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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 8, 2016

3:18 p.m.

REGULAR SESSION

SENATOR THOMAS D. 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, Monday,
17 March 7th, the Senate met pursuant to
18 adjournment. The Journal of Sunday, March 6th,
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 Messages from the Governor.

1 Reports of standing committees.
2 Reports of select committees.
3 Communications and reports from
4 state officers.

5 Motions and resolutions.

6 Senator DeFrancisco.

7 SENATOR DeFRANCISCO: I move to
8 adopt the Resolution Calendar, with the
9 exception of Resolution 4125.

10 ACTING PRESIDENT CROCI: All in
11 favor of adopting the Resolution Calendar, with
12 the exception of Resolution Number 4125, please
13 signify by saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT CROCI: Opposed?

16 (No response.)

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

19 Senator DeFrancisco.

20 SENATOR DeFRANCISCO: If we could
21 stand at ease for a few seconds.

22 ACTING PRESIDENT CROCI: The
23 Senate will stand at ease.

24 (Whereupon, the Senate stood at
25 ease at 3:20 p.m.)

1 (Whereupon, the Senate reconvened
2 at 3:21 p.m.)

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

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO: Yes,
7 officially it was 47 seconds, by my count.

8 ACTING PRESIDENT CROCI: Can I
9 have some order in the house, please.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: Can we now
12 take up Resolution Number 4125, read it in its
13 entirety, and call on Senator Stewart-Cousins.

14 ACTING PRESIDENT CROCI: The
15 Secretary will read.

16 THE SECRETARY: Legislative
17 Resolution Number 4125, by Senator
18 Stewart-Cousins, memorializing Governor Andrew
19 M. Cuomo to proclaim March 2016 as Women's
20 History Month in the State of New York.

21 "WHEREAS, March is Women's History
22 Month; and

23 "WHEREAS, March 8th is
24 International Women's Day; and

25 "WHEREAS, Each year New York State

1 officially sets aside time to recognize the
2 unique contributions that women have made to
3 New York State; and

4 "WHEREAS, New York State has a
5 distinguished history of monumental achievements
6 in the area of women's rights; and

7 "WHEREAS, In 1826, New York State
8 opened one of the first public high schools for
9 girls, resulting in a future for women in which
10 they were no longer confined to the home, a
11 future in which they were educated and able to
12 use this education to better their social and
13 economic status; and

14 "WHEREAS, In 1848 in New York, the
15 first women's rights convention was held at
16 Seneca Falls to secure for all women the right to
17 vote; and

18 "WHEREAS, In 1903, The Women's Trade
19 Union League of New York was formed to represent
20 working women, later becoming the nucleus for the
21 International Ladies' Garment Workers' Union; and

22 "WHEREAS, In 1918, one year after
23 New York guaranteed women the right to vote in
24 all elections, the first two women, Ida Sammis
25 and Mary Lilly, were elected to the New York

1 State Legislature; and

2 "WHEREAS, In 1967, Muriel Siebert
3 became the first woman to own a seat on the
4 New York Stock Exchange, opening the door for
5 women to gain positions of greater economic
6 power; and

7 "WHEREAS, In 1968, New York State
8 Assemblywoman Shirley Chisholm became the first
9 black woman elected to Congress and, in 1972, she
10 ran for President of the United States, another
11 first for black women; and

12 "WHEREAS, In 1970, New York City was
13 the site of the first Women's Strike for Equality
14 in which 50,000 people marched for equal rights;
15 and

16 "WHEREAS, In 1983, New York State
17 women legislators established the Legislative
18 Women's Caucus to improve the participation of
19 women in all areas of government, support issues
20 that benefit women and provide a network of
21 support for women in the State Legislature; and

22 "WHEREAS, In 2009, Sonia Sotomayor
23 was the first Hispanic Justice appointed to the
24 United States Supreme Court; and

25 "WHEREAS, In 2014, four women from

1 New York State participated in Olympic events
2 held in Sochi, Russia: Anneliese Cooke, Saranac
3 Lake - Biathlon; Jamie Gruebel, Lake Placid -
4 Bobsled, earned a Bronze Medal; Erin Hamlin,
5 Remsen - Luge, earned a Bronze Medal; and
6 Josephine Pucci, Pearl Lake - Women's Hockey,
7 earned a Silver Medal; and

8 "WHEREAS, In 2015, Loretta Elizabeth
9 Lynch was appointed as Attorney General of the
10 United States, becoming the first
11 African-American woman to serve in this esteemed
12 position; and

13 "WHEREAS, New York has been the home
14 of many extraordinary women who have led society
15 to a better future: Elizabeth Cady Stanton and
16 Susan B. Anthony led the campaign for women's
17 suffrage; Sojourner Truth spoke out for the
18 abolition of slavery and for suffrage for women;
19 and

20 "WHEREAS, Carrie Chapman Catt
21 became the first president of the League of Women
22 Voters; Emma Willard opened the first endowed
23 institution for the education of women; Civil War
24 surgeon Dr. Mary E. Walker was the only woman
25 ever awarded the Congressional Medal of Honor;

1 Harriet Tubman was an abolitionist who led slaves
2 to freedom by way of the Underground Railroad in
3 the 19th century; and

4 "WHEREAS, Elizabeth Blackwell and
5 Belva Lockwood were the first women in the fields
6 of medicine and law; pioneer birth control
7 educator and advocate Margaret Sanger established
8 a research center in New York City; and

9 "WHEREAS, Emma Goldman founded the
10 Free Speech League, which led to the American
11 Civil Liberties Union; humanitarian Eleanor
12 Roosevelt served as United States Delegate to the
13 United Nations; and

14 "WHEREAS, Civil rights lawyer and
15 New York State Senator Constance Baker Motley
16 became the first black woman to sit on the U.S.
17 District Court in New York, and there have been
18 so many more known and unknown women who
19 championed rights and opportunity for all; and

20 "WHEREAS, New York State has hosted
21 many conventions, campaigns and events of the
22 Women's Rights Movement, from the 1848 convention
23 at Seneca Falls to the 1999 Berkshire Conference
24 of Women Historians, which was held to improve
25 the status of women in history and in the

1 historical professions; and

2 "WHEREAS, Today, 55 women serve in
3 the New York State Legislature, holding
4 leadership positions in both houses and bringing
5 the diverse experiences of women into law and
6 public policy, the largest class of women in the
7 history of New York; now, therefore, be it

8 "RESOLVED, That this Legislative
9 Body pause in its deliberations to memorialize
10 Governor Andrew M. Cuomo to proclaim March 2016,
11 as Women's History Month in the State of
12 New York; and be it further

13 "RESOLVED, That copies of this
14 resolution, suitably engrossed, be transmitted to
15 the Honorable Andrew M. Cuomo, Governor of the
16 State of New York, and the Legislative Women's
17 Caucus of New York State."

18 ACTING PRESIDENT CROCI: Senator
19 Stewart-Cousins.

20 SENATOR STEWART-COUSINS: Thank
21 you, Mr. President.

22 I rise to certainly celebrate women
23 and women's history and Women's History Month.

24 I always enjoy having the resolution
25 read in its entirety, because it always reminds

1 us of how far we've come and how much New York
2 has been in the forefront of progress for women.

3 I stand here the proud daughter of a
4 mother who had aspirations that she could never
5 have achieved, and here I am. And I stand on the
6 shoulders of so many great women that it's just
7 heartening to hear their names said in this
8 chamber and, again, to serve as a reminder of who
9 has come before us and the shoulders upon which
10 we stand.

11 Many times when I stand here I talk
12 about neighborhood heroes, great women who had
13 left their mark. And today I just wanted to
14 mention Assemblymember Barbara Clark, who we laid
15 to rest just last week.

16 Barbara Clark was a pioneer in many
17 ways, and certainly her 30 years of service has
18 left us with the great, great understanding of
19 what commitment can bring, what a person who has
20 just a love and a thirst for justice and
21 education and how nothing, nothing would stand in
22 the way of Barbara Clark.

23 And so as I remember the great women
24 who served in the State Legislature, I want to
25 remember Barbara.

1 And I also look back at the very
2 first woman who was elected to the Assembly and
3 to the New York State Senate, and her name was
4 Rhonda Fox Graves. She was a suffragette, and
5 she was someone who was elected to the Assembly
6 in 1920, served 15 years before coming to the
7 Senate in 1935. She was the very first woman to
8 preside over the Senate's Agriculture Committee,
9 and she organized the OWLs, the Organized Women
10 Legislators of New York.

11 I also remember Constance Baker
12 Motley, the first African-American woman Senator
13 to serve here. She's mentioned in the
14 resolution, but she was so important
15 historically. In 1950, she wrote the original
16 complaint for Brown v. Board of Education. She
17 was able to argue in front of the U.S. Supreme
18 Court and won the landmark decision allowing
19 James Meredith to attend the University of
20 Mississippi. She was the borough president of
21 Manhattan. And, yes, she was a State Senator.

22 We have an amazing path that has
23 really been cut by women right here in New York.
24 We lead the way in so many ways. We know that we
25 are nationally, with a woman from New York,

1 poised possibly to have a first woman president.

2 And right here in this chamber
3 we're -- as we said, there are more women serving
4 than ever before. We have 20 percent. We know,
5 however, most organizations say that at least
6 30 percent of any group really impacts policy.
7 So we certainly have some way to go. But I'm
8 certainly proud to be in this chamber with so
9 many fine women serving.

10 And I'm also very proud to be able
11 to have great interns. I have an intern, Nayram,
12 who is right here -- you can stand up. You know,
13 Nayram is on her way, after she serves her
14 internship, to go to the Peace Corps. And when
15 she goes to the Peace Corps, she's going to
16 Rwanda. And I will tell you that Nayram tells me
17 that in Rwanda, 50 percent of the governing body
18 are women.

19 So we obviously have come a long,
20 long way. I remember looking at photographs --
21 and not even photographs, paintings, where women
22 were just allowed to be up in the gallery. They
23 weren't allowed to even walk on the floors in
24 this house. They weren't able to clean the
25 desks. Women just weren't allowed.

1 So we've certainly come a long way.
2 We've got a long way to go. But with great
3 people like the next generation, Nayram, we will
4 certainly, certainly go far.

5 So thank you very much.

6 (Applause.)

7 ACTING PRESIDENT CROCI: Senator
8 Stavisky.

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

11 And thank you, Senator
12 Stewart-Cousins, for sponsoring this resolution.

13 Let me just add to what the Senator
14 said, because Barbara Clark really had an impact
15 on everybody here. Those who knew her were that
16 much better off for having known Barbara Clark,
17 because Barbara represented, to me, everything
18 that was good about government. Where you can
19 point with pride and say she cared about
20 education.

21 And Senator Stewart-Cousins knows we
22 would have dinner with Barbara in Albany, and she
23 was passionate about education, about
24 opportunity, because Barbara had grown up the
25 daughter of a coal miner in Beckley,

1 West Virginia. And she came to New York with her
2 husband, Tom, and raised a family of whom she was
3 very, very proud.

4 But Barbara represented almost a
5 sense of decency that is lacking, a feeling that
6 she cared about people, and they reciprocated.
7 And today with all of the partisanship that's
8 going on, the acrimony, the nastiness, Barbara
9 represented goodness. And I think we can
10 certainly look to Barbara as an example of what
11 our behavior should be like. And I'm very proud
12 that I knew a Barbara from Queens County,
13 Barbara Clark.

14 Secondly, let me pick up on some of
15 the things that were mentioned in the resolution.
16 The resolution talks about the school that was
17 built or formed 202 years ago. It was called the
18 Troy Female Seminary. It's now known as the Emma
19 Willard School, and it's right across the river
20 in Troy -- which happens to be the birthplace of
21 my grandmother, who grew up in Troy many, many
22 years ago.

23 The women's rights movement really
24 began in New York State, in the western part of
25 the state in 1848, with the Seneca Falls

1 Convention and the resolution to encourage
2 women's right to vote. It was about a hundred
3 years ago, almost a hundred years ago when women
4 in New York State were afforded the right to the
5 vote, before the 19th Amendment was passed in
6 1920.

7 And those first women who were here,
8 it's interesting because it was bipartisan.
9 There was a woman from New York City, Ida Sammis,
10 as was mentioned, and Rhoda Fox Graves was a
11 teacher as well as a farmer and organized what is
12 today the Legislative Women's Caucus -- again, a
13 bipartisan group. And Rhoda Graves was a
14 Republican from upstate New York.

15 And the rest I know has been
16 repeated, but let me just add one other aspect.

17 Let us hope that in the future when
18 we list the women whom we are very proud of --
19 and remember, there are only 12 women in this
20 body of 63, so we're not nearly there yet, when
21 we represent more than half of the constituency,
22 half of the people in New York State. But we do
23 have a leader of our conference who is a woman,
24 first time. And we are very proud of Senator
25 Stewart-Cousins as the leader and a future leader

1 of our conference in the days ahead. And I
2 congratulate her.

3 And next time we're going to put
4 your name as amongst the accomplishments of the
5 women in the State Senate.

6 Thank you, Mr. President.

7 ACTING PRESIDENT CROCI: Senator
8 Comrie.

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

11 I rise to join our Democratic
12 Conference Leader Andrea Stewart-Cousins and her
13 consistency in making sure that Women's History
14 Month, there's a proclamation and a resolution to
15 honor those women that have worked in our country
16 and throughout our nation and throughout this
17 state.

18 The impetus behind Women's History
19 Month is to proclaim women -- and this year's
20 theme could not be more appropriate -- working to
21 form a more perfect union, honoring women in
22 public service and government. Barbara Clark was
23 an Assemblymember that touched my Senate
24 district, the majority of my district, the key
25 parts of it. And I was honored to have known her

1 and to have been mentored by her and to
2 understand her passion for service, to understand
3 her passion to be involved in issues, to
4 understand her fight to create opportunities for
5 every child in her district and the fights that
6 she did to stay involved in education and
7 especially the Campaign for Fiscal Equity.

8 You could never go to a meeting with
9 Barbara Clark and expect to get out of the room
10 before the last person and before the janitor or
11 the custodian wanted to close the door. Barbara
12 Clark was tireless on fighting for issues, never
13 defeated in her issues, never -- she came in as a
14 reformer. She fought against the organization to
15 become the Assemblyperson, and she never forgot
16 her roots.

17 She came from the coal mines and
18 came here as a parent, and starting as a parent,
19 she got involved in the schools and made sure
20 that her four children all went through the
21 school system and became excellent people with
22 secondary education, becoming doctors and lawyers
23 and people of great esteem.

24 And she realized that the power of
25 public education could change people's lives.

1 And she never gave up the fight in her entire
2 time here to push to make sure that every child
3 in this city and in this state could get a solid
4 and positive public education.

5 She was one of the earliest people
6 that fought for the campaign to make sure that
7 the school systems could get money, and she
8 continued to fight to ensure that the Campaign
9 for Fiscal Equity would happen -- many times by
10 herself, many times doing the things necessary as
11 an individual to make sure that that fight
12 happened. And she was still working up until the
13 end, to try to make sure that the money actually
14 came down, which we would hope that more money
15 comes down in this budget.

16 Barbara Clark to me was a person
17 that you could talk to for many hours about
18 issues, find out positive things from her. She
19 always celebrated her family, celebrated women.
20 She never stopped trying to mentor people, she
21 never stopped trying to make sure that people
22 were understanding her point of view and her
23 reasons for existing.

24 I just want to congratulate her and
25 I want to thank her family for sharing her with

1 us. And I know that their loss is profound and
2 our loss as a community is profound as well.

3 But I also want to acknowledge
4 another outstanding woman who was just appointed
5 to the New York State Appellate Division by
6 Governor Cuomo and who lives in my district. And
7 I'm honored to know Valerie Brathwaite Nelson,
8 who is a Supreme Court judge. She's just been
9 appointed to the State Appellate Division of the
10 Supreme Court, Second Department. The Second
11 Department comprises the 10-county downstate
12 region that includes the lower counties of the
13 state.

14 Valerie Brathwaite was elected to
15 New York State's 11th Judicial District in 2004.
16 Prior to her election as a Supreme Court justice,
17 she served as a Queens County Civil Court judge.

18 Valerie has also served in a variety
19 of public and legal capacities. She began as a
20 law clerk for U.S. Congresswoman Shirley
21 Chisholm. She has done many other public-sector
22 roles, working as a law clerk, working to
23 volunteer for many agencies. She's been an
24 active participant and leader in various
25 professional and community organizations,

1 including serving as a former vice president of
2 the National Bar Association, Labor Law Section,
3 and many other areas as well.

4 I'm honored to celebrate her as we
5 deal with and highlight Women's History Month.
6 And I hope that she can also serve as a living
7 example for all women who are aspiring to be part
8 of public service.

9 Thank you, Mr. President.

10 ACTING PRESIDENT CROCI: Thank you.

11 Senator Sanders.

12 SENATOR SANDERS: Thank you,

13 Mr. President.

14 When we honor women, there are many
15 very, very worthy women that we should honor. We
16 can think of the greatest names, we can think of
17 some people who have done incredible things. I
18 want to draw attention just to two, and then I
19 will stop: One who had a high position, of
20 course, and one who created, helped shape things.

21 I'm talking about, of course, our
22 fallen Assemblymember Barbara Clark, who was a
23 force to be reckoned with, a force of nature in
24 our district. She did so many good things that
25 you heard from my colleague Senator Comrie, so I

1 won't go there. There's so many good things that
2 we could say about her.

3 But I want to speak about another
4 person, a person that we don't speak of. And I
5 want her to epitomize the average person. I want
6 to speak about a woman who didn't have a great
7 education, she did not have -- she had no great
8 commas and things after her name. She just lived
9 a decent life.

10 And I would suggest to you that this
11 is the essence of International Woman's Day,
12 where you don't have to have all of these great
13 commendations to live an outstanding life. In
14 her own way, she created and moved different
15 things.

16 And I'm here to bear testament to
17 that, and of course I'm speaking about my own
18 mother. So at this International Women's Day, I
19 want to bear homage and pay homage to my own
20 mother, who did not have many of these great
21 degrees but at the same time saw fit to raise her
22 children to live in a proper manner.

23 Thank you very much.

24 ACTING PRESIDENT CROCI: Senator
25 Hamilton.

1 SENATOR HAMILTON: Yes, thank you,
2 Mr. Speaker.

3 I'd like to also acknowledge Women's
4 International History Month. And there's one
5 woman in particular that I'd like to talk about
6 who lived around the corner from my house, and
7 her name was Shirley Chisholm. She was one of
8 the first black women elected to the U.S.
9 Congress. She also came from the country where
10 my grandmother came from, which is Barbados, in
11 the Caribbean.

12 She was instrumental in being a
13 trailblazer for many young women of color in our
14 district. We have with the first female public
15 advocate in the City of New York; that is Letitia
16 James, who also followed in the footsteps of the
17 more prominent woman, Shirley Chisholm.

18 She was also instrumental in getting
19 a house for my block association, which we still
20 have, which is now worth \$3 million. She was
21 also the first woman of color to run for
22 President of the United States.

23 So today I'd like to acknowledge her
24 and what she's done, and all the women in my
25 community who struggled to make ends meet for

1 their families. And also, as Senator Sanders
2 mentioned, I'd like to also acknowledge my
3 mother, who raised three children on her own in
4 the South Bronx, in NYCHA housing.

5 And every day she asked me: "Son,
6 what do you want to be when you get older?" And
7 I would say: "A doctor, Mommy, or a lawyer."
8 But there were no doctors, there were no layers
9 living in my neighborhood. So with her
10 perseverance and love and faith in God, I'm able
11 to stand here before you today, a New York State
12 Senator.

13 Thank you very much.

14 ACTING PRESIDENT CROCI: Senator
15 Krueger.

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

18 I also rise to speak on this
19 resolution. I'm proud to stand here as a woman
20 in the New York State Senate. I wish there were
21 more of us in the State Senate, in the Assembly,
22 in every level of government.

23 I wish I could say that women have
24 equal treatment under the laws of this country
25 and that we weren't exposed to violence more

1 frequently and abuse more frequently -- rape,
2 domestic violence, crimes against us -- because
3 we are women. But I feel that we will get there.

4 But I want to, for the record, say
5 that one of the most important things that this
6 country could do in honor of women all through
7 this nation is to finally ratify the Equal Rights
8 Amendment to the U.S. Constitution. It seems so
9 appropriate, in Women's History Month and on the
10 International Day of the Woman, to remind
11 everyone that we still have not ratified a
12 constitutional amendment that would say the
13 following things:

14 "Section 1. Equality of rights
15 under the law shall not be denied or abridged by
16 the United States or by any state on account of
17 sex.

18 "Section 2. The Congress shall have
19 the power to force, by appropriate legislation,
20 the provisions of this article.

21 "And Section 3. This amendment
22 shall take effect two years after the date of
23 ratification."

24 Now, New York State has ratified
25 this amendment to the Constitution. But for the

1 record, people have been working towards an Equal
2 Rights Amendment of the Constitution of this
3 country since 1923. We will soon be at the
4 100-year mark of not ratifying this amendment to
5 the U.S. Constitution. Wouldn't it be lovely,
6 wouldn't it be fair, wouldn't it be right,
7 wouldn't it show our true commitment to equal
8 rights for women and respect for women in this
9 country if we got that constitutional amendment
10 done sooner than later.

11 Thank you, Mr. President.

12 ACTING PRESIDENT CROCI: Seeing no
13 further members who wish to be heard on this
14 resolution, the question is on the resolution.

15 All in favor signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT CROCI: I'm sorry.
18 Senator Marchione.

19 SENATOR MARCHIONE: I had asked to
20 speak on this resolution.

21 I want to thank Senator
22 Stewart-Cousins for bringing forth the resolution
23 and remembering all the great women who have come
24 before all of us, before our generation.

25 And you know, we talk about those

1 who fought to get us the right to vote, and we
2 never want to forget that, we never want to
3 forget the struggles that they went through so
4 that we could vote. And so many today don't
5 exercise that right, that privilege, that we
6 fought so hard for. We need to make sure that we
7 who are living today get that vote out and make
8 sure that women's voices are being heard.

9 You know, we all talk about women in
10 our districts who have made a difference, and I
11 just want to talk about one woman in my district.
12 And she's a doctor; her name is Dr. Waldo, from
13 Columbia County. And she was running a hospice
14 program before there was hospice. And when she
15 went to school to be a doctor, she was put with
16 the dentists because the doctor students didn't
17 really want the women to be with them.

18 And the interesting part is -- and
19 she laughs about that they all married dentists,
20 which was great, because then the husbands could
21 stay home and take care of their children while
22 they went on house calls.

23 But, you know, I think the one thing
24 I'd like to say about Women's History Month is
25 what we do today determines the history for

1 tomorrow.

2 And as I was looking at some
3 statistics myself, I was looking at the poverty
4 levels of women within my district. And when I
5 looked at the percentage of poverty and I looked
6 at single households, most of the time women with
7 children, it makes up about 40 percent in two of
8 my counties. And I look at that and think, we
9 need to do better. We need to make a difference
10 on poverty for women. We need to continue to
11 advocate for good jobs. We need to advocate for
12 childcare. We need to advocate for women to be
13 paid fairly, as men are paid, when they're in
14 equal positions.

15 And then when they're celebrating
16 Women's History Month in years to come, they'll
17 remember the contributions that we made to our
18 fellow women here, and hopefully they'll remember
19 that fondly.

20 Thank you, Mr. President.

21 ACTING PRESIDENT CROCI: The
22 question is now on the resolution. All those in
23 favor signify by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT CROCI: Opposed,

1 nay.

2 (No response.)

3 ACTING PRESIDENT CROCI: The
4 resolution is adopted.

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO: Yes, Senator
7 Stewart-Cousins has graciously offered it open
8 for cosponsorship. Everyone will be on unless
9 you notify the desk otherwise.

10 ACTING PRESIDENT CROCI: The
11 resolution is open for cosponsorship. If you do
12 not wish to be a cosponsor, would you please
13 notify the desk.

14 Senator DeFrancisco.

15 SENATOR DeFRANCISCO: Yes. Could
16 you please take up the noncontroversial reading
17 of the calendar.

18 ACTING PRESIDENT CROCI: The
19 Secretary will read.

20 THE SECRETARY: Calendar Number 47,
21 by Senator Ortt, Senate Print 3127, an act to
22 amend the Alcoholic Beverage Control Law.

23 ACTING PRESIDENT CROCI: Please
24 read the 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: Senator
6 Krueger to explain her vote.

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

9 Last year we had a bit of a debate
10 around this bill where I was questioning the
11 sponsor about the need for this bill and in fact
12 could find very little answer of what was
13 justified in changing our law.

14 I've done a little more homework,
15 and I sincerely can't figure out why we would
16 want to change the law other than to assure that
17 some people don't want to go through the SLA
18 licensing standards and review, which sometimes
19 means there's some issue in their criminal
20 history or business history.

21 So based on the fact that I can find
22 no evidence of a justification for this bill, it
23 is not something that Erie County has asked or
24 requested, and that there may be a question but
25 I'm not sure, about who would end up then

1 avoiding having to go through the State Liquor
2 Authority standard review for being on liquor
3 licenses.

4 I continue to vote no for this bill,
5 Mr. President. Thank you.

6 ACTING PRESIDENT CROCI: Senator
7 Ortt.

8 SENATOR ORTT: Yes, Mr. President,
9 to explain my vote. I'm voting in the
10 affirmative.

11 There are 48 other states that have
12 a very similar law. Like many bills that we
13 debate here, New York State often seems to be
14 first or dead last. This is a chance to join the
15 rest of the nation with a very similar law which
16 simply allows the holder of the license to share
17 revenues with the owner and operator of the
18 premises.

19 In this case you have a stadium,
20 Ralph Wilson Stadium, which is actually owned by
21 a public entity, the County of Erie. And I
22 certainly would take some issue to insinuate that
23 the license holder -- in this case, Erie Sports
24 Center, LLC -- has anything to hide or has
25 anything in their record that would be

1 embarrassing or a problem.

2 The fact is there are 48 other
3 states that have a very similar law which allows
4 the sharing of revenue, so New York State would
5 simply be the 49th state. And therefore I think
6 it makes good sense for us to join the rest of
7 the country, as we often either try to do or
8 resist doing on so many other bills.

9 So, Mr. President, I vote aye.

10 ACTING PRESIDENT CROCI: Announce
11 the result.

12 THE SECRETARY: In relation to
13 Calendar 47, those recorded in the negative are
14 Senators Díaz, Hamilton, Hoylman, Krueger,
15 Montgomery, Perkins, Persaud, Rivera, Sanders,
16 Serrano and Squadron.

17 Ayes, 51. Nays, 11.

18 ACTING PRESIDENT CROCI: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 100, by Senator Ranzenhofer, Senate Print 2582,
22 an act to amend the Not-For-Profit Corporation
23 Law.

24 ACTING PRESIDENT CROCI: Read the
25 last section.

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

3 ACTING PRESIDENT CROCI: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT CROCI: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 125, by Senator Robach, Senate Print 844, an act
11 to amend the Vehicle and Traffic Law.

12 ACTING PRESIDENT CROCI: Read the
13 last section.

14 THE SECRETARY: Section 3. This
15 act shall take effect on the 30th day.

16 ACTING PRESIDENT CROCI: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: In relation to
20 Calendar 125, those recorded in the negative are
21 Senators DeFrancisco, Krueger and Rivera.

22 Ayes, 59. Nays, 3.

23 ACTING PRESIDENT CROCI: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 178, by Senator Ritchie, Senate Print 5256A, an
2 act to amend the Agriculture and Markets 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 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT CROCI: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 179, by Senator Griffo, Senate Print 1882, an act
15 to amend the Public Health Law.

16 ACTING PRESIDENT CROCI: Please
17 read the last section.

18 THE SECRETARY: Section 2. 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 Hoylman to explain his vote.

25 SENATOR HOYLMAN: Thank you,

1 Mr. President.

2 I rise to oppose this bill because I
3 believe these grants, under the Public Health
4 Law, should be distributed not based on an
5 artificial construct that might serve some local
6 political purpose, but rather need. And we
7 should look at the information behind the need
8 for these health grants rather than impose an
9 artificial percentage.

10 So I'll be voting in the negative.

11 ACTING PRESIDENT CROCI: Senator
12 Hoylman to be recorded in the negative.

13 Announce the results.

14 THE SECRETARY: In relation to
15 Calendar 179, those recorded in the negative are
16 Senators Hoylman, Krueger, Montgomery, Persaud
17 and Rivera.

18 Ayes, 57. Nays, 5.

19 ACTING PRESIDENT CROCI: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 223, by Senator Young, Senate Print 3504A, an act
23 to amend the Education Law.

24 ACTING PRESIDENT CROCI: Read the
25 last section.

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

3 ACTING PRESIDENT CROCI: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT CROCI: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 233, by Senator Lanza, Senate Print 3339B, an act
11 to amend the Arts and Cultural Affairs 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, 61. Nays, 1.
20 Senator Perkins recorded in the negative.

21 ACTING PRESIDENT CROCI: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 251, by Senator Ranzenhofer, Senate Print 868, an
25 act to amend the Alcoholic Beverage Control Law.

1 ACTING PRESIDENT CROCI: Read the
2 last section.

3 THE SECRETARY: Section 4. This
4 act shall take effect on the first of January.

5 ACTING PRESIDENT CROCI: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 61. Nays, 1.
9 Senator Montgomery recorded in the negative.

10 ACTING PRESIDENT CROCI: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 255, by Senator Young, Senate Print 1982A, an act
14 to amend the General Business Law.

15 ACTING PRESIDENT CROCI: Read the
16 last section.

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

19 ACTING PRESIDENT CROCI: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 60. Nays, 2.
23 Senators Hamilton and Savino recorded in the
24 negative.

25 ACTING PRESIDENT CROCI: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 268, by Senator Ortt, Senate Print 6718, an act
4 relating to.

5 ACTING PRESIDENT CROCI: Read the
6 last section.

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

9 ACTING PRESIDENT CROCI: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT CROCI: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 269, by Senator Marcellino, Senate Print 6723, an
17 act authorizing.

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, 62.

1 ACTING PRESIDENT CROCI: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 273, by Senator Nozzolio, Senate Print 1954, an
5 act 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 first of April.

10 ACTING PRESIDENT CROCI: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 61. Nays, 1.
14 Senator Perkins recorded in the negative.

15 ACTING PRESIDENT CROCI: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 277, by Senator Lanza, Senate Print 3732, an act
19 to enact.

20 ACTING PRESIDENT CROCI: Read the
21 last section.

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

24 ACTING PRESIDENT CROCI: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT CROCI: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 285, by Senator Hannon, Senate Print 6778, an act
7 to amend the Public Health 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 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT CROCI: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 286, by Senator Hannon, Senate Print 6779, an act
20 to amend the Public Health Law.

21 ACTING PRESIDENT CROCI: Read the
22 last section.

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

25 ACTING PRESIDENT CROCI: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT CROCI: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 293, by Senator Ranzenhofer, Senate Print 801, an
8 act to amend the Domestic Relations Law.

9 ACTING PRESIDENT CROCI: Read the
10 last section.

11 THE SECRETARY: Section 3. This
12 act shall take effect on the 120th day.

13 ACTING PRESIDENT CROCI: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT CROCI: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 303, by Senator Lanza, Senate Print 3317, an act
21 to amend the Penal Law.

22 ACTING PRESIDENT CROCI: Read the
23 last section.

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

1 ACTING PRESIDENT CROCI: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT CROCI: Senator
5 Squadron to explain his vote.

6 SENATOR SQUADRON: The idea of
7 computer tampering as a serious crime is one that
8 I support and endorse.

9 This bill would leave no existing
10 misdemeanor crimes for computer tampering in our
11 penal code anywhere. Sometimes it's a
12 misdemeanor; sometimes it's a felony. That gives
13 more flexibility.

14 And for that reason I vote no,
15 Mr. President.

16 ACTING PRESIDENT CROCI: Senator
17 Squadron to be recorded in the negative.

18 Announce the result.

19 THE SECRETARY: In relation to
20 Calendar 303, those recorded in the negative are
21 Senators Hamilton, Hassell-Thompson, Krueger,
22 Montgomery, Parker, Perkins and Squadron.

23 Ayes, 55. Nays, 7.

24 ACTING PRESIDENT CROCI: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 304, by Senator Hannon, Senate Print 3402, an act
3 to amend the Penal Law.

4 ACTING PRESIDENT CROCI: Read the
5 last section.

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

8 ACTING PRESIDENT CROCI: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: In relation to
12 Calendar 304, those recorded in the negative are
13 Senators Hoylman, Krueger, Montgomery, Perkins
14 and Squadron.

15 Ayes, 57. Nays, 5.

16 ACTING PRESIDENT CROCI: The bill
17 is passed.

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

20 SENATOR DeFRANCISCO: Is there any
21 further business at the desk?

22 ACTING PRESIDENT CROCI: There is
23 no further business before the desk.

24 SENATOR DeFRANCISCO: There being
25 none, I move to adjourn until Wednesday,

1 March 9th, at 11:00 a.m.

2 ACTING PRESIDENT CROCI: On motion,
3 the Senate stands adjourned until Wednesday,
4 March 9th, at 11:00 a.m.

5 (Whereupon, at 4:02 p.m., the Senate
6 adjourned.)

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