

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 May 22, 2018

11 2:50 p.m.

12
13
14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: In the
10 absence of clergy, I ask all to please bow your
11 heads in a moment of silent reflection and/or
12 prayer.

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

15 ACTING PRESIDENT GRIFFO: The
16 reading of the Journal.

17 THE SECRETARY: In Senate, Monday,
18 May 21st, the Senate met pursuant to adjournment.
19 The Journal of Sunday, May 20th, was read and
20 approved. On motion, Senate adjourned.

21 ACTING PRESIDENT GRIFFO: Without
22 objection, the Journal will stand approved as
23 read.

24 Presentation of petitions.

25 Messages from the Assembly.

1 The Secretary will read.

2 THE SECRETARY: Assembly Resolution
3 by Member of the Assembly Heastie, advising the
4 Members of the Senate of the time and place of
5 the meeting to cast a joint ballot to fill the
6 vacancy in the office of Attorney General of the
7 State of New York.

8 "WHEREAS, A vacancy in the office of
9 Attorney General has been created by the
10 resignation of Eric T. Schneiderman; and

11 "WHEREAS, Section 1 of Article V of
12 the Constitution and Section 41 of the Public
13 Officers Law require the Legislature to cast a
14 joint ballot to fill the vacancy in the office of
15 Attorney General; and

16 "WHEREAS, Such joint ballot is to be
17 cast by the Members of the Legislature, meeting
18 as a unicameral body; now, therefore, be it

19 "RESOLVED, That the Honorable
20 Members of the Senate are advised that the time
21 and place of such meeting has been established to
22 be 3:00 p.m. on Tuesday, May 22, 2018, in the
23 Assembly Chamber for the purpose of appointing by
24 joint ballot an Attorney General of the State of
25 New York, for a term to expire on December 31,

1 2018; and be it further

2 "RESOLVED, That upon adoption of
3 this resolution, a copy of the same shall be
4 transmitted to the Senate."

5 ACTING PRESIDENT GRIFFO: The
6 resolution is so recognized and received.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports from
11 state officers.

12 Motions and resolutions.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO:

15 Mr. President, on page 25 I offer the following
16 amendments to Calendar 285, Senate Print 7219, by
17 Senator Young, and ask that said bill retain its
18 place on the Third Reading Calendar.

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

22 SENATOR DeFRANCISCO: On page 41, I
23 offer the following amendments to Calendar 603,
24 Senate Print 518A, by Senator Young, and ask that
25 said bill retain its place on the Third Reading

1 Calendar.

2 ACTING PRESIDENT GRIFFO: The
3 amendments are also received, and the bill shall
4 retain its place on third reading.

5 SENATOR DeFRANCISCO: On page 59, I
6 offer the following amendments to Calendar 901,
7 Senate Print 8072, by Senator O'Mara, and ask
8 that said bill retain its place on the Third
9 Reading Calendar.

10 ACTING PRESIDENT GRIFFO: The
11 amendments are received, and the bill shall
12 retain its place on third reading.

13 SENATOR DeFRANCISCO: On page 75, I
14 offer the following amendments to Calendar 1136,
15 Senate Print 5061, by Senator Seward, and ask
16 that said bill retain its place on the Third
17 Reading Calendar.

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

21 SENATOR DeFRANCISCO: And finally,
22 on page 75 I offer the following amendments to
23 Calendar 1120, Senate Print 7949A, by
24 Senator Serino, and ask that said bill retain its
25 place on the Third Reading Calendar.

1 ACTING PRESIDENT GRIFFO: The
2 amendments are also received, and the bill shall
3 retain its place on third reading.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: Would you
6 please recognize Senator Klein.

7 ACTING PRESIDENT GRIFFO: Senator
8 Klein.

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

11 On page 44, I offer the following
12 amendments to Calendar Number 650, Senate Print
13 6845, on behalf of Senator Peralta.

14 ACTING PRESIDENT GRIFFO: The
15 amendments are received.

16 SENATOR KLEIN: Mr. President, I
17 move that the following bills be discharged from
18 their respective committees and be recommitted
19 with instructions to strike the enacting clause:
20 Senate Numbers 8742 and 8743, on behalf of
21 Senator Sepúlveda.

22 ACTING PRESIDENT GRIFFO: It is so
23 ordered.

24 SENATOR KLEIN: On behalf of
25 Senator Rivera, I move that the following bills

1 be discharged from their respective committees
2 and be recommitted with instructions to strike
3 the enacting clause: Senate Bills 8672 and 8673.

4 ACTING PRESIDENT GRIFFO: It is so
5 ordered.

6 Senator DeFrancisco.

7 SENATOR DeFRANCISCO: Yes, could we
8 stand at ease for a moment.

9 ACTING PRESIDENT GRIFFO: The
10 Senate will stand temporarily at ease.

11 (Whereupon, the Senate stood at ease
12 at 2:55 p.m.)

13 (Whereupon, the Senate reconvened at
14 2:56 p.m.)

15 SENATOR DeFRANCISCO:
16 Mr. President.

17 ACTING PRESIDENT GRIFFO: Senator
18 DeFrancisco.

19 SENATOR DeFRANCISCO: I now move to
20 adopt the Resolution Calendar.

21 ACTING PRESIDENT GRIFFO: All in
22 favor of adopting the Resolution Calendar signify
23 by saying aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT GRIFFO: Opposed?

1 (No response.)

2 ACTING PRESIDENT GRIFFO: The
3 Resolution Calendar is adopted.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: Can we please
6 take up previously adopted Resolution 4907, by
7 Senator Serino, read the title only, and call on
8 Senator Serino to speak, please.

9 ACTING PRESIDENT GRIFFO: I know we
10 have a number of guests in the chamber today. I
11 would ask that we continue to take care of
12 business quietly, if you're with members, so that
13 we can allow members to be heard.

14 And the Secretary will read.

15 THE SECRETARY: Legislative
16 Resolution Number 4907, by Senator Serino,
17 memorializing Governor Andrew M. Cuomo to
18 proclaim May 22, 2018, as Older New Yorkers Day
19 in the State of New York.

20 ACTING PRESIDENT GRIFFO: Senator
21 Serino.

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

24 During the month of May, we pause to
25 recognize Older Americans Month and take the time

1 to reflect on the countless contributions our
2 seniors have made to our communities, our state,
3 and our country.

4 Having the opportunity to serve as
5 the Senate's Aging chair has been one of the
6 greatest honors of my time here, because each and
7 every day I get to be involved with people who
8 use their extensive knowledge and the
9 unparalleled wisdom that they have garnered over
10 the years to help me make New York better. And
11 they're never afraid to speak their minds, which
12 I absolutely love.

13 Earlier today I had the pleasure of
14 being able to address a roomful of older
15 New Yorkers who were invited to Albany today by
16 the State Office for the Aging to be recognized
17 for their extensive volunteerism. It's an event
18 that serves as a poignant reminder of all that
19 our seniors have done to build up the communities
20 we know and love, and all that they continue to
21 give back.

22 Through their service, the honorees
23 have not only touched the lives of countless
24 individuals, but have inspired citizens of all
25 ages to get involved.

1 One individual in particular has
2 truly gone above and beyond, and today I am also
3 honored to recognize Mr. John Thomas of
4 Hyde Park, who was honored at the reception as
5 the 2018 Older New Yorker of the Year.

6 A Navy veteran, an avid runner,
7 family man and machinist, John has spent his life
8 working to improve the communities he's been a
9 part of and others.

10 He was nominated for our local
11 awards by his daughter Cari, who is here on his
12 behalf today with her husband Steve. Please
13 stand and be recognized.

14 (Applause.)

15 SENATOR SERINO: Cari's father John
16 is someone who has gone above and beyond to use
17 the skills he learned in the Navy, and later in
18 his job at Turbo Products, a manufacturing
19 company, to impact those around him, teaching his
20 own children and their network of friends the
21 value of a hard day's work.

22 I understand that John and his wife
23 Nancy actually spent much of their lives in
24 Connecticut and moved to New York in 2006 to be
25 with their daughter and their grandchildren.

1 And for those of you -- the people
2 that are watching that live in my district, you
3 can see John running around. Because back in
4 1979 when he realized he couldn't keep up with
5 his son, he started to run. So he's been logging
6 his miles and he's run 50,000 miles, which is the
7 equivalent of running around the world twice.
8 Can you imagine that?

9 So since then, you can also find him
10 around our local town, always on volunteer
11 missions. And I know he's especially involved in
12 helping low-income seniors and veterans in our
13 community rebuild and improve their homes through
14 Rebuilding Together, which is a great
15 organization.

16 We are also thankful for all that
17 John has done and continues to do to help move
18 our community forward, and it is my honor to be
19 able to recognize him in the chamber today.

20 Cari, on your father's behalf, we
21 welcome you here today. And please know that we
22 consider ourselves very lucky to count your
23 father and your family among our neighbors.

24 Thank you, Mr. President.

25 ACTING PRESIDENT GRIFFO: Thank

1 you, Senator Serino.

2 On behalf of all the members of the
3 house, we want to remind everyone that this
4 resolution was adopted on May 1st of this year.

5 And to all our guests who are
6 present today, as we recognize and extend our
7 appreciation and gratitude to all of the seniors
8 in New York for what they do each and every day
9 and what they have done throughout their lives to
10 make our state and communities a better place, we
11 extend a warm welcome. And also the privileges
12 of the house are extended to all of our guests
13 today.

14 Once again, let's applaud those in
15 attendance.

16 (Standing ovation.)

17 ACTING PRESIDENT GRIFFO: Senator
18 DeFrancisco, Senator Serino has opened up the
19 resolution for cosponsorship. And if a member
20 would like to be a cosponsor, they should notify
21 the desk.

22 Senator DeFrancisco.

23 SENATOR DeFRANCISCO: As an older
24 American, I would like to cosponsor that,
25 Mr. President.

1 (Laughter.)

2 ACTING PRESIDENT GRIFFO: It is so
3 noted. And you look very youthful.

4 SENATOR DeFRANCISCO:

5 Mr. President, today we have many young people in
6 the chambers to follow us, involved with a
7 program by the League of Women Voters.
8 Unfortunately, we will not be able to entertain
9 them today in this chamber since we're going to
10 adjourn early to go and vote on an Attorney
11 General candidate to fill the unexpired term of
12 Mr. Schneiderman.

13 So with that said, could you welcome
14 our guests to the Senate chambers, and then we'll
15 have another request.

16 ACTING PRESIDENT GRIFFO: I want to
17 welcome all of our students who are here to
18 shadow the members of the Senate today. We
19 welcome you and thank the League of Women Voters
20 for putting together a program that is both
21 educational and a rewarding experience.

22 So we welcome you. Hopefully you'll
23 have that opportunity to interact with your
24 member.

25 We have a number of photographers

1 here. We would ask that members -- we will have
2 the availability of the podium in the front.
3 Just be sensitive and cognizant of the fact that
4 we have a number of members who want to get quick
5 pictures, and we also have an obligation to
6 report to the Assembly chamber in a short time.

7 Senator DeFrancisco.

8 SENATOR DeFRANCISCO: And just a
9 reminder that the EnCon Committee will be meeting
10 immediately following session in Room 308 of the
11 LOB.

12 ACTING PRESIDENT GRIFFO: There
13 will be a meeting of the EnCon Committee
14 following the joint session -- in Room 808 in the
15 LOB? Three-oh -- what room was that?

16 SENATOR DeFRANCISCO: That's easy
17 for you to say. It's Room 308.

18 ACTING PRESIDENT GRIFFO: Room 308
19 in the LOB.

20 SENATOR DeFRANCISCO: Right.

21 Is there any further business at the
22 desk?

23 ACTING PRESIDENT GRIFFO: There is
24 no further business before the desk.

25 SENATOR DeFRANCISCO: In that case,

1 I move to adjourn until Wednesday, May 30th, at
2 3:00 p.m., intervening days being legislative
3 days.

4 ACTING PRESIDENT GRIFFO: On
5 motion, the Senate will stand adjourned until
6 Wednesday, May 30th, at 3:00 p.m., intervening
7 days being legislative days.

8 The Senate is adjourned.

9 (Whereupon, at 3:03 p.m., the Senate
10 adjourned.)
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