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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 18, 2016

11:24 a.m.

REGULAR SESSION

SENATOR TERRENCE P. MURPHY, Acting President

FRANCIS W. PATIENCE, Secretary

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

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

4 Please rise for the Pledge of  
5 Allegiance.

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

8 ACTING PRESIDENT MURPHY: Today's  
9 invocation will be given by Reverend Peter  
10 Young, from Mother Teresa Community in Albany.

11 REVEREND YOUNG: Thank you,  
12 Senator.

13 Being a Senator, you have been  
14 accepted into the leadership position so that  
15 you can more fully serve the people of New York  
16 State. It's a difficult position that you will  
17 be required to do endless constituency events  
18 and meetings, always concerned for the necessary  
19 campaigning expenses, and that time for your  
20 family matters with priorities put tremendous  
21 pressure on all of your dedicated lifestyles.

22 We know that your personal lives  
23 are put on this tension and keeps the tension on  
24 a calendar of this day so that you can then  
25 fulfill your commitment and responsibilities.

1 And we thank you for being a public servant.

2 In this more dedicated spirit of  
3 community, our prayer today, then, will be to  
4 better achieve the strength that you need as  
5 Senators so that you will be able to be that  
6 dedicated representation in the power that is  
7 entrusted to you by our legislative leadership.

8 May you attain your satisfaction in  
9 your services to your constituents.

10 Amen.

11 ACTING PRESIDENT MURPHY: We'll  
12 have the reading of the Journal.

13 THE SECRETARY: In Senate,  
14 Tuesday, May 17th, the Senate met pursuant to  
15 adjournment. The Journal of Monday, May 16th,  
16 was read and approved. On motion, Senate  
17 adjourned.

18 ACTING PRESIDENT MURPHY: Without  
19 objection, the Journal stands approved as read.

20 Presentation of petitions.

21 Messages from the Assembly.

22 The Secretary will read.

23 THE SECRETARY: On page 19,  
24 Senator Stewart-Cousins moves to discharge, from  
25 the Committee on Local Government, Assembly Bill

1 8659 and substitute it for the identical Senate  
2 Bill 6355, Third Reading Calendar 264.

3 ACTING PRESIDENT MURPHY:  
4 Substitution ordered.

5 THE SECRETARY: On page 36,  
6 Senator Akshar moves to discharge, from the  
7 Committee on Elections, Assembly Bill 7597 and  
8 substitute it for the identical Senate Bill  
9 6979, Third Reading Calendar 731.

10 ACTING PRESIDENT MURPHY:  
11 Substitution ordered.

12 THE SECRETARY: On page 44,  
13 Senator Savino moves to moves to discharge, from  
14 the Committee on Banks, Assembly Bill Number  
15 9480 and substitute it for the identical Senate  
16 Bill 7184, Third Reading Calendar 819.

17 ACTING PRESIDENT MURPHY:  
18 Substitution ordered.

19 Messages from the Governor.

20 Reports of standing committees.

21 Reports of select committees.

22 Communications and reports from  
23 state officers.

24 Motions and resolutions.

25 Senator DeFrancisco.

1                   SENATOR DeFRANCISCO:    Yes,  
2    Mr. President, I wish to call up Senator  
3    Marchione's bill, Print Number 5857A, recalled  
4    from the Assembly, which is now at the desk.

5                   ACTING PRESIDENT MURPHY:    The  
6    Secretary will read.

7                   THE SECRETARY:    Calendar Number  
8    171, by Senator Marchione, Senate Print 5857A, an  
9    act to authorize.

10                  SENATOR DeFRANCISCO:    I now move to  
11    reconsider the vote by which the bill was passed.

12                  ACTING PRESIDENT MURPHY:    Call the  
13    roll on reconsideration.

14                  (The Secretary called the roll.)

15                  THE SECRETARY:    Ayes, 42.

16                  SENATOR DeFRANCISCO:    I now offer  
17    the following amendments.

18                  ACTING PRESIDENT MURPHY:    The  
19    amendments are received, and the bill retains its  
20    place on the Third Reading Calendar.

21                  SENATOR DeFRANCISCO:    Also, on  
22    page number 32, I offer the following amendments  
23    to my bill, Calendar Number 649, Senate Print  
24    3785, and ask that said bill retain its place on  
25    the Third Reading Calendar.

1                   ACTING PRESIDENT MURPHY:    So  
2    ordered.

3                   SENATOR DeFRANCISCO:    On page 22, I  
4    offer the following amendments to Calendar 344,  
5    Senate Print 1909A, a bill by Senator Marcellino,  
6    and ask that said bill retain its place on the  
7    Third Reading Calendar.

8                   ACTING PRESIDENT MURPHY:    So  
9    ordered.

10                  SENATOR DeFRANCISCO:    Can you now  
11   take up previously adopted Resolution 5620, by  
12   Senator Kaminsky, and read the title only and  
13   call on the Senator, please.

14                  ACTING PRESIDENT MURPHY:    The  
15   Secretary will read.

16                  THE SECRETARY:    Legislative  
17   Resolution Number 5620, by Senator Kaminsky,  
18   congratulating the State of Israel upon the  
19   occasion of the 68th Anniversary of its  
20   independence and reaffirming the bonds of  
21   friendship and cooperation between the State of  
22   New York and Israel.

23                  ACTING PRESIDENT MURPHY:    Senator  
24   Kaminsky.

25                  SENATOR KAMINSKY:    Thank you,

1 Mr. President.

2 I rise today to commemorate the  
3 68th anniversary of Israel's independence and to  
4 reaffirm the bonds of friendship between our  
5 state and the Jewish homeland.

6 This last Thursday we celebrated  
7 Israel's establishment as a sovereign state, as a  
8 homeland for the Jewish people, a bastion of  
9 freedom and democracy.

10 Rising from the ashes of the  
11 Holocaust, Israel has come to embody the true  
12 meaning of perseverance and resilience. She has  
13 overcome seemingly insurmountable challenges  
14 since 1948 and has had to defend itself time and  
15 time again against enemies seeking to destroy it.

16 Today Israel stands proudly as the  
17 Middle East's sole true democracy, rooted in  
18 equality and freedom, as the nation thrives in  
19 the ancestral homeland of the Jewish people.

20 Bound by its steadfast commitment to  
21 freedom and democracy, New York and Israel share  
22 an unbreakable friendship as economic, strategic  
23 and cultural partners. We as a body have stood  
24 together to condemn the vile BDS movement and its  
25 thinly veiled attempt to harm Israel while

1 desensitizing our young people to the  
2 anti-Semitic movement it truly is.

3           Just last December I was proud to  
4 have attended, with an Assembly delegation, a  
5 visit to Israel with my colleagues on a mission  
6 to the Jewish state, where we saw firsthand the  
7 prosperity that Israel has built, along with its  
8 security challenges.

9           We were down on the Gaza border in a  
10 town called Sderot, and we left that town at  
11 2 o'clock in the afternoon. Just two hours later  
12 that day, the air raid warning sounded as a  
13 rocket was fired from Hamas toward that area.  
14 The challenges still exist every day, even while  
15 the country continues to advance and thrive.

16           So I therefore offer this resolution  
17 to recognize that Israel has made tremendous  
18 advancements in science, medicine and technology.  
19 Its economy prosperous, its agriculture  
20 bountiful, and its innovation astounding, it is a  
21 true testament to what freedom and democracy can  
22 accomplish. And I'm proud to recognize the  
23 anniversary of its independence today.

24           Thank you, Mr. President.

25           ACTING PRESIDENT MURPHY:    Senator

1 Stavisky.

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

4 And thank you, Senator Kaminsky, for  
5 those words about the establishment of the State  
6 of Israel, and particularly for your comments  
7 condemning the BDS movement, which has been the  
8 subject of so much discussion even here in this  
9 chamber.

10 Hopefully there will be a solution  
11 to some of the crises in the Middle East and  
12 Israel will continue to flourish. But I really  
13 wanted to thank Senator Kaminsky for his comments  
14 and for his support of the State of Israel.

15 Thank you.

16 ACTING PRESIDENT MURPHY: Thank  
17 you, Senator Stavisky.

18 Senator Martins.

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

21 I also rise to join our colleagues  
22 in recognizing the anniversary for the State of  
23 Israel, recognizing the relationship, the special  
24 relationship that we here in New York have with  
25 Israel, recognizing the importance of Israel as

1 an ally of the United States, recognizing the  
2 efforts that we in this house have already passed  
3 a bill combating the BDS movement.

4 We passed it months ago. We have  
5 made a statement that we stand in solidarity with  
6 Israel in this house as a Senate chamber. But  
7 yet we have yet to have a bill pass the other  
8 house, we have yet to have a bill that has been  
9 presented to the Governor.

10 Words mean more if we actually  
11 follow up on those words, Mr. President. We have  
12 a responsibility as State Senators that stand  
13 with Israel to do more than just speak about it  
14 but to advocate that we take actual steps to  
15 demonstrate that resolve. We did it here in the  
16 Senate. It has yet to be passed in the Assembly.  
17 There is yet to be a bill presented to the  
18 Governor.

19 I thank the sponsor for this  
20 opportunity to speak out once again on a lack of  
21 commitment by the Assembly on this issue, and I  
22 call them to do so the same that we did months  
23 ago.

24 Thank you, Mr. President, for this  
25 opportunity.

1                   ACTING PRESIDENT MURPHY:    Thank  
2    you, Senator Martins.

3                   Senator DeFrancisco.

4                   SENATOR DeFRANCISCO:    Yes, could  
5    you please open this resolution up for  
6    cosponsorship.

7                   ACTING PRESIDENT MURPHY:    The  
8    resolution is open for cosponsorship.  If you do  
9    not wish to be a cosponsor, please notify the  
10   desk.

11                  Senator DeFrancisco.

12                  SENATOR DeFRANCISCO:    Yes, would  
13    you now take up previously adopted Resolution  
14    3618, by Senator Griffo, read the title only, and  
15    recognize Senator Griffo.

16                  ACTING PRESIDENT MURPHY:    The  
17    Secretary will read.

18                  THE SECRETARY:    Legislative  
19    Resolution Number 3618, by Senator Griffo,  
20    memorializing Governor Andrew M. Cuomo to  
21    proclaim May 2016 as Lupus Awareness Month in the  
22    State of New York.

23                  ACTING PRESIDENT MURPHY:    Senator  
24    Griffo.

25                  SENATOR GRIFFO:    Thank you,

1 Mr. President.

2 I want to once again bring this  
3 resolution to the attention of the house. This  
4 is something we have done annually.

5 Lupus is a chronic inflammatory  
6 autoimmune disease. We have a number of the  
7 advocates with us this afternoon. And this is a  
8 disease that has affected so many in so many  
9 different ways. Everyone can recount a story of  
10 a family member or a friend. It is more common  
11 than AIDS and sickle cell anemia, multiple  
12 sclerosis, cystic fibrosis and cerebral palsy.

13 Unfortunately, lupus research is  
14 underfunded in comparison with diseases of  
15 comparable magnitude. And that's why it is so  
16 important that we continue to call attention to  
17 this, to advocate, along with the advocates, to  
18 continue to not only focus on this but to find a  
19 way to provide the research dollars to find a  
20 cure.

21 The organizations are dedicated to  
22 improving the quality of life of individuals who  
23 have lupus, and their loved ones. We want to  
24 talk about public education and support, again,  
25 more research and promoting more programs of

1 awareness.

2           So today I am honored to have with  
3 us Kathleen Arntsen and a number of lupus  
4 advocates from across the State of New York. If  
5 you would just please rise and be recognized.  
6 Thank you so much for all of your hard work and  
7 your efforts. We sincerely appreciate what you  
8 do, and we will continue to support you in your  
9 efforts.

10           Thank you, Mr. President.

11           ACTING PRESIDENT MURPHY: Thank  
12 you, Senator Griffo.

13           Senator Savino.

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

16           I also want to thank my colleague  
17 Senator Griffo for again bringing this resolution  
18 to the floor asking Governor Cuomo to dedicate  
19 May 10th to Lupus Awareness Day.

20           I also want to welcome Kathleen  
21 Arntsen and the Lupus and Allied Diseases  
22 Association back to the Capitol for their annual  
23 advocacy day on this very important issue.

24           Of the many diseases that affect  
25 women, one of the most deadly and dreadful and

1 debilitating is lupus. The sad thing is many  
2 women don't know anything about lupus. Many  
3 young women don't know that lupus exists, and  
4 they will suffer for many years from many of the  
5 symptoms that lupus produces.

6           Lupus attacks just about every part  
7 of the body -- skin, joints, blood and kidneys.  
8 It affects 1.5 million women in the United  
9 States, and more than 5 million women worldwide.  
10 It is a very difficult disease to diagnose  
11 because the symptoms vary, and they arrive in  
12 stages and they are highly individualized. Many  
13 young women will go years not knowing exactly  
14 what is wrong with them, not understanding who to  
15 talk to and what is wrong with them. And as a  
16 result of that, they don't get the care and the  
17 attention that they deserve.

18           It is one of the reasons why this  
19 resolution is so important and also one of the  
20 reasons why Senator Griffo and I have been trying  
21 for the past couple of years to get the state to  
22 adopt an awareness program, an education program,  
23 so that we can make sure that more women in  
24 New York State know about lupus, know about early  
25 detection, so they will get the care and

1 attention that they need.

2           So again, I want to thank Senator  
3 Griffio for joining us in highlighting this very  
4 important issue that is important to all women  
5 everywhere. And I ask all of my colleagues to  
6 support this resolution on lupus awareness.

7           Thank you, Mr. President.

8           ACTING PRESIDENT MURPHY: Thank  
9 you, Senator Savino.

10           Senator Parker.

11           SENATOR PARKER: Thank you,  
12 Mr. President. On the resolution.

13           First let me also add my thanks to  
14 the leadership of Senator Griffio in continuing to  
15 bring the issue of lupus to this body and to the  
16 people of the state.

17           And let me also associate myself  
18 with the comments made by Senator Savino on this  
19 resolution and talking about how important it is  
20 to combat this dreaded disease.

21           Let me also welcome the folks who  
22 are here, many of whom are suffering from lupus.  
23 And I'm really hoping that people in this chamber  
24 will take time to meet our constituents who are  
25 dealing with this every single day.

1           If you don't know, lupus is an  
2 autoimmune disease where the body's immune system  
3 becomes hyperactive and attacks normal, healthy  
4 tissue. And the results and symptoms such as  
5 inflammation, swelling, damage to the joints,  
6 skin, kidneys, blood, heart, lungs, hair loss,  
7 bruising, anxiety, depression, headaches and  
8 memory loss, are amongst a few of the things that  
9 people are suffering with when they have this  
10 horrible disease. And currently there's no cure,  
11 as we know, for lupus.

12           So according to the Lupus Foundation  
13 of America, there's 1.5 to 2 million Americans  
14 who have some form of lupus. And the prevalence  
15 is about 40 cases per 100,000 persons amongst  
16 northern Europeans, and 200 per 100,000 for  
17 African-Americans.

18           This disease affects both men and  
19 women, but it's nine times more likely to affect  
20 women than affect men.

21           And so although there's no cure for  
22 this disease, members of this body have been  
23 working on it. As you heard, Senator Savino  
24 indicated that she and Senator Griffo have a bill  
25 that would do some education in the State of

1 New York around lupus education.

2           But I have a bill, Senate Bill  
3 S553A -- and it has a corresponding Assembly  
4 sponsor, which is A2581A -- that will establish  
5 the Lupus Education and Prevention Fund. And so  
6 the bill that I have put forward would actually  
7 fund the work that Senator Savino and Senator  
8 Griffo's bill would do. And I'm going to take  
9 this time to ask that this bill be brought to the  
10 floor as soon as possible and passed in this  
11 house, and we'll work hard to get it passed in  
12 the Assembly.

13           This bill would allow individuals to  
14 make optional monetary contributions that can be  
15 taken as a taxpayer exemption on all corporate or  
16 personal income tax forms. This bill would give  
17 corporate and individual taxpayers the option to  
18 contribute to the Cancer Education and Prevention  
19 Program through voluntary contributions that  
20 would provide a source of funding for research  
21 and study into the causes and the cure -- the  
22 cure -- for lupus. With this in this place, I  
23 believe that we can begin to focus on the  
24 approach dedicated to finding a cure for lupus.

25           And I sincerely urge my colleagues

1 in the Senate and the Assembly to both first  
2 cosponsor this bill and then let's move together  
3 for passage. And I believe that passing my  
4 legislation, as well as Senators Savino and  
5 Griffo's legislation, we will be one step closer  
6 to a cure.

7 Thank you very much.

8 ACTING PRESIDENT MURPHY: Thank  
9 you, Senator Parker.

10 We would like to welcome you all to  
11 the New York State Senate chamber here and extend  
12 to you all the courtesies of the house.

13 (Applause.)

14 ACTING PRESIDENT MURPHY: Senator  
15 DeFrancisco.

16 SENATOR DeFRANCISCO: Could you  
17 please open that resolution up for cosponsorship.

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

22 Senator DeFrancisco.

23 SENATOR DeFRANCISCO: Next would  
24 you take up previously adopted Resolution 5718,  
25 by Senator Kennedy, read the title only, and call

1 on Senator Kennedy.

2 ACTING PRESIDENT MURPHY: The  
3 Secretary will read.

4 THE SECRETARY: Legislative  
5 Resolution Number 5718, by Senator Kennedy,  
6 commemorating the 75th anniversary of the  
7 production of Cheerios in Buffalo, New York.

8 ACTING PRESIDENT MURPHY: Senator  
9 Kennedy.

10 SENATOR KENNEDY: Thank you very  
11 much, Mr. President.

12 I rise today to honor a long-time  
13 employer in Western New York and a contributor to  
14 the fabric of our great city, state and nation.  
15 See, General Mills in Buffalo is celebrating its  
16 75th anniversary of the production of Cheerios in  
17 the city.

18 In fact, Buffalo has produced the  
19 cereal since Cheerios was first introduced in  
20 1941 as the first oat-based, ready-to-eat cereal.  
21 And even today, if you drive by the plant on the  
22 right morning, the smell of freshly baked  
23 Cheerios lingers in the air.

24 During its 75-year production, the  
25 plant has provided good jobs to thousands of

1 Western New Yorkers. The plant today employs  
2 over 400 workers, many of them coming from the  
3 second or third generation of Cheerio plant  
4 workers. These workers, proud members of the  
5 Bakery, Confectionery, Tobacco Workers and Grain  
6 Millers' International Union, Local 36G, and the  
7 International Longshoremen's Association, Local  
8 1286, make everything from Cheerios to Lucky  
9 Charms to Gold Mill flour.

10           The plant itself was completed in  
11 1941, and the oldest structure on the property  
12 dates to 1903. Over the years, General Mills has  
13 modernized the plant. But at a time when  
14 companies seem to move to new and bigger  
15 facilities, Cheerios and General Mills have  
16 remained committed to Buffalo, continuing its  
17 manufacturing success in our city.

18           And workers are proud of their  
19 efficiency in producing Cheerios even when  
20 compared to more modern production plants. The  
21 Buffalo facility often ranks in the top tier of  
22 General Mills properties for plant facility  
23 performance, which is a testament to the workers  
24 who make the Cheerios. In fact, if you took the  
25 number of cereal boxes produced annually at the

1 plant and laid them end to end, they would circle  
2 the globe and then some.

3           The facility is home to one of the  
4 last working grain elevators in Buffalo, the city  
5 that invented them. Oats are still shipped in by  
6 rail or by the occasional boat traveling across  
7 the Great Lakes from Minnesota. Buffalo's  
8 central location results in boxes of Cheerios  
9 being shipped to markets along the East Coast of  
10 the United States as well as into Ontario and  
11 Quebec.

12           You can tell if your Cheerios were  
13 made in Buffalo -- just look at the box, and the  
14 production code will tell you. If it begins with  
15 the letters B-U, then that box of Cheerios was in  
16 fact made in our great city.

17           And I promise, if you have that box  
18 of cereal made in Buffalo, it will be the best  
19 box of Cheerios you have ever had. As a matter  
20 of fact, I'm going to be bringing a box of  
21 Cheerios in to my colleagues next week for you  
22 all to test yourselves. I'm looking forward to  
23 you getting back to me on that.

24           (Applause.)

25           SENATOR KENNEDY: And finally,

1 finally, it's important to note that General  
2 Mills gives back to the community as well,  
3 donating over 1,000 cases of cereal each month to  
4 the Food Bank of Western New York.

5           So to General Mills and Cheerios,  
6 thank you for your continued commitment to  
7 produce Cheerios and other products in Buffalo.  
8 To the workers, congratulations on 75 years of  
9 hard work, and thank you for the immense pride  
10 you give our great city. I know Buffalo is proud  
11 to be one of the homes of Cheerios. Here's to  
12 another 75 years and more.

13           With that, Mr. President, I'd like  
14 to open this resolution up for cosponsorship, and  
15 I vote aye. Thank you very much.

16           ACTING PRESIDENT MURPHY: Cheerios.  
17           (Laughter.)

18           ACTING PRESIDENT MURPHY: Senator  
19 DeFrancisco.

20           SENATOR DeFRANCISCO: Yes, it's  
21 quite obvious, based upon the energy that was  
22 just expressed in that resolution, the remarks on  
23 the resolution, that Senator Kennedy had several  
24 boxes of Lucky Charms this morning for breakfast.

25           (Laughter.)

1                   SENATOR DeFRANCISCO:    And I also  
2    just wanted to mention that it's a good thing,  
3    it's a good thing that this product is being made  
4    in Buffalo, especially the Lucky Charms.  Because  
5    if it was manufactured in the City of New York,  
6    there might be an elected official that would  
7    want to limit the size of the box --

8                   (Booing; laughter.)

9                   SENATOR DeFRANCISCO:    -- because it  
10   may not be good for you.

11                   So congratulations, Buffalo.  Thank  
12   you.

13                   ACTING PRESIDENT MURPHY:    Thank  
14   you, Senator DeFrancisco.

15                   Senator Krueger.

16                   SENATOR KRUEGER:    Thank you.

17                   He's not an official of the City of  
18   New York anymore.  It's okay, Senator, you don't  
19   have to live in fear anymore about size limits on  
20   your food products.

21                   I want to congratulate Senator  
22   Kennedy on his resolution honoring 75 years of  
23   Cheerios.  But I also just wanted to point out  
24   that if you look further back in the history of  
25   cereal in this country, New York State, our

1 state, was the creator of the very first  
2 recognized breakfast cereal back in 1863.

3 It also was produced and invented in  
4 Western New York -- although not Buffalo -- and  
5 it was called Granula. And it was invented in  
6 1863 by James Caleb Jackson, who had a health  
7 sanatorium in Dansville, which I believe is in  
8 Senator Young's district.

9 But back in 1863, New York State was  
10 leading the country in recognizing the value of  
11 breakfast cereal. And clearly that message was  
12 picked up at a later date by the Cheerios folks  
13 in Buffalo, New York.

14 So thank you for educating us on  
15 cereal, Senator Kennedy.

16 ACTING PRESIDENT MURPHY: Thank  
17 you, Senator Krueger.

18 This resolution will be open for  
19 cosponsorship. If you do not wish to be a  
20 cosponsor, please notify the desk.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Yes, could we  
23 now recognize Senator Venditto for the  
24 introduction of some students.

25 ACTING PRESIDENT MURPHY: Senator

1 Venditto.

2                   SENATOR VENDITTO:    Thank you very  
3 much, Mr. President.

4                   ACTING PRESIDENT MURPHY:    Can we  
5 get a little order in the house.

6                   SENATOR VENDITTO:    If any of our  
7 members have the privilege of walking into the  
8 Legislative Office Building today and passing  
9 The Well at the Capitol, you may see some  
10 wonderful works of art that have been furnished  
11 by some tremendous students across New York  
12 State, two of whom hail from the 8th Senatorial  
13 District and the hamlet of Wantagh.  And I just  
14 wanted to take a moment to introduce them to our  
15 members.

16                   We have, first, Madalyn Rhodes, who  
17 is accompanied by her parents, Laura and Charles.  
18 And Madalyn is a student at Forest Lake School in  
19 Wantagh.

20                   And secondly, we have John Michael  
21 Lagares, who is accompanied by his mother,  
22 Corsalyn {ph}.  And John is a student at Wantagh  
23 High School.

24                   And both Madalyn and John have taken  
25 part in our legislative art exhibit, and they

1 have shown at a very early age that they are able  
2 to do some wonderful things in the artistic  
3 field.

4 So we welcome them here to the  
5 chamber today, thank them for participating, and  
6 encourage them to continue to do great work so  
7 that we can enjoy the fruits of their talents.

8 Congratulations to you, Madalyn and  
9 John, for being selected to be part in our  
10 exhibit today, and welcome to the Senate chamber.

11 Thank you, Mr. President.

12 (Applause.)

13 ACTING PRESIDENT MURPHY: Thank  
14 you, Senator Venditto.

15 John, Madalyn, and family members,  
16 welcome to the New York State chambers.

17 Senator DeFrancisco.

18 SENATOR DeFRANCISCO: Would you  
19 please call on Senator Amedore for an  
20 introduction.

21 ACTING PRESIDENT MURPHY: Senator  
22 Amedore.

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

25 I rise to introduce two groups, two

1 introductions, real quick, that I believe are  
2 special to me and to all of us here.

3           The first group, we have a group of  
4 young students. They are seniors from  
5 Fonda-Fultonville High School in Montgomery  
6 County, and they are here at the Capitol today as  
7 part of their College in the Classroom government  
8 class.

9           And I've had an opportunity to meet  
10 with them and to talk and to answer their  
11 questions, but also had the privilege of  
12 introducing Senator Larkin to them. And he spent  
13 some time with them to share some of his stories.  
14 And we all know the stories of Senator Larkin.

15           They have with them the  
16 superintendent, Tom Ciaccio, as well as a special  
17 honor to introduce Barbara Baker, who is the  
18 Instructor of the Year, the Regional Technology  
19 Teacher of the Year, who has been nominated and  
20 awarded that honor and that designation. So  
21 thank you for all of your hard work and your  
22 dedication for the students.

23           The second introduction is very  
24 important to all of us because these two young  
25 ladies are Blue Star Moms.

1                   And Blue Star Moms we all know, we  
2                   all have them in our districts. They are here  
3                   today touring the Capitol and actually shadowing  
4                   me and going around and seeing how things work.  
5                   And I am honored to have both of them from my  
6                   district, and that is Robin Johnson and Donna  
7                   Vickery, who are here today.

8                   So thank you so much for your  
9                   dedication, your love of country. And we pray  
10                  for you and the protection of your loved ones who  
11                  are serving in our armed forces.

12                  Thank you, Mr. President.

13                  ACTING PRESIDENT MURPHY: Thank  
14                  you, Senator Amedore.

15                  Senator DeFrancisco.

16                  SENATOR DeFRANCISCO: Would you now  
17                  recognize Senator Serino for an introduction.

18                  ACTING PRESIDENT MURPHY: Senator  
19                  Serino.

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

22                  I just want to take a minute to  
23                  recognize some very special guests that are here  
24                  with us today. Mr. Harry McMurtry, his wife  
25                  Deborah and their son Tom, and friends, are here

1 as part of a very unique initiative. Harry and  
2 his group are walking 500 miles from New York  
3 City to Toronto to raise awareness for the  
4 debilitating effects of Parkinson's disease.

5 But the most amazing thing is Harry  
6 was diagnosed with Parkinson's disease in 2005  
7 and had deep brain stimulation surgery in 2011  
8 which enables him to be able to do this walk.  
9 And he has his friends here who also have  
10 Parkinson's: Sue Thompson, of Toronto, and  
11 Dr. Ross Sugar.

12 I was honored to have met these  
13 folks last week when their journey brought them  
14 to the Walkway over the Hudson in my district.  
15 And let me tell you, inspiration is an  
16 understatement. And Harry, you're one of the  
17 most positive people I've ever had the pleasure  
18 to meet in my life.

19 They're on a mission to raise  
20 awareness and spread an important message about  
21 strength and perseverance. We are honored to  
22 have all of you here with us today to raise  
23 awareness for this important cause, and we wish  
24 you a safe and happy journey.

25 Thank you.

1                   ACTING PRESIDENT MURPHY:    Thank  
2    you, Senator Serino.

3                   Senator Serino, I would also like to  
4    welcome your father to the New York State Senate  
5    chamber here, who is visiting from Virginia.

6                   Welcome.

7                   Senator DeFrancisco.

8                   SENATOR DeFRANCISCO:    For the last  
9    introduction, would you please call on Senator  
10   Breslin.

11                  ACTING PRESIDENT MURPHY:    Senator  
12   Breslin.

13                  SENATOR BRESLIN:    Thank you,  
14   Mr. President.   And thank you, Senator  
15   DeFrancisco.

16                  I'm proud to stand and acknowledge  
17   some young women making a meaningful and  
18   sustainable difference in the world.   And I think  
19   you guess if they're young women doing good  
20   things, they're generally Girl Scouts.

21                  And the Girl Scouts are here today  
22   with Allison Marinucci, who is the manager of the  
23   Young Women's Leadership Initiative.   And she has  
24   some wonderful Girl Scouts.

25                  And I might add there's Girl Scouts

1 throughout the Capitol and the LOB, and they all  
2 do a wonderful job.

3 But if you could stand and be  
4 recognized, we're very happy for you to be here.

5 (Applause.)

6 SENATOR BRESLIN: Thank you,  
7 Allison.

8 And thank you, Cheerios.

9 (Laughter.)

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

12 ACTING PRESIDENT MURPHY: Thank  
13 you, Senator Breslin.

14 The Girl Scouts of America, welcome  
15 to the New York State Senate chambers.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: It's obvious  
18 that some of them have been in parades before;  
19 they have the wave down pat.

20 (Laughter.)

21 SENATOR DeFRANCISCO: Can we now  
22 take up the noncontroversial reading of the  
23 calendar.

24 ACTING PRESIDENT MURPHY: The  
25 Secretary will read.

1                   THE SECRETARY:    Calendar Number  
2    264, substituted earlier by Member of the  
3    Assembly Pretlow, Assembly Print 8659, an act to  
4    amend the Local Finance Law.

5                   ACTING PRESIDENT MURPHY:    There is  
6    a home-rule message at the desk.

7                   The Secretary will read the last  
8    section.

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

11                   ACTING PRESIDENT MURPHY:    Call the  
12   roll.

13                   (The Secretary called the roll.)

14                   ACTING PRESIDENT MURPHY:    Announce  
15   the result.

16                   THE SECRETARY:    Ayes, 56.

17                   ACTING PRESIDENT MURPHY:    The bill  
18   is passed.

19                   THE SECRETARY:    Calendar Number  
20   330, by Senator Martins, Senate Print 6685, an  
21   act to authorize.

22                   ACTING PRESIDENT MURPHY:    Read the  
23   last section.

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

1                   ACTING PRESIDENT MURPHY:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT MURPHY:    Announce  
5 the result.

6                   THE SECRETARY:    Ayes, 55.  Nays, 1.  
7 Senator Bonacic recorded in the negative.

8                   ACTING PRESIDENT MURPHY:    The bill  
9 is passed.

10                  THE SECRETARY:    Calendar Number  
11 691, by Senator Hannon, Senate Print 5458C, an  
12 act to amend the Public Health Law.

13                  ACTING PRESIDENT MURPHY:    Call the  
14 roll.

15                  (The Secretary called the roll.)

16                  ACTING PRESIDENT MURPHY:    Read the  
17 last section.

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

20                  ACTING PRESIDENT MURPHY:    Call the  
21 roll.

22                  (The Secretary called the roll.)

23                  ACTING PRESIDENT MURPHY:    Senator  
24 Hoylman to explain his vote.

25                  SENATOR HOYLMAN:    Thank you,

1 Mr. President.

2 I'm voting in the negative because I  
3 want my colleagues to understand that this is  
4 truly a seismic shift in the way we operate  
5 healthcare in New York. This is a back-door  
6 allowance that will allow the corporatization of  
7 physicians' offices -- really, in my opinion,  
8 putting profits over the well-being of patients.

9 I would urge us to put the pause  
10 button on this model and conduct a study. In  
11 fact, Mr. President, one of my first bills in the  
12 Senate, which I worked with Senator Hannon on,  
13 was to instruct the Department of Health to look  
14 at the issue of urgent care centers: Let's get  
15 some regulations from the Department of Health to  
16 determine how urgent care centers should be  
17 regulated. That was one of my first bills, over  
18 three and a half years ago. To this date,  
19 Mr. President, the Department of Health has not  
20 conducted or issued the results of that study.

21 I'll be voting no. I believe the  
22 Hippocratic oath is "Do no harm," not "Make lots  
23 of money."

24 Thank you, Mr. President.

25 ACTING PRESIDENT MURPHY: Senator

1 Hoylman will be recorded in the negative.

2 Announce the results.

3 THE SECRETARY: In relation to  
4 Calendar 691, those recorded in the negative are  
5 Senators Comrie, Dilan, Gianaris,  
6 Hassell-Thompson, Hoylman, Krueger, Latimer,  
7 Montgomery, Perkins, Persaud, Rivera, Serrano,  
8 Squadron, Stavisky and Stewart-Cousins.

9 Ayes, 41. Nays, 15.

10 ACTING PRESIDENT MURPHY: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 731, substituted earlier by Member of the  
14 Assembly Cusick, Assembly Print 7597, an act to  
15 repeal subdivision 8 of Section 4-104 of the  
16 Election Law.

17 ACTING PRESIDENT MURPHY: Call the  
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MURPHY: Read the  
21 last section.

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

24 ACTING PRESIDENT MURPHY: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 56.

3 ACTING PRESIDENT MURPHY: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 750, by Senator Marcellino, Senate Print 6504, an  
7 act to amend the Education Law.

8 ACTING PRESIDENT MURPHY: Read the  
9 last section.

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

12 ACTING PRESIDENT MURPHY: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 56.

16 ACTING PRESIDENT MURPHY: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 752, by Senator Marcellino, Senate Print 6507, an  
20 act to amend the Education Law.

21 ACTING PRESIDENT MURPHY: Read the  
22 last section.

23 THE SECRETARY: Section 35. This  
24 act shall take effect July 1, 2017.

25 ACTING PRESIDENT MURPHY: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 56.

4 ACTING PRESIDENT MURPHY: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 765, by Senator Gallivan, Senate Print 405, an  
8 act to amend the Vehicle and Traffic Law.

9 ACTING PRESIDENT MURPHY: Read the  
10 last section.

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

13 ACTING PRESIDENT MURPHY: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT MURPHY: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 766, by Senator Gallivan, Senate Print 437, an  
21 act to amend the Highway Law.

22 ACTING PRESIDENT MURPHY: Read the  
23 last section.

24 THE SECRETARY: Section 4. This  
25 act shall take effect immediately.

1                   ACTING PRESIDENT MURPHY:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT MURPHY:    Announce  
5 the results.

6                   THE SECRETARY:    Ayes, 55. Nays, 1.  
7 Senator Perkins recorded in the negative.

8                   ACTING PRESIDENT MURPHY:    The bill  
9 is passed.

10                  THE SECRETARY:    Calendar Number  
11 770, by Senator Martins, Senate Print 4101A, an  
12 act to amend the Highway Law.

13                  ACTING PRESIDENT MURPHY:    Read the  
14 last section.

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

17                  ACTING PRESIDENT MURPHY:    Call the  
18 roll.

19                  (The Secretary called the roll.)

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

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

24                  I rise to explain I'm voting no.  
25 While I am a big fan of Mr. Joel's music, last I

1 checked, he is still alive and well, living on  
2 Long Island. And I actually don't think we  
3 should name things after living people.

4 I also hope that my colleague who's  
5 sponsoring the bill understands that now he can  
6 never accept free entertainment from Mr. Joel or  
7 have him participate in any kind of political or  
8 fundraising events for him, since he's sponsoring  
9 a highway in the name of this living musician.

10 So I think it's a little bit of a  
11 risky precedent and it's not the right precedent  
12 for the state. Great people do live here, and  
13 they die, and at some point after, exploring  
14 whether we should recognize them by honoring them  
15 with namings of buildings, roads, et cetera, is  
16 appropriate. Not while they're alive and well.

17 Thank you, Mr. President.

18 ACTING PRESIDENT MURPHY: Senator  
19 Krueger will be recorded in the negative.

20 Senator Stavisky.

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

23 I too will vote no, because I think  
24 setting a precedent for naming structures or  
25 buildings or roads after somebody who is still

1 alive -- and I certainly don't wish Mr. Joel any  
2 harm. But on the other hand, I will vote no for  
3 that reason, that we should not be naming  
4 anything after people who are still alive.

5 Thank you.

6 ACTING PRESIDENT MURPHY: Senator  
7 Stavisky will be recorded in the negative.

8 Senator Martins.

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

11 And I want to thank my colleagues  
12 who have supported this effort once again. This  
13 bill has passed this house in the past.

14 And I do understand the concerns  
15 that exist. But let me lay some of the concerns  
16 aside.

17 I happen to be a Billy Joel fan. I  
18 think many people here in the chamber and across  
19 the country and around the world happen to be  
20 Billy Joel fans. But Billy Joel did grow up on  
21 Long Island, he did grow up in the Hicksville  
22 area. This small piece of a state highway being  
23 renamed in his honor is just a recognition of  
24 that.

25 Now, there is a debate out there as

1 to whether or not we should name things after  
2 people who are living. And there are people who  
3 think that people should be dead before you give  
4 them the honor of recognizing them. I happen to  
5 disagree. And frankly, I didn't hear any protest  
6 when we have named bridges after former New York  
7 City mayors. We have named office buildings  
8 after former New York City mayors. We've had  
9 people in this chamber who have gotten up and  
10 complained about naming things after people who  
11 are still alive who were at those events and  
12 stood at those events and yet have voted no.

13 So I would say this. I've had the  
14 privilege in my life to serve in different  
15 capacities in public office. And one of the  
16 great privileges of my life was, as mayor of the  
17 Village of Mineola, being able to recognize an  
18 individual who had exceptional service to the  
19 community by renaming the pool after him, the  
20 village pool. So we now have the John S. DaVanzo  
21 Village Pool in the Village of Mineola.

22 John passed away a few years back,  
23 but before he passed he had the privilege of  
24 knowing that his community honored him and to be  
25 there for that presentation. There's something

1 special about that, Mr. President, the ability to  
2 honor people in the moment and to let them know  
3 that their efforts in their lives and that their  
4 achievements in their lives are being recognized  
5 not only by their peers, by people at large and  
6 by the public.

7 Billy Joel is a person who deserves  
8 such a recognition. For those who supported this  
9 bill, thank you. For those who didn't support  
10 the bill, I know you'll reconsider and perhaps  
11 vote for it next time.

12 Mr. President, thank you.

13 ACTING PRESIDENT MURPHY: Senator  
14 Martins will be recorded in the affirmative.

15 Announce the results.

16 THE SECRETARY: In relation to  
17 Calendar 770, those recorded in the negative are  
18 Senators Hoylman, Kaminsky, Krueger and Stavisky.  
19 Also Senator Perkins.

20 Ayes, 52. Nays, 5.

21 ACTING PRESIDENT MURPHY: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 773, by Senator Ranzenhofer, Senate Print 4462,  
25 an act to amend the Vehicle and Traffic Law.

1                   ACTING PRESIDENT MURPHY:    Read the  
2 last section.

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

5                   ACTING PRESIDENT MURPHY:    Call the  
6 roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:    Ayes, 57.

9                   ACTING PRESIDENT MURPHY:    The bill  
10 is passed.

11                   THE SECRETARY:    Calendar Number  
12 804, by Senator Carlucci, Senate Print 1971, an  
13 act to amend the Executive Law.

14                   ACTING PRESIDENT MURPHY:    Read the  
15 last section.

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

18                   ACTING PRESIDENT MURPHY:    Call the  
19 roll.

20                   (The Secretary called the roll.)

21                   THE SECRETARY:    Ayes, 57.

22                   ACTING PRESIDENT MURPHY:    The bill  
23 is passed.

24                   THE SECRETARY:    Calendar Number  
25 818, by Senator Savino, Senate Print 7183, an act

1 to amend the Banking Law.

2 ACTING PRESIDENT MURPHY: Read the  
3 last section.

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

6 ACTING PRESIDENT MURPHY: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT MURPHY: Announce  
10 the results.

11 THE SECRETARY: Ayes, 56. Nays, 1.  
12 Senator Robach recorded in the negative.

13 ACTING PRESIDENT MURPHY: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 819, substituted earlier by Member of the  
17 Assembly Jean-Pierre, Assembly Print 9480, an act  
18 to amend Chapter 526 of the Laws of 1998.

19 ACTING PRESIDENT MURPHY: Read the  
20 last section.

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

23 ACTING PRESIDENT MURPHY: Call the  
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 57.

2 ACTING PRESIDENT MURPHY: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 853, by Senator Young, Senate Print 7187, an act  
6 to amend Chapter 142 of the Laws of 2014.

7 ACTING PRESIDENT MURPHY: Read the  
8 last section.

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

11 ACTING PRESIDENT MURPHY: Call the  
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT MURPHY: Announce  
15 the results.

16 THE SECRETARY: In relation to  
17 Calendar 853, those recorded in the negative are  
18 Senators Hoylman, Perkins and Serrano.

19 Ayes, 54. Nays, 3.

20 ACTING PRESIDENT MURPHY: The bill  
21 is passed.

22 Senator DeFrancisco, that completes  
23 the noncontroversial reading of the calendar.

24 SENATOR DeFRANCISCO: Is there any  
25 further business at the desk?

1                   ACTING PRESIDENT MURPHY:    No  
2 further business.

3                   SENATOR DeFRANCISCO:    Then I would  
4 move to adjourn until Monday, May 23rd, at  
5 3:00 p.m., intervening days being legislative  
6 days.

7                   ACTING PRESIDENT MURPHY:    On  
8 motion, the Senate stands adjourned until Monday,  
9 May 23rd, at 3:00 p.m., intervening days being  
10 legislative days.

11                   Thank you.

12                   (Whereupon, at 12:06 p.m., the  
13 Senate adjourned.)

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