NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

May 22, 2018

2:50 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

P R O C E E D I N G S

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT GRIFFO: The reading of the Journal.

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

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

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

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

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

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

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

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

2018; and be it further

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

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

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator DeFrancisco.

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

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

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

Calendar.

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

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

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

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

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

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

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Would you please recognize Senator Klein.

ACTING PRESIDENT GRIFFO: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

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

ACTING PRESIDENT GRIFFO: The amendments are received.

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

ACTING PRESIDENT GRIFFO: It is so ordered.

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

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

ACTING PRESIDENT GRIFFO: It is so ordered.

Senator DeFrancisco.

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

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

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

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

SENATOR DeFRANCISCO: Mr. President.

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

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

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

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The Resolution Calendar is adopted.

Senator DeFrancisco.

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

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

And the Secretary will read.

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

ACTING PRESIDENT GRIFFO: Senator Serino.

SENATOR SERINO: Thank you, Mr. President.

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

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

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

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

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

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

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

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

(Applause.)

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

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

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

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

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

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

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank

you, Senator Serino.

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

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

Once again, let's applaud those in attendance.

(Standing ovation.)

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

Senator DeFrancisco.

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

(Laughter.)

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

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

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

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

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

We have a number of photographers

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

Senator DeFrancisco.

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

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

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

ACTING PRESIDENT GRIFFO: Room 308 in the LOB.

SENATOR DeFRANCISCO: Right.

Is there any further business at the desk?

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

SENATOR DeFRANCISCO: In that case,

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

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

The Senate is adjourned.

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