NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

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10:53 a.m.

REGULAR SESSION

SENATOR PAMELA HELMING, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT HELMING: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT HELMING: The reading of the Journal.

THE SECRETARY: In Senate, Wednesday, March 21st, the Senate met pursuant to adjournment. The Journal of Tuesday, March 20th, was read and approved. On motion, Senate adjourned.

ACTING PRESIDENT HELMING: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Floor Leader.

SENATOR DeFRANCISCO: Madam President, I move to adopt the Senate Resolution Calendar.

ACTING PRESIDENT HELMING: All in favor of adopting the Resolution Calendar, with no exceptions, please signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT HELMING: Opposed?

(No response.)

ACTING PRESIDENT HELMING: The resolution is adopted.

SENATOR DeFRANCISCO: Can we now take up previously adopted Resolution 3136, by Senator Marchione, read the title only, and call on Senator Marchione to speak.

ACTING PRESIDENT HELMING: The Secretary will please read.

THE SECRETARY: Legislative

Resolution Number 3136, by Senator Marchione, memorializing Governor Andrew M. Cuomo to proclaim April 9, 2018, as Yellow Ribbon Day in the State of New York.

ACTING PRESIDENT HELMING: Senator Marchione on the resolution.

SENATOR MARCHIONE: Thank you, Madam President.

I rise to speak on my resolution memorializing Governor Cuomo to proclaim April 9, 2018, as Yellow Ribbon Day in our state.

On April 9th, yellow ribbons will be placed across the region to show support for those serving in our armed forces. Many patriotic individuals have devoted countless hours distributing yellow ribbons around our state to heighten awareness of and express support for our servicemen and -women who serve our country, as well as to promote unity and respect for our brave military members who defend our liberty.

One of those patriotic individuals who is devoted to and leading this important cause is with us today. That individual is

Carol Pingelski Hotaling, popularly known as the Yellow Ribbon Lady.

Carol Pingelski Hotaling, who's sitting up front, is a tireless, passionate and powerful advocate of Yellow Ribbon Day. She is a true patriot who always puts our country and our men and women who defend it first. She shared with me that former Senate Republican Majority Leader and my good friend Senator Joe Bruno advanced the first Senate resolution on this issue back on March 21, 2006.

Carol Pingelski Hotaling also mentioned that March 21, 2008, is the anniversary of the finding of the remains of Matt Maupin, a POW in Iraq, and the first since the Vietnam War.

She is advocating for Yellow Ribbon Day to become a national day, and she has been urging members of Congress to support this important nonpartisan effort.

Many in this chamber will recall that during the Iranian hostage crisis, when 52 of our fellow Americans were held captive for 444 days, yellow ribbons were tied around trees as a symbol of national unity and remembrance for our fellow Americans. And during the first

Persian Gulf War, Americans again tied yellow ribbons around trees and wore yellow ribbons on their lapels also to showcase our solidarity and support for our troops serving in harm's way.

We must never forget the servicemen and -women who heroically, faithfully and courageously serve our country. No greater debt is owed than that owed to those who gave their lives for their beloved nation and to those who continue to be missing in action. American former prisoners of war are heroes whose service to our country will never be forgotten. These brave men and women fought for their country and endured cruelties and deprivation as they helped protect our nation, liberating millions from tyranny and terror, advancing the cause of freedom worldwide.

We are the land of the free because of our brave, the courageous men and women who defend our nation and preserve the liberties enshrined in our Constitution. These are the true heroes that dedicated patriots like Carol Pingelski Hotaling and Yellow Ribbon Day seek to honor. I thank her for her dedication, devotion and leadership on this important cause.

With Carol Pingelski Hotaling today -- and I would ask if you would stand -- are Staff Sergeant John Cox and Staff Sergeant Stephanie Lambert, both of whom are with Stratton Air National Guard's 109th Air Lift Wing in Scotia; United States Army recruiter Staff Sergeant Leonard W. Doan; and my constituent, Jamie Margelot, of East Nassau, who has been a strong supporter of this effort.

Also with us on the Senate floor today are Halfmoon Town Supervisor Kevin Tollisen and Halfmoon Deputy Town Supervisor and Town Councilman Paul Hotaling, who is Carol Pingelski Hotaling's son. Both Supervisor Tollisen and Deputy Supervisor Hotaling are also from my hometown of Halfmoon.

Madam President and my colleagues, please give Carol Pingelski Hotaling and all of these guests a round of applause for their support of Yellow Ribbon Day.

Thank you, and thank you for your support.

(Standing ovation.)

ACTING PRESIDENT HELMING: Senator Tedisco.

SENATOR TEDISCO: Thank you, Madam President.

I want to welcome Carol and her outstanding military personnel, our councilman and our supervisor.

I had the opportunity to represent Halfmoon, albeit for a very short period of time. But it's a wonderful town, it's got wonderful leadership. And of course it's got a wonderful First Lady, who I believe does live in my district.

And you know, we have the best, the brightest, most courageous and compassionate fighting force for good in the world, and these are a part of them. Yesterday we saluted the UMAC organization, which is all our military bases in the Capital Region, not only protecting our freedom and liberty, but $1 billion is put into the economy because of the work they do in this particular region.

But that pales in terms of the sacrifice that these individuals make for us, putting their total lives on the line, their families, who they have to leave, who stand up for them and support them all the way.

And Carol is an example of always giving us the opportunity to remember and be reminded. We may not think about them being in harm's way, but every single day around this globe there are men and women representing the foundation that makes us the greatest nation in the world, and that's our freedom and liberty. And they're willing to sacrifice everything so we can have everything. And that's all the glorious parts of the great Constitution that gives us those freedoms and liberties from a higher power up above.

So Carol, thank you so much for doing that, for starting that a while back and prevailing and continuing to do it every year, and reminding us every year that before we put our feet on the ground maybe when we say our prayers, even before we get out of our napping, our sleeping and get up in the morning, we should thank God for our veterans, our men and women who are in the past, present and in the future will retain the great freedoms and liberties we have.

So God bless you, Carol, and God bless our men and women of the armed forces. And God bless the United States of America.

Thank you for being here today.

ACTING PRESIDENT HELMING: Senator Little on the resolution.

SENATOR LITTLE: Thank you, Madam President.

You know, when this first began, whether you tied a yellow ribbon around a big oak tree or wore a yellow ribbon, it reminded everyone that we had men and women who were serving our country and were a long ways from home.

The good news today is we don't have as many who are as far away from home -- Iraq, Syria, all of those places, as we did then. But we still have men and women who are dedicating their lives to our country and putting themselves at risk. And each of these men who are here today, and those who are serving, know that in any given day they may be called upon to make the ultimate sacrifice. And they're willing to do it.

So I thank them, I thank Carol for this wonderful opportunity that people have through the years to be able to express our support for our men and women who are serving our

country a long ways from home. Thank you very much.

ACTING PRESIDENT HELMING: Thank you, Senator Little.

Seeing there are no other members wishing to speak on this resolution, I'd like to extend, on behalf of New York State Senate, our warmest welcome to our guests today. Thank you for your service and your sacrifice to this great country of ours.

And Carol, thank you so much for carrying on the tradition of the yellow ribbon. As a mother-in-law with my son-in-law serving overseas, I just want to thank you so much. It means so much that people remember our servicemen and -women.

To all of you, I extend the privileges and courtesies of this floor. And again, thank you.

(Applause.)

ACTING PRESIDENT HELMING: Senator DeFrancisco.

SENATOR DeFRANCISCO: That resolution is open for cosponsorship. Anybody who would like to cosponsor, please provide your

name at the desk.

ACTING PRESIDENT HELMING: If you'd like to cosponsor this resolution, please notify the desk. Thank you.

SENATOR DeFRANCISCO: Now can we take up the noncontroversial reading of the calendar.

ACTING PRESIDENT HELMING: The Secretary will read.

THE SECRETARY: Calendar Number 292, by Senator Boyle, Senate Print 5243A, an act to amend the Tax Law.

ACTING PRESIDENT HELMING: Read the last section.

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

ACTING PRESIDENT HELMING: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT HELMING: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT HELMING: The bill is passed.

THE SECRETARY: Calendar Number

435, by Senator Jacobs, Senate Print 6696, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT HELMING: Read the last section.

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

ACTING PRESIDENT HELMING: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT HELMING: Please announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT HELMING: The bill is passed.

THE SECRETARY: Calendar Number 565, by Senator Phillips, Senate Print 6806, an act authorizing.

ACTING PRESIDENT HELMING: Read the last section.

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

ACTING PRESIDENT HELMING: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT HELMING: Announce

the result.

THE SECRETARY: Ayes, 55. Nays, 3. Senators Akshar, Bonacic and O'Mara recorded in the negative.

ACTING PRESIDENT HELMING: The bill is passed.

THE SECRETARY: Calendar Number 606, by Senator Tedisco, Senate Print 5369, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT HELMING: Read the last section.

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

ACTING PRESIDENT HELMING: Please call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT HELMING: Announce the result.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT HELMING: The bill is passed.

THE SECRETARY: Calendar Number 647, by Senator Alcantara, Senate Print 793, an act to amend the Public Housing Law.

ACTING PRESIDENT HELMING: Read the

last section.

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

ACTING PRESIDENT HELMING: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT HELMING: Announce the result.

THE SECRETARY: Ayes, 57. Nays, 1. Senator Gallivan recorded in the negative.

ACTING PRESIDENT HELMING: The bill is passed.

That completes the noncontroversial reading of the calendar.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, would you please call an immediate meeting of the Finance Committee in Room 332.

ACTING PRESIDENT HELMING: There will be an immediate meeting of the Finance Committee in Room 332 of the Capitol.

The Senate will stand at ease.

SENATOR DeFRANCISCO: And for information purposes, there will be one bill coming out of the Finance Committee that we'll

take up today.

(Whereupon, the Senate stood at ease at 11:08 a.m.)

(Whereupon, the Senate reconvened at 11:17 a.m.)

ACTING PRESIDENT HELMING: Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we go back to motions and resolutions.

ACTING PRESIDENT HELMING: Motions and resolutions.

SENATOR DeFRANCISCO: Thank you.

On page 50, I offer the following amendments to Calendar Number 646, Senate Print 631, by Senator Boyle, and ask that that bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT HELMING: So ordered.

SENATOR DeFRANCISCO: Now, Madam President, is there a report of the Finance Committee at the desk?

ACTING PRESIDENT HELMING: Yes, there is.

SENATOR DeFRANCISCO: And could we hear that report.

ACTING PRESIDENT HELMING: The Secretary will read.

THE SECRETARY: Senator Young, from the Committee on Finance, reports the following bill direct to third reading:

Senate Print 7502, Senate Budget Bill, an act making appropriations.

SENATOR DeFRANCISCO: I move to accept the report of the Finance Committee.

ACTING PRESIDENT HELMING: All those in favor?

(Response of "Aye.")

ACTING PRESIDENT HELMING: Opposed?

(No response.)

ACTING PRESIDENT HELMING: The report is accepted.

SENATOR DeFRANCISCO: All right. Now can we go to Senate Supplemental Calendar Number 24A, please, and do the noncontroversial reading.

ACTING PRESIDENT HELMING: The Secretary will read.

THE SECRETARY: On page 1, Senator Young moves to discharge, from the Committee on Finance, Assembly Bill Number 9502 and substitute

it for the identical Senate Bill 7502, Third Reading Calendar 726.

ACTING PRESIDENT HELMING: The substitution is ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 726, Assembly Budget Bill, Assembly Print 9502, an act making appropriations.

ACTING PRESIDENT HELMING: Read the last section.

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

ACTING PRESIDENT HELMING: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT HELMING: Please announce the results.

THE SECRETARY: Ayes, 58.

ACTING PRESIDENT HELMING: The bill is passed.

SENATOR DeFRANCISCO: Madam President, is there any further business at the desk?

ACTING PRESIDENT HELMING: There is no further business before the desk.

SENATOR DeFRANCISCO: In that case, I move to adjourn until Monday, March 26th, at 3:00 p.m., intervening days being legislative days.

ACTING PRESIDENT HELMING: On motion, the Senate stands adjourned until Monday, March 26th, at 3:00 p.m., intervening days being legislative days.

(Whereupon, at 11:20 a.m., the Senate adjourned.)