

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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7
8 ALBANY, NEW YORK

9
10 February 28, 2017

11 3:34 p.m.

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13
14 REGULAR SESSION

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18 SENATOR PHIL BOYLE, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

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

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

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

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

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

23 Presentation of petitions.

24 Messages from the Assembly.

25 Messages from the Governor.

1 Reports of standing committees.

2 Reports of select committees.

3 Communications and reports from
4 state officers.

5 Motions and resolutions.

6 Floor Leader.

7 SENATOR DeFRANCISCO: Yes,
8 Mr. President, I move that the following bill be
9 discharged from its respective committee and be
10 recommitted with instructions to strike the
11 enacting clause. That's Senate Bill Number
12 2072, by Senator LaValle.

13 ACTING PRESIDENT BOYLE: So
14 ordered.

15 SENATOR DeFRANCISCO: I also move
16 that Senate Bill Number 2045 be discharged from
17 its respective committee and be recommitted with
18 instructions to strike the enacting clause.
19 It's a bill by Senator Bonacic.

20 ACTING PRESIDENT BOYLE: So
21 ordered.

22 SENATOR DeFRANCISCO: I also move
23 that Senate 861 be discharged from its
24 respective committee and be recommitted with
25 instructions to strike the enacting clause.

1 This is a bill by Senator Ritchie.

2 ACTING PRESIDENT BOYLE: So
3 ordered.

4 SENATOR DeFRANCISCO: And on
5 page 16, I offer the following amendments to
6 Calendar Number 119, Senate Print 1134, by
7 Senator Marcellino, and ask that said bill
8 retain its place on the Third Reading Calendar.

9 ACTING PRESIDENT BOYLE: The
10 amendments are received, and the bill will
11 retain its place on the Third Reading Calendar.

12 SENATOR DeFRANCISCO: Can you
13 please recognize Senator Valesky.

14 ACTING PRESIDENT BOYLE: Senator
15 Valesky.

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

18 On behalf of Senator Peralta, I
19 move that the following bills be discharged from
20 their respective committees and be recommitted
21 with instructions to strike the enacting clause:
22 Senate Bills 332, 357, 358, and 472.

23 ACTING PRESIDENT BOYLE: So
24 ordered.

25 Floor Leader.

1 SENATOR DeFRANCISCO: Could you
2 please recognize Senator Gianaris.

3 ACTING PRESIDENT BOYLE: Senator
4 Gianaris.

5 SENATOR GIANARIS: Thank you,
6 Mr. President. I have several motions.

7 I move that the following bills be
8 discharged from their respective committees and
9 be recommitted with instructions to strike the
10 enacting clause: Bill Numbers 3824 and 4371.

11 ACTING PRESIDENT BOYLE: So
12 ordered.

13 SENATOR GIANARIS: I also move to
14 recommit Senate Print 2762, Calendar Number 197,
15 on the order of third reading, to the Committee
16 on Health, with instructions to said committee to
17 strike the enacting clause.

18 ACTING PRESIDENT BOYLE: So
19 ordered.

20 SENATOR GIANARIS: On behalf of
21 Senator Bailey, I move that the following bills
22 be discharged from their respective committees
23 and be recommitted with instructions to strike
24 the enacting clause: Senate Bill Numbers 3340
25 and 3490.

1 ACTING PRESIDENT BOYLE: So
2 ordered.

3 SENATOR GIANARIS: On behalf of
4 Senator Krueger, I move that the following bill
5 be discharged from its respective committee and
6 be recommitted with instructions to strike the
7 enacting clause: Senate 3190.

8 ACTING PRESIDENT BOYLE: So
9 ordered.

10 SENATOR GIANARIS: And finally, on
11 behalf of Senator Serrano, on page number 21 I
12 offer the following amendments to Calendar Number
13 182, Senate Print 3051, and ask that said bill
14 retain its place on Third Reading Calendar.

15 ACTING PRESIDENT BOYLE: The
16 amendments are received, and the bill will retain
17 its place on the Third Reading Calendar.

18 SENATOR GIANARIS: Thank you.

19 ACTING PRESIDENT BOYLE: Floor
20 Leader.

21 SENATOR DeFRANCISCO: I move to
22 adopt the Resolution Calendar, with the exception
23 of Resolution Numbers 799, 677, and 733.

24 ACTING PRESIDENT BOYLE: All in
25 favor of adopting the Resolution Calendar, with

1 the listed exceptions, signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT BOYLE: Opposed?

4 (No response.)

5 ACTING PRESIDENT BOYLE: The

6 Resolution Calendar is adopted.

7 Floor Leader.

8 SENATOR DeFRANCISCO: Now I'd like
9 to please take up Resolution 799, by Senator
10 Klein.

11 ACTING PRESIDENT BOYLE: The
12 Secretary will read.

13 THE SECRETARY: Legislative
14 Resolution Number 799, by Senators Klein, Hannon
15 and Valesky, congratulating the expert surgical
16 and medical providers of the Montefiore Health
17 System, The Children's Hospital at Montefiore, on
18 the successful surgery that separated the
19 conjoined McDonald twins.

20 "WHEREAS, It is the sense of this
21 Legislative Body that those who give outstanding
22 service to the people of the Empire State and
23 whose exceptional achievements save the lives of
24 their fellow citizens should be congratulated;
25 their extraordinary efforts so profoundly

1 strengthen our shared commitment to family and
2 community life; and

3 "WHEREAS, Attendant to such concern,
4 and in full accord with its long-standing
5 traditions, this Legislative Body is justly proud
6 to congratulate the expert surgical and medical
7 providers of the Montefiore Health System,
8 The Children's Hospital at Montefiore, on the
9 successful surgery that separated the conjoined
10 McDonald twins; and

11 "WHEREAS, Montefiore Health System
12 is both a premier academic medical center and the
13 University Hospital for the Albert Einstein
14 College of Medicine, serving the 3.1 million
15 people living in the New York City region and the
16 Hudson Valley; it combines nationally recognized
17 clinical excellence with expertise in
18 accountable, value-based care which focuses on
19 patients, their families and the community; this
20 vital system includes The Children's Hospital at
21 Montefiore (CHAM), the only hospital in the Bronx
22 exclusively dedicated to meeting the healthcare
23 needs of children; and

24 "WHEREAS, Located in the Bronx, CHAM
25 is a leading academic children's hospital,

1 nationally renowned for its clinical excellence,
2 innovative research and commitment to the
3 community and children of the Bronx, as well as
4 to the pediatricians and pediatric subspecialists
5 since opening in 2001; and

6 "WHEREAS, On October 14, 2016, a
7 team of approximately 50 expert surgical and
8 medical providers at CHAM completed the last
9 surgery that successfully separated 13-month-old
10 craniopagus twin boys, Jadon and Anias McDonald;
11 and

12 "WHEREAS, James T. Goodrich, M.D.,
13 Ph.D., D.Sci. (Hon.), director, Pediatric
14 Neurosurgery, CHAM, and professor, Clinical
15 Neurological Surgery, Pediatrics and Plastic and
16 Reconstructive Surgery, Albert Einstein College
17 of Medicine, and Oren Tepper, M.D., director,
18 Craniofacial and Aesthetic Surgery, Montefiore,
19 and assistant professor of surgery, Albert
20 Einstein College of Medicine, led the team
21 through four surgeries over the course of
22 10 months at CHAM; and

23 "WHEREAS, The multidisciplinary team
24 consisted of Dr. Goodrich, Dr. Tepper, Joaquim M.
25 Farinhas, M.D., neuroradiologist, Department of

1 Radiology, Montefiore, and Kamilah A. Dowling,
2 D.N.P., nurse practitioner, Division of Pediatric
3 Neurosurgery, CHAM, planned each stage of the
4 separation using innovative virtual planning
5 technology to create 3D models of the boys'
6 brains and skulls; and

7 "WHEREAS, Additionally, the
8 Pediatric Intensive Care Unit and the entire CHAM
9 staff provided both pre- and post-surgery care to
10 the McDonald siblings; this is the first time the
11 team used virtual planning and 3D printing
12 technologies in a series of highly complex
13 surgeries; the models were used as guides for the
14 procedures, allowing the team to carefully plan
15 each stage in advance, mapping out the boys'
16 anatomy prior to incision; and

17 "WHEREAS, The McDonald boys are the
18 seventh set of craniopagus conjoined twins Dr.
19 Goodrich and the CHAM staff have successfully
20 separated with various surgical teams from around
21 the world; out of the seven surgeries, two were
22 performed in the Bronx; and

23 "WHEREAS, Dr. Goodrich and his
24 medical personnel at CHAM have now consulted on a
25 total of 21 sets of craniopagus conjoined twins;

1 each set of separations has resulted in good
2 outcomes with no deaths or severe morbidities;
3 and

4 "WHEREAS, Jadon and Anias McDonald
5 are still recovering and will likely spend
6 several months getting rehabilitation therapies,
7 strengthening their bodies, and continuing to
8 develop their distinct personalities; the boys
9 will return to CHAM regularly for follow-up care
10 with Dr. Tepper and Dr. Goodrich, who will both
11 continue to closely monitor the boys' progress;
12 and

13 "WHEREAS, Montefiore Health System
14 combines clinical and academic experience by
15 pushing the boundaries of current research and
16 continuing to be a leader in innovation and
17 technology, allowing for the successful
18 separation of the McDonald twins; and

19 "WHEREAS, This Legislative Body
20 cannot express sufficient gratitude to those
21 devoted and skilled individuals who recognize
22 that the preservation of life is a sacred
23 responsibility and who make that responsibility
24 their own by serving as gifted surgeons and
25 exceptional medical staff; now, therefore, be it

1 "RESOLVED, That this Legislative
2 Body pause in its deliberations to congratulate
3 the expert surgical and medical providers of the
4 Montefiore Health System, The Children's Hospital
5 at Montefiore, on the successful surgery that
6 separated the conjoined McDonald twins; and be it
7 further

8 "RESOLVED, That copies of this
9 resolution, suitably engrossed, be transmitted to
10 the aforementioned surgeons and medical personnel
11 of the Montefiore Health System, The Children's
12 Hospital at Montefiore, and to the McDonald
13 family."

14 ACTING PRESIDENT BOYLE: Senator
15 Klein.

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

18 This is a very proud moment. I
19 think everyone in the chamber who's listening
20 knows about the conjoined twins, that the
21 operation was performed at an institution that
22 I'm very proud of that's in my home borough,
23 Montefiore.

24 I think everyone knows the
25 importance of Montefiore in providing a very

1 important economic engine in the Bronx. While 38
2 percent of the people employed in the Bronx are
3 employed in the healthcare profession, the
4 largest single employer in the Bronx is the
5 Montefiore Medical Center.

6 We have with us some very special
7 guests that also show, besides being an economic
8 engine, it's also a world-class healthcare
9 institution. We have with us Dr. Safyer, the CEO
10 of Montefiore; Dr. Tepper; Dr. Goodrich; Kamilah
11 Dowling, DNP, neurosurgery; Martine Bouzi, NP,
12 plastic surgery; Jack Farinhas, neuroradiologist;
13 Glenn Mann, anesthesia; Esther Uy, R.N.,
14 operating room; and Nicole McDonald, of course,
15 the very, very famous mom of the twins.

16 Let's all recognize them,
17 everybody.

18 (Extended standing ovation.)

19 SENATOR KLEIN: I also think you
20 know, Mr. President, that this was not your
21 average surgery. The team was led through four
22 surgeries, over 10 months, by Dr. James Goodrich
23 and Dr. Oren Tepper, and they did of course
24 extraordinary work.

25 And now we're very lucky that we

1 have two very special people, who I believe now
2 are residing in the Bronx, Jadon and Anias, and I
3 know our best wishes go to the two of them.

4 And this really, I think, sort of
5 talks about what it means to have first-class
6 healthcare institutions, not only that are
7 recognized in the borough of the Bronx but really
8 throughout the state, throughout the United
9 States. And I'm very proud that this wonderful
10 team at The Children's Hospital at Montefiore,
11 were able to really perform this very, very
12 important operation for the two McDonald boys,
13 and we wish them the best.

14 Thank you all.

15 ACTING PRESIDENT BOYLE: Senator
16 Hannon.

17 SENATOR HANNON: Thank you,
18 Mr. President.

19 To the men and women of Montefiore,
20 congratulations on extraordinary accomplishments.

21 But I just also wanted to mark this
22 time when you're visiting here, with your
23 president, Steven Safyer, of what you have done
24 for healthcare in this state as a model. I first
25 visited over 20 years ago to Montefiore and

1 learned exactly the great healthcare delivery to
2 the whole system in the Bronx and beyond that,
3 visited for the amount of work you did in
4 electronic medical records, in research, know
5 what you're doing in regard to your affiliation
6 with Einstein, know what you're doing for
7 population health -- truly a leader, not just for
8 the Bronx but for this state in regard to what
9 hospitals can be and will be.

10 So thank you for all you've done,
11 and congratulations on being here.

12 ACTING PRESIDENT BOYLE: Senator
13 Díaz.

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

16 Mr. President, I would like to join
17 Senator Klein, and thank him, for bringing to our
18 attention the work and the marvelous things that
19 Montefiore has done for the Bronx County
20 specifically. As a Puerto Rican, Hispanic, there
21 are so many Hispanics, minorities, employed by
22 Montefiore in the Bronx, so many with health
23 issues have been there. And Montefiore has been
24 one of those institutions that has helped us in
25 the Bronx to bring back the Bronx.

1 See, the Bronx used to be rejected
2 by everyone -- especially the South Bronx. The
3 Bronx used to be the laughingstock. But no
4 longer the Bronx is a laughingstock. Montefiore,
5 the people from Montefiore has been instrumental
6 in giving us, in the Bronx, a new vision, a new
7 perspective, a new image in the whole country and
8 the whole world.

9 So I thank the Montefiore people,
10 and I thank Senator Jeff Klein for allowing us to
11 recognize the achievements of Montefiore. As
12 Senator Klein says, it's the biggest employer in
13 the Bronx.

14 And also, on behalf of my son, the
15 Bronx borough president, I would like to thank
16 Montefiore for helping the Bronx president in
17 doing the Bronx Ball. That's an event where
18 people -- stars and dignitaries that have been
19 part of the Bronx and have -- in one way or
20 another, they have made the Bronx, they left or
21 were born in the Bronx. So to recognize them,
22 and Montefiore is a major part of that.

23 So people from Montefiore, thank you
24 very much. From this Puerto Rican, from
25 Bayamón, Puerto Rico, with kinky hair and broken

1 language --

2 (Laughter.)

3 SENATOR DÍAZ: -- I want to tell
4 you thank you very much.

5 ACTING PRESIDENT BOYLE: Thank you,
6 Senator.

7 Senator Bailey.

8 SENATOR BAILEY: Thank you,
9 Mr. President. On the resolution.

10 I would also like to thank Senator
11 Klein for recognizing Montefiore Medical Center,
12 as it is in my district.

13 So I take a personal privilege, if
14 that's allowed, to congratulate you for the work
15 that you do not only in the district. You have
16 not just the Bronx portion, you have a Mount
17 Vernon location, which is servicing a
18 well-deserving and well-needed area up there.

19 It's not just about the surgery that
20 was performed with the twins. It's about your
21 consistent commitment to healthcare, and to the
22 people of the Bronx and all Westchester, in my
23 district. Not just employment-wise, but to
24 their -- to -- you know, we're talking about
25 educating the whole child. We talk about making

1 sure that the whole person is healthy.

2 And your initiatives, the Shop
3 Healthy initiative that you are making sure that
4 commercial corridors are -- we're trying to
5 improve health -- greater access to healthy food
6 in my district and beyond. Your commitment to
7 that alone makes me rise.

8 But it's such a momentous occasion.
9 And may God -- God certainly blessed all of the
10 hands who were involved in this amazing endeavor.
11 And may God continue to bless your hands as you
12 go forward and do many, many more.

13 Thank you.

14 ACTING PRESIDENT BOYLE: Senator
15 Serrano.

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

18 And I just wanted to mention and say
19 thank you to the incredible team from Montefiore
20 and the McDonald family. As a dad -- my wife and
21 I, we have two small children, and we followed
22 the story of the McDonald twins so closely. We
23 were praying, but so fascinated on the amount of
24 strength that the mom and dad have and the amount
25 of courage that these two little boys have.

1 And also in wonder and awe of the
2 ingenuity and the expertise of the medical team
3 involved, to undertake such an amazing feat to
4 change the lives of these two young boys. And,
5 you know, I think about my son and I think about
6 my daughter, and it really is so -- we're so
7 inundated with negative news, unfortunately. But
8 to see something that is so positive and so
9 reaffirming to the importance of life and the
10 will that these two young boys have.

11 And, you know, also I -- as a born
12 and raised Bronxite, a level of pride to know
13 that this amazing medical team is from my home
14 borough. And that this institution, Montefiore,
15 is known as a place to undertake these types of
16 endeavors which others may not be able to do.

17 And it really is amazing to see how
18 well those boys are doing. And again, it's just
19 an amazing story that I think we should all focus
20 on instead of so much of the negativity that goes
21 on.

22 Thank you.

23 ACTING PRESIDENT BOYLE: Thank you,
24 Senator Serrano.

25 The question is on the resolution.

1 All in favor signify by saying aye.

2 (Response of "Aye.")

3 ACTING PRESIDENT BOYLE: Opposed?

4 (No response.)

5 ACTING PRESIDENT BOYLE: The
6 resolution is adopted.

7 I'd like to thank our guests from
8 the Montefiore community for their life-saving
9 work and for gracing us with your presence.

10 Mr. Floor Leader.

11 SENATOR DeFRANCISCO: I'd just like
12 to point out that this resolution is open for
13 cosponsorship.

14 ACTING PRESIDENT BOYLE: The
15 resolution is open for cosponsorship. If you do
16 not wish to be a cosponsor, please notify the
17 desk.

18 Floor Leader.

19 SENATOR DeFRANCISCO: Yes, if we
20 can now take up Resolution 677, by Senator
21 Akshar, read the title only, and call on
22 Senator Akshar, please.

23 ACTING PRESIDENT BOYLE: The
24 Secretary will read.

25 THE SECRETARY: Legislative

1 Resolution Number 677, by Senator Akshar,
2 congratulating the Maine-Endwell Little League
3 Team upon the occasion of capturing the Little
4 League World Championship on August 28, 2016.

5 ACTING PRESIDENT BOYLE: Senator
6 Akshar.

7 SENATOR AKSHAR: Mr. President,
8 thank you for your indulgence. I've been looking
9 forward to this day since the end of August. I
10 think, quite frankly, that I've been living
11 vicariously through these young men since the day
12 they won their championship.

13 I'm proud today to be joined in this
14 great house, in this great chamber, by the 2016
15 Little League World Champions from Maine-Endwell,
16 right in SD 52. They've been to some pretty cool
17 places over the last few months -- the World
18 Series, Yankee Stadium, NFL football games -- so
19 this might not be the fanciest of their trips,
20 but nonetheless I'm excited for them to be here.

21 When I call your name, please just
22 stand, okay? Today we're joined by Jude, Brody,
23 Michael, Jordan, Connor, Justin and Jack, James
24 and Jayden, nine out of the 11 players who won
25 the World Series championship. Unfortunately,

1 Ryan Harlost and Billy Dundon were not able to
2 make the trip.

3 I had the good fortune of being able
4 to travel to Williamsport on three different
5 occasions. One time it was all for naught
6 because we got rained out. Mitch turned us
7 around when we pulled into town, we had a good
8 lunch, and then we came back a few days later.
9 Lucky for us, Williamsport is only about
10 115 miles from the Southern Tier, so it was an
11 easy trip.

12 Walking into the stadium is
13 remarkable. There is no seating room. There's a
14 hill full of thousands of spectators. There's a
15 few hundred more people riding down a hill on
16 cardboard sleds, which is incredible in and of
17 itself. The energy is out of this world, and I
18 was truly inspired.

19 And yet as you look out onto the
20 field, ESPN cameras everywhere that you look, I
21 saw these young men, in addition to two of their
22 colleagues, who were calm, focused, collected,
23 confident. And to sum it up, they walked around
24 with their M-E swagger. They looked unstoppable.

25 Their accomplishments, quite

1 frankly, are beyond impressive. They won the
2 Mid-Atlantic Regional Championship. They went on
3 to take the United States Little League title.
4 And then they defeated a very big South Korea,
5 very big South Korea. The kids are supposed to
6 be 12, they look like they're 32.

7 (Laughter.)

8 SENATOR AKSHAR: They did that with
9 style, grace, honor and sportsmanship. They took
10 the responsibility of representing Maine-Endwell
11 to heart, but they also took great pride in
12 representing the people of this great state and
13 quite frankly, ultimately, the people of the
14 United States of America.

15 And I'm not sure you could have done
16 it any better. You've done the people of this
17 state very proud and the people of this great
18 nation incredibly proud.

19 Most importantly, in addition to
20 winning the Little League World Series, they
21 received, by unanimous vote, the Little League
22 Baseball World Series Team Sportsmanship Award,
23 which is something that they should be incredibly
24 proud of. And as I spent time with their mothers
25 and their fathers and their coaches and people

1 from the community, they were incredibly happy
2 and honored that they had won the Little League
3 World Series, but they were deeply proud of these
4 young men for their sportsmanship award.

5 My hat goes off to the coaches,
6 Scott, Joe, Joe and Matt. The dedication and
7 commitment you've had towards the team and these
8 kids, you have shaped some honorable young men.
9 My hat is off to you. Congratulations to all of
10 you.

11 Maine-Endwell Little League
12 President Mitch Gorton, who's with us, Mitch, my
13 hat is off to you as well. I know how much work
14 that you and your team did in terms of rallying
15 the community, getting everybody together.

16 I have no idea how many T-shirts
17 Mitch had to buy, but he bought thousands of
18 T-shirts to keep the people in the Southern Tier
19 happy and keep them in their legendary T-shirts.

20 Steven Donnelly, incredible work.
21 Thank you for everything you've done for the team
22 in terms of handling the media, the needs of the
23 community. Thank you for everything that you've
24 done.

25 And finally, the parents of these

1 fine young men. We watched your emotions during
2 the tournament. We were glad to be with you.
3 What this team did was never possible without
4 your support. These fine young men are who they
5 are because of the foundation that you've set for
6 them. My hat is off -- this is exactly what the
7 State of New York needs. We need young people
8 like this coming up. This is the next generation
9 of good people. And that doesn't happen without
10 your love and your support. So thank you very
11 much.

12 And finally, I'll say this. I have
13 a challenge coin that I give to young people at
14 home. And on one side, of course, it's got a
15 picture of the Capitol and my name, and on the
16 other side it says two things. It says "Work
17 Hard and Dream Big." And you did that this
18 summer. You worked hard, you dreamt big, and you
19 showed everybody what you can accomplish if you
20 do those two things.

21 And I'm here to tell you, you will
22 forever take this in your life. But if you
23 continue to do the things you did this summer,
24 you will be very, very successful men in our
25 community.

1 Mr. President, I would ask that when
2 we're through here, you extend all the courtesies
3 of the house to the team, their coaches, and
4 their beautiful, loving families.

5 Thank you very much.

6 ACTING PRESIDENT BOYLE: Thank you,
7 Senator Akshar.

8 Senator DeFrancisco.

9 SENATOR DeFRANCISCO: Yes, I just
10 want to echo what Senator Akshar had just
11 mentioned.

12 It's rare that we have the best in
13 the world, the best in the world in these
14 chambers. Think about that. The best in the
15 world, and you're only, at most, 13 years old,
16 right?

17 Well, what this does for you at this
18 point in time is two things. Number one, the
19 people that helped you get through this
20 process -- your teammates, your coaches, the
21 administrators -- you're going to be friends for
22 the rest of your lives. You're going to be close
23 friends.

24 And the stories of what you did --
25 at least in my case, the stories of what I did

1 got grander and grander as I went on. But you
2 don't have to do that. You're already the best
3 in the world. You don't have to embellish
4 anything.

5 And it's so wonderful -- and Senator
6 Akshar mentioned it -- to be at Williamsport. If
7 you haven't been there for a Little League World
8 Series and you have any -- even if you don't like
9 baseball, it's the most wonderful thing to see
10 young people act in a sportsmanlike manner and
11 have fun and accomplish great things. It's
12 wonderful, a wonderful experience, and you should
13 go.

14 Lastly, and I mentioned this to you
15 a moment ago, with the basis that you have now in
16 your success and your ability to concentrate on a
17 goal, you're going to be great in whatever you
18 decide to do. You may not get to be 6'10" and be
19 able to dunk a basketball, but whatever you
20 really want to do, you're going to be in a
21 situation where you can accomplish it.

22 And if you were listening at all to
23 the last resolution, the doctors there -- there
24 were two babies, twins, born together, attached.
25 This group of doctors and nurses and medical

1 professionals actually separated those twins so
2 they are separate human beings being able to live
3 a normal life.

4 Those are the exceptional things
5 that you have ahead of you, whatever your goals
6 may be. So congratulations and, more
7 importantly, congratulations for all of your
8 future successes, which I know are going to
9 happen.

10 Thank you.

11 ACTING PRESIDENT BOYLE: Thank you,
12 Senator.

13 Senator Little.

14 SENATOR LITTLE: Thank you.

15 I would just like to congratulate
16 you on what you have accomplished. It's no small
17 thing to go from tournament to tournament, higher
18 and higher and higher, and continue to focus on
19 your game and to really play your best and
20 celebrate one victory after another without
21 losing that focus. So congratulations.

22 And I also want to congratulate your
23 families. As the mother of six children, I spent
24 18 consecutive years in Little League, between
25 girls and boys.

1 (Laughter.)

2 SENATOR LITTLE: And I will tell
3 you, sitting on the bench and listening to the
4 games and wanting your kids to do well, and
5 seeing some of the things that go on, I'm just so
6 proud that you got the sportsmanship award too.
7 That's as good as winning the whole tournament.

8 So congratulations, and
9 congratulations to your families for sitting
10 through all those games and biting all your
11 fingernails off and everything else, and hoping
12 that they accomplished what they wanted to do.
13 But what fun seeing them achieve this.

14 Thank you.

15 ACTING PRESIDENT BOYLE: Thank you,
16 Senator Little.

17 Senator Tedisco.

18 SENATOR TEDISCO: Yes, I too want
19 to congratulate all the outstanding players for
20 this unbelievable achievement from Maine-Endwell.

21 And the irony here is -- and I want
22 to congratulate the parents and the coaches and
23 those who run this league -- I'm sitting next to
24 a Senator, we may be the only two in this room
25 who had a World Championship Little League team

1 in their district. Because I represent the City
2 of Schenectady, who in 1954 won the World
3 Championship Little League for the world.

4 And I'll tell you what's going to
5 happen, guys. You will probably stay friends for
6 the rest of your life. I hope you'll stay in
7 contact. But in 50 years -- because in 2004,
8 they brought all of the living Little League
9 World Champions to Cooperstown and honored them
10 for their 50th anniversary of winning the world
11 championship.

12 So I hope you can wait for that
13 now --

14 (Laughter.)

15 SENATOR TEDISCO: -- because
16 they're going to call you back over the years.
17 And this is something that somebody can never
18 take away from you, an outstanding achievement.

19 And I was proud to represent -- and
20 I know a lot of the guys who are still around
21 there who won that world championship. In fact,
22 Boog Powell played on one of the teams that got
23 them to the world championship. You know, he's
24 the guy who hit a lot of home runs and was a
25 slugger as a professional.

1 And we may be watching you someday,
2 standing up there with the New York Yankees or
3 one of those teams, even the Boston Red Sox,
4 maybe -- we hope not. We hope it's the
5 Yankees -- but you may be in the professionals
6 someday. Or some of the teams you played against
7 to get there, some of those guys may go on to do
8 what Boog Powell has done.

9 But again, I'm honored to honor you
10 today and very proud to have a world championship
11 team from Schenectady. And congratulations for
12 the great achievement you've had.

13 Thank you.

14 ACTING PRESIDENT BOYLE: Thank you.

15 Senator Bailey.

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

18 So as a New York Mets fan, thank you
19 for bringing a baseball championship to the State
20 of New York that I can actually root for.

21 (Laughter.)

22 SENATOR BAILEY: It's been a while;
23 '86 was a long time ago. I was 4 years old when
24 the Mets last won.

25 But baseball is something that -- it

1 was my first sport. It was what taught me about
2 team building and sportsmanship. And the reality
3 is that I hope you all enjoy each other's
4 company, but whether you do or not is not what's
5 important. It's that you came together as a team
6 and that you understood what the goal was.
7 Because at the end of the day, whether you're on
8 this side of the aisle, that side of the aisle, a
9 4-6-3 double play is 4-6-3 double play. At the
10 end of the day, when you're playing baseball, in
11 between those lines, you know, that's something
12 that we can all agree on.

13 So I thank you for bringing a nice
14 moment of levity to the Capitol. Senator Akshar,
15 thank you for bringing them up here. And to
16 their families, thank you for supporting them.

17 As the father of two young daughters
18 who will be great baseball players -- don't tell
19 my wife I said that, even though she's probably
20 watching right now. I hope she's watching --
21 it's really important for young folks to get
22 involved in sports, because again, it teaches
23 them about self.

24 And as you progress to great heights
25 in other fields, and hopefully the professional

1 baseball ranks -- I'm going to look out for you
2 there -- but as you ascend to great heights, I
3 just hope that you keep that in mind and keep up
4 the good work. And many more championships.

5 Thank you.

6 ACTING PRESIDENT BOYLE: Thank you.

7 The question is on the resolution.

8 All in favor signify by saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT BOYLE: Opposed?

11 (No response.)

12 ACTING PRESIDENT BOYLE: The
13 resolution is adopted.

14 So please let's have a warm welcome,
15 and congratulations to the coaching staff, the
16 families, and most importantly, the Maine-Endwell
17 Little League Team. Congratulations, gentlemen.

18 (Extended standing ovation.)

19 ACTING PRESIDENT BOYLE: Mr. Floor
20 Leader.

21 SENATOR DeFRANCISCO: Would you
22 please open that resolution for cosponsorship.

23 ACTING PRESIDENT BOYLE: The
24 resolution is open for cosponsorship. If you do
25 not wish to be a cosponsor, please notify the

1 desk.

2 Floor Leader.

3 SENATOR DeFRANCISCO: Now can we
4 take up Resolution 394, by Senator Golden, read
5 the title only, and then call on Senator Golden.

6 ACTING PRESIDENT BOYLE: The
7 Secretary will read.

8 THE SECRETARY: Legislative
9 Resolution Number 394, by Senator Golden,
10 memorializing Governor Andrew Cuomo to proclaim
11 September 2017 as Kinship Care Month in the State
12 of New York.

13 ACTING PRESIDENT BOYLE: Senator
14 Golden.

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

17 I recognize today in proclaiming
18 September 2017 Kinship Care Month in the State of
19 New York.

20 I'd first like to recognize some
21 champions of kinship care -- Rae Glaser, Gerry
22 Wallace, and Ryan Johnson, all of whom worked so
23 tirelessly for the kinship cause. And I thank
24 them.

25 Then you have Cynthia Fountain,

1 who's here with us today. Cynthia has been a
2 kinship caregiver for quite some time, raising
3 two grandsons, Miles and Mallachi, both
4 special-needs children. Unfortunately, Miles
5 passed away, but Mallachi is presently finishing
6 high school.

7 And she also raised two
8 granddaughters, Mariah, an MSW social worker in
9 Westchester, and Belle, who is presently a
10 freshman at Mercy College.

11 Another great champion of kinship
12 care. God bless you, Cynthia.

13 Kinship caregivers are truly
14 selfless in their hearts and in their desire to
15 make sure they take care of those children of
16 need. In their desire, they step up and step in
17 and they do the right thing in raising these
18 children when their parents may have died -- such
19 as in Cynthia's case. And also losing one of
20 those siblings, very, very painful. But she did
21 the right thing.

22 And some parents are just unable to
23 raise their kids, and this kinship care steps in,
24 steps up, and does the right thing in giving
25 these kids the support that they need.

1 We all know that children need
2 stability and nurturing in their lives, so they
3 can grow to be productive members of society.
4 Kinship care allows them to live in a caring
5 family environment and to have the opportunities
6 to flourish that they may never have had.

7 Gerry, Ryan, Cynthia. God bless
8 you. Thank you. And continue that drive to
9 fight to raise those children and give them the
10 proper home and that care and love. I thank you
11 for doing what you've done.

12 If the conference could join me in
13 giving them a round of applause, please, for the
14 great work that they've been able to do, these
15 parents up here.

16 (Standing ovation.)

17 SENATOR GOLDEN: And if you could
18 open that up, please, for the rest of the body to
19 sign on.

20 ACTING PRESIDENT BOYLE: Yes, the
21 resolution is open for cosponsorship. If anybody
22 does not wish to be a cosponsor, please notify
23 the desk.

24 Floor Leader.

25 SENATOR DeFRANCISCO: Yes, there's

1 one more resolution, by Senator Kennedy.

2 ACTING PRESIDENT BOYLE: The
3 Secretary will read. Title only, please.

4 SENATOR DeFRANCISCO: I'm trying to
5 find it at the moment.

6 ACTING PRESIDENT BOYLE: 733, is
7 it?

8 SENATOR DeFRANCISCO: Oh, here it
9 is. I had the wrong sheet. Resolution 733, by
10 Senator Kennedy. Title only, please, and call on
11 Senator Kennedy.

12 ACTING PRESIDENT BOYLE: The
13 Secretary will read.

14 THE SECRETARY: Legislative
15 Resolution Number 733, by Senator Kennedy,
16 mourning the death of Casimiro D. "Miro"
17 Rodriguez, Jr., a Latin music vocalist, band
18 leader, producer and devoted member of his
19 community.

20 ACTING PRESIDENT BOYLE: Senator
21 Kennedy.

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

24 I rise today to honor the life of
25 Casimiro Rodriguez, Jr., an internationally

1 renowned Latin composer, producer, and
2 bandleader, as well as a dedicated father,
3 grandfather, and husband.

4 Casimiro Rodriguez, Jr. -- or Miro,
5 as many knew him -- was the son of lifetime
6 advocate, president and founder of the Hispanic
7 Heritage Council of Western New York, my friend
8 Casimiro D. "Cas" Rodriguez, Sr.

9 Miro spent his life dedicated to
10 music, and his talent was truly undeniable. By
11 the time he was 15, Miro was stealing the stage
12 singing salsa refrains for local Christian bands.

13 Born in Buffalo, Miro was a graduate
14 of West Seneca East High School, where his love
15 of Latin soul music, salsa, and percussion
16 instruments only grew.

17 After graduation, Miro left Buffalo
18 to pursue his music career in Ohio, where he
19 became the lead singer for multiple groups,
20 including Su Orquesta, who performed with him at
21 the widely acclaimed Salsa meets Symphony in
22 2014, with the Buffalo Philharmonic Orchestra.

23 Miro devoted his life to his family,
24 his music, and our community. In 2016, inspired
25 by his wife, Beatrice, Miro founded a production

1 company to showcase his own music and that of
2 upcoming independent salsa artists.

3 To hear Miro's music is to know the
4 passion that he felt for it. And though we mourn
5 his loss, we thank him for the joy he brought
6 with his music and unwavering commitment to the
7 community.

8 Miro is survived by his wife,
9 Beatrice; his sons, Sebastian, Luis, Eldon, and
10 Justin; his parents, Bedzaida and Cas; his three
11 siblings, Pedro, Jose and Marisol; and one
12 granddaughter.

13 The loss of Miro is not only a loss
14 to those who knew him but to all of Western
15 New York and to the musical community at large.
16 Our deepest condolences and our prayers remain
17 with his family. May Miro Casimiro Rodriguez,
18 Jr., rest in peace.

19 Thank you, Mr. President.

20 ACTING PRESIDENT BOYLE: Thank you,
21 Senator Kennedy.

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

24 (Response of "Aye.")

25 ACTING PRESIDENT BOYLE: Opposed?

1 (No response.)

2 ACTING PRESIDENT BOYLE: The
3 resolution is adopted.

4 Floor Leader.

5 SENATOR DeFRANCISCO: Yes, can we
6 now take up the noncontroversial reading of the
7 calendar.

8 ACTING PRESIDENT BOYLE: The
9 Secretary will read.

10 THE SECRETARY: Calendar Number 6,
11 by Senator Amedore, Senate Print 973, an act to
12 amend Chapter 116 of the Laws of 2016.

13 ACTING PRESIDENT BOYLE: There is a
14 home rule message at the desk.

15 The Secretary will read the last
16 section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the same date and in the
19 same manner as Chapter 116 of the Laws of 2016.

20 ACTING PRESIDENT BOYLE: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT BOYLE: Announce
24 the result.

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT BOYLE: The bill
2 is passed.

3 THE SECRETARY: Calendar Number 67,
4 by Senator Murphy, Senate Print 301, an act to
5 amend the Penal Law.

6 ACTING PRESIDENT BOYLE: Read the
7 last section.

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

10 ACTING PRESIDENT BOYLE: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BOYLE: Announce
14 the result.

15 THE SECRETARY: In relation to
16 Calendar 67, those recorded in the negative are
17 Senators Bailey, Comrie, Dilan, Hoylman, Krueger,
18 Montgomery, Parker, Persaud, Rivera, Sanders,
19 Serrano and Squadron.

20 Ayes, 49. Nays, 12.

21 ACTING PRESIDENT BOYLE: The bill
22 is passed.

23 THE SECRETARY: Also Senator
24 Hamilton.

25 Ayes, 48. Nays, 13.

1 ACTING PRESIDENT BOYLE: The bill
2 is passed.

3 THE SECRETARY: Calendar Number 75,
4 by Senator Golden, Senate Print 814A, an act to
5 amend the Penal Law.

6 ACTING PRESIDENT BOYLE: Read the
7 last section.

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

10 ACTING PRESIDENT BOYLE: Call the
11 roll.

12 (The Secretary called the roll.)

13 ACTING PRESIDENT BOYLE: Announce
14 the result.

15 THE SECRETARY: In relation to
16 Calendar Number 75, those recorded in the
17 negative are Senator Comrie, Hamilton,
18 Montgomery, and Sanders.

19 Ayes, 57. Nays, 4.

20 ACTING PRESIDENT BOYLE: The bill
21 is passed.

22 THE SECRETARY: Also Senator
23 Bailey.

24 Ayes, 56. Nays, 5.

25 ACTING PRESIDENT BOYLE: The bill

1 is passed.

2 THE SECRETARY: Calendar Number 89,
3 by Senator Ranzenhofer, Senate Print 2317, an act
4 to amend the Alcoholic Beverage Control Law.

5 ACTING PRESIDENT BOYLE: Read the
6 last section.

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

9 ACTING PRESIDENT BOYLE: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BOYLE: Announce
13 the result.

14 THE SECRETARY: Ayes, 57. Nays, 4.
15 Senators Comrie, Montgomery, Parker and Sanders
16 recorded in the negative.

17 ACTING PRESIDENT BOYLE: The bill
18 is passed.

19 THE SECRETARY: Calendar Number 98,
20 by Senator Klein, Senate Print 1787, an act to
21 amend the Executive Law.

22 ACTING PRESIDENT BOYLE: Read the
23 last section.

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

1 ACTING PRESIDENT BOYLE: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BOYLE: Announce
5 the result.

6 THE SECRETARY: Ayes, 60. Nays, 1.
7 Senator Montgomery recorded in the negative.

8 ACTING PRESIDENT BOYLE: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 120, by Senator Marcellino, Senate Print 1293, an
12 act to amend the Real Property Tax Law.

13 ACTING PRESIDENT BOYLE: Read the
14 last section.

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

17 ACTING PRESIDENT BOYLE: Call the
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BOYLE: Announce
21 the result.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT BOYLE: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 130, by Senator LaValle, Senate Print 3530, an
2 act to amend the Real Property Tax Law.

3 ACTING PRESIDENT BOYLE: Read the
4 last section.

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

7 ACTING PRESIDENT BOYLE: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT BOYLE: Announce
11 the result.

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT BOYLE: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 137, by Senator Young, Senate Print 1897, an act
17 to amend the Not-For-Profit Corporation Law.

18 ACTING PRESIDENT BOYLE: Read the
19 last section.

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

22 ACTING PRESIDENT BOYLE: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BOYLE: Announce

1 the result.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT BOYLE: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 165, by Senator Hamilton, Senate Print 2657, an
7 act to amend the Penal Law.

8 ACTING PRESIDENT BOYLE: Read the
9 last section.

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

12 ACTING PRESIDENT BOYLE: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT BOYLE: Senator
16 Hamilton to explain your vote.

17 SENATOR HAMILTON: Yes,
18 Mr. President. I rise to talk about this bill,
19 which is for orders of protection in domestic
20 violence cases.

21 I was raised in a family where from
22 a young boy, I learned from my
23 great-great-grandmother, Hannah Pinckney, and my
24 great-grandmother, Lillian Hamilton, and my
25 grandmother who's still alive, Evelyn Lott, that

1 a man should not place his hand on a woman. And
2 when a man does so, they violate not only their
3 mothers, their sisters, their nieces and even
4 their own children.

5 These orders of protection are not
6 taken very seriously as they presently stand in
7 New York State. We must amplify the penalty for
8 violating an order of protection with a higher
9 charge for committing such a crime. People are
10 not being deterred from the consequences of what
11 will happen if they violate an order of
12 protection. It is only in the extreme cases that
13 these orders of protection are taken seriously or
14 even looked at.

15 This is the main reason we should
16 raise the penalties against offenders of orders
17 of protection, so that these violators could be
18 deterred from committing these egregious acts.

19 The guidelines for orders of
20 protection should be taken very seriously so that
21 we will not notice a problem against women in our
22 state. So what we will do now is increase the
23 penalty from a D felony to a C felony, and the
24 charge for the penalty will go from 7 to 15
25 years.

1 In New York City the amount of
2 people violating orders of protection has been
3 increasing on a yearly basis. In 2013, 5,056
4 intimate partners violated an order of
5 protection. In 2015, the number increased to
6 6,313 people violating orders of protection.

7 According to data analyzed by the
8 New York State Division of Criminal Justice
9 Services, for the year 2008 there were
10 91 intimate partner homicides committed
11 statewide. This figure represents an alarming
12 25 percent increase from 2007. Counties outside
13 of New York City experienced a 45 percent
14 increase.

15 The high recidivism rate in domestic
16 violence unfortunately means that there's a
17 likelihood that some defendants are going to
18 violate the terms and conditions of an order of
19 protection. Personally, I don't think any man
20 should lay his hand on a woman. I think it's
21 egregious, it goes against the sanctity of man
22 and woman, husband and wife.

23 So I stand here today as a proud
24 father and husband and protector of women in my
25 family to say that this law is long overdue and

1 that no woman in this state should live in fear
2 living in her home with a loved one, a husband,
3 or a partner. And what this act does is to
4 protect women from men who I feel are not truly
5 men and who violate a woman with domestic
6 violence.

7 Thank you.

8 ACTING PRESIDENT BOYLE: Senator
9 Hamilton to be recorded in the affirmative.

10 Announce the result.

11 THE SECRETARY: Ayes, 60. Nays, 1.
12 Senator Comrie recorded in the negative.

13 ACTING PRESIDENT BOYLE: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 196, by Senator Little, Senate Print 2607, an act
17 to authorize.

18 ACTING PRESIDENT BOYLE: Read the
19 last section.

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

22 ACTING PRESIDENT BOYLE: Call the
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT BOYLE: Announce

1 the result.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT BOYLE: The bill
4 is passed.

5 Floor Leader, that completes the
6 noncontroversial reading of the calendar.

7 SENATOR DeFRANCISCO: Okay. The
8 Civil Service Committee will have a meeting
9 immediately following session in Room 401 of the
10 LOB. I was right, 401. Ignore the noise from
11 the right of me.

12 Is there any further business at the
13 desk?

14 ACTING PRESIDENT BOYLE: There is
15 no further business at the desk.

16 SENATOR DeFRANCISCO: There being
17 none, I move to adjourn until Wednesday,
18 March 1st, at 3:00 p.m.

19 ACTING PRESIDENT BOYLE: On motion,
20 the Senate stands adjourned until Wednesday,
21 March 1st, at 3:00 p.m.

22 (Whereupon, at 4:23 p.m., the Senate
23 adjourned.)

24

25