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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

April 22, 2015

4:17 p.m.

REGULAR SESSION

SENATOR CARL L. MARCELLINO, Acting President

FRANCIS W. PATIENCE, Secretary

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

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

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

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

9                   ACTING PRESIDENT MARCELLINO:    The  
10 invocation will be performed by Father Peter  
11 Young, of Mother Teresa Community in Albany.

12                  FATHER YOUNG:    Thank you very  
13 much, Senator.

14                  Let us pray.

15                  Today, as proud New Yorkers, we  
16 claim the honor of christening the American flag  
17 when the Stars and Stripes was first flown in  
18 battle at the defense of Fort Stanwix in Rome.

19                  It's with great pride that we're  
20 able to serve as Senators in this patriotic  
21 tradition as the elected leaders to fulfill Your  
22 call, O God, of leadership to all citizens of  
23 New York State.

24                  But today we want to honor the  
25 staff, and one of our honorees would be William

1 Toomey, who has served as director of legal  
2 service for the Senate and as chief counsel. We  
3 pray that he and all New Yorkers will enjoy the  
4 good times of being a New Yorker and the  
5 benefits of this great, great state.

6 Amen.

7 ACTING PRESIDENT MARCELLINO: The  
8 reading of the Journal.

9 THE SECRETARY: In Senate,  
10 Tuesday, April 21st, the Senate met pursuant to  
11 adjournment. The Journal of Monday, April 20th,  
12 was read and approved. On motion, Senate  
13 adjourned.

14 ACTING PRESIDENT MARCELLINO:  
15 Without objection, the Journal stands approved  
16 as read.

17 Presentation of petitions.

18 Messages from the Assembly.

19 Messages from the Governor.

20 Reports of standing committees.

21 Reports of select committees.

22 Communications and reports from  
23 state officers.

24 Motions and resolutions.

25 Senator DeFrancisco.

1                   SENATOR DeFRANCISCO:    Yes, if you  
2 would call on Senator Gianaris for a motion,  
3 please.

4                   ACTING PRESIDENT MARCELLINO:  
5 Senator Gianaris.

6                   SENATOR GIANARIS:    Mr. President,  
7 I move that the following bill be discharged  
8 from its respective committee and be recommitted  
9 with instructions to strike the enacting clause,  
10 on behalf of Senator Espaillet:  Senate Bill  
11 3713.

12                   ACTING PRESIDENT MARCELLINO:    So  
13 moved.

14                   Senator DeFrancisco.

15                   SENATOR DeFRANCISCO:    Would you  
16 please call the vote for the Resolution  
17 Calendar, with the exception of Resolutions  
18 1427, 1348, 1512, and 1449.

19                   ACTING PRESIDENT MARCELLINO:    Are  
20 you sure on that last one?

21                   SENATOR DeFRANCISCO:    Number 1449?

22                   ACTING PRESIDENT MARCELLINO:  
23 Yeah.  Because I don't have that here.

24                   SENATOR DeFRANCISCO:    I'm sure.

25                   ACTING PRESIDENT MARCELLINO:

1 Okay. All in favor of adopting the Resolution  
2 Calendar, with the exception of Resolutions 1427,  
3 1348, 1512 and 1449, please signify by saying  
4 aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT MARCELLINO:

7 Opposed, nay.

8 (No response.)

9 ACTING PRESIDENT MARCELLINO: The  
10 Resolution Calendar is adopted.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: Mr.  
13 President, we have several resolutions that have  
14 to be called, all of which are time-sensitive in  
15 view of the fact that there's guests here.

16 With that in mind, four people are  
17 going to be upset when I call the first name.  
18 But please understand we'll get to each one as  
19 quickly as possible. And if we can make the  
20 remarks succinct, everybody can meet their  
21 deadlines.

22 Would you please take up first  
23 previously adopted Resolution 706, by Senator  
24 Griffo. And Senator Griffo to speak succinctly  
25 and briefly.

1                   ACTING PRESIDENT MARCELLINO:    Do  
2 you want the resolution read in its entirety,  
3 Mr. Floor Leader?

4                   SENATOR DeFRANCISCO:    No.

5                   ACTING PRESIDENT MARCELLINO:    Just  
6 the title. Please read the resolution title  
7 only, and then Senator Griffo will speak on it.

8                   THE SECRETARY:    Legislative  
9 Resolution Number 706, by Senator Griffo,  
10 congratulating the Massena Central High School  
11 Girls Hockey Team and Coach Jennifer Gray upon  
12 the occasion of capturing the New York State  
13 Regional Championship.

14                   ACTING PRESIDENT MARCELLINO:  
15 Senator Griffo.

16                   SENATOR GRIFFO:    Mr. President,  
17 thank you very much. Appreciate that.

18                   To the girls who are here today, I  
19 know they had a long trip and they have a bus  
20 that they're going to be on very shortly to go  
21 back to Massena and the North Country.

22                   We have them here today because they  
23 did defeat Kenmore High for the New York State  
24 Public High School Athletic Association Girls  
25 Hockey Championship, which is equivalent to a

1 state championship. And that's due to the fact  
2 that not every section of the state offers girls  
3 hockey, so they are technically the state hockey  
4 championship.

5 Coach Gray and her assistants have  
6 done an extraordinary job. We want to thank the  
7 girls not only for what they did on the athletic  
8 field in winning this state championship, but  
9 also they have excelled academically. They have  
10 a GPA of 95.8 as a team.

11 So we sincerely applaud your  
12 athletic skills and talents, the championship  
13 that you all won, but also that you've done so  
14 well academically. You have done great justice  
15 not only to the sport, but also to your community  
16 and to your school.

17 So I want to welcome you today,  
18 congratulate you on that state championship. You  
19 will remember these experiences, they're great  
20 memories to continue to have and share, but also  
21 to continue to be great role models as you go on  
22 in life and pursue other career choices and  
23 higher education.

24 So congratulations, Coach Gray.  
25 Congratulations to the team that's here today.

1 And I present the Massena Girls Hockey Team,  
2 state champions, to the chamber.

3 (Standing ovation.)

4 ACTING PRESIDENT MARCELLINO:  
5 Senator Ritchie.

6 SENATOR RITCHIE: Thank you,  
7 Mr. President.

8 I'd also like to congratulate the  
9 Massena Girls Hockey Team. I'm sure it doesn't  
10 come as a surprise to many of my colleagues that  
11 hockey is a favorite pastime in St. Lawrence  
12 County, considering we have winter three-quarters  
13 of the year.

14 But many of these girls started  
15 playing hockey when they were young. They've  
16 spent countless hours on the ice perfecting their  
17 skills. And under the coaching of Jennifer Gray  
18 and the assistant coaches, they were able to beat  
19 Kenmore and become the state champs.

20 So I know they didn't do it alone,  
21 because I remember my days as a hockey mom, at  
22 4 o'clock on a Saturday when the alarm went off  
23 and I realized I had to get up and go out, when  
24 it was 20 below zero, to take my kids to hockey  
25 practice.

1           So I want to congratulate you, your  
2 coaches, and also your parents for your  
3 dedication and for your great championship.

4           Thank you.

5           ACTING PRESIDENT MARCELLINO:  
6 Congratulations, ladies. The courtesies of the  
7 house are yours.

8           Just remember, now that you've won  
9 the state championship, you'll be expected to do  
10 it again.

11           (Laughter.)

12           ACTING PRESIDENT MARCELLINO:    God  
13 bless.

14           Senator DeFrancisco.

15           SENATOR DeFRANCISCO:    Yes, the next  
16 resolution is Resolution 1348, by Senator Farley.  
17 It's title only to be read, please.

18           ACTING PRESIDENT MARCELLINO:    The  
19 Secretary will read.

20           THE SECRETARY:    Legislative  
21 Resolution Number 1348, by Senator Farley,  
22 recognizing April 24, 2015, as "Blue Friday."

23           ACTING PRESIDENT MARCELLINO:  
24 Senator Farley.

25           SENATOR FARLEY:    Thank you,

1 Mr. President.

2           You know, the Albany radio station  
3 WGNA has joined forces with Blue Friday New York,  
4 Hannaford Supermarkets, and the Ninety Nine  
5 Restaurants to recognize Blue Friday. This  
6 honors all law enforcement officers who have  
7 given their lives in the line of duty, as well as  
8 all of those who serve today.

9           You know, this is an annual event  
10 that's gone on in the Senate for 11 years. And  
11 the mission of Blue Friday New York is to help  
12 rebuild the lives of survivors of law enforcement  
13 who were killed in the line of duty and to serve  
14 as a clearinghouse for federal and state benefits  
15 and to provide information and resources for the  
16 surviving families.

17           Each year, approximately 150  
18 officers are killed in the line of duty. Their  
19 families and coworkers are left to cope with this  
20 tragic loss. Blue Friday is a reminder to pay  
21 tribute to those in law enforcement who have made  
22 this ultimate sacrifice.

23           You know, Blue Friday has continued  
24 to grow here, with over 50 different police  
25 agencies participating in this Capital District

1 area. The State of New York is eternally  
2 grateful for the service of these brave men and  
3 women, and we applaud the efforts of Blue Friday  
4 New York to assist the families and those who  
5 have made this ultimate sacrifice.

6 We have several special guests here  
7 today with us, Blue Friday officials and retired  
8 law enforcement officers themselves. If I may,  
9 I'll introduce them and I'll have them stand:  
10 Lou Somma, Ramon Guerrero, Robert Markel.

11 And, ladies and gentlemen,  
12 Blue Friday has been the idea and supported by  
13 WGNA, the number-one radio station in this area.  
14 And the deejays that are here, there are stars  
15 above them on their own: Sean McMasters, Richie  
16 Phillips, and Bethany Linderman. WGNA has made  
17 all of this possible and promotes Blue Friday.

18 And also with us here today is Craig  
19 Pariseau, general manager of the Ninety Nine  
20 Restaurants, a Blue Friday sponsor.

21 Ladies and gentlemen and my  
22 colleagues, I'd like you to give them your  
23 applause and thank them for what they're doing  
24 for our law enforcement in the State of New York.

25 (Standing ovation.)

1           ACTING PRESIDENT MARCELLINO:    The  
2 question is on the resolution.  All in favor  
3 signify by saying aye.

4                           (Response of "Aye.")

5           ACTING PRESIDENT MARCELLINO:  
6 Opposed, nay.

7                           (No response.)

8           ACTING PRESIDENT MARCELLINO:    The  
9 resolution is adopted.  
10                           Senator DeFrancisco.

11           SENATOR DeFRANCISCO:    Senator  
12 Farley has asked that anyone who wants to  
13 cosponsor is able to do so.  And if you don't  
14 want to be a cosponsor, let the desk know.  
15 Otherwise, you are one.

16                           Thank you.

17           ACTING PRESIDENT MARCELLINO:    The  
18 resolution will be open for cosponsorship.  If  
19 you do not wish to be a cosponsor, please notify  
20 the desk.

21           SENATOR DeFRANCISCO:    The next  
22 resolution is 1332, by Senator Breslin, title  
23 only to be read.

24           ACTING PRESIDENT MARCELLINO:    The  
25 Secretary will read the title only.

1                   THE SECRETARY:    Legislative  
2    Resolution Number 1332, by Senator Breslin,  
3    extending admiration and grateful appreciation to  
4    William A. Toomey, III, for his many years of  
5    distinguished service to the Legislative Bill  
6    Drafting Commission upon the occasion of his  
7    retirement as Chief Counsel, Director of Legal  
8    Services.

9                    ACTING PRESIDENT MARCELLINO:  
10   Senator Breslin on the resolution.

11                   SENATOR BRESLIN:    Thank you,  
12   Mr. President.

13                    It's my honor to rise to talk about  
14   someone who's become an institution here in the  
15   New York State Legislature.  Bill Toomey started  
16   in 1977, when many of us were in high school, and  
17   he's had each position imaginable in bill  
18   drafting.

19                    And he took a break in the early  
20   '90s -- 1992, I believe -- to go to law school,  
21   came back and again began to progress further and  
22   further and further, to now being the chief  
23   person in bill drafting.

24                    He's had a remarkable career.  I've  
25   been fortunate enough to have him as my bill

1 drafter for my years in the Legislature, and I  
2 have never, ever had a disagreement with him.  
3 And I'm sure many of you have the same  
4 experience. He is a wonderful, wonderful bill  
5 drafter, an excellent lawyer, and it's an honor  
6 to serve with him here in the New York State  
7 Senate.

8                   So I applaud Bill in your  
9 retirement. I'm sure you'll enjoy it. I  
10 understand you might have some activities you can  
11 continue after you retire. But I know that all  
12 the rest of the Senate joins with me to honor you  
13 today.

14                   Thank you, Mr. President.

15                   ACTING PRESIDENT MARCELLINO: This  
16 resolution was previously adopted, so we have no  
17 need to vote on it.

18                   Senator DeFrancisco.

19                   SENATOR DeFRANCISCO: Yes, please  
20 take up Resolution 1512, by Senator Breslin,  
21 title only.

22                   ACTING PRESIDENT MARCELLINO: The  
23 Secretary will read the title only, 1512.

24                   THE SECRETARY: Legislative  
25 Resolution Number 1512, by Senator Breslin,

1 congratulating the College of St. Rose Women's  
2 Soccer Team upon the occasion of its outstanding  
3 2014 season.

4 ACTING PRESIDENT MARCELLINO:  
5 Senator Breslin on the resolution.

6 SENATOR BRESLIN: Thank you,  
7 Mr. President.

8 It's a true honor to stand and talk  
9 about the College of St. Rose. A number of years  
10 ago, when they achieved a miraculous season, we  
11 think we honor a team and that will be the end of  
12 it. Not the College of St. Rose Women's Soccer  
13 Team.

14 The College of St. Rose Women's  
15 Soccer Team has gone to the Final Four, the final  
16 four teams in the country, for I believe six out  
17 of the last seven years. They've won their --  
18 and I can look down, there's so many different  
19 records. Their record this year was 21 and 3.  
20 And in the Final Four, they lost in a tie in a  
21 shoot-out to the eventual national champion.  
22 They captured their conference for the seventh  
23 time in eight years.

24 And you know, they're led by one of  
25 the finest coaches that soccer has ever had --

1 not in Albany, not in New York State, but in the  
2 country. And Laurie Darling Gutheil has taken  
3 prospects and turned them into phenomenal soccer  
4 players but, more importantly, well-rounded  
5 wonderful young women who go out into the world  
6 and make a difference.

7           And I find that -- I've watched them  
8 play, I've watched the interaction between  
9 players and coach, and it should be filmed and  
10 used as an example of how to treat your players  
11 and the respect that the players have for their  
12 coach.

13           So as many of you have heard, it  
14 seems as though each year I am talking about you.  
15 And you know, when you look at -- you have to  
16 mention some of the records they've done.

17           They have Carmelina Puopolo, a  
18 forward who was second in the nation in points  
19 and goals, first in the nation in game winning  
20 goals, and on. Morgan Burchhardt is a forward  
21 who led the Northeast in assists, and she's up  
22 there in the gallery, from Burnt Hills. Jennifer  
23 Busk, a midfielder, was second in the Northeast  
24 in points.

25           And it goes on and on and on. They

1 have First Team Academic All-Americans, First  
2 Team All-Americans. And overall, St. Rose is  
3 close to perfection in soccer, college soccer.

4 And I applaud each and every one of  
5 you. Would you please rise, the entire team.

6 Thank you, Mr. President.

7 (Standing ovation.)

8 ACTING PRESIDENT MARCELLINO: The  
9 question is on the resolution. Please signify by  
10 saying aye.

11 (Response of "Aye.")

12 ACTING PRESIDENT MARCELLINO:  
13 Opposed, nay.

14 (No response.)

15 ACTING PRESIDENT MARCELLINO: The  
16 resolution is adopted.

17 Ladies, congratulations. Next year?  
18 Next year? Okay, we've got a commitment. Thank  
19 you very much.

20 Senator DeFrancisco.

21 SENATOR DeFRANCISCO: Mr.  
22 President, would you please call on Senator  
23 Avella to recognize some guests of his.

24 ACTING PRESIDENT MARCELLINO:  
25 Senator Avella.

1                   SENATOR AVELLA:    Thank you,  
2   Mr. President.

3                   In light of Earth Day today, I would  
4   like to recognize a very special young man who's  
5   sitting in the gallery.  Last year this young man  
6   came to my office with his own little PowerPoint  
7   presentation about a battery recycling program.  
8   I have to tell you I was so impressed with this  
9   young man that I decided to introduce the bill on  
10  his behalf.

11                  His name is Eliot Seol.  Eliot,  
12  stand up.  And besides the fact that his proposal  
13  was so remarkable, it's even more remarkable that  
14  he's 11 years old.

15                  So today, Eliot, we're introducing  
16  your bill.  We hope to have it passed maybe this  
17  session.  But you're a remarkable individual, and  
18  we're so very proud of you.

19                  And I have to mention that he was  
20  recently named the Region 2 Honorable Mention  
21  Winner of the 2014 Presidential Environmental  
22  Youth Award, and later on this year he'll get to  
23  meet the President of the United States.

24                  So congratulations, Eliot.

25                  And I would ask everybody to stand.

1 (Standing ovation.)

2 ACTING PRESIDENT MARCELLINO:

3 Eliot, congratulations to you and your family.  
4 And we're going to be watching where you live,  
5 because each and every member is going to be  
6 watching what district you move into when you're  
7 old enough.

8 (Laughter.)

9 ACTING PRESIDENT MARCELLINO:

10 Congratulations. God bless.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: Yes, I had  
13 previously assured you that 1449 was not a  
14 mistake, to go over that. I was wrong. I find  
15 that very hard to admit. Would you please move  
16 that resolution, 1449.

17 ACTING PRESIDENT MARCELLINO: Just  
18 call the title.

19 THE SECRETARY: Legislative  
20 Resolution Number 1449, by Senator Murphy,  
21 honoring Peekskill Police Officers Doug LaPerche  
22 and John Kolesar.

23 SENATOR DeFRANCISCO: Thank you.

24 Now, the young man in the audience  
25 may want to stay, because this is pretty

1 important, the next one. He's leaving.

2 In any event, I'd like you to call  
3 up Senator O'Mara's resolution, read the title  
4 only, concerning Earth Day.

5 ACTING PRESIDENT MARCELLINO: We  
6 need to adopt --

7 SENATOR DeFRANCISCO: Before that,  
8 can we adopt 1449.

9 ACTING PRESIDENT MARCELLINO: All  
10 in favor of adopting Resolution 1449 please  
11 signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT MARCELLINO:  
14 Opposed, nay.

15 (No response.)

16 ACTING PRESIDENT MARCELLINO: The  
17 resolution is adopted.

18 Senator DeFrancisco.

19 SENATOR DeFRANCISCO: And please  
20 take up Resolution 1427, by Senator O'Mara, and  
21 call on him, please.

22 ACTING PRESIDENT MARCELLINO: The  
23 Secretary will read.

24 THE SECRETARY: Legislative  
25 Resolution Number 1427, by Senator O'Mara,

1 commemorating the 45th anniversary of Earth Day  
2 on April 22, 2015.

3 ACTING PRESIDENT MARCELLINO:  
4 Senator O'Mara on the resolution that was  
5 previously adopted.

6 SENATOR O'MARA: Thank you,  
7 Mr. President.

8 I rise today in recognition of Earth  
9 Day as we celebrate the --

10 ACTING PRESIDENT MARCELLINO:  
11 Excuse me. Excuse me. Can we have a little  
12 order in the house, please? Thank you.

13 Senator.

14 SENATOR O'MARA: -- as today around  
15 the world and in the New York State Legislature  
16 we celebrate the 45th anniversary of Earth Day.

17 The resolution that has been  
18 previously adopted recognizes the importance of  
19 Earth Day and brings to our attention an  
20 awareness of the great issues that we have facing  
21 us regarding protecting our environment and  
22 making sure that we're doing all we can to  
23 protect the future of our environment with the  
24 many challenges that we have.

25 You know, I look back to President

1 Teddy Roosevelt, who was a very  
2 conservation-minded president. And his credo was  
3 that the great central task of leaving this land  
4 even better land for our descendants is something  
5 that is vitally important. And these 45 years of  
6 Earth Day I believe have risen the issues, the  
7 awareness and the prominence of environmental  
8 issues that we confront daily to its highest  
9 level of awareness ever.

10 And I think this Earth Day event  
11 here and around the world is certainly helping  
12 with that and helping resolve the issues we have  
13 here and the many pieces of legislation that  
14 we'll be taking up today.

15 Thank you, Mr. President.

16 ACTING PRESIDENT MARCELLINO: Thank  
17 you, Senator.

18 Senator DeFrancisco, the problem of  
19 erring must be catching, because I was in error  
20 when I said this was a previously adopted  
21 resolution. We need to adopt it now.

22 SENATOR DeFRANCISCO: Okay. So  
23 would you call on it to be adopted.

24 ACTING PRESIDENT MARCELLINO: We  
25 have two speakers who want to speak on it, but we

1 should adopt it first and then we'll let them  
2 speak.

3 All in favor of adopting Resolution  
4 1427 signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT MARCELLINO: All  
7 opposed, nay.

8 (No response.)

9 ACTING PRESIDENT MARCELLINO: The  
10 resolution is adopted.

11 SENATOR DeFRANCISCO: If I could do  
12 one other bit of housekeeping so either one of us  
13 won't forget.

14 ACTING PRESIDENT MARCELLINO: God  
15 bless.

16 SENATOR DeFRANCISCO: Senator  
17 O'Mara wants to open this up for cosponsorship.  
18 So everyone will be a cosponsor unless they  
19 announce to the desk that they do not want to be.

20 Thank you.

21 ACTING PRESIDENT MARCELLINO: The  
22 resolution is open for cosponsorship. Anyone not  
23 wishing to be a sponsor just let the desk know,  
24 please.

25 Senator Hoylman on the resolution.

1                   SENATOR HOYLMAN:    Thank you.  Thank  
2 you, Mr. President.

3                   I want to thank the sponsor,  
4 Senator O'Mara, for recognizing Earth Day.

5                   It is so important -- and I stand  
6 here as the ranking member of the Environmental  
7 Conservation Committee -- that we be mindful, as  
8 public policymakers, of the solemn responsibility  
9 to be good stewards for our planet, whether it be  
10 my 4-year-old daughter or Eliot up there or our  
11 kids or our grandchildren.  But we truly also  
12 should take this opportunity to recognize that we  
13 need to do more.

14                  Now, there are some interesting  
15 bills, Mr. President, on the calendar today --  
16 hunting and fishing in schools, repealing safety  
17 tags for hunters, repealing fees for hunting  
18 licenses, permitting live restraint cables for  
19 the capture of wild animals, extending striped  
20 bass fishing season, protecting personal  
21 information on hunting licenses.  There's so many  
22 hunting and fishing bills on the calendar today  
23 that you'd think Elmer Fudd had some sort of hand  
24 in getting bills to the floor.

25                  But beyond that, I think it's

1 important, Mr. President, we also acknowledge  
2 something that I think was an oversight in the  
3 resolution which I feel obligated to point out,  
4 that there is no mention of climate change. The  
5 two words "climate change" do not appear in the  
6 resolution. And I think that's an oversight. It  
7 has to be. This is Earth Day, not Flat Earth  
8 Day, and the science, Mr. President, is clear.

9           Here are some facts, if I can have a  
10 couple of minutes, from the New York City Panel  
11 on Climate Change and the U.N.'s  
12 Intergovernmental Panel on Climate Change.

13           Temperature has risen from 1900 to  
14 the year 2013 by 0.3 degrees per decade,  
15 amounting to a total of 3.4 degrees increase in  
16 that time. Global climate models project that  
17 mean annual temperatures in New York City alone  
18 will increase by 4.1 degrees to 5.7 degrees  
19 Fahrenheit by 2050, when Eliot and my daughter  
20 are well into their middle ages.

21           Precipitation from 1900 to 2013, the  
22 mean annual precipitation in Central Park has  
23 increased at a rate of about 0.8 inches per  
24 decade. That's a total increase, in just that  
25 amount of time, of 8 inches.

1           Sea level rise and flooding. Sea  
2 level in New York City is projected to rise from  
3 11 to 21 inches by the 2050s, 18 to 39 inches by  
4 2080. And it could reach as high as six feet  
5 20 years beyond that. New York City's flood zone  
6 is projected to double over the next 80 years to  
7 cover 100 square miles of the city. That's  
8 100 square miles of the most densely populated  
9 city on earth.

10           And extreme weather -- we've all  
11 experienced it. The frequency of heat waves is  
12 projected to triple by the 2080s, and extreme  
13 cold events are projected to increase as well.

14           So there are warning signs with  
15 species. But warm water, coral reef, and arctic  
16 ecosystems are already experiencing irreversible  
17 regime shifts, and these risks are increasing as  
18 temperatures increase.

19           And we should be mindful of the  
20 economic impact of climate change. With extreme  
21 weather events predicted to increase, we have to  
22 be prepared for economic impacts including  
23 infrastructure damage, rebuilding costs. The  
24 direct cost of Superstorm Sandy alone was  
25 \$71.4 billion. That's the second-costliest storm

1 in history after Katrina.

2 Now, this is kind of like a  
3 slow-moving disaster movie. And you might not  
4 see the lamp of the Statue of Liberty jutting out  
5 of the sand like you did in Planet of the Apes,  
6 but we are dooming our children's future unless  
7 we act now.

8 Now, the People's Climate March, I  
9 think a lot of us attended that. Three hundred  
10 fifty thousand people attended it. It was in my  
11 district less than a year ago. But what have we  
12 done to address it? Where is New York's climate  
13 action plan? Who's in charge of climate change  
14 in New York State? Can you name that person? I  
15 can't.

16 Next week the Pope is going to be  
17 hosting a summit on climate change called Protect  
18 the Earth, Dignify Humanity at the Vatican, with  
19 the United Nations and the experts on global  
20 warming. And His Holiness is going to issue an  
21 encyclical sometime this summer. He's coming,  
22 the Pope is coming to New York City to address  
23 the U.N. on September 25th. Are we going to be  
24 ready to provide him with New York State's  
25 climate action plan?

1           Mr. President, I support this  
2 resolution but urge my colleagues, as we move  
3 forward in this legislative session, to take  
4 decisive steps to reverse global warming and  
5 climate change.

6           Thank you, Mr. President.

7           ACTING PRESIDENT MARCELLINO:    Thank  
8 you, Senator.

9           Senator Serrano.

10          SENATOR SERRANO:    Thank you very  
11 much, Mr. President.

12          And I rise in support of this  
13 resolution and also to join my colleagues in  
14 pointing out how important Earth Day is, not only  
15 today or this week, but throughout the entire  
16 year.

17          The truth is that we are part of  
18 nature. We are not separate from it, we are not  
19 apart from it. Nature is us, and we are part of  
20 it. And when we talk about the effects of human  
21 activity on our natural environment, it should  
22 not be something that is used as a political  
23 wedge issue. It should not be something that is  
24 used as some sort of a partisan artifact to drive  
25 apart people.

1           The facts are pretty clear and  
2 pretty scientific that the human species has had  
3 an effect on the environment. And we also have a  
4 great opportunity to rectify a lot of the  
5 problems that have been created.

6           When you look at the environmental  
7 dangers that are among us, many of the toxins  
8 that are leaching into our environment, and then  
9 you consider so many unexplained medical  
10 instances that continue to come up year after  
11 year, we have to use the technology that we have  
12 in front of us to help create cleaner and more  
13 environmentally friendly ways of achieving the  
14 same results that we see pesticides and other  
15 toxic materials achieving, so that we can have a  
16 society that economically is sound but at the  
17 same time we're not destroying our natural  
18 environment in order to do it.

19           And also I think that it's time that  
20 we come together as elected officials around the  
21 issue of climate change and, once again, not use  
22 it as a wedge issue. It's unfortunate that there  
23 are still many climate change deniers either here  
24 in this state or in this nation who believe that  
25 there is still a debate to be had over which

1 whether climate change is real.

2 I think we need to move past that.  
3 Let's stop pointing fingers at one another, and  
4 let's join together in understanding that the  
5 only legacy that we have to leave when we are no  
6 longer on this planet is our environment. And we  
7 leave that for our children and for our  
8 grandchildren.

9 So I want to thank the sponsor,  
10 Senator O'Mara, for his resolution, and I hope  
11 that we continue to move forward in a spirit of  
12 unity for environmental conservation.

13 Thank you.

14 ACTING PRESIDENT MARCELLINO: Thank  
15 you, Senator.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: Yes, I rise  
18 in support of this resolution.

19 And I don't think it was inadvertent  
20 that the sponsor left out the word "climate  
21 change," because it's sometimes difficult to  
22 follow the politically correct term. It was  
23 "global warming" a few years ago. And I can  
24 attest, being from Syracuse, New York, that the  
25 globe wasn't warming around Syracuse this winter.

1           So by putting a label to good  
2 environmental practices is a very risky thing.  
3 And that's why it was not put in this resolution.  
4 Thank you.

5           ACTING PRESIDENT MARCELLINO:    Thank  
6 you, Senator DeFrancisco.

7           This resolution was just adopted.  
8 What do you want to do next? Does the sponsor  
9 want to open it up for cosponsorship?

10          SENATOR DeFRANCISCO:    Yes.

11          ACTING PRESIDENT MARCELLINO:    All  
12 right. The resolution is open for cosponsorship.  
13 If you wish to be, you will be on it. If you do  
14 not wish to be, let the desk know.

15          Senator DeFrancisco.

16          SENATOR DeFRANCISCO:    Yes, we have  
17 a previously adopted resolution, 1473, by Senator  
18 Espaillet. It was previously adopted, but he'd  
19 like to open it up for cosponsorship.

20          ACTING PRESIDENT MARCELLINO:    That  
21 will be done.

22          SENATOR DeFRANCISCO:    All right.  
23 So if you don't want to be a sponsor, you have to  
24 notify the desk.

25          Senator Espaillet has some

1 introductions to make as well.

2 ACTING PRESIDENT MARCELLINO:

3 Senator Espaillat.

4 SENATOR ESPAILLAT: Thank you,  
5 Mr. President, for allowing me to greet some  
6 New Yorkers that are here today, a group of  
7 residents from the City of New York and around  
8 the state who call themselves NYC Votes.

9 And among them you have the League  
10 of Women Voters but also Dominicanos USA, which  
11 is a grassroots group that has been conducting  
12 efforts to make sure that voters have an easy  
13 route to cast their vote. And amongst their  
14 goals is to increase voter registration and to  
15 make it easier for voters to be able to cast  
16 their votes across the City of New York and the  
17 state.

18 So I want to welcome them. They're  
19 in the gallery, if you can stand up. We welcome  
20 you to Albany and wish you the very best.

21 Thank you.

22 (Standing ovation.)

23 ACTING PRESIDENT MARCELLINO:

24 Senator DeFrancisco.

25 SENATOR DeFRANCISCO: Can we be at

1 ease for hopefully a couple of minutes.

2 ACTING PRESIDENT MARCELLINO: The  
3 Senate will stand at ease.

4 (Whereupon, the Senate stood at ease  
5 at 4:52 p.m.)

6 (Whereupon, the Senate reconvened at  
7 4:59 p.m.)

8 SENATOR DeFRANCISCO: Mr.  
9 President.

10 ACTING PRESIDENT MARCELLINO:  
11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: May we have  
13 the reading of the noncontroversial calendar,  
14 please.

15 ACTING PRESIDENT MARCELLINO: The  
16 Secretary will engage the noncontroversial  
17 reading of the calendar.

18 THE SECRETARY: Calendar Number  
19 187, by Senator Ranzenhofer, Senate Print 3082,  
20 an act to amend the Public Authorities Law.

21 ACTING PRESIDENT MARCELLINO: Read  
22 the last section.

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

25 ACTING PRESIDENT MARCELLINO: Call

1 the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT MARCELLINO: The  
5 bill is passed.

6 THE SECRETARY: Calendar Number  
7 262, by Senator Panepinto, Senate Print 3644, an  
8 act to amend the Real Property Tax Law.

9 ACTING PRESIDENT MARCELLINO: Read  
10 the last section.

11 THE SECRETARY: Section 2. This  
12 act shall take effect on the 120th day.

13 ACTING PRESIDENT MARCELLINO: Call  
14 the roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT MARCELLINO:  
17 Senator Gianaris, do you want to make an  
18 announcement?

19 SENATOR GIANARIS: After the vote.

20 ACTING PRESIDENT MARCELLINO:  
21 Announce the results, please.

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT MARCELLINO: The  
24 bill is passed.

25 Senator Gianaris.

1                   SENATOR GIANARIS:    Thank you.

2                   The reason I wanted to wait is  
3 because I was going to announce that this was  
4 Senator Panepinto's first bill, but I have to  
5 wait for it to pass first.

6                   So congratulations, Senator  
7 Panepinto.

8                   (Applause.)

9                   ACTING PRESIDENT MARCELLINO:    The  
10 Secretary will read.

11                   SENATOR DeFRANCISCO:    Would you  
12 recognize me, please?

13                   ACTING PRESIDENT MARCELLINO:  
14 Senator DeFrancisco.

15                   SENATOR DeFRANCISCO:    I just want  
16 to say how important this is, Senator Panepinto.  
17 I have not had a bill passed this year.

18                   (Laughter.)

19                   SENATOR DeFRANCISCO:    And I can't  
20 seem to get one on the calendar other than the  
21 budget bills, which people are upset with,  
22 usually.

23                   But thank you.

24                   ACTING PRESIDENT MARCELLINO:    The  
25 Secretary will read the next bill.

1           THE SECRETARY:    Calendar Number  
2 278, by Senator Gallivan, Senate Print 92, an act  
3 to amend the Environmental Conservation Law.

4           ACTING PRESIDENT MARCELLINO:    Read  
5 the last section.

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

8           ACTING PRESIDENT MARCELLINO:    Call  
9 the roll.

10                           (The Secretary called the roll.)

11           ACTING PRESIDENT MARCELLINO:    If  
12 you're a no vote, please raise your hand up so we  
13 can tell.

14                           Announce the results, please.

15           THE SECRETARY:    In relation to  
16 Calendar Number 278, those recorded in the  
17 negative are Senators Addabbo, Comrie, Espaillet,  
18 Hoylman, Krueger, Rivera, Sanders and Serrano.

19                           Ayes, 53.  Nays, 8.

20           ACTING PRESIDENT MARCELLINO:    The  
21 bill is passed.

22           THE SECRETARY:    Calendar Number  
23 280, by Senator LaValle, Senate Print 368 --

24           SENATOR DeFRANCISCO:    Lay it aside.

25           ACTING PRESIDENT MARCELLINO:    The

1 bill is laid aside.

2 THE SECRETARY: Calendar Number  
3 281, by Senator Libous, Senate Print 829, an act  
4 to amend Chapter 455 of the Laws of 2011.

5 ACTING PRESIDENT MARCELLINO: Read  
6 the last section.

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

9 ACTING PRESIDENT MARCELLINO: Call  
10 the roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 60 -- ayes,  
13 59. Nays, 2 --

14 ACTING PRESIDENT MARCELLINO: Wait  
15 a second. Please raise your hands if you're  
16 voting no on this bill.

17 Announce the results.

18 THE SECRETARY: Ayes, 58. Nays, 3.  
19 Senators Espailat, Hoylman and Serrano recorded  
20 in the negative.

21 ACTING PRESIDENT MARCELLINO: The  
22 bill is passed.

23 THE SECRETARY: Calendar Number  
24 283, by Senator Avella, Senate Print 1555, an act  
25 establishing.

1                   ACTING PRESIDENT MARCELLINO:    Read  
2 the last section.

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

5                   ACTING PRESIDENT MARCELLINO:    Call  
6 the roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT MARCELLINO:  
9 Senator Avella to explain his vote.

10                  SENATOR AVELLA:    Thank you,  
11 Mr. President.

12                  First I'd like to thank Senator  
13 LaValle for his continued support and help on  
14 this issue.

15                  As my colleagues will remember, last  
16 session we passed this legislation, the Assembly  
17 passed it.  The Governor vetoed the bill, but in  
18 vetoing it he said that the Department of  
19 Environmental Conservation would come back with a  
20 revised nonlethal plan.

21                  DEC has come back with a plan, and  
22 in fact the cutoff date for public comment is  
23 this Friday.  Unfortunately, the new plan does  
24 not go far enough and we still have major issues  
25 with it.

1           So this bill we need to pass today  
2 to hold the agency's feet to the fire and make  
3 sure that they come back to the Legislature with  
4 a plan that's more acceptable to everybody who  
5 wants to preserve the mute swans throughout the  
6 entire state.

7           So I urge my colleagues to vote for  
8 the bill.

9           ACTING PRESIDENT MARCELLINO:  
10 Announce the results.

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

13           ACTING PRESIDENT MARCELLINO:    The  
14 bill is passed.

15           THE SECRETARY:    Calendar Number  
16 284, by Senator Bonacic, Senate Print 1676, an  
17 act to amend the Environmental Conservation Law.

18           ACTING PRESIDENT MARCELLINO:    Read  
19 the last section.

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

22           ACTING PRESIDENT MARCELLINO:    Call  
23 the roll.

24           (The Secretary called the roll.)

25           ACTING PRESIDENT MARCELLINO:    It

1 would be helpful if staff, as you assist your  
2 Senators, please try not to block them off,  
3 because they've got to see who's raising their  
4 hand.

5 Senator Krueger to explain her vote.

6 SENATOR KRUEGER: Thank you,  
7 Mr. President. I rise to explain why I'm voting  
8 no today.

9 I'm not conceptually opposed to a  
10 forest industry task force to work out these  
11 issues. But the membership in this task force is  
12 not going to include representatives from the DEC  
13 with overall responsibility for these issues in  
14 our state, nor would it include a representative  
15 of the Adirondack Park Agency, which oversees a  
16 disproportionate share of all of the forests in  
17 the State of New York.

18 So I urge the sponsor to amend his  
19 bill, and perhaps it stands a better chance of  
20 passing both houses and becoming law. Because I  
21 think there's certainly many things involving our  
22 forests and forestry that are worthy of  
23 discussion in a task force model, but you need to  
24 have the right people around the table.

25 Thank you, Mr. President.

1                   ACTING PRESIDENT MARCELLINO:    Thank  
2 you.  You will be recorded in the negative.

3                   Announce the results.

4                   THE SECRETARY:    In relation to  
5 Calendar Number 284, those recorded in the  
6 negative are Senators Avella, Comrie, Hoylman,  
7 Krueger, Panepinto, Perkins, Rivera, Serrano and  
8 Squadron.  Also Senator Espaillat.

9                   Ayes, 51.  Nays, 10.

10                  ACTING PRESIDENT MARCELLINO:    The  
11 bill is passed.

12                  THE SECRETARY:    Calendar Number  
13 285, by Senator LaValle, Senate Print 1876, an  
14 act to amend the Environmental Conservation Law.

15                  ACTING PRESIDENT MARCELLINO:    Read  
16 the last section.

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

19                  ACTING PRESIDENT MARCELLINO:    Call  
20 the roll.

21                  (The Secretary called the roll.)

22                  THE SECRETARY:    Ayes, 61.

23                  ACTING PRESIDENT MARCELLINO:    The  
24 bill is passed.

25                  THE SECRETARY:    Calendar Number

1 287, by Senator Ortt, Senate Print 2953A, an act  
2 to amend the Environmental Conservation Law.

3 ACTING PRESIDENT MARCELLINO: Read  
4 the last section.

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

7 ACTING PRESIDENT MARCELLINO: Call  
8 the roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT MARCELLINO:  
11 Announce the results, please.

12 THE SECRETARY: In relation to  
13 Calendar Number 287, those recorded in the  
14 negative are Senators Addabbo, Carlucci,  
15 Espaillat, Hoylman, Klein, Krueger, LaValle,  
16 Marcellino and Serrano.

17 Ayes, 52. Nays, 9.

18 ACTING PRESIDENT MARCELLINO: The  
19 bill is passed.

20 THE SECRETARY: Calendar Number  
21 342, by Senator Marchione, Senate Print 1195, an  
22 act to amend the Environmental Conservation Law.

23 ACTING PRESIDENT MARCELLINO: Read  
24 the last section.

25 THE SECRETARY: Section 3. This

1 act shall take effect immediately.

2 ACTING PRESIDENT MARCELLINO: Call  
3 the roll, please.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT MARCELLINO:  
6 Announce the results.

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT MARCELLINO: The  
9 bill is passed.

10 THE SECRETARY: Calendar Number  
11 343, by Senator Bonacic, Senate Print 1599, an  
12 act to amend the Environmental Conservation Law.

13 ACTING PRESIDENT MARCELLINO: Read  
14 the last section, please.

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

17 ACTING PRESIDENT MARCELLINO: Call  
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT MARCELLINO:  
21 Please raise your hand clearly so we know if  
22 you're voting in the negative.

23 Announce the results.

24 THE SECRETARY: In relation to  
25 Calendar Number 343, those recorded in the

1 negative are Senators Comrie, Espallat,  
2 Hamilton, Hassell-Thompson, Hoylman, Kennedy,  
3 Krueger, Montgomery, Panepinto, Perkins, Sanders,  
4 Serrano and Stavisky.

5 Ayes, 48. Nays, 13.

6 ACTING PRESIDENT MARCELLINO: The  
7 bill is passed.

8 THE SECRETARY: Calendar Number  
9 344, by Senator O'Mara, Senate Print 1625, an act  
10 to amend the Environmental Conservation Law.

11 SENATOR GIANARIS: Lay it aside.

12 ACTING PRESIDENT MARCELLINO: Lay  
13 the bill aside.

14 THE SECRETARY: Calendar Number  
15 345, by Senator Marcellino, Senate Print 1626, an  
16 act to amend the Environmental Conservation Law.

17 ACTING PRESIDENT MARCELLINO: Read  
18 the last section of this worthy bill.

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

21 ACTING PRESIDENT MARCELLINO: Call  
22 the roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT MARCELLINO: The

1 bill is passed.

2 THE SECRETARY: Calendar Number  
3 346, by Senator Libous, Senate Print 1689, an act  
4 to amend the Environmental Conservation Law.

5 ACTING PRESIDENT MARCELLINO: Read  
6 the last section, please.

7 THE SECRETARY: Section 5. This  
8 act shall take effect immediately.

9 ACTING PRESIDENT MARCELLINO: Call  
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT MARCELLINO:  
13 Announce the results.

14 THE SECRETARY: In relation to  
15 Calendar Number 346, those recorded in the  
16 negative are Senators Espailat, Hoylman, Perkins  
17 and Serrano.

18 Ayes, 57. Nays, 4.

19 ACTING PRESIDENT MARCELLINO: The  
20 bill is passed.

21 THE SECRETARY: Calendar Number  
22 347, by Senator Libous, Senate Print 1781, an act  
23 to amend the Environmental Conservation Law.

24 ACTING PRESIDENT MARCELLINO: Read  
25 the last section.

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

3 ACTING PRESIDENT MARCELLINO: Call  
4 the roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 58. Nays, 3.  
7 Senators Hoylman, Perkins and Serrano recorded in  
8 the negative.

9 ACTING PRESIDENT MARCELLINO: The  
10 bill is passed.

11 THE SECRETARY: Calendar Number  
12 348, by Senator Marcellino, Senate Print 1804, an  
13 act to amend the Tax Law.

14 ACTING PRESIDENT MARCELLINO: Read  
15 the last section.

16 THE SECRETARY: Section 4. This  
17 act shall take effect April 1, 2016.

18 ACTING PRESIDENT MARCELLINO: Call  
19 the roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT MARCELLINO: The  
23 bill is passed.

24 THE SECRETARY: Calendar Number  
25 349, by Senator LaValle, Senate Print 1872, an

1 act to amend the Environmental Conservation Law.

2 ACTING PRESIDENT MARCELLINO: Read  
3 the last section, please.

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

6 ACTING PRESIDENT MARCELLINO: Call  
7 the roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT MARCELLINO: The  
11 bill is passed.

12 THE SECRETARY: Ayes 60. Nays, 1.  
13 Senator Hoylman recorded in the negative.

14 ACTING PRESIDENT MARCELLINO: The  
15 bill is still passed.

16 THE SECRETARY: Calendar Number  
17 350, by Senator Lanza, Senate Print 2543, an act  
18 to amend Chapter 395 of the Laws of 1978.

19 ACTING PRESIDENT MARCELLINO: Read  
20 the last section, please.

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

23 ACTING PRESIDENT MARCELLINO: Call  
24 the roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT MARCELLINO: The  
3 bill is passed.

4 THE SECRETARY: Calendar Number  
5 351, by Senator Ortt, Senate Print 2905, an act  
6 to amend the Tax Law.

7 ACTING PRESIDENT MARCELLINO: Read  
8 the last section.

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

11 ACTING PRESIDENT MARCELLINO: Call  
12 the roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT MARCELLINO: The  
16 bill is passed.

17 THE SECRETARY: Calendar Number  
18 352, by Senator Ranzenhofer, Senate Print 2951,  
19 an act to amend the Environmental Conservation  
20 Law.

21 ACTING PRESIDENT MARCELLINO: Read  
22 the last section, please.

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

25 ACTING PRESIDENT MARCELLINO: Call

1 the roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 58. Nays, 3.  
4 Senators Hoylman, Perkins and Serrano recorded in  
5 the negative.

6 ACTING PRESIDENT MARCELLINO: The  
7 bill is passed.

8 THE SECRETARY: Calendar Number  
9 353, by Senator Larkin, Senate Print 3025, an act  
10 to amend the Environmental Conservation Law.

11 ACTING PRESIDENT MARCELLINO: Read  
12 the last section.

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

15 ACTING PRESIDENT MARCELLINO: Call  
16 the roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT MARCELLINO: The  
20 bill is passed.

21 THE SECRETARY: Calendar Number  
22 354, by Senator Funke, Senate Print 3029, an act  
23 to amend the Environmental Conservation Law.

24 ACTING PRESIDENT MARCELLINO: Read  
25 the last section.

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

3 ACTING PRESIDENT MARCELLINO: Call  
4 the roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT MARCELLINO: The  
8 bill is passed.

9 Senator DeFrancisco.

10 SENATOR DeFRANCISCO: Yes. Have we  
11 voted on the Funke bill yet?

12 ACTING PRESIDENT MARCELLINO: Yes,  
13 we did.

14 SENATOR DeFRANCISCO: Well, that  
15 being the case, this is also Senator Funke's  
16 first bill, another new Senator who passed a bill  
17 before I have this session.

18 Congratulations.

19 (Applause.)

20 ACTING PRESIDENT MARCELLINO:  
21 Senator Funke, do you want to speak on the bill,  
22 explain your vote?

23 SENATOR FUNKE: Thank you,  
24 Mr. President.

25 This bill is pretty straightforward,

1 as everybody has read and seen, I believe  
2 something easily supported by my colleagues on  
3 both sides of the aisle. It provides members of  
4 the U.S. armed forces who are on leave from  
5 active military duty an exemption from the  
6 requirements of a fishing license. This will  
7 allow active service members stationed outside of  
8 New York State to come in, visit their loved ones  
9 for a day or two, and be able to take fish as if  
10 they held a New York State license.

11 I think we can all support providing  
12 assistance to our active military men and women.  
13 And as a state, we should be doing as much as we  
14 can to help our veterans.

15 Passing this legislation is going to  
16 grant active members access to enjoy New York's  
17 great outdoor activities without being restricted  
18 by the current rules that are in place. It will  
19 encourage tourism throughout the state, which I  
20 am certainly hopeful will result in additional  
21 revenue to New York State.

22 There's no downside to the bill. It  
23 will not cost the state any money, as active  
24 military men are already capable of receiving a  
25 free fishing license from New York. So by

1 passing this bill today we're simply making it  
2 easier for our military men and women to enjoy  
3 the fun of fishing in our beautiful State of  
4 New York.

5 Thank you very much, Mr. President.

6 ACTING PRESIDENT MARCELLINO: Thank  
7 you, Senator. Your vote will be recorded in the  
8 affirmative.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number  
11 355, by Senator Young, Senate Print 3060, an act  
12 to amend the Environmental Conservation Law.

13 ACTING PRESIDENT MARCELLINO: Read  
14 the last section.

15 THE SECRETARY: Section 4. This  
16 act shall take effect immediately.

17 ACTING PRESIDENT MARCELLINO: Call  
18 the roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT MARCELLINO: The  
22 bill is passed.

23 THE SECRETARY: Calendar Number  
24 356, by Senator Young, Senate Print 3064, an act  
25 to amend the Environmental Conservation Law.

1                   ACTING PRESIDENT MARCELLINO:    Read  
2 the last section.

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

5                   ACTING PRESIDENT MARCELLINO:    Call  
6 the roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:    Ayes, 61.

9                   ACTING PRESIDENT MARCELLINO:    The  
10 bill is passed.

11                   THE SECRETARY:    Calendar Number  
12 357, by Senator Avella, Senate Print 3945, an act  
13 to amend the Tax Law.

14                   SENATOR GIANARIS:    Lay it aside.

15                   SENATOR AVELLA:    Lay it aside for  
16 the day, please.

17                   ACTING PRESIDENT MARCELLINO:    The  
18 bill is laid aside for the day at the request of  
19 the sponsor.

20                   THE SECRETARY:    Calendar Number  
21 360, by Senator Ortt, Senate Print 4279, an act  
22 to amend the Tax Law.

23                   SENATOR GIANARIS:    Lay it aside.

24                   ACTING PRESIDENT MARCELLINO:    The  
25 bill is laid aside.

1                   THE SECRETARY:     Calendar Number  
2     361, by Senator Bonacic, Senate Print 4368, an  
3     act to amend the Environmental Conservation Law.

4                   ACTING PRESIDENT MARCELLINO:     Read  
5     the last section, please.

6                   THE SECRETARY:     Section 2.   This  
7     act shall take effect on the first of July.

8                   ACTING PRESIDENT MARCELLINO:     Call  
9     the roll.

10                   (The Secretary called the roll.)

11                   ACTING PRESIDENT MARCELLINO:  
12     Announce the results.

13                   THE SECRETARY:     In relation to  
14     Calendar Number 361, those recorded in the  
15     negative are Senators Comrie, Espailat,  
16     Hassell-Thompson, Hoylman, Krueger, Peralta,  
17     Rivera, Sanders, Serrano and Squadron.   Also  
18     Senator Perkins.

19                   Ayes, 50.   Nays, 11.

20                   ACTING PRESIDENT MARCELLINO:     The  
21     bill is passed.

22                   THE SECRETARY:     Calendar Number  
23     362, by Senator Little, Senate Print 4563, an act  
24     to amend the Environmental Conservation Law.

25                   ACTING PRESIDENT MARCELLINO:     Read

1 the last section, please.

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

4 ACTING PRESIDENT MARCELLINO: Call  
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MARCELLINO:  
8 Senator Little to explain her vote.

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

11 We all know that we have many  
12 volunteers within our districts who do great  
13 work. And many of you do have search and rescue  
14 volunteers, as I do in my district. This bill --  
15 and I thank you for your support for it -- would  
16 actually formalize a training and certification  
17 program for them through the forest rangers. The  
18 forest rangers do train them, but it's on an  
19 informal basis. And we believe that this  
20 certification program would help attract more.

21 I've actually witnessed a search and  
22 rescue mission by our New York State forest  
23 rangers, DEC as well as many of the -- it  
24 happened to be in the Southern Adirondack Search  
25 and Rescue. And there is a method to doing it,

1 and a certain way of doing it to make sure that  
2 it's effective and that you have searched an  
3 entire area.

4 So this is important, and I really  
5 appreciate your support for it, as do I'm sure  
6 the forest rangers, who hopefully will have more  
7 volunteers.

8 Thank you.

9 ACTING PRESIDENT MARCELLINO:  
10 Announce the results, please.

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT MARCELLINO: The  
13 bill is passed.

14 THE SECRETARY: Calendar Number  
15 363, by Senator Griffo, Senate Print 4753, an act  
16 to amend the Tax Law.

17 ACTING PRESIDENT MARCELLINO: Read  
18 the last section.

19 THE SECRETARY: Section 8. This  
20 act shall take effect December 1, 2015.

21 ACTING PRESIDENT MARCELLINO: Call  
22 the roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT MARCELLINO: The

1 bill is passed.

2           Senator DeFrancisco, that completes  
3 the noncontroversial reading of the calendar.

4           SENATOR DeFRANCISCO:    Can we do the  
5 controversial reading, please.

6           ACTING PRESIDENT MARCELLINO:    The  
7 Secretary will ring the bells.  Members will come  
8 into the chambers, please.

9           The Secretary will read Calendar  
10 Number 280.

11           THE SECRETARY:    Calendar Number  
12 280, by Senator LaValle, Senate Print 368, an act  
13 authorizing.

14           ACTING PRESIDENT MARCELLINO:    Read  
15 the last section.

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

18           ACTING PRESIDENT MARCELLINO:    Call  
19 the roll.

20           (The Secretary called the roll.)

21           ACTING PRESIDENT MARCELLINO:  
22 Announce the results, please.

23           (Pause.)

24           ACTING PRESIDENT MARCELLINO:    Ring  
25 the bell again, please.

1 Can we read the last section.

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

4 ACTING PRESIDENT MARCELLINO: Call  
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT MARCELLINO:  
8 Announce the results, please.

9 THE SECRETARY: Ayes, 59.  
10 Absent from voting: Senators  
11 Breslin and Croci.

12 ACTING PRESIDENT MARCELLINO: The  
13 bill is passed.

14 THE SECRETARY: Calendar Number  
15 344, by Senator O'Mara, Senate Print 1625, an act  
16 to amend the Environmental Conservation Law.

17 ACTING PRESIDENT MARCELLINO: Read  
18 the last section.

19 SENATOR KRUEGER: Explanation.

20 ACTING PRESIDENT MARCELLINO:  
21 Senator O'Mara, Senator Krueger would like an  
22 explanation.

23 SENATOR O'MARA: Thank you,  
24 Mr. President.

25 This bill would direct the

1 Department of Environmental Conservation to  
2 develop materials for hunting, fishing and  
3 outdoor education instructions to be taught in  
4 physical education classes in Grades 9 through 12  
5 in a circumstance where there was an interest by  
6 10 or more students in having such a component  
7 within their physical education course.

8 SENATOR KRUEGER: Through you,  
9 Mr. President, if the sponsor would please yield.

10 ACTING PRESIDENT MARCELLINO:  
11 Senator O'Mara, do you yield?

12 SENATOR O'MARA: Yes.

13 ACTING PRESIDENT MARCELLINO: He  
14 yields.

15 SENATOR KRUEGER: Thank you.

16 Does the sponsor know of any other  
17 new mandatory educational classes in school  
18 systems that would have to be taught because  
19 10 or more students requested it?

20 SENATOR O'MARA: Mr. President,  
21 through you, I'm not aware of any other similar  
22 situation as that.

23 But I think it's best that it gives  
24 the opportunity, if there is interest, to do it,  
25 rather than just outright dictating and mandating

1 that that be provided. That there would be, you  
2 know, some showing of interest by that minimum  
3 number of students.

4 SENATOR KRUEGER: Through you,  
5 Mr. President, if the sponsor would continue to  
6 yield.

7 ACTING PRESIDENT MARCELLINO: I'm  
8 sure he yields.

9 SENATOR KRUEGER: Thank you.

10 ACTING PRESIDENT MARCELLINO:  
11 You're welcome.

12 SENATOR KRUEGER: Does the school  
13 system have to hire instructors to provide these  
14 training classes?

15 SENATOR O'MARA: No. My intention  
16 with this legislation is that it would be  
17 provided by their regular phys ed teacher in the  
18 school. As they have different components of the  
19 phys ed courses throughout the year, this would  
20 be, you know, one section of a phys ed course.  
21 Which I presume would be taught by the physical  
22 education teacher that's already there in the  
23 classroom.

24 SENATOR KRUEGER: Through you,  
25 Mr. President, if the sponsor would continue to

1 yield.

2                   ACTING PRESIDENT MARCELLINO:    The  
3 sponsor yields.

4                   SENATOR O'MARA:    Yes, I do.

5                   SENATOR KRUEGER:    So my  
6 understanding is that phys ed teachers are  
7 actually licensed and certified as phys ed  
8 teachers in the State of New York.  Is there any  
9 part of their educational training requirements  
10 that involve them becoming experts in hunting and  
11 the teaching of hunting?

12                   SENATOR O'MARA:    I do not know the  
13 answer to that Senator, as to whether that's part  
14 of their education and training or not.

15                   But the legislation directs that DEC  
16 work in conjunction with the Commissioner of  
17 Education to develop these materials that would  
18 be provided for the teachers to utilize in their  
19 instruction.

20                   SENATOR KRUEGER:    Through you,  
21 Mr. President, if the sponsor would continue to  
22 yield.

23                   SENATOR O'MARA:    Yes.

24                   ACTING PRESIDENT MARCELLINO:    The  
25 sponsor yields.

1                   SENATOR KRUEGER:    Would we be  
2 testing them at the end of the course to  
3 determine their grade on their hunting  
4 curriculum?

5                   SENATOR O'MARA:    Yeah, I assume  
6 that there would be testing, however it's done in  
7 any other phys ed circumstance.  You know, I  
8 don't see this being part of Common Core with the  
9 ability to opt out of whatever tests they may not  
10 want to take.

11                   But phys ed is graded in a number of  
12 ways -- not necessarily with written tests, but  
13 just based on activity and enthusiasm in the gym.

14                   SENATOR KRUEGER:    Through you,  
15 Mr. President, if the sponsor would continue to  
16 yield.

17                   ACTING PRESIDENT MARCELLINO:    I'm  
18 sure the sponsor yields.

19                   SENATOR O'MARA:    Yes.

20                   SENATOR KRUEGER:    Thank you.

21                   So if 10 students come and say we  
22 want a class in bow hunting, another 10 come and  
23 say they want a class in muscle loading, another  
24 10 come and say they want a class in crossbow  
25 hunting, another 10 come and say they want a

1 class in rifle hunting, does the school have an  
2 obligation to offer four or five or six different  
3 classes in different kinds of hunting?

4 SENATOR O'MARA: That's not my  
5 reading of the legislation or my intention.

6 It would be able to provide a  
7 general instruction and information on the  
8 various aspects of hunting and fishing, to get  
9 our youth more involved in these activities.

10 These are physical activities that  
11 individuals can carry on throughout their entire  
12 life, much more so than playing team sports or  
13 some of the other activities that take place in  
14 gym class. And we want to encourage young people  
15 to partake in these healthy activities, and it's  
16 something they can do for the rest of their life.

17 SENATOR KRUEGER: On the bill,  
18 Mr. President.

19 ACTING PRESIDENT MARCELLINO:  
20 Senator Krueger on the bill.

21 SENATOR KRUEGER: I thank the  
22 sponsor for his answers.

23 I cannot vote for this bill. One,  
24 it actually should be in discussions with SED for  
25 Education Law, far more than DEC with

1 Environmental Conservation Law.

2 Two, it's an unfunded mandate for  
3 our schools. Because I actually, when I read the  
4 bill, I think if you have a hundred different  
5 students who come in in groups of 10 and want  
6 different subsetted classes in different areas of  
7 hunting and fishing, that school would be  
8 expected or obligated to come up with  
9 10 different teachers creating 10 different units  
10 in 10 different kinds of hunting.

11 I don't know about the issue of  
12 testing in phys ed. It's true much physical ed  
13 is involved with can you accomplish A, B and C,  
14 and they let you know. But I guess a hunting  
15 class, because I'm assuming we're not having them  
16 actually hunt during the school hours -- well,  
17 your face makes me think I'd better ask another  
18 question, Mr. President.

19 ACTING PRESIDENT MARCELLINO: It's  
20 the coffee.

21 SENATOR KRUEGER: It's the coffee,  
22 okay.

23 So I don't think we're taking them  
24 out hunting or fishing during the school day, so  
25 I'm not sure how we would evaluate the success or

1 failure of the classes.

2           Given so much pressure on our school  
3 systems, so many demands on our young people and  
4 on our teachers, I actually don't think it is  
5 good public policy for a mandate like this, with  
6 not nearly enough detail, no money and an  
7 assumption of costs by the individual school  
8 districts.

9           I also just -- as long as I'm up  
10 here explaining my vote, I'm so disappointed that  
11 on Earth Day we have a package of bills that in  
12 theory relate to Earth Day, but none of them  
13 involve improving climate change, or apparently  
14 it's politically incorrect to say the term. None  
15 of the bills actually match with the assignment  
16 of what we're supposed to be doing today.

17           So I wish there was a different  
18 group of bills today. Perhaps tomorrow we can  
19 deal with some of the harder EnCon bills that we  
20 are not touching today.

21           But I will need to vote no on this,  
22 Mr. President. Thank you.

23           ACTING PRESIDENT MARCELLINO: Is  
24 there anyone else who wishes to speak on this  
25 bill?

1                   Seeing none, the debate is closed.

2                   The Secretary will ring the bells.

3                   Read the last section.

4                   THE SECRETARY:    Section 3.  This  
5                   act shall take effect on the first of July.

6                   ACTING PRESIDENT MARCELLINO:  Call  
7                   the roll.

8                   (The Secretary called the roll.)

9                   ACTING PRESIDENT MARCELLINO:  
10                  Senator Bonacic to explain his vote.

11                  SENATOR BONACIC:  Thank you,  
12                  Mr. President.

13                  I'm not going to support this bill  
14                  because it's a mandate on the school districts.

15                  But what you did today, you approved  
16                  a similar bill, which was Senate Bill 4368, which  
17                  was similar to what Senator O'Mara was trying to  
18                  pass.

19                  Now, let me talk about an aspect of  
20                  this that you may not have considered.  Obesity  
21                  in our country and our state is growing.  They  
22                  anticipate that a third of the youth are obese.  
23                  And part of the reason is not only the kinds of  
24                  foods that they may eat, with the fast food  
25                  generation, but it's because they're addicted to

1 the Internet, to video games, and they don't have  
2 a tendency to engage in any outdoor activity.

3 I happened to be at my local school  
4 district and witnessed a phys ed class where high  
5 school kids were asked to walk around a track  
6 once. Four times was a mile, but once was all  
7 that was required for their physical ed training  
8 or activity.

9 What we're trying to do is to allow  
10 our youth and educate our youth there are things  
11 out there that are worth pursuing that engages  
12 more physical exercise, where they can enjoy  
13 themselves whatever they do, to help a healthier  
14 lifestyle, help reduce obesity. That's really  
15 the purpose of my bill and I think Senator  
16 O'Mara's bill.

17 Thank you, Mr. President.

18 ACTING PRESIDENT MARCELLINO:  
19 Senator Gianaris to explain his vote.

20 SENATOR GIANARIS: Thank you,  
21 Mr. President. I just wanted to comment on this  
22 bill.

23 I'll be voting no, and in part it's  
24 because there's a distinction between this bill  
25 and the similar bill we passed earlier. It's

1 because this bill allows any 10 students in a  
2 school to require this change, as opposed to the  
3 bill we passed earlier.

4           And since I heard the comments that  
5 were just made, and I do agree that we need to  
6 make sure our kids in school have an appropriate  
7 amount of time and dedication to physical  
8 education, I would also point out that then it  
9 would behoove the majority to not pass a budget  
10 that puts so much emphasis on testing so that the  
11 kids are not focused on things like physical  
12 education and other aspects of schooling that  
13 would perhaps be more beneficial to their health  
14 because they're too busy being taught to the  
15 tests that we're requiring that so many of us  
16 think are excessive and should not happen.

17           Thank you, Mr. President.

18           ACTING PRESIDENT MARCELLINO:

19           Senator DeFrancisco to explain his vote.

20           SENATOR DeFRANCISCO: I'd hate to  
21 overtax the students. I mean, it would be a  
22 horrible thing for students to be overtaxed to  
23 actually be able to exercise and take tests.  
24 That would be awful.

25           But I'm going to vote yes anyway.

1 (Laughter.)

2 ACTING PRESIDENT MARCELLINO:

3 Senator DeFrancisco will be recorded in the  
4 affirmative.

5 Announce the results, please.

6 THE SECRETARY: In relation to  
7 Calendar Number 344, those recorded in the  
8 negative are Senators Carlucci, Comrie,  
9 Espaillat, Gianaris, Hamilton, Hassell-Thompson,  
10 Hoylman, Krueger, Little, Montgomery, Peralta,  
11 Perkins, Rivera, Sanders, Serrano, Squadron and  
12 Stavisky. Also Senator Bonacic.

13 Absent from voting: Senator  
14 Breslin.

15 Ayes, 42. Nays, 18.

16 ACTING PRESIDENT MARCELLINO: The  
17 bill is passed.

18 THE SECRETARY: Calendar Number  
19 360, by Senator Ortt, Senate Print 4279, an act  
20 to amend the Tax Law.

21 ACTING PRESIDENT MARCELLINO: Read  
22 the last section.

23 I'm sorry -- Senator Gianaris, why  
24 do you rise?

25 SENATOR GIANARIS: Mr. President, I

1 believe there's an amendment at the desk. I ask  
2 that the reading of the amendment be waived and  
3 that I may be heard on the amendment.

4 ACTING PRESIDENT MARCELLINO:

5 Senator, there is an amendment at the desk which  
6 I have reviewed. And your amendment, I rule that  
7 it is not germane to the bill and is therefore  
8 out of order.

9 SENATOR GIANARIS: Thank you,  
10 Mr. President. I would like to appeal from that  
11 decision and ask that I be heard on the appeal.

12 ACTING PRESIDENT MARCELLINO: You  
13 may be heard on the appeal.

14 SENATOR GIANARIS: Thank you.

15 My amendment to this legislation is  
16 germane because it does maintain the same purpose  
17 and address the same area of law as the  
18 underlying bill.

19 The main bill we're about to discuss  
20 provides a tax cut for residential geothermal  
21 heat pump systems, which I agree is a good cause  
22 that will help single-family homeowners.

23 But as long as we are engaged in an  
24 effort to reduce the tax burden on the middle  
25 class, I would like to suggest this amendment

1 that specifically pertains to tax relief that was  
2 given to the upper classes of our state and the  
3 wealthy. In our recently enacted budget the  
4 Senate majority led the way to enact the  
5 notorious tax exemption on sales tax for yachts  
6 and luxury airlines.

7           The exemption on yachts applies to  
8 boats more than \$230,000 a year. So for anyone  
9 who wants to buy a boat up to \$230,000, the taxes  
10 apply. But for those who want to buy only the  
11 most expensive yachts is the way the tax break  
12 applies. Similarly, private jets getting a tax  
13 break were also included in that budget.

14           At the same time, we didn't do  
15 anything to increase the minimum wage in this  
16 year's budget. We didn't do anything to enact  
17 paid family leave in this year's budget. But we  
18 did take the time to enact a tax cut on the  
19 people who need it the least in the state.

20           Now, some members of the majority  
21 are trying to have it both ways. So we vote for  
22 the budget, and then we suggest legislation to  
23 repeal the thing we just voted on. So this  
24 amendment actually mimics Senate Bill 4816 word  
25 for word. And I would suggest that if people do

1 support repealing the yacht and the private  
2 airplane tax, they should vote for the  
3 germaneness of this amendment and vote for the  
4 amendment so we can agree to get rid of it once  
5 and for all.

6 Thank you, Mr. President.

7 ACTING PRESIDENT MARCELLINO:

8 Anybody else wishing to be heard?

9 Seeing none, the debate is closed.

10 All those in favor of overruling the  
11 ruling of the chair please say aye.

12 SENATOR GIANARIS: Show of hands.

13 ACTING PRESIDENT MARCELLINO: Show  
14 of hands.

15 Announce the results, please.

16 THE SECRETARY: Ayes, 24.

17 ACTING PRESIDENT MARCELLINO: The  
18 ruling of the chair is upheld.

19 Read the last section on the bill.

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

22 ACTING PRESIDENT MARCELLINO: Call  
23 the roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1 Senator Breslin absent from voting.

2 ACTING PRESIDENT MARCELLINO: The  
3 bill is passed.

4 Senator DeFrancisco, that concludes  
5 the controversial reading of the calendar.

6 SENATOR DeFRANCISCO: Is there any  
7 further business at the desk?

8 ACTING PRESIDENT MARCELLINO: I am  
9 told the desk is clear, sir.

10 SENATOR DeFRANCISCO: Okay. That  
11 being the case, we're adjourned until Thursday,  
12 April 23rd, at 11:00 a.m.

13 ACTING PRESIDENT MARCELLINO: On  
14 motion, the Senate stands adjourned until  
15 Thursday --

16 SENATOR GIANARIS: Mr. President.

17 ACTING PRESIDENT MARCELLINO: I'm  
18 sorry?

19 SENATOR GIANARIS: I apologize.  
20 Before we adjourn, I think we should just  
21 recognize we have a birthday in the chamber  
22 today: Reverend Senator Ruben Díaz.

23 (Applause; cross-talk.)

24 ACTING PRESIDENT MARCELLINO:  
25 (Gaveling.) If the birthday boy would take his

1 hat off in chambers, that would be helpful.

2 On motion, the Senate stands  
3 adjourned until Thursday, April 23rd, at  
4 11:00 a.m.

5 (Whereupon, at 5:42 p.m., the Senate  
6 adjourned.)

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