

1 NEW YORK STATE SENATE

2  
3  
4 THE STENOGRAPHIC RECORD

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7  
8 ALBANY, NEW YORK

9  
10 May 17, 2016

11 3:15 p.m.

12  
13  
14 REGULAR SESSION

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16  
17  
18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

4 I ask all present to please rise  
5 and join with me as we recite the Pledge of  
6 Allegiance to our Flag.

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

9 ACTING PRESIDENT GRIFFO: Today's  
10 invocation will be offered by the Venerable Ru  
11 Yang, abbess from Fo Guang Shan Buddhist Temple  
12 in Flushing.

13 ABBESS RU YANG: A Prayer for  
14 Blessings on Our Nation, by Venerable Master  
15 Hsing Yun, the founder of the Fo Guang Shan  
16 Buddhist order.

17 O great compassionate Buddha! With  
18 the greatest sincerity, we would like to express  
19 our gratitude for your wisdom and guidance.  
20 Please teach us to appreciate our blessings.  
21 Throughout our communities may we strive to make  
22 education equally available, raise the standard  
23 of living for our people, support the  
24 advancement of science and technology, and  
25 maintain freedom and democracy in our politics.

1                   O great compassionate Buddha! We  
2 know that the road to success and happiness is  
3 often blocked by our greed, anger and ignorance.  
4 We pray for your great support. May we grasp  
5 the concept of cause and effect. May we develop  
6 hearts of patience and tolerance. May we learn  
7 the path to clear and wise foresight and live  
8 with compassion and loving kindness.

9                   O great compassionate Buddha! We  
10 pray for your blessings. May we create the  
11 favorable causes and conditions to live together  
12 in safety and peace. May our society be  
13 steadfast and prosperous and our bodies and  
14 minds healthy and carefree.

15                   O great compassionate Buddha,  
16 please accept this prayer for our country! O  
17 great compassionate Buddha, please accept this  
18 prayer for our country!

19                   Thank you.

20                   ACTING PRESIDENT GRIFFO: The  
21 reading of the Journal.

22                   THE SECRETARY: In Senate, Monday,  
23 May 16th, the Senate met pursuant to  
24 adjournment. The Journal of Sunday, May 15th,  
25 was read and approved. On motion, Senate

1 adjourned.

2           ACTING PRESIDENT GRIFFO:   Without  
3 objection, the Journal will stand approved as  
4 read.

5           Presentation of petitions.

6           Messages from the Assembly.

7           The Secretary will read.

8           THE SECRETARY:   On page 40,  
9 Senator Bonacic moves to discharge, from the  
10 Committee on Judiciary, Assembly Bill Number  
11 9686 and substitute it for the identical Senate  
12 Bill 7351, Third Reading Calendar 796.

13           ACTING PRESIDENT GRIFFO:   The  
14 substitution is so ordered.

15           THE SECRETARY:   On page 42,  
16 Senator Carlucci moves to discharge, from the  
17 Committee on Transportation, Assembly Bill  
18 Number 5235B and substitute it for the identical  
19 Senate Bill 3458B, Third Reading Calendar 842.

20           ACTING PRESIDENT GRIFFO:   The  
21 substitution is so ordered.

22           Messages from the Governor.

23           Reports of standing committees.

24           Reports of select committees.

25           Communications and reports of state

1 officers.

2 Motions and resolutions.

3 Senator DeFrancisco.

4 SENATOR DeFRANCISCO: Yes, I move  
5 to adopt the Resolution Calendar, with the  
6 exception of Resolutions 4799, 4800, 5540, 5570,  
7 and 5602.

8 ACTING PRESIDENT GRIFFO: All in  
9 favor of adopting the Resolution Calendar, with  
10 the exception of Resolutions 4799, 4800, 5540,  
11 5570 and 5602, signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT GRIFFO: Opposed?

14 (No response.)

15 ACTING PRESIDENT GRIFFO: The  
16 Resolution Calendar is adopted as indicated.

17 Senator DeFrancisco.

18 SENATOR DeFRANCISCO: Would you  
19 please take up the privileged resolution by  
20 Senator Akshar, read it in its entirety, and then  
21 call on Senator Flanagan, please.

22 Well, I take that back. Instead,  
23 could we please take up previously adopted  
24 Resolution 4815, by Senator Ranzenhofer, read it  
25 in its entirety, and call on Senator Ranzenhofer

1 to speak.

2 ACTING PRESIDENT GRIFFO: The  
3 Secretary will read Resolution 4815.

4 THE SECRETARY: Legislative  
5 Resolution Number 4815, by Senator Ranzenhofer,  
6 honoring Barry G. Miller posthumously upon the  
7 occasion of his designation as recipient of a  
8 Liberty Medal, the highest honor bestowed upon an  
9 individual by the New York State Senate.

10 "WHEREAS, It is incumbent upon the  
11 people of the State of New York to recognize and  
12 acknowledge those within our midst who have made  
13 significant contributions to the quality of life  
14 therein; and

15 "WHEREAS, It is the sense of this  
16 Legislative Body to recognize the caring concern  
17 and heroic acts of those exemplary citizens, who  
18 take prompt and appropriate action in emergency  
19 situations, and in doing so, help others to avert  
20 life-threatening danger; and

21 "WHEREAS, This Legislative Body is  
22 justly proud to honor Barry G. Miller  
23 posthumously upon the occasion of his designation  
24 as recipient of a Liberty Medal, the highest  
25 honor bestowed upon an individual by the New York

1 State Senate; and

2 "WHEREAS, The New York State Senate  
3 Liberty Medal was established by resolution and  
4 is awarded to individuals who have merited  
5 special commendation for exceptional, heroic, or  
6 humanitarian acts on behalf of their fellow  
7 New Yorkers; and

8 "WHEREAS, Barry G. Miller was born  
9 on June 6, 1965, to Tracy and Loretta (Werner)  
10 Miller in Batavia, New York; and

11 "WHEREAS, In 1983, Barry G. Miller  
12 graduated from Byron-Bergen High School, Bergen,  
13 New York; he was the owner of Miller's Millworks  
14 in Bergen, and the Beaver River Lodge in the  
15 Adirondacks; for several years, he also worked  
16 for the Rochester Eye and Tissue Bank; and

17 "WHEREAS, Dedicated to the community  
18 in which he lived and worked, Barry G. Miller  
19 held the title of Chief of Emergency Medical  
20 Services in Bergen and was a member of the Bergen  
21 Fire Department for over three decades; and

22 "WHEREAS, On many occasions, Barry  
23 G. Miller acted with bravery and steady precision  
24 in dealing with the risk and drama of emergency  
25 situations; and

1               "WHEREAS, In the performance of his  
2 duties as an emergency responder, Barry G. Miller  
3 was tragically killed in an ambulance accident on  
4 his way to a fire call in September of 2015; and

5               "WHEREAS, Barry G. Miller made the  
6 ultimate sacrifice while faithfully executing his  
7 responsibilities, serving with dedication,  
8 loyalty and compassion; and

9               "WHEREAS, Barry G. Miller was a  
10 member of Leadership Genesee, Class of 2008;  
11 Leadership Genesee established a Lifetime  
12 Achievement Award in his honor, and the first  
13 Barry Miller Lifetime Achievement Award was  
14 presented in December of 2015; and

15              "WHEREAS, Barry G. Miller, through  
16 his spontaneous and heroic actions, demonstrated  
17 his character and his compassion for the welfare  
18 of others, personifying, by virtue of his  
19 actions, the collective concern of ordinary  
20 citizens across the community of the State of  
21 New York who voluntarily respond when others are  
22 in need of help; now, therefore, be it

23              "RESOLVED, That this Legislative  
24 Body pause in its deliberations to honor Barry G.  
25 Miller posthumously upon the occasion of his



1 designation as recipient of a Liberty Medal, the  
2 highest honor bestowed upon an individual by the  
3 New York State Senate; and be it further

4 "RESOLVED, That a copy of this  
5 resolution, suitably engrossed, be transmitted to  
6 the family of Barry G. Miller."

7 ACTING PRESIDENT GRIFFO: Senator  
8 Ranzenhofer.

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

11 It's with a humble heart that I rise  
12 today to present the Liberty Medal to Barry G.  
13 Miller posthumously, which, as was just said, is  
14 the highest honor given to a civilian in New York  
15 State. And earlier today at the EMS ceremony,  
16 Barry Miller was honored during the memorial  
17 dedication ceremony and I had an opportunity to  
18 speak there.

19 We're joined today by his parents,  
20 Tracy and Loretta, and also his sister Pam and  
21 brother-in-law David. And we're also joined and  
22 we were joined earlier today by many members of  
23 the Bergen fire company and EMS service, and  
24 Leroy and some other communities in Genesee  
25 County.

1                   And I just want to speak briefly  
2     about Barry Miller because, as was stated, this  
3     is the highest honor that a civilian can receive.  
4     And I think that Barry would have been the last  
5     person in the world to say that this is something  
6     that I deserve, this is something that I earned,  
7     this is me. The way he viewed life, and I think  
8     the way that everybody else viewed life, is that  
9     this was for somebody else, somebody else was the  
10    hero, somebody else committed acts of heroism, it  
11    was somebody else's valor who should be  
12    recognized.

13                  Barry was a low-key, very important  
14    part of our community. As was stated in the  
15    resolution, you know, very active in the fire  
16    service and EMS service, a businessman, an  
17    elected official, the real heart and soul, bread  
18    and butter of our community.

19                  So it's bittersweet today, as I told  
20    the family earlier when I greeted them at the  
21    ceremony, it's very bittersweet that I rise today  
22    to present this very, very esteemed Liberty Award  
23    to Barry Miller, and to accept that today will be  
24    his family.

25                  So thank you very much,

1 Mr. President.

2 ACTING PRESIDENT GRIFFO: Thank  
3 you, Senator Ranzenhofer.

4 Senator Gallivan.

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

7 I too rise to honor Barry Miller and  
8 the things that he has done, his selfless actions  
9 for the community. He is well deserving of this  
10 recognition.

11 Not everybody knows, but I grew up  
12 in Bergen as a neighbor of the Millers. My  
13 mother still lives in Bergen. The family, over  
14 time, have been wonderful members of the  
15 community. They, like many of us, were raised to  
16 care about their neighbors. And Barry carried  
17 that throughout his life.

18 So I would like to thank the  
19 Millers. I would like to thank the others that  
20 traveled from Bergen, many friends, for being  
21 here today, for the things that you do for our  
22 community.

23 And it is, while sad, very  
24 appropriate that we honor Barry, and I thank  
25 Senator Ranzenhofer for bringing forward the

1 resolution.

2 Thank you, Mr. President.

3 ACTING PRESIDENT GRIFFO: Thank  
4 you, Senator Gallivan.

5 As indicated, the resolution was  
6 adopted on April 12th of this year.

7 We want to extend our sincere  
8 condolences to the Miller family, to all of the  
9 guests who have traveled today from Bergen here.  
10 We acknowledge his great service to the community  
11 and his good deeds that he's accomplished.

12 So on behalf of the Senate, we  
13 welcome you, and again we express our deepest  
14 sympathy.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: Can we please  
17 take up a previously adopted resolution,  
18 Number 3988, by Senator Serino, read the title  
19 only, and then call on her, please.

20 ACTING PRESIDENT GRIFFO: The  
21 Secretary will read.

22 THE SECRETARY: Legislative  
23 Resolution Number 3988, by Senator Serino,  
24 honoring John M. Flowers posthumously upon the  
25 occasion of his designation as recipient of a

1 Liberty Medal, the highest honor bestowed upon an  
2 individual by the New York State Senate.

3 ACTING PRESIDENT GRIFFO: Senator  
4 Serino.

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

7 John Flowers was truly one of a  
8 kind, and I consider it an honor to even have  
9 known him, let alone be able to call him a  
10 friend.

11 A distinguished Vietnam veteran with  
12 an infectious personality, John's commitment to  
13 our nation and to our local community extended  
14 far beyond his time in the service.

15 And I don't know if his family even  
16 knows, but I first heard about John eight years  
17 ago when my brother, Don, who was 6-foot-7 and a  
18 bodybuilder, told me he was going to be an elf  
19 for Christmas giving out gifts at our local  
20 hospitals.

21 And from there, I had the honor of  
22 meeting John Flowers and joining with him at the  
23 hospital passing out roses for Mother's Day to  
24 all the moms at the hospitals, going in the  
25 nursing homes, celebrating Christmas in February

1 with our veterans. Your dad and friend was an  
2 amazing individual.

3 John stood for hope, he stood for  
4 happiness, and he stood for humanity across the  
5 Hudson Valley. I don't think that I've ever met  
6 a City of Poughkeepsie resident who hasn't been  
7 truly touched by his work. He was a ray of light  
8 in the darkest days for more people than he will  
9 ever know. I cannot think of anyone more  
10 deserving of our state's highest honor.

11 His family is here with us today,  
12 and I know that John is smiling down on them --  
13 not because we're here paying tribute to his life  
14 and legacy but because they have continued his  
15 incredible work without missing a beat. This  
16 award belongs just as much to them as anyone  
17 else. I see his daughter Yvonne, his son Frank,  
18 and I see Ralphynne, his partner, and Lisa  
19 Odendahl, a dear friend. Thank you for being  
20 here today.

21 So to the Flowers family, on behalf  
22 of the State Senate, I thank you for sharing your  
23 father with us for all of these years and for  
24 continuing to give back to the community he not  
25 only loved but helped to build. May his legacy

1 and dedication serve to inspire others to serve  
2 with the same passion.

3 Thank you.

4 ACTING PRESIDENT GRIFFO: Thank  
5 you, Senator Serino.

6 The resolution was adopted on  
7 March 1st of this year.

8 Again, the Senate would like to  
9 extend our sincere condolences to the Flowers  
10 family. We appreciate you being here in  
11 attendance and the many good works and deeds of  
12 Mr. Flowers.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Yes, could  
15 you now take up previously adopted Resolution  
16 4738, by Senator Carlucci, read the title only,  
17 and then please call on the Senator.

18 ACTING PRESIDENT GRIFFO: The  
19 Secretary will read.

20 THE SECRETARY: Legislative  
21 Resolution Number 4738, by Senator Carlucci,  
22 congratulating the Ossining High School Girls  
23 Varsity Basketball Team and Head Coach Dan Ricci  
24 upon the occasion of capturing their fourth  
25 consecutive New York State Public High School

1 Athletic Association Class AA State Championship  
2 and winning its first ever Federation Tournament  
3 of Champions.

4 ACTING PRESIDENT GRIFFO: Senator  
5 Carlucci.

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

8 It's an honor and a privilege to  
9 stand here on the floor of the Senate and pay  
10 tribute to the Ossining Pride Women's Varsity  
11 Team, sitting right up in the gallery. This is  
12 their fourth consecutive year of winning the  
13 state championship for women's varsity  
14 basketball. And it's so impressive.

15 We have a coach in Ossining, Dan  
16 Ricci, who has been the head coach for the  
17 varsity team in other sports as well for 25 years  
18 and has really perfected the art of coaching.

19 These ladies that are here today are  
20 really teammates. They work so hard together.  
21 They work throughout the year. And that's part  
22 of the reason why they've been so successful.

23 It's made up of some seniors,  
24 some freshmen. The Journal News, which covers  
25 the Westchester-Rockland area, named them one of



1 the top teams, obviously. But we have the Rookie  
2 of the Year who's here. We also have our MVP  
3 through the whole region.

4 One player individually I wanted to  
5 shout out is Shadeen Samuels, who is a senior and  
6 next year is going to Seton Hall, got a full  
7 scholarship to go there and play basketball at  
8 Seton Hall. And during her career at Ossining  
9 High School, she scored over 1700 points. So I  
10 think that we'll be seeing her and the other  
11 teammates in the future, hopefully playing  
12 professionally.

13 But besides that, they've got a  
14 great head on their shoulders so they could do so  
15 much, whether it's professional sports or  
16 anything that they choose to do.

17 So it's just with great honor and  
18 pride that I get to represent these lovely women  
19 in the New York State Senate. And on behalf of  
20 the entire State Senate and the State of New  
21 York, we want to congratulate all of you and  
22 thank you for putting forth your best effort to  
23 make sure that you have a successful team.

24 And I know that the community, the  
25 teachers, the family and surrounding community in

1 Ossining is so proud of you. So congratulations  
2 on what you've achieved, and we look forward to  
3 many more successes from all of you. Thank you  
4 so much.

5 Thank you, Mr. President.

6 (Applause.)

7 ACTING PRESIDENT GRIFFO: Thank you  
8 Senator Carlucci.

9 We welcome and congratulate the  
10 Varsity Girls Basketball Team from Ossining.  
11 Thank you so much for being with us.  
12 Congratulations.

13 The resolution was adopted on  
14 April 6th of this year.

15 Senator DeFrancisco, without  
16 objection, the two previous resolutions as well  
17 as the current have been requested for  
18 cosponsorship.

19 SENATOR DeFRANCISCO: So open them  
20 up.

21 ACTING PRESIDENT GRIFFO: So the  
22 resolutions are open for cosponsorship. Should  
23 you choose not to be a cosponsor, please notify  
24 the desk.

25 Senator DeFrancisco.

1                   SENATOR DeFRANCISCO:   Now I'd like  
2   to call for the privileged resolution by  
3   Senator Akshar, have it read in its entirety, and  
4   call on Senator Flanagan, please.

5                   ACTING PRESIDENT GRIFFO:   May I  
6   just have some order in the house, please.

7                   The Secretary will read.

8                   THE SECRETARY:   Legislative  
9   Resolution 5721, by Senator Akshar, mourning the  
10   death of former New York State Senator Thomas W.  
11   Libous, dedicated political leader and strong  
12   advocate for the people of this great  
13   Empire State.

14                   "WHEREAS, It is with profound sorrow  
15   that this Legislative Body, representing the  
16   people of the State of New York, is moved this  
17   day to pay tribute to an eminent gentleman of  
18   indomitable faith and dedication whose public  
19   service and countless accomplishments will  
20   forever stand as a paradigm and inspiration for  
21   others; and

22                   "WHEREAS, Thomas W. Libous, a native  
23   of Johnson City, New York, died on Tuesday,  
24   May 3, 2016, at the age of 63; and

25                   "WHEREAS, Born on April 16, 1953, in

1 Binghamton, New York, Thomas W. Libous grew up in  
2 Johnson City, and graduated from Johnson City  
3 High School, where he was president of his senior  
4 class; and

5 "WHEREAS, Furthering his education,  
6 Thomas W. Libous attended Broome Community  
7 College before earning his bachelor's degree in  
8 both marketing and finance with honors from  
9 SUNY Utica; and

10 "WHEREAS, Thomas W. Libous' interest  
11 in politics led him to work on campaigns for his  
12 Uncle Alfred, who was serving as the mayor of  
13 Binghamton; and

14 "WHEREAS, In 1983, Thomas W. Libous  
15 began his political career after being elected to  
16 the City Council in a South Side district in  
17 Binghamton; he was re-elected for another term;  
18 however, events in Albany would soon change the  
19 course of his career; and

20 "WHEREAS, After New York State  
21 Senate Majority Leader Warren M. Anderson  
22 announced that he would not seek re-election, he  
23 publicly endorsed Thomas W. Libous, who  
24 immediately filed his intention to run for  
25 Anderson's Senate seat; his career decision was

1 proven to be the right one when, within a very  
2 few years, he was selected to serve as deputy  
3 majority leader, and in 2010, he was named  
4 chairman of the Senate Republican Campaign  
5 Committee; and

6 "WHEREAS, In terms of policy,  
7 Senator Thomas W. Libous built a reputation as an  
8 advocate for disabled people and childhood  
9 literacy; and

10 "WHEREAS, Helping kids was always an  
11 important priority to Senator Thomas W. Libous;  
12 he proudly founded two local programs  
13 specifically for families: YES! Safe Choices for  
14 Kids, which taught kids about the dangers of  
15 drugs and alcohol, and BOOKS, which encouraged  
16 kids to become better readers; and

17 "WHEREAS, In 1998, Senator Thomas W.  
18 Libous founded the Student Community Service  
19 Awards through a partnership with WBNG-TV and  
20 Broome-Tioga BOCES to award scholarships to high  
21 school seniors based on community volunteer work  
22 rather than grades; this vital program awarded  
23 scholarships to over 400 local students to attend  
24 college in New York State; and

25 "WHEREAS, In 2006, Senator Thomas W.

1 Libous established Buy From the Backyard to  
2 encourage buying locally grown produce, and six  
3 years later, he partnered with UHS and Lourdes to  
4 create I Turned Pro to increase prostate cancer  
5 awareness; and

6 "WHEREAS, Senator Thomas W. Libous  
7 was a strong supporter of Special Olympics in  
8 Binghamton; he spent quality time with the  
9 athletes, ran alongside of them during their  
10 events, and handed ribbons out at the end of the  
11 day; and

12 "WHEREAS, During his career, he  
13 chaired numerous committees, including  
14 Transportation, Alcoholism and Drug Abuse, and  
15 Mental Health and Developmental Disabilities;  
16 throughout his illustrious tenure, he worked  
17 tirelessly as an advocate for individuals with  
18 mental health and developmental disabilities; and

19 "WHEREAS, As chair of the Mental  
20 Health and Developmental Disabilities Committee  
21 and the Select Committee on the Disabled, Senator  
22 Thomas W. Libous championed initiatives to  
23 protect and improve services for the most  
24 vulnerable New Yorkers by authoring legislation  
25 to provide tax credits to employers who hire

1 individuals with disabilities; and

2 "WHEREAS, Senator Thomas W. Libous  
3 fought for Community Workforce Reinvestment to  
4 ensure state dollars followed patients moving  
5 from institutions into the community; he also  
6 wrote legislation to adopt reasonable  
7 accommodations for those with disabilities into  
8 state law, and created the Traumatic Brain Injury  
9 (TBI) Program to offer those who have a TBI a  
10 chance to live a more normal life in their  
11 community; and

12 "WHEREAS, In addition, Senator  
13 Thomas W. Libous introduced Kendra's Law, which  
14 provides assisted outpatient treatment for  
15 individuals unlikely to survive in the community  
16 without supervision; the law was named after  
17 Kendra Webdale, a young woman who died in 1999,  
18 after being pushed in front of a New York City  
19 subway train by an individual in the community  
20 who was not receiving treatment for his mental  
21 illness; and

22 "WHEREAS, Senator Thomas W. Libous,  
23 affectionately known as "The Boss" by his staff,  
24 was a resolute and great voice for the  
25 Southern Tier; his zeal and dedication to his

1 constituents, his ability to put together deals,  
2 and his vision for the future helped his  
3 community persevere during times of economic  
4 change while continuing to enhance the quality of  
5 life of all citizens, ensuring a positive  
6 business, institutional and educational climate,  
7 and providing all essential services; and

8 "WHEREAS, During the aftermath of  
9 the devastating floods of 2006 and 2011,  
10 Senator Thomas W. Libous went above and beyond to  
11 do everything he could to help those in need; he  
12 procured local grants for volunteer fire  
13 departments, secured buyout grants, and  
14 diligently sought aid from neighboring states, as  
15 well as rode along with a Red Cross truck through  
16 the towns of Conklin, Kirkwood, Owego and  
17 Bainbridge handing out food, water and cleaning  
18 supplies; and

19 "WHEREAS, His 14 terms of office  
20 benefited the Southern Tier community, which was  
21 evident in sports venues such as NYSEG Stadium,  
22 the ice rink at the Broome Community College,  
23 bringing the PGA Champions Tour's Dick's Sporting  
24 Goods Open to Endicott, transforming the B.C.  
25 Open from a small regional tournament to a



1 nationally recognized event drawing more than  
2 80,000 fans each year, and his unrelenting  
3 commitment to keeping the Binghamton Mets  
4 Baseball Team in the city, the farm team of his  
5 beloved New York Mets, as well as bringing the  
6 Ottawa Senators Hockey League affiliate to  
7 Binghamton, to infrastructure improvements, to  
8 capital development at Broome's institutions of  
9 higher learning, including the Binghamton  
10 University Event Center, and Binghamton  
11 University's School of Pharmacy; and

12 "WHEREAS, Senator Thomas W. Libous  
13 worked tirelessly to grow the Southern Tier's  
14 economy and improve the quality of life of all  
15 its residents; he was instrumental in the  
16 purchase of the IBM-Endicott campus and its  
17 microelectronics operation by a consortium of  
18 investors, from which Endicott Interconnect  
19 Technologies was formed in 2002 and employed more  
20 than 2,000 workers at its peak; and

21 "WHEREAS, In 1995, Senator Thomas W.  
22 Libous negotiated the development aid package for  
23 Maines Paper, which led to 800 jobs and a boost  
24 in annual economic activity for Broome County;  
25 and

1                   "WHEREAS, Thomas W. Libous was a  
2     gentle man, beyond the ordinary, and an  
3     unforgettable person of generosity and goodwill;  
4     he was truly a man of values and commitment, with  
5     a warm smile he generously gave for the benefit  
6     of his community; and

7                   "WHEREAS, Loyal friend, trusted  
8     advisor, ardent fighter for the causes in which  
9     he so strongly believed, the accomplishments of  
10    Senator Thomas W. Libous are legend; and

11                  "WHEREAS, Survived by his wife,  
12    Frances, their two sons, Nicholas and Matthew  
13    (Katie), and a grandson, Campbell Jude, Thomas W.  
14    Libous will be deeply missed and truly merits the  
15    grateful tribute of this Legislative Body; now,  
16    therefore, be it

17                  "RESOLVED, That this Legislative  
18    Body pause in its deliberations to mourn the  
19    death of former New York State Senator Thomas W.  
20    Libous, and to offer its sincerest condolences to  
21    his family; and be it further

22                  "RESOLVED, That a copy of this  
23    resolution, suitably engrossed, be transmitted to  
24    the family of Thomas W. Libous."

25                  ACTING PRESIDENT GRIFFO:     Senator

1 Flanagan.

2 SENATOR FLANAGAN: Thank you,  
3 Mr. President. I rise to speak on the  
4 resolution.

5 And it's interesting when you have  
6 the title read and then you have the resolution  
7 read in its entirety, the phrase that leaps off  
8 the page immediately for me was in the beginning,  
9 about having indomitable faith.

10 So let me start by recognizing the  
11 Libous family, who were gracious enough to join  
12 us here today. I see at least Nick is smiling  
13 over there. Matt, you've got to throw me out a  
14 smile too. And I know Fran is going to be  
15 smiling. And so we're obviously joined by Tom's  
16 wife, Fran, his son Nick, his son Matthew, his  
17 daughter-in-law Katie. Matt and Katie are the  
18 proud parents of Campbell, otherwise known as  
19 Cam, who I'm sure has always been the apple of  
20 the Libous grandparents.

21 We're also joined in the balcony by  
22 Rick and Susan, his brother and sister, who did  
23 readings at the funeral for Tom.

24 And we are joined by a number of our  
25 former colleagues, without any particular

1 order -- if I leave somebody out, it's only  
2 because I don't have my glasses on. So I see  
3 Senators -- let me get it here right -- Senator  
4 Lack, Senator DeCarlo, Senator Volker. Senator  
5 Alesi I know is going to be here. Senator  
6 Johnson. Senator Saland. Senator Stachowski.

7 The mayor and a dear family friend,  
8 the mayor of the City of Yonkers and a very close  
9 friend to Senator Libous, and that's Michael  
10 Spano.

11 The last two gentlemen I want to  
12 introduce are former colleagues. But you know,  
13 in our lives we have professional components of  
14 our career and then we have personal components  
15 of our career. And if you're lucky, the two  
16 overlap. And if you stay here for an extended  
17 period of time, they can overlap more where it  
18 turns into a friendship as opposed to a  
19 professional relationship. Senator Spano and  
20 Senator Maziarz, at least from where I sit, were  
21 probably the two closest friends, certainly in a  
22 legislative capacity, but in life -- and their  
23 spouses -- who were deeply involved with the  
24 Libous family.

25 And I know that they spent some of

1 Tom's last waking moments with him, which  
2 provided solace and comfort to them and I'm sure  
3 to the Libous family and to Tom as well.

4 So let me go back to the family. I  
5 spoke at my own father's funeral so, Matt, I know  
6 it's one of the toughest things you'll ever do.  
7 But you spoke very eloquently. So props to you  
8 for doing that under extraordinarily difficult  
9 circumstances.

10 And some of you have heard me say  
11 this, Fran -- my goodness, I could spend a very  
12 long period of time just talking about Fran. And  
13 I don't know her as well as a lot of other people  
14 do, but here's what I've come to learn. She is a  
15 wonderful human being. She's an extraordinarily  
16 caring person. She has a heart that is way  
17 bigger than that clock that's standing behind  
18 her. And she is -- I described that she had come  
19 into our conference -- a best friend, soul mate,  
20 a nurse, an advocate, a mom, a wife, a  
21 grandmother, a professional and someone who was  
22 the ultimate alter ego for our colleague.

23 And Fran has indomitable faith as  
24 well. And I had a chance to speak with her since  
25 Tom's passing, and I think that she is starting

1 to find a level of peace because she is acutely  
2 aware that Tom is in a better place, no longer  
3 suffering. And God knows, over what was  
4 approximately seven years, there isn't any way on  
5 God's green earth that Tom would have survived  
6 without the love and support and intervention and  
7 care of his loving wife.

8               So to Fran, since you are the lady  
9 in charge, I just want to offer special  
10 recognition to you on behalf of our colleagues  
11 and the entire Senate. We are so grateful that  
12 you shared Tom with us. We are equally grateful  
13 that you are here today to hear a number of our  
14 colleagues talk about their own interactions with  
15 him and why everybody considered themselves  
16 frankly so lucky to have worked with him.

17              So I wrote down a couple of things  
18 to be direct and to the point. You know, in  
19 everybody's life we have people that are  
20 important to us. And in asking, I can give my  
21 own thoughts. Tom was very good to me, and he  
22 provided sage political advice here, after he  
23 left, after I became leader. And let's be clear,  
24 he loved this stuff. He loved the government, he  
25 loved the Senate, he loved being an elected

1 official, he loved delivering. But he loved the  
2 politics. He loved the politics because it was  
3 always intertwined with trying to do the best  
4 thing on behalf of his constituents.

5           And I want to talk about what people  
6 say about him as a guy, a person, a friend. But  
7 he was a -- he was a good classic New Yorker. We  
8 would be in negotiations internally -- not even  
9 with the other side of the aisle, but  
10 internally -- and somehow at the end of the day  
11 there was always something extra for the Southern  
12 Tier. And he would be unabashed and he would  
13 have a smile on his face, a wink of his eye, and  
14 he could care less. If you figured it out after  
15 the fact, that means he did his job.

16           I asked the people who worked  
17 directly with Tom here on the floor in our staff,  
18 and it was remarkably consistent what people had  
19 to say. Terms like "mentor," "friend,"  
20 "colleague." I heard the term "boss." And all  
21 of those were applicable.

22           So Tom, smart as he was, surrounded  
23 himself with wonderful women in his life -- not  
24 only his wife, his sister, his daughter-in-law,  
25 but many of our senior staff worked with Tom very

1 directly. So of course I asked them what did  
2 they think.

3 And there's a person whose name I  
4 mentioned before who learned so much and taught  
5 so much in her relationship with Senator Libous,  
6 and that's Rebecca. Rebecca is now our first  
7 deputy, but she cut her teeth here on the floor  
8 working on all kinds of issues that were  
9 beneficial to the people of the State of New  
10 York, keeping things working along seamlessly and  
11 smoothly.

12 She gave me permission to talk about  
13 this. She had her own bout with cancer. She was  
14 strong, she was resolute, she was firm, she was  
15 tough. And part of the reason she was able to do  
16 that was because she had this guy sitting right  
17 to her right. They were going through it. Going  
18 through it. She's here. And I truly believe one  
19 of the reasons she's here is because of Tom  
20 Libous.

21 She told me that in 2012, Tom was in  
22 the middle of his travails, if you will, and she  
23 was starting to turn the corner. And she didn't  
24 have any hair. And look at how beautiful she  
25 looks today. She was beautiful then, she is



1 beautiful now. She told me that one of their  
2 stories back and forth, as she was starting to  
3 regain her hair, Tom's was getting a little  
4 thinner, losing more of it -- but, Fran, he was  
5 always tan. We always know he was always tan.  
6 Especially when he came back from his sojourns to  
7 Florida with you and the family and with friends.

8               One of the things that Rebecca said  
9 to me was that Senator Libous had a keen ability  
10 to get things done. You could watch -- and it's  
11 all on video, but you could watch. People would  
12 come over, people on this side of the aisle,  
13 people on that side of the aisle, people on the  
14 Democratic side of the Assembly, people on the  
15 Republican side of the Assembly. It was sort of  
16 a mobile office here on the floor for  
17 Senator Libous. He was a go-to person.

18              And he had a joi de vivre and he was  
19 smart enough to know not to sweat. Rebecca said  
20 he was always very good at keeping things in  
21 perspective.

22              Now, on the floor here we have the  
23 bat phones. There's about four or five of them  
24 here, so if you need to get calls or make calls,  
25 you can make the calls. This phone will ring and

1     it's got the ID on it. I learned that no matter  
2     what was going on, no matter who may be  
3     calling -- it could be the Governor, it could  
4     have been me, could have been anybody else, could  
5     have been counsel's office -- the only call he  
6     ever took was from that lady who was his wife.  
7     Didn't matter what the hell was going on on this  
8     floor. He could be in the middle of a debate,  
9     but he always picked up the phone. And if he had  
10    to call back, he did.

11                 That is a sign of love and adoration  
12    and affection that you either have or you don't  
13    have.

14                 I spoke to Mary Lee, who is what I  
15    would describe, at least from a distance, she was  
16    not only a great friend, she was the office wife  
17    and proudly wore that badge and worked with  
18    Senator Libous for 27 years. So I said, "What  
19    would you say?"

20                 Now, I'm Irish, so this took a  
21    little time. I needed to have it repeated five  
22    times. She said "Mafto draha," which is  
23    Slovakian. Right? "Mafto draha," which means  
24    "dearest mother." She said it with a smile and  
25    with love. So Mary Lee, I hope I got it right.

1 If I didn't, I tried. Someone who is  
2 extraordinarily important to Senator Libous, as  
3 was all his staff. He was adored by the people  
4 that worked with him.

5 And we have many, many other  
6 speakers, but at the funeral -- Johnny D and I  
7 were talking about this. Those of you who  
8 couldn't be there, I'm paraphrasing what someone  
9 said. Reverend Jordan spoke at the funeral, and  
10 he made a great juxtaposition by talking about  
11 Tom's work as a legislator and being a person of  
12 faith. Fran, I hope I get it right. He talked  
13 about all the money he secured for Tioga Downs,  
14 which had gone down and came back up in large  
15 part because of Senator Libous. So Reverend  
16 Jordan was making an analogy saying that Tioga  
17 Downs was a lot like the church. In many  
18 respects, it was like a house of worship. It had  
19 two steeples. Senator Libous got the funding for  
20 that. Dave Valesky was there; he knows what I'm  
21 talking about. He said it had two steeples, it  
22 was like a church. He said you go there on any  
23 given day, you could hear the Lord's name being  
24 spoken about frequently. You could hear, at the  
25 same time, people praying incessantly throughout

1 the day. And most importantly, like any good  
2 church or house of worship, people were making  
3 donations all day.

4 (Laughter.)

5 SENATOR FLANAGAN: So Reverend  
6 Jordan found an appropriate balance there.

7 But I'm going to close on this, and  
8 I'm going to -- well, I'm using her name because  
9 I spoke to her. Lisa Harris is our counsel now,  
10 and I think this is such a poignant, beautiful  
11 sentence. "We shared the love of faith and  
12 spiritual openness, and I am forever grateful for  
13 the opportunity to have shared some time on this  
14 earth with him."

15 My life is better for knowing Tom  
16 Libous, and I hope I can epitomize many of the  
17 values he brought to public service.

18 Mr. President, thank you.

19 ACTING PRESIDENT GRIFFO: Thank  
20 you, Senator Flanagan.

21 Senator Klein.

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

24 I rise today, and I think I speak  
25 for everyone in rising to speak about a friend, a

1 colleague, and someone I think we all loved.

2           You know, I had the privilege of  
3 working with Senator Libous even before I got to  
4 the Senate, when I was in the Assembly. And I  
5 remember my first year in the Assembly I was very  
6 anxious get involved in an issue that, by the  
7 way, I'm still working on, tax evasion when it  
8 comes to untaxed cigarettes. And I heard -- and  
9 Senator Flanagan I think said it best -- even  
10 back then 21 years ago, the go-to person to get  
11 things done in the Senate on legislation was  
12 Senator Tom Libous.

13           So we ran into each other at one of  
14 the local restaurants. I went over, introduced  
15 myself. And sure enough, he wanted to work with  
16 me on this issue. You know, people found it kind  
17 of strange, a Bronx Assemblymember and someone  
18 who represents the Southern Tier getting involved  
19 in an esoteric issue like cigarette tax  
20 collection and the evasion thereof.

21           But we worked very, very closely,  
22 and it was one of my first important chapters.  
23 And it was really because of the way Tom was able  
24 to guide this legislation through the Senate.

25           You know, ten years later I wound up

1 as one of his Senate colleagues, was once the  
2 minority floor leader when he was the majority  
3 floor leader, were then flipped to become the  
4 majority floor leader when he was the minority  
5 floor leader. And during that four-year period,  
6 which many would describe as rather contentious,  
7 one of the things I can always say is that Tom  
8 Libous was dedicated to making sure the Senate  
9 floor ran and ran properly.

10 I think everyone said it best:  
11 Anyone who knew Tom, he was a political  
12 strategist. He loved the give-and-take. But he  
13 also had tremendous love for this institution.  
14 And when he saw that we were at odds and we  
15 weren't coming together as one, he would do  
16 everything possible to make sure the trains ran  
17 on time, making sure that we all got our  
18 legislation done. And he also wanted to always  
19 make sure there was a certain decorum that should  
20 always exist in the upper house in the New York  
21 State Legislature.

22 I remember, you know, many, many  
23 nights up in his fourth-floor office -- which for  
24 a brief two years was my fourth-floor office --  
25 talking to him about a whole range of things:

1 His love of his family, his love of watches, his  
2 love of cigars. And he was just someone who was  
3 very, very special.

4 He loved being an elected official.  
5 Not really for the sake of sort of lording it  
6 over people, but using the power in a very  
7 positive way to help his hometown in Binghamton,  
8 the Southern Tier, to work with the mentally  
9 disabled, which he did so much when he was chair  
10 of that committee.

11 He was somebody who I'll always  
12 consider not only a friend but someone that you  
13 should look to on what a Senator should be.

14 Tom, we'll all miss you. But I know  
15 you're looking down at us today because you're  
16 surrounded by your colleagues who love you and,  
17 more importantly, the family that loves you the  
18 most.

19 Thank you, Mr. President.

20 ACTING PRESIDENT GRIFFO: Thank  
21 you, Senator Klein.

22 Senator Stewart-Cousins.

23 SENATOR STEWART-COUSINS: Thank  
24 you, Mr. President.

25 I rise, as do all of my colleagues

1 here, to really express not only my condolences  
2 but my gratitude for the type of individual Tom  
3 Libous was.

4                   When I first arrived in the Senate  
5 in 2007, my husband Tom lost his battle to  
6 cancer. And it was the love of my colleagues  
7 here and the tumble and the good that we were  
8 doing that kept us all going, kept me going. Tom  
9 in particular, because I arrived in circumstances  
10 that -- you know, we were on different sides.  
11 When I walked into this chamber, Tom became my  
12 friend. Tom became somebody that you could talk  
13 to about anything. He would tell you what the  
14 real deal was, and he'd do it with a smile. Even  
15 if it was a little devilish, he would do it, he  
16 would say it, and you knew he was telling you the  
17 truth.

18                   When Tom decided that you were  
19 worthy to be a mentee, he didn't care what side  
20 of the aisle you were on. I heard Senator  
21 Flanagan talking about the staff there. And one  
22 of the things that I didn't know was the kind of  
23 mentor he was to Shontell, who's now my chief  
24 counsel. When she walked in this floor, she was  
25 a new young African-American woman on this side



1 of the aisle who didn't know anything. And --

2 (Laughter.)

3 SENATOR STEWART-COUSINS: And guess  
4 what? People weren't afraid to tell her that.

5 (Laughter.)

6 SENATOR STEWART-COUSINS: But not  
7 Tom. Tom said: "You know, you were right. Yes,  
8 they should have listened to you." Nurtured her  
9 self-confidence and nurtured her ability to stand  
10 up and speak truth to power. And today she is  
11 our top counsel over here. Tom would be very,  
12 very proud of the work he has done, not only for  
13 those of us who are, quote, unquote, in power,  
14 but for those who are powerless.

15 Thank you so much for sharing him.

16 ACTING PRESIDENT GRIFFO: Thank  
17 you, Senator Stewart-Cousins.

18 Senator Gianaris.

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

21 Anyone who is watching the national  
22 debate in our country knows that there's great  
23 divisiveness in our country. There's division in  
24 the presidential race, there's division  
25 nationally, and yes, here in Albany and New York

1 State we have division as well. We're divided by  
2 ideology, we're divided by issues, we're divided  
3 by our parties. We're divided in this chamber by  
4 this aisle that runs right down the middle of the  
5 room to my right.

6 That doesn't mean that we are always  
7 divided. There are some people who try to  
8 overcome those divisions, and Tom Libous was  
9 certainly one of those people. You're going to  
10 hear it throughout the day in the course of the  
11 comments made by a number of members --  
12 Democrats, Republicans.

13 And there was a time when I was --  
14 we heard Senator Klein make reference to his  
15 experience sharing the floor leader duties. Now  
16 I have that experience as well. And he was so  
17 effective that there were times I felt that we  
18 were on the same team trying to get the house to  
19 operate properly, as if we were co-conductors of  
20 a 63-member orchestra and we were all trying to  
21 make this place run as efficiently as we possibly  
22 could.

23 And of course we had our assistant  
24 conductors in Rebecca and Shontell, who helped us  
25 get through it.

1                   But I think that ended up being to  
2                   the benefit of the people of this state and of  
3                   the functioning of this body. There were times  
4                   when I would approach him and, as Leader Flanagan  
5                   mentioned, sit in that chair, and have his help  
6                   in getting some of our bills on the agenda. I  
7                   remember him yelling at Beth and Beth yelling at  
8                   him, somebody's last-minute bills on the last day  
9                   of session. And lo and behold, they got done.

10                   And all of this work got done in a  
11                   way that was enjoyable. It was a true pleasure  
12                   to come to the floor and work when Tom was here.  
13                   I remember one of our overnight sessions that  
14                   seems to happen once or twice a year. I think it  
15                   was Senator Avella was debating a bill, and  
16                   Senator Libous was defending it, and Senator  
17                   Libous got a case of the giggles that wouldn't go  
18                   away.

19                   (Laughter.)

20                   SENATOR GIANARIS: And we were all  
21                   sitting here at 3:30 in the morning or whatever  
22                   time it is, and he's cracking up, which makes  
23                   everybody else crack up, and it was just a fun  
24                   time even when we were doing serious work.

25                   A lot of people here knew of my

1 friendship with Senator Libous. It may strike  
2 some as a political odd couple, given the roles  
3 we had in this chamber and for our conferences.  
4 And maybe it's because we both share an affinity  
5 for the best baseball team in New York, we both  
6 love the New York Mets and share that. Sorry to  
7 my colleagues from the Bronx, but they are  
8 better, this year at least.

9 But one of my fond memories was -- I  
10 don't know how many people know this. I think we  
11 kept it a secret at the time. But Senator Libous  
12 and I snuck down to a Mets game together during  
13 session. I know Rebecca was aware of it, and  
14 some others. But we decided not to tell anyone  
15 lest people get hysterical that we were attending  
16 sporting events together at the time. But it was  
17 a great time and one of the memories I'll  
18 remember very fondly.

19 Aside from the fact that we like the  
20 Mets, in seriousness, I think our friendship was  
21 based more on the type of person he was. He was  
22 a caring, kind man who did like to mentor people.  
23 And frankly, his experience here was greater than  
24 mine when I got here and he was a great help in  
25 helping me learn the ways of the floor procedure.

1                   And he's someone who cared deeply  
2   about not only the people he represented and the  
3   people of this state, but the people that he  
4   interacted with every day, even if they were  
5   adversaries from a work perspective. Don't get  
6   me wrong -- I enjoy greatly working with Senator  
7   DeFrancisco and we've had a good session;  
8   hopefully we'll conclude as effectively as we've  
9   been running things so far.

10                  But I do miss Tom Libous, may he  
11   rest in peace.

12                  ACTING PRESIDENT GRIFFO:   Thank  
13   you, Senator Gianaris.

14                  Senator Valesky.

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

17                  First of all, let me just say that  
18   I've been here in the Senate now for 12 years,  
19   and over those 12 years we've had a lot of  
20   resolutions on the floor, a lot of bills, a lot  
21   of debates. But it just struck me that at this  
22   moment there are a lot of people in this room  
23   right now, and I have never heard it as quiet as  
24   it is right now.

25                  You know, and to Fran and his sons,

1 maybe that's the greatest respect for someone,  
2 beyond the words that we will all share.

3 I'd like to just share one brief  
4 story. And Tom and I got to spend a lot of time  
5 in these last few years, as we had a very, very  
6 collegial professional relationship as it related  
7 to this experiment called coalition government  
8 over the last few years. We got to know each  
9 other very well in that regard. But before that,  
10 Tom and I had a unique start to our friendship.

11 And I want to just -- before I  
12 mention that, I want to say to Senator Flanagan  
13 the day after Tom passed, Senator Flanagan  
14 announced his passing here on the floor and  
15 referred to the Senate as a family. And I'll  
16 always remember that, and I know that everyone  
17 here believes that with every fiber of their  
18 soul. And that is why, in part, it is so quiet  
19 today and right now during this resolution.

20 But a few years ago I was in a  
21 rather unique situation. I'm not sure anyone  
22 else in this chamber -- maybe one or two -- has  
23 experienced this, but it was near the conclusion  
24 of the 2010 legislative session. And Tom had, I  
25 think just before that, or not long before that,

1     been named the chair of the Senate Republican  
2     Campaign Committee. And of course we'd had a  
3     difficult and tumultuous, as Senator Klein  
4     indicated earlier, a tumultuous couple of years.  
5     And that June, as we all approached our own  
6     reelection campaigns, you know, we knew it was  
7     going to be a difficult year. Many on this side  
8     of the aisle knew it was going to be a very, very  
9     difficult year once we got back home.

10                 And I said to Tom -- and he and I  
11     got to know each other a little bit before that,  
12     but not terribly much. But I said to him, I  
13     said, "You know, we ought to go out to dinner.  
14     Let's just go out to dinner and relax a little  
15     bit."

16                 So that night -- it was a warm  
17     spring evening -- Tom and I went to the Barge, a  
18     restaurant over on the Hudson River. And as he  
19     and I sat down at that table that evening and  
20     enjoying the evening breeze, the warm breeze,  
21     enjoying a couple of beers, enjoying a hamburger  
22     or two, I knew as we sat there and had a  
23     conversation, I knew what was going to happen  
24     that summer and fall as a result of the efforts  
25     that he had to do. He knew what was coming for

1 me. And yet that two hours, whatever it was, was  
2 some of the -- two of the most memorable hours  
3 that I have ever spent with someone who became a  
4 very, very close friend.

5 We knew what our roles were, I knew  
6 what was coming, he knew what had to be done.  
7 But in those two hours, what developed for me was  
8 an incredibly close friendship.

9 And I think that was Tom's greatest  
10 strength. He did an awful lot for so many  
11 people, but I think his greatest strength was in  
12 each and every one of his friendships, everyone  
13 had a very, very unique and special friendship  
14 with him. That was the genesis of mine.

15 Miss you, Tom.

16 ACTING PRESIDENT GRIFFO: Thank  
17 you, Senator Valesky.

18 Senator LaValle.

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

21 You know, this indeed is a family,  
22 the Senate. And today we're an extended family  
23 that has come together. And the number of  
24 colleagues who have come that are sitting in the  
25 gallery is a testament to we as a Senate and the



1 fact that we can argue, we can fight, but we do  
2 care and build relationships.

3 Tom was hand-picked by Warren  
4 Anderson, the majority leader, to replace him.  
5 And you know, it's no easy task to come in after  
6 the majority leader, because there's so much that  
7 the majority leader is doing for their area.

8 When Tom came in, a young guy, there  
9 was a little brashness to him, a little swagger.  
10 But you know, as the years went on, that just  
11 evaporated and he became a whole different  
12 person, a person who was going to mentor people,  
13 he was going to bridge gaps. His involvement,  
14 Senator Gianaris, with you, in bringing order to  
15 our house, camaraderie and getting things done.

16 Getting things done was critically  
17 important to Tom. He was very impatient if you  
18 weren't getting things done. He had an ongoing  
19 battle about jobs, about jobs. And I have never  
20 in all my years seen a colleague work harder,  
21 juggle more things to bring jobs to the Southern  
22 Tier than Tom Libous. And for a number of years,  
23 he would bring in 100 jobs and 200 would  
24 evaporate. And he would almost stamp his feet --  
25 "You know, I'm doing everything I can." And he

1 would continue.

2 He would bring in, I remember one  
3 time, 600 jobs -- and another 200 would leave.  
4 But he was determined to provide work for the  
5 people that he represented, for the people of his  
6 district.

7 As he moved on in his career, he  
8 used his personality, his charm, and his  
9 understanding of politics. And I want to make a  
10 confession here, Fran. He told me here on this  
11 floor that you were the better politician.

12 (Laughter.)

13 SENATOR LaVALLE: So that was very  
14 important, that he was producing.

15 But I'll tell you, the number of  
16 people that loved Tom are many here in this  
17 chamber, because it was important to him to use  
18 his heart and his mind to be a friend to people.  
19 We didn't have to fight, we could get to where we  
20 needed to get.

21 Tom and I disagreed on the fracking  
22 issue, and he never once, never once brought up  
23 that I was wrong on the issue. Not once.  
24 Because that was a strength of his; he understood  
25 what he needed to understand to get and move

1 forward.

2 His relationship, which has been  
3 mentioned, with his wife was a critical, critical  
4 thing in his life. When he found out he had  
5 cancer and the trips down to Sloan -- and I would  
6 always ask Tom about it, he and Fran would make  
7 that journey. And the most amazing thing -- and  
8 I have not faced it, but many people have in this  
9 chamber, a doctor telling you you have cancer.

10 Tom Libous, it was like he stubbed  
11 his toe. He would go down and I would say "How  
12 are your numbers?" Sometimes he would say, "Well  
13 they're up a little. But no worries, no  
14 worries." And sometimes he would say, "They're  
15 really good, we're moving in a good direction."

16 Now, as part of all of this, my wife  
17 Penny and I got onto the Libous team, as so many  
18 people here. And so we would give Tom holy  
19 water, prayers, and masses that were said. We  
20 even came up with someone that we knew who had  
21 used certain crystals, and we went out and we got  
22 the crystals for Tom. We bought him a book on  
23 all of the homeopathic and other things that you  
24 could try to help you out.

25 And Tom tried everything. He

1     tried -- if someone told him acupuncture worked,  
2     he tried it. Whatever it was.

3             How he fought that disease was the  
4     most incredible thing. We saw him on the floor,  
5     you would never have known that that man was  
6     fighting for his life every day.

7             Tom will be missed for years, and  
8     people will remember his legacy. And so he came  
9     in as the Senator to replace Warren Anderson, the  
10    majority leader. And he has left as a man who  
11    has earned the respect of being a great Senator  
12    representing his people and his region.

13            ACTING PRESIDENT GRIFFO:    Thank  
14    you, Senator LaValle.

15            Senator Montgomery.

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

18            I rise to join my colleagues. And  
19    certainly the family, I want to speak to the  
20    family and just share a couple of my impressions  
21    of Senator Libous.

22            He was one of the unique Senators,  
23    especially since I'm on the Democratic side, he  
24    was always on the Republican side. But we shared  
25    something that I think is extremely important for

1 us to survive in this body, and that is you can't  
2 take yourself too seriously. And I always had  
3 that impression that he supported that point of  
4 view.

5 And so when we were here in the wee  
6 hours for long days and all into the night, it  
7 became his responsibility at one point to order  
8 the food. And that was a great thing for us,  
9 certainly for me, because he had such excellent  
10 taste. And when he was going to order the food,  
11 I was so happy because it was really -- he  
12 understood and appreciated and knew how to find  
13 good soul food.

14 (Laughter.)

15 SENATOR MONTGOMERY: So if you  
16 understand how important that is to someone like  
17 me, that was extremely welcome.

18 And the other thing was he would  
19 share some of his unique things that he liked to  
20 do. And one of those was he made wonderful  
21 sauces. So every holiday he would give us, his  
22 colleagues, a bottle of one of his special  
23 sauces. And that was the Libous barbecue sauce,  
24 I believe, or one of those kind of sauces. I  
25 really, really appreciated that, and I still have

1 the last bottle of sauce that he sent me. And I  
2 certainly will cherish that forever.

3 It is always so wonderful to have a  
4 colleague who can make you feel very much a part  
5 of a total family. And even though I may never  
6 have voted with him, he was okay with that.  
7 Because he understood institutionally that that's  
8 how things go in this legislative body. And so I  
9 was very appreciative, I learned so much from  
10 him. And I could always feel wonderful with him  
11 sitting across the aisle. And he would look over  
12 and at least he would acknowledge that he  
13 understood your frustration. And whatever was  
14 happening, he wanted to make sure that we all  
15 felt that we were part of this body equally.

16 So I thank him, and I thank you for  
17 sharing. I certainly understand very, very  
18 deeply how many hours away from you he spent.  
19 But those hours that he spent with us, we  
20 certainly appreciate and will remember forever.

21 So God bless you. Thank you.

22 ACTING PRESIDENT GRIFFO: Thank  
23 you, Senator Montgomery.

24 Senator Marcellino.

25 SENATOR MARCELLINO: Thank you,

1 Mr. President.

2 When I first got elected some  
3 20-plus years ago to the Senate, Tommy came over  
4 to me and said, "I've been asked by the  
5 leader" -- Joe Bruno at the time -- "to mentor  
6 you."

7 Now I'm looking at this fellow from  
8 a long faraway place called Binghamton, and here  
9 I am on Long Island, and how is he going to tell  
10 me or teach me anything? I'm from Long Island.

11 Well, I think he understood, and  
12 that didn't deter him from doing his job. He  
13 taught me a lot. He showed me a lot. Talked  
14 about a mail program, talked about talking to  
15 your constituents, meeting with people, taking  
16 care of people who have different opinions:  
17 Don't worry about that, bring them together,  
18 bring them in. Don't force them away. Don't  
19 take sides just because they're different or they  
20 have a different opinion. Try to bring them in,  
21 reconcile. And by the way, if you need a  
22 T-shirt, I can get it for you.

23 (Laughter.)

24 SENATOR MARCELLINO: If you need  
25 glasses, I can get them for you. And he did. At

1 a pretty good price, too.

2 So all my staff had T-shirts and we  
3 had stuff to give out at our fundraisers and  
4 stuff like that, and Tommy supplied all that  
5 stuff.

6 But what he supplied was a good  
7 sense of humor, a political sense that was, as  
8 you've heard, bar none.

9 I also came in and replaced a  
10 majority leader, who went out under not so  
11 pleasant circumstances as Tommy's majority leader  
12 did. So that set up a series of situations that  
13 I had to contend with both up here and in the  
14 district. But he said: "Just bide your time.  
15 Keep your eye on what you want to do, and then do  
16 it. Get your bills passed. Pick the issues that  
17 you care about, and push those issues. Don't try  
18 to copy anybody else's style, make up your own."

19 These are good words. They were  
20 meaningful. And I thanked Tom after that,  
21 because we had a lasting friendship because of  
22 that. I realized what he was doing was helping  
23 me become a better Senator, and I appreciated  
24 that and I appreciated his efforts. I hope he  
25 appreciates the result of his work.



1                   But the nature of the beast is,  
2     Fran, the family, you had a great person. You  
3     had a great man. And it was a privilege and a  
4     pleasure to serve with him. And we thank you for  
5     sharing it, sharing him with us, and may he rest  
6     in peace.

7                   ACTING PRESIDENT GRIFFO:    Thank  
8     you, Senator Marcellino.

9                   Senator Hassell-Thompson.

10                  SENATOR HASSELL-THOMPSON:   Thank  
11     you, Mr. President.

12                  I rise to thank my colleagues for  
13     presenting this resolution on behalf of Thomas  
14     Libous and for -- to his family, some of us I'm  
15     sure you know our names. Mine is probably one  
16     you've heard. I was a pain in his butt, but in  
17     the nicest possible way.

18                  He was an extraordinary man.  
19     Everybody will say that, and they mean it  
20     differently based upon the experience that they  
21     had with him.

22                  But I remember when we were getting  
23     new cars -- and I had come to leadership, and a  
24     car had been assigned to me. So he came and he  
25     said, "We're getting new cars, and what do you

1 think?" And I looked at him and said, "You're  
2 asking my opinion of what I think?" And he said  
3 "Yeah." He said, "You know, you drove one of the  
4 old cars and, you know, you have an idea." And I  
5 said, "But I'm a woman." He said, "Yeah, but you  
6 have an opinion about cars. You're going to be  
7 driving a car, you know what you want."

8                   We had a real discussion. And, you  
9 know, there are not a lot of people here who feel  
10 that women have an opinion that's worth -- has  
11 value. Fran, I think you taught him a lot about  
12 respecting a woman's opinion. Because certainly  
13 I never felt that he was asking idly. That he  
14 really did care about the opinion if he asked  
15 you. And I appreciated and respected that more  
16 than anything.

17                   And some of the things that we  
18 remember may seem trivial to some people  
19 listening, but to each of us it's endearing.  
20 Because this is a hard place to work, and it's a  
21 stressful place to work. But there are times  
22 when there's a lot of fun, and Thomas Libous  
23 contributed his share to making it fun.

24                   I've been here for 16 years. This  
25 is my last year. But I am very pleased to have

1 spent those 16 years learning how to be a good  
2 legislator. And I can give as much credit to Tom  
3 as I can to anybody in this chamber and out of  
4 this chamber for my ability to get my work done,  
5 because he helped me to get my work done and he  
6 helped me to pass bills in a time when most  
7 minority members were not getting their bills  
8 passed. And that meant a great deal to me and my  
9 constituency, because my constituency is very  
10 different from his. But he respected that.

11 And I respected him tremendously,  
12 and I thank you for the hours that you allowed us  
13 to share with him and don't begrudge us. Because  
14 he was very important, and this was important  
15 work to him.

16 Rest in peace, Thomas Libous.

17 ACTING PRESIDENT GRIFFO: Thank  
18 you, Senator Hassell-Thompson.

19 Senator Bonacic.

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

22 My first experience with Tom Libous  
23 was when I ran in a Republican primary as an  
24 Assemblyman against another Assemblyman. And it  
25 was a wicked primary, and Tom Libous was for the

1 other guy.

2 Now, I didn't know Tom Libous. And  
3 to make a long story short, I won the primary.  
4 That night I think I got to bed at 2:00 in the  
5 morning, exhausted. What did I get myself into?  
6 And then I get a call at 8:00 in the morning.  
7 And I pick up the phone and it says, "This is Tom  
8 Libous. Congratulations, John, you're going to  
9 win in the election. I'm sending you a \$10,000  
10 check."

11 So I put my head back in the bed and  
12 I said, Was this a dream or did this really  
13 happen?

14 (Laughter.)

15 SENATOR BONACIC: So -- but to get  
16 to know Tom is to love him. And he always served  
17 with passion, dedication, commitment and honor in  
18 the 26 years he was here.

19 So I know the last two years were  
20 painful for Tom and the family. But rather than  
21 tell a lot of stories about Tom, I would like to  
22 talk about one-word or two-word attributes that I  
23 saw in him.

24 Sense of humor. Peacemaker.  
25 Genuine. Very hard worker. Lovable. Loved

1 serving the people. Greater love for Fran and  
2 family. Extraordinary human being.  
3 Extraordinary life.

4 Thank you.

5 ACTING PRESIDENT GRIFFO: Thank  
6 you, Senator Bonacic.

7 Senator Rivera.

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

10 Tom and me did not have a lot in  
11 common. I'm a tall, liberal Democrat Puerto  
12 Rican from the Bronx. He was a short,  
13 conservative Republican from Binghamton. We're  
14 both bald, but that's really about it. We don't  
15 agree on much. As was mentioned earlier, he was  
16 pro-fracking, I was against fracking. And on  
17 most anything, we disagreed.

18 And when I got here in 2011 I was  
19 excited about being here. I had worked in the  
20 Senate before, but I'd never been a Senator  
21 before, never been an elected official before.  
22 And there was a lot of things that I had to  
23 learn, things that I'm still learning.

24 But one of the things that Tom  
25 taught me was that we were both equal because we

1       were both Senators.

2                   The level of class that he  
3       demonstrated towards me was not something that I  
4       expected. Before I was a Senator, I was a  
5       Democratic operative. My job was to unelect  
6       Republicans. Therefore, when I thought about my  
7       interactions with Republicans, it was usually  
8       just point at one, I will go destroy him or her.

9                   Tom was one of the people that  
10      taught me that governing is different than  
11      campaigning. And it's something that, as Senator  
12      Gianaris said, a lot of our colleagues nationally  
13      still haven't really gotten through their heads.

14                  But again, the level of class that  
15      he had, the fact that he always treated me with a  
16      certain level of respect. I remember in 2011  
17      when I was here just, again, really excited to be  
18      here, still didn't know where all the bathrooms  
19      were, I was in the Senator's lounge talking to  
20      someone and I realized that there was a  
21      discussion on the floor about a bill that I was  
22      going to vote no on, and so I had to run back.  
23      And I came back in. By the time I got back here,  
24      the vote had already taken place.

25                  So I went to Tom and said, "Listen,

1 I kind of needed to vote nay on that bill that  
2 was there." He kind of smiled, and he stood up  
3 and said, "Mr. President, with unanimous consent,  
4 if we could go back to that bill," et cetera.  
5 Then he sat back down and said, "You know, kid,  
6 we're not supposed to do that. But you just got  
7 here, so I'm going to do that for you."

8                   And through the years that he was  
9 here, again, I just go back to class. I just go  
10 back to the fact that particularly at first when  
11 I got here, there was no reason why he needed to  
12 be a gentleman to me, and yet he was. And it  
13 taught me so much about the way that I should  
14 comport myself as an elected official, as a  
15 Senator, as a colleague.

16                   I will miss him immensely. I was  
17 talking to his family earlier, and I told them  
18 that, you know, this is a guy that demonstrated  
19 to me what I -- you know, how I needed to be with  
20 my constituency. His constituency was very  
21 different than mine, but he fought for them every  
22 day. I learned that I had to do the same thing.  
23 And it likely meant that I was going to have to  
24 go toe to toe with Tom Libous, and I looked  
25 forward to that.

1           There's something else that we had  
2     in common. We both liked steaks. And there was  
3     a steak sauce that was referred to earlier. When  
4     we got new desks earlier this year, I was getting  
5     stuff out of our desks and putting them in the  
6     new ones, and there was a box of papers and such  
7     and I was looking through there and I found one  
8     of the bottles that he gave us. And I've kept it  
9     in my desk ever since. And so I'm going to keep  
10    it. I have one at home. It has a little cartoon  
11    of him, with some artistic license -- a little  
12    bit more hair than he actually had. But besides  
13    that, it just -- it will remind me of him. But  
14    not just -- you know, not -- steak sauce is not  
15    really what I think about when I think of Tom  
16    Libous. I think of a guy who was a mensch, who  
17    was an immense inspiration to me as far as a  
18    public official, as a public servant, as somebody  
19    who taught me what being a legislator and being a  
20    colleague is all about, someone who taught me  
21    what governing should be.

22           He was a class act. He will be  
23    missed. And my sincere condolences to his  
24    family.

25           Thank you, Mr. President.



1                   ACTING PRESIDENT GRIFFO:    Thank  
2   you, Senator Rivera.

3                   Senator Kennedy.

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

6                   First of all, let me start by giving  
7   my deepest condolences once again to the Libous  
8   family -- to his lovely wife, Fran, his son Nick,  
9   his son Matt, his daughter-in-law Katie, his  
10   siblings Rick and Susan, his friends that have  
11   joined us in the gallery.

12                  You know, Tom -- and his spirit is  
13   among us, as you can feel it in this room,  
14   although he may not be here physically. And you  
15   know, if you have listened over the course of the  
16   last hour-plus, we've heard story after story  
17   about the type of individual Tom Libous was, not  
18   just as a Senator but as a family man and as a  
19   leader, not just here and not just in Binghamton,  
20   but across this great State of New York.

21                  And the first paragraph of the  
22   resolution that honored his life and his service,  
23   as the leader, Senator Flanagan mentioned, was  
24   his faith. Another phrase that was mentioned was  
25   the fact that he was an eminent gentleman. And

1 over and over and over, all of the memories in  
2 this Senate chamber here today recognize him  
3 being a gentleman, someone of great class,  
4 someone of great dignity. And he lived his life  
5 like that and he lived his work like that.

6 And although I didn't know Tom well,  
7 because before I was elected to the Senate, Tom  
8 had already served in government for 26 years.  
9 So he had done so much for this great state and  
10 the great community that he represented for  
11 26 years before I even got to know him.

12 Actually, the first time I ever even  
13 learned of Senator Tom Libous was when I was at  
14 home back in 2010 and I saw Tom Libous on TV.  
15 And Tom Libous was telling the rest of this great  
16 state how Tim Kennedy would never be a New York  
17 State Senator.

18 (Laughter.)

19 SENATOR KENNEDY: And I never had a  
20 chance against the great candidate that the  
21 Senate Republicans had to run in November.

22 And fast forward a couple of weeks,  
23 and his chest pounding on television was a little  
24 bit more tame. I think he saw some polls coming  
25 his way; I don't know. But I thought to myself,

1 you know, maybe there's a chance here. The  
2 leader of the Senate Republican Campaign  
3 Committee isn't as bullish as he was just a  
4 couple of weeks earlier. That was my first  
5 interaction, from several hundred miles away.

6 And then when I got here, I met him.  
7 And it took me several months to get the grudge I  
8 had for him out of my system. Maybe it was a  
9 little bit of that Irish grudge that we hold, but  
10 every time I would sit here and turn around and  
11 look at him, I'd want to sneer at him.

12 (Laughter.)

13 SENATOR KENNEDY: You know? And I  
14 really didn't have much of an interaction in my  
15 first year with him until it was toward the end  
16 of the session and, you know, you get to know  
17 everybody a little bit more and learn about  
18 everybody a little bit more, not only who they  
19 are as a representative but who they are as a  
20 person, who they are as a character.

21 And Tom Libous was a great character  
22 in this chamber. Whether you were talking to  
23 him, whether you were watching him, whether you  
24 would see some of the facial expressions that he  
25 would make, you would know what he was thinking.

1 You know, he could make his face do some things  
2 that no one else could ever possibly do. His  
3 eyes would almost bulge out of his head at times,  
4 purposely, to make a point, without ever opening  
5 his mouth.

6 Tom was a great character. And the  
7 more I got to know him over the course of the  
8 last few years since I was elected in 2010, the  
9 more not only did I get to like him, the more I  
10 got to love him, the more I got to become his  
11 friend. And I think that's something that you  
12 hear over and over and over in all of these  
13 stories. Tom was a friend.

14 Tom -- yes, he loved politics. You  
15 know what Tom loved? He loved people. Yes, he  
16 loved his family. Yes, he loved politics. Yes,  
17 he loved his great community. Yes, he loved his  
18 great state. He loved making people happy. He  
19 loved his Mets, both the New York Mets and the  
20 Binghamton Mets. He loved the Binghamton  
21 Senators. How aptly named, right? It just so  
22 happens that the Binghamton Senators that he  
23 helped bring to Binghamton were aptly named the  
24 Senators, the farm team of the Ottawa Senators.

25 He served this great state with

1 extraordinary goodwill and dignity. He was a man  
2 of great integrity, and he was a human being we  
3 could all excel to emulate in this chamber and  
4 outside of this chamber. And yes, yes, he was an  
5 individual that was a fierce competitor. He was  
6 a tough Republican. But you know what? A lot of  
7 folks have talked about this aisle that separates  
8 us. Tom Libous, because we've all befriended  
9 him, would say let's do away with that aisle.  
10 Because he was such a fierce competitor, he'd  
11 also like to get rid of that aisle because he'd  
12 also like to get rid of all of us Democrats.

13 (Laughter.)

14 SENATOR KENNEDY: But that's okay.  
15 That's part of this profession that we've all  
16 taken up. That's part of who we are.

17 And it was an honor to get to know  
18 your husband, your father, our colleague, our  
19 friend, our leader, and to have served in this  
20 honorable body with him over the course of the  
21 last five years. We will certainly miss him.  
22 We'll miss his character, we'll miss his  
23 influence, we'll miss his intelligence and  
24 certainly his leadership in this chamber.

25 But there's no question in my mind

1     that this Senate body and this great State of  
2     New York is much better today than when Tom  
3     Libous came to the New York State Senate.

4                     Thank you very much, Mr. President.  
5     And once again, my sincerest and deepest  
6     condolences.

7                     ACTING PRESIDENT GRIFFO:     Thank  
8     you, Senator Kennedy.

9                     Senator Robach.

10                    SENATOR ROBACH:     Yes,  
11     Mr. President.

12                    Let me add my condolences, Fran, to  
13     you, the boys, and your whole family. This is  
14     definitely a bittersweet day. And I think you're  
15     hearing from everybody, there's no doubt that, if  
16     nothing else, I think Tom Libous was somebody  
17     that loved life, every part of life, and wanted  
18     to learn about other people's lives and really  
19     embraced every opportunity and chance to help.

20                    You know, sometimes we pass bills  
21     here on kids in school need mentoring or even  
22     business programs. But to me, Tom was a natural  
23     mentor, almost without design. He liked to share  
24     his opinion, but he was also acute at looking out  
25     or sensing things of the people he would see on

1     this floor. And I mean all people.

2                   Senator Kennedy, he wasn't only -- I  
3     use to call him, you know, True Talk Tom. He  
4     wasn't only on your elections. When we first got  
5     here, John Flanagan and I were in the same class.  
6     He came over and gave me this beautiful bag with  
7     the Senate logo on it -- I still have it today.  
8     And I loved it. And I said, "Oh, Tom, that's so  
9     nice of you. Could I pay you for it?" He goes,  
10    "No, I'm happy to give this to you." He goes,  
11    "Really," he goes, "I never thought I'd be able  
12    to give it to you." He goes, "I didn't think you  
13    were going to win."

14                   (Laughter.)

15                   SENATOR ROBACH: So he never pulled  
16    any punches. He really liked people. He told  
17    you what it was. I can remember a lot of times  
18    where I would think -- towards the end of session  
19    I would go over to Tom and say, "Hey, Tom, I  
20    really need this bill." He goes, "Joe, it's  
21    1 o'clock in the morning. It's not going to  
22    happen now, it's not going to happen at 2:00,  
23    it's not going to happen at 3 o'clock in the  
24    morning."

25                   So he would tell you straight, but

1 he would give you a lot of advice. And when I  
2 say he had a love for the whole place, there's no  
3 lie.

4                   On another light note, Velmanette,  
5 it's very funny that you would mention about  
6 Tom's love of soul food, because one time after  
7 one of Tom's Florida trips he came back to the  
8 conference and he was so well-tanned I said, "We  
9 now have Binghamton's first African-American  
10 Senator amongst us" --

11                   (Laughter.)

12                   SENATOR ROBACH: -- which he wore  
13 as a badge of honor.

14                   But I would just say, in conclusion,  
15 much has been said. I think Tom, in his  
16 mentoring role, always wanted to give advice,  
17 always was fair, always was straight, but also --  
18 which is sometimes hard -- he not only talked the  
19 talk, he walked the walk. He said, "If you treat  
20 people fairly, you focus on your constituents,  
21 you do the best you can, you'll be on track."

22                   Tom Libous taught me that not only  
23 by speech, but by action. And I think it was  
24 good advice then, it's good advice now for  
25 everybody in this chamber to live by. And we've



1 definitely all been enhanced by him being here.  
2 And I want to thank you for the time -- I know he  
3 took a lot of time away from home, and it always  
4 concerned him. But he loved you, and he loved  
5 this place, and it made a difference in both  
6 camps. So thank you.

7 And Godspeed, rest in peace, Tom.

8 ACTING PRESIDENT GRIFFO: Thank  
9 you, Senator Robach.

10 Senator Parker.

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

13 First let me -- to Fran and Nick and  
14 Matt and all of the Libous family, my thoughts  
15 and prayers are with you all.

16 I am next month celebrating the  
17 ninth anniversary of my own father's passing, and  
18 there's not a day that goes by that I don't think  
19 about my father and what he's meant to me and the  
20 loss that I feel. So I'm certainly very  
21 sincerely with you and thinking about you and  
22 praying for you and all that you're going through  
23 right now.

24 We're kind of at that point in the  
25 program where everything has been said but

1 everybody hasn't said it, so I'm not going to  
2 speak long.

3           But I really thought of Tommy as a  
4 friend and somebody who, like many other people  
5 in this chamber, was mentored by him. I had the  
6 fortune, when I first got here, to have an office  
7 right next to his. And he called me in one day  
8 to his office -- which surprised me, because I  
9 didn't even know he knew my name -- and just  
10 talked to me just man to man and asked me about  
11 myself and offered his help, offered, you know,  
12 guidance, offered -- just told me that like if I  
13 needed anything, you know, to come see him.

14           And I really just thought it was  
15 just something that -- you know, we're  
16 politicians, we say lots of things. And so I  
17 just thought it was one of those things that  
18 somebody just says to you.

19           But he consistently, when I first  
20 got here, was one of the people who consistently  
21 spoke to me all of the time. And because no one  
22 knew me, to have a member of the majority -- and  
23 I was the youngest member of the Senate long ago,  
24 in those days. And so to have somebody who had  
25 been serving as long as he had and someone who

1 was chairing a committee come talk to me and ask  
2 me about legislation and talk to me about things  
3 really meant a lot.

4 And over the years I realized that  
5 when he said if I ever needed anything, that it  
6 wasn't a throwaway line, that he really meant  
7 that, that he really was somebody, when I needed  
8 something around here, I could go to and ask or  
9 talk to about. And as Senator Robach just  
10 indicated, you know, if it wasn't going to  
11 happen, he'd look at you and he'd be like,  
12 "That's not going to happen."

13 (Laughter.)

14 SENATOR PARKER: You know.

15 But more often than not, he -- most  
16 of the time, if it was something that he could  
17 do, he would try to do it. And sometimes he  
18 would come back to you and say, "Don't worry,  
19 I've taken care of it." And sometimes if he  
20 couldn't take care of it, he'd be like, "No,  
21 we'll try on the next one," you know. But it was  
22 good to have that kind of open dialogue with  
23 somebody and somebody that you could count on and  
24 trust in the chamber.

25 The other thing, again, that struck

1 me so much was that he had the most fantastic  
2 sense of humor. And there are a lot of wise guys  
3 in this chamber, but there was certainly no one  
4 who was just as gregarious and as just truly  
5 funny in a real human way as Tom Libous. And  
6 someone who just always, you know, had  
7 something -- something positive to say.

8                   And even in the days when you could  
9 see he was struggling with the cancer, he was  
10 just -- he was more positive than you were about  
11 it. You know. Sometimes, you know, you would go  
12 and you'd see him, you'd give him a big hug when  
13 he might have been gone for a couple of days and,  
14 you know, he'd look at you like, What's wrong  
15 with you? Like, I'm fine, what's wrong with you?  
16 Are you okay? You know.

17                   But that was the kind of guy he was.  
18 And we're going to miss him here. I know the  
19 people of Binghamton, certainly his family are  
20 going to miss him. But even whether they knew  
21 him or not, the people of the state are going to  
22 miss Tom Libous and the leadership he helped us  
23 with.

24                   And thank you on behalf of a  
25 grateful state and the people of the

1 21st District for lending him to us and giving us  
2 his leadership. God bless.

3 ACTING PRESIDENT GRIFFO: Thank  
4 you, Senator Parker.

5 Senator Boyle.

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

8 First, my condolences to Fran and  
9 the Libous family. I didn't get a chance to  
10 serve with Tom for too long, but I knew him  
11 mostly through politics. I can tell you that  
12 even on Long Island, he was legendary.

13 Tom was quite frankly a genius,  
14 politically and governmentally. When I dealt  
15 with political leaders on Long Island, we often  
16 said "What would Tom Libous do in this  
17 situation?" or call Tom and get his advice. It  
18 was truly amazing.

19 You see the accolades that Tom is  
20 getting here today. And many of the people that  
21 spoke, Tom raised and spent a lot of money trying  
22 to defeat. That says a lot. Everybody on that  
23 side, and even Bonacic I didn't know about. So  
24 that says something.

25 (Laughter.)

1                   SENATOR BOYLE:    I wish that Tom had  
2   gone further.  He should have been majority  
3   leader, he should have been governor.  Our state  
4   would have been better for it.  But perhaps not  
5   this chamber.

6                   And I can tell you, as an attorney,  
7   we look at people and call them a lawyer's  
8   lawyer, someone who is like, wow, that man or  
9   that woman has it all.  Well, Tom was a Senator's  
10  Senator, and we'll always remember him.

11                  ACTING PRESIDENT GRIFFO:   Thank  
12  you, Senator Boyle.

13                  Senator Peralta.

14                  SENATOR PERALTA:   Thank you,  
15  Mr. President.

16                  First and foremost, my condolences  
17  to the family and to Fran.

18                  I really didn't know Senator Libous  
19  for that long.  I served with him for almost six  
20  years.  And I want to first thank Fran, his wife,  
21  for really lending him to us.  Because as we all  
22  know, this is a very, very busy position to have.  
23  We always -- not only are we up here in Albany  
24  from time to time during the week, but then when  
25  we go back home we have events to attend, we have

1 political functions to attend, and this sometimes  
2 can become very stressful. So I want to thank  
3 the family, Fran and his family, for lending Tom  
4 to us.

5           This also goes to show how we should  
6 always be interacting with each other, whether  
7 it's on that side or on this side. And  
8 sometimes -- I know, sometimes it gets a little  
9 bit heated, sometimes because of our ideology,  
10 because of what we feel, what we believe, who we  
11 represent.

12           But the bottom line is that when  
13 it's all said and done, we are all a family. We  
14 all should respect each other. And hopefully we  
15 can remember that come June of this year when we  
16 get a little bit testy when it's late at night  
17 and we're kind of short on patience.

18           I wanted to bring that up because  
19 late nights, Tom was a trooper. I mean, he  
20 outlasted many of us. If you would walk into the  
21 members' lounge, you would see, on both sides of  
22 the aisle, people would just be laying down on  
23 the couch, right at 3 o'clock in the morning.  
24 Right? People were just sleeping on one side,  
25 Republicans, Democrats. Right? Just waiting,

1 right, that hurry-up-and-wait where everything  
2 would kind of speed up and then it would slow  
3 down.

4                   It would be 2, 3 o'clock in the  
5 morning, 4 o'clock in the morning and we would  
6 walk into the members' lounge, and some of us are  
7 knocked out. Tom would walk by, kind of like see  
8 everybody and sort of say "Uh-huh," and keep on  
9 walking. And I always noticed that about him.  
10 And I remember, even myself, I mean, I was -- I'm  
11 a bit younger than Tom was, and I would sit there  
12 and it would be 3:00 in the morning. I'd say,  
13 How can this man outlast me? How is he doing  
14 this? And he would walk back and forth, and he  
15 would just look at people and talk to people, I  
16 guess just have a conversation with folks, and he  
17 was up and about as if it was only 10 o'clock in  
18 the morning. That was very inspiring, to say the  
19 least.

20                   He was someone who not only had a  
21 sense of humor, but he would also have a good  
22 joke, he would love good jokes to be told about  
23 him.

24                   I remember, I don't know if -- well,  
25 maybe not your side, but on this side every end



1 of the session I do this little thing where I  
2 always say, Who would play us if this was the  
3 Senate movie? And I know I've mentioned it to  
4 some of you on that side of the aisle. But from  
5 time to time I would pick these actors of who  
6 would play us, right, late at night, because  
7 we're just waiting. And we would just come up  
8 with these actors, I would come up with these  
9 actors.

10 And one year, I said: I know who  
11 can play Tom Libous. And I told some of my  
12 colleagues, and I said I think Danny DeVito can  
13 play Tom Libous.

14 (Laughter.)

15 SENATOR PERALTA: And I didn't tell  
16 him, someone must have told him, because he came  
17 up to me and he said, "Peralta, can I talk to you  
18 for a second?" And I said "Yeah." And he said,  
19 "I'm hearing you're saying that Danny DeVito can  
20 play me." And I said (pausing) "I think he can  
21 capture your essence."

22 (Laughter.)

23 SENATOR PERALTA: And he said, "Let  
24 me just tell you, I'm better looking than Danny  
25 DeVito" --

1 (Laughter.)

2 SENATOR PERALTA: -- "so let's end  
3 that right now."

4 And that was Tom. He was so laid  
5 back about it. And, you know, he walked out and  
6 maybe a few minutes later he came back in -- we  
7 were in the members' lounge -- and I said, "You  
8 know what, Tom? You're one of the cool  
9 Republicans."

10 And he came by, and he looked at me.  
11 He said, "I'm one of the cool Republicans."  
12 Walks out again, comes back, and he says, "Let me  
13 tell you a secret, Peralta. There's a lot of  
14 cool Republicans."

15 (Laughter.)

16 SENATOR PERALTA: And I said, "You  
17 know what? That's why I like you, Tom."

18 So Tom was a true gentleman. Like I  
19 said, I didn't really get to know Tom the way I  
20 should have. But the little that I did get to  
21 know Tom, I'm really honored to have gotten to  
22 spend time with him.

23 So he will be missed. And again,  
24 thank you for allowing him to serve with us.

25 Thank you, Mr. President.

1                   ACTING PRESIDENT GRIFFO:    Thank  
2   you, Senator Peralta.

3                   Senator Martins.

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

6                   First and foremost, my deepest  
7   condolences to the Libous family; in particular,  
8   to Fran.

9                   I met Tom about six years ago,  
10  shortly after getting elected.  And whereas Joe  
11  Robach got a bag, I got a set of Libous  
12  cufflinks, which I still have.

13                  I wasn't going to get up, but what a  
14  beautiful day in the New York State Senate.  What  
15  a wonderful moment for us to have an opportunity  
16  to recognize a great man, a great colleague, and  
17  someone who really made a difference.

18                  You know, we didn't mention that Tom  
19  Libous died extraordinarily young.  He was a  
20  young man who had put in more than 30 years of  
21  public service.  And look at the legacy that he  
22  left here.

23                  And yes, he was a Senator's Senator.  
24  I remember those words being used by Senator  
25  LaValle in reference to another colleague of ours

1 who passed way too young many years ago, Senator  
2 John Caemmerer. Tom Libous made a difference.

3 He was a fierce competitor, always  
4 looking at the numbers, always thinking about  
5 each Senate seat. And he had this granular  
6 knowledge of each one of our districts. So when  
7 we discussed issues, his points were always where  
8 we should be, not because of the larger issues,  
9 but where those issues were important in our  
10 districts. An extraordinary ability.

11 But most importantly, I think he was  
12 a great example to all of us on how we should  
13 conduct ourselves as Senators in this chamber.  
14 Because this was Tom Libous's chamber. His  
15 ability to work across the aisle and to get  
16 things done. And yes, to the leader's point,  
17 somehow the Southern Tier always came out  
18 slightly ahead on whatever it was that we were  
19 doing. But rightfully so.

20 Tom Libous was a giant. He blazed a  
21 path here in the New York State Senate. And he  
22 had big shoes to fill, and he did. And his  
23 legacy continues in our dear colleague here, Fred  
24 Akshar. Big shoes to fill. But I see a lot of  
25 Tom Libous in Fred Akshar as well. And so we're

1 lucky to have that peace and that continuity.

2 But as a chamber, we have a lot to  
3 celebrate today. We celebrate the memory of a  
4 dear friend and a colleague and someone who  
5 worked hard on both sides of the aisle, and we  
6 got a moment in what is perhaps a very difficult  
7 time for anyone in government, not only national  
8 politics but state politics, to remember that  
9 which is great about being in government and  
10 being in public service.

11 So it was an honor and a privilege  
12 to serve with Tom Libous. To his family, thank  
13 you for sharing him with us. God knows the  
14 sacrifices that you made over those three-plus  
15 decades, the nights that he was here when he  
16 should have been home. But thank you. Because  
17 as you heard, Tom Libous made a difference and  
18 the entire State of New York recognizes that.

19 Thank you. Thank you,  
20 Mr. President.

21 ACTING PRESIDENT GRIFFO: Thank  
22 you, Senator Martins.

23 Senator Akshar.

24 SENATOR AKSHAR: Thank you,  
25 Mr. President.

1           I rise this afternoon with a great  
2 of humility, keenly aware that I have succeeded a  
3 man who has dedicated his life to others with an  
4 immeasurable amount of honor and integrity.

5           So where does one begin when having  
6 an opportunity to speak about a political giant,  
7 a dedicated public servant, and a man who loved  
8 his family more than anything else.

9           I really only got to know Senator  
10 Libous over the last five or six years. And  
11 during that time, it was clear to me that serving  
12 the constituency was at the forefront of the  
13 Senator's mind. I couldn't agree more with  
14 Senator Flanagan when he said of Senator Libous,  
15 If you were his constituent, your cause was his  
16 crusade. No truer words have been spoken.

17           I reflected a little bit about my  
18 time that I did get to spend with Senator Libous.  
19 I was a political newcomer, a rookie, if you  
20 will, looking for an opportunity to get his ear,  
21 get a photo with him -- which he was always happy  
22 to do, not only with me but for everybody that he  
23 served.

24           A couple of years later he asked me  
25 to MC an event for him. It was about the

1 crash-zone safety bill that he was pushing. I  
2 did. I was a captain in law enforcement. A  
3 follow-up lunch where Libous sat me down and  
4 asked me about my future plans. I went on and  
5 on, I was so happy he was listening to me. I  
6 wanted to run for sheriff. It was just going to  
7 be the greatest thing.

8                   And he said to me: "Things change  
9 in politics. Don't put all your eggs in one  
10 basket." Who would have ever thought in a year  
11 and a half I'd be standing here having this  
12 conversation.

13                   Thursday night dinner at the Park  
14 Diner, which we all know that he loved. And then  
15 came the phone call when I decided to run. It  
16 was Libous. The first thing he said: "This is  
17 not an endorsement call." Talk about nervous.

18                   (Laughter.)

19                   SENATOR AKSHAR: I think he put me  
20 through the wringer just like Warren put him  
21 through the paces.

22                   And I remember very vividly my last  
23 conversation I had with the Senator. The Monday  
24 before he passed, Mary and I stopped to see him  
25 before we came here. He gave me some advice on

1 life, and then he talked about public service.  
2 And I think this goes -- this really goes to the  
3 type of person that Tom Libous was. In the  
4 waning hours of his life, he was talking about  
5 serving the public.

6 He said to me: "Build that  
7 Binghamton University pharmacy school. Make sure  
8 the Greenway gets built. And dammit, take care  
9 of my Binghamton Mets."

10 It's been said many times since I've  
11 been elected and since we lost Senator Libous  
12 that I have big shoes to fill. I couldn't agree  
13 more. Some might suggest that following in the  
14 footsteps of someone like Senator Libous would be  
15 a daunting task. It may be to some. However,  
16 when you have been able to witness firsthand the  
17 right way to do this job and have been able to  
18 study under the tutelage of someone like Senator  
19 Libous, it makes the task so much easier.

20 So to Fran, the people of the  
21 Southern Tier, and to my colleagues in this great  
22 house, I want each of you to know that I stand  
23 ready to proudly walk in his footsteps, work hard  
24 every day to fill his shoes, and continue the  
25 long Southern Tier tradition of public service



1 before self.

2           Mr. President, if you will indulge  
3 me, I'd like to leave you with a quote by Teddy  
4 Roosevelt that Senator Libous kept in his office  
5 for many years. "It is not the critic who  
6 counts, not the man who points out how the strong  
7 man stumbles or where the doer of deeds could  
8 have done them better. The credit belongs to the  
9 man who is actually in the arena, whose face is  
10 marred by dust, sweat and blood, who strives  
11 valiantly, who errs, who comes short again and  
12 again because there is no effort without error  
13 and shortcoming, but who does actually strive to  
14 do the deeds, who knows great enthusiasm, the  
15 great devotion, who spends himself in a worthy  
16 cause, who at the best knows in the end the  
17 triumph of high achievement and who at the worst,  
18 if he fails, at least fails with daring greatly,  
19 so that this place shall never be with those cold  
20 and timid souls who neither know victory nor  
21 defeat."

22           I would respectfully offer that Tom  
23 Libous lived by those words. And I pray, as  
24 Senator Libous is looking down, smiling on all of  
25 us, I pray that God will continue to bless the

1 Libous family.

2 Thank you.

3 (Applause.)

4 ACTING PRESIDENT GRIFFO: Thank  
5 you, Senator Akshar.

6 Senator DeFrancisco will close.

7 Senator DeFrancisco.

8 SENATOR DeFRANCISCO: Thank you.

9 I have the honor of closing because  
10 I have the honor of sitting at his desk. And it  
11 is truly an honor. I've known Tom for a long  
12 time. And I've got many, many stories, but I'm  
13 not going to tell any of them. I just want to  
14 talk about a couple of things.

15 Quite frankly, I believed that Tom  
16 was indestructible. I truly, truly believed.  
17 And it was a shock, his passing -- despite what  
18 he was going through, it was a shock that he  
19 died. I have never, ever -- and I've been around  
20 a while -- seen anybody who went through what he  
21 went through in the end of his life and always  
22 have a smile on his face. I thought he was  
23 indestructible.

24 People have mentioned this before.  
25 He never, ever, ever complained. In this society

1     that we've created of victims, where everybody  
2     has a problem and you've got to deal with it, he  
3     was not a victim. He was the person that took  
4     care of the victims and wouldn't even take -- he  
5     would not take any kind of statement that was  
6     negative or concern about him. "Don't worry  
7     about me" was said many times. Absolutely true.

8                     He was totally indestructible. And  
9     he still is, as far as I'm concerned, because  
10    he's always going to be here.

11                    The funeral was absolutely  
12    beautiful, it was absolutely beautiful. And I've  
13    been to funerals before of people who have passed  
14    from the Legislature. But you know, maybe it's  
15    because of my age, because I'm getting up there,  
16    I started thinking of something -- because all of  
17    us complain about something as we're doing our  
18    job. All of us do, and I certainly do.

19                    But what it brought to my attention,  
20    because of Tom's character and the way he was, is  
21    that, you know, we all forget what a blessing we  
22    have to be serving here in this body with so many  
23    people of diverse backgrounds and philosophies  
24    that we can call friends, that we can actually  
25    have a good time with as we're doing this work.

1                   And that came out at that funeral  
2                   and never came out before at any of the others  
3                   that I've gone to. Because he was the epitome of  
4                   friendship.

5                   And hopefully as we go forward, we  
6                   will think of Tom as a model in which we can  
7                   continue to conduct business and be thankful  
8                   rather than be concerned about some of the  
9                   difficulties of doing this work.

10                  So all I'm going to do to close is  
11                  in Tom's program at the service, there was a  
12                  poem. And Tom is probably up there now saying,  
13                  Will you guys please shut up, let's get this  
14                  thing over. But this poem is perfect. It's  
15                  based on a poem "Remember Me" by David Harkins.  
16                  And the section that they pulled out -- and the  
17                  family obviously knew the right one to do -- "You  
18                  can shed tears."

19                  "You can shed tears that he is gone,  
20                  or you can smile because he has lived.

21                  "You can close your eyes and pray  
22                  that he'll come back, or you can open your eyes  
23                  and see all that he's left.

24                  >Your heart can be empty because you  
25                  can't see him, or you can be full of the love you

1 shared.

2 "You can turn your back on tomorrow  
3 and live in yesterday, or you can be happy for  
4 tomorrow because of yesterday.

5 "You can remember only that he is  
6 gone, or you can cherish his memory and let it  
7 live on.

8 "You can cry and close your mind, be  
9 empty and turn your back, or you can do what he'd  
10 want: Smile, open your eyes, love and go on."

11 Rest in peace, friend.

12 ACTING PRESIDENT GRIFFO: Thank  
13 you, Senator DeFrancisco.

14 Before I call the question, I again  
15 want to acknowledge the family's presence here:  
16 His brother, sister, sisters-in-law,  
17 brothers-in-law, Fran, Matt, Nick and Katie.  
18 You've heard so many poignant stories today, and  
19 you've seen us not only express the sorrow of  
20 this house but our appreciation for sharing Tom  
21 with not only the New York State Senate and the  
22 people of the Southern Tier, but the people of  
23 the State of New York.

24 Even during the challenges that he  
25 faced, he possessed courage, perseverance, and

1     faith.  There's an old Lebanese saying that says  
2     "Talking isn't doing."  Well, he did some  
3     talking, but he did a lot of doing.  He was just  
4     born with the ability to change lives, and that  
5     he didn't waste.  That ability was put to good  
6     use.

7                     So today as we stand prepared to  
8     vote on this resolution, we'll remember that he  
9     was a loving family man but also a good friend to  
10    each and every member of this house.  Because the  
11    best way to friendship truly is to be a friend,  
12    and that he was consummately.  And among all his  
13    pursuits, as we heard today, his true interest  
14    was in service.  He cherished that.  And the poet  
15    Emerson once wrote:  "The best way to find  
16    yourself is to lose yourself in service."  Tom  
17    exemplified that, and he was the personification  
18    of that.

19                    So like his beloved New York State  
20    Mets, simply put, Tom was amazing.

21                    The question is on the resolution.  
22    All in favor signify by saying aye.

23                    (Response of "Aye.")

24                    ACTING PRESIDENT GRIFFO:  Opposed?

25                    (No response.)

1                   ACTING PRESIDENT GRIFFO:    The  
2 resolution is adopted.

3                   I ask all present, at the leader's  
4 request, to rise and honor and celebrate the life  
5 of Tom Libous.

6                   (Extended standing ovation.)

7                   ACTING PRESIDENT GRIFFO:    Senator  
8 DeFrancisco, the resolution has been adopted.

9                   SENATOR DeFRANCISCO:    Thank you.

10                  Can we now take up Resolution 5540,  
11 by Senator Croci, and read the title only and  
12 then call on him.

13                  ACTING PRESIDENT GRIFFO:    By the  
14 way, Senator DeFrancisco, at the request of the  
15 leader, that resolution has listed all the  
16 members on it.

17                  SENATOR DeFRANCISCO:    Great.

18                  ACTING PRESIDENT GRIFFO:    The  
19 Secretary will read.

20                  THE SECRETARY:    Legislative  
21 Resolution Number 5540, by Senator Croci,  
22 congratulating the Connetquot High School Girls  
23 Volleyball Team upon the occasion of capturing  
24 the 2015 New York State Public High School  
25 Athletic Association's Class AA Championship.

1                   ACTING PRESIDENT GRIFFO:    Senator  
2   Crocì.

3                   SENATOR CROCI:    Thank you,  
4   Mr. President.  I'd like to speak on the  
5   resolution.

6                   It's fitting that after honoring a  
7   great public servant with a lifetime of  
8   accomplishments that we are now recognizing an  
9   accomplishment that I think these girls will  
10  remember for their lifetime.

11                  And so I'd like to tell you about a  
12  a school at the end of 7th Street in Bohemia,  
13  Connetquot High School.  And in 31 years,  
14  Connetquot High School has not had a girls'  
15  championship.  But today we're recognizing the  
16  Connetquot High School Girls Volleyball Team in  
17  winning the state championship.

18                  They're not only great athletes led  
19  by great coaches from an extraordinary community,  
20  but they're involved in helping other people  
21  while they're achieving athletic greatness.  They  
22  have raised \$3,400 this year to help with breast  
23  cancer research and charities on Long Island, and  
24  in the past six years have raised over \$20,000 to  
25  help breast cancer research.



1           In addition to that, in addition to  
2     their community service and their athleticism,  
3     they have heart. And that's how they got to the  
4     state championship.

5           So to Diana, Lauren, Sarah, Ashley,  
6     Nicole, Sophia, Gianna, Cory, Mackenzie, Taylor,  
7     Skyla, Cassandra, Mackenzie, Taylor, Daniella and  
8     Katie, and to Assistant Coaches Karen Edwards and  
9     Ashley Marchese and Head Coach Justin Hertz,  
10    congratulations. You make us very proud to be  
11    New Yorkers. I am very proud to be your Senator.  
12    And as an alumni and graduate of Connetquot High  
13    School, you make me very proud to be a T-bird.

14           If you would please stand.  
15    Mr. President, I would ask that the Senate  
16    recognize the 2015 Connetquot High School Girls  
17    Volleyball state champs.

18           (Applause.)

19           ACTING PRESIDENT GRIFFO:   Senator  
20    Boyle.

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

23           I too, as the Senator representing  
24    Connetquot High School, would like to  
25    congratulate the Girls Volleyball Team for their

1 state championship. It has been a long time in  
2 coming, and you made history for the entire State  
3 of New York and for Connetquot High School.

4 And you got to witness also a  
5 commemoration of a great New Yorker, Senator Tom  
6 Libous. When you go home, Google him, you'll see  
7 the great works he did. And he would be very  
8 proud of you as well.

9 Thank you so much, and we look  
10 forward to seeing you back home on Long Island.

11 ACTING PRESIDENT GRIFFO: Thank  
12 you, Senator Boyle.

13 Again, we offer congratulations to  
14 the Connetquot Girls Volleyball state champions.  
15 We appreciate you being here today. We extend  
16 best wishes to you, and we extend the privileges  
17 of the house. Congratulations.

18 Senator DeFrancisco.

19 SENATOR DeFRANCISCO: Could we take  
20 up both Resolution --

21 ACTING PRESIDENT GRIFFO: Excuse  
22 me, Senator DeFrancisco.

23 The question is on the resolution.  
24 All in favor signify by saying aye.

25 (Response of "Aye.")

1                   ACTING PRESIDENT GRIFFO:    Opposed?

2                   (No response.)

3                   ACTING PRESIDENT GRIFFO:    The  
4 resolution is adopted.

5                   Thank you, Senator DeFrancisco.

6                   SENATOR DeFRANCISCO:    And I think  
7 it's open for cosponsorship, if I'm not mistaken.

8                   ACTING PRESIDENT GRIFFO:    It is.  
9 It is.

10                  Should you choose not to be a  
11 cosponsor, please notify the desk.

12                  Senator DeFrancisco.

13                  SENATOR DeFRANCISCO:    Now would you  
14 please take up Resolutions 4799 and 4800, read  
15 both in their entirety, take a vote on the first  
16 one, and then we will all speak, whoever wants to  
17 speak, after the second one is read, in view of  
18 the hour.

19                  ACTING PRESIDENT GRIFFO:    We will  
20 read both resolutions and then we will take two  
21 separate votes and then call upon members to  
22 speak.

23                  The Secretary will read.

24                  THE SECRETARY:    Legislative  
25 Resolution Number 4799, by Senator Díaz,

1 celebrating Taiwan Heritage Day to strengthen the  
2 friendship and bilateral relationship between the  
3 State of New York and Taiwan.

4 "WHEREAS, The United States and the  
5 Republic of China (Taiwan) share common ideals  
6 and a clear vision for the 21st century, where  
7 freedom and democracy are the foundation for  
8 peace, prosperity, and progress; and

9 "WHEREAS, Taiwan has become a  
10 multiparty democracy in which all citizens have  
11 the right to participate freely in the political  
12 process, as evidenced by Taiwan's six democratic  
13 presidential elections, which took place in 1996,  
14 2000, 2004, 2008, 2012 and 2016; and

15 "WHEREAS, This Legislative Body is  
16 proud to congratulate President-elect Dr. Tsai  
17 Ing-wen and Vice President-elect Dr. Chen  
18 Chien-jen on their victory in Taiwan's  
19 presidential election on January 16, 2016, making  
20 Dr. Tsai the first female president of the  
21 Republic of China in history; and

22 "WHEREAS, This Legislative Body is  
23 also proud to congratulate the Honorable Lily  
24 L.W. Hsu, the new ambassador and director general  
25 of the Taipei Economic and Cultural Office (TECO)

1 in New York for assuming office on January 20,  
2 2016, as a seasoned career diplomat of the  
3 Republic of China and the first female ambassador  
4 of TECO in New York; and

5 "WHEREAS, Through cross-strait  
6 dialogue, the establishment of the Economic  
7 Cooperation Framework Agreement (ECFA) with  
8 mainland China, and the policy of viable  
9 diplomacy, President Ma Ying-jeou of the Republic  
10 of China has transformed the Taiwan Strait from  
11 a major international flashpoint into an  
12 essential component of East Asian peace and  
13 prosperity; and

14 "WHEREAS, In 1979, the United States  
15 passed the Taiwan Relations Act to define the  
16 relations of the United States and Taiwan, which  
17 strongly strengthened their friendship; and

18 "WHEREAS, The United States and  
19 Taiwan share a long-term and close economic  
20 relationship, including \$66.6 billion in  
21 bilateral trade in 2015, making Taiwan the ninth  
22 largest trading partner of the United States; and

23 "WHEREAS, The United States assisted  
24 Taiwan in attaining participation in the assembly  
25 of the World Health Organization (WHO) since

1 2009, and of the International Civil Aviation  
2 Organization (ICAO) in 2013, and will continue  
3 supporting Taiwan's meaningful participation in  
4 other international organizations such as the  
5 United Nations Framework Convention on Climate  
6 Change (UNFCCC) and INTERPOL; and

7 "WHEREAS, In order to strengthen  
8 bilateral trade relations with the United States,  
9 the government of the Republic of China has  
10 expressed its wish to participate in the  
11 Trans-Pacific Partnership agreement (TPP), and to  
12 sign a Bilateral Investment Agreement (BIA) and a  
13 Free Trade Agreement (FTA) with the United States  
14 in the near future; and

15 "WHEREAS, The State of New York  
16 exported \$844 million and imported \$1.76 billion  
17 worth of products to/from Taiwan in 2014, making  
18 Taiwan the 15th largest foreign market for the  
19 State of New York; and

20 "WHEREAS, Many of the United States'  
21 top 500 companies headquartered in New York,  
22 including IBM, Pfizer, Corning, Citigroup, AIG,  
23 MetLife, JPMorgan Chase, Merrill Lynch, and  
24 New York Life, have invested in Taiwan,  
25 supporting the mutually beneficial relationship

1     for decades; and

2                 "WHEREAS, There are more than 300  
3     Taiwanese companies that have invested in the  
4     State of New York in sectors such as computers,  
5     finance, jewelry, sporting goods, and garments;  
6     and

7                 "WHEREAS, The State of New York is  
8     home to a thriving overseas ethnic Chinese  
9     community that supports the Republic of China,  
10    including the Chinese Consolidated Benevolent  
11    Association (CCBA), the Chinese Chamber of  
12    Commerce of New York, Inc., Buddha's Light  
13    International Association in New York, the Taiwan  
14    Center (Senior Center), Taiwanese American  
15    Association of New York, the Union of Taiwan  
16    Universities and Colleges Alumni Association, and  
17    the National Women's League of the Republic of  
18    China, that devote themselves to the harmony and  
19    development of the community of the State of  
20    New York; and

21                "WHEREAS, The New York State  
22    Legislature held the third Taiwan Heritage Day  
23    celebration at the Legislative Office Building in  
24    Albany in April of 2015 to promote bilateral  
25    relations between New York and Taiwan, and will

1 hold the fourth Taiwan Heritage Day Celebration  
2 in 2016; now, therefore, be it

3 "RESOLVED, That this Legislative  
4 Body pause in its deliberations to celebrate  
5 Taiwan Heritage Day to strengthen the friendship  
6 and bilateral relations between the State of  
7 New York and Taiwan; and be it further

8 "RESOLVED, That copies of this  
9 Resolution, suitably engrossed, be transmitted to  
10 President Ma Ying-jeou of the Republic of China,  
11 through the Taipei Economic and Cultural Office  
12 in New York; President-elect Dr. Tsai Ing-wen;  
13 Vice President-elect Dr. Chen Chien-jen; and the  
14 Honorable Lily L.W. Hsu, the new ambassador and  
15 director general of the Taipei Economic and  
16 Cultural Office in New York."

17 ACTING PRESIDENT GRIFFO: The  
18 question is on the resolution. All in favor  
19 signify by saying aye.

20 (Response of "Aye.")

21 ACTING PRESIDENT GRIFFO: Opposed?

22 (No response.)

23 ACTING PRESIDENT GRIFFO: The  
24 resolution is adopted.

25 The Secretary will now read



1 Resolution 4800.

2 THE SECRETARY: Legislative  
3 Resolution 4800, by Senator Díaz, commemorating  
4 the 150th anniversary of the employment of large  
5 numbers of Chinese laborers on the construction  
6 of the Central Pacific portion of the  
7 Transcontinental Railroad on April 12, 2016.

8 "WHEREAS, It is the sense of this  
9 Legislative Body to recognize and commend events  
10 which symbolize the historical, social and  
11 cultural development of this great state and  
12 embody the spirit of the principles upon which  
13 this nation was founded; and

14 "WHEREAS, Attendant to such concern,  
15 and in full accord with its long-standing  
16 traditions, this Legislative Body is justly  
17 proud to commemorate the 150th anniversary of the  
18 employment of large numbers of Chinese laborers  
19 on the construction of the Central Pacific  
20 portion of the Transcontinental Railroad, to be  
21 feted at the Chinese Railroad Workers'  
22 Celebration Gala organized by the Asian Pacific  
23 Islander American Public Affairs Association  
24 (APAPA) on Tuesday, April 12, 2016; and

25 "WHEREAS, This auspicious occasion

1 will applaud and pay tribute to the  
2 accomplishments and contributions of the Chinese  
3 workers; despite facing severe prejudice,  
4 discrimination, social isolation, and a language  
5 barrier, as well as the inherent physical  
6 challenges of labor, the proud Chinese workers  
7 persevered; and

8               "WHEREAS, In 1865, construction  
9 began for the Transcontinental Railroad, which  
10 was predominantly built by Chinese laborers; the  
11 Union Pacific Railroad faced a steep labor  
12 shortage and recruited heavily from the pool of  
13 able-bodied Chinese workers; by the second year  
14 of the railroad's construction, approximately  
15 nine out of 10 workers were Chinese; and

16               "WHEREAS, Unfortunately, many  
17 Chinese workers were often exploited, given the  
18 most difficult and dangerous tasks, and  
19 subsequently, thousands of Chinese workers lost  
20 their lives in the construction of the railroad;  
21 and

22               "WHEREAS, 12,000 hard-working  
23 Chinese men were tasked with the backbreaking  
24 challenge of clearing a path through the Sierra  
25 Nevada mountain ranges; and

1                   "WHEREAS, The sacrifices and  
2     laborious efforts made by the steady Chinese  
3     workers facilitated rapid economic growth, and  
4     forever enriched American culture with their  
5     values of hard work and their vibrant culture;  
6     and

7                   "WHEREAS, The Transcontinental  
8     Railway marks a pivotal moment in American  
9     history, revolutionizing trade and travel; goods  
10    could move across the country faster than ever  
11    before, and expectedly, the increase in trade  
12    facilitated economic growth; and

13                  "WHEREAS, Even though the majority  
14    of the work was done by Chinese laborers, their  
15    contributions have gone largely unrecognized in  
16    American history; these steadfast men took on the  
17    most dangerous jobs in the face of tremendous  
18    prejudice, and epitomized mental fortitude and  
19    what it means to be courageous; and

20                  "WHEREAS, It is the intent of this  
21    Legislative Body to commemorate those events of  
22    historical significance which add strength, vigor  
23    and inspiration to the cultural diversity and  
24    quality of life in the communities of the State  
25    of New York; and

1                   "WHEREAS, It is the sense of this  
2     Legislative Body, in keeping with its  
3     time-honored traditions, to recognize and pay  
4     tribute to those individuals who foster ethnic  
5     pride and enhance the profile of cultural  
6     diversity which strengthens the fabric of the  
7     communities of New York State; now, therefore, be  
8     it

9                   "RESOLVED, That this Legislative  
10    Body pause in its deliberations to commemorate  
11    the 150th anniversary of the employment of large  
12    numbers of Chinese laborers on the construction  
13    of the Central Pacific portion of the

14   Transcontinental Railroad; and be it further

15                  "RESOLVED, That a copy of this  
16    resolution, suitably engrossed, be transmitted to  
17    the Asian Pacific Islander American Public  
18    Affairs Association."

19                  ACTING PRESIDENT GRIFFO:    Senator  
20    Stavisky.

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

23                  First, da jia hao.   Huan ying lai  
24    dao Albany.   Which means hello and welcome to  
25    Albany.

1                   First let me thank Senator Díaz for  
2     introducing these two resolutions, and  
3     particularly his chief of staff, who is sitting  
4     in the back, Ann Noonan. They have done a  
5     terrific job in terms of the relationship with  
6     the Republic of China, and we appreciate their  
7     work.

8                   And welcome, Ambassador Lily  
9     L.W. Hsu.

10                  (Applause.)

11                  SENATOR STAVISKY: She is the  
12     director general of the Taipei Economic and  
13     Cultural Office, known as TECO.

14                  Interestingly, she is the first  
15     woman appointed as director general of TECO. And  
16     at the same time, Taiwan, the Republic of China,  
17     has elected its first woman as president of the  
18     country, Tsai Ing-wen. And I know our friends on  
19     the other side of the aisle will be delighted to  
20     know that the president has a master's degree  
21     from that institution in Central New York,  
22     Cornell.

23                  We also welcome to the chamber the  
24     Venerable Abbess.

25                  (Applause.)

1                   SENATOR STAVISKY:    We welcome  
2   Franklin F.Y. Chen, the deputy director general  
3   of TECO; Ronnie Lu, who is the political affairs  
4   officer at TECO.

5                   We also welcome Michelle Wang, who  
6   is the president of the Asian Pacific Islander  
7   American Public Affairs Association.

8                   (Applause.)

9                   SENATOR STAVISKY:    And with her on  
10   the floor is the vice chairman, Pao Ming Wang,  
11   and the honorary president, Kai Yue Li.

12                   (Applause.)

13                   SENATOR STAVISKY:    And in the  
14   gallery we have our friends from Buddha's Light  
15   International, from the New York City chapter.

16                   (Applause.)

17                   SENATOR STAVISKY:    I met with you a  
18   couple of weeks ago at Flushing High School when  
19   you had an event there.

20                   We welcome our friends from the  
21   Taiwan Center Senior Center, the Chinese Chamber  
22   of Commerce of New York, and the Taiwan community  
23   here in Albany.

24                   Very, very briefly, Mr. President,  
25   let me just say that the United States and the

1 Republic of China has a very, very close  
2 relationship. It's a friendship based on  
3 democratic values, of concerns for both  
4 countries, whether it be economic trade,  
5 development, climate change.

6 We were helpful and I remember  
7 writing a letter in 2009 for the World Health  
8 Organization membership for the Republic of  
9 China.

10 And it's a friendship that's also  
11 based on trust and on cooperation. It's  
12 interesting that the businesses in China, for the  
13 most part, are small and medium-size, as they are  
14 in the United States. And yet we have large  
15 companies that are starting to grow, such as  
16 Foxconn and Quanta Computer, and they are making  
17 products for our Apple computers and our Hewlett  
18 Packards and Dell computers. And they have  
19 invested in New York, which is certainly an  
20 example of economic cooperation.

21 Lastly, let me just say that the  
22 literacy rate in Taiwan is 97 percent. And that  
23 is something that we should look to and  
24 congratulate the Republic of China.

25 And nowhere is this more apparent

1     than in Queens County, where a number of us are  
2     proud to represent. Whether it be the cranes  
3     that you see on the street or the scaffolding  
4     covering the buildings or the cars honking their  
5     horns, this is where development is occurring,  
6     this is where we have tremendous economic  
7     growth -- sometimes a little chaotic, but  
8     nevertheless, we respect the Chinese  
9     businesspeople who have come and made their home  
10    and made their lives in Queens, and they have  
11    contributed immeasurably to not just the economy  
12    but to our social structure. They hold elective  
13    office. They are an amazing part of my Senate  
14    district. And I say it many times, I'm so proud  
15    to represent so many people from the Asian  
16    community.

17               As far as the Transcontinental  
18    Railroad is concerned -- because we're talking  
19    about the resolutions together -- there are many  
20    parallels with what happened to the Chinese  
21    community in the 1860s and the American community  
22    with slavery. People came, 12,000 Chinese people  
23    came to the United States, many of them  
24    originally to work in silver and gold mining in  
25    California.



1                   And then when they started  
2     construction of the Transcontinental Railroad in  
3     1863, they started in Sacramento with the Central  
4     Pacific, and the Union Pacific started in Omaha,  
5     and they were going to meet in Utah. But it was  
6     the Central Pacific Railroad that hired so  
7     many -- or conscripted, almost, so many people  
8     from China -- 12,000 people.

9                   And they faced tremendous,  
10    tremendous difficulties. Whether it be blasting  
11    through the granite of the Sierra Nevada  
12    Mountains, the avalanches, the snowdrifts, the  
13    accidents that occurred, it was a very difficult  
14    situation. Many people were killed and many more  
15    were injured.

16                  But the tunneling through the  
17    mountains and everything else came together on  
18    May 10, 1869, when the two railroads met and we  
19    had a transcontinental railroad.

20                  I was proud to visit the exhibit of  
21    the Transcontinental Railroad in Queens at TECO's  
22    Flushing office. It was put together by the  
23    Asian Pacific Islanders group, APAPA, I believe  
24    it is called. And there's an exhibit in the  
25    Albany Room for us to look at after session. And

1 I suggest that this would be a very interesting  
2 exhibit.

3 And I welcome again our friends from  
4 the Republic of China.

5 Thank you, Mr. President.

6 ACTING PRESIDENT GRIFFO: Thank  
7 you, Senator Stavisky.

8 Senator Hamilton.

9 SENATOR HAMILTON: Yes,  
10 Mr. President, I rise to salute the members from  
11 Taiwan and also the Venerable Ru Yang, to you.

12 And I just want to say that I have a  
13 large Asian population in my district, and my  
14 sister-in-law was born in Taiwan. And my  
15 sister-in-law says she is the true Taiwanese,  
16 she's the original Taiwanese. And she works  
17 hard. She has a strong work ethic, as do all  
18 Taiwanese people, who are the new economic engine  
19 for development in our country.

20 As you all might not know, that  
21 Taiwan is called one of the four Asian tigers for  
22 development. Taiwan has the 21st largest economy  
23 in the world.

24 So I just want to thank Ronnie Lu  
25 for coming, my good friend. But also even

1 special thanks and acknowledgment of the  
2 ambassador, Lily L.W. Hsu.

3 So thank you for coming to Albany.  
4 It was a long day; thank you for your patience.  
5 Thank you all.

6 Xie xie. Xie xie.

7 (Applause.)

8 ACTING PRESIDENT GRIFFO: Senator  
9 Espaillat.

10 SENATOR ESPAILLAT: Thank you,  
11 Mr. President.

12 I rise also to welcome the  
13 delegation. It's Ambassador Lily Hsu, first  
14 woman ambassador of the Taipei Economic and  
15 Cultural Office in New York, and to also  
16 congratulate you for the fine photo exhibit that  
17 we have, the APAPA photo exhibit. That was very  
18 nice for you to bring that up here to share those  
19 photos with us, and we want to continue to have a  
20 good relationship with the Taiwanese community  
21 across the State of New York.

22 Welcome to Albany.

23 Thank you, Mr. President.

24 ACTING PRESIDENT GRIFFO: Thank  
25 you, Senator Espaillat.

1                   The question is on the resolution.

2   All in favor signify by saying aye.

3                   (Response of "Aye.")

4                   ACTING PRESIDENT GRIFFO:   Opposed?

5                   (No response.)

6                   ACTING PRESIDENT GRIFFO:   The  
7 resolution is adopted.

8                   So Resolution 4799 and Resolution  
9 4800 are both adopted, and both are open for  
10 cosponsorship. Should you choose not to be a  
11 cosponsor, please notify the desk.

12                  Senator DeFrancisco.

13                  SENATOR DeFRANCISCO:   Yes,  
14 returning to motions and resolutions,  
15 Mr. President, on page 22 I offer the following  
16 amendments to Senator Lanza's bill, Calendar  
17 Number 536, Senate Print 6931B, and ask that said  
18 bill retain its place on Third Reading Calendar.

19                  ACTING PRESIDENT GRIFFO:   The  
20 amendments are received, and the bill shall  
21 retain its place on third reading.

22                  Senator Serrano.

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

25                  I move that the following bill be

1 discharged from its respective committee and be  
2 recommitted with instructions to strike the  
3 enacting clause. And that's Senate Bill Number  
4 7849, by Senator Peralta.

5 ACTING PRESIDENT GRIFFO: It is so  
6 ordered.

7 SENATOR SERRANO: Thank you.

8 ACTING PRESIDENT GRIFFO: Senator  
9 DeFrancisco.

10 SENATOR DeFRANCISCO: Yes. Can we  
11 now take up Senate Resolution 3240, by Senator  
12 Persaud, and please read it in its entirety.

13 ACTING PRESIDENT GRIFFO: The  
14 Secretary will read.

15 THE SECRETARY: Legislative  
16 Resolution Number 3240, by Senator Persaud,  
17 commemorating the 50th Anniversary of the  
18 Independence of Guyana.

19 "WHEREAS, It is the sense of this  
20 Legislative Body to recognize and pay just  
21 tribute to the cultural heritage of the ethnic  
22 groups which comprise and contribute to the  
23 richness and diversity of the community of the  
24 State of New York; and

25 "WHEREAS, Attendant to such concern,

1 and in full accord with its long-standing  
2 traditions, this Legislative Body is justly proud  
3 to commemorate the 50th Anniversary of the  
4 Independence of Guyana; and

5 "WHEREAS, The people of this great  
6 state, nation and Guyana enjoy a deep and abiding  
7 relationship rooted in kinship and culture; and

8 "WHEREAS, Independence Day is a  
9 significant public holiday in Guyana; it is  
10 celebrated on May 26th every year, and it is the  
11 day when the country attained its independence in  
12 1966, when British dominion over Guyana ended;  
13 and

14 "WHEREAS, Guyana, officially the  
15 Cooperative Republic of Guyana, is a sovereign  
16 state on the Caribbean coast of South America;  
17 although Guyana is part of the Anglophone  
18 Caribbean, it is one of the few Caribbean  
19 countries that are part of South America; and

20 "WHEREAS, The European voyagers  
21 discovered Guyana in 1498; as a result, the  
22 history of the country dates back to over  
23 500 years; its history is interrupted by combats  
24 wrestled and triumphed, through properties lost  
25 and recovered since the French, Spanish, Dutch

1 and British settlers battled for hundreds of  
2 years to occupy this territory; and

3 "WHEREAS, The British Empire  
4 ultimately was able to take control of Guyana in  
5 1814; the country attained its well-deserved  
6 independence from the British rulers on May 26,  
7 1966; and

8 "WHEREAS, In gaining her  
9 independence, Guyana today is a nation of  
10 800,000 people that is the only English-speaking  
11 nation in South America; its citizens trace their  
12 roots across the Caribbean and India; and

13 "WHEREAS, Historically, the region  
14 known as Guiana or Guyana comprised the large  
15 shield landmass north of the Amazon River and  
16 east of the Orinoco River known as the Land of  
17 Many Waters; and

18 "WHEREAS, More than 80 percent of  
19 Guyana is still covered by forests, ranging from  
20 dry evergreen and seasonal forests to montane  
21 and lowland evergreen rainforests; these forests  
22 are home to more than a thousand species of  
23 trees; and

24 "WHEREAS, Guyana's tropical climate,  
25 unique geology, and relatively pristine

1 ecosystems support extensive areas of  
2 species-rich rainforests and natural habitats  
3 with high levels of endemism; approximately  
4 8,000 species of plants occur in Guyana, half of  
5 which are found nowhere else; and

6 "WHEREAS, Guyana has one of the  
7 highest levels of biodiversity in the world, and  
8 with 1,168 vertebrate species and 814 bird  
9 species, boasts one of the richest mammalian  
10 fauna assemblages of any comparably sized area in  
11 the world; and

12 "WHEREAS, The Guyana Shield region  
13 is little known and extremely rich biologically;  
14 unlike other areas of South America, over  
15 70 percent of the natural habitat remains  
16 pristine; and

17 "WHEREAS, Some notable landmarks to  
18 be found in Guyana include: Kaieteur Falls, the  
19 world's largest single-drop waterfall by volume,  
20 and St. George's Anglican Cathedral, one of the  
21 tallest wooden church structures in the world and  
22 the second tallest wooden house of worship after  
23 the Todaiji Temple in Japan; and

24 "WHEREAS, Currently, approximately  
25 140,000 Guyanese immigrants live in New York



1 City, making them the fifth-largest foreign-born  
2 population in the city; and

3 "WHEREAS, Many Afro-Guyanese  
4 immigrants have settled among other  
5 Afro-Caribbean immigrants in places like Canarsie  
6 and Flatbush in Brooklyn; Guyanese of South Asian  
7 descent are concentrated in large numbers in  
8 Richmond Hill and neighboring Ozone Park; and

9 "WHEREAS, The 50th Anniversary of  
10 Guyana's Independence provides an opportunity to  
11 recognize the significance of their contributions  
12 to the quality and character of life, and,  
13 through events and activities, for all people to  
14 gain a greater appreciation of Guyanese history  
15 and traditions, and of the role Guyanese have  
16 played, and will continue to play, in our  
17 society; and

18 "WHEREAS, This Legislative Body is  
19 pleased to have this opportunity to recognize  
20 such events of significance which foster ethnic  
21 pride and exemplify the cultural diversity that  
22 represents and strengthens the fabric of the  
23 people and the State of New York; now, therefore,  
24 be it

25 "RESOLVED, That this Legislative

1     Body pause in its deliberations to commemorate  
2     the 50th Anniversary of the Independence of  
3     Guyana."

4                     ACTING PRESIDENT GRIFFO:     Senator  
5     Persaud.

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

8                     (Appause from gallery.)

9                     SENATOR PERSAUD:     Today I am a  
10    proud person standing here.   Guyana is  
11    considered -- I'll read you something that  
12    describes this country.   It says:   "At the point  
13    where the Caribbean meets South America, on the  
14    North Atlantic seaboard lies an almost unknown  
15    but incredibly wonderful land of unspoilt beauty,  
16    where virgin rainforest leads to the Amazon  
17    Basin, where the jungle is still unexplored,  
18    rivers uncharted, and mountains yet to be  
19    climbed."

20                     That country is Guyana, the only  
21    English-speaking South American country.

22                     Guyana will be celebrating its  
23    50th anniversary of independence from the  
24    British.   Guyana is a sovereign state.   It's  
25    located, as we said, on the northeastern coast of

1 South America. Too often when we say we are from  
2 Guyana, people think we're saying Ghana. And we  
3 say Ghana is West Africa; Guyana is South  
4 America.

5 People from Guyana are called  
6 Guyanese. Years ago there was an article written  
7 in the New York Times and they wrote and they  
8 mentioned that the people from Guyana were called  
9 Guyananians. So I wrote to the New York Times to  
10 correct them. People from Guyana are called  
11 Guyanese. We're proud of letting people know  
12 this.

13 Today we have with us members of the  
14 Guyanese community. They're led by Ms. Pat  
15 Jordon-Langford. They're on both sides. And  
16 they are here representing many of the Guyanese.  
17 Many of them are heading to Guyana to celebrate  
18 this 50th anniversary.

19 Whether they're coming from Queens  
20 or whether they're coming from Brooklyn or  
21 Schenectady, Guyanese will be sailing to Guyana  
22 to celebrate.

23 Guyanese are hardworking people.  
24 Across New York and throughout the United States,  
25 we are in various positions. Right here in

1 Albany -- when I came to Albany as an  
2 Assemblymember, I was the first Guyanese elected  
3 to statewide office in New York State.

4 In our chamber here, our counsel on  
5 the Democratic side, Shontell Smith, is of  
6 Guyanese heritage. On the Assembly side, the  
7 director of budgeting is a Guyanese. We have a  
8 city council member in Schenectady. We have the  
9 comptroller of Mount Vernon, Guyanese. So we are  
10 people -- we are a proud people. We are a  
11 progressive people. And so we celebrate our  
12 heritage.

13 And so I thank my colleagues for  
14 acknowledging us as Guyanese. And as we  
15 celebrate our 50th anniversary, we are still a  
16 young country, but there's lots ahead of us. And  
17 so, Mr. President, I thank you for allowing us  
18 this opportunity to let everyone know who we are  
19 as Guyanese and to welcome my fellow Guyanese who  
20 are here today.

21 Thank you, everyone.

22 ACTING PRESIDENT GRIFFO: Thank  
23 you, Senator Persaud.

24 (Applause from gallery.)

25 ACTING PRESIDENT GRIFFO: Senator

1 Sanders.

2 SENATOR SANDERS: Mr. President, I  
3 want to thank our Guyanese Senator for allowing  
4 us the opportunity to salute such an industrious  
5 population.

6 I represent arguably the largest  
7 Guyanese population outside of Guyana. I  
8 represent Richmond Hill. And it's an amazing  
9 place.

10 Let me tell you one thing about this  
11 incredible group of people. They took a major  
12 street called Liberty Avenue -- and how fitting  
13 it's called Liberty. It was ramshackle, it had  
14 really fallen down, it was through. It was  
15 typical New York City at that period where it was  
16 down in the dumps. They took this street and  
17 they made an incredible entrepreneurial miracle  
18 out of this street. It's one that you should  
19 come and see. Whatever you want to purchase, you  
20 can purchase it there. And the people who  
21 basically did it stem from that incredible  
22 island -- I'm sorry -- already, already I'm  
23 making the error that so many people make -- the  
24 incredible country of Guyana.

25 So having said that, before I mess

1 up anymore, Mr. President, I will take my seat.

2 Thank you very much.

3 ACTING PRESIDENT GRIFFO: Thank  
4 you, Senator Sanders.

5 SENATOR SANDERS: And  
6 congratulations for the 50th anniversary.

7 (Applause from gallery.)

8 ACTING PRESIDENT GRIFFO: Senator  
9 Farley.

10 SENATOR FARLEY: I just want to pay  
11 tribute to the Guyanese people.

12 You know, I do represent  
13 Schenectady, which has a very large Guyanese  
14 community, and they are truly the hardest-working  
15 people that I've ever seen. They are in all  
16 facets. As they came to Schenectady, they came  
17 with very little. They have been a huge success  
18 and an asset to our community and, as I said, one  
19 of the hardest-working community people that I've  
20 ever seen.

21 They're a fantastic community. We  
22 welcome them to the United States, and we're  
23 lucky to have them.

24 Thank you very much, Mr. President.

25 (Applause from gallery.)

1                   ACTING PRESIDENT GRIFFO:    Senator  
2   Hamilton, did you want to speak?

3                   SENATOR HAMILTON:    I just want to  
4   thank Senator Persaud for acknowledging the  
5   fiftieth year of independence for Guyana and the  
6   Guyanese people.

7                   I was fortunate this year to visit  
8   the country of Guyana.  It's a rich country of  
9   diverse people.  It's a tropical forest.  And the  
10  people there are hardworking.  I have many  
11  Guyanese business owners in my community.  Some  
12  sell gold.  But they're very industrious as far  
13  as having a close-knit community that's  
14  business-orientated.

15                  So I want to thank you for coming  
16  here today.  I know it was a long time you had to  
17  wait for this to happen, but I believe we always  
18  save the best for last.

19                  So God bless Guyana, and God  
20  continue to bless the Guyanese people.

21                  Thank you.

22                  (Applause from gallery.)

23                  ACTING PRESIDENT GRIFFO:    The  
24  question is on the resolution.  All in favor  
25  signify by saying aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO: Opposed?

3 (No response.)

4 ACTING PRESIDENT GRIFFO: The  
5 resolution is adopted.

6 We welcome our delegation, the  
7 Guyanese delegation and community here today, and  
8 congratulations on the celebration.

9 (Applause.)

10 ACTING PRESIDENT GRIFFO: Senator  
11 DeFrancisco.

12 SENATOR DeFRANCISCO: Would you  
13 open that up for cosponsorship, please.

14 ACTING PRESIDENT GRIFFO: The reso  
15 is open for cosponsorship. Should you choose not  
16 to be a cosponsor, please notify the desk.

17 Senator DeFrancisco.

18 SENATOR DeFRANCISCO: We next have a  
19 privileged resolution by Senator Flanagan. If we  
20 could please call it up and read the title only  
21 and call on Senator Flanagan.

22 ACTING PRESIDENT GRIFFO: The  
23 Secretary will read.

24 THE SECRETARY: Legislative  
25 resolution by Senator Flanagan, congratulating



1 Mr. and Mrs. Joseph Griffo upon the occasion of  
2 celebrating their 70th Wedding Anniversary.

3 ACTING PRESIDENT GRIFFO: Senator  
4 Flanagan.

5 SENATOR FLANAGAN: Mr. President.  
6 To my colleagues, today is an auspicious day in  
7 so many different ways. We celebrate  
8 independence, we celebrate various aspects of  
9 life.

10 So I rise today on behalf of the  
11 Senate and on behalf of our friend and colleague  
12 Senator Joe Griffo, to recognize, my goodness, a  
13 milestone in any country, in any state, in any  
14 venue. His parents have been happily married for  
15 70 -- and I repeat, 70 -- years.

16 Senator Griffo had a lovely family  
17 event, came back to our conference and showed  
18 pictures of his parents to everyone in the room.  
19 And if you told me that they were in their early  
20 60s, I think everyone would have believed it.

21 So they've had a good, blessed  
22 married life. And Joe, congratulations to you  
23 and to your mom and dad. We just thought it was  
24 proper and appropriate to honor them.

25 (Applause.)

1                   ACTING PRESIDENT GRIFFO:    Thank  
2   you.

3                   Senator DeFrancisco.

4                   SENATOR DeFRANCISCO:    Yes, I just  
5   wanted to explain, on that resolution, the real  
6   reason they're still around, happily married,  
7   they're waiting until you make something out of  
8   yourself, Senator Griffo.

9                   (Laughter.)

10                  ACTING PRESIDENT GRIFFO:    I thank  
11   Senator Flanagan for his kind comments and  
12   Senator DeFrancisco for your insight.

13                  (Laughter.)

14                  ACTING PRESIDENT GRIFFO:    I'm truly  
15   blessed.

16                  The question is on the resolution.  
17   All in favor say aye.

18                  (Response of "Aye.")

19                  ACTING PRESIDENT GRIFFO:    Opposed?

20                  (No response.)

21                  ACTING PRESIDENT GRIFFO:    The  
22   resolution is adopted.  Thank you very much.

23                  Senator DeFrancisco.

24                  SENATOR DeFRANCISCO:    And it's up  
25   for cosponsorship if you choose.

1                   ACTING PRESIDENT GRIFFO:    The reso  
2   is open for cosponsorship.  Please notify the  
3   desk if you choose not to cosponsor.

4                   SENATOR DeFRANCISCO:    Could we now  
5   call up the final resolution, 5570, by Senator  
6   Hassell-Thompson.  And you want it in entirety?

7                   SENATOR HASSELL-THOMPSON:    I did  
8   want it read in entirety, but because you asked  
9   so kindly, I will accept the title.  But I'd like  
10  the opportunity to just speak on the resolution.

11                  SENATOR DeFRANCISCO:    Absolutely.  
12  Absolutely.  Title only, thank you.

13                  ACTING PRESIDENT GRIFFO:    The  
14  Secretary will read.

15                  THE SECRETARY:    Legislative  
16  Resolution Number 5570, by Senator  
17  Hassell-Thompson, celebrating the life and  
18  distinguished career of retired New York State  
19  Supreme Court Judge Harold L. Wood.

20                  ACTING PRESIDENT GRIFFO:    Senator  
21  Hassell-Thompson.

22                  SENATOR HASSELL-THOMPSON:    Thank  
23  you, Mr. President.

24                  I rise to speak on this resolution  
25  because he was a very important person not only

1 to me but to the Mount Vernon community and  
2 certainly to Westchester County. He was one of  
3 the first African-Americans to ever be selected  
4 to be a Supreme Court judge from that district.  
5 He was an alderman at the time before we had  
6 county legislators in the County of Westchester,  
7 he was the first African-American. He achieved  
8 many firsts.

9 But more than that, he was a father,  
10 a grandfather, an extraordinary example to our  
11 community and to our young men. One of the few  
12 regrets that I have in life is that when the  
13 courthouse was built in Mount Vernon, that it was  
14 not named for him as a jurist, because it's one  
15 of the rare opportunities that we get to name  
16 buildings and streets. But it was also named for  
17 another African-American who became the first  
18 elected mayor of the City of Mount Vernon.

19 So, you know, for all the negative  
20 publicity that my city gets and all the extra  
21 cost of insurance that it costs when you come  
22 from the City of Mount Vernon, we have turned  
23 out, pound for pound, some of the most  
24 extraordinary people, and of which Judge Wood was  
25 one.

1           His son has followed in his  
2     footsteps and is an outstanding attorney but does  
3     not ever wish to become a judge because he loves  
4     the -- what do they say, the fight and the twists  
5     and turns of being a litigator.

6           But certainly I can't say enough for  
7     how much we regretted the loss of him and his  
8     wonderful wife, both of whom were Republicans.  
9     And to have black Republicans from the County of  
10    Westchester is not as unbelievable as you would  
11    suspect.

12          But certainly he represented his  
13    community and his people so extraordinarily well.  
14    And I thank this body for allowing me the  
15    opportunity to honor him and certainly archivally  
16    to be sure that his family is in receipt of this  
17    resolution.

18          Thank you, Mr. President.

19          ACTING PRESIDENT GRIFFO:    Thank  
20    you, Senator Hassell-Thompson.

21          The question is on the resolution.  
22    All in favor say aye.

23          (Response of "Aye.")

24          ACTING PRESIDENT GRIFFO:    Opposed?

25          (No response.)

1                   ACTING PRESIDENT GRIFFO:    The  
2 resolution is adopted.

3                   And the resolution is open for  
4 cosponsorship. Should you choose not to be a  
5 cosponsor, please notify the desk.

6                   Senator DeFrancisco.

7                   SENATOR DeFRANCISCO:    Could you now  
8 take up the noncontroversial reading of the  
9 calendar quickly.

10                  (Laughter.)

11                  ACTING PRESIDENT GRIFFO:    The  
12 Secretary will read.

13                  THE SECRETARY:    Calendar Number 79,  
14 by Senator Hannon, Senate Print 4348A, an act to  
15 amend the Public Health Law.

16                  ACTING PRESIDENT GRIFFO:    Read the  
17 last section.

18                  THE SECRETARY:    Section 2. This  
19 act shall take effect one year after it shall  
20 have become a law.

21                  ACTING PRESIDENT GRIFFO:    Call the  
22 roll.

23                  (The Secretary called the roll.)

24                  THE SECRETARY:    Ayes, 58.

25                  ACTING PRESIDENT GRIFFO:    The bill

1 is passed.

2 THE SECRETARY: Calendar Number 83,  
3 by Senator Hannon, Senate Print 6091B, an act to  
4 amend the Public Health Law.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 54. Nays, 4.  
13 Senators Krueger, Persaud, Rivera and Sanders  
14 recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 289, by Senator Lanza, Senate Print 3326, an act  
19 to amend the New York City Health and Hospitals  
20 Corporation Act.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT GRIFFO: Senator  
4 Savino to explain her vote.

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

7 I notice that this is a bill that we  
8 have passed several years now. In fact, before  
9 Senator Lanza sponsored it, it was sponsored by  
10 Senator Marchi. It represents a long-standing  
11 inequity to the people of the County of Richmond,  
12 the Borough of Staten Island, in which we do not  
13 have a brick-and-mortar facility run by the HHC.

14 You'll notice, though, this year the  
15 City of New York did not submit a memo in  
16 opposition to it, because they are in fact  
17 planning on spending upwards of \$40 million  
18 helping us achieve an acute-care emergency room  
19 on Staten Island, either through our existing  
20 system or building a new facility.

21 So perhaps you might want to think  
22 twice about voting no against it, because they  
23 recognize finally that they owe us what we help  
24 pay for, which is a health and hospital system  
25 that's supposed to serve all of the constituents



1 of the City of New York, not just the people on  
2 the other side of the Verrazano Bridge.

3 Thank you, Mr. President.

4 ACTING PRESIDENT GRIFFO: Senator  
5 Savino to be recorded in the affirmative.

6 Announce the results.

7 THE SECRETARY: In relation to  
8 Calendar 289, those recorded in the negative are  
9 Senators Comrie, Dilan, Espaillat, Hamilton,  
10 Hassell-Thompson, Kaminsky, Krueger, Latimer,  
11 Montgomery, Panepinto, Parker, Peralta, Perkins,  
12 Rivera and Stavisky. Also Senator Gianaris.  
13 Also Senator Sanders. Also Senator Serrano.

14 Ayes, 40. Nays, 18.

15 ACTING PRESIDENT GRIFFO: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 354, by Senator Amedore, Senate Print 4163, an  
19 act to amend the Penal Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

22 THE SECRETARY: Section 4. This  
23 act shall take effect on the 90th day.

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Senator  
3 Hamilton to explain his vote.

4 SENATOR HAMILTON: I wanted to have  
5 the sponsor yield to a question.

6 ACTING PRESIDENT GRIFFO: We're on  
7 a fast roll call.

8 SENATOR HAMILTON: I'll just  
9 explain my vote.

10 ACTING PRESIDENT GRIFFO: Senator  
11 Hamilton to explain his vote.

12 SENATOR HAMILTON: I want to  
13 explain my vote.

14 I just want to say that we do have a  
15 drug problem in New York now, but we've had a  
16 drug problem in my community for over half a  
17 century and no one seemed to care at that point  
18 in time.

19 Now that the epidemic has risen to  
20 other parts of New York State, I see more and  
21 more legislation that is criminalizing or keeping  
22 people in prison for a prolonged period of time.  
23 I just can't vote on something that establishes  
24 the crime of homicide for the sale of an opiate  
25 controlled substance. I know people do die from

1 overdoses, but more people die from smoking  
2 cigarettes. And I don't see us trying to say  
3 that the tobacco company is liable for murder for  
4 killing more people than anyone else.

5           So I'm voting no on this. I think  
6 this has gone beyond the call of trying to stop  
7 the drug epidemic. I wish we would go more to  
8 having substance abuse programs for the young  
9 people who are doing drugs, to offer them the  
10 opportunity to get help.

11           By putting people in jail for  
12 homicide for selling drugs is not going to stop  
13 the sale of drugs. But we need to have more  
14 prevention for people from taking drugs.

15           Thank you.

16           ACTING PRESIDENT GRIFFO: Senator  
17 Hamilton to be recorded in the negative.

18           Senator Amedore to explain his vote.

19           SENATOR AMEDORE: Thank you,  
20 Mr. President. I rise to explain my vote.

21           You know, this is an important day  
22 today. We announced our Senate Heroin and Opiate  
23 Task Force, and we have blueprint recommendations  
24 as well as some great initiatives.

25           But we also have with us today, up

1 in the gallery, a mom, a mom who we all know in  
2 the Senate chambers -- she's no stranger -- Patty  
3 Farrell, who was a Senate employee at one time,  
4 with being part of the sergeants-at-arms.

5 And she discovered one day, when her  
6 daughter Laree told her that she was addicted to  
7 heroin at the age of 16, trying to go through,  
8 find her help. And as she went through treatment  
9 and as she went through various services and  
10 having to try to get off of the heroin problem,  
11 she did everything she could to then realize one  
12 day, about five months later, she called upstairs  
13 to Laree and there was no response.

14 She went upstairs in her room and  
15 she found that Laree was not breathing. She was  
16 actually dead. She OD'd. She overdosed on  
17 heroin that was laced with other synthetic drugs,  
18 poisons.

19 This bill is not about just  
20 prevention. And yes, there are people who die of  
21 cigarettes and nicotine addiction. But this is  
22 about individuals who are in the business of  
23 making boatloads of money at the expense of  
24 lives, innocent lives that no one ever thought  
25 they would be addicted to an opiate drug because

1 maybe they had a twisted, sprained ankle or a  
2 knee or a shoulder injury on the football or  
3 soccer or volleyball field.

4 But opiates are a huge problem in  
5 the State of New York. And we have individuals  
6 in our communities who are abusing just that.  
7 And when they can lace and cut opiate drugs and  
8 then sell them on the street and then an innocent  
9 person like Laree overdoses because of the lethal  
10 potency of heroin, I think it is time that we go  
11 after the high-level, mid-level drug dealers,  
12 pushers on the streets, no matter what district  
13 they live in in this State of New York. Because  
14 it is a matter of them going beyond what the  
15 opiate is supposed to be used for, and they're  
16 killing innocent lives. And there's a signature  
17 with their formula.

18 So we have a due process in the  
19 court of law. Let it play out. And I believe  
20 that not just for Patty Farrell, but for all the  
21 other moms, dads, and individuals who are  
22 struggling with this problem in the State of  
23 New York and they find their child who OD'd, that  
24 it's time we go after the drug traffickers who  
25 are putting the lethal potent heroin on the

1 streets and we go after them hard and they pay  
2 the price.

3 So with that, Mr. President, I vote  
4 aye.

5 ACTING PRESIDENT GRIFFO: Senator  
6 Amedore to be recorded in the affirmative.

7 Senator Krueger to explain her vote.

8 SENATOR KRUEGER: Thank you,  
9 Mr. President. I rise to explain why I vote no  
10 on this bill.

11 I've listened to Senator Amedore.  
12 My heart goes out to mothers like the one with us  
13 today who lose their children, the fathers who  
14 lose their children.

15 I would point out that the way this  
16 bill is written, it's not a bill just about  
17 kingpin drug dealers or even drug dealers at all.  
18 Under this bill, if it became law, two  
19 17-year-olds can be trading, sharing drugs that  
20 one of them stole from their parent's bathroom.  
21 And we don't want children stealing their  
22 parents' drugs, but we know that they are. We  
23 know that's a very common reality for the  
24 beginning of opioid addiction that may quickly  
25 lead into heroin addiction.

1           But in this bill, even if you don't  
2     sell the drug, even if you're both children and  
3     one gives it to the other and one dies, the one  
4     who doesn't die ends up, under this law, as being  
5     categorized as a Class A-1 felon designated as  
6     murder.

7           Now, it's a tragedy. Someone died.  
8     But I actually don't think it's the right answer.  
9     And it's inconsistent with many of the other  
10    bills that this house is putting before us  
11    today -- it's inconsistent with the findings of  
12    the task force -- that you would treat someone  
13    who was the user of a drug as the criminal and  
14    the recognition that sometimes two young people  
15    are doing something stupid and one of them may be  
16    guilty of giving something to the other or even  
17    selling it to the other, and the other one dies.

18           But I don't think there's an A-1  
19    felony aggravated murder in those stories, and I  
20    cannot vote yes on this bill. I vote no.

21           Thank you, Mr. President.

22           ACTING PRESIDENT GRIFFO:    Senator  
23    Krueger to be recorded in the negative.

24           Announce the results.

25           THE SECRETARY:    In relation to

1 Calendar 354, those recorded in the negative are  
2 Senators Comrie, Dilan, Hamilton,  
3 Hassell-Thompson, Hoylman, Krueger, Montgomery,  
4 Parker, Perkins, Persaud, Rivera, Sanders and  
5 Squadron.

6 Ayes, 45. Nays, 13.

7 ACTING PRESIDENT GRIFFO: The bill  
8 is passed.

9 THE SECRETARY: Calendar Number  
10 355, by Senator Murphy, Senate Print 4177, an act  
11 to amend the Penal Law.

12 ACTING PRESIDENT GRIFFO: Read the  
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the  
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT GRIFFO: Announce  
20 the results.

21 THE SECRETARY: In relation to  
22 Calendar 355, those recorded in the negative are  
23 Senators Comrie, Dilan, Hamilton,  
24 Hassell-Thompson, Krueger, Montgomery, Parker,  
25 Perkins, Persaud, Rivera, Sanders, Serrano and



1 Squadron. Also Senator Hoylman.

2 Ayes, 44. Nays, 14.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 449, by Senator Boyle, Senate Print 100, an act  
7 to amend the Penal Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Announce  
16 the results.

17 THE SECRETARY: In relation to  
18 Calendar 449, those recorded in the negative are  
19 Senators Comrie, Dilan, Hassell-Thompson,  
20 Hoylman, Krueger, Montgomery, Parker, Perkins,  
21 Sanders, Serrano and Squadron. Also Senator  
22 Persaud.

23 Ayes, 46. Nays, 12.

24 ACTING PRESIDENT GRIFFO: The bill  
25 is passed.

1                   THE SECRETARY:   Calendar Number  
2   458, by Senator Boyle, Senate Print 615, an act  
3   to amend the Criminal Procedure Law.

4                   ACTING PRESIDENT GRIFFO:   Read the  
5   last section.

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

8                   ACTING PRESIDENT GRIFFO:   Call the  
9   roll.

10                   (The Secretary called the roll.)

11                   THE SECRETARY:   In relation to  
12   Calendar 458, those recorded in the negative are  
13   Senators Comrie, Dilan, Hoylman, Krueger,  
14   Montgomery, Parker, Perkins, Rivera and Squadron.

15                   Ayes, 49.  Nays, 9.

16                   ACTING PRESIDENT GRIFFO:   The bill  
17   is passed.

18                   THE SECRETARY:   Calendar Number  
19   512, by Senator Ranzenhofer, Senate Print 3600,  
20   an act to amend the Alcoholic Beverage Control  
21   Law.

22                   ACTING PRESIDENT GRIFFO:   Read the  
23   last section.

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

1                   ACTING PRESIDENT GRIFFO:    Call the  
2   roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT GRIFFO:    Announce  
5   the results.

6                   THE SECRETARY:    In relation to  
7   Calendar 512, those recorded in the negative are  
8   Senators Comrie, Gianaris, Hamilton,  
9   Hassell-Thompson, Hoylman, Krueger, Montgomery,  
10   Parker, Perkins, Persaud, Rivera, Sanders and  
11   Squadron.

12                   Ayes, 45.   Nays, 13.

13                   ACTING PRESIDENT GRIFFO:    The bill  
14   is passed.

15                   THE SECRETARY:    Calendar Number  
16   567, by Senator Ritchie, Senate Print 6610, an  
17   act to amend the Soil and Water Conservation  
18   Districts Law.

19                   ACTING PRESIDENT GRIFFO:    Read the  
20   last section.

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

23                   ACTING PRESIDENT GRIFFO:    Call the  
24   roll.

25                   (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 58.

2 ACTING PRESIDENT GRIFFO: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 579, by Senator Young, Senate Print 2277A, an act  
6 to amend the Tax Law.

7 ACTING PRESIDENT GRIFFO: Read the  
8 last section.

9 THE SECRETARY: Section 4. This  
10 act shall take effect immediately.

11 ACTING PRESIDENT GRIFFO: Call the  
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT GRIFFO: Announce  
15 the results.

16 THE SECRETARY: In relation to  
17 Calendar 579, those recorded in the negative are  
18 Senators Comrie, Espaillat, Hoylman, Krueger,  
19 Perkins, Rivera, Sanders, Serrano and Squadron.

20 Ayes, 49. Nays, 9.

21 ACTING PRESIDENT GRIFFO: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 636, by Senator Croci, Senate Print 3989A, an act  
25 to amend the Mental Hygiene Law.

1           ACTING PRESIDENT GRIFFO:   Read the  
2   last section.

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

5           ACTING PRESIDENT GRIFFO:   Call the  
6   roll.

7           (The Secretary called the roll.)

8           THE SECRETARY:   Ayes, 58.

9           ACTING PRESIDENT GRIFFO:   The bill  
10   is passed.

11          THE SECRETARY:   Calendar Number  
12   638, by Senator Murphy, Senate Print 6874A, an  
13   act to amend the Criminal Procedure Law.

14          ACTING PRESIDENT GRIFFO:   Read the  
15   last section.

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

18          ACTING PRESIDENT GRIFFO:   Call the  
19   roll.

20          (The Secretary called the roll.)

21          ACTING PRESIDENT GRIFFO:   Announce  
22   the results.

23          THE SECRETARY:   Ayes, 57.  Nays, 1.  
24   Senator Hamilton recorded in the negative.

25          ACTING PRESIDENT GRIFFO:   The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 639, by Senator Amedore, Senate Print 7301, an  
4 act to amend the Mental Hygiene Law.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 58.

13 ACTING PRESIDENT GRIFFO: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 653, by Senator Murphy, Senate Print 5238A, an  
17 act to amend the Vehicle and Traffic Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

20 THE SECRETARY: Section 4. This  
21 act shall take effect on the 30th day.

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 58.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2   is passed.

3                   THE SECRETARY:    Calendar Number  
4   672, by Senator Amedore, Senate Print 6516A, an  
5   act to amend the Public Health Law.

6                   ACTING PRESIDENT GRIFFO:    Read the  
7   last section.

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

10                  ACTING PRESIDENT GRIFFO:    Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 58.

14                  ACTING PRESIDENT GRIFFO:    The bill  
15   is passed.

16                  THE SECRETARY:    Calendar Number  
17   707, by Senator Stavisky, Senate Print 3158A, an  
18   act to amend the Education Law.

19                  ACTING PRESIDENT GRIFFO:    Read the  
20   last section.

21                  THE SECRETARY:    Section 4.   This  
22   act shall take effect immediately.

23                  ACTING PRESIDENT GRIFFO:    Call the  
24   roll.

25                  (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 58.

2 ACTING PRESIDENT GRIFFO: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 746, by Senator Klein, Senate Print 1521A, an act  
6 to amend the Education Law.

7 ACTING PRESIDENT GRIFFO: Read the  
8 last section.

9 THE SECRETARY: Section 5. This  
10 act shall take effect immediately.

11 ACTING PRESIDENT GRIFFO: Call the  
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 58.

15 ACTING PRESIDENT GRIFFO: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 749, by Senator Marcellino, Senate Print 6502, an  
19 act to amend the Education Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.



1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 58.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 776, by Senator Carlucci, Senate Print 7276, an  
7 act to amend the Highway Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 58.

16 ACTING PRESIDENT GRIFFO: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 791, by Senator Little, Senate Print 1342, an act  
20 to amend the Real Property Law.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 58.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number 794,  
7 by Senator Bonacic, Senate Print 7248, an act to  
8 amend the Real Property Law.

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 58.

17 ACTING PRESIDENT GRIFFO: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 796, substituted earlier by Member of the  
21 Assembly Bronson, Assembly Print 9686, an act to  
22 amend Chapter 363 of the Laws of 2010.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 58.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 798, by Senator Farley, Senate Print 3807, an act  
10 to amend the Education Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

13 THE SECRETARY: Section 2. This  
14 act shall take effect on the first of April.

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT GRIFFO: Senator  
19 DeFrancisco to explain his vote.

20 SENATOR DeFRANCISCO: Yes, I'm  
21 going to vote no. Not because I don't like  
22 people over 65 -- although it's hard to believe I  
23 am over that age, and I would be able to take  
24 advantage of this.

25 But we have a higher education

1 system that we don't want to put any pressure  
2 whatsoever on higher costs for those who have to  
3 pay and haven't reached our glorious ages at this  
4 point. So I'm going to vote no.

5 ACTING PRESIDENT GRIFFO: Senator  
6 DeFrancisco to be recorded in the negative.

7 Senator Farley to explain his vote.

8 SENATOR FARLEY: I just want to let  
9 you know that a few years ago, every single  
10 member of this house was a sponsor of this bill,  
11 including Senator DeFrancisco.

12 (Laughter.)

13 SENATOR FARLEY: And I think it is  
14 a bill that is needed and wanted, and it's on a  
15 space-available basis for the people that built  
16 these universities, and particularly for the  
17 elderly, that can get courses at the university.

18 I think, as somebody that taught  
19 there for 35 years, I think it's a worthwhile  
20 piece of legislation.

21 SENATOR DeFRANCISCO: A conflict --

22 SENATOR FARLEY: And needless to  
23 say -- this guy is incorrigible.

24 (Laughter.)

25 SENATOR FARLEY: -- I thank every

1 one of my colleagues for voting for the  
2 legislation.

3 Thank you very much, Mr. President.

4 ACTING PRESIDENT GRIFFO: Senator  
5 Farley to be recorded in the affirmative.

6 Senator Krueger to explain her vote.

7 SENATOR KRUEGER: Thank you.

8 I am voting for the bill, but I do  
9 want to agree with Senator Farley: This guy is  
10 incorrigible.

11 Thank you, Mr. President.

12 (Laughter.)

13 ACTING PRESIDENT GRIFFO: Senator  
14 Krueger in the affirmative.

15 Announce the results.

16 THE SECRETARY: Ayes, 57. Nays, 1.  
17 Senator DeFrancisco recorded in the negative.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 800, by Senator LaValle, Senate Print 4672A, an  
22 act to amend the Education Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 19. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 58.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 840, by Senator Savino, Senate Print 2641, an act  
10 to amend the Penal Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 58.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 842, substituted earlier by Member of the  
23 Assembly Abinanti, Assembly Print 5235B, an act  
24 to direct.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT GRIFFO: Senator  
8 Carlucci to explain his vote.

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

11 I want to thank my colleagues for  
12 supporting this important legislation. What this  
13 legislation will do is help to make our rail  
14 crossings in New York State as safe as possible.

15 Unfortunately, last year in 2015,  
16 244 people in this country lost their lives at  
17 rail crossings. And while the number of  
18 fatalities and accidents has been on a steady  
19 decline in the United States over the past few  
20 decades, unfortunately in New York State we've  
21 been on a steady increase.

22 So what this legislation will do is  
23 require DOT, the Department of Transportation, to  
24 take an inventory of the 5,304 rail crossings in  
25 New York State. It seems like an awesome task.

1     However, it's so important because right now, as  
2     legislators, as leaders in this state, we don't  
3     have a clear picture of which of these rail  
4     crossings are the most dangerous.

5                 Some of them need to be completely  
6     eliminated. Others, there's just simple changes  
7     that could be made to save peoples' lives.

8                 We need to make this a priority, and  
9     in doing so we can get the backing of the federal  
10    government that will provide us with resources.

11                And I just want to read just a brief  
12    quote from Sarah Feinberg, the Federal Railroad  
13    Administrator. And she said: "I have made  
14    improving railroad crossing safety a top  
15    priority, because I know that we can and must do  
16    better. But the Federal Railroad Administration  
17    cannot solve this problem on its own. Unless we  
18    work closely with state and local officials, we  
19    will have not have the impact we are striving for  
20    and we will not save as many lives. But working  
21    together, I know we can do more to prevent these  
22    incidents."

23                That's Sarah Feinberg, the Federal  
24    Railroad Administrator. She's asking us to come  
25    up with a plan, provide it to the Federal



1 Railroad Administration so that we can have the  
2 resources to eliminate these deadly rail  
3 crossings.

4 So, Mr. President, I'll be voting in  
5 the affirmative. And I commend my colleagues for  
6 doing the same.

7 Thank you, Mr. President.

8 ACTING PRESIDENT GRIFFO: Senator  
9 Carlucci to be recorded in the affirmative.

10 Announce the results.

11 THE SECRETARY: Ayes, 58.

12 ACTING PRESIDENT GRIFFO: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 843, by Senator Savino, Senate Print 3666, an act  
16 to amend the Penal Law.

17 ACTING PRESIDENT GRIFFO: Read the  
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 58.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 844, by Senator Griffo, Senate Print 5478, an act  
4 to amend Chapter 19 of the Laws of 2014.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT GRIFFO: Announce  
13 the results.

14 THE SECRETARY: In relation to  
15 Calendar 844, those recorded in the negative are  
16 Senators Croci, Gianaris, Hassell-Thompson,  
17 Hoylman and Squadron.

18 Ayes, 53. Nays, 5.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 846, by Senator Funke, Senate Print 5546A, an act  
23 to amend the Education Law.

24 ACTING PRESIDENT GRIFFO: Read the  
25 last section.

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

3           ACTING PRESIDENT GRIFFO:   Call the  
4   roll.

5           (The Secretary called the roll.)

6           ACTING PRESIDENT GRIFFO:   Senator  
7   Hamilton to explain his vote.

8           SENATOR HAMILTON:   I'm voting yes  
9   on this bill.  I want to thank Senator Funke for  
10  introducing it.

11           I think we need to have more  
12  instruction in our junior high schools for mental  
13  health.  And I'm going to introduce a bill that  
14  we even extend it to elementary schools, because  
15  a lot of children do exhibit mental illness in  
16  elementary school.

17           So I just want to thank the Senator  
18  for sponsoring this bill.

19           ACTING PRESIDENT GRIFFO:   Senator  
20  Hamilton to be recorded in the affirmative.

21           Announce the results.

22           THE SECRETARY:   Ayes, 58.

23           ACTING PRESIDENT GRIFFO:   The bill  
24  is passed.

25           THE SECRETARY:   Calendar Number

1 847, by Senator Ortt, Senate Print 6248B, an act  
2 to amend the Mental Hygiene Law.

3 ACTING PRESIDENT GRIFFO: Read the  
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the  
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Senator  
11 Krueger to explain her vote.

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

14 I'm voting no on this bill. You  
15 know, there are parts of it that I certainly can  
16 conceptually agree with. But the concept of  
17 broadening the possibility of involuntary  
18 movement into a hospital setting is one that we  
19 should be very, very wary of doing because in too  
20 many countries they have, over time, used  
21 hospitals as if they were prisons to lock people  
22 up against their will without due process rights.

23 And even the fact that this bill  
24 would include peace officers having the authority  
25 to pick people up, determine they believe they

1 have a substance problem, and move them into a  
2 hospital for a potentially involuntary number of  
3 days -- I don't even think we ought to have as  
4 many peace officers as we already have in this  
5 state, as I continue to vote no on endless  
6 categories of people becoming peace officers.

7           It adds to my concern that we would  
8 pass a law that would somehow give them the  
9 authority and seeming expertise to determine that  
10 somebody should be involuntarily placed in a  
11 hospital.

12           And of course the other part that is  
13 just fundamental to this and several other bills  
14 being proposed today is research shows treatment  
15 for substance abuse only works if the person is  
16 ready and willing to participate. Forcing  
17 treatment against someone's will unfortunately is  
18 a model that has proved to be ineffective.

19           And we need to make sure people are  
20 getting the treatment they need on demand, but we  
21 need to realize as much as we want them to do  
22 what we think is right for themselves, you can't  
23 dictate or mandate a treatment model that will  
24 work if they're not willing to cooperate.

25           So I will vote no, Mr. President.

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

3                   Senator Ortt to explain his vote.

4                   SENATOR ORTT:    Thank you,  
5   Mr. President.  I rise in support of this bill  
6   for the following reasons.

7                   First of all, this bill was crafted  
8   with absolute consideration for the Constitution  
9   and for due process.  I fought and defended the  
10   Constitution, as others have in this chamber, and  
11   I know that all my learned colleagues in this  
12   chamber respect the Constitution and certainly  
13   try to honor that in all the legislation we pass.

14                  However, we took great pains to make  
15   sure that due process was considered in this  
16   bill, first and foremost.

17                  Secondly, we don't know that  
18   involuntary treatment doesn't work.  What I would  
19   say is that the statistics show that voluntary  
20   treatment is the best, but I will tell you that  
21   the stats of involuntary treatment are better  
22   than the stats on no treatment.

23                  So this bill certainly looks at  
24   extreme measures.  For folks -- and we've talked  
25   with numerous parents who have lost loved ones or

1 law enforcement officials who have dealt with  
2 this epidemic. And they will tell you, first and  
3 foremost, many of the people, many of the parents  
4 will tell you that that child is no longer my  
5 child, they're not of their right mind when  
6 they're addicted to opioids and heroin.

7                   And so this bill I think takes a  
8 look at the existing laws, strengthens them, and  
9 also addresses law enforcement who are going out  
10 and reviving the same members on Narcan day in  
11 and day out, going to the same addresses week  
12 after week, and allows these individuals to get  
13 into treatment.

14                   And so for that reason I vote aye  
15 and I encourage my colleagues to do the same,  
16 Mr. President.

17                   ACTING PRESIDENT GRIFFO:    Senator  
18 Ortt to be recorded in the affirmative.

19                   Senator Hamilton to explain his  
20 vote.

21                   SENATOR HAMILTON:    Yes, Mr. Chair,  
22 I will be voting in favor of this bill.

23                   The Mental Health Committee, chaired  
24 by Senator Ortt, has been doing a phenomenal job  
25 in getting bills out for people who are addicted

1 to drugs in the mental health community.

2 This intervention is needed. Many  
3 of our young people are on drugs and their  
4 minds are altered, and we need to have some type  
5 of response to make sure that they get  
6 appropriate care that they need.

7 So I just want to thank the Mental  
8 Health Committee and Senator Ortt for proposing  
9 this bill. I'll be voting in the affirmative.

10 ACTING PRESIDENT GRIFFO: Senator  
11 Hamilton to be recorded in the affirmative.

12 Senator Hassell-Thompson to explain  
13 her vote.

14 SENATOR HASSELL-THOMPSON: Thank  
15 you. Thank you, Mr. President.

16 As somebody who's worked for more  
17 than 25 years in the substance abuse community,  
18 I'm a little bit disturbed because I think that  
19 Senator Krueger has articulated one of the major  
20 concerns about getting well from addiction.

21 Addiction is not about what you  
22 want, it really has to be about what the patient  
23 needs and their wants. And the successful  
24 models are not predicated on whether you lock  
25 them up or arrest them or you push them into a



1 treatment modality that you think may be suitable  
2 but they have to be willing. They have to be  
3 accepting of the fact that this is a substance  
4 issue that they have. And even though you are  
5 affected by it, it is not your addiction.

6           And so I think that while it sounds  
7 good on the surface for us to say that we pick  
8 them up -- it's just like people who are  
9 homeless. You know, when the temperature drops  
10 below 32 degrees, we think it's humane to take  
11 these people to shelters. But if that's not  
12 their choice and their wish, they're not going to  
13 stay there anyway. And they're not going to have  
14 the success rate that we want them to have.

15           So I think that there's more thought  
16 that needs to go into these bills. I do  
17 appreciate the conscientiousness with which you  
18 believe this can happen. But as somebody who has  
19 had a lot of experience in this community, I have  
20 seen too many failures predicated on forcing  
21 people that are not ready.

22           I will be voting no, Mr. President.

23           ACTING PRESIDENT GRIFFO: Senator  
24 Hassell-Thompson to be recorded in the negative.

25           Announce the results.

1                   THE SECRETARY:   In relation to  
2   Calendar 847, those recorded in the negative are  
3   Senators Comrie, Dilan, Gianaris,  
4   Hassell-Thompson, Hoylman, Krueger, Parker,  
5   Perkins, Rivera, Sanders, Squadron and  
6   Stewart-Cousins.

7                   Ayes, 46.   Nays, 12.

8                   ACTING PRESIDENT GRIFFO:   The bill  
9   is passed.

10                  THE SECRETARY:   Calendar Number  
11   848, by Senator DeFrancisco, Senate Print 6317,  
12   an act to amend the Criminal Procedure Law.

13                  ACTING PRESIDENT GRIFFO:   Read the  
14   last section.

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

17                  ACTING PRESIDENT GRIFFO:   Call the  
18   roll.

19                  (The Secretary called the roll.)

20                  ACTING PRESIDENT GRIFFO:   Senator  
21   DeFrancisco to explain his vote.

22                  SENATOR DeFRANCISCO:   This is a  
23   great bill, so I'm voting yes.

24                  But I would like to just point out  
25   that if someone didn't like this bill before and

1 likes it now and wants to change their mind upon  
2 their growth, that's a good thing. That's not  
3 being incorrigible. And I would encourage people  
4 to do that.

5 Thank you.

6 ACTING PRESIDENT GRIFFO: Senator  
7 DeFrancisco to be recorded in the affirmative.

8 I think Senator Krueger left her  
9 heart with DeFrancisco.

10 (Groans.)

11 ACTING PRESIDENT GRIFFO: Announce  
12 the results.

13 THE SECRETARY: In relation to  
14 Calendar 848, those recorded in the negative are  
15 Senators Dilan, Hassell-Thompson, Hoylman,  
16 Montgomery, Peralta, Perkins, Rivera and  
17 Squadron. Also Senator Sanders.

18 Ayes, 49. Nays, 9.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 849, by Senator Croci, Senate Print 6632A, an act  
23 to amend the Public Health Law.

24 ACTING PRESIDENT GRIFFO: Read the  
25 last section.

1           THE SECRETARY:    Section 4.   This  
2   act shall take effect on the 90th day.

3           ACTING PRESIDENT GRIFFO:   Call the  
4   roll.

5                   (The Secretary called the roll.)

6           ACTING PRESIDENT GRIFFO:   Senator  
7   Croci to explain his vote.

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

10                   First of all, I want to implore the  
11   house to look hard at the vote on this.   The  
12   heroin epidemic is something familiar to all of  
13   us in all of our districts.   But in 2012 and  
14   2013, we started seeing heroin laced with  
15   fentanyl.

16                   For those of you who know anything  
17   about combat medicine, this is what combat medics  
18   carry in the field.   In World War II it was opium  
19   in syrettes, morphine in syrettes, and now it's  
20   fentanyl.   It's very strong, it's very powerful,  
21   and it's very cheap.   So we see a lot of dealers  
22   now mixing fentanyl and heroin.

23                   This Senate and this state has done  
24   a really good job with our county health agencies  
25   of working, Mr. President, to distribute Narcan

1 to save lives in our communities. And I know all  
2 of us have participated in some sort of Narcan  
3 training. Heroin laced with fentanyl is  
4 resistant to Narcan. It dilutes the effects of  
5 Narcan, and it makes it very hard to save that  
6 life.

7 I would ask, I would implore this  
8 house to think very carefully about this  
9 legislation and join me in a yes vote, because we  
10 can be saving lives with the Narcan training and  
11 the Narcan investment that we made in our  
12 communities. This is a new twist, and if we  
13 don't get ahead of it we're going to see more  
14 devastation in our communities.

15 Mr. President, I'll be voting aye.

16 ACTING PRESIDENT GRIFFO: Senator  
17 Croci to be recorded in the affirmative.

18 Announce the results.

19 THE SECRETARY: Ayes, 58.

20 ACTING PRESIDENT GRIFFO: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 851, by Senator Hannon, Senate Print 6962A, an  
24 act to amend the Insurance Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 2. This  
3 act shall take effect on the 120th day.

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 57. Nays, 1.  
8 Senator Hamilton recorded in the negative.

9 ACTING PRESIDENT GRIFFO: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 852, by Senator Ortt, Senate Print 7012, an act  
13 to amend the Penal Law.

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT GRIFFO: Announce  
22 the results.

23 THE SECRETARY: In relation to  
24 Calendar 852, those recorded in the negative are  
25 Senators Dilan, Gianaris, Hassell-Thompson,

1     Hoylman, Krueger, Montgomery, Parker, Perkins,  
2     Persaud, Rivera and Squadron.

3                     Ayes, 47.   Nays, 11.

4                     ACTING PRESIDENT GRIFFO:    The bill  
5     is passed.

6                     THE SECRETARY:    Calendar Number  
7     854, by Senator Akshar, Senate Print 7200, an act  
8     to amend the Penal Law.

9                     ACTING PRESIDENT GRIFFO:    Read the  
10    last section.

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

13                    ACTING PRESIDENT GRIFFO:    Call the  
14    roll.

15                    (The Secretary called the roll.)

16                    ACTING PRESIDENT GRIFFO:    Announce  
17    the results.

18                    THE SECRETARY:    In relation to  
19    Calendar 854, those recorded in the negative are  
20    Senators Hamilton, Hoylman, Montgomery, Parker,  
21    Perkins, Sanders and Squadron.

22                    ACTING PRESIDENT GRIFFO:    Some  
23    order in the house, please.

24                    THE SECRETARY:    Ayes, 51.   Nays, 7.

25                    ACTING PRESIDENT GRIFFO:    The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 855, by Senator Murphy, Senate Print 7315, an act  
4 to amend the Mental Hygiene Law.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 58.

13 ACTING PRESIDENT GRIFFO: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 856, by Senator Murphy, Senate Print 7317A, an  
17 act to amend the Social Services Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 58.



1                   ACTING PRESIDENT GRIFFO:    The bill  
2   is passed.

3                   THE SECRETARY:    Ayes, 57.   Nays, 1.  
4   Senator Comrie recorded in the negative.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6   is still passed.

7                   THE SECRETARY:    Calendar Number  
8   857, by Senator Akshar, Senate Print 7365, an act  
9   to amend the Public Health Law.

10                  ACTING PRESIDENT GRIFFO:    Read the  
11   last section.

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

14                  ACTING PRESIDENT GRIFFO:    Call the  
15   roll.

16                         (The Secretary called the roll.)

17                  ACTING PRESIDENT GRIFFO:    Senator  
18   Hamilton to explain his vote.

19                  SENATOR HAMILTON:    Yes, Mr. Chair,  
20   I rise to vote yes on this bill by Senator  
21   Akshar.

22                         I think it's a step in the right  
23   direction to ask for counseling for patients  
24   before taking the schedule to opioids.   And I  
25   think we should be putting more money into

1 prevention and counseling than incarceration.

2 Thank you.

3 ACTING PRESIDENT GRIFFO: Senator  
4 Hamilton to be recorded in the affirmative.

5 Announce the results.

6 THE SECRETARY: Ayes, 58.

7 ACTING PRESIDENT GRIFFO: The bill  
8 is passed.

9 THE SECRETARY: Calendar Number  
10 858, by Senator Murphy, Senate Print 7397, an act  
11 to amend the Public Health Law.

12 ACTING PRESIDENT GRIFFO: Read the  
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 58.

20 ACTING PRESIDENT GRIFFO: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 859, by Senator Amedore, Senate Print 7446, an  
24 act to amend the Mental Hygiene Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT GRIFFO: Senator  
8 Hamilton to explain his vote.

9 SENATOR HAMILTON: Yes,  
10 Mr. President, I rise to cast my vote in the  
11 affirmative for authorizing the Office of Alcohol  
12 and Substance Abuse Services to provide more  
13 funding.

14 I think this is a move in the right  
15 direction by Senator Amedore. We need more  
16 funding for services and prevention rather than  
17 incarceration of people of who are doing drugs.

18 Thank you so much.

19 ACTING PRESIDENT GRIFFO: Senator  
20 Hamilton to be recorded in the affirmative.

21 Announce the results.

22 THE SECRETARY: In relation to  
23 Calendar 859, those recorded in the negative are  
24 Senators Hoylman, Krueger and Perkins.

25 Ayes, 55. Nays, 3.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2   is passed.

3                   THE SECRETARY:    Calendar Number  
4   864, by Senator Carlucci, Senate Print 631, an  
5   act to amend the Mental Hygiene Law.

6                   ACTING PRESIDENT GRIFFO:    Read the  
7   last section.

8                   THE SECRETARY:    Section 2.   This  
9   act shall take effect on the 120th day.

10                  ACTING PRESIDENT GRIFFO:    Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  ACTING PRESIDENT GRIFFO:    Announce  
14   the results.

15                  THE SECRETARY:    In relation to  
16   Calendar 864, those recorded in the negative are  
17   Senators Hoylman, Krueger and Rivera.

18                  Ayes, 55.   Nays, 3.

19                  ACTING PRESIDENT GRIFFO:    The bill  
20   is passed.

21                  THE SECRETARY:    Calendar Number  
22   866, by Senator Gianaris, Senate Print 2484A, an  
23   act to amend the Penal Law.

24                  ACTING PRESIDENT GRIFFO:    Read the  
25   last section.

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

3           ACTING PRESIDENT GRIFFO:  Call the  
4   roll.

5           (The Secretary called the roll.)

6           THE SECRETARY:  Ayes, 57.  Nays, 1.  
7   Senator Perkins recorded in the negative.

8           ACTING PRESIDENT GRIFFO:  The bill  
9   is passed.

10          THE SECRETARY:  Calendar Number  
11   867, by Senator Parker, Senate Print 2787, an act  
12   to amend the Public Health Law.

13          ACTING PRESIDENT GRIFFO:  Read the  
14   last section.

15          THE SECRETARY:  Section 3 --

16          SENATOR SERRANO:  Lay the bill  
17   aside for the day.

18          ACTING PRESIDENT GRIFFO:  The bill  
19   is laid aside for the day.

20          THE SECRETARY:  Calendar Number  
21   868, by Senator Parker, Senate Print 3805, an act  
22   to amend the Domestic Relations Law.

23          ACTING PRESIDENT GRIFFO:  Read the  
24   last section.

25          THE SECRETARY:  Section 6.  This

1 act shall take effect on the first of November.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT GRIFFO: Senator  
6 Parker to explain his vote.

7 SENATOR PARKER: Thank you very  
8 much, Mr. President.

9 As many of you know, domestic  
10 violence has been a very, very serious issue in  
11 the State of New York and particularly in my  
12 district. Oftentimes we are hearing almost daily  
13 of stories of particularly young women who are  
14 killed while having an order of protection in  
15 place.

16 This bill mandates that there's in  
17 fact some jail time if in fact you have repeat  
18 violators. And so if someone is violating  
19 multiple times an order of protection, that it  
20 mandates some jail time, up to 30 days.

21 And so we really must do a better  
22 job at protecting our communities and making sure  
23 that people get the right message that domestic  
24 violence is not going to be tolerated in this  
25 state.

1                   Thank you.

2                   ACTING PRESIDENT GRIFFO:    Senator  
3 Parker to be recorded in the affirmative.

4                   Announce the results.

5                   THE SECRETARY:    Ayes, 58.

6                   ACTING PRESIDENT GRIFFO:    The bill  
7 is passed.

8                   Senator DeFrancisco, that concludes  
9 the noncontroversial reading of today's  
10 active-list calendar.

11                  SENATOR DeFRANCISCO:    Is there any  
12 further business at the desk?

13                  ACTING PRESIDENT GRIFFO:    There is  
14 no further business at the desk.

15                  SENATOR DeFRANCISCO:    In that case,  
16 I move to adjourn until Wednesday, May 18th, at  
17 11:00 a.m.

18                  ACTING PRESIDENT GRIFFO:    On  
19 motion, the Senate will stand adjourned until  
20 Wednesday, May 18th, at 11:00 a.m.

21                  The Senate stands adjourned.

22                  (Whereupon, at 6:36 p.m., the Senate  
23 adjourned.)

24

25