of the Ryder Cup, which is a
12 tremendous international competition.

13 And Derek Sprague, although he
14 doesn't want to take credit or take blame for
15 having these functions in New York, because he
16 has to answer to a national constituency -- but
17 the fact of the matter is he's been a great
18 advocate for New York State, a wonderful advocate
19 for New York State golf, and that his presidency
20 has been already marked with great milestones.
21 Senator Little indicated those.

22 We look forward to the centennial
23 celebration in New York City, New York State next
24 year. And that would be a great place to
25 announce another PGA championship, and I just

1 happen to have an area that you might be
2 interested in.

3 (Laughter.)

4 SENATOR NOZZOLIO: Let's all again
5 thank this fine citizen of New York for taking on
6 a national responsibility and doing it with
7 grace, diplomacy and acute leadership. Derek
8 Sprague is indeed a great New Yorker, and we're
9 very proud to have him here.

10 And thank you, Senator Little, for
11 your work in achieving this very important
12 recognition.

13 Thank you.

14 ACTING PRESIDENT CROCI: We invite
15 the Senators to join us in congratulating
16 Mr. Derek Sprague on the occasion of his election
17 as president of the Professional Golf Association
18 and his choice of undergraduate institutions.

19 Mr. Sprague.

20 (Standing ovation.)

21 ACTING PRESIDENT CROCI: Senator
22 DeFrancisco.

23 SENATOR DeFRANCISCO: Yes, Senator
24 Little would like to open up the resolution for
25 cosponsorship. And you'll all be on unless you

1 indicate to the desk otherwise.

2 ACTING PRESIDENT CROCI: The
3 question is on the resolution. All those in
4 favor signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT CROCI: Opposed,
7 nay.

8 (No response.)

9 ACTING PRESIDENT CROCI: The
10 resolution is adopted and opened up for
11 cosponsorship.

12 Senator DeFrancisco.

13 SENATOR DeFRANCISCO: Just an
14 announcement for when session is over. There
15 will be an immediate meeting of the Health
16 Committee in Room 124. But we're not there yet.
17 Just an announcement.

18 Next, can you please take up
19 previously adopted Resolution Number 136. Would
20 you read the title only and recognize Senator
21 Serino.

22 ACTING PRESIDENT CROCI: The
23 Secretary will read.

24 THE SECRETARY: Legislative
25 Resolution Number 136, by Senator Hannon,

1 memorializing Governor Andrew M. Cuomo to
2 proclaim May 2015 as Lyme Disease Awareness Month
3 in the State of New York.

4 ACTING PRESIDENT CROCI: Senator
5 Serino.

6 SENATOR SERINO: Thank you.

7 ACTING PRESIDENT CROCI: Senator,
8 we'll suspend.

9 Ladies and gentlemen, if we could
10 take any conversations off the floor, have some
11 order in the house.

12 Senator Serino.

13 SENATOR SERINO: Yes, thank you.

14 I'd like to thank Senator Hannon for
15 his leadership on this very important issue.

16 As many of you know, I hail from
17 Hyde Park, in the Hudson Valley. And our area in
18 particular has been especially affected by Lyme.
19 As the mother of a son who has suffered the
20 debilitating symptoms, I have a personal
21 connection to this issue, and I have experienced
22 the barriers to diagnosis and treatment
23 firsthand.

24 Back home, I've heard story after
25 devastating story of people whose lives have been

1 forever changed by Lyme disease. The frustration
2 and the anxiety that comes with this struggle is
3 real.

4 You know, usually when we pass these
5 types of resolutions we do them at the beginning
6 of the month, but I felt that it was very
7 important for us to recognize May as Lyme Disease
8 Awareness Month at the end of the month, to drive
9 the point home that we need to be thinking about
10 Lyme far beyond this one month.

11 It's time to stop the scourge of
12 Lyme in the Hudson Valley and across our state.
13 And because New Yorkers are at risk throughout
14 the year, awareness and prevention are key.

15 Thanks to Senator Hannon's
16 leadership, this house has really started to make
17 Lyme a priority. You've passed groundbreaking
18 legislation. This year we secured an
19 unprecedented \$600,000 in the budget, and we've
20 convened meetings of local officials and experts
21 from across the state to raise awareness of this
22 disease.

23 Today I introduce new bills that
24 will take us even further. I hope you will join
25 me in spreading the word about Lyme, and I thank

1 my colleagues for making Lyme disease a priority.

2 Thank you.

3 ACTING PRESIDENT CROCI: Senator
4 Marchione.

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

7 I rise in support of this resolution
8 and thank Senator Serino for bringing it forward.

9 You know, I've sat on the Lyme
10 Disease Task Force now -- this is my second year.
11 And I've learned more about Lyme disease than I
12 really ever wanted to know. But I have to tell
13 you that we need to take it very seriously.

14 And passing a resolution to create
15 more awareness, and more awareness within our
16 districts -- I have a district that is very
17 heavily, unfortunately very heavily composed with
18 Lyme disease. And I have heard the stories, as
19 Senator Serino has, of the debilitating disease
20 and the outcome of Lyme disease.

21 So I thank you for bringing this
22 forward. I thank this Senate for taking a
23 leadership role in making sure there are monies
24 put aside and that this task force is continued,
25 because this is a disease that we need to get a

1 handle on. It continually gets worse, it
2 continually shifts from one of our districts to
3 another in New York State, and it is something
4 that we need to get under control for the safety
5 of our residents.

6 Thank you, Mr. President. And thank
7 you, Senator.

8 ACTING PRESIDENT CROCI: Thank you,
9 Senator.

10 The resolution has previously been
11 adopted.

12 Senator DeFrancisco.

13 SENATOR DeFRANCISCO: Yes, this
14 resolution also is open for cosponsorship. If
15 you don't want to be a cosponsor, please notify
16 the desk.

17 ACTING PRESIDENT CROCI: So
18 ordered.

19 SENATOR DeFRANCISCO: Okay, the
20 last resolution that we have is a resolution that
21 was previously adopted, Number 2445, by Senator
22 Carlucci. Would you read it in its entirety and
23 recognize Senator Carlucci.

24 ACTING PRESIDENT CROCI: The
25 Secretary will read.

1 THE SECRETARY: Legislative
2 Resolution Number 2445, by Senator Carlucci,
3 memorializing Governor Andrew M. Cuomo to
4 proclaim August 2015 as Indian-American Heritage
5 Month in the State of New York.

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

13 "WHEREAS, The citizens of this great
14 Empire State are proud to recognize and
15 commemorate Indian-American Heritage Month, an
16 observance which celebrates the contributions of
17 Indian-Americans to New York State's unique
18 heritage; and

19 "WHEREAS, This Legislative Body is
20 justly proud to memorialize Governor Andrew M.
21 Cuomo to proclaim August 2015, as Indian-American
22 Heritage Month in the State of New York; and

23 "WHEREAS, The Immigration and
24 Nationality Act, enacted on June 30, 1968,
25 abolished the national origins quota system which

1 was American immigration policy since the 1920s,
2 replacing it with a preference system which
3 focused on immigrants' skills and family
4 relationships with citizens or United States
5 residents; and

6 "WHEREAS, This 1965 Act marked a
7 radical break from the immigration policies of
8 the past and significantly increased Indian
9 immigration to the United States from fewer than
10 15,000 prior to the act, to more than 200,000 by
11 1980; and

12 "WHEREAS, Today, immigration from
13 India is currently at its highest level in
14 history; there are approximately 3 million
15 Indian-Americans residing in the United States,
16 with a growth rate of nearly 70 percent; and

17 "WHEREAS, Indian-Americans greatly
18 contribute to the leadership, wisdom and vitality
19 of our great state and nation, and have attained
20 one of the highest educational levels of all
21 ethnic groups in the United States; an astounding
22 71 percent have a bachelor's degree compared to
23 the 28 percent national average; and

24 "WHEREAS, Our nation is blessed with
25 many citizens of Indian descent who are

1 distinguished by their excellence and their
2 contributions to all fields of endeavor; some of
3 these esteemed residents include: 2014 Miss
4 America and 2013 Miss New York, Nina Davuluri;
5 comedian Aziz Ansari; musician Norah Jones;
6 governor of Louisiana Bobby Jindal; Microsoft CEO
7 Satya Nadella; the first female governor of
8 South Carolina, Nikki Haley; the first
9 Indian-American elected to Congress, Dalip Singh
10 Saund; and the first Indian-American woman
11 elected to be a county legislator in the State of
12 New York, Rockland County Legislator Aney Paul;
13 and

14 "WHEREAS, Furthermore, there are
15 nearly 35,000 Indian-American doctors practicing
16 in the United States, including Dr. Sanjay Gupta,
17 renowned neurosurgeon and Assistant Professor of
18 Neurosurgery at Emory University School of
19 Medicine and Associate Chief of Neurosurgery at
20 Grady Memorial Hospital; and

21 "WHEREAS, It is the practice of this
22 Legislative Body to recognize those important
23 months which remind us of the rich and diverse
24 heritage of our great state and nation; and

25 "WHEREAS, It is duly fitting that

1 all New Yorkers join in these important
2 celebrations of one of our state's most vibrant
3 communities; this much anticipated observance and
4 its accompanying activities will foster greater
5 appreciation for Indian culture and serve to
6 promote the spirit of cooperation that is
7 characteristic of all citizens of New York State;
8 now, therefore, be it

9 "RESOLVED, That this Legislative
10 Body pause in its deliberations to memorialize
11 Governor Andrew M. Cuomo to proclaim August 2015
12 as Indian-American Heritage Month in the State of
13 New York; and be it further

14 "RESOLVED, That a copy of this
15 resolution, suitably engrossed, be transmitted
16 to the Honorable Andrew M. Cuomo, Governor of the
17 State of New York."

18 ACTING PRESIDENT CROCI: Senator
19 Carlucci.

20 SENATOR CARLUCCI: Thank you,
21 Mr. President.

22 And I want to thank the Senators
23 here today for allowing us to take this
24 resolution up.

25 This year marks 68 years since the

1 independence of India. And being that India is
2 the world's largest democracy, it's something
3 that we take note of, respect, and acknowledge.

4 And in New York State we're so
5 fortunate because we have such a strong and
6 growing Indian-American population. And
7 particularly in my home in Rockland County, we
8 have a very strong Indian-American population.

9 And we're so fortunate because today
10 we're gathered here in the presence of the Hudson
11 Valley Malayalee Association, as well as the
12 Indian Cultural Society of Rockland County, of
13 which members are in the gallery today.

14 And we're so fortunate because in
15 Rockland County we have a parade every August to
16 mark India's independence. And it's so fitting
17 that we proclaim August as Indian-American
18 Heritage Month in the State of New York.

19 And the resolution talked about some
20 prominent Indian-Americans. What's really
21 something to think about and really take note of
22 is the cultural bond of Indian-Americans. And
23 one of the statistics that really stands out is
24 when you look at Americans that receive a degree
25 in higher education, a bachelor's degree, the

1 national average is at about 28 percent. When
2 you see Indian-Americans, the national average is
3 over 70 percent.

4 So we're talking about people that
5 really recognize the importance of education, the
6 professionalism, and what that does to really
7 improve the quality of life of all New Yorkers.

8 We also have with us in the gallery
9 today a record-setter, someone that set a new
10 boundary. And Aney Paul is the first female
11 Indian-American county legislator in the State of
12 New York.

13 So we're so fortunate to have you
14 with us here today, and thank you for really
15 breaking that ceiling and being an inspiration to
16 so many Indian-American women and
17 Indian-Americans and all of us in New York State.

18 So again, I want to thank everybody
19 for supporting this resolution. And please think
20 about coming and celebrating with us in Rockland
21 County in August as we celebrate India's
22 independence and celebrate the 68th anniversary
23 of India's independence.

24 Thank you so much, Mr. President.

25 ACTING PRESIDENT CROCI: Senator

1 Stewart-Cousins.

2 SENATOR STEWART-COUSINS: Yes,
3 thank you, Mr. President.

4 I wanted to thank Senator Carlucci
5 for presenting the resolution, and also lend my
6 voice and welcome the distinguished guests and
7 certainly my good friend County Legislator Aney
8 Paul. She was the first person with the group
9 that I saw coming in today. And we are just so
10 proud to be able to host you and to pass this
11 resolution.

12 And you don't only have to go to
13 Rockland, with all due respect, because
14 Westchester has also a vibrant and very strong
15 and exciting Indian-American community. And we
16 celebrate, up in Westchester County's Kensico
17 Dam, Indian-American heritage in August, and
18 there are numerous flag raisings. It is always a
19 culturally rich experience and one that everyone
20 enjoys.

21 So again, thank you for being here.
22 Congratulations. And I look forward to August
23 with you.

24 Thank you.

25 ACTING PRESIDENT CROCI: Senator

1 Stavisky.

2 SENATOR STAVISKY: Thank you,
3 Mr. President.

4 I too want to welcome my friends
5 from Rockland County, particularly Legislator
6 Aney Paul, whom I've known for a number of years.
7 We welcome you to Albany.

8 We have a lot of South Asians in
9 Queens, but I love to come to Rockland and I see
10 so many people from all parts of the world. And
11 again, welcome to Albany.

12 Thank you.

13 ACTING PRESIDENT CROCI: The
14 resolution, having previously been adopted, is
15 open for cosponsorship. If you do not wish to be
16 a cosponsor, please notify the desk.

17 Senator DeFrancisco.

18 SENATOR DeFRANCISCO: Is it my
19 turn?

20 (Laughter.)

21 ACTING PRESIDENT CROCI: Senator
22 DeFrancisco.

23 SENATOR DeFRANCISCO: I think we
24 should thank this wonderful group for being here
25 and thank Senator Carlucci for having them come,

1 because it's a great thing in our state. We have
2 so many ethnic groups that do so well and make
3 our state as strong as it is. So thank you for
4 being here.

5 ACTING PRESIDENT CROCI: The Senate
6 will rise.

7 (Standing ovation.)

8 ACTING PRESIDENT CROCI: Senator
9 DeFrancisco.

10 SENATOR DeFRANCISCO: May we now
11 have the noncontroversial reading of the
12 calendar, please.

13 ACTING PRESIDENT CROCI: The
14 Secretary will read.

15 THE SECRETARY: Calendar Number
16 164, substituted earlier by Member of the
17 Assembly Gunther, Assembly Print 6062, an act to
18 amend the Public Health Law.

19 ACTING PRESIDENT CROCI: Read the
20 last section.

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

23 ACTING PRESIDENT CROCI: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT CROCI: Result?

2 THE SECRETARY: Ayes, 56.

3 ACTING PRESIDENT CROCI: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 499, by Senator Klein, Senate Print 4558A, an act
7 to amend the Public Housing Law.

8 ACTING PRESIDENT CROCI: Read the
9 last section.

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

12 ACTING PRESIDENT CROCI: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT CROCI: Result?

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT CROCI: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 531, by Senator Martins, Senate Print 4836, an
21 act to amend the Highway Law.

22 ACTING PRESIDENT CROCI: Read the
23 last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect on the 90th day.

1 ACTING PRESIDENT CROCI: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT CROCI: Result?

5 THE SECRETARY: Ayes, 56.

6 ACTING PRESIDENT CROCI: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 533, by Senator Ranzenhofer, Senate Print 1292,
10 an act to amend the Environmental Conservation
11 Law.

12 ACTING PRESIDENT CROCI: Read the
13 last section.

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

16 ACTING PRESIDENT CROCI: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT CROCI: Result?

20 THE SECRETARY: In relation to
21 Calendar 533, those recorded in the negative are
22 Senators Espallat, Hoylman, Perkins and Serrano.

23 Ayes, 52. Nays, 4.

24 ACTING PRESIDENT CROCI: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 535, by Senator Hannon, Senate Print 4717A, an
3 act to amend the Education Law.

4 ACTING PRESIDENT CROCI: Read the
5 last section.

6 THE SECRETARY: Section 2. This
7 act shall take effect on the first of January.

8 ACTING PRESIDENT CROCI: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT CROCI: Result?

12 THE SECRETARY: Ayes, 56.

13 ACTING PRESIDENT CROCI: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 536, by Senator LaValle, Senate Print 2109, an
17 act to amend the Environmental Conservation Law.

18 ACTING PRESIDENT CROCI: Read the
19 last section.

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

22 ACTING PRESIDENT CROCI: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT CROCI: Senator

1 Krueger to explain her vote.

2 SENATOR KRUEGER: Thank you,
3 Mr. President.

4 I'm voting no on this bill because
5 we passed a law in 1997 for environmental
6 purposes to limit the size of the commercial
7 fishing vessels. We have once before done an
8 extension allowing them to buy new boats if they
9 had the old boats at the same large size. And
10 this bill appears to allow you to buy even a
11 third boat in a row of even larger size.

12 If this house and the other house
13 think the '97 law for environmental protection
14 purposes wasn't necessary, we should just end
15 that law. We shouldn't keep writing exceptions
16 to the law; it ensures that the goal of the
17 underlying law is never met.

18 I vote no. Thank you,
19 Mr. President.

20 ACTING PRESIDENT CROCI: Senator
21 Krueger will be recorded in the negative.

22 Announce the result.

23 THE SECRETARY: In relation to
24 Calendar 536, those recorded in the negative are
25 Senators Espallat, Hoylman, Krueger, Sanders and

1 Serrano.

2 Ayes, 51. Nays, 5.

3 ACTING PRESIDENT CROCI: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 539, by Senator O'Mara, Senate Print 4176, an act
7 to amend the Environmental Conservation Law.

8 ACTING PRESIDENT CROCI: Read the
9 last section.

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

12 ACTING PRESIDENT CROCI: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT CROCI: Result?

16 THE SECRETARY: In relation to
17 Calendar 539, those recorded in the negative are
18 Senators Espallat, Hoylman and Serrano.

19 Ayes, 53. Nays, 3.

20 ACTING PRESIDENT CROCI: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 541, by Senator Nozzolio, Senate Print 4728A, an
24 act to amend the Environmental Conservation Law.

25 ACTING PRESIDENT CROCI: Read the

1 last section.

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

4 ACTING PRESIDENT CROCI: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT CROCI: Result?

8 THE SECRETARY: In relation to
9 Calendar 541, those recorded in the negative are
10 Senators Espallat, Hoylman, Perkins and Serrano.

11 Ayes, 52. Nays, 4.

12 ACTING PRESIDENT CROCI: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 542, by Senator Nozzolio, Senate Print 4729, an
16 act to amend the Environmental Conservation Law.

17 ACTING PRESIDENT CROCI: Read the
18 last section.

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

21 ACTING PRESIDENT CROCI: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT CROCI: Result?

25 THE SECRETARY: In relation to

1 Calendar 542, those recorded in the negative are
2 Senators Espaillat, Hoylman, Perkins and Serrano.

3 Ayes, 52. Nays, 4.

4 ACTING PRESIDENT CROCI: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 543, by Senator Venditto, Senate Print 4884, an
8 act to amend the Environmental Conservation Law.

9 ACTING PRESIDENT CROCI: Read the
10 last section.

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

13 ACTING PRESIDENT CROCI: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 55. Nays, 1.
17 Senator LaValle recorded in the negative.

18 ACTING PRESIDENT CROCI: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 544, by Senator Venditto, Senate Print 4885, an
22 act to amend the Environmental Conservation Law.

23 ACTING PRESIDENT CROCI: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT CROCI: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 55. Nays, 1.
6 Senator LaValle recorded in the negative.

7 ACTING PRESIDENT CROCI: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 545, by Senator Venditto, Senate Print 4886, an
11 act to amend the Environmental Conservation Law.

12 ACTING PRESIDENT CROCI: Read the
13 last section.

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

16 ACTING PRESIDENT CROCI: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 55. Nays, 1.
20 Senator LaValle recorded in the negative.

21 ACTING PRESIDENT CROCI: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 551, by Senator Ritchie, Senate Print 1822, an
25 act to amend the Tax Law.

1 ACTING PRESIDENT CROCI: Read the
2 last section.

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

5 ACTING PRESIDENT CROCI: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 55. Nays, 1.
9 Senator Espaillat recorded in the negative.

10 ACTING PRESIDENT CROCI: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 728, by Senator Marcellino, Senate Print 460, an
14 act to amend the Vehicle and Traffic Law.

15 ACTING PRESIDENT CROCI: Read the
16 last section.

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

19 ACTING PRESIDENT CROCI: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT CROCI: Result?

23 THE SECRETARY: Ayes, 56.

24 ACTING PRESIDENT CROCI: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 730, by Senator Bonacic, Senate Print 1634, an
3 act to amend the Vehicle and Traffic Law.

4 ACTING PRESIDENT CROCI: Read the
5 last section.

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

8 ACTING PRESIDENT CROCI: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT CROCI: Result?

12 THE SECRETARY: Ayes, 56.

13 ACTING PRESIDENT CROCI: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 732, by Senator Ritchie, Senate Print 2399, an
17 act to amend the Vehicle and Traffic Law.

18 ACTING PRESIDENT CROCI: Read the
19 last section.

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

22 ACTING PRESIDENT CROCI: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 55. Nays, 1.

1 Senator Espaillet recorded in the negative.

2 ACTING PRESIDENT CROCI: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 735, by Senator Martins, Senate Print 4101, an
6 act to amend the Highway Law.

7 ACTING PRESIDENT CROCI: Read the
8 last section.

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

11 ACTING PRESIDENT CROCI: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT CROCI: Senator
15 Squadron to explain his vote.

16 SENATOR SQUADRON: To quote Senator
17 Latimer, I want to congratulate the sponsor and
18 of course the namee, Billy Joel. I love you both
19 just the way you are.

20 ACTING PRESIDENT CROCI: Senator
21 Martins to explain his vote.

22 SENATOR MARTINS: Thank you,
23 Mr. President. And thank you, my colleagues, for
24 voting on this bill.

25 I just hope that we pass this bill

1 now. This is the second year.

2 Billy Joel, we all know, is a
3 national icon, a treasure for Long Island, grew
4 up in the Hicksville area. This is an
5 opportunity to recognize somebody who's gone off
6 and really made a difference in this world.
7 Through his music, he has influenced generations
8 of not only New Yorkers but people throughout the
9 world.

10 And I lament the fact that we
11 haven't had the opportunity to get this bill out
12 of the committee in the Assembly. Now, you may
13 ask why. It's a harmless bill that recognizes
14 somebody who's made a difference and has
15 excelled. He's a New Yorker who's gone above and
16 beyond. You know, Billy Joel is someone --
17 everyone anywhere in the world recognizes the
18 name, recognizes the music. So why would the
19 Assembly not even allow this bill out of
20 committee?

21 And the answer is, believe me, that
22 he's still alive. That we should not rename
23 roads after people or recognize people while they
24 are still alive. And that's a shame.

25 So I thank you for taking the

1 opportunity to join with me to recognize someone
2 who grew up in the streets of Hicksville by
3 naming a street after him to recognize his
4 achievement while he's still alive and able to
5 understand the achievement and to accept our
6 thank you.

7 And I hope you join with me in
8 calling on the Assembly to do the same thing --
9 get this bill out of committee and recognize
10 somebody who's truly made a difference, a
11 New Yorker and a Long Islander who has made a
12 difference and certainly deserves this honor.

13 Thank you, Mr. President.

14 ACTING PRESIDENT CROCI: Senator
15 Martins to be recorded in the affirmative.

16 Announce the result.

17 THE SECRETARY: Ayes, 54. Nays, 2.
18 Senators Perkins and Stavisky recorded in the
19 negative.

20 ACTING PRESIDENT CROCI: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 738, by Senator Griffo, Senate Print 4958, an act
24 to amend the Vehicle and Traffic Law.

25 ACTING PRESIDENT CROCI: Read the

1 last section.

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

4 ACTING PRESIDENT CROCI: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT CROCI: Result?

8 THE SECRETARY: Ayes, 56.

9 ACTING PRESIDENT CROCI: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 955, by Senator Squadron, Senate Print 148, an
13 act to amend the Penal Law.

14 ACTING PRESIDENT CROCI: Read the
15 last section.

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

18 ACTING PRESIDENT CROCI: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT CROCI: Result?

22 THE SECRETARY: Ayes, 56.

23 ACTING PRESIDENT CROCI: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 957, by Senator Gallivan, Senate Print 395, an
2 act to amend the Penal Law.

3 ACTING PRESIDENT CROCI: Read the
4 last section.

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

7 ACTING PRESIDENT CROCI: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT CROCI: Result?

11 THE SECRETARY: Ayes, 56.

12 ACTING PRESIDENT CROCI: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 960, by Senator Gallivan, Senate Print 532, an
16 act to amend the Civil Service Law.

17 ACTING PRESIDENT CROCI: Read the
18 last section.

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

21 ACTING PRESIDENT CROCI: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT CROCI: Result?

25 THE SECRETARY: Ayes, 56.

1 ACTING PRESIDENT CROCI: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 961, by Senator Valesky, Senate Print 640, an act
5 to amend the Vehicle and Traffic Law.

6 ACTING PRESIDENT CROCI: Read the
7 last section.

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

10 ACTING PRESIDENT CROCI: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT CROCI: Result?

14 THE SECRETARY: Ayes, 56.

15 ACTING PRESIDENT CROCI: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 963, by Senator Hannon, Senate Print 823, an act
19 to amend the Family Court Act.

20 ACTING PRESIDENT CROCI: Read the
21 last section.

22 THE SECRETARY: Section 3. This
23 act shall take effect on the first of January.

24 ACTING PRESIDENT CROCI: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT CROCI: Result?

3 THE SECRETARY: Ayes, 56.

4 ACTING PRESIDENT CROCI: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 965, by Senator Golden, Senate Print 1074, an act
8 to amend the Real Property Tax Law.

9 ACTING PRESIDENT CROCI: Read the
10 last section.

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

13 ACTING PRESIDENT CROCI: Call the
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT CROCI: Result?

17 THE SECRETARY: Ayes, 56.

18 ACTING PRESIDENT CROCI: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 966, by Senator Little, Senate Print 1342, an act
22 to amend the Real Property Law.

23 ACTING PRESIDENT CROCI: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT CROCI: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT CROCI: Result?

6 THE SECRETARY: Ayes, 56.

7 ACTING PRESIDENT CROCI: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 968, substituted earlier by Member of the
11 Assembly Cymbrowitz, Assembly Print Number 453,
12 an act directing.

13 ACTING PRESIDENT CROCI: Read the
14 last section.

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

17 ACTING PRESIDENT CROCI: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT CROCI: Announce
21 the result.

22 THE SECRETARY: Ayes, 56.

23 ACTING PRESIDENT CROCI: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 969, by Senator Kennedy, Senate Print 1499, an
2 act to amend the Penal Law.

3 ACTING PRESIDENT CROCI: Read the
4 last section.

5 THE SECRETARY: Section 3. This
6 act shall take effect on the 90th day.

7 ACTING PRESIDENT CROCI: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT CROCI: Result?

11 THE SECRETARY: Ayes, 54. Nays, 2.
12 Senators Montgomery and Perkins recorded in the
13 negative.

14 ACTING PRESIDENT CROCI: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 970, by Senator Little, Senate Print 1683A, an
18 act to amend Tax Law.

19 ACTING PRESIDENT CROCI: Read the
20 last section.

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

23 ACTING PRESIDENT CROCI: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT CROCI: Result?

2 THE SECRETARY: In relation to
3 Calendar 970, those recorded in the negative are
4 Senators Hoylman, Krueger, Montgomery, Perkins,
5 Sanders, Squadron and Stewart-Cousins.

6 Ayes, 49. Nays, 7.

7 ACTING PRESIDENT CROCI: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 971, by Senator Marchione, Senate Print 1849, an
11 act to amend the Penal Law.

12 ACTING PRESIDENT CROCI: Read the
13 last section.

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

16 ACTING PRESIDENT CROCI: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT CROCI: Result?

20 THE SECRETARY: Ayes, 54. Nays, 2.
21 Senators Montgomery and Perkins recorded in the
22 negative.

23 ACTING PRESIDENT CROCI: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 972, by Senator Carlucci, Senate Print 2013, an
2 act to amend the Tax Law.

3 ACTING PRESIDENT CROCI: Read the
4 last section.

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

7 ACTING PRESIDENT CROCI: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT CROCI: Result?

11 THE SECRETARY: Ayes, 56.

12 ACTING PRESIDENT CROCI: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 973, by Senator Marcellino, Senate Print 2173, an
16 act to amend the Civil Rights Law.

17 ACTING PRESIDENT CROCI: Read the
18 last section.

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

21 ACTING PRESIDENT CROCI: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT CROCI: Result?

25 THE SECRETARY: Ayes, 56.

1 ACTING PRESIDENT CROCI: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 974, by Senator Larkin, Senate Print 2204, an act
5 to amend the Vehicle and Traffic Law.

6 ACTING PRESIDENT CROCI: Read the
7 last section.

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

10 ACTING PRESIDENT CROCI: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT CROCI: Result?

14 THE SECRETARY: Ayes, 56.

15 ACTING PRESIDENT CROCI: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 975, by Senator Larkin, Senate Print 2212A, an
19 act to amend the Vehicle and Traffic Law.

20 ACTING PRESIDENT CROCI: Read the
21 last section.

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

24 ACTING PRESIDENT CROCI: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT CROCI: Result?

3 THE SECRETARY: In relation to
4 Calendar 975, those recorded in the negative are
5 Senators Espaillet, Hoylman, Krueger, Perkins and
6 Squadron.

7 Ayes, 51. Nays, 5.

8 ACTING PRESIDENT CROCI: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 976, by Senator Lanza, Senate Print 2337, an act
12 to amend the Public Authorities Law.

13 ACTING PRESIDENT CROCI: Read the
14 last section.

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

17 ACTING PRESIDENT CROCI: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT CROCI: Senator
21 Krueger to explain her vote.

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

24 I'm voting against this bill for
25 multiple reasons.

1 I think probably anyone who has MTA
2 in their county would love to dictate to the MTA
3 where exactly they should run their buses and
4 trains, how frequently, and any other number of
5 issues. And yet we don't legislate the schedule
6 and locations of MTA buses and subways, and I
7 don't know why we would for one specific bus line
8 in the county of Staten Island.

9 But I also want to point out that
10 this is an express bus. And much to my
11 frustration, the same sponsor has been preventing
12 the appropriate lighting for express buses to be
13 used by the MTA for multiple years. So I'm glad
14 he has an understanding of the value of express
15 buses and wants to mandate a specific express
16 bus, but I wish he'd let the MTA move forward
17 with the appropriate lighting on their buses so
18 that the rest of the City of New York could have
19 appropriately identified bus rapid transit.

20 I'll be voting no. Thank you.

21 ACTING PRESIDENT CROCI: Senator
22 Krueger to be recorded in the negative.

23 Announce the result.

24 THE SECRETARY: In relation to
25 Calendar 976, those recorded in the negative are

1 Senators Krueger, Perkins and Sanders.

2 Ayes, 53. Nays, 3.

3 ACTING PRESIDENT CROCI: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 978, by Senator Seward, Senate Print 2610, an act
7 to amend the Real Property Law.

8 ACTING PRESIDENT CROCI: Read the
9 last section.

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

12 ACTING PRESIDENT CROCI: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT CROCI: Result?

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT CROCI: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 979, by Senator Savino, Senate Print 2641, an act
21 to amend the Penal Law.

22 ACTING PRESIDENT CROCI: Read the
23 last section.

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

1 ACTING PRESIDENT CROCI: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT CROCI: Senator
5 Savino to explain her vote.

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

8 In March of 2009 a young woman named
9 Caroline Wimmer, 26 years old, was brutally
10 murdered in her West Brighton, Staten Island,
11 apartment. When emergency personnel arrived on
12 the scene, one of them, a man named Mark
13 Musarella, shockingly took a photo of her dead
14 body, which had been laying there for several
15 days, as a souvenir and posted that picture on
16 Facebook.

17 Mr. Musarella unfortunately could
18 only be charged with the simple misdemeanor of
19 official misconduct. He later was allowed to
20 plead down to a reduced charge of disorderly
21 conduct, only a violation, and served 200 hours
22 of community service and no jail time.

23 His actions were so outrageous that
24 the then-Staten Island district attorney reached
25 out to the elected officials from Staten Island

1 and asked us to look at changing the law.

2 Caroline's parents, Ronald and Marti
3 Wimmer, have made this a national issue, bringing
4 attention to the numbers of public officials who
5 abuse the public's trust and abuse their position
6 for their own personal gain. As a result of
7 that, we have passed Caroline's Law in this house
8 four years in a row.

9 And what this would do, it would
10 establish a new section of the Penal Code to make
11 it a Class A misdemeanor, punishable by up to a
12 year imprisonment and a fine of a thousand
13 dollars for a public servant or anyone acting as
14 a public servant to intentionally broadcast or
15 publish an image of a crime victim outside of
16 their official duties. Exceptions, of course,
17 are made for training purposes and if you are a
18 police photographer.

19 As I said, we have passed this law
20 four times now. The Assembly has yet to take
21 this up. We need to call upon them to do the
22 right thing, not just for Caroline Wimmer and her
23 family but for every other victim whose image has
24 been exploited by people who use it for their own
25 personal gain and amusement.

1 Thank you, Mr. President.

2 ACTING PRESIDENT CROCI: Senator
3 Savino to be recorded in the affirmative.

4 Announce the result.

5 THE SECRETARY: Ayes, 56.

6 ACTING PRESIDENT CROCI: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 981, by Senator Ranzenhofer, Senate Print 2882,
10 an act to amend the Canal Law.

11 ACTING PRESIDENT CROCI: Read the
12 last section.

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

15 ACTING PRESIDENT CROCI: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT CROCI: Result?

19 THE SECRETARY: Ayes, 53. Nays, 3.
20 Senators Krueger, Perkins and Sanders recorded in
21 the negative.

22 ACTING PRESIDENT CROCI: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 982, by Senator Ortt, Senate Print 2961, an act

1 to amend the Tax Law.

2 ACTING PRESIDENT CROCI: Read the
3 last section.

4 THE SECRETARY: Section 6. This
5 act shall take effect immediately.

6 ACTING PRESIDENT CROCI: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT CROCI: Announce
10 the result.

11 THE SECRETARY: In relation to
12 Calendar 982, those recorded in the negative are
13 Senators Addabbo, Avella, Hoylman, Krueger,
14 Montgomery, Peralta, Perkins, Sanders, Serrano,
15 Squadron and Stavisky.

16 Ayes, 45. Nays, 11.

17 ACTING PRESIDENT CROCI: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 983, by Senator Ortt, Senate Print 2964A, an act
21 to amend the Penal Law.

22 ACTING PRESIDENT CROCI: Read the
23 last section.

24 THE SECRETARY: Section 25. This
25 act shall take effect on the 60th day.

1 ACTING PRESIDENT CROCI: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT CROCI: Result?

5 THE SECRETARY: Ayes, 54. Nays, 2.
6 Senators Montgomery and Perkins recorded in the
7 negative.

8 ACTING PRESIDENT CROCI: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 984, by Senator Ortt, Senate Print 2975, an act
12 to amend the Penal Law.

13 ACTING PRESIDENT CROCI: Read the
14 last section.

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

17 ACTING PRESIDENT CROCI: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT CROCI: Result?

21 THE SECRETARY: Ayes, 54. Nays, 2.
22 Senators Montgomery and Perkins recorded in the
23 negative.

24 ACTING PRESIDENT CROCI: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 985, by Senator Hoylman, Senate Print 3034, an
3 act to amend the Public Authorities Law.

4 ACTING PRESIDENT CROCI: Read the
5 last section.

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

8 ACTING PRESIDENT CROCI: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT CROCI: Result?

12 THE SECRETARY: Ayes, 55. Nays, 1.
13 Senator DeFrancisco recorded in the negative.

14 ACTING PRESIDENT CROCI: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 986, by Senator Young, Senate Print 3212, an act
18 to amend the Penal Law.

19 ACTING PRESIDENT CROCI: Read the
20 last section.

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

23 ACTING PRESIDENT CROCI: Call the
24 roll.

25 (The Secretary called the roll.)

1 ACTING PRESIDENT CROCI: Result?

2 THE SECRETARY: Ayes, 56.

3 ACTING PRESIDENT CROCI: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 987, by Senator Golden, Senate Print 3228, an act
7 to amend the Public Authorities Law.

8 ACTING PRESIDENT CROCI: Read the
9 last section.

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

12 ACTING PRESIDENT CROCI: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT CROCI: Result?

16 THE SECRETARY: Ayes, 55. Nays, 1.
17 Senator Krueger recorded in the negative.

18 ACTING PRESIDENT CROCI: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 988, by Senator Lanza, Senate Print 3335, an act
22 to amend the Criminal Procedure Law.

23 ACTING PRESIDENT CROCI: Read the
24 last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect on the 60th day.

2 ACTING PRESIDENT CROCI: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT CROCI: Result?

6 THE SECRETARY: Ayes, 56.

7 ACTING PRESIDENT CROCI: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 989, by Senator Golden, Senate Print 3384, an act
11 to amend the Social Services Law.

12 ACTING PRESIDENT CROCI: Read the
13 last section.

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

16 ACTING PRESIDENT CROCI: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT CROCI: Announce
20 the result.

21 THE SECRETARY: In relation to
22 Calendar Number 989, those recorded in the
23 negative are Senators Comrie, Gianaris, Hoylman,
24 Krueger, Montgomery, Peralta, Perkins, Sanders,
25 Serrano and Squadron. Also Senator Stavisky.

1 Ayes, 45. Nays, 11.

2 ACTING PRESIDENT CROCI: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 990, by Senator Lanza, Senate Print 3484, an act
6 to amend the Penal Law.

7 ACTING PRESIDENT CROCI: Read the
8 last section.

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

11 ACTING PRESIDENT CROCI: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT CROCI: Result?

15 THE SECRETARY: Ayes, 56.

16 ACTING PRESIDENT CROCI: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 991, by Senator Savino, Senate Print 3596, an act
20 to amend the Social Services Law.

21 ACTING PRESIDENT CROCI: Read the
22 last section.

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

25 ACTING PRESIDENT CROCI: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT CROCI: Result?

4 THE SECRETARY: Ayes, 55. Nays, 1.

5 Senator Murphy recorded in the negative.

6 ACTING PRESIDENT CROCI: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 992, substituted earlier by Member of the
10 Assembly Kaminsky, Assembly Print Number 4759, an
11 act to amend the Labor Law.

12 ACTING PRESIDENT CROCI: Read the
13 last section.

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

16 ACTING PRESIDENT CROCI: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT CROCI: Results?

20 THE SECRETARY: Ayes, 55. Nays, 1.

21 Senator Marchione recorded in the negative.

22 ACTING PRESIDENT CROCI: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 993, by Senator Savino, Senate Print 3676, an act

1 to amend the Tax Law.

2 ACTING PRESIDENT CROCI: Read the
3 last section.

4 THE SECRETARY: Section 5. This
5 act shall take effect on the 60th day.

6 ACTING PRESIDENT CROCI: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT CROCI: Results?

10 THE SECRETARY: Ayes, 56.

11 ACTING PRESIDENT CROCI: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 994, by Senator Ranzenhofer, Senate Print 3701,
15 an act to amend the Tax Law.

16 ACTING PRESIDENT CROCI: Read the
17 last section.

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

20 ACTING PRESIDENT CROCI: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT CROCI: Senator
24 Krueger to explain her vote.

25 SENATOR KRUEGER: Thank you very

1 much.

2 I need to vote no on this bill, even
3 though I conceptually can support a tax incentive
4 to encourage people to hire the unemployed.

5 My dilemma is the way the bill is
6 designed, so that you're already working for a
7 company for two years before they're getting the
8 tax incentive -- and one wonders whether the
9 company would have already figured out within two
10 years that they liked me as an employee and would
11 keep me.

12 It's also set up such that in some
13 industries there may be a concern that people who
14 have used up their unemployment, people who are
15 new to the labor market, or people who were
16 underemployed as opposed to legally on
17 unemployment might not be able to compete for the
18 same jobs in their community.

19 So I want to thank the sponsor for
20 recognizing the importance of ensuring that we
21 help the unemployed get back into employment as
22 quickly as possible. I just fear that there are
23 some unintended consequences from the way this
24 bill is designed, and I'll be voting no.

25 Thank you, Mr. President.

1 ACTING PRESIDENT CROCI: Senator
2 Krueger to be recorded in the negative.

3 Announce the results.

4 THE SECRETARY: Ayes, 55. Nays, 1.
5 Senator Krueger recorded in the negative.

6 ACTING PRESIDENT CROCI: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 995, by Senator Lanza, Senate Print 3731, an act
10 to amend the Tax Law.

11 ACTING PRESIDENT CROCI: Read the
12 last section.

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

15 ACTING PRESIDENT CROCI: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT CROCI: Results?

19 THE SECRETARY: Ayes, 56.

20 ACTING PRESIDENT CROCI: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 996, substituted earlier by Member of the
24 Assembly Gottfried, Assembly Print 375, an act to
25 amend the Public Health Law.

1 ACTING PRESIDENT CROCI: Read the
2 last section.

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

5 ACTING PRESIDENT CROCI: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT CROCI: Results?

9 THE SECRETARY: Ayes, 56.

10 ACTING PRESIDENT CROCI: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1000, by Senator LaValle, Senate Print 4151, an
14 act to amend the Environmental Conservation Law.

15 ACTING PRESIDENT CROCI: Read the
16 last section.

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

19 ACTING PRESIDENT CROCI: Call the
20 roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT CROCI: Announce
23 the result.

24 THE SECRETARY: Ayes, 56.

25 ACTING PRESIDENT CROCI: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1001, by Senator Latimer, Senate Print 4166B, an
4 act to amend the Penal Law.

5 ACTING PRESIDENT CROCI: Read the
6 last section.

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

9 ACTING PRESIDENT CROCI: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT CROCI: Results?

13 THE SECRETARY: Ayes, 54. Nays, 2.
14 Senators Montgomery and Perkins recorded in the
15 negative.

16 ACTING PRESIDENT CROCI: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1002, substituted earlier by Member of the
20 Assembly Magee, Assembly Print 5953, an act to
21 amend Chapter 335 of the Laws of 2005.

22 ACTING PRESIDENT CROCI: Read the
23 last section.

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

1 ACTING PRESIDENT CROCI: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT CROCI: Results?

5 THE SECRETARY: Ayes, 56.

6 ACTING PRESIDENT CROCI: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1003, by Senator LaValle, Senate Print 4390, an
10 act to amend the Environmental Conservation Law.

11 ACTING PRESIDENT CROCI: Read the
12 last section.

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

15 ACTING PRESIDENT CROCI: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT CROCI: Results?

19 THE SECRETARY: Ayes, 56.

20 ACTING PRESIDENT CROCI: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1004, by Senator Larkin, Senate Print 5079, an
24 act to amend the Criminal Procedure Law.

25 ACTING PRESIDENT CROCI: Read the

1 last section.

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

4 ACTING PRESIDENT CROCI: Call the
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT CROCI: Results?

8 THE SECRETARY: In relation to
9 Calendar 1004, those recorded in the negative are
10 Senators Hoylman, Krueger, Montgomery and
11 Perkins.

12 Ayes, 52. Nays, 4.

13 ACTING PRESIDENT CROCI: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1005, by Senator Valesky, Senate Print 5122, an
17 act to amend the Elder Law.

18 ACTING PRESIDENT CROCI: Read the
19 last section.

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

22 ACTING PRESIDENT CROCI: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT CROCI: Results?

1 THE SECRETARY: Ayes, 56.

2 ACTING PRESIDENT CROCI: The bill
3 is passed.

4 Senator DeFrancisco, that completes
5 the noncontroversial reading of the calendar.

6 SENATOR DeFRANCISCO: You did not
7 read 1006; correct?

8 ACTING PRESIDENT CROCI: Correct.

9 SENATOR DeFRANCISCO: All right.
10 We're still on the noncontroversial calendar, but
11 I'd like to just interrupt for a moment and go
12 back to motions and resolutions.

13 ACTING PRESIDENT CROCI: Motions
14 and resolutions.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: On behalf of
17 Senator Gallivan, on page 60 I'd like to offer
18 the following amendments to Calendar Number 424,
19 Senate Print Number 4780, and ask that said bill
20 retain its place on the Third Reading Calendar.

21 ACTING PRESIDENT CROCI: So
22 ordered.

23 SENATOR DeFRANCISCO: And would you
24 please recognize Senator Gianaris.

25 ACTING PRESIDENT CROCI: Senator

1 Gianaris.

2 SENATOR GIANARIS: Thank you,
3 Mr. President.

4 On behalf of Senator Hoylman, on
5 page 60 I offer the following amendments to
6 Calendar 882, Senate Print Number 4834, and ask
7 that said bill retain its place on Third Reading
8 Calendar.

9 ACTING PRESIDENT CROCI: So
10 ordered.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: I'm going to
13 make a couple more announcements. We're just
14 looking for somebody at the moment.

15 First of all, immediately following
16 session, which will be shortly, there's going to
17 be a Health Committee meeting in Room 124 of the
18 Capitol. And then also immediately following the
19 Health Committee will be a meeting of the
20 Environmental Conservation Committee in Room 123
21 of the Capitol.

22 And we will be done shortly either
23 way.

24 (Pause.)

25 SENATOR DeFRANCISCO: If we could

1 continue the noncontroversial reading.

2 ACTING PRESIDENT CROCI: The
3 Secretary will read.

4 THE SECRETARY: Calendar Number
5 1006, by Senator Golden, Senate Print 5596, an
6 act to amend the Retirement and Social Security
7 Law.

8 ACTING PRESIDENT CROCI: Read the
9 last section.

10 THE SECRETARY: Section 13. This
11 act shall take effect on the 60th day.

12 ACTING PRESIDENT CROCI: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT CROCI: Senator
16 Golden to explain his vote.

17 SENATOR GOLDEN: Mr. President, I
18 rise to thank my colleagues for voting for this
19 bill here this afternoon.

20 This is an important piece of
21 legislation that was left out in 2010, and we
22 believe it was left out erroneously. And by
23 leaving out this legislation, the three-quarters
24 disability for police and fire, it has caused a
25 severe problem for the City of New York. And

1 other localities will be allowed to opt in to
2 make sure that they get the three-quarters that
3 they're entitled to.

4 But this really does affect the
5 city, and it also affects two other unions, which
6 hopefully we'll see them next week, the
7 sanitation and corrections. They are also
8 affected by this bill, meaning that those people
9 that are injured would not get a disability. Or
10 worse than that, they would get \$27 a day to live
11 on. And if they're crippled, if they are unable
12 to work, they have to take that \$27 a day. And
13 to be able to afford their rent, education for
14 their children, to be able to live in the City of
15 New York is just impossible.

16 So this is a good bill for our city,
17 but it's something that should have been done
18 years ago. And I want to thank all the
19 colleagues for doing the right thing here today.
20 And hopefully we do the same thing next week when
21 we have corrections and sanitation to vote on as
22 well.

23 And this is not an extra gimme, this
24 is what the rest of the state gets already. So
25 all we're doing is correcting an injustice here.

1 And that's why I'm thanking my colleagues, and I
2 vote aye.

3 ACTING PRESIDENT CROCI: Senator
4 Golden to be recorded in the affirmative.

5 Senator Savino.

6 SENATOR SAVINO: Thank you,
7 Mr. President. I will be brief.

8 I want to thank Senator Golden for
9 introducing this piece of legislation.

10 During the 2009-2010 legislative
11 session, I was the chair of the Civil Service and
12 Pensions Committee. And one of the
13 responsibilities of the chair of the committee is
14 to routinely pass extenders on legislation that
15 comes before that committee every two to four
16 years. And one of them was the extension of the
17 Tier 2 retirement plan, which affects police and
18 fire statewide, establishing the 20-year
19 retirement with a three-quarter disability if
20 they are in fact injured on the job.

21 This house had passed that bill over
22 and over and over without anybody ever
23 questioning it. And the then-Governor of the
24 State of New York, David Paterson, when he was a
25 member of this body, voted in favor of that over

1 and over and over without questioning or
2 commitment to our police and fire.

3 But somehow or other, in 2010, when
4 the bill landed on his desk for the first time as
5 governor, he vetoed the bill. He didn't give
6 notification to myself or Assemblyman Abbate or
7 any of the affected organizations around the
8 state, to the department heads of any of our
9 police departments or even to the mayor of the
10 City of New York, who probably was happy that he
11 did it.

12 We'll never know what motivated him
13 to do it. But what happened at that point is he
14 set in motion a two-tier system for our police
15 and fire. State police and fire were able to
16 negotiate back the benefit that they had. New
17 York City never was able to do so because the
18 mayor refused to negotiate with the PBA or the
19 fire officers or the firefighters.

20 And so what we have today is this
21 inequitable system where our New York City police
22 and fire are treated differently than the rest of
23 the state, they have to work longer, they have to
24 contribute more, and they don't get as good a
25 benefit if they're injured on the job.

1 You will be told by the City of
2 New York that we can't afford to do this, the
3 costs are astronomical. We can't afford not to
4 do it.

5 So I want to thank Senator Golden
6 for closing that loop that was opened when David
7 Paterson made a terrible decision by vetoing
8 Tier 2. We correct that today, we get the
9 Assembly to do it, and we make sure we restore
10 protection for New York City police and fire and
11 we protect those who protect us.

12 Thank you, Mr. President.

13 ACTING PRESIDENT CROCI: Senator
14 Savino to be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT CROCI: The bill
18 is passed.

19 Senator DeFrancisco, that completes
20 the noncontroversial reading of the calendar.

21 SENATOR DeFRANCISCO: Yes, is there
22 any further business at the desk?

23 ACTING PRESIDENT CROCI: There is
24 no further business at the desk.

25 SENATOR DeFRANCISCO: That being

1 the case, other than the immediate meeting of the
2 Health Committee in Room 124 and the immediate
3 meeting of the Environmental Conservation
4 Committee in Room 123, we are adjourned until
5 Monday, June 1st, at -- oh, wait a minute.

6 We have a hand-up of a committee
7 assignment. Would you please accept the hand-up.
8 You have it?

9 ACTING PRESIDENT CROCI: The
10 assignments are accepted and will be filed in the
11 Journal.

12 SENATOR DeFRANCISCO: Now we shall
13 adjourn until Monday, June 1st, at 3:00 p.m.,
14 intervening days being legislative days.

15 ACTING PRESIDENT CROCI: On motion,
16 the Senate stands adjourned until Monday,
17 June 1st, at 3:00 p.m., intervening days being
18 legislative days.

19 (Whereupon, at 12:52 p.m., the
20 Senate adjourned.)

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