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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

March 30, 2017

3:27 p.m.

REGULAR SESSION

SENATOR ELAINE PHILLIPS, Acting President

FRANCIS W. PATIENCE, Secretary

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

2 ACTING PRESIDENT PHILLIPS: 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 PHILLIPS: 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 PHILLIPS: The
15 reading of the Journal.

16 THE SECRETARY: In Senate,
17 Wednesday, March 29th, the Senate met pursuant
18 to adjournment. The Journal of Tuesday,
19 March 28th, was read and approved. On motion,
20 Senate adjourned.

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

24 Presentation of petitions.

25 Messages from the Assembly.

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

6 Motions and resolutions.
7 Senator.

8 SENATOR DeFRANCISCO: Madam
9 President, I move to adopt the
10 Resolution Calendar, with the exception of
11 Resolutions 1257 and 1307.

12 ACTING PRESIDENT PHILLIPS: All in
13 favor of adopting the Resolution Calendar, with
14 the exception of Resolutions 1257 and 1307,
15 signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT PHILLIPS:
18 Opposed, nay.

19 (No response.)

20 ACTING PRESIDENT PHILLIPS: The
21 Resolution Calendar is adopted.

22 Senator.

23 SENATOR DeFRANCISCO: Yes, can we
24 now take up Resolution 1257, by Senator
25 Squadron, read the title only, and call on

1 Senator Squadron to speak.

2 ACTING PRESIDENT PHILLIPS: The
3 Secretary will read.

4 THE SECRETARY: Legislative
5 Resolution Number 1257, by Senator Squadron,
6 commemorating the 25th anniversary of the
7 Downtown Little League.

8 ACTING PRESIDENT PHILLIPS:
9 Senator Squadron.

10 SENATOR SQUADRON: Thank you,
11 Madam President.

12 I rise today to honor the Downtown
13 Little League on its 25th year. The Downtown
14 Little League is one of the great little leagues
15 in our state. It has over 1,000 budding
16 prospects in baseball and softball, from the
17 ages of five to 18. An extraordinary community
18 event at the opening of it, the parade every
19 year.

20 And one of the really amazing
21 things about Downtown Little League is if you
22 think of the downtown Manhattan community over
23 the last 25 years, Downtown has weathered the
24 attacks of September 11, 2001, it has weathered
25 the effects and the flooding from Superstorm

1 Sandy. And through that all, Downtown Little
2 League has grown, has thrived, and has been a
3 central community benefit for everyone in
4 Downtown.

5 And amazingly, even with all that
6 Downtown has faced in that time, even with the
7 resilience that we showed after September 11th
8 and after Sandy, Downtown Little League has grown
9 in that time.

10 The other amazing thing is you think
11 of Lower Manhattan -- a place that has Wall
12 Street and the Financial district, it has the old
13 original New York City, the Seaport, Old Fulton
14 Fish Market -- you think of that area and it's
15 sometimes hard to remember that it's a community
16 like any other in this state, that on opening day
17 for Little League, they parade to the field, they
18 put on their gloves and start to play just like
19 they would in any community across this state.

20 Now, it's true that that parade
21 starts at City Hall in New York City and then
22 proceeds into Battery Park City, created by the
23 state. But it's also true that the kids growing
24 up in Lower Manhattan, in the shadow of the
25 now-rebuilding World Trade Center site, in a

1 community that is so often used as a central
2 focus not just across the state, but nationally
3 and globally, are just kids growing up in the
4 neighborhood, families who love their community
5 like they do across the state.

6 And it's always important to
7 remember that on this floor, that each of us
8 represents communities that have the same
9 interests and the same needs -- people who want
10 to be able to raise their families and have
11 opportunity, they want to have a better life for
12 the next generation than for the prior one,
13 people who want to be able to age in place with
14 respect and dignity. That is every bit as true
15 of Lower Manhattan as it is of the western and
16 northern and eastern parts of the state.

17 And it's absolutely represented
18 every year with the Downtown Little League's
19 great seasons, including the seasons in which its
20 softball teams won city and state championships.
21 The junior team won three city championships
22 between 2013 and 2015, won the state title in
23 2014. The under-11 team won a city and state
24 title in 2014. They were the first softball
25 teams from New York City to win a state

1 championship.

2 So to the rest of the state, I'm
3 sorry we beat you those years. We look forward
4 to competing with you in future years. And it's
5 a great reminder of the fact that in every corner
6 of this great diverse state, we have diverse
7 communities and things like Little League can
8 bring us together.

9 Congratulations to the Downtown
10 Little League on its 25th anniversary.

11 Thank you, Madam President.

12 ACTING PRESIDENT PHILLIPS: Thank
13 you, Senator Squadron.

14 The question is on the resolution.
15 All in favor signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT PHILLIPS:
18 Opposed, nay.

19 (No response.)

20 ACTING PRESIDENT PHILLIPS: The
21 resolution is adopted.

22 Senator.

23 SENATOR DeFRANCISCO: Before we go
24 on, I'm just going to make an early announcement
25 so that we don't lose members.

1 Immediately following session, there
2 will be a meeting of the Republican Conference in
3 Room 332. And I'll make that announcement again,
4 but I just don't want to lose anybody in case
5 they thought this was going to be a short
6 session.

7 With that said, could we now,
8 Madam President, take up previously adopted
9 Resolution 1208, by Senator Tedisco, and read the
10 title only and call on the Senator.

11 ACTING PRESIDENT PHILLIPS: The
12 Secretary will read.

13 THE SECRETARY: Legislative
14 Resolution Number 1208, by Senator Tedisco,
15 recognizing April 2017 as National School Library
16 Month.

17 ACTING PRESIDENT PHILLIPS: Senator
18 Tedisco.

19 SENATOR TEDISCO: Thank you, Madam
20 President.

21 And my colleagues, what would we do
22 in New York State without our libraries? Two
23 days ago we passed a resolution declaring April
24 as National School Library Month. Our libraries
25 are extremely important for opening doors to a

1 world of information for people of all ages.
2 They encourage literacy, help people obtain
3 skills they need to find jobs, and are so
4 important for community centers.

5 The libraries that are housed in our
6 schools are particularly important to encouraging
7 young people to read and to learn. Going to a
8 school library is a vital part of a child's daily
9 educational experience. School libraries empower
10 students in many ways. They provide a safe haven
11 for all students to think, create, share and
12 grow.

13 School libraries can be a hub of
14 learning and a favorite spot for many students.
15 Thanks to the dedication of our school
16 librarians, teachers, and staff, children from
17 all walks of life have access to books, computer
18 technology, and information they need to enhance
19 their overall educational experience.

20 Madam President and my colleagues, I
21 ask you to please join me in recognizing April as
22 National School Library Month and extend special
23 recognition to school library programs and the
24 role of certified school librarians throughout
25 the State of New York.

1 Thank you, Madam President and my
2 colleagues.

3 ACTING PRESIDENT PHILLIPS: Thank
4 you, Senator.

5 Anyone else? Senator Marchione.

6 SENATOR MARCHIONE: I'd like to
7 thank Senator Tedisco for this resolution and
8 just talk about some of the libraries within my
9 own community.

10 You are so absolutely right. You
11 know, whether you're two years old or you're
12 80 years old, whether you're looking to have fun,
13 social, or you're looking to learn and read or
14 just enjoy yourself with a newspaper or on a
15 computer, our libraries offer it all. They offer
16 it all to people who are two, 10, 15, 50. And
17 it's a great place to socialize.

18 And I'm just always so pleased to be
19 able to support our libraries, knowing that they
20 do so much for everyone in our community.

21 Thank you.

22 ACTING PRESIDENT PHILLIPS: Thank
23 you, Senator Marchione.

24 Senator Helming.

25 SENATOR HELMING: I rise, Madam

1 President, to recognize this important resolution
2 commemorating April as National School Library
3 Month. As the daughter of a school librarian, I
4 learned early on just how much of an important
5 role school libraries play in the lives of
6 students. Our school libraries help to prepare
7 students for educational success by providing
8 them with materials, equipment, technology and
9 knowledge they need for success in the years
10 K through 12 and beyond.

11 School libraries provide students
12 with information technology services such as
13 access to be computers, high-speed Internet,
14 online databases for research, and audiovisual
15 equipment. This is critically important for
16 students in rural areas, like in my district, who
17 may not otherwise have access to this technology
18 and high-speed Internet service at home.

19 Much like my mother did for 30
20 years, school librarians work to enrich the lives
21 of students they serve. School librarians
22 provide students with assistance on research,
23 homework help, and guidance on how to best
24 navigate the technology at the library.

25 In addition, our libraries and

1 librarians also promote and develop reading
2 abilities and interest in school-aged children.
3 This often leads to a lifelong love of reading.

4 I'd like to thank my colleague
5 Senator Tedisco for introducing this important
6 resolution and to thank and recognize all of our
7 school librarians.

8 Thank you.

9 ACTING PRESIDENT PHILLIPS: Thank
10 you, Senator Helming.

11 Senator Stavisky.

12 SENATOR STAVISKY: Thank you, Madam
13 President.

14 I thank the Senator for sponsoring
15 the resolution on libraries, but I would like to
16 remind the Senate that there is a Select
17 Committee on Libraries, to which I was appointed
18 probably about 10 years ago, and it's met once in
19 the last, oh, probably 10 years. It was chaired
20 by Senator Farley.

21 And unfortunately, this is such an
22 important issue that's been neglected,
23 particularly in terms of meetings of the Select
24 Committee on Libraries.

25 Thank you, Madam President.

1 ACTING PRESIDENT PHILLIPS: Thank
2 you, Senator.

3 Seeing no other members wishing to
4 be heard, Senator DeFrancisco.

5 SENATOR DeFRANCISCO: Yes, I just
6 want to speak very briefly. Everybody's said
7 what has to be said.

8 But I have my library with me.
9 There are always at least two books from
10 different libraries in this machine. So all of
11 you, when you're listening to somebody drone on
12 on the floor and you're losing your attention,
13 rather than dozing off, take out your iPad, go to
14 your personal library, and read.

15 And I'm going to make a confession
16 and tell you something that's really helped me.
17 When I was chairman of the Finance Committee,
18 people asked me over and over, How did you sit
19 there 15 days for nine hours a day?

20 So this was my trick. When
21 people -- I'd ask them to please don't read your
22 testimony, I can read it. Please don't. And
23 they never would listen. So as they were reading
24 their testimony, I underlined the important
25 parts, made a couple of question marks, and I

1 read some books.

2 And one year, during that entire
3 stretch of hearings, 13 days, I read seven books.

4 (Laughter.)

5 SENATOR DeFRANCISCO: So it's just
6 a tip from someone who's been here for a long
7 time: Bring your library with you, you can
8 always use it in this business.

9 Thank you.

10 (Laughter.)

11 ACTING PRESIDENT PHILLIPS: Senator
12 DeFrancisco.

13 SENATOR DeFRANCISCO: You're ready
14 for me again.

15 ACTING PRESIDENT PHILLIPS: Yes,
16 sir.

17 SENATOR DeFRANCISCO: All right.
18 Now can we take up Resolution 1307, by Senator
19 Brooks, read the title only, and call on
20 Senator Brooks to speak, please.

21 ACTING PRESIDENT PHILLIPS: The
22 Secretary will read.

23 THE SECRETARY: Legislative
24 Resolution Number 1307, by Senator Brooks,
25 congratulating the Baldwin High School Girls

1 Basketball team and Head Coach Tom Catapano upon
2 the occasion of capturing the New York State
3 Class Public High School Athletic Association
4 Class AA Championship on March 18, 2017.

5 ACTING PRESIDENT PHILLIPS: Senator
6 Brooks.

7 SENATOR BROOKS: Thank you, Madam
8 President.

9 Today I rise to honor a remarkable
10 group of young women who have excelled not only
11 in the classroom, but on the basketball court.

12 On Saturday, March 18th, the Baldwin
13 High School Lady Bruins Basketball Team captured
14 the New York State Public High School Athletic
15 Association Class AA championship in a decisive
16 73-45 victory over Ossining High School, proving
17 not only does hard work and dedication pay off,
18 but anyone can accomplish anything they set out
19 to accomplish.

20 This is the team's first ever state
21 title. And speaking on behalf of the entire
22 community, I would like to say to the Bruins that
23 this title has brought us immense pride and joy,
24 and we commend you for your persistence, passion,
25 and exemplary teamwork.

1 We all know that any accomplishment
2 by a team that exhibits such athletic ability
3 must also have an exceptional coach that helps to
4 hone the skills of these champions. Head coach
5 Tom Catapano has done just that. I am sure that
6 the journey of this team has given these young
7 women some great and invincible skills that they
8 can use off the court.

9 This weekend I hope to join the
10 Bruins and their family and friends in the
11 community to celebrate their big win. But most
12 of all, I look forward to the Bruins'
13 accomplishments next year and the accomplishments
14 of these young women in the future.

15 Thank you, Madam President.

16 ACTING PRESIDENT PHILLIPS: Thank
17 you, Senator Brooks.

18 The question is on the resolution.
19 All in favor signify by saying aye.

20 (Response of "Aye.")

21 ACTING PRESIDENT PHILLIPS:
22 Opposed, nay.

23 (No response.)

24 ACTING PRESIDENT PHILLIPS: The
25 resolution is adopted.

1 Senator.

2 SENATOR DeFRANCISCO: Madam
3 President, may we now go to the noncontroversial
4 reading of the calendar.

5 ACTING PRESIDENT PHILLIPS: The
6 Secretary will read.

7 THE SECRETARY: Calendar Number
8 293, by Senator Griffo, Senate Print 2421, an act
9 to amend the Banking Law.

10 ACTING PRESIDENT PHILLIPS: Read
11 the last section.

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

14 ACTING PRESIDENT PHILLIPS: Call
15 the roll.

16 (The Secretary called the roll.)

17 ACTING PRESIDENT PHILLIPS:
18 Announce the result.

19 THE SECRETARY: Ayes, 59.

20 ACTING PRESIDENT PHILLIPS: The
21 bill is passed.

22 THE SECRETARY: Calendar Number
23 294, by Senator Savino, Senate Print 3756, an act
24 to amend the Banking Law.

25 ACTING PRESIDENT PHILLIPS: Read

1 the last section.

2 THE SECRETARY: Section 2. This
3 act shall take effect on the 60th day.

4 ACTING PRESIDENT PHILLIPS: Call
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT PHILLIPS: Senator
8 Gianaris to explain your vote, please.

9 SENATOR GIANARIS: Thank you, Madam
10 President.

11 I have voted for this bill in the
12 past, and I just want to explain why I'm changing
13 my vote this year.

14 In light of recent efforts from the
15 federal government to ease regulation on the
16 banking industry, I think it's prudent not to
17 remove powers of the state to continue its
18 regulatory process over those same banks, and so
19 I will be voting in the negative.

20 Thank you.

21 ACTING PRESIDENT PHILLIPS: Senator
22 Gianaris to be recorded in the negative.

23 Announce the result.

24 THE SECRETARY: In relation to
25 Calendar 294, those recorded in the negative are

1 Senators Brooks, Gianaris, Montgomery, Parker,
2 Rivera, Squadron, and Stewart-Cousins.

3 Ayes, 52. Nays, 7.

4 ACTING PRESIDENT PHILLIPS: The
5 bill is passed.

6 THE SECRETARY: Calendar Number
7 305, by Senator Gallivan, Senate Print 2130, an
8 act to amend the Social Services Law.

9 ACTING PRESIDENT PHILLIPS: Read
10 the last section.

11 THE SECRETARY: Section 2. This
12 act shall take effect on the 60th day.

13 ACTING PRESIDENT PHILLIPS: Call
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT PHILLIPS:
17 Announce the result.

18 THE SECRETARY: Ayes, 59.

19 ACTING PRESIDENT PHILLIPS: The
20 bill is passed.

21 THE SECRETARY: Calendar Number
22 307, by Senator Larkin, Senate Print 2390, an act
23 to amend the General Business Law.

24 ACTING PRESIDENT PHILLIPS: Read
25 the last section.

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

3 ACTING PRESIDENT PHILLIPS: Call
4 the roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT PHILLIPS:
7 Announce the result.

8 THE SECRETARY: Ayes, 59.

9 ACTING PRESIDENT PHILLIPS: The
10 bill is passed.

11 THE SECRETARY: Calendar Number
12 465, by Senator Golden, Senate Print 226A, an act
13 to amend the Vehicle and Traffic Law.

14 ACTING PRESIDENT PHILLIPS: Read
15 the last section.

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

18 ACTING PRESIDENT PHILLIPS: Call
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT PHILLIPS:
22 Announce the result.

23 THE SECRETARY: Ayes, 59.

24 ACTING PRESIDENT PHILLIPS: The
25 bill is passed.

1 Senator, that completes the
2 noncontroversial reading of the calendar.

3 SENATOR DeFRANCISCO: Is there any
4 further business at the desk?

5 ACTING PRESIDENT PHILLIPS: There
6 is no further business at the desk.

7 SENATOR DeFRANCISCO: There will be
8 a Republican conference immediately following
9 session in Room 332.

10 And I now move to adjourn until
11 Friday, March 31st, at 3:00 p.m.

12 ACTING PRESIDENT PHILLIPS: On
13 motion, the Senate stands adjourned until Friday,
14 March 31st, at 3:00 p.m.

15 (Whereupon, at 3:46 p.m., the Senate
16 adjourned.)

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