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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 24, 2016

3:32 p.m.

REGULAR SESSION

LIEUTENANT GOVERNOR KATHLEEN C. HOCHUL, President

FRANCIS W. PATIENCE, Secretary

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

2 THE PRESIDENT: The Senate will  
3 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 THE PRESIDENT: The invocation  
10 today will be delivered by Father Peter Young of  
11 Mother Teresa Church in Albany.

12 Father Young?

13 REVEREND YOUNG: Thank you very  
14 much, Governor. Thank you.

15 Let us pray.

16 God, You never fail to provide our  
17 New York State citizens with dedicated Senators.

18 May God pour forth this blessing on  
19 your legislative effort and provide you with the  
20 courage to accept the many demands of your  
21 elected office.

22 As Senators, you reported on this  
23 day of the session bell to hear one another for  
24 the benefit of our New York State constituents.  
25 This invocation calls us to be true to our best

1 at what we might become as a legislative leader.  
2 We need to heed the call of our own hearts with  
3 compassion and equity for our dear citizens of  
4 the great Empire State.

5 Amen.

6 THE PRESIDENT: Senator  
7 DeFrancisco.

8 SENATOR DeFRANCISCO: Yes, Madam  
9 President. I would request that you call for a  
10 moment of silence to recognize Assemblymember  
11 Barbara Clark, who passed away this past week.

12 THE PRESIDENT: Thank you, Floor  
13 Leader.

14 I'll call for a moment of silence  
15 in honor of Assemblywoman Barbara Clark, who  
16 passed away this week.

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

19 THE PRESIDENT: Thank you.

20 The reading of the Journal.

21 THE SECRETARY: In Senate,  
22 Tuesday, February 23rd, the Senate met pursuant  
23 to adjournment. The Journal of Monday,  
24 February 22nd, was read and approved. On  
25 motion, Senate adjourned.

1                   THE PRESIDENT:   Without objection,  
2   the Journal stands approved as read.

3                   Presentation of petitions.

4                   Messages from the Assembly.

5                   The Secretary will read.

6                   THE SECRETARY:   Senator Croci  
7   moves to discharge, from the Committee on Rules,  
8   Assembly Bill Number 9173 and substitute it for  
9   the identical Senate Bill Number 6420A, Third  
10   Reading Calendar 31.

11                   And Senator Marchione moves to  
12   discharge, from the Committee on Rules, Assembly  
13   Bill Number 9172 and substitute it for the  
14   identical Senate Bill Number 6382A, Third  
15   Reading Calendar 13.

16                   THE PRESIDENT:   The substitutions  
17   are so ordered.

18                   Messages from the Governor.

19                   Reports of standing committees.

20                   Reports of select committees.

21                   Communications and reports from  
22   state officers.

23                   Motions and resolutions.

24                   Mr. Floor Leader.

25                   SENATOR DeFRANCISCO:   Yes, thank

1 you, Madam President. I move that the following  
2 bills be discharged from their respective  
3 committees and be recommitted with instructions  
4 to strike the enacting clause. These are all  
5 Senator Marchione's bills: 3534, 3535, 3536, and  
6 6089A.

7 THE PRESIDENT: So ordered.  
8 Senator DeFrancisco.

9 SENATOR DeFRANCISCO: I now move  
10 that the following bills of Senator Boyle be  
11 discharged from their respective committees and  
12 be recommitted with instructions to strike the  
13 enacting clause: Bill Numbers 1271 and 5915.

14 THE PRESIDENT: So ordered.

15 SENATOR DeFRANCISCO: I also move  
16 that the following bill by Senator Griffo be  
17 discharged from its respective committee and be  
18 recommitted with instructions to strike the  
19 enacting clause. That's Senate Bill Number 4323.

20 THE PRESIDENT: So ordered.

21 SENATOR DeFRANCISCO: Similarly, I  
22 move that the following bill of Senator  
23 DeFrancisco be discharged from its respective  
24 committee and be recommitted with instructions to  
25 strike the enacting clause: Senate Number 4003.

1 THE PRESIDENT: So ordered.

2 SENATOR DeFRANCISCO: Next, Madam  
3 President, on page number 17 I offer the  
4 following amendments to Calendar Number 96,  
5 Senate Bill Number 5951, by Senator Murphy, and  
6 ask that said bill retain its place on the Third  
7 Reading Calendar.

8 THE PRESIDENT: So ordered.

9 SENATOR DeFRANCISCO: Next, on  
10 page 19 I offer the following amendments to  
11 Calendar Number 124, Senator Ritchie's bill,  
12 Senate Print Number 518, and ask that said bill  
13 retain its place on the Third Reading Calendar.

14 THE PRESIDENT: So ordered.

15 SENATOR DeFRANCISCO: And lastly,  
16 on page 20 I offer the following amendments to  
17 Calendar Number 130, Senator Funke's bill, Senate  
18 Print Number 6370, and ask that said bill retain  
19 its place on the Third Reading Calendar.

20 THE PRESIDENT: So ordered.

21 Floor Leader.

22 SENATOR DeFRANCISCO: Madam  
23 President, if we could now take up a previously  
24 adopted resolution, Number 3102, by Senator  
25 Golden, and if you'd please read the title only.

1                   THE PRESIDENT:    The Secretary will  
2 read.

3                   THE SECRETARY:    Legislative  
4 Resolution Number 3102, by Senator Golden,  
5 memorializing Governor Andrew M. Cuomo to  
6 proclaim September 2016 as Kinship Care Month in  
7 the State of New York.

8                   THE PRESIDENT:    Senator Golden.

9                   SENATOR GOLDEN:    Thank you, Madam  
10 President.

11                   We have a number of kinship  
12 caregivers up here in our audience today. And  
13 it's estimated that 3 percent of all children in  
14 the state are being raised by a non-parent  
15 relative. In fact, 25 percent of all children in  
16 the foster care system are in kinship care.

17                   Sometimes a parent of a minor child  
18 has voluntarily relinquished custody of the child  
19 to relatives. Sometimes the parent is just not  
20 able to care for his or her own child. Whatever  
21 the instance or reason, these relatives step up  
22 and raise their children as their own. They do  
23 the right thing.

24                   Children need safety, stability,  
25 nurturing in their lives, so that they can grow

1 into productive members of the society. Allowing  
2 children to be cared for and raised by relatives  
3 who already know them, love them, and want what's  
4 best for them is in the children's best  
5 interests.

6                   Having an opportunity to live and to  
7 be raised in a caring, loving and familiar  
8 environment helps these kids flourish, which is  
9 what we all want for all children. These  
10 selfless, dedicated caregivers and advocates are  
11 to be recognized and honored for their tireless  
12 commitment to their vulnerable children and to  
13 our valuable children.

14                   We have one lady up there,  
15 Mrs. Fountain. She not only lost her daughter,  
16 adopted four of her kids, but two of her children  
17 died from Duchenne muscular dystrophy. She had  
18 to go through that pain, and she did it all by  
19 herself. It's a credit to what she's been able  
20 to do, and other mothers and fathers that have  
21 done the same across this great state and this  
22 great nation.

23                   So therefore, once again I am  
24 extremely proud to carry this resolution, on  
25 behalf of all of our kinship caregivers out

1 there, designating September as Kinship Care  
2 Month in the State of New York. Congratulations  
3 to each and every one of them, and thank you for  
4 your dedication and for your love for your  
5 children and for the children's children.

6 God bless you all.

7 (Standing ovation.)

8 SENATOR GOLDEN: Thank you, Madam  
9 President.

10 THE PRESIDENT: Thank you,  
11 Senator.

12 Mr. Floor Leader.

13 SENATOR DeFRANCISCO: Madam  
14 President, Senator Golden would like to open up  
15 this resolution for cosponsorship. And if  
16 someone does not want to be on the resolution as  
17 cosponsor, they should notify the desk.  
18 Otherwise, we will all be on.

19 THE PRESIDENT: The resolution is  
20 open for cosponsorship. If you do not wish to be  
21 a cosponsor, please notify the desk.

22 Mr. Floor Leader.

23 SENATOR DeFRANCISCO: Next, if we  
24 could please take up previously adopted  
25 Resolution 3562, by Senator Espaillet, read the

1 title only, and recognize Senator Espaillat.

2 THE PRESIDENT: The Secretary will  
3 read.

4 THE SECRETARY: Legislative  
5 Resolution Number 3562, by Senator Espaillat,  
6 memorializing Governor Andrew M. Cuomo to  
7 proclaim February 2016 as Dominican Heritage  
8 Month in the State of New York.

9 THE PRESIDENT: Senator Espaillat.

10 SENATOR ESPAILLAT: Thank you,  
11 Madam President.

12 I rise to recognize the presence of  
13 a good delegation that's here in celebration not  
14 only of Dominican Heritage Month, as we adopted  
15 the resolution before we went on break, but also  
16 advocating for the livery industry in the State  
17 and the City of New York.

18 And with us we have several members  
19 that are leaders and former leaders of that  
20 industry right here in chambers, including  
21 Ms. Cira Angeles, who is a cofounder of LA  
22 Riverside Brokerage, Inc., and who has led the  
23 industry in matters of insurance, the green  
24 cards, and other important issues to that  
25 industry.

1                   In addition, we have a former  
2 Ambassador to Japan and former leader in this  
3 industry, Mr. Jaime Vargas, who's with us today  
4 in chambers. He was a strong advocate for the  
5 industry way before I got here over two decades  
6 ago, and continues to be a strong voice for the  
7 men and women of the livery industry as well.

8                   As well as, posthumously, we're  
9 honoring Mr. Claudio Ozoria. He was Number 22.  
10 You know, when you call a base, you ask for the  
11 number of the vehicle or they give you the  
12 number, they dispatch that number. And he was  
13 known as Mr. 22, Number 22. And he passed  
14 recently, and he's being represented by  
15 Bienvenido de Jesus, former president of Seaman  
16 Radio Dispatchers.

17                   In addition to those three leaders  
18 from the livery industry, we have a distinguished  
19 member of the State Department of Education. Her  
20 name is Angelica Infante, and she is a deputy  
21 commissioner for the Department of Education, and  
22 one that's in charge not only of bilingual  
23 education, but of Common Core and other issues  
24 that are of great relevancy to the children in  
25 the State of New York. So we're happy to have

1 Ms. Infante with us here today.

2                   And we have in the gallery a healthy  
3 delegation of the livery drivers and owners,  
4 including Mr. Damian Rodriguez, who is the  
5 executive director of the Livery Base Owners  
6 Association.

7                   So they're here. We want you to  
8 extend them the courtesies of this house and to  
9 welcome them here to the capital city of Albany.  
10 They are the people that make New York move, to  
11 run. They drive vehicles and transport our  
12 families all over the counties across the State  
13 of New York.

14                   Thank you, Madam President.

15                   THE PRESIDENT: Thank you, Senator.  
16                   (Standing ovation.)

17                   THE PRESIDENT: We welcome them to  
18 the house.

19                   Mr. Floor Leader.

20                   SENATOR DeFRANCISCO: Senator  
21 Espaillat has also requested that we open this up  
22 for cosponsorship. And if you do not want to be  
23 on, notify the desk. If you do nothing, you will  
24 be on as a cosponsor to honor these fine people.

25                   THE PRESIDENT: The resolution is

1 open for cosponsorship. If you do not wish to be  
2 a cosponsor, please notify the desk.

3 Mr. Floor Leader.

4 SENATOR DeFRANCISCO: I would like  
5 to now call an immediate meeting of the Rules  
6 Committee, with one admonition. Please,  
7 everyone, walk from here to there without  
8 interruption so we can start as soon as we can to  
9 get back to session. I very much appreciate it.

10 Thank you very much.

11 THE PRESIDENT: Immediate meeting  
12 of the Rules Committee in Room 332 of the  
13 Capitol.

14 The Senate will stand at ease.

15 (Whereupon, the Senate stood at ease  
16 at 3:44 p.m.)

17 (Whereupon, the Senate reconvened at  
18 3:59 p.m.)

19 ACTING PRESIDENT AKSHAR: The  
20 Senate will come to order.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Yes. I  
23 understand there's a report from the Rules  
24 Committee at the desk.

25 ACTING PRESIDENT AKSHAR: Yes,

1 there is.

2 SENATOR DeFRANCISCO: I move to  
3 accept the report of the Rules Committee.

4 ACTING PRESIDENT AKSHAR: Reports  
5 of standing committees.

6 The Secretary will read.

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

10 Senate Print 224, by Senator  
11 LaValle, an act to amend the Education Law;

12 Senate 627, by Senator Valesky, an  
13 act to amend the General Business Law;

14 Senate 965, by Senator Montgomery,  
15 an act to amend the Education Law;

16 Senate 1796A, by Senator Ritchie, an  
17 act to amend the Education Law;

18 Senate 3243, by Senator Savino, an  
19 act to amend the Penal Law; and

20 Senate 6503, by Senator Marcellino,  
21 an act to amend the Education Law.

22 All bills reported direct to third  
23 reading.

24 ACTING PRESIDENT AKSHAR: Senator  
25 DeFrancisco.

1                   SENATOR DeFRANCISCO:    Yes, I would  
2   now request the noncontroversial reading of  
3   today's calendar.

4                   ACTING PRESIDENT AKSHAR:    Could we  
5   have a motion to accept it, Senator DeFrancisco?

6                   SENATOR DeFRANCISCO:    Oh, on the  
7   Rules Committee, yes.  I move to accept the  
8   report of the Rules Committee.

9                   ACTING PRESIDENT AKSHAR:    All in  
10  favor of accepting the report of the Rules  
11  Committee signify by saying aye.

12                                   (Response of "Aye.")

13                   ACTING PRESIDENT AKSHAR:    Opposed,  
14  nay.

15                                   (No response.)

16                   ACTING PRESIDENT AKSHAR:    The  
17  report is accepted.

18                                   Mr. Floor Leader.

19                   SENATOR DeFRANCISCO:    Yes, now  
20  would you please do the noncontroversial reading  
21  of today's calendar.

22                   ACTING PRESIDENT AKSHAR:    The  
23  Secretary will read.

24                   THE SECRETARY:    Calendar Number 6,  
25  by Senator Griffo, Senate Print 2722D, an act to

1 amend the Legislative Law.

2 ACTING PRESIDENT AKSHAR: Read the  
3 last section.

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

6 ACTING PRESIDENT AKSHAR: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT AKSHAR: Announce  
10 the results.

11 THE SECRETARY: In relation to  
12 Calendar Number 6, those recorded in the negative  
13 are Senators Comrie, Dilan, Espaillet, Hamilton,  
14 Hoylman, Montgomery, Perkins, Persaud, Rivera,  
15 Savino and Squadron.

16 Ayes, 48. Nays, 11.

17 ACTING PRESIDENT AKSHAR: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number 13,  
20 substituted earlier by Member of the Assembly  
21 Titone, Assembly Print 9172, an act to amend the  
22 State Law.

23 ACTING PRESIDENT AKSHAR: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the same date and in the  
2 same manner as a chapter of the Laws of 2015.

3 ACTING PRESIDENT AKSHAR: Call the  
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59.

7 ACTING PRESIDENT AKSHAR: The bill  
8 is passed.

9 THE SECRETARY: Calendar Number 23,  
10 by Senator Little, Senate Print 6392A, an act to  
11 amend the Insurance Law.

12 ACTING PRESIDENT AKSHAR: Read the  
13 last section.

14 THE SECRETARY: Section 6. This  
15 act shall take effect on the same date and in the  
16 same manner as a chapter of the Laws of 2015.

17 ACTING PRESIDENT AKSHAR: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59.

21 ACTING PRESIDENT AKSHAR: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number 26,  
24 by Senator Seward, Senate Print 6395A, an act to  
25 amend the Insurance Law.

1                   ACTING PRESIDENT AKSHAR:    Read the  
2 last section.

3                   THE SECRETARY:    Section 2. This  
4 act shall take effect on the same date and in the  
5 same manner as a chapter of the Laws of 2015.

6                   ACTING PRESIDENT AKSHAR:    Call the  
7 roll.

8                   (The Secretary called the roll.)

9                   THE SECRETARY:    Ayes, 57. Nays, 2.  
10 Senators Krueger and Perkins recorded in the  
11 negative.

12                   ACTING PRESIDENT AKSHAR:    The bill  
13 is passed.

14                   THE SECRETARY:    Calendar Number 30,  
15 by Senator Ritchie, Senate Print 6399A, an act to  
16 amend a chapter of the Laws of 2015.

17                   ACTING PRESIDENT AKSHAR:    Read the  
18 last section.

19                   THE SECRETARY:    Section 2. This  
20 act shall take effect on the same date and in the  
21 same manner as a chapter of the Laws of 2015.

22                   ACTING PRESIDENT AKSHAR:    Call the  
23 roll.

24                   (The Secretary called the roll.)

25                   THE SECRETARY:    Ayes, 59.

1                   ACTING PRESIDENT AKSHAR:    The bill  
2    is passed.

3                   THE SECRETARY:    Calendar Number 31,  
4    substituted earlier by Member of the Assembly  
5    Kaminsky, Assembly Print 9173, an act to amend  
6    the Executive Law.

7                   ACTING PRESIDENT AKSHAR:    Read the  
8    last section.

9                   THE SECRETARY:    Section 2. This  
10   act shall take effect on the same date and in the  
11   same manner as a chapter of the Laws of 2015.

12                  ACTING PRESIDENT AKSHAR:    Call the  
13   roll.

14                  (The Secretary called the roll.)

15                  THE SECRETARY:    Ayes, 59.

16                  ACTING PRESIDENT AKSHAR:    The bill  
17   is passed.

18                  THE SECRETARY:    Calendar Number 32,  
19   by Senator Funke, Senate Print 6421A, an act to  
20   amend the Public Health Law.

21                  ACTING PRESIDENT AKSHAR:    Read the  
22   last section.

23                  THE SECRETARY:    Section 5. This  
24   act shall take effect on the same date and in the  
25   same manner as a chapter of the Laws of 2015.

1                   ACTING PRESIDENT AKSHAR:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 59.

5                   ACTING PRESIDENT AKSHAR:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number 34,  
8 by Senator Ranzenhofer Senate Print 6423A, an act  
9 to amend the Real Property Tax Law.

10                  ACTING PRESIDENT AKSHAR:    Read the  
11 last section.

12                  THE SECRETARY:    Section 2. This  
13 act shall take effect on the same date and in the  
14 same manner as a chapter of the Laws of 2015.

15                  ACTING PRESIDENT AKSHAR:    Call the  
16 roll.

17                  (The Secretary called the roll.)

18                  THE SECRETARY:    Ayes, 59.

19                  ACTING PRESIDENT AKSHAR:    The bill  
20 is passed.

21                  THE SECRETARY:    Calendar Number 40,  
22 by Senator Seward, Senate Print 6429A, an act to  
23 amend the Insurance Law.

24                  ACTING PRESIDENT AKSHAR:    Read the  
25 last section.

1 THE SECRETARY: Section 5. This  
2 act shall take effect on the same date and in the  
3 same manner as a chapter of the Laws of 2015.

4 ACTING PRESIDENT AKSHAR: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT AKSHAR: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number 45,  
11 by Senator Carlucci, Senate Print 6228, an act to  
12 amend Lauren's Law.

13 ACTING PRESIDENT AKSHAR: Read the  
14 last section.

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

17 ACTING PRESIDENT AKSHAR: Call the  
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT AKSHAR: Senator  
21 Carlucci.

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

24 Right now in New York State, over  
25 10,000 men, women and children are currently

1 waiting for a life-saving organ transplant. And  
2 unfortunately, in New York State we lag behind  
3 almost every other state in the nation when it  
4 comes to the percentage of people enrolled in the  
5 organ donor registry.

6           Five years ago I had the good  
7 fortune of meeting Lauren Shields. Lauren  
8 Shields is with us here today. And at that time,  
9 it was just a year after she had received a heart  
10 transplant. She had spent 15 weeks on life  
11 support at the age of 9, desperately waiting for  
12 a heart transplant.

13           When I had the opportunity to meet  
14 her, we were talking about ways that we could  
15 make a difference, that we could turn things  
16 around here in New York State and make sure that  
17 we're giving people the opportunity that Lauren  
18 has had.

19           So what did we do? We looked at  
20 what were other states doing, what was going on  
21 in New York State that we had such a low  
22 percentage of people enrolled in the organ donor  
23 registry. So we created Lauren's Law, where now  
24 when you go to the Department of Motor Vehicles,  
25 when you get your driver's license, you're asked

1 the question: Would you like to be an organ  
2 donor, yes or not at this time? And basically  
3 mandating that people make that decision.

4 Since October 3rd of 2013 when this  
5 law took effect, we've had amendments to it since  
6 then. Thanks to the work of Senator Hannon, the  
7 commitment that Senator Flanagan has had towards  
8 making sure that organ donation is a priority in  
9 this chamber and in New York State, we've started  
10 to make a difference.

11 And in fact, we've changed the  
12 numbers. When we started this crusade, we  
13 started at 11 percent, 11 percent of the people  
14 were enrolled in the registry. We've changed  
15 that. Now we're talking about a 17 percent rate.  
16 Now, it might not sound big, but that's actually  
17 a 60 percent increase. And to put it into  
18 perspective in terms of numbers --

19 ACTING PRESIDENT AKSHAR: Excuse  
20 me, Senator.

21 Can we have some order in the house,  
22 please. Thank you.

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

25 When we look at the numbers going

1 from 11 percent to 17 percent, in the past three  
2 months alone we had an additional 50,000 people  
3 enrolled because of Lauren's Law.

4 And in fact, going forward, by  
5 extending Lauren's Law, we've done the math and  
6 we see the projections of the Department of Motor  
7 Vehicles. They're predicting that over the next  
8 four years, each year we're going to have over  
9 2 million people visiting the DMV to enroll in  
10 the driver's license program, or renew their  
11 driver's license, giving us 2 million  
12 opportunities a year to ask that question. From  
13 doing the math with Lauren's Law, we predict that  
14 we'll be able to register another 560,000 people  
15 over the next four years.

16 So I want to thank Lauren Shields,  
17 because without her this law wouldn't be  
18 possible. You know, five years ago when we took  
19 on this challenge, we hit all types of  
20 resistance, all the reasons why we can't change  
21 the law. Working together with the members in  
22 this Senate and in the Assembly, we found a way  
23 forward and we're making a difference.

24 So I ask my colleagues to support  
25 this legislation. Let's not turn back progress.

1 We have an opportunity to save lives, and we're  
2 going to continue to do that. So I'll be voting  
3 in the affirmative and want to thank my  
4 colleagues for making this a reality.

5 Thank you, Mr. President.

6 ACTING PRESIDENT AKSHAR: Senator  
7 Carlucci, you vote in the affirmative.

8 Senator Flanagan.

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

11 And thank you to Senator Carlucci.

12 I want to add my voice, and I'm  
13 clearly going to vote in the affirmative on this  
14 piece of legislation. I also want to thank  
15 Senator Hannon, who has been extraordinarily  
16 helpful in raising awareness on these issues.

17 And Lauren, it's nice to have you  
18 here today. Would you just stand up so everyone  
19 can say hello and wish you a good welcome?

20 (Extended standing ovation.)

21 SENATOR FLANAGAN: It's really,  
22 really nice to see you here.

23 And I got a chance to do a little  
24 reading. It's fascinating what you can learn  
25 about people. Obviously Lauren had a heart

1 transplant at 9; she's now a very good student at  
2 the age of 15. And you know you're doing pretty  
3 well when on your resume you can say, Yeah, I  
4 spoke at St. Patrick's Cathedral. That's got to  
5 be pretty cool. Spoke at the Columbia Leadership  
6 Summit, is involved in a wide variety of local  
7 organizations.

8                   And ladies and gentlemen, this is  
9 absolute living proof of how you can save  
10 somebody's life. Someone was nice enough and  
11 good enough and smart enough to become an organ  
12 donor; that allows you to be here with us today.

13                   So what I think we can do, not only  
14 in terms of the work of Senator Carlucci and  
15 Senator Hannon, is frankly just talk about this.  
16 I'm doing it almost every place I go now.

17                   And Senator Carlucci is spot on; as  
18 progressive as we are in the State of New York,  
19 we're dead last. That's not a distinction we  
20 should have. It's bad enough if we have it on  
21 tax policy or something like that, but in an area  
22 like this, we can make a huge difference. And  
23 you can do it through the bone marrow registry as  
24 well.

25                   So I just want to add my voice and

1 clearly want to always mention Assemblyman Jim  
2 Conte, who was a double kidney transplant  
3 recipient, a real strong advocate in this area.

4           And we all have personal stories. A  
5 gentleman who works for me, Ray Bennardo, who's  
6 my chief of staff, his sister-in-law Sue  
7 Bennardo, now 11 years, heart and double lung at  
8 the same time. She's leading a very full life.

9           So to my colleagues, when you can  
10 raise this issue, just raising awareness makes  
11 all the difference in the world.

12           Again, Senator Carlucci,  
13 congratulations. But more importantly, to  
14 Lauren, keep up the excellent work. You're doing  
15 fantastic.

16           Thank you, Mr. President.

17           ACTING PRESIDENT AKSHAR: Thank  
18 you, Senator Flanagan.

19           Senator Squadron.

20           SENATOR SQUADRON: Thank you.

21           I want to thank Senator Carlucci and  
22 Leader Flanagan for this. Lauren, I want to  
23 thank you for being here.

24           In the context that Senator Flanagan  
25 talked about, every donor saves lives. I had a

1 relative decades ago who was one of the first  
2 heart-lung transplant recipients with cystic  
3 fibrosis in this country's history. Her life was  
4 extended as a result of it -- tragically, not as  
5 long as we would have liked.

6           And today I have a sister living a  
7 healthy life who was in kidney failure for over a  
8 year until a donor in the State of Illinois  
9 walked into a hospital and said "I want to donate  
10 my kidney," and started off a chain-- I think  
11 there were 15 recipients around the country in  
12 that chain, and my sister was one of them.

13           The fact that there are people dying  
14 waiting for organs that could save their lives is  
15 a tragedy. It is solvable, as the Leader says.  
16 And every one of our stories and the millions of  
17 stories around the state -- and, Lauren, your  
18 story -- is a great inspiration and a reminder  
19 that in a very small way we can make enormous,  
20 enormous change in people's lives.

21           And so I thank you for being here,  
22 and Senator Carlucci, I thank you for that. As  
23 you point out, every percent is scores of lives  
24 saved.

25           Thank you. I vote aye.

1                   ACTING PRESIDENT AKSHAR:    Thank  
2   you, Senator Squadron.  You're voting in the  
3   affirmative.

4                   Senator Peralta.

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

7                   I also want to thank the sponsor,  
8   Senator Carlucci.

9                   This is a very important issue, as  
10  we've pointed out.  I've actually gotten involved  
11  in organ donations because of the fact that I  
12  realized, when we did some research, that we are  
13  last in the state when it comes to people who are  
14  registered to give up or donate an organ.

15                   And that's sad, especially when we  
16  talk about New York where we are progressives and  
17  we are usually the first to lead the way and  
18  we're usually ahead of the curve when it comes to  
19  issues that matter.

20                   So it is so important for people to  
21  really participate and help others, and why not  
22  in this way.  Eliminate the fears that some  
23  people may have of what it means to be an organ  
24  donor.  I know some people, when I went  
25  through -- when I started this campaign, some

1 people approached me and they said, Well, what's  
2 going to happen if I'm laying in bed or I check  
3 off that I'm going to be an organ donor and I'm  
4 laying in bed in the hospital? Are the doctors  
5 really not going to take care of me because they  
6 want that organ?

7                   These are all myths that are out  
8 there. And when it comes to culture as well,  
9 people are afraid, they don't want to talk about  
10 certain things that bring fear into their hearts.

11                   But this is very important. To have  
12 an extension of an additional four years will  
13 save so many lives. So many people have  
14 approached me since I started this campaign. And  
15 I'm going to be very supportive of not only this  
16 bill but many others to come, because organ  
17 donation is a necessity in the State of New York  
18 and we need to do so much more to make sure that  
19 it becomes mainstream so that everyone talks  
20 about organ donations and it's not a myth, it's  
21 not a taboo topic that people may not want to  
22 talk about.

23                   So thank you. I'll be voting in the  
24 affirmative.

25                   ACTING PRESIDENT AKSHAR:    Thank

1 you, Senator Peralta. You're voting in the  
2 affirmative.

3 Senator Marcellino.

4 SENATOR MARCELLINO: Thank you,  
5 Mr. President.

6 When we're talking about organ  
7 donation, that's an extremely important topic.  
8 But how do people know? A very simple way that  
9 you can let people know that you want to be an  
10 organ donor. We all have driver's licenses. All  
11 you have to do is when you sign up for your  
12 driver's license and when you go get it, tell  
13 them to check off the box, they'll print out a  
14 license, it'll have a little heart under the  
15 phrase "Organ Donor."

16 So speed is important to let them  
17 know that your organ is available if something  
18 unfortunate happens to you. But we don't want to  
19 waste time in getting the word out that there are  
20 organs available to be donated. Get a driver's  
21 license, put your heart in the right place, put  
22 your name on that list and put it here so people  
23 know right away that something is available for  
24 someone who may need that help.

25 You do a good thing. Thank you. I

1 vote aye, Mr. Chairman.

2 ACTING PRESIDENT AKSHAR: Senator  
3 Marcellino, you're voting in the affirmative.

4 Senator Panepinto.

5 SENATOR PANEPINTO: Yes, I want to  
6 thank Senator Carlucci for putting this bill  
7 forward. It's a bill that's near and dear to my  
8 heart.

9 A great friend of mine, Michael  
10 LoCurto, was a Delaware District councilman in  
11 the City of Buffalo, and he's with us today  
12 because he had a heart-liver transplant 20 years  
13 ago. And it's people making themselves available  
14 and giving of themselves that have given him the  
15 opportunity to be with us for the last 20 years.

16 And to extend this law four years on  
17 the registration will provide other people with  
18 these needed opportunities. And I want to thank  
19 the Senator and thank the young lady for putting  
20 herself out there like this.

21 And I'm voting in the affirmative.

22 ACTING PRESIDENT AKSHAR: Senator  
23 Panepinto, you'll be recorded in the affirmative.

24 Announce the results.

25 THE SECRETARY: Ayes, 59.

1                   ACTING PRESIDENT AKSHAR:    The bill  
2    is passed.

3                   THE SECRETARY:    Calendar Number 72,  
4    by Senator Golden, Senate Print 1074A, an act to  
5    amend the Real Property Tax Law.

6                   ACTING PRESIDENT AKSHAR:    Read the  
7    last section.

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

10                  ACTING PRESIDENT AKSHAR:    Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 59.

14                  ACTING PRESIDENT AKSHAR:    The bill  
15   is passed.

16                  THE SECRETARY:    Calendar Number 73,  
17   by Senator Marcellino, Senate Print 410, an act  
18   to amend the Agriculture and Markets Law.

19                  ACTING PRESIDENT AKSHAR:    Read the  
20   last section.

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

23                  ACTING PRESIDENT AKSHAR:    Call the  
24   roll.

25                  (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 58. Nays, 1.

2 Senator Montgomery recorded in the negative.

3 ACTING PRESIDENT AKSHAR: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number 75,  
6 by Senator Ortt, Senate Print 3117, an act to  
7 amend the Agriculture and Markets Law.

8 ACTING PRESIDENT AKSHAR: Read the  
9 last section.

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

12 ACTING PRESIDENT AKSHAR: Call the  
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT AKSHAR: Announce  
16 the result.

17 THE SECRETARY: Ayes, 56. Nays, 3.  
18 Senators Avella, Espaillat and Hoylman recorded  
19 in the negative.

20 ACTING PRESIDENT AKSHAR: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number 77,  
23 by Senator Hannon, Senate Print 1641, an act to  
24 amend the Public Health Law.

25 ACTING PRESIDENT AKSHAR: Read the

1 last section.

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

4 ACTING PRESIDENT AKSHAR: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 59.

8 ACTING PRESIDENT AKSHAR: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 120, by Senator Croci, Senate Print 6361, an act  
12 granting.

13 ACTING PRESIDENT AKSHAR: Read the  
14 last section.

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

17 ACTING PRESIDENT AKSHAR: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 58. Nays, 1.  
21 Senator Bonacic recorded in the negative.

22 ACTING PRESIDENT AKSHAR: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 146, by Senator Seward, Senate Print 6694, an act

1 to amend the Insurance Law.

2 ACTING PRESIDENT AKSHAR: Read the  
3 last section.

4 THE SECRETARY: Section 8. This  
5 act shall take effect immediately.

6 ACTING PRESIDENT AKSHAR: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59.

10 ACTING PRESIDENT AKSHAR: The bill  
11 is passed.

12 Senator DeFrancisco, that completes  
13 the noncontroversial reading of the calendar.

14 SENATOR DeFRANCISCO: Is there any  
15 other further business at the desk?

16 ACTING PRESIDENT AKSHAR: No  
17 further business.

18 SENATOR DeFRANCISCO: That being  
19 the case, I move to adjourn until Thursday,  
20 February 25th, at 11:00 a.m.

21 ACTING PRESIDENT AKSHAR: On  
22 motion, the Senate stands adjourned until  
23 Thursday, February 25th, at 11:00 a.m.

24 (Whereupon, at 4:19 p.m., the Senate  
25 adjourned.)