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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 7, 2016

2:08 p.m.

REGULAR SESSION

SENATOR THOMAS D. CROCI, Acting President

FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT CROCI: In the
10 absence of clergy, would you all please bow your
11 heads for a moment of silence.

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

14 ACTING PRESIDENT CROCI: The
15 reading of the Journal.

16 THE SECRETARY: In Senate, Monday,
17 June 6th, the Senate met pursuant to
18 adjournment. The Journal of Sunday, June 5th,
19 was read and approved. On motion, Senate
20 adjourned.

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

23 Presentation of petitions.

24 Messages from the Assembly.

25 The Secretary will read.

1 THE SECRETARY: On page 14,
2 Senator Golden moves to discharge, from the
3 Committee on Veterans, Homeland Security and
4 Military Affairs, Assembly Bill Number 9191 and
5 substitute it for the identical Senate Bill
6 6465, Third Reading Calendar 244.

7 On page 18, Senator Amedore moves
8 to discharge, from the Committee on
9 Transportation, Assembly Bill Number 9028B and
10 substitute it for the identical Senate Bill
11 Number 6372A, Third Reading Calendar 411.

12 On page 30, Senator Hannon moves to
13 discharge, from the Committee on Health,
14 Assembly Bill Number 9188B and substitute it for
15 the identical Senate Bill 6347B, Third Reading
16 Calendar 784.

17 On page 32, Senator Marchione moves
18 to discharge, from the Committee on Finance,
19 Assembly Bill Number 9509 and substitute it for
20 the identical Senate Bill 6329, Third Reading
21 Calendar 812.

22 On page 40, Senator LaValle moves
23 to discharge, from the Committee on Education,
24 Assembly Bill Number 9422 and substitute it for
25 the identical Senate Bill 6851, Third Reading

1 Calendar 1039.

2 On page 41, Senator DeFrancisco
3 moves to discharge, from the Committee on
4 Education, Assembly Bill Number 9516 and
5 substitute it for the identical Senate Bill
6 6930, Third Reading Calendar 1040.

7 On page 43, Senator LaValle moves
8 to discharge, from the Committee on
9 Environmental Conservation, Assembly Bill Number
10 9218 and substitute it for the identical Senate
11 Bill 6678, Third Reading Calendar 1063.

12 On page 49, Senator Golden moves to
13 discharge, from the Committee on Health,
14 Assembly Bill Number 356 and substitute it for
15 the identical Senate Bill 6730, Third Reading
16 Calendar 1146.

17 On page 64, Senator Golden moves to
18 discharge, from the Committee on Higher
19 Education, Assembly Bill Number 9129A and
20 substitute it for the identical Senate Bill
21 6552A, Third Reading Calendar 1322.

22 On page 66, Senator O'Mara moves to
23 discharge, from the Committee on Environmental
24 Conservation, Assembly Bill Number 9643 and
25 substitute it for the identical Senate Bill

1 7177, Third Reading Calendar 1334.

2 On page 71, Senator Montgomery moves
3 to discharge, from the Committee on Crime
4 Victims, Crime and Correction, Assembly Bill
5 Number 1984 and substitute it for the identical
6 Senate Bill 6806, Third Reading Calendar 1455.

7 ACTING PRESIDENT CROCI: The
8 substitutions are so ordered.

9 Messages from the Governor.

10 Reports of standing committees.

11 Reports of select committees.

12 Communications and reports from
13 state officers.

14 Motions and resolutions.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: Yes, on
17 page 16 I offer the following amendments to
18 Calendar 333, Senate Print Number 6739A, by
19 Senator Boyle, and ask that the bill retain its
20 place on the Third Reading Calendar.

21 ACTING PRESIDENT CROCI: So
22 ordered.

23 SENATOR DeFRANCISCO: I would like
24 to call up Senator Nozzolio's bill, Senate Print
25 Number 1584, recalled from the Assembly, which is

1 now at the desk.

2 ACTING PRESIDENT CROCI: The
3 Secretary will read the title of the bill.

4 THE SECRETARY: Calendar Number
5 205, by Senator Nozzolio, Senate Print 1584, an
6 act to amend the Vehicle and Traffic Law.

7 SENATOR DeFRANCISCO: I now move to
8 reconsider the vote by which the bill was passed.

9 ACTING PRESIDENT CROCI: Please
10 call the roll on reconsideration.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 45.

13 ACTING PRESIDENT CROCI: The bill
14 is restored to its place on the Third Reading
15 Calendar.

16 SENATOR DeFRANCISCO: I now offer
17 the following amendments.

18 ACTING PRESIDENT CROCI: The
19 amendments are received, and the bill retains its
20 place on the Third Reading Calendar.

21 SENATOR DeFRANCISCO: I would now
22 like to call up Senate Print 1954, by Senator
23 Nozzolio, recalled from the Assembly, which is
24 now at the desk.

25 ACTING PRESIDENT CROCI: The

1 Secretary will read the title of the bill.

2 THE SECRETARY: Calendar Number
3 273, by Senator Nozzolio, Senate Print 1954, an
4 act to amend the Vehicle and Traffic Law.

5 SENATOR DeFRANCISCO: I now move to
6 reconsider the vote by which the bill was passed.

7 ACTING PRESIDENT CROCI: Call the
8 roll on reconsideration.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 45.

11 ACTING PRESIDENT CROCI: The bill
12 is restored to its place on the Third Reading
13 Calendar.

14 SENATOR DeFRANCISCO: I now offer
15 the following amendments.

16 ACTING PRESIDENT CROCI: The
17 amendments are received, and the bill retains its
18 place on the Third Reading Calendar.

19 SENATOR DeFRANCISCO: Next I wish
20 to call up Senator Gallivan's bill, Senate Print
21 Number 6669, recalled from the Assembly, which is
22 now at the desk.

23 ACTING PRESIDENT CROCI: The
24 Secretary will read the title of the bill.

25 THE SECRETARY: Calendar Number

1 656, by Senator Gallivan, Senate Print 6669, an
2 act to amend the Vehicle and Traffic Law.

3 SENATOR DeFRANCISCO: I now move to
4 reconsider the vote by which the bill was passed.

5 ACTING PRESIDENT CROCI: Call the
6 roll on reconsideration.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 45.

9 ACTING PRESIDENT CROCI: The bill
10 is restored to its place on the Third Reading
11 Calendar.

12 SENATOR DeFRANCISCO: I now offer
13 the following amendments.

14 ACTING PRESIDENT CROCI: The
15 amendments are received, and the bill retains its
16 place on the Third Reading Calendar.

17 SENATOR DeFRANCISCO: Next I have
18 amendments to the following Third Reading
19 Calendar bills:

20 Senator Golden, page 22, Calendar
21 Number 607, Senate Print 6704A;

22 My bill, page 50, Calendar Number
23 838, Senate Print 7500;

24 Senator Bonacic's bill, page 44,
25 Calendar 1074, Senate Print 6485;

1 Senator Serino's bill, page 61,
2 Calendar Number 1288, Senate Print 7777 -- should
3 play those numbers today;

4 Senator Griffo's bill, page 64,
5 Calendar 1315, Senate Print 7455;

6 Senator Marcellino's bill, page 18,
7 Calendar 403, Senate Print Number 6873;

8 Senator Murphy's bill, page 39,
9 Calendar 999, Senate Print Number 5774;

10 Senator Akshar's bill, page 43,
11 Calendar 1062, Senate Print 6664;

12 Senator Ortt's bill, page 23,
13 Calendar 648, Senate Print 3123;

14 And lastly Senator Seward's bill,
15 page 22, Calendar 620, Senate Print 5250.

16 And I now move that these bills
17 retain their place on the order of third reading.

18 ACTING PRESIDENT CROCI: So
19 ordered. The amendments are received, and the
20 bills shall retain their place on the Third
21 Reading Calendar.

22 SENATOR DeFRANCISCO: Would you
23 please recognize Senator Valesky.

24 ACTING PRESIDENT CROCI: Senator
25 Valesky.

1 Can we have some order in the house,
2 please (gaveling).

3 Senator Valesky.

4 SENATOR VALESKY: Thank you,
5 Mr. President.

6 On behalf of Senator Savino, on
7 page 24 I offer the following amendments to
8 Calendar 662, Senate Bill 7149, and ask that said
9 bill retain its place on the Third Reading
10 Calendar.

11 ACTING PRESIDENT CROCI: The
12 amendments are received, and the bill shall
13 retain its place on the Third Reading Calendar.

14 SENATOR VALESKY: And on behalf of
15 Senator Carlucci, I wish to call up his bill,
16 1227A, recalled from the Assembly, which is now
17 at the desk.

18 ACTING PRESIDENT CROCI: The
19 Secretary will read the title of the bill.

20 THE SECRETARY: Calendar Number
21 574, by Senator Carlucci, Senate Print 1227A, an
22 act to amend the Alcoholic Beverage Control Law.

23 SENATOR VALESKY: Mr. President, I
24 now move to reconsider the vote by which this
25 bill was passed.

1 ACTING PRESIDENT CROCI: Please
2 call the roll on reconsideration.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 45.

5 ACTING PRESIDENT CROCI: The bill
6 is restored to its place on the Third Reading
7 Calendar.

8 SENATOR VALESKY: I now offer the
9 following amendments.

10 ACTING PRESIDENT CROCI: The
11 amendments are received, and the bill shall
12 retain its place on the Third Reading Calendar.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Now would you
15 please recognize Senator Akshar for an
16 introduction of a very special guest today in the
17 chambers.

18 ACTING PRESIDENT CROCI: Senator
19 Akshar.

20 SENATOR AKSHAR: Mr. President,
21 thank you very much. Mr. Floor Leader, thank you
22 very much for your indulgence.

23 You know, folks, every once in a
24 while we get to travel our district and meet
25 great people. But today I'm going to introduce

1 to you a very special person, somebody I consider
2 my number-one constituent in my district. Her
3 name is Madeline Shaw. She's also here with her
4 mother and father, Kevin and Amy -- they're
5 seated in the back -- her grandparents Donna and
6 Bill Sczesny, her grandmother Dee Shaw, and
7 Maddie's aunt, Ashley Cook.

8 By way of background, if you'll
9 indulge me, Maddie in 2013, in December, was
10 diagnosed with Ewing sarcoma. It's a very rare
11 form of cancer, about 200 cases in the United
12 States each year.

13 A little bit about the background,
14 if I may. She started 12 rounds of chemotherapy
15 at Golisano Children's Hospital in Syracuse. In
16 June of 2014 she had to travel to the Children's
17 Hospital of Philadelphia, where she had a major
18 surgery in which they removed the left side of
19 her pelvis and her hip.

20 She continues to do well from that.
21 She spends a month in the hospital. In August of
22 2014 she got a rare blood infection that put her
23 back in the hospital in Syracuse for two weeks.
24 August of '14 she goes back to CHOP and has more
25 surgery on her lungs, where the cancer had

1 spread.

2 Maddie in 2014, September, completes
3 her last round of chemotherapy, has some
4 radiation. August of 2015, a year later, the
5 cancer returns to her lungs.

6 She has had a total of 22 rounds of
7 chemotherapy. She's 11 years old. She's just
8 finishing up the sixth grade. She never
9 complains, never. It's amazing. She's a
10 fighter. She is inspirational. She is a hard
11 worker. Some say this past week that Ali is a
12 champ. I would respectfully argue that Madeline
13 Shaw is the champ, the true champ.

14 Madeline, please stand up and come
15 forward for me, please.

16 (Standing ovation.)

17 SENATOR AKSHAR: May 20th, Maddie
18 finished her last chemotherapy treatment. She's
19 responding very well.

20 And her family is incredibly strong
21 as well. Mom's run a couple of half marathons
22 during this; Dad competed in the Iron Man. They
23 lost their house to a fire. Maddie has a
24 beautiful sister, Alexis, who couldn't be with us
25 here today.

1 She's just truly inspiring, and I
2 wanted everybody in this house to get a chance to
3 meet her. Visit her Facebook page, Team Maddie.

4 And her favorite thing is M&Ms. So
5 Maddie, once again, honey, here you go, babe.

6 (Applause.)

7 SENATOR AKSHAR: Mr. Floor Leader,
8 thank you for your indulgence.

9 SENATOR DeFRANCISCO: Thank you for
10 bringing Maddie here. And it's truly an
11 inspiring story. What a wonderful story.

12 Mr. President, can we now adopt the
13 Resolution Calendar, with the exception of
14 Resolutions 6089, 6139, and 6163.

15 ACTING PRESIDENT CROCI: All in
16 favor of adopting the Resolution Calendar, with
17 the exception of Resolutions 6089, 6139, and
18 6163, signify by saying aye.

19 (Response of "Aye.")

20 ACTING PRESIDENT CROCI: Opposed,
21 nay.

22 (No response.)

23 ACTING PRESIDENT CROCI: The
24 Resolution Calendar is adopted.

25 Senator.

1 SENATOR DeFRANCISCO: Now can we
2 take up the privileged resolution by Senators
3 Flanagan, Klein and Stewart-Cousins, and please
4 read it in its entirety.

5 ACTING PRESIDENT CROCI: The
6 Secretary will read.

7 THE SECRETARY: Legislative
8 Resolution 6223, by Senators Flanagan, Klein and
9 Stewart-Cousins, mourning the death of Muhammad
10 Ali, three-time World Heavyweight Boxing
11 Champion, role model, and humanitarian.

12 "WHEREAS, It is the sense of this
13 Legislative Body to acknowledge outstanding
14 athletes who distinguish themselves through their
15 exceptional performance, attaining unprecedented
16 success and the highest level of personal
17 achievement; and

18 "WHEREAS, It is with great sorrow
19 and deep regret that this Legislative Body
20 records the passing of Muhammad Ali, noting the
21 significance of his purposeful life and
22 accomplishments; and

23 "WHEREAS, Widely regarded as one of
24 the most significant and celebrated sporting
25 figures of the 20th century, Muhammad Ali died

1 on Friday, June 3, 2016, in Scottsdale, Arizona,
2 at the age of 74; and

3 "WHEREAS, Born Cassius Marcellus
4 Clay, Jr., on January 17, 1942, in Louisville,
5 Kentucky, to Cassius Marcellus Clay, Sr., and
6 Odessa O'Grady Clay, Muhammad Ali became
7 interested in boxing at a young age when his
8 bicycle was stolen; Louisville police officer and
9 boxing coach Joe E. Martin suggested to the irate
10 12 year-old that he should learn to box to ensure
11 it would never happen again; and

12 "WHEREAS, Cassius Clay, Jr., made
13 his amateur boxing debut in 1954; he would go on
14 to win six Kentucky Golden Gloves titles, two
15 national Golden Gloves titles, an Amateur
16 Athletic Union national title, and the Light
17 Heavyweight Gold Medal in the 1960 Summer
18 Olympics in Rome, Italy; his amateur record was
19 100 wins with five losses; and

20 "WHEREAS, Cassius Clay, Jr., made
21 his professional debut on October 29, 1960, under
22 the direction of trainer and mentor Angelo
23 Dundee, who would remain with him throughout his
24 22-year career before retiring in 1981; and

25 "WHEREAS, In his first professional

1 match, Cassius Clay, Jr., won a six-round
2 decision over Tunney Hunsaker; from then until
3 the end of 1963, he amassed a record of 19-0,
4 with 15 wins by knockout; and

5 "WHEREAS, Cassius Clay, Jr.,
6 defeated numerous boxers including Tony Esperti,
7 Jim Robinson, Donnie Fleeman, Alonzo Johnson,
8 George Logan, Willi Besmanoff, Lamar Clark, Doug
9 Jones and Henry Cooper; in addition, he defeated
10 his former trainer and veteran boxer Archie Moore
11 in a 1962 match; and

12 "WHEREAS, By late 1963, Cassius
13 Clay, Jr., became the top contender for Sonny
14 Liston's heavyweight title; after six rounds, he
15 was declared the winner by TKO when Liston failed
16 to answer the bell; and

17 "WHEREAS, At 22 years old, Cassius
18 Clay, Jr., declared himself 'The Greatest,'
19 proving his pre-match prediction to 'float like a
20 butterfly and sting like a bee'; and

21 "WHEREAS, Shortly after capturing
22 the title, Cassius Clay, Jr., became a member of
23 the Nation of Islam and the sect leader, Elijah
24 Muhammad, personally renamed him Muhammad Ali;
25 and

1 "WHEREAS, After a nearly four-year
2 sabbatical, 30-year-old Muhammad Ali returned to
3 boxing in October of 1970; on March 8, 1971, he
4 squared off with the current heavyweight
5 champion, Joe Frazier, at Madison Square Garden
6 in what was billed as the 'Fight of the Century';
7 the match was broadcast to 35 foreign countries;
8 and

9 "WHEREAS, Muhammad Ali began
10 training at a farm near Reading, Pennsylvania, in
11 1971 and, finding the country setting to his
12 liking, sought to develop a real training camp in
13 the countryside; and

14 "WHEREAS, He found a five-acre site
15 on a Pennsylvania country road in the village of
16 Deer Lake, Pennsylvania; on this site, he carved
17 out what was to become his training camp, the
18 camp where he lived and trained for the many
19 fights he had from 1972 to the end of his career
20 in the 1980s; and

21 "WHEREAS, The defeat of Joe Frazier
22 set the stage for a title fight against
23 heavyweight champion George Foreman in Kinshasa,
24 Zaire, on October 30, 1974; during this bout,
25 nicknamed 'The Rumble in the Jungle,' Muhammad

1 Ali knocked him out in the 8th round and regained
2 the heavyweight title; and

3 "WHEREAS, He then faced Joe Frazier
4 for the third and final time in the 'Thrilla in
5 Manila,' a bout held in the Philippines in 1975;
6 in the 15th round, Muhammad Ali won by TKO; and

7 "WHEREAS, Due to his successful
8 boxing career, Muhammad Ali became an
9 international celebrity; he starred in the 1977
10 film adaptation of his autobiography, 'The
11 Greatest', which soared him to superstar status;
12 and

13 "WHEREAS, In 1984, Muhammad Ali was
14 diagnosed with Parkinson's syndrome, but would
15 later be identified as Parkinson's disease;
16 despite his illness, he remained active with
17 several public appearances, such as the 1987
18 Tournament of Roses Parade, lit the flame at the
19 1996 Summer Olympics in Atlanta, and was on the
20 set of the 2001 film entitled 'Ali,' starring
21 Will Smith; and

22 "WHEREAS, Remembered by countless
23 fans, friends and family members, Muhammad Ali is
24 survived by his fourth wife, Yolanda ('Lonnie')
25 Williams, nine children -- Laila Ali, Rasheda

1 Ali, Hana Ali, Asaad Amin, Maryum Ali, Jamillah
2 Ali, Khaliah Ali, Muhammad Ali Jr., and Miya
3 Ali -- and a brother, Rahman Ali; and

4 "WHEREAS, A gifted athlete, Muhammad
5 Ali was a renowned legend in the sport of
6 professional boxing; after more than two decades,
7 his character and achievements stand as a
8 sterling example and inspiration to all who would
9 aspire to succeed; he will be deeply missed and
10 truly merits the grateful tribute of this
11 Legislative Body; now, therefore, be it

12 "RESOLVED, That this Legislative
13 Body pause in its deliberations to mourn the
14 death of Muhammad Ali, three-time World
15 Heavyweight Boxing Champion, role model and
16 humanitarian, and to express its deepest
17 condolences to his family; and be it further

18 "RESOLVED, That a copy of this
19 resolution, suitably engrossed, be transmitted to
20 the family of Muhammad Ali."

21 ACTING PRESIDENT CROCI: Senator
22 Flanagan.

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

25 You know, we obviously have great

1 traditions in this house, and this legislative
2 resolution I think underscores some of the work
3 that we do here. I'm actually really humbled
4 just to be able to get up and say a few words.
5 And I don't think I'm any different from anybody
6 else in this room. At the ripe young age of 55,
7 I can say that I distinctly remember the career
8 of Muhammad Ali and, like any other kid, you
9 know, "float like a butterfly, sting like a bee."

10 Watching the videos of him, his
11 footwork alone -- I mean, he could -- it was
12 like -- remember Fred Flintstone with the car
13 with the feet? Yeah. Muhammad Ali was a heck of
14 a lot faster than Fred Flintstone.

15 But, you know, his life -- I just
16 said to Senator DeFrancisco, if you look back,
17 it's almost hard for me to fathom that he ever
18 lost a professional fight. You know, the guy
19 became so much larger than life itself that it
20 seems like he was always undefeated. And, you
21 know, being dubbed and termed "The Greatest," he
22 really lived up to that.

23 And I guess what I would want to do
24 is he obviously turned out to be a fantastic role
25 model, particularly in the latter part of his

1 life. And he was a person who could envelop a
2 room. He took everything right in as soon as he
3 was there. Thinking back to the Summer Olympics
4 when he carried the torch, certainly in my own
5 life I don't remember historically anyone else
6 carrying the torch.

7 But he was larger than life. And
8 while we are all proud New Yorkers, we can
9 certainly celebrate the achievements of someone
10 known as "The Greatest" for many reasons.
11 Certainly our condolences go out to the Ali
12 family. And may we all learn continued great
13 lessons from "The Greatest," Muhammad Ali.

14 Thank you, Mr. President.

15 ACTING PRESIDENT CROCI: Senator
16 Stewart-Cousins.

17 SENATOR STEWART-COUSINS: Yes.
18 Yes, thank you, Mr. President.

19 I really want to follow what Senator
20 Flanagan said. I'm glad that we are offering
21 this resolution.

22 My story of Ali is a personal story,
23 because my brother worked for him for many years.
24 My brother, when he returned from Vietnam, went
25 to work and eventually became a transit cop. And

1 he had the opportunity to go to an Ali fight, and
2 he took his whole paycheck to get a ringside seat
3 so that he could see the champ. And you can
4 imagine everyone saying to him: "What are you
5 doing? You're taking your whole paycheck to go
6 to a fight."

7 He was so enamored by Ali, this
8 young brash black man who stood up for himself,
9 who was all of the things that we know him to be,
10 but had such an air of pride, self-confidence,
11 grace -- articulate, poetic, and just the
12 embodiment of what anyone would want to be.

13 And this young black police officer
14 was inspired and went -- he got a T-shirt that
15 said "The Champ," and he brought this T-shirt
16 ringside. And sure enough, one of Ali's security
17 people saw my brother and said, "Do you want to
18 bring that to the champ?" And he said "I would
19 love to." And he had an opportunity to go back
20 into the dressing room and present his T-shirt to
21 the champ. The champ invited him to go to
22 training camp. And before you know it, my
23 brother was doing security for Muhammad Ali.

24 This police officer who we laughed
25 at about spending his paycheck to pursue his

1 dream to be in the presence of his idol taught me
2 a lesson back then, taught every kid a lesson
3 back then. It says, you know what? Your dreams,
4 no matter how outlandish to others, can come true
5 if you pursue it with clarity and, in his case, a
6 pure heart.

7 He never forgot his time with Ali.
8 We never forgot it. But the reality is that even
9 as Ali aged and fought the battles that he fought
10 with Parkinson's, he did it with the same amount
11 of humor, the same amount of grace, the same
12 amount of making sure that he lived bigger than
13 life even as he battled this disease.

14 So I too offer condolences to the
15 Ali family, but also offer the great remembrances
16 of a great man. And I hope that each and every
17 one of us will follow our dreams, not have any
18 fear, have the courage, and really learn from his
19 example and be bigger than life.

20 Thank you.

21 ACTING PRESIDENT CROCI: Senator
22 Sanders.

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

25 I want to thank Senator Flanagan and

1 others for coming forward with this one.

2 I think I'll start with Ali saying
3 it himself. He said it's better to suffer one
4 day in the gym and live the rest of your life as
5 a champion. And that's something that we all
6 should take to heart.

7 The master of the sweet science
8 itself. A savior of boxing. You have to put
9 things in context. Boxing was really fading out
10 at the time when this young man jumped up and
11 declared himself "The Greatest," a point where he
12 said that -- he said it so young that after a
13 while, he started believing it.

14 But the context is the most
15 important if one wants to try to understand
16 Muhammad Ali. Ali came about in a time when it
17 was a bad time to be black in America. A very,
18 very bad time to be black in America. We had to
19 scratch when nothing was itching us; we had to
20 laugh when there was nothing funny. And in spite
21 of those things where silence and everything we
22 were taught, to be silent, stay in your place,
23 know your role, say nothing -- Ali broke on the
24 scene and said, No, I'm going to speak out, I'm
25 going to live an incredibly large life.

1 But Ali did more than that. Ali
2 transcended himself, where he outgrew what he was
3 and became something far larger. He became a
4 citizen of the world. A person who -- one
5 example, in 1981 he was down in Philadelphia, I
6 believe, doing something and he heard about a guy
7 who was across the street about to jump out of a
8 building and kill himself. Ali immediately grabs
9 his entourage and they go running across the
10 street, and he was able to talk the man down from
11 killing himself.

12 Most people would have -- you know,
13 maybe where they would have felt -- said some
14 prayers for the guy. But Ali took it personal.

15 He transcended boxing so much that
16 the question becomes is he a boxer known for his
17 work outside of the ring, or outside of the ring
18 is he also known as a boxer? Where he became an
19 ambassador of peace. He became an ambassador for
20 goodwill. And Lord knows we could use him as an
21 ambassador of religion right around now. The
22 world seems to be in flame. We really need to
23 have some voices that would get up there and say
24 we need bridges, not walls for ourselves.

25 But he never lost the common touch.

1 Ali remembers that he went to his -- one of his
2 idols, Archie Moore, and asked him for an
3 autograph, and Archie said, "No, I don't have
4 time for that." Muhammad Ali said from that
5 point on that he would never forget, and he
6 always stopped and took time for little people
7 and gave them his autograph.

8 He also said that he wished that
9 people would love each other the way they loved
10 him. He wished that somehow he could share that
11 love that everybody was gushing towards him and
12 share it with everyone else.

13 So if we were to remember my idol --
14 not an idol, I don't have those -- but my hero, a
15 personal hero of mine that I learned from, from
16 his brash days to his incredible talent. If we
17 were to learn from him, we would say that we, in
18 his honor, would attack the diseases, Parkinson's
19 and others, with the intensity that he attacked
20 folk in the ring. That we would attack all of
21 the things that divide people with the intensity
22 that he tried to unite people with. That if we
23 could stay humble to ourselves with others and at
24 the same time be a terror on anything that
25 threatens democracy and justice, then we would do

1 Muhammad Ali a great service.

2 And if we wanted to do anything to
3 honor him, why don't we in New York State say
4 that we're going to do something about
5 Parkinson's, that we're going to do something
6 about any of these dreaded illnesses and in his
7 honor we're going to knock out Parkinson's or any
8 of these others.

9 Thank you, Mr. President.

10 ACTING PRESIDENT CROCI: Senator
11 Espaillat.

12 SENATOR ESPAILLAT: Thank you,
13 Mr. President. I also stand to speak on this
14 resolution.

15 Muhammad Ali -- Cassius Clay,
16 Muhammad Ali, he was one of those folks, one of
17 those individuals, gifted individuals that I
18 think could be described as a universal man,
19 Da Vinci's universal man, someone that could do
20 just about anything. He probably would have been
21 great at anything he chose.

22 He was, of course, a great boxer, a
23 great athlete. He revolutionized boxing because
24 he was the first heavyweight to be able to move
25 the way he did, with the speed and the precision

1 that he did. And in that sense, you know, he
2 revolutionized the sport.

3 But he was also an activist, a
4 social activist, someone who opposed the war in
5 Vietnam and maybe was very much disliked in
6 America at that time, but catapulted from being
7 probably one of the most disliked persons in
8 America to being really the most loved person in
9 America, as we saw him light the torch for the
10 Olympic Games in Atlanta.

11 He was a religious man, a Muslim.
12 For many Americans at that time, they didn't even
13 understand what that faith was. He was a pioneer
14 in allowing us to understand what that faith is.

15 And of course, you know, he was a
16 poet. A poet. Maybe should have been a Pulitzer
17 Prize-winning poet. And I'm sure all of us know
18 some of his poetry, whether you say I float like
19 a butterfly and sting like a bee. My favorite
20 one is the one that he said when he was going to
21 face Joe Frazier, and he said "After Frazier
22 doesn't answer the bell, I will get out the ring
23 and take on Howard Cosell."

24 And so he was a poet, right? And a
25 fighter and a social activist and a religious man

1 and then became synonymous with peace and fought
2 the disease.

3 I got to meet him once, and he was
4 already fighting his illness. And my daughter,
5 who's now 27, was a small child, and he lifted
6 her and I saw him trembling. And I felt -- I
7 felt so bad for him because he was such a
8 monument of a man. He's like Paul Robeson, you
9 know, who was a Rhodes Scholar and an athlete and
10 a classical singer. He could just do anything he
11 wanted to do. That was the great Muhammad Ali.

12 So in closing, Mr. President,
13 Muhammad, may you forever float like a butterfly
14 and sting like a bee.

15 ACTING PRESIDENT CROCI: Senator
16 Hamilton.

17 SENATOR HAMILTON: Yes,
18 Mr. Chairman, I rise for the resolution for
19 Muhammad Ali.

20 I just spoke with his brother
21 yesterday, Rahman Ali, to give my condolences to
22 the family and to let him know we'll be sending
23 him a copy of the resolution today, sending it to
24 his home in Chicago.

25 I just want to say, for me, Muhammad

1 Ali was inspirational. He was a black man that
2 fought in the ring with distinction, but he was
3 also a man that gave up his career for his
4 beliefs. He was stripped of his title for not
5 going to war for religious beliefs. And many
6 people would have gone to war, not fought at all,
7 and just paraded around while others died all
8 around them. And it takes a man with strong
9 religious beliefs to give up your heavyweight
10 title of the world to oppose the Vietnam War.

11 And I wish we had more people like
12 Muhammad Ali today to oppose the wars that we go
13 into such as Iraq and Syria and other wars that
14 young man are dying in or coming home with no
15 relief for them.

16 So I just want to say God bless
17 Muhammad Ali and his family, and God bless him
18 for being a person who changed America in race
19 relations.

20 Thank you very much.

21 ACTING PRESIDENT CROCI: Senator
22 Hassell-Thompson.

23 SENATOR HASSELL-THOMPSON: Thank
24 you, Mr. President.

25 I rise to congratulate my colleagues

1 for bringing this resolution to the floor and for
2 the opportunity to speak upon a man that I -- I
3 just enjoyed watching in boxing.

4 Not a lot of women enjoy physical
5 sports. But as somebody who won four letters in
6 athletics in high school, Muhammad Ali came along
7 at a time when I was a high school girl. And his
8 picture on the cover of winning the Golden Gloves
9 for Sports Illustrated was one of the sexiest
10 pictures I ever remember seeing.

11 And of course as a teenage girl at
12 that time, you know, I did the droolies like
13 everybody else. But -- and so he really
14 introduced a lot of us to boxing that had nothing
15 to do with the sport itself.

16 But as the years passed, the roles
17 that he chose to play and the stage upon which he
18 insisted upon presenting himself had more to do
19 with just the fight game, but it had everything
20 to do with, as my colleague was saying, with the
21 whole civil rights movement. And he did a lot
22 more for civil rights than we will ever give him
23 credit for, primarily because he wasn't just
24 concerned about the rights of people of color,
25 but he was concerned about how people lived their

1 lives and truly what freedom meant.

2 Freedom to be able to practice your
3 religion even if it made you appear to be
4 unpatriotic, even if made you appear to be less
5 in the eyes of some of the people. But if that
6 was your religious belief, then you had a right
7 to believe it. And he walked the walk. He
8 didn't just talk the talk, even though he was
9 good at that as well.

10 The other thing that I think was
11 very important was that when he went into each of
12 the African nations, he did a lot for places like
13 Kenya and some of the other places when he
14 visited, and the young men who had an opportunity
15 to see a black man from the Americas and see him
16 become a world champion and know what was
17 possible. I mean, he demonstrated, as I heard
18 Senator Stewart-Cousins say, that he could just
19 make things happen.

20 And yes, he had a lot of mouth and a
21 lot of people were very uncomfortable. And I
22 remember the discussion between him and Howard
23 Cosell. And of course Cosell, you know, took
24 credit for making him famous. But he said,
25 "Cosell, you were nobody until I came along. I

1 made you famous." And the exchange between the
2 two of them was something to behold.

3 But I want to say today that I think
4 that throughout his life, even into his latter
5 years, he continued to uphold the rights of
6 people. He worked with one of the schools in my
7 district on an educational model. And he really
8 continued to be an example of good manhood and
9 what a black man could and should be in this
10 society.

11 And so I will always remember
12 Muhammad Ali -- not because he was the one of the
13 lightest on his feet of any boxer I've ever
14 watched, but because he lightened your heart as
15 well. And he continued to make the game not only
16 a sport, but a sport that could be respected.

17 And so for that, Mr. President, I am
18 very grateful that we have had this opportunity
19 and we take this opportunity to remember
20 Muhammad Ali.

21 ACTING PRESIDENT CROCI: Senator
22 Panepinto.

23 SENATOR PANEPINTO: Yes, I want to
24 rise and speak and thank the leaders for bringing
25 this resolution.

1 I spent the weekend at a soccer
2 tournament and drove there with one of my
3 daughters and, you know, spent a lot of time
4 talking with her about the importance of Muhammad
5 Ali. Because he really transcended sports.

6 Senator Montgomery talked about his
7 stance on civil rights, his opposition to the
8 war. And he truly was a world figure that, you
9 know, we should embrace. Athletes today don't do
10 enough in using their position to speak on
11 broader issues.

12 And as a young man, you know, I
13 watched Muhammad Ali fight. And when he fought
14 George Foreman and Joe Frazier, those were
15 worldwide events. And it was because of the
16 principled position that he took in giving up
17 3½ years of his career to fight for his
18 principles as a conscientious objector. And I
19 believe his position was borne out and that we
20 should never have been in Vietnam.

21 And I salute him, and the world is
22 less for his passing.

23 ACTING PRESIDENT CROCI: Senator
24 Krueger.

25 SENATOR KRUEGER: Thank you.

1 I rise to remind everyone that in
2 addition to Muhammad Ali being such a great
3 athlete and spokesperson for so many issues that
4 I cared about, he was also amazingly funny. And
5 I just lost the quote I was going to read, so I
6 will paraphrase.

7 That after he won the Gold Medal in
8 the Rome Olympics, he came home and he said, I'm
9 hungry and I'm going downtown for a meal." And
10 he went to a restaurant that had a history of
11 serving only whites, and he said "Get me a hot
12 dog and a cup of coffee." And the waitress said
13 to him: "We don't serve Negroes here." And
14 Muhammad Ali responded: "I don't eat Negroes.
15 I'd just like a cup of coffee and a hot dog."

16 (Laughter.)

17 SENATOR KRUEGER: And so the fact
18 that this man could so brilliantly capture the
19 issues of the world and the nation and his time
20 and so eloquently respond on behalf of many
21 people who didn't have a voice that they could
22 raise the way he did and couldn't be world
23 celebrities and couldn't represent what's best
24 about this country so well.

25 And I am just here honoring his

1 memory with my colleagues today.

2 Thank you, Mr. President.

3 ACTING PRESIDENT CROCI: Senator
4 DeFrancisco to close.

5 SENATOR DeFRANCISCO: Yes, nothing
6 can be added that isn't already in the resolution
7 and hasn't been said, except that I just want to
8 mention to the body here that every year at the
9 International Boxing Hall of Fame in Dave
10 Valesky's district, a little outside of my
11 district, they have an induction ceremony for the
12 greatest boxers of all time.

13 And a few years ago when Don King
14 got inducted, he had his whole entourage there in
15 the little village of Canastota, including Ali,
16 who was center stage. Hagler, Leonard, Holmes,
17 anybody you could possibly think of was there.
18 And it was a real high point for me and also my
19 father, who was in a wheelchair at that time, who
20 loved boxing.

21 But the message is basically this.
22 This weekend is the weekend for the induction
23 ceremonies in the Boxing Hall of Fame. And part
24 of that induction ceremony on Saturday night is a
25 dinner at the Oncenter in Syracuse, and there's

1 going to be a special tribute to Muhammad Ali at
2 the induction ceremonies this year.

3 So if anybody can make it, I'm
4 sure that -- it's a huge building at the
5 Oncenter; I'm sure that there will be tickets
6 available. And I would invite all of you to
7 continue this honor of such a great, great
8 fighter.

9 Thank you.

10 ACTING PRESIDENT CROCI: Senator
11 DeFrancisco.

12 SENATOR DeFRANCISCO: Yes, can we
13 now take up Resolution 6089.

14 ACTING PRESIDENT CROCI: Senator
15 DeFrancisco, we have to go back.

16 All in favor of adopting the
17 resolution please signify by saying aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT CROCI: Those
20 opposed, nay.

21 (No response.)

22 ACTING PRESIDENT CROCI: The
23 resolution is adopted.

24 SENATOR DeFRANCISCO: Excellent
25 idea. And that resolution should be open for

1 cosponsorship.

2 ACTING PRESIDENT CROCI: The
3 resolution is open for cosponsorship. If you do
4 not wish to be a cosponsor, please notify the
5 desk.

6 SENATOR DeFRANCISCO: All right,
7 now can we take up Resolution 6089, by Senator
8 Venditto, read it in its entirety, and call on
9 Senator Venditto.

10 ACTING PRESIDENT CROCI: The
11 Secretary will read.

12 THE SECRETARY: Legislative
13 Resolution Number 6089, by Senator Venditto,
14 honoring Suffolk County Police Officer Mark L.
15 Collins for his heroic actions in the line of
16 duty on March 12, 2015.

17 "WHEREAS, The quality and sanctity
18 of community life are cherished values, worthy of
19 safeguarding, and this Legislative Body is moved
20 to honor those individuals who serve to preserve
21 and protect such values, lauding particularly
22 their unwavering courage and dedication in the
23 daily performance of their duties; and

24 "WHEREAS, It is the sense of this
25 Legislative Body to recognize and honor those

1 distinguished officers and citizens who would
2 devote themselves to public service,
3 demonstrating great courage and diligence in
4 providing for the care and welfare of the
5 citizens of their communities and this great
6 Empire State; and

7 "WHEREAS, Attendant to such concern,
8 and in full accord with its long-standing
9 traditions, this Legislative Body is justly proud
10 to honor Suffolk County Police Officer Mark L.
11 Collins for his heroic actions in the line of
12 duty on Thursday, March 12, 2015; and

13 "WHEREAS, It is appropriate to
14 recognize and commend such outstanding law
15 enforcement officers as Mark Collins for their
16 valued contributions to the community; and

17 "WHEREAS, Mark Collins began his
18 illustrious career with the Suffolk County Police
19 Department on October 20, 2003; he has valiantly
20 served in the Second Precinct Patrol Section, the
21 Public Information Section, the Anti-Crime
22 Enforcement Section, and since March 11, 2013,
23 he has been assigned to the Second Precinct Crime
24 Section; and

25 "WHEREAS, A resident of North

1 Bellmore, New York, Officer Mark L. Collins and
2 another gang unit officer pulled a car over
3 heading east on Jericho Turnpike in Huntington
4 Station for a traffic infraction shortly after
5 midnight on March 12, 2015; and

6 "WHEREAS, After recognizing the male
7 in the left rear seat of the vehicle as a gang
8 member with a long history of violence in Suffolk
9 County, Officer Mark L. Collins ordered the man
10 out of the car; the man immediately fled the
11 scene; and

12 "WHEREAS, Officer Mark L. Collins,
13 giving chase to the fleeing suspect, caught up
14 with him at a home and hit him twice in the back
15 with Taser probes; the man fell to the ground,
16 during which time Officer Collins got onto the
17 suspect's back and tried to handcuff him; and

18 "WHEREAS, While actively trying to
19 detain him, the suspect turned onto his side and
20 opened fire with a .38-caliber revolver, shooting
21 Officer Mark L. Collins in the neck and hip;
22 miraculously, he was able to drag himself next to
23 a stoop and position himself so he was covered as
24 much as possible with his bulletproof vest; and

25 "WHEREAS, Once again, the armed

1 suspect fled the scene, and was later tracked
2 down by officers with police dogs nearly a
3 quarter-mile away, where they found him in a shed
4 and made the arrest; and

5 "WHEREAS, An esteemed 12-year
6 veteran of the Suffolk County Police Department,
7 Mark L. Collins also serves as a commissioner of
8 the North Bellmore Volunteer Fire Department; and

9 "WHEREAS, During his tenure with the
10 Suffolk County Police Department, Officer Mark L.
11 Collins has been the proud recipient of numerous
12 awards and recognitions, some of which include a
13 Bravery Gold Medal, Meritorious Police Service
14 Medal, Cop of the Year Award, Cop of the Month
15 Award, two Department Recognition Awards, seven
16 Letters of Appreciation and four Command
17 Recognition Awards; and

18 "WHEREAS, With him throughout has
19 been his loving wife, Nicole, who feels
20 privileged to be a part of his life and rejoices
21 in his achievements; and

22 "WHEREAS, Within every community of
23 the State of New York there are certain
24 individuals who, by virtue of their commitment
25 and dedication, command the respect and

1 admiration of their community for their exemplary
2 contributions and service on behalf of others;
3 Officer Mark L. Collins is such an individual;
4 and

5 "WHEREAS, It is the sense of this
6 Legislative Body that those dedicated public
7 servants who unselfishly devote their lives to
8 the preservation of order and the protection of
9 others are worthy and due full praise for their
10 commitment and noble endeavors; now, therefore,
11 be it

12 "RESOLVED, That this Legislative
13 Body pause in its deliberations to honor Suffolk
14 County Police Officer Mark L. Collins for his
15 heroic actions in the line of duty on March 12,
16 2015; and be it further

17 "RESOLVED, That a copy of this
18 resolution, suitably engrossed, be transmitted to
19 Officer Mark L. Collins."

20 ACTING PRESIDENT CROCI: Senator
21 Venditto.

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

24 I am very honored and very humbled
25 to make an important introduction here today in

1 the Senate chamber. We have with us Officer Mark
2 Collins of the Suffolk County Police Department.
3 And he is also a resident of North Bellmore and a
4 fire chief in North Bellmore as well.

5 He's joined today by his wonderful
6 wife, Nicole, and their beautiful four-month-old
7 daughter Mary, who I think was just catching a
8 nap a couple of minutes ago. And she has been
9 very well behaved today, much quieter than my son
10 Andrew was when he was an infant here last year.
11 So great job, Mary.

12 The Collins family is also joined by
13 officials from the Suffolk County Police
14 Benevolent Association. We have Pat Saunders,
15 Tom Tatarian, Joseph Link, and Steve Bienemann.

16 You know, we know that the men and
17 women who are our uniformed officers in New York
18 State, they sacrifice their lives so that we can
19 enjoy our lives. They give us the freedoms, the
20 privileges, and the opportunities that we so very
21 cherish each and every day. And Officer Collins'
22 story is one that many of us know very well. You
23 heard about it in the resolution presentation.

24 In March of last year, he made a
25 traffic stop in Huntington Station. One of the

1 passengers confronted him. That passenger tried
2 to flee the scene, and Officer Collins, in
3 pursuit, was shot in the neck and the hip.

4 Long Islanders like myself, in the
5 ensuing hours we watched and prayed with bated
6 breath that Officer Collins would pull through.
7 And because of his physical strength, because of
8 his inner strength and his will to live on, he
9 did pull through. He is here with us today to
10 tell his story and, more importantly, to continue
11 to write that story that is his amazing life.

12 Officer, I want to take this
13 opportunity just to thank you for your continued
14 service and let you and the officers who
15 accompany you know how much of a privilege it is
16 for me, the utmost of privileges, to be able to
17 sign on to this resolution. And may God continue
18 to bless you and the work that you do, and all of
19 the men and women who represent us so proudly
20 across the state as our police officers.

21 Ladies and gentlemen and my
22 colleagues, I hope you'll take a moment to join
23 me as we welcome a great officer, a great man,
24 and a true hero among us to the Senate chamber.
25 Officer Mark Collins and the men of the Suffolk

1 County Police Department.

2 (Standing ovation.)

3 ACTING PRESIDENT CROCI: Officer
4 Collins, the State Senate welcomes you and
5 confers upon you all the privileges and
6 courtesies of the house. Thank you, and God
7 bless you for your service, sir.

8 On the resolution, all those in
9 favor of the resolution signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT CROCI: Opposed,
12 nay.

13 (No response.)

14 ACTING PRESIDENT CROCI: The
15 resolution is adopted.

16 SENATOR DeFRANCISCO:
17 Mr. President, would you please open the
18 resolution for cosponsorship.

19 ACTING PRESIDENT CROCI: And the
20 resolution has been opened for cosponsorship.
21 Should you not wish to be a cosponsor, please
22 notify the desk.

23 Now we're going to break with normal
24 order because we have with us the Reverend Helen
25 John, from New Life Center of Truth in Brooklyn.

1 I would ask you all to please rise as she gives
2 us a prayer for the day.

3 Reverend.

4 REVEREND JOHN: Amen. It's my
5 pleasure to invite the presence of the Lord here
6 today.

7 Merciful Father God, we thank You
8 for this wonderful country, the United States of
9 America. We thank You for this wonderful state,
10 the State of New York. And we thank You for
11 these who have pledged to serve You.

12 And Father God, as they serve You in
13 this session today, we ask that Your presence be
14 with them. Give them the wisdom and the
15 understanding, give them the harmony. And Father
16 God, at the end of it all, Father God, help them
17 to make decisions that will wisely serve the
18 citizens of the State of New York.

19 We ask these blessings in no other
20 name but in the name and through the power of
21 Jesus Christ. Thank you, God, for hearing and
22 answering all our prayers.

23 Amen.

24 ACTING PRESIDENT CROCI: Senator
25 Hannon.

1 SENATOR HANNON: Mr. President, I
2 believe there is a previously adopted resolution
3 by Senator Rivera -- it's Number 5458 -- at the
4 desk. I'd ask that you'd read it in its entirety
5 and to call upon Senator Rivera to speak.

6 ACTING PRESIDENT CROCI: Very well.
7 The Secretary will read.

8 THE SECRETARY: Legislative
9 Resolution Number 5458, by Senator Rivera,
10 commending the Edward T. Rogowsky Internship
11 Program for its continued service and dedication
12 to its students, including holding the annual
13 Model Senate Session, upon the occasion of
14 celebrating its 21st anniversary on March 19,
15 2016.

16 "WHEREAS, A great state is only as
17 great as those programs that provide exemplary
18 services on behalf of their community, whether
19 through unique achievements in professional or
20 other endeavors, or simply through a lifetime of
21 good citizenship; and

22 "WHEREAS, It is a privilege of this
23 Legislative Body to honor the Edward T. Rogowsky
24 Internship Program for their 21 years of service;
25 and

1 "WHEREAS, Prior to the existence of
2 this program, students often learned about policy
3 and the legislative process solely through
4 academic teachings; and

5 "WHEREAS, The Edward T. Rogowsky
6 Internship Program was established to expose and
7 enable undergraduate students to actively
8 experience New York State government and its
9 legislative process; and

10 "WHEREAS, It is through this program
11 that every year approximately 60 CUNY and SUNY
12 students have the opportunity to go through
13 intensive training seminars and ultimately debate
14 bills on the floor of this very chamber; and

15 "WHEREAS, A program of this
16 magnitude can only reach this level of success
17 under the leadership of motivated faculty and
18 staff; and

19 "WHEREAS, Edward T. Rogowsky, whom
20 the program is named after, assumed the role of
21 director back in 1995 and fostered a sense of
22 duty and civic action among undergraduate
23 students; and

24 "WHEREAS, This sense of community
25 has continued to grow and strengthen under the

1 leadership of Dr. Anthony Maniscalco, who in 1997
2 became the Project/Training Component Coordinator
3 for the Model New York State Senate Sessions and,
4 after Dr. Rogowsky's tragic passing in 2001,
5 became the Director of The Edward T. Rogowsky
6 Internship Program; and

7 "WHEREAS, Throughout the many years
8 of its existence, The Edward T. Rogowsky
9 Internship Program has successfully coordinated
10 and overseen numerous Model New York State Senate
11 Sessions; and

12 "WHEREAS, It is indeed rare to find
13 the impressive dedication shown by individuals
14 like Edward T. Rogowsky and Anthony Maniscalco
15 for the benefit of others; and

16 "WHEREAS, It is the sense of this
17 Legislative Body that when programs of such noble
18 aims and accomplishments are brought to our
19 attention, they should be celebrated and
20 recognized by all the citizens of this great
21 Empire State; now, therefore, be it

22 "RESOLVED, That this Legislative
23 Body pause in its deliberations to commend
24 Anthony Maniscalco for continuing the dedicated
25 service of the Edward T. Rogowsky Internship

1 Program and for celebrating its 21st anniversary
2 by giving another 60 young adults in New York
3 the opportunity to experience the legislative
4 process of this great state firsthand by
5 participating in their Annual Model Senate on
6 March 19, 2016; and be it further

7 "RESOLVED, That a copy of this
8 resolution, suitably engrossed, be transmitted to
9 Dr. Anthony Maniscalco."

10 ACTING PRESIDENT CROCI: Senator
11 Rivera.

12 SENATOR RIVERA: Thank you,
13 Mr. President.

14 Some of you folks have heard this
15 story before, but the first time that I came into
16 this chamber in 2000 was as a faculty member of
17 the Somos el Futuro Model State Senate.

18 Now, many of you know that the Somos
19 conference, which has been going on for three
20 decades now, happens every year. It is an
21 opportunity for Latino leaders, elected
22 officials, community organizations and all sorts
23 of folks that are interested in the Latino
24 community in the State of New York to come
25 together in Albany to discuss the issues that

1 impact our community. But for the last
2 20 years -- and it is 20, Mr. President, not
3 21 -- but for the last 20 years, a very important
4 part of that conference and that weekend has been
5 the Model State Senate.

6 So in 2000 I came in here as a
7 faculty member. And in 2010 -- in 2011, I should
8 say, I walked in here and became a Senator in
9 this chamber. And as I tell my students, as I've
10 been a faculty member since 2000, I always tell
11 them and remind them of that. Not to pat myself
12 on the back, but to remind them that their first
13 time in this chamber was as a part of this
14 program, and potentially they could be sitting in
15 this chamber at some point in the future.

16 And I would say that this program
17 has taught hundreds and hundreds of students.
18 It's taught them the value of public service, the
19 value of legislation, the value of
20 representation. It's taught them an appreciation
21 for what it is that we do -- its difficulties,
22 its positives and sometimes there are negatives.
23 But overall, it is a program that I'm immensely
24 proud to be a part of.

25 And in its 20th anniversary, I

1 thought it only fitting that we stop for a second
2 and honor this program. But not only honor the
3 program itself -- certainly Edward T. Rogowsky as
4 the late -- who the program is named after, who
5 is the person that started this whole thing, but
6 also to a gentleman who's with us today.

7 And if he may stand up for a second,
8 Dr. Anthony Maniscalco not only has a great
9 haircut, he also has been a director of the
10 program since 2001. He is not only a friend but
11 he's also been a mentor, not only to me but to
12 hundreds of students that have gone through this
13 program.

14 Certainly, even though he is not
15 here today, Jay Hershenson, who is the senior
16 vice chancellor for university relations of CUNY,
17 has also been an incredibly important part of
18 this program for its entire existence.

19 And ultimately what we -- whether
20 it's Tony, whether it's Ernesto Malavé, Jr., the
21 deputy director of the program, whether it's Jay
22 or the faculty members, most of whom have been
23 students in the program themselves -- they have
24 been Model Senators. One of them is actually a
25 Senator. Senator Peralta actually served in this

1 program in its first inception 20 years ago.

2 But I'm incredibly proud to be able
3 to say in this chamber that I hope to be involved
4 with the program for as long as they'll have me
5 because of what it does for students. It gives
6 them an opportunity to really think about
7 policymaking, think about government, think about
8 what this body actually does. I'm immensely
9 proud of my work here in the chamber, but I'm
10 more proud of the work that I've done with these
11 folks over 20 years in making sure that hundreds
12 of students recognize the importance of public
13 office, the important of public policy, the
14 importance of the State Senate, and the
15 importance of government.

16 Thank you, Mr. President.

17 ACTING PRESIDENT CROCI: Thank you.

18 Doctor, the Senate welcomes you,
19 congratulates you, and thanks you for your
20 service.

21 Oh, excuse me. Senator Parker.

22 SENATOR PARKER: Thank you,
23 Mr. President. On the resolution.

24 First let me rise to thank Senator
25 Rivera for his leadership and for bringing this

1 resolution to the floor.

2 I really want to echo much of what
3 he said, first about Professor Ed Rogowsky. If
4 any of you knew him, he was the kind of person
5 who always had the time for students. And those
6 of us -- almost everybody here has been, you
7 know, through colleges, through college, involved
8 with universities. And not every professor is
9 dedicated to students and to teaching and to
10 making sure that they have an important
11 experience as it relates to their college
12 education and particularly as it relates to the
13 nexus between academic life and what happens in
14 the real world. And Ed Rogowsky was that kind of
15 person.

16 And so this internship named after
17 him is really aptly done so. And really I think
18 it's -- I think it's fabulous that we're taking
19 time to recognize his contribution and his life.
20 And this is really, like I said, an apt memorial
21 to his life and legacy, to what he brought into
22 the world.

23 And many of us who knew him -- I
24 knew him as a professor and actually as a
25 colleague. When I first got my master's degree

1 in 1993, I actually started teaching as an
2 adjunct professor at Brooklyn College and first
3 knew him then. And the next year I became a
4 graduate student at the CUNY Grad Center with
5 Dr. Tony.

6 And so it's been just an honor to
7 stand here to have an opportunity to recognize
8 him, but then also to recognize all Tony's
9 work -- again, in Ed's footsteps -- that has
10 really taken on this notion not just of saying
11 that we have to teach young people the
12 scholarship -- and it's one thing to be there and
13 talk about all of the great political science,
14 you know, professors. It's another thing to be
15 committed to making sure that young people have
16 the opportunity to understand the synthesis
17 between what they're learning in the classroom
18 and actually what really happens in the halls of
19 power.

20 And that's what the program that you
21 heard Senator Rivera talk about at Somos el
22 Futuro, that's what the internship program does.

23 And then beyond that, none of us
24 would be able to do all that we do here in Albany
25 for the people of our districts if it wasn't for

1 these interns.

2 And so, thirdly, I really want to
3 honor the line of interns that have served not
4 just in this program but in all the internship
5 programs that serve both the Senate legislators
6 and members of our community, because they really
7 have given as much as they've learned in the
8 service to the State of New York.

9 And so thank you, Tony, for all the
10 work that you've done. Thank you, Senator
11 Rivera, for bringing this forward and for all the
12 work you've done on behalf of educating students
13 and making sure that we have created a generation
14 of students who understand the importance of
15 government and how to in fact effectively engage
16 in public service.

17 Thank you so much.

18 ACTING PRESIDENT CROCI: Senator
19 Montgomery.

20 SENATOR MONTGOMERY: Thank you,
21 Mr. President.

22 I rise to first of all thank Senator
23 Rivera. I did not realize that we were going to
24 be speaking about Dr. Maniscalco today;
25 otherwise, I would have prepared my own speech.

1 However, thank you for this opportunity in any
2 case.

3 And let me just say that the
4 programs that Dr. Maniscalco runs in CUNY are
5 invaluable to the communities that we represent,
6 especially to the young people.

7 But I'm remembering also today one
8 of the members, the former members of the
9 Legislature, and a member of the Black and Puerto
10 Rican Caucus so many, many years ago,
11 Assemblymember Angelo Del Toro, who was at that
12 point chair of the Education Committee, I
13 believe, and in his capacity as chair
14 established, for the first time I believe in the
15 State Legislature, a program that was eventually
16 to become what Somos el Futuro is doing even
17 until today, and that is focusing on the young
18 people and helping them to understand, as my
19 colleague Senator Parker said, how the mechanics
20 of their government actually work.

21 And so in honor of Assemblymember
22 Del Toro, Tony Maniscalco has continued the
23 legacy that was established way back then.

24 And let me just say that I've had --
25 I have not personally had, but I know there are

1 hundreds and hundreds of young people who have
2 come through the different CUNY internship
3 programs that run under the auspices of
4 Dr. Maniscalco's department. And many of those
5 have been in my office, and I can attest to how
6 exciting it is to see a young person suddenly
7 come alive to the idea that this process is
8 theirs as well.

9 And so I can say to you,
10 Dr. Maniscalco, that -- I believe it was last
11 year or the year before -- one of our own
12 colleagues hired one of your students, Senator
13 Serrano. So he now enjoys the brilliance of one
14 of your own students, who was also in my office
15 as an intern and now is working for him. And I
16 have just hired, in my own office, in my district
17 office, another one of your students who has just
18 graduated but was also placed by you in my office
19 as an intern.

20 So I can thank you personally, I can
21 thank you many, many times over for so many young
22 people who really have no idea that it's you who
23 has put them on the highway that leads to this
24 place. So we all owe you so much for continuing
25 the legacy of Assemblymember Del Toro and so many

1 others that have come before you to establish for
2 us a way of getting young people to duplicate
3 ourselves, replicate ourselves, through the young
4 people who are coming after us, those next
5 generations.

6 So thank you. And thank you,
7 Mr. President, for allowing us to speak.

8 ACTING PRESIDENT CROCI: Senator
9 Hamilton.

10 SENATOR HAMILTON: Yes, Mr. Chair,
11 I rise to pay tribute to Dr. Anthony Maniscalco.

12 I just met him recently, and I
13 didn't know indirectly he had an impact on my
14 life and me becoming a State Senator.

15 I want to thank Senator Rivera for
16 having him come today for the resolution. And it
17 was Senator Rivera, during Somos, who said, "Hey,
18 I want you to see these young men and women who
19 are here in our chambers and what they're doing."

20 And when I came into the chambers
21 and saw these beautiful young faces, I was
22 thoroughly impressed at how the future was right
23 before me. And I said, Oh, my God, this is the
24 next generation.

25 And I didn't realize that one of my

1 staffers who volunteered for my campaign came out
2 of this program. And I realized then
3 Dr. Maniscalco had made an indirect impact on my
4 life in this young lady named Ashley. She
5 volunteered for my campaign, and she was so good
6 at what she did, we hired her. And when two
7 weeks went by, the person who hired her -- you
8 know, I think it was three weeks -- she became
9 his boss because she was just so dedicated. You
10 know, you gave her a task and she did it. And
11 when I did become the State Senator, she became
12 my deputy chief of staff.

13 And what you're doing is laying the
14 foundation for the next generation of leaders who
15 will eventually one day be sitting in this
16 chamber, who will eventually be sitting in this
17 chamber when the Democrats will have the
18 majority. And they will understand legislation,
19 they will understand politics. They will
20 understand in doing the right thing for not just
21 downstate but for upstate in unifying this great
22 chamber.

23 So I just want to say keep doing the
24 great work that you're doing. I wish the Senate
25 could give more money to CUNY to have more

1 programs throughout the state for our young
2 people who do want to get involved in politics.
3 A lot of young kids today do not want to get
4 involved in politics because we're always in the
5 news -- someone's getting arrested, someone's
6 going to jail. But we do a lot of great things
7 here in this chamber.

8 And I commend you for what you've
9 done, and God bless you, and keep doing what
10 you're doing. Thank you so much.

11 ACTING PRESIDENT CROCI: Senator
12 Comrie.

13 SENATOR COMRIE: I rise today to
14 support the resolution and to congratulate
15 Dr. Maniscalco for everything that he has done to
16 continue the Edward T. Rogowsky Program.

17 I too have benefited from many young
18 people that have come through the program. In
19 fact, my first chief of staff when I was in the
20 City Council, Joshua Rivera, came through the
21 program. Also Reggie Thomas, who is now -- he
22 went on, the mayor stole him from me, to be his
23 deputy director for land use issues and is now
24 working. And many other young people as well
25 that I've been proud to intern and intern at my

1 office and recommend for other positions in
2 government offices.

3 I think it's a great opportunity for
4 young people to learn about government. It's a
5 well-thought-out program, it's a well-put-
6 together program. And I would encourage anyone
7 in New York City that is interested in learning
8 about government, learning about what to do right
9 and what to do wrong, to go through the program.

10 So congratulations on your
11 anniversary, and continued success.

12 Thank you.

13 ACTING PRESIDENT CROCI: Senator
14 Stavisky.

15 SENATOR STAVISKY: Thank you,
16 Mr. President.

17 I knew Ed Rogowsky fairly well. He
18 was an involved person, as many of the people at
19 CUNY are.

20 And CUNY really has such a wonderful
21 long legacy going back to 1847, when it was
22 founded and became what is now City College. And
23 the purpose when CUNY was funded was to educate
24 new Americans. And that mission hasn't changed.
25 And we are encouraging new Americans to become

1 involved in government, as in every other aspect
2 of their lives here in this country. And we're
3 so much the richer because of it.

4 And the internship program is a
5 perfect example of the college and the community
6 working together. And I think this bodes well
7 for the future, and I look forward to working
8 with Dr. Maniscalco and everybody else.

9 I'm proud to say that there are two
10 CUNY institutions in my Senate district, Queens
11 College and Queensborough Community College, as
12 well as the other colleges in the CUNY system.

13 And hopefully we will continue to do
14 right by CUNY. They need the funding to make
15 them continue, and the faculty quite frankly need
16 a contract. They have been without a contract
17 since 2010. And hopefully we will nominate some
18 trustees this week who will understand this and
19 continue to help the City University flourish.
20 It's a wonderful, wonderful place. I went to
21 graduate school at both Hunter and Queens, and
22 I'm very proud of that.

23 Thank you, Mr. President.

24 ACTING PRESIDENT CROCI: Senator
25 DeFrancisco.

1 SENATOR DeFRANCISCO: May we have a
2 vote.

3 ACTING PRESIDENT CROCI: The
4 resolution was previously adopted.

5 SENATOR DeFRANCISCO: Then we don't
6 need a vote.

7 I would suggest that Senator Rivera
8 has offered to have cosponsorship on this
9 resolution.

10 ACTING PRESIDENT CROCI: Very well.
11 The resolution is open for cosponsorship. If you
12 do not wish to be a cosponsor, please notify the
13 desk.

14 Senator DeFrancisco.

15 SENATOR DeFRANCISCO: Next, please
16 take up Resolution 6139, by Senator Montgomery,
17 read the title only -- and thank you, Senator
18 Montgomery -- and call on Senator Montgomery.

19 ACTING PRESIDENT CROCI: The
20 Secretary will read.

21 THE SECRETARY: Legislative
22 Resolution Number 6139, by Senator Montgomery,
23 commemorating the 30th anniversary of the Center
24 for Law and Social Justice on September 23, 2016.

25 ACTING PRESIDENT CROCI: Senator

1 Montgomery.

2 SENATOR MONTGOMERY: Thank you,
3 Mr. President.

4 I rise to speak very briefly on this
5 resolution which honors the 30th anniversary of
6 the Center for Law and Social Justice, which is
7 also another one of those institutes within the
8 City University of New York.

9 The Center for Law and Social
10 Justice is a unit in the School of Professional
11 and Community Development at Medgar Evers College
12 within the City University of New York. Its
13 primary mission and its vitality as an
14 organization was founded by Dr. Esmeralda
15 Simmons. And the primary programs that the Law
16 and Social Justice Center works on are advocacy
17 projects and litigation in areas of housing,
18 employment discrimination, violence, public
19 education, voting rights, immigration, and human
20 rights violations generally.

21 It has a very distinguished 30-year
22 history as a primary source of advocacy for
23 people who find themselves needing
24 representation, especially legal representation,
25 and who, because of the state of their finances,

1 are unable to represent themselves. It is
2 primarily committed to the residents and
3 communities within northern and central Brooklyn.

4 This has been a significant program
5 and it is to the tribute of a very, very major
6 and primary source of its foundation, its
7 founding, as well as its work, to Dr. Esmeralda
8 Simmons, who I also celebrate because she as the
9 founder continues to be and has always been, for
10 the past 30 years, the source of leadership at
11 this very, very vital organization in the Borough
12 of Brooklyn.

13 Thank you, Mr. President.

14 ACTING PRESIDENT CROCI: Thank you,
15 Senator Montgomery.

16 Senator Parker.

17 SENATOR PARKER: Thank you very
18 much, Mr. President. On the resolution.

19 I rise to add my voice to Senator
20 Montgomery's in celebrating the Medgar Evers
21 Center for Law and Social Justice and all that
22 they do. For 25 years they have been a leader,
23 not just in Brooklyn but in the State of
24 New York, bringing voice to the voiceless. They
25 have been leaders in speaking truth to power and

1 to making sure that underrepresented groups get
2 their fair day in court.

3 You heard Senator Montgomery
4 enumerate the various services that they've been
5 engaged in. But they have really been -- when
6 you look at all of them together, it's been about
7 civil rights. It's been about helping those who
8 don't have a chance to be represented, receive
9 representation.

10 And so for them to be around as long
11 as they have been doing this work is really a
12 testament to the commitment that particularly
13 Esmeralda Simmons has had as the leader of that
14 organization. And so I rise to thank her for her
15 work, thank the folks that work with her, and the
16 institution for understanding how important that
17 work has been for the last 25 years.

18 And thank you, Mr. President, for
19 allowing us to speak on this resolution.

20 ACTING PRESIDENT CROCI: The
21 question is on the resolution. All in favor
22 signify by saying aye.

23 (Response of "Aye.")

24 ACTING PRESIDENT CROCI: Opposed,
25 nay.

1 (No response.)

2 ACTING PRESIDENT CROCI: The
3 resolution is adopted.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: Would you
6 please open it up for cosponsorship.

7 ACTING PRESIDENT CROCI: The
8 resolution is open for cosponsorship. If you do
9 not wish to be a cosponsor, please notify the
10 desk.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: Would you now
13 take up Resolution 6163, read the title only, and
14 call on Senator Gianaris to speak.

15 ACTING PRESIDENT CROCI: The
16 Secretary will read.

17 THE SECRETARY: Legislative
18 Resolution 6163, by Senator Peralta, welcoming
19 the students and faculty of the Lexington School
20 for the Deaf/Center for the Deaf as they visit
21 Albany, New York, on June 7, 2016.

22 ACTING PRESIDENT CROCI: Senator
23 Gianaris.

24 SENATOR GIANARIS: Thank you,
25 Mr. President.

1 On behalf of Senator Peralta, who
2 had to step out for a moment, I wanted to welcome
3 a group of students, faculty and administrators
4 from the Lexington School for the Deaf/Center for
5 the Deaf located in Senator Peralta's district in
6 Queens, but just a stone's throw from my own
7 district a little bit to the west.

8 This is a school that is well known
9 in our neighborhoods and our communities. It's
10 been serving the deaf and hard of hearing,
11 helping them realize their full potential for
12 many, many years.

13 The Lexington School is an
14 institution that's been serving the deaf and
15 hard-of-hearing communities of New York for more
16 than 150 years, first starting in Manhattan on
17 Lexington Avenue, which is where the name comes
18 from, but now right in Jackson Heights in Queens.
19 And they are one of the leading advocates for the
20 deaf and hard-of-hearing communities. They
21 provide services to more than 2500 students
22 annually and do amazing work. We welcome them to
23 Albany.

24 And I just want to say the reason
25 they're here is this is a special occasion, they

1 come up every year since my time in the Assembly,
2 I remember. This is the elements of their
3 basketball team, and they play a team of
4 legislators from both the Assembly and the Senate
5 every year. And mostly due to age and wear and
6 tear on our knees and larger bellies than we used
7 to have when we were younger, they tend to win
8 more than they lose.

9 But I do need to brag that last year
10 the trophy came to the legislators, and we beat
11 the fine students from the Lexington School. The
12 rematch is later today, and I daresay we intend
13 to defend the title vigorously and hope to keep
14 the Legislature proud of those aged members who
15 play and take on these young spring chickens.
16 And hopefully we'll do our best to defeat them
17 once again.

18 But mostly we want to welcome them.
19 They're a fine group of young people. We're very
20 happy to represent them and to have them come
21 visit us every year. And while we wish them
22 luck, we don't want anyone injured on the court,
23 we don't wish them enough luck that they actually
24 win today. So welcome.

25 ACTING PRESIDENT CROCI: Senator

1 Hamilton.

2 SENATOR HAMILTON: Yes,
3 Mr. President, I rise to give recognition to the
4 Lexington School for the Deaf. It's a highly
5 esteemed school in the City of New York. They
6 have a lot of great students who are academically
7 motivated to do better.

8 In my district I have the
9 St. Francis de Sales School. And I do recognize
10 two of the young men up there who played in the
11 basketball tournament at the school. They didn't
12 win, but they're still great players.

13 And I just want to say that their
14 motivation -- and they actually didn't play
15 another school that was deaf, they played a
16 school where the people could hear. And so they
17 play any team at any time anywhere.

18 And I just wish that the Senate and
19 Assembly could give more money to the Lexington
20 School for the Deaf and also the St. Francis de
21 Sales School. As the funding formula has changed
22 over the years, these schools have been getting
23 shortchanged in the funding formula.

24 So as we see these young men and
25 women here today, we need to make sure they have

1 all the resources that they need to be
2 productive, have the skill sets in our community.
3 They are fighting one challenge, but the
4 challenge they should not be fighting is funding.

5 So I say to everyone in this room we
6 must give more money to these schools. And
7 they're doing a great job. And I just want to
8 thank the Lexington School for the Deaf for
9 coming here today and making sure that you are
10 seen and making sure that your voices are heard,
11 and that we're here to support you and make sure
12 you get the resources that you need in order to
13 have -- in one example, in one school they didn't
14 have a proper alarm system. They couldn't get
15 funding for their alarm system. They need
16 specialized alarms. They need special tools for
17 reading. And for some reason, we're giving them
18 less and less in our funding formula.

19 So I congratulate you all for coming
20 here today, keep up the good work, and God bless
21 you all. Thank you so much.

22 ACTING PRESIDENT CROCI: The Senate
23 welcomes you. And we would like the students and
24 faculty of the Lexington School who are here with
25 us to please rise and allow the Senate to

1 recognize you.

2 (Silent applause.)

3 ACTING PRESIDENT CROCI: Thank you
4 very much.

5 The question is on the resolution.

6 All those in favor signify by saying aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT CROCI: Opposed,
9 nay.

10 (No response.)

11 ACTING PRESIDENT CROCI: The
12 resolution is adopted.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Please open
15 it up for cosponsorship.

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

20 SENATOR DeFRANCISCO: May we now
21 return to motions and resolutions.

22 ACTING PRESIDENT CROCI: Motions
23 and resolutions, without objection.

24 SENATOR DeFRANCISCO: And would you
25 please call on Senator Valesky.

1 ACTING PRESIDENT CROCI: Senator
2 Valesky.

3 SENATOR VALESKY: Thank you,
4 Mr. President.

5 On page 22 I offer the following
6 amendments to Calendar 608, Senate Bill 6809, and
7 ask that said bill retain its place on the Third
8 Reading Calendar.

9 ACTING PRESIDENT CROCI: So
10 ordered.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: Yes, it's my
13 understanding there are appointments for
14 confirmation at the desk.

15 ACTING PRESIDENT CROCI: There are.

16 SENATOR DeFRANCISCO: Okay. That
17 being the case, I would request that we announce
18 the appointments in category, as lump sums in
19 each category, and then I'll move each of them.

20 ACTING PRESIDENT CROCI: The
21 Secretary will read.

22 THE SECRETARY: As director of the
23 Municipal Bond Bank Agency, Honorable Mark J.F.
24 Schroeder, of Buffalo.

25 SENATOR DeFRANCISCO: Move the

1 nomination.

2 ACTING PRESIDENT CROCI: The
3 question is on the nomination as read by the
4 Secretary. All those in favor of the nomination
5 as read by the Secretary please signify by saying
6 aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT CROCI: Opposed,
9 nay.

10 (No response.)

11 ACTING PRESIDENT CROCI: The
12 nomination, as read by the Secretary, is
13 confirmed.

14 SENATOR DeFRANCISCO: All right,
15 would you please call up the members of the State
16 Board for Historic Preservation.

17 ACTING PRESIDENT CROCI: The
18 Secretary will read.

19 THE SECRETARY: As members of the
20 State Board for Historic Preservation: C. Jake
21 Schneider, of Lake View; Douglas J. Perrelli,
22 Ph.D., of Buffalo; Jay A. Dilorenzo, of
23 Schenectady; and Wayne Goodman, of Rochester.

24 SENATOR DeFRANCISCO: Move each of
25 the nominations.

1 ACTING PRESIDENT CROCI: Senator
2 Hamilton.

3 SENATOR HAMILTON: Yes,
4 Mr. President, I rise to express my concern.
5 There are numerous appointments by the Governor,
6 but there's only one from the borough or the
7 County of Kings.

8 Kings County is the largest county
9 in the State of New York, and I don't understand
10 how we only have one appointment. I wish the
11 Governor would have used his better discretion
12 when appointing people, looked at the counties
13 that gave him the highest vote margin in the
14 state.

15 So I just want to say I'm concerned
16 and disappointed that we only have one person out
17 of all these people being appointed from the
18 County of Kings, the largest county in the state.
19 And other counties which are only a fifth, a
20 sixth, a seventh, a tenth, a 20th of our size
21 have more appointments than us, you know,
22 according to the population. So there's
23 something that's inherently wrong when you have a
24 county with 2.4 million people getting less
25 appointments than a county with less than

1 200,000 people.

2 So I would urge the Governor that we
3 have a large state, the North Country and
4 New York City. I call it one country. But I
5 think he needs to take more recognition in
6 looking at the county that gave him more votes
7 than any other county in this state, but for some
8 reason unbeknownst to me we only have one
9 nomination from the County of Kings.

10 So I will vote in favor of these
11 appointments, but I just want it to be known for
12 the record that I am not thrilled that only one
13 person from Kings County is in these
14 appointments.

15 Thank you very much, Mr. President.

16 ACTING PRESIDENT CROCI: Senator
17 Hamilton will be recorded in the affirmative.

18 The question is on the nominations
19 as read by the Secretary. All in favor of
20 confirming the nominations as read by the
21 Secretary please signify by saying aye.

22 (Response of "Aye.")

23 ACTING PRESIDENT CROCI: Opposed,
24 nay.

25 (No response.)

1 ACTING PRESIDENT CROCI: The
2 nominations as read by the Secretary are
3 confirmed.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: Please call
6 up the members of the Saratoga-Capital District
7 State Park, Recreation and Historic Preservation
8 Commission.

9 ACTING PRESIDENT CROCI: The
10 Secretary will read.

11 THE SECRETARY: As members of the
12 Saratoga-Capital District State Park, Recreation
13 and Historic Preservation Commission: Thomas O.
14 Maggs, of Scotia, and Mark T. Ryan, of
15 Mechanicville.

16 ACTING PRESIDENT CROCI: The
17 question is on the nominations as read by the
18 Secretary. All those in favor of confirming the
19 nominations as read by the Secretary please
20 signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT CROCI: Opposed,
23 nay.

24 (No response.)

25 ACTING PRESIDENT CROCI: The

1 nominations, as read by the Secretary, are
2 confirmed.

3 SENATOR DeFRANCISCO: Please call
4 up the members of the Allegany State Park,
5 et cetera, Commission.

6 ACTING PRESIDENT CROCI: The
7 Secretary will read.

8 THE SECRETARY: As members of the
9 Allegany State Park, Recreation and Historic
10 Preservation Commission, Dalton J. Burgett, of
11 Bemus Point.

12 SENATOR DeFRANCISCO: Move the
13 nomination.

14 ACTING PRESIDENT CROCI: The
15 question is on the nomination as read by the
16 Secretary. All those in favor of confirming the
17 nomination as read by the Secretary please
18 signify by saying aye.

19 (Response of "Aye.")

20 ACTING PRESIDENT CROCI: Opposed,
21 nay.

22 (No response.)

23 ACTING PRESIDENT CROCI: The
24 nomination, as read by the Secretary, is
25 confirmed.

1 SENATOR DeFRANCISCO: Now Central
2 New York, please.

3 ACTING PRESIDENT CROCI: The
4 Secretary will read.

5 THE SECRETARY: As a member of the
6 Central New York Park, Recreation and Historic
7 Preservation Commission, Cornelius Murphy, Jr.,
8 Ph.D., of Syracuse.

9 SENATOR DeFRANCISCO: Move the
10 nomination.

11 ACTING PRESIDENT CROCI: The
12 question is on the nomination as read by the
13 Secretary. All those in favor of confirming the
14 nomination as read by the Secretary please
15 signify by saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT CROCI: Opposed,
18 nay.

19 (No response.)

20 ACTING PRESIDENT CROCI: The
21 nomination, as read by the Secretary, is
22 confirmed.

23 SENATOR DeFRANCISCO: Next, the
24 State Park, Recreation and Historic Preservation
25 Commission for the City of New York.

1 ACTING PRESIDENT CROCI: The
2 Secretary will read.

3 ACTING PRESIDENT CROCI: As a
4 member of the State Park, Recreation and Historic
5 Preservation Commission for the City of New York:
6 Leisle Lin, of New York.

7 SENATOR DeFRANCISCO: Move the
8 nomination.

9 ACTING PRESIDENT CROCI: The
10 question is on the nomination as read by the
11 Secretary. All those in favor of confirming the
12 nomination as read by the Secretary please
13 signify by saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT CROCI: Opposed,
16 nay.

17 (No response.)

18 ACTING PRESIDENT CROCI: The
19 nomination, as read by the Secretary, is
20 confirmed.

21 The Secretary will read.

22 THE SECRETARY: As a member of the
23 Taconic State Park, Recreation and Historic
24 Preservation Commission, Arthur L. Gellert, of
25 Poughkeepsie.

1 SENATOR DeFRANCISCO: Move the
2 nomination.

3 ACTING PRESIDENT CROCI: The
4 question is on the nomination as read by the
5 Secretary. All those in favor of confirming the
6 nomination please signify by saying aye.

7 (Response of "Aye.")

8 ACTING PRESIDENT CROCI: Opposed,
9 nay.

10 (No response.)

11 ACTING PRESIDENT CROCI: The
12 nomination, as read by the Secretary, is
13 confirmed.

14 The Secretary will read.

15 THE SECRETARY: As a member of the
16 Finger Lakes State Park, Recreation and Historic
17 Preservation Commission, Walter David Banfield,
18 of Ithaca.

19 SENATOR DeFRANCISCO: Move the
20 nomination.

21 ACTING PRESIDENT CROCI: The
22 question is on the nomination as read by the
23 Secretary. All those in favor signify by saying
24 aye.

25 (Response of "Aye.")

1 ACTING PRESIDENT CROCI: Opposed,
2 nay.

3 (No response.)

4 ACTING PRESIDENT CROCI: The
5 nomination, as read by the Secretary, is
6 confirmed.

7 The Secretary will read.

8 THE SECRETARY: As a member of the
9 Long Island State Park, Recreation and Historic
10 Preservation Commission, Richard H. Remmer, of
11 Oakdale.

12 SENATOR DeFRANCISCO: Move the
13 nomination.

14 ACTING PRESIDENT CROCI: The
15 question is on the nomination. All those in
16 favor signify by saying aye.

17 (Response of "Aye.")

18 ACTING PRESIDENT CROCI: Opposed,
19 nay.

20 (No response.)

21 ACTING PRESIDENT CROCI: The
22 nomination, as read by the Secretary, is
23 confirmed.

24 The Secretary will read.

25 THE SECRETARY: As a member of the

1 Palisades Interstate Park Commission, Daniel
2 Bryce O'Brien, II, of Bedford.

3 SENATOR DeFRANCISCO: Move the
4 nomination.

5 ACTING PRESIDENT CROCI: The
6 question is on the nomination as read by the
7 Secretary. All those in favor please signify by
8 saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT CROCI: Opposed,
11 nay.

12 (No response.)

13 ACTING PRESIDENT CROCI: The
14 nomination, as read by the Secretary, is
15 confirmed.

16 The Secretary will read.

17 THE SECRETARY: As members of the
18 Continuing Care Retirement Community Council:
19 Alicia Laible, of Niagara Falls; J. Brian Nealon,
20 of Clifton Park; Wayne Kaplan, of New York;
21 Harriet Barnett, of Sleepy Hollow; and James
22 Davis, of New York.

23 SENATOR DeFRANCISCO: Move the
24 nominations.

25 ACTING PRESIDENT CROCI: The

1 question is on the nominations as read by the
2 Secretary. All those in favor of confirming the
3 nominations as read by the Secretary please
4 signify by saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT CROCI: Opposed,
7 nay.

8 (No response.)

9 ACTING PRESIDENT CROCI: The
10 nominations, as read, are confirmed.

11 The Secretary will read.

12 THE SECRETARY: As members of the
13 Council on Human Blood and Transfusion Services:
14 David Huskie, of Petersburg; Beth Huizenga Shaz,
15 M.D., of New York; and Alicia Elena Gomensoro,
16 M.D., of Staten Island.

17 SENATOR DeFRANCISCO: Move the
18 nominations.

19 ACTING PRESIDENT CROCI: The
20 question is on the nominations as read by the
21 Secretary. All those in favor of confirming the
22 nominations as read, please signify by saying
23 aye.

24 (Response of "Aye.")

25 ACTING PRESIDENT CROCI: Opposed,

1 nay.

2 (No response.)

3 ACTING PRESIDENT CROCI: The
4 nominations, as read by the Secretary, are
5 confirmed.

6 The Secretary will read.

7 THE SECRETARY: As a member of the
8 State Camp Safety Advisory Council, Gordon W.
9 Felt, of Ramsen.

10 SENATOR DeFRANCISCO: Move the
11 nomination.

12 ACTING PRESIDENT CROCI: The
13 question is on the nomination as read by the
14 Secretary. All those in favor please signify by
15 saying aye.

16 (Response of "Aye.")

17 ACTING PRESIDENT CROCI: Opposed,
18 nay.

19 (No response.)

20 ACTING PRESIDENT CROCI: The
21 nomination, as read by the Secretary, is
22 confirmed.

23 THE SECRETARY: As members of the
24 Minority Health Council: Nilda I. Soto, of the
25 Bronx; Antonio Pagán, of New York; and Daniel

1 Carrión, of New York.

2 SENATOR DeFRANCISCO: Move the
3 nominations.

4 ACTING PRESIDENT CROCI: The
5 question is on the nominations as read by the
6 Secretary. All those in favor please signify by
7 saying aye.

8 (Response of "Aye.")

9 ACTING PRESIDENT CROCI: Opposed,
10 nay.

11 (No response.)

12 ACTING PRESIDENT CROCI: The
13 nominations, as read by the Secretary, are
14 confirmed.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: I'd just like
17 to make a quick announcement before we finish the
18 nominations. Momentarily, I will be calling a
19 Rules Committee meeting in 332 of the Capitol.
20 So those who are not in chambers, start heading
21 towards that conference room so we can move
22 things along at a reasonable pace.

23 Would you continue with the
24 nominations.

25 ACTING PRESIDENT CROCI: The

1 Secretary will continue.

2 THE SECRETARY: As members of the
3 Administrative Review Board for Professional
4 Medical Conduct: Linda Prescott Wilson, of
5 Laurelton; John D'Anna, of Staten Island; Richard
6 Milone, M.D., of Rye.

7 SENATOR DeFRANCISCO: Move the
8 nominations.

9 ACTING PRESIDENT CROCI: The
10 question is on the nominations as read by the
11 Secretary. All those in favor signify by saying
12 aye.

13 (Response of "Aye.")

14 ACTING PRESIDENT CROCI: Opposed,
15 nay.

16 (No response.)

17 ACTING PRESIDENT CROCI: The
18 nominations, as read by the Secretary, are
19 confirmed.

20 THE SECRETARY: As a member of the
21 State Fire Prevention and Building Code Council,
22 Dominic Marinelli, of West Seneca.

23 SENATOR DeFRANCISCO: Move the
24 nomination.

25 ACTING PRESIDENT CROCI: The

1 question is on the nomination as read by the
2 Secretary. All those in favor signify by saying
3 aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT CROCI: Opposed,
6 nay.

7 (No response.)

8 ACTING PRESIDENT CROCI: The
9 nomination, as read, is confirmed.

10 THE SECRETARY: As members of the
11 Behavioral Health Services Advisory Council:
12 Maura A. Kelley, of Buffalo; Kunsook Song
13 Bernstein, Ph.D., of Baldwin; Jennifer Havens, of
14 New York; John Kastan, Ph.D., of New York; Tino
15 Hernandez, of New York; Euphemia Strauchn-Adams,
16 of Staten Island; Lawrence S. Brown, Jr., M.D.,
17 of Brooklyn; William T. Gettman, Jr., of
18 Glenmont; and Paul N. Samuels, of New York.

19 SENATOR DeFRANCISCO: Move the
20 nominations.

21 ACTING PRESIDENT CROCI: Senator
22 Rivera.

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

25 I just want to briefly -- there's

1 two individuals that we're voting on here right
2 now that I have had the pleasure and honor of
3 working with extensively, Tino Hernandez and Paul
4 Samuels, from Samaritan Village and the second
5 gentleman from the Legal Action Center. They are
6 wonderful individuals, they're wonderful
7 New Yorkers. I'm very proud to be supportive of
8 them here today.

9 Thank you, Mr. President.

10 ACTING PRESIDENT CROCI: The
11 question is on the nominations as read by the
12 Secretary. All those in favor please signify by
13 saying aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT CROCI: Opposed,
16 nay.

17 (No response.)

18 ACTING PRESIDENT CROCI: The
19 nominations, as read by the Secretary, are
20 confirmed.

21 THE SECRETARY: As members of the
22 Justice Center Advisory Council: Ronald Lehrer,
23 of Poughkeepsie; Kathy A. O'Keefe, of
24 East Northport; Euphemia Strauchn-Adams, of
25 Staten Island; Harvey B. Rosenthal, of Greenwich;

1 William T. Gettman, Jr., of Glenmont; and
2 Peter Pierrri, of New York.

3 SENATOR DeFRANCISCO: Move the
4 nominations.

5 ACTING PRESIDENT CROCI: The
6 question is on the nominations as read by the
7 Secretary. All those in favor signify by saying
8 aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT CROCI: Opposed,
11 nay.

12 (No response.)

13 ACTING PRESIDENT CROCI: The
14 nominations, as read by the Secretary, are
15 confirmed.

16 SENATOR DeFRANCISCO:
17 Mr. President, could we now go back to -- oh,
18 move to accept.

19 ACTING PRESIDENT CROCI: There is
20 one more sheet for confirmation on the desk.

21 SENATOR DeFRANCISCO: Oh, okay, I'm
22 sorry. Continue, then.

23 ACTING PRESIDENT CROCI: The
24 Secretary will read.

25 THE SECRETARY: As members of the

1 New York State Bridge Authority: Henry J.
2 Stanton, of Yorktown Heights, and Roger Higgins,
3 of New Hamburg.

4 SENATOR DeFRANCISCO: Move the
5 nominations.

6 ACTING PRESIDENT CROCI: The
7 question is on the nominations as read by the
8 Secretary. All those in favor please signify by
9 saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT CROCI: Opposed,
12 nay.

13 (No response.)

14 ACTING PRESIDENT CROCI: The
15 nominations, as read by the Secretary, are
16 confirmed.

17 The Secretary will read.

18 THE SECRETARY: As members of the
19 Rochester-Genesee Regional Transportation
20 Authority: William N. Faber, of Rochester;
21 Richard D. Kosmerl, of Arcade; Donald E.
22 Jeffries, of Rochester; and Kelli O'Connor, of
23 Rochester.

24 SENATOR DeFRANCISCO: Move the
25 nominations.

1 ACTING PRESIDENT CROCI: The
2 question is on the nominations as read by the
3 Secretary. All those in favor please signify by
4 saying aye.

5 (Response of "Aye.")

6 ACTING PRESIDENT CROCI: Opposed,
7 nay.

8 (No response.)

9 ACTING PRESIDENT CROCI: The
10 nominations, as read, are confirmed.

11 The Secretary will read.

12 THE SECRETARY: As a member of the
13 Capital District Transportation Authority, Denise
14 A. Figueroa, of Cohoes.

15 SENATOR DeFRANCISCO: Move the
16 nomination.

17 ACTING PRESIDENT CROCI: The
18 question is on the nomination. All those in
19 favor signify by saying aye.

20 (Response of "Aye.")

21 ACTING PRESIDENT CROCI: Opposed,
22 nay.

23 (No response.)

24 ACTING PRESIDENT CROCI: The
25 nomination, as read, is confirmed.

1 THE SECRETARY: As a member of the
2 Central New York Regional Transportation
3 Authority, Joseph A. Hardick, of Syracuse.

4 SENATOR DeFRANCISCO: Move the
5 nomination.

6 ACTING PRESIDENT CROCI: The
7 question is on the nomination. All those in
8 favor please signify by saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT CROCI: Opposed,
11 nay.

12 (No response.)

13 ACTING PRESIDENT CROCI: The
14 nomination, as read, is confirmed.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: May we now go
17 back to motions and resolutions.

18 ACTING PRESIDENT CROCI: Motions
19 and resolutions.

20 SENATOR DeFRANCISCO: On page 65, I
21 offer the following amendments to Senator
22 Ranzenhofer's bill, Calendar 1331, Senate Print
23 7913A, and ask that the bill retain its place on
24 the Third Reading Calendar.

25 ACTING PRESIDENT CROCI: So

1 ordered.

2 SENATOR DeFRANCISCO: As promised,
3 I now call an immediate meeting of the Rules
4 Committee in Room 332.

5 We still have a full calendar and a
6 lot of bills on Rules. The sooner we start
7 Rules, the sooner we leave today. So --

8 ACTING PRESIDENT CROCI: There will
9 be an immediate meeting of the Rules Committee in
10 Room 332.

11 The Senate will stand at ease.

12 (Whereupon, the Senate stood at ease
13 at 3:42 p.m.)

14 (Whereupon, the Senate reconvened at
15 4:04 p.m.)

16 ACTING PRESIDENT GRIFFO: The
17 Senate will come to order.

18 Senator DeFrancisco.

19 SENATOR DeFRANCISCO: May we return
20 to reports of standing committees.

21 ACTING PRESIDENT GRIFFO: We will
22 return to reports of standing committees.

23 SENATOR DeFRANCISCO: I believe
24 there's a report of the Rules Committee at the
25 desk.

1 ACTING PRESIDENT GRIFFO: There is
2 a report of the Rules Committee at the desk, and
3 the Secretary will read.

4 THE SECRETARY: Senator Flanagan,
5 from the Committee on Rules, reports the
6 following bills:

7 Senate Print 92A, by Senator
8 Gallivan, an act to amend the Environmental
9 Conservation Law;

10 Senate 96, by Senator Gallivan, an
11 act to amend the Tax Law;

12 Senate 216A, by Senator LaValle, an
13 act to amend the Education Law;

14 Senate 262B, by Senator Díaz, an act
15 to amend the Elder Law;

16 Senate 457, by Senator Marcellino,
17 an act to amend the Vehicle and Traffic Law;

18 Senate 2496A, by Senator Addabbo, an
19 act to amend the Tax Law;

20 Senate 2694, by Senator Felder, an
21 act to amend the Education Law;

22 Senate 2700, by Senator Felder, an
23 act to direct;

24 Senate 2866, by Senator Felder, an
25 act to direct;

1 Senate 2925, by Senator DeFrancisco,
2 an act to amend the General Obligations Law;

3 Senate 3265A, by Senator Sanders, an
4 act to amend the Agriculture and Markets Law;

5 Senate 3464C, by Senator Croci, an
6 act to amend the Executive Law;

7 Senate 3925, by Senator Venditto, an
8 act to amend the Correction Law;

9 Senate 3926, by Senator Seward, an
10 act to amend the Penal Law;

11 Senate 4051A, by Senator Lanza, an
12 act to amend the Education Law;

13 Senate 4771E, by Senator Funke, an
14 act to amend the General Business Law;

15 Senate 5216A, by Senator Savino, an
16 act to amend the Public Health Law;

17 Senate 5248, by Senator Lanza, an
18 act to amend the Environmental Conservation Law;

19 Senate 5477, by Senator O'Mara, an
20 act to amend the Environmental Conservation Law;

21 Senate 5624, by Senator Savino, an
22 act to amend the Banking Law;

23 Senate 5789B, by Senator Valesky, an
24 act to amend the Public Health Law;

25 Senate 5863, by Senator Peralta, an

1 act to amend the Agriculture and Markets Law;
2 Senate 6027A, by Senator
3 DeFrancisco, an act to amend the Labor Law;
4 Senate 6233A, by Senator Lanza, an
5 act to amend the Navigation Law;
6 Senate 6250A, by Senator Ortt, an
7 act to amend the Tax Law;
8 Senate 6665, by Senator Akshar, an
9 act to amend the Environmental Conservation Law;
10 Senate 6675, by Senator Ortt, an act
11 to amend the Navigation Law;
12 Senate 6815, by Senator Griffo, an
13 act to amend the Penal Law;
14 Senate 6864A, by Senator Boyle, an
15 act to amend the Executive Law;
16 Senate 6894, by Senator Lanza, an
17 act to amend the Penal Law;
18 Senate 6915A, by Senator Ortt, an
19 act to amend the Mental Hygiene Law;
20 Senate 6922, by Senator Serino, an
21 act to amend the Social Services Law;
22 Senate 6923, by Senator Serino, an
23 act to amend the Elder Law;
24 Senate 7121, by Senator Lanza, an
25 act to amend the Real Property Tax Law;

1 Senate 7464, by Senator Marchione,
2 an act to amend the Agriculture and Markets Law;

3 Senate 7475, by Senator Funke, an
4 act to amend Chapter 138 of the Laws of 1998;

5 Senate 7480, by Senator Murphy, an
6 act to amend the Executive Law;

7 Senate 7681, by Senator Young, an
8 act to amend the Executive Law;

9 Senate 7690, by Senator Serino, an
10 act to amend the Labor Law;

11 Senate 7691, by Senator Serino, an
12 act to amend the Elder Law;

13 Senate 7752, by Senator Ortt, an act
14 to amend the Environmental Conservation Law;

15 Senate 7772, by Senator LaValle, an
16 act to amend the Environmental Conservation Law;

17 Senate 7894, by Senator Amedore, an
18 act to amend the Executive Law;

19 Senate 7908, by Senator LaValle, an
20 act in relation to creating;

21 Senate 7922, by Senator Savino, an
22 act to amend Chapter 62 of the Laws of 2011;

23 Senate 7952, by Senator Carlucci, an
24 act to authorize;

25 And Senate 7983, by Senator Avella,

1 an act to amend the Social Services Law.

2 All bills reported direct to third
3 reading.

4 ACTING PRESIDENT GRIFFO: Senator
5 DeFrancisco.

6 SENATOR DeFRANCISCO: Move to
7 accept the report of the Rules Committee.

8 ACTING PRESIDENT GRIFFO: All in
9 favor of accepting the Committee on Rules report
10 signify by saying aye.

11 (Response of "Aye.")

12 ACTING PRESIDENT GRIFFO: Opposed?

13 (No response.)

14 ACTING PRESIDENT GRIFFO: The Rules
15 Committee report is accepted.

16 Senator DeFrancisco.

17 SENATOR DeFRANCISCO: Can we now
18 have the noncontroversial reading of the active
19 list for today.

20 ACTING PRESIDENT GRIFFO: The
21 Secretary will read.

22 The Secretary will begin the active
23 list for June 7th with Calendar Number 74.

24 THE SECRETARY: Calendar Number 74,
25 by Senator Ritchie, Senate Print 1795, an act to

1 amend the Agriculture and Markets Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number 76,
13 by Senator Murphy, Senate Print 3451, an act to
14 amend the Agriculture and Markets Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

17 THE SECRETARY: Section 2. This
18 act shall take effect on the first of December.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 60. Nays, 1.
23 Senator Montgomery recorded in the negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number 98,
2 by Senator Amedore, Senate Print 6469A, an act to
3 amend the Labor Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT GRIFFO: Announce
12 the results.

13 THE SECRETARY: In relation to
14 Calendar 98, those recorded in the negative are
15 Senators Addabbo, Avella, Carlucci, Comrie,
16 Gianaris, Hamilton, Hassell-Thompson, Hoylman,
17 Kaminsky, Kennedy, Klein, Krueger, Latimer,
18 Montgomery, Parker, Peralta, Perkins, Rivera,
19 Savino, Serrano, Squadron, Stavisky and
20 Stewart-Cousins.

21 Ayes, 38. Nays, 23.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 244, substituted earlier by Member of the

1 Assembly Rosenthal, Assembly Print 9191, an act
2 to amend the Tax Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 279, by Senator Robach, Senate Print 4877, an act
15 to amend the Highway Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59. Nays, 2.

24 Senators Montgomery and Parker recorded in the
25 negative.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 371, by Senator LaValle, Senate Print 2102, an
5 act to amend the Agriculture and Markets Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 411, substituted earlier by Member of the
18 Assembly Cahill, Assembly Print 9028B, an act to
19 amend the Highway Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 412, by Senator Seward, Senate Print 6955A, an
7 act to amend the Highway Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 525, by Senator DeFrancisco, Senate Print 2917A,
20 an act to amend the Real Property Tax Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

23 THE SECRETARY: Section 4. This
24 act shall take effect on the first of January.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 593, by Senator Griffo, Senate Print 4862C, an
8 act to amend the General Business Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 6. This
12 act shall take effect immediately.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 616, by Senator Robach, Senate Print 4726A, an
21 act to amend the Domestic Relations Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

24 THE SECRETARY: Section 5. This
25 act shall take effect immediately.

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT GRIFFO: Senator
5 DeFrancisco to explain his vote.

6 SENATOR DeFRANCISCO: Yes, I'm
7 going to vote no because this is an absolute
8 prohibition from the court from granting custody
9 or unsupervised visitation with a child for a
10 person who has been convicted or charged with the
11 serious offense of rape. "Charged" is the
12 problem to me.

13 The courts obviously would learn of
14 the charge, but to make it an automatic
15 prohibition on merely an accusation I believe
16 would be the wrong thing to do. So I'm going to
17 vote no for that reason and that reason alone.

18 ACTING PRESIDENT GRIFFO: Senator
19 DeFrancisco to be recorded in the negative.

20 Announce the results.

21 THE SECRETARY: Ayes, 59. Nays, 2.
22 Senators DeFrancisco and Montgomery recorded in
23 the negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 625, by Senator Funke, Senate Print 5570A, an act
3 to amend the Executive Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 666, by Senator Funke, Senate Print 4732A, an act
16 to amend the Social Services Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 705, by Senator Felder, Senate Print 7336, an act
4 to amend the General City Law.

5 SENATOR GIANARIS: Lay it aside.

6 ACTING PRESIDENT GRIFFO: Lay the
7 bill aside.

8 THE SECRETARY: Calendar Number
9 715, by Senator Golden, Senate Print 1073, an act
10 to amend the Multiple Dwellings Law.

11 SENATOR GIANARIS: Lay it aside.

12 ACTING PRESIDENT GRIFFO: Lay it
13 aside.

14 THE SECRETARY: Calendar Number
15 732, by Senator Ritchie, Senate Print 7009, an
16 act relating to.

17 ACTING PRESIDENT GRIFFO: There is
18 a home-rule message at the desk.

19 The Secretary will read the last
20 section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 751, by Senator Marcellino, Senate Print 6505, an
6 act to amend the Education Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT GRIFFO: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 751, those recorded in the negative are
18 Senators Avella, Carlucci, Comrie,
19 Hassell-Thompson, Hoylman, Kennedy, Krueger,
20 Montgomery, Parker and Perkins.

21 Ayes, 51. Nays, 10.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 753, by Senator Gallivan, Senate Print 79, an act

1 to amend the Agriculture and Markets Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

4 THE SECRETARY: Section 5. This
5 act shall take effect on the 30th day.

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 60. Nays, 1.
10 Senator Montgomery recorded in the negative.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 757, by Senator Funke, Senate Print 6264, an act
15 to amend the Agriculture and Markets Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 764, by Senator Martins, Senate Print 7345, an
3 act to amend Chapter 395 of the Laws of 2008.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 783, by Senator Hannon, Senate Print 5903, an act
16 to amend the Public Health Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 60. Nays, 1.

25 Senator Perkins recorded in the negative.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 784, substituted earlier by Member of the
5 Assembly Gunther, Assembly Print 9188B, an act to
6 amend the Public Health Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 785, by Senator Hannon, Senate Print 7335, an act
19 to amend the Public Health Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 790, by Senator Larkin, Senate Print 7283, an act
7 to amend the Education Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

10 THE SECRETARY: Section 5. This
11 act shall take effect on the 60th day.

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 803, by Senator Golden, Senate Print 691A, an act
20 to amend the Public Authorities Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT GRIFFO: Announce
4 the results.

5 THE SECRETARY: In relation to
6 Calendar 803, those recorded in the negative are
7 Senators Amedore, Bonacic, DeFrancisco, Griffio,
8 LaValle, Marchione and Murphy. Also Senator
9 Funke. Also Senator Marcellino.

10 Ayes, 52. Nays, 9.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 807, by Senator Seward, Senate Print 3287, an act
15 to amend the Insurance Law.

16 SENATOR GIANARIS: Lay it aside.

17 ACTING PRESIDENT GRIFFO: Lay it
18 aside.

19 THE SECRETARY: Calendar Number
20 812, substituted earlier by Member of the
21 Assembly Barrett, Assembly Print 9509, an act to
22 amend the Executive Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 822, by Senator Croci, Senate Print 5994A, an act
10 to authorize.

11 ACTING PRESIDENT GRIFFO: There is
12 a home-rule message at the desk.

13 The Secretary will read the last
14 section.

15 THE SECRETARY: Section 7. This
16 act shall take effect immediately.

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 823, by Senator Gallivan, Senate Print 6549, an
25 act to amend Chapter 185 of the Laws of 2005.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 60. Nays, 1.
9 Senator Kaminsky recorded in the negative.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 830, by Senator Nozzolio, Senate Print 7258A, an
14 act to amend the Village Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 880, by Senator Valesky, Senate Print 620A, an
2 act to amend the Economic Development Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

5 THE SECRETARY: Section 5. This
6 act shall take effect on the first of January.

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 881, by Senator Murphy, Senate Print 4034, an act
15 to amend the State Administrative Procedure Act.

16 SENATOR GIANARIS: Lay it aside.

17 ACTING PRESIDENT GRIFFO: Lay it
18 aside.

19 SENATOR DeFRANCISCO: Lay it aside
20 for the day.

21 ACTING PRESIDENT GRIFFO: Lay the
22 bill aside for the day.

23 THE SECRETARY: Calendar Number
24 917, by Senator Ritchie, Senate Print 6708A, an
25 act to amend the State Finance Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 919, by Senator Boyle, Senate Print 98A, an act
13 to amend the Education Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect on the 30th day.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT GRIFFO: Senator
22 Boyle to explain his vote.

23 SENATOR BOYLE: Thank you,
24 Mr. President, to explain my vote briefly.

25 This is the Research Animal

1 Retirement Act, otherwise known as the Beagle
2 Freedom Law. We passed it unanimously in this
3 body two years in a row.

4 And it in essence allows animals,
5 dogs and cats who are the subject of tests and
6 taxpayer-funded labs in New York State, to be put
7 up for adoption and have a retirement in loving
8 homes after their testing life. They have five,
9 seven, 10 good years or more, and we owe it to
10 these animals.

11 I think this is the year hopefully
12 that we're going to get it passed. We have
13 movement in the Assembly for the first time. And
14 I happily and proudly vote aye.

15 ACTING PRESIDENT GRIFFO: Senator
16 Boyle to be recorded in the affirmative.

17 Announce the results.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 975, by Senator Ortt, Senate Print 2964B, an act
23 to amend the Penal Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

1 THE SECRETARY: Section 24. This
2 act shall take effect on the 60th day.

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: In relation to
7 Calendar 975, those recorded in the negative are
8 Senators Montgomery, Parker and Perkins.

9 Ayes, 58. Nays, 3.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 Calendar Number 999 has been amended
13 and is high and ineligible for consideration.
14 That will move us to Calendar Number 1012.

15 THE SECRETARY: Calendar Number
16 1012, by Senator Seward, Senate Print 7535, an
17 act to amend the Insurance Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

20 THE SECRETARY: Section 5. This
21 act shall take effect immediately.

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1020, by Senator Murphy, Senate Print 4417A, an
5 act to amend the Public Authorities Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 SENATOR DeFRANCISCO: Lay it aside
11 for the day, please.

12 ACTING PRESIDENT GRIFFO: The bill
13 is laid aside for the day.

14 THE SECRETARY: Calendar Number
15 1021, by Senator DeFrancisco, Senate Print 4475A,
16 an act to amend the Public Authorities Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1028, by Senator Akshar, Senate Print 7366, an
4 act to amend the Not-for-Profit Corporation Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1030, by Senator DeFrancisco, Senate Print 33A,
17 an act to amend the Education Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1036, by Senator Lanza, Senate Print 4656A, an
5 act to amend the Education Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 61.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1039, substituted earlier by Member of the
18 Assembly Glick, Assembly Print 9422, an act to
19 amend Chapter 217 of the Laws of 2015.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1040, substituted earlier by Member of the
7 Assembly Magnarelli, Assembly Print 9516, an act
8 to amend the Education Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1056, by Senator LaValle, Senate Print 5112, an
21 act to amend the Environmental Conservation Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1060, by Senator LaValle, Senate Print 5557, an
9 act to amend the Environmental Conservation Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 Calendar Number 1062 has been
21 amended and is high. It does have a home-rule
22 message, but it is ineligible for consideration
23 at this point. So we will move to Calendar 1063.

24 THE SECRETARY: Calendar Number
25 1063, substituted earlier by Member of the

1 Assembly Thiele, Assembly Print 9218, an act to
2 amend Chapter 378 of the Laws of 2014.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1065, by Senator Avella, Senate Print 7085A, an
15 act to amend the Environmental Conservation Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 ACTING PRESIDENT GRIFFO: Announce
24 the results.

25 THE SECRETARY: In relation to

1 Calendar 1065, those recorded in the negative are
2 Senators Akshar, DeFrancisco, Farley, Gallivan,
3 Griffo, Lanza, Martins, and Ritchie.

4 Ayes, 53. Nays, 8.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1120, by Senator Serino, Senate Print 7394A, an
9 act to amend the Family Court Act.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

12 THE SECRETARY: Section 12. This
13 act shall take effect immediately.

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1121, by Senator Avella, Senate Print 7695, an
22 act to amend the Family Court Act.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 60th day.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 60. Nays, 1.
6 Senator Montgomery recorded in the negative.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1122, by Senator Avella, Senate Print 7696, an
11 act to amend the Family Court Act.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

14 THE SECRETARY: Section 2. This
15 act shall take effect on the 30th day.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1123, by Senator Avella, Senate Print 7705, an
24 act to amend the Family Court Act.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 5. This
3 act shall take effect on the 90th day.

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1146, substituted earlier by Member of the
12 Assembly Rosenthal, Assembly Print 356, an act to
13 amend the Public Health Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect on the first of May.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 60. Nays, 1.
22 Senator DeFrancisco recorded in the negative.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1147, by Senator Klein, Senate Print --

2 SENATOR DeFRANCISCO: Lay the bill
3 aside temporarily.

4 ACTING PRESIDENT GRIFFO: Lay it
5 aside temporarily.

6 THE SECRETARY: Calendar Number
7 1205, by Senator Valesky, Senate Print 629, an
8 act to amend the Insurance Law.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 3. This
12 act shall take effect on the 90th day.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1215, by Senator Carlucci, Senate Print 2013A, an
21 act to amend the Tax Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1225, by Senator Lanza, Senate Print 3321, an act
9 to amend the Public Authorities Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

12 THE SECRETARY: Section 2. This
13 act shall take effect on the 30th day.

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1228, by Senator Sanders, Senate Print 3776, an
22 act to amend the Education Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1238, by Senator Croci, Senate Print 4519A, an
10 act to amend the Education Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT GRIFFO: Announce
19 the results.

20 THE SECRETARY: In relation to
21 Calendar 1238, those recorded in the negative are
22 Senators Comrie, Dilan, Gianaris, Hamilton,
23 Hassell-Thompson, Hoylman, Kennedy, Krueger,
24 Montgomery, Parker, Perkins, Rivera, Serrano,
25 Squadron and Stavisky. Also Senator Breslin.

1 Ayes, 45. Nays, 16.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1242, by Senator Valesky, Senate Print 4827, an
6 act to amend the Tax Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1245, by Senator Marcellino, Senate Print 5014,
19 an act to amend Chapter 404 of the Laws of 2013.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: In relation to
3 Calendar 1245, those recorded in the negative are
4 Senators Gianaris, Hamilton, Krueger and
5 Stewart-Cousins.

6 Ayes, 57. Nays, 4.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1249, by Senator Savino, Senate Print 5297, an
11 act to amend the Banking Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT GRIFFO: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1249, those recorded in the negative are
23 Senators Hassell-Thompson, Kaminsky, Krueger,
24 Montgomery, Parker, Perkins, Rivera, Squadron and
25 Stewart-Cousins.

1 Ayes, 52. Nays, 9.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1286, by Senator Seward, Senate Print 6802, an
6 act to direct.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 Calendar Number 1288 has been
18 amended, is high and ineligible for
19 consideration.

20 We will now move to Calendar Number
21 1298.

22 THE SECRETARY: Calendar Number
23 1298, by Senator Bonacic, Senate Print 7557, an
24 act authorizing.

25 ACTING PRESIDENT GRIFFO: There is

1 a home-rule message present at the desk.

2 The Secretary will read the last
3 section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1301, by Senator Amedore, Senate Print 7603, an
14 act to amend Chapter 325 of the Laws of 2015.

15 ACTING PRESIDENT GRIFFO: There is
16 a home-rule message present at the desk.

17 The Secretary will call the last
18 section.

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

21 SENATOR GIANARIS: Lay it aside.

22 ACTING PRESIDENT GRIFFO: Lay it
23 aside.

24 THE SECRETARY: Calendar Number
25 1311, by Senator Funke, Senate Print 7874A, an

1 act to authorize.

2 ACTING PRESIDENT GRIFFO: There is
3 a home-rule message present at the desk.

4 The Secretary will read the last
5 section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1322, substituted earlier by Member of the
16 Assembly Glick, Assembly Print 9129A, an act to
17 amend Chapter 537 of the Laws of 2008.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 SENATOR GIANARIS: Lay it aside.

25 ACTING PRESIDENT GRIFFO: Lay the

1 bill aside.

2 THE SECRETARY: Calendar Number
3 1323, by Senator Marcellino, Senate Print 6837A,
4 an act authorizing.

5 SENATOR DeFRANCISCO: Lay the bill
6 aside for the day, please.

7 ACTING PRESIDENT GRIFFO: Lay it
8 aside for the day.

9 THE SECRETARY: Calendar Number
10 1324, by Senator DeFrancisco, Senate Print 6929A,
11 an act to amend the Education Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT GRIFFO: Announce
20 the results.

21 THE SECRETARY: In relation to
22 Calendar 1324, those recorded in the negative are
23 Senators Addabbo, Comrie, Dilan, Hamilton,
24 Hassell-Thompson, Hoylman, Kennedy, Krueger,
25 Parker, Peralta, Perkins, Rivera, Squadron and

1 Stavisky.

2 Ayes, 47. Nays, 14.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 Senator DeFrancisco, why do you
6 rise?

7 SENATOR DeFRANCISCO: Yes, can we
8 withdraw the -- excuse me. There was a lay-aside
9 on 1322. Can we please readdress that bill,
10 please.

11 ACTING PRESIDENT GRIFFO: The
12 Secretary will read.

13 THE SECRETARY: Calendar Number
14 1322, substituted earlier by Member of the
15 Assembly Glick, Assembly Print 9129A, an act to
16 amend Chapter 537 of the Laws of 2008.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1330, by Senator Valesky, Senate Print 7880, an
4 act to amend the Not-for-Profit Corporation Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1334, substituted earlier by Member of the
17 Assembly Hunter, Assembly Print 9643, an act to
18 amend Chapter 274 of the Laws of 2010.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1335, by Senator Marcellino, Senate Print 7206,
6 an act to amend the Environmental Conservation
7 Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60. Nays, 1.
16 Senator LaValle recorded in the negative.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1336, by Senator Marcellino, Senate Print 7208,
21 an act to amend the Environmental Conservation
22 Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 1344, by Senator Breslin, Senate Print 7478, an
10 act to amend Chapter 141 of the Laws of 2014.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: In relation to
22 Calendar 1344: Ayes, 60. Nays, 1. Senator
23 Serrano recorded in the negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 Can I have some order in the
2 chamber, please.

3 THE SECRETARY: Calendar Number
4 1346, by Senator O'Mara, Senate Print 7890, an
5 act to amend Chapter 305 of the Laws of 2013.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 60. Nays, 1.
14 Senator LaValle recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1414, by Senator Marcellino, Senate Print 448, an
19 act to amend the Penal Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

22 THE SECRETARY: Section 6. This
23 act shall take effect on the first of November.

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: In relation to
3 Calendar 1414, those recorded in the negative are
4 Senators Hassell-Thompson, Montgomery, Parker and
5 Perkins.

6 Ayes, 57. Nays, 4.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1415, by Senator Kennedy, Senate Print 770, an
11 act to amend the Vehicle and Traffic Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1418, by Senator Breslin, Senate Print 1327, an
24 act to amend the Vehicle and Traffic Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1419, by Senator Dilan, Senate Print 1838, an act
12 to amend the Vehicle and Traffic Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

15 THE SECRETARY: Section 2. This
16 act shall take effect on the 90th day.

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1420, by Senator LaValle, Senate Print 1871A, an
25 act to amend the Education Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 60. Nays, 1.
9 Senator Kaminsky recorded in the negative.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1421, by Senator LaValle, Senate Print 2112A, an
14 act to amend the Education Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

17 THE SECRETARY: Section 4. This
18 act shall take effect immediately.

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1423, by Senator Golden, Senate Print 2268, an
2 act to amend the Insurance Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1424, by Senator Hannon, Senate Print 2302, an
15 act to amend the Insurance Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 61.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1425, by Senator LaValle, Senate Print 2403, an
3 act to amend the Domestic Relations Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 61.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1426, by Senator Felder, Senate Print 2471, an
16 act to amend the Education Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

19 THE SECRETARY: Section 2. This
20 act shall take effect on the first of September.

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 61.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1427, by Senator Griffo, Senate Print 2723, an
4 act to amend the Criminal Procedure Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1428, by Senator Funke, Senate Print 3130A, an
17 act to amend the Education Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1429, by Senator Stavisky, Senate Print 3160A, an
5 act to amend the Real Property Tax Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1430, by Senator Stavisky, Senate Print 3187, an
17 act to amend the General Municipal Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60. Nays, 1.

1 Senator Bonacic recorded in the negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1432, by Senator Lanza, Senate Print 3490, an act
6 to amend the Penal Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

9 THE SECRETARY: Section 2. This
10 act shall take effect on the first of November.

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: In relation to
15 Calendar 1432, those recorded in the negative are
16 Senators Montgomery, Parker and Perkins.

17 Ayes, 58. Nays, 3.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1433, by Senator Lanza, Senate Print 3494, an act
22 to amend the Penal Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: In relation to
6 Calendar 1433, those recorded in the negative are
7 Senators Montgomery, Parker and Perkins. Also
8 Senator Hoylman.

9 Ayes, 57. Nays, 4.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1439, by Senator Lanza, Senate Print 4513A, an
14 act to amend the Education Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 61.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1442, by Senator Klein, Senate Print 5485A, an
2 act to amend the Vehicle and Traffic Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Announce
11 the results.

12 THE SECRETARY: In relation to
13 Calendar 1442, those recorded in the negative are
14 Senators Akshar, Amedore, Croci, DeFrancisco,
15 Funke, Griffo, LaValle, Little, Marcellino,
16 Murphy, Ortt, Seward and Stavisky. Also Senator
17 Gallivan. Also Senator Marchione. Also Senator
18 Ranzenhofer. Also Senator Serino.

19 ACTING PRESIDENT GRIFFO:
20 Reannounce the results.

21 THE SECRETARY: In relation to
22 Calendar 1442, those recorded in the negative are
23 Senators Akshar, Amedore, Croci, DeFrancisco,
24 Farley, Funke, Gallivan, Griffo, Larkin, LaValle,
25 Little, Marcellino, Marchione, Murphy, Ortt,

1 Ranzenhofer, Serino and Seward.

2 Ayes, 43. Nays, 18.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1443, by Senator Felder, Senate Print 5755A, an
7 act relating to.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 61.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1444, by Senator O'Mara, Senate Print 5906, an
20 act to amend the Parks, Recreation and Historic
21 Preservation Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: In relation to
5 Calendar 1444, those recorded in the negative are
6 Senators Dilan, Hoylman and Perkins.

7 Ayes, 58. Nays, 3.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1448, by Senator Carlucci, Senate Print 6229, an
12 act to amend the Tax Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1449, by Senator Boyle, Senate Print 6358, an act
25 to amend the Education Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

3 THE SECRETARY: Section 2. This
4 act shall take effect on the 90th day.

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 61.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1450, by Senator DeFrancisco, Senate Print 6573,
13 an act to amend the State Finance Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

16 THE SECRETARY: Section 5. This
17 act shall take effect immediately.

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 61.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1451, by Senator Croci, Senate Print 6585, an act

1 to amend the Penal Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 61.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: In relation to
13 Calendar 1451: Ayes, 60. Nays, 1. Senator
14 Montgomery recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1455, substituted earlier by Member of the
19 Assembly O'Donnell, Assembly Print 1984, an act
20 to amend the Executive Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the 30th day.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 61.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1458, by Senator Golden, Senate Print 7063, an
8 act to establish.

9 ACTING PRESIDENT GRIFFO: Read the
10 last section.

11 THE SECRETARY: Section 4. This
12 act shall take effect immediately.

13 ACTING PRESIDENT GRIFFO: Call the
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 61.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1459, by Senator Seward, Senate Print 7155, an
21 act to amend the Education Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 61.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1460, by Senator Savino, Senate Print 7161, an
9 act to amend the Elder Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

12 THE SECRETARY: Section 4. This
13 act shall take effect immediately.

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 61.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1464, by Senator Little, Senate Print 7522, an
22 act to amend the Parks, Recreation and Historic
23 Preservation Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1465, by Senator Marchione, Senate Print 7645, an
11 act to amend the Executive Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 THE SECRETARY: Ayes, 61.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1466, by Senator Bonacic, Senate Print 7654, an
23 act to amend the Executive Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 61.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1467, by Senator Golden, Senate Print 7664, an
11 act to amend Chapter 507 of the Laws of 1974.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 Senator DeFrancisco, that completes
23 the reading -- oh, there's one more.

24 THE SECRETARY: Calendar Number
25 1471, by Senator Valesky, Senate Print 7938, an

1 act to amend the Vehicle and Traffic Law.

2 ACTING PRESIDENT GRIFFO: Sorry,
3 Senator Valesky.

4 (Laughter.)

5 ACTING PRESIDENT GRIFFO: The
6 Secretary will read the last section.

7 THE SECRETARY: Section 5. This
8 act shall take effect on the 180th day.

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 And Senator DeFrancisco, that
16 actually does complete the noncontroversial
17 reading of today's active-list calendar.

18 SENATOR DeFRANCISCO: Not so fast,
19 because we laid aside temporarily Calendar Number
20 1147. Could we please call that again.

21 ACTING PRESIDENT GRIFFO: We will
22 return to the temporary lay-aside, which was
23 Calendar Number 1147, by Senator Klein, and the
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 1147, by Senator Klein, Senate Print 7049, an act
2 to amend the Public Health Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect on the 30th day.

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 ACTING PRESIDENT GRIFFO: Senator
11 Klein to explain his vote.

12 Can I have some order in the
13 chamber, please.

14 SENATOR KLEIN: Thank you,
15 Mr. President.

16 This legislation would ensure that
17 participants in the Special Supplemental
18 Nutrition Program for Women, Infants and
19 Children, known as WIC, have access to all
20 WIC-approved products, including specialty and
21 exempt formulas.

22 Unfortunately, back in January of
23 2014 the New York State Department of Health --
24 the only Department of Health in the entire
25 United States -- decided to drastically change

1 regulations as it applies to WIC. Just in the
2 way of background, WIC is a program that makes
3 sure that young families, infants and moms eat
4 healthy foods.

5 They decided to change the
6 regulation where a specialty infant formula can
7 now only be obtained in a pharmacy, which kind of
8 defeats the whole purpose of the WIC program.
9 Now you're forcing young women to have to go to a
10 pharmacy to buy their formula and then go to
11 their local grocery store to get their fresh
12 produce. It just doesn't make any sense.

13 So this legislation would bring back
14 the old system, make it convenient for most
15 neighborhoods -- who have to travel very far to
16 go to a local pharmacy, while their supermarket
17 is usually around the block -- to buy everything
18 at one location, as the WIC program intended.

19 I also want to thank two of my
20 colleagues, Senator Espaillat and Senator
21 Peralta, who have worked very closely with me on
22 this important legislation.

23 I vote yes, Mr. President.

24 ACTING PRESIDENT GRIFFO: Senator
25 Klein to be recorded in the affirmative.

1 Announce the results.

2 THE SECRETARY: Ayes, 61.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 Senator DeFrancisco, that completes
6 the --

7 SENATOR DeFRANCISCO: Can we go to
8 motions and resolutions, please.

9 ACTING PRESIDENT GRIFFO: We will
10 return to motions and resolutions.

11 SENATOR DeFRANCISCO: On page 60, I
12 offer the following amendments to Calendar 1282,
13 Senate Print 7968, a bill by Senator Martins, and
14 ask that said bill retain its place on the Third
15 Reading Calendar.

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

19 SENATOR DeFRANCISCO: And if you'd
20 please contact -- recognize Senator Valesky,
21 please.

22 ACTING PRESIDENT GRIFFO: Senator
23 Valesky.

24 SENATOR VALESKY: Thank you,
25 Mr. President.

1 On behalf of Senator Avella, I wish
2 to call up his bill, 1148, recalled from the
3 Assembly, which is now at the desk.

4 ACTING PRESIDENT GRIFFO: The
5 Secretary will read.

6 THE SECRETARY: Calendar Number
7 220, by Senator Avella, Senate Print 1148, an act
8 to establish.

9 SENATOR VALESKY: I now move to
10 reconsider the vote by which this bill passed.

11 ACTING PRESIDENT GRIFFO: The
12 Secretary will call the roll on reconsideration.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61.

15 SENATOR VALESKY: I now offer the
16 following amendments.

17 ACTING PRESIDENT GRIFFO: The
18 amendments are received.

19 SENATOR VALESKY: Thank you.

20 ACTING PRESIDENT GRIFFO: Senator
21 DeFrancisco.

22 SENATOR DeFRANCISCO: Yes, we have
23 a supplemental calendar, which are the bills --
24 it's 50A. It has the bills that we dealt with in
25 Rules Committee today.

1 I'd just like to take up one bill
2 off of that supplemental calendar, namely,
3 Calendar Number 1511.

4 ACTING PRESIDENT GRIFFO: Okay, we
5 will go to Senate Supplemental Calendar 50A and
6 we'll be taking up Calendar Number 1511, by
7 Senator Young. That is Supplemental Calendar
8 50A.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number
11 1511, by Senator Young, Senate Print 7681, an act
12 to amend the Executive Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 Senator DeFrancisco, that completes
24 the noncontroversial reading of Supplemental
25 Calendar 50A.

1 SENATOR DeFRANCISCO: Okay, now --

2 ACTING PRESIDENT GRIFFO: For that
3 one bill.

4 SENATOR DeFRANCISCO: If you'd
5 please lay the rest of the supplemental calendar
6 aside.

7 ACTING PRESIDENT GRIFFO: The
8 remainder of Calendar 50A will be laid aside for
9 the day.

10 SENATOR DeFRANCISCO: And take up
11 the controversial calendar, the active list
12 today.

13 ACTING PRESIDENT GRIFFO: The
14 Secretary will ring the bell.

15 The Secretary will read.

16 THE SECRETARY: Calendar Number
17 705, by Senator Felder, Senate Print 7336, an act
18 to amend the General City Law.

19 ACTING PRESIDENT GRIFFO: Senator
20 Hoylman.

21 SENATOR HOYLMAN: Thank you,
22 Mr. President. Would the sponsor yield to a few
23 questions?

24 ACTING PRESIDENT GRIFFO: Sponsor,
25 do you yield?

1 The sponsor yields.

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

4 Does the sponsor agree that there is
5 a problem of plastic bag waste in the State of
6 New York and the City of New York?

7 SENATOR FELDER: Can you repeat the
8 question? Through you, Mr. President.

9 ACTING PRESIDENT GRIFFO: Senator
10 Hoylman -- may I have some order in the house,
11 please.

12 Senator Hoylman, would you repeat
13 the question?

14 SENATOR HOYLMAN: Does the sponsor
15 agree that there is a problem of plastic bag
16 waste?

17 SENATOR FELDER: No.

18 ACTING PRESIDENT GRIFFO: Senator
19 Hoylman.

20 SENATOR HOYLMAN: Would the sponsor
21 continue to yield?

22 ACTING PRESIDENT GRIFFO: Sponsor,
23 do you yield?

24 SENATOR FELDER: Yes.

25 ACTING PRESIDENT GRIFFO: Senator

1 Felder yields.

2 SENATOR HOYLMAN: Does the sponsor
3 appreciate that each year approximately
4 10 million bags are used and thrown away each
5 year in New York City?

6 SENATOR FELDER: Through you,
7 Mr. President. Can my colleague explain what he
8 means, "appreciate"?

9 ACTING PRESIDENT GRIFFO: Senator
10 Hoylman, would you care to elaborate on that?

11 SENATOR HOYLMAN: Does the sponsor
12 acknowledge that there are statistics from the
13 City of New York, the mayor's office
14 specifically, that each year approximately
15 10 million bags are used and thrown away in
16 New York City?

17 SENATOR FELDER: Yes.

18 SENATOR HOYLMAN: Will the sponsor
19 continue to yield?

20 SENATOR FELDER: Yes.

21 ACTING PRESIDENT GRIFFO: Senator
22 Felder yields.

23 SENATOR HOYLMAN: Does the sponsor
24 know that it costs, according to the city, about
25 \$12.5 million to dispose of plastic bags?

1 SENATOR FELDER: No.

2 SENATOR HOYLMAN: Will the sponsor
3 continue to yield, Mr. President?

4 SENATOR FELDER: Yes.

5 ACTING PRESIDENT GRIFFO: The
6 sponsor yields.

7 SENATOR HOYLMAN: Is the sponsor
8 aware that plastic bags in New York City clog
9 waste treatment systems, end up floating in
10 harbors, they're part of the 165 million plastic
11 particles that are floating in the
12 New York/New Jersey estuary waters?

13 SENATOR FELDER: Through you,
14 Mr. President, what I do know is that plastic
15 bags are one-half of a percent of the waste
16 stream. And the largest portion of the waste
17 stream is from paper products, such as bags,
18 newspapers -- I'm talking about paper -- fast
19 food containers, candy wrappers, cigarette butts.

20 Interestingly enough, the City
21 Council bill chose not to tax those items but
22 rather pick plastic bags, which are only a half
23 of one percent of the stream.

24 ACTING PRESIDENT GRIFFO: Senator
25 Hoylman.

1 SENATOR HOYLMAN: Will the sponsor
2 continue to yield?

3 SENATOR FELDER: Yes.

4 ACTING PRESIDENT GRIFFO: Senator
5 Felder yields.

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

8 Would the sponsor's bill preempt the
9 imposition of a plastic bag fee to deal with the
10 problem of plastic bag waste just for New York
11 City or for all cities and municipalities?

12 SENATOR FELDER: Through you,
13 Mr. President, I think I have to correct my
14 colleague's statement because the word that he
15 used is really not correct.

16 I will answer my colleague's
17 question; it applies to any city in New York
18 State. But I think my colleague said "remedy" --
19 I don't remember exactly.

20 This bill is -- the purpose of this
21 bill is to make sure that New Yorkers are not
22 subject to another tax. The bill would prohibit
23 any city in the state from imposing any tax, fee,
24 or other local charge on any carryout merchandise
25 bag. And that's because the City Council, as you

1 may know, adopted unilaterally a plastic bag tax
2 of a nickel a bag, and this unjust measure is
3 scheduled to take effect unless we get rid of it.

4 And that's why we have this bill
5 here today. This bill is doing two things. One,
6 the City Council decided to call this nickel a
7 fee, not a tax -- which it is -- because they
8 don't have the right to impose taxes on
9 New Yorkers. So they couldn't call it a tax,
10 they called it a fee. And this fee is going to
11 unjustly, unfairly impose a tax on most
12 New Yorkers.

13 Now, I know that you're going to ask
14 me why this bill is so important. And I myself,
15 Mr. President, have never gotten so much
16 feedback -- whether it's petitions, whether it's
17 phone calls, or whether people stopping me on the
18 street -- about any other issue. And I daresay
19 that I have had some decent issues other than
20 this. More than any other issue. And I've heard
21 the same experiences from many of my colleagues.
22 People are upset about this nickel tax.

23 And I'm trying to figure out why
24 people are so upset, and it dawned on me. The
25 sponsors of the bill, when they were asked about

1 their City Council bill, said that the purpose of
2 their bill is to irritate New Yorkers into
3 changing their behavior. I say that again. The
4 purpose of the bill is to irritate New Yorkers to
5 change their behavior.

6 Well, New Yorkers do not appreciate
7 that. New Yorkers do not like being manipulated,
8 they do not like being aggravated, and they do
9 not need government to irritate them.

10 So the supporters of the City
11 Council bill who believe that it's their job to
12 modify New York City residents' behavior by
13 irritating them, that's why people are so upset
14 about this nickel tax.

15 So I'm finished, if you haven't
16 realized it.

17 (Laughter.)

18 ACTING PRESIDENT GRIFFO: Senator
19 Hoylman.

20 SENATOR HOYLMAN: I've forgotten my
21 question.

22 (Laughter.)

23 SENATOR FELDER: That's the purpose
24 of it.

25 (Laughter.)

1 ACTING PRESIDENT GRIFFO: The
2 timing was good.

3 Senator Hoylman.

4 SENATOR HOYLMAN: Would the sponsor
5 continue to yield.

6 ACTING PRESIDENT GRIFFO: Senator
7 Felder, do you continue to yield?

8 SENATOR FELDER: Yes. Yes.

9 ACTING PRESIDENT GRIFFO: Senator
10 Felder yields.

11 SENATOR HOYLMAN: In the sponsor's
12 memo he cites a number of public health concerns
13 as actually one of the reasons for objecting to
14 the New York City plastic bag fee. He says in
15 the memo that reusable bags present a serious
16 public health issue and that "reusable bags often
17 present the risk of bringing into a store a
18 contaminate or food-based disease, bacteria or
19 other illnesses which can cause serious
20 cross-contamination or infection for both the
21 customer, other customers, or even store
22 employees."

23 Would the sponsor tell me the source
24 of his study?

25 SENATOR FELDER: I have many --

1 through you, Mr. President, I have many studies,
2 just like you will quote many studies to support
3 your position. I'm holding a bunch of them. If
4 you'd like me to read them all, I'd be happy to
5 entertain you, at the risk of alienating all my
6 other colleagues.

7 (Laughter.)

8 ACTING PRESIDENT GRIFFO: Senator
9 Hoylman.

10 SENATOR HOYLMAN: Would the --

11 ACTING PRESIDENT GRIFFO: How do
12 you think I feel trying to figure out when he's
13 ended?

14 SENATOR HOYLMAN: Could the sponsor
15 tell me specifically the assertion that plastic
16 bags present a serious public health issue?
17 Could he name the study where -- one study where
18 he sourced that information?

19 SENATOR FELDER: Through you,
20 Mr. President. It's clear that my colleague
21 doesn't believe me, so I certainly don't want him
22 to have to trust me.

23 The University of Pennsylvania,
24 University of Arizona. And I have a whole series
25 of other studies that will talk about it.

1 SENATOR HOYLMAN: Would the sponsor
2 continue to yield?

3 ACTING PRESIDENT GRIFFO: Senator
4 Felder, do you yield?

5 SENATOR FELDER: Yes.

6 ACTING PRESIDENT GRIFFO: Senator
7 Felder yields.

8 SENATOR HOYLMAN: Is the sponsor
9 aware that the study conducted at the University
10 of Arizona was funded by the American Chemical
11 Council?

12 SENATOR FELDER: By what? I'm
13 sorry, through you, Mr. President. (Loudly.) By
14 what?

15 (Laughter.)

16 ACTING PRESIDENT GRIFFO: Senator
17 Hoylman.

18 SENATOR HOYLMAN: The American
19 Chemical Council.

20 SENATOR FELDER: The what?

21 SENATOR HOYLMAN: American Chemical
22 Council.

23 SENATOR FELDER: Okay, I'm sorry, I
24 didn't hear you.

25 No, I'm not aware. But so what?

1 ACTING PRESIDENT GRIFFO: Senator
2 Hoylman.

3 SENATOR HOYLMAN: Does -- I'll --

4 ACTING PRESIDENT GRIFFO: On the
5 bill?

6 SENATOR HOYLMAN: Not on the bill.
7 Would the sponsor continue to yield?

8 ACTING PRESIDENT GRIFFO: Senator
9 Felder, do you continue to yield?

10 SENATOR FELDER: Yes.

11 ACTING PRESIDENT GRIFFO: The
12 Senator yields.

13 SENATOR HOYLMAN: So what? The
14 American Chemical Council is the leading
15 proponent, industry proponent of plastic bag use
16 in these United States.

17 Does the sponsor acknowledge that
18 there could be a potential conflict of interest
19 in the American Chemical Council's position on
20 plastic bags?

21 SENATOR FELDER: Through you,
22 Mr. President, I do acknowledge that.

23 I also acknowledge that all the
24 studies that support my colleague's position were
25 probably done by advocates that support their

1 position. And there might be a conflict as well
2 when some of the groups that are supporting your
3 position -- or I should say my colleague's
4 position -- are funded by those groups.

5 So we can spend a long time going
6 through this, and each of us will have the same
7 questions for each other. And I'll be happy to
8 do that.

9 SENATOR HOYLMAN: On the bill,
10 Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 Hoylman on the bill.

13 SENATOR HOYLMAN: I wanted to thank
14 my colleague for his insight on this issue and
15 appreciate his answers.

16 You know, there's a lot of
17 handwringing over this legislation, over local
18 legislation. I mean, you'd think the apocalypse
19 was about to dawn on us.

20 In fact, I was -- the same kind of
21 angst has beset other countries and cities that
22 have considered such a fee. In the U.K., there
23 was a hashtag, actually, called #plasticbagchaos,
24 when they considered a fee on their bags. And
25 folks were tweeting about plastic bag

1 alternatives in the event that this fee would be
2 imposed: You could use a cardboard box, a
3 briefcase, the inside of your shirt, a swimming
4 cap, a butternut squash with the seeds removed.
5 And one person suggested that they would carry
6 always a plastic bag tied to their wrist just in
7 case they forgot their bag.

8 But the truth is we've seen in other
9 places where a fee such as the one suggested by
10 the New York City Council has been imposed. It's
11 been extremely successful and reduced plastic bag
12 waste. San Francisco, Los Angeles, Washington,
13 D.C., Ireland -- anywhere from 60 to over
14 90 percent of plastic bag waste reduction in
15 those countries and cities after a similar fee
16 was imposed.

17 Plastic bag use, I think, is a
18 problem. New York City has proposed a solution.
19 Other jurisdictions in the state are proposing
20 the same -- Suffolk, New Castle, among others.
21 The reason is because they can't wait for Albany.

22 The sponsor's bill, Mr. President,
23 is essentially a preemption with nothing in its
24 place. It nullifies a local law, but it does
25 nothing to address any problem. Albany has been

1 handwringing over plastic bag laws for over
2 25 years, but we really haven't done much about
3 it. So who are we to tell a local municipality
4 that it can't address a pressing problem?

5 Now, I get it, the city is a
6 creature of the state. My friend Senator Savino
7 has told me that many times. But we're
8 preempting the city with nothing. We are taking,
9 moreover, an unprecedented move of overturning a
10 local law and nullifying a pro-environment piece
11 of legislation.

12 You've seen all of the advocacy
13 organizations -- Riverkeeper, The Nature
14 Conservancy, Environmental Advocates of New York,
15 Citizens Campaign for the Environment, the
16 New York League of Conservation Voters, New York/
17 New Jersey Baykeeper, all of them support the
18 local bill proposed by the City Council.

19 What kind of precedent are we
20 setting when we start overturning local laws in
21 cities and municipalities across the state? Once
22 this chamber is over its obsession with New York
23 City local laws, you can guarantee that they're
24 going to be coming for you next, whether it's
25 Suffolk, New Castle, Corning, Pittsford. This is

1 another example of Albany, of Albany telling
2 local governments that it knows better. It's
3 Common Core for plastic bags.

4 And we should let governments do
5 what they do best. This bill was heard by the
6 City Council in three hearings over two years of
7 discussions. It passed with widespread support
8 from communities across the five boroughs. We
9 shouldn't interfere with what a local government
10 decides is best for its citizens.

11 I urge any colleagues to vote no.
12 Thank you, Mr. President.

13 ACTING PRESIDENT GRIFFO: Senator
14 Krueger.

15 SENATOR KRUEGER: I guess it's
16 still afternoon. Good afternoon, Mr. President.

17 ACTING PRESIDENT GRIFFO: Good
18 afternoon.

19 SENATOR KRUEGER: If the sponsor
20 would yield to some questions, please.

21 ACTING PRESIDENT GRIFFO: Senator
22 Felder, do you yield to some questions from
23 Senator Krueger?

24 Senator Felder yields.

25 SENATOR FELDER: Yes. Except I

1 won't answer any questions about carrying my
2 groceries in a hollowed butterscotch.

3 (Laughter.)

4 SENATOR KRUEGER: I promise not to
5 ask any questions about carrying groceries in
6 hollowed -- squash, is that what we heard?

7 SENATOR HOYLMAN: Yes
8 {unintelligible}.

9 SENATOR FELDER: He would know
10 better.

11 ACTING PRESIDENT GRIFFO: Senator
12 Felder yields.

13 SENATOR KRUEGER: So Senator, as I
14 read your bill, it would actually outlaw stores
15 choosing to charge for carryout bags. And there
16 are stores that do that now -- Aldi's, Ikea, some
17 of the BJ's, Sam's, Costco-type stores.

18 So you would outlaw them charging
19 for bags, which they do currently as part of
20 their own internal policies at this point?

21 SENATOR FELDER: Through you,
22 Mr. President, I don't believe in government
23 interfering with private industry in general,
24 because usually whatever government touches goes
25 bad.

1 So I certainly -- the bill does not
2 state anywhere that we're trying to prohibit
3 private businesses. They can charge as much as
4 they want. In fact, if they think it's a good
5 idea, let them charge \$10 a bag if they think
6 that's a good idea.

7 This bill, this bill is correcting a
8 terrible precedent that's being set by the City
9 Council. And let me tell you, it's New York City
10 first and it's coming to you next, in that the
11 state passes a law, the environmental
12 advocates -- and let me just say I don't think
13 there's anyone in this room that wants to hurt
14 the environment.

15 So having said that, a few years
16 ago -- maybe more than a few -- we used to use
17 paper bags, and the environmental advocates came
18 along and said: This is not a good thing. Let's
19 use plastic bags, and those plastic bags will be
20 able to be recycled. And at that same time the
21 state established a law that would mandate that
22 stores have bins for recycling. Unfortunately,
23 the city and the state have not enforced that
24 law.

25 So the City Council decided, in its

1 infinite wisdom, that if a law is not being
2 enforced, dump the law and make a new one. Well,
3 that's not the way it works. That's not the way
4 it works.

5 And it would be a terrible precedent
6 for us to say: No problem, if there's a law that
7 you don't like, figure out how to call something
8 a fee instead of a tax, and everyone will be
9 happy.

10 So the answer to your question, in
11 case you forgot it, was stores can charge
12 whatever they want.

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

16 ACTING PRESIDENT GRIFFO: Senator
17 Felder, do you yield?

18 SENATOR FELDER: Yes.

19 ACTING PRESIDENT GRIFFO: The
20 Senator yields.

21 SENATOR KRUEGER: I would like to
22 refer the sponsor to Section 3 of his bill, which
23 states: "No retail store may collect any charge,
24 tax or any other fee upon a customer in return
25 for the provision of any carryout merchandise

1 bag."

2 So while I'm glad to hear the
3 sponsor says he doesn't want to intrude on
4 business, I believe his bill would, because it
5 says they can't charge for bags, and yet we have
6 quite a few types of stores currently charging
7 for bags.

8 So I guess I'm reasking the
9 question: Did the sponsor intend his bill to
10 prevent stores that currently charge for bags
11 from being able to charge for bags?

12 SENATOR FELDER: Through you,
13 Mr. President, I think that it would be helpful
14 to read the entire paragraph. "Prohibition on
15 the collection of a tax, fee, or local charge on
16 any carryout merchandise bag. No wholesaler may
17 collect any additional charge, tax, or any other
18 fee upon a retail store for the provision of any
19 carryout merchandise bag, other than the original
20 cost of such bag as agreed between the wholesaler
21 and the retail store for the purpose of such
22 bag."

23 "Additionally" -- and "additionally"
24 goes on the last few sentences we just talked
25 about, which was the prohibition on a tax or

1 fee -- "no retail store may collect any other
2 charge, tax or any other fee upon a customer in
3 return for the provision of any carryout
4 merchandise bag."

5 I would interpret that clearly as
6 meaning that we're referring to a tax, not for a
7 store to decide whether it wants to impose a fee
8 for bags or anything else.

9 SENATOR KRUEGER: Through you,
10 Mr. President, if the sponsor would continue to
11 yield.

12 SENATOR FELDER: Yes.

13 ACTING PRESIDENT GRIFFO: Does the
14 sponsor yield?

15 SENATOR FELDER: Yes.

16 SENATOR KRUEGER: He read the
17 section, and "may not collect any charge, tax or
18 any fee from a customer."

19 If I'm charging for a bag at my
20 store, I am charging for a bag at my store and
21 this would be outlawing that. I don't see how
22 this wouldn't outlaw that.

23 SENATOR FELDER: Through you
24 Mr. President. As I said the first time, it's
25 related to the bill that we're talking about,

1 which would prohibit the city or any city within
2 New York State from imposing such tax.

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

6 ACTING PRESIDENT GRIFFO: Sponsor,
7 do you yield?

8 SENATOR FELDER: Yes.

9 ACTING PRESIDENT GRIFFO: Senator
10 Felder yields.

11 SENATOR KRUEGER: So I have to take
12 disagreement with the sponsor about what the
13 language and meaning of the language of his bill
14 is.

15 But I'm going to follow up with a
16 continued question. If you read this bill as
17 prohibiting stores from selling bags to take
18 product out of their store, does that mean they
19 can no longer sell reusable bags at the checkout
20 counter? Most stores that I go into here in
21 Albany, if they're food stores, or in New York
22 City, they are selling reusable bags as a product
23 in their product mix at checkout. So that would
24 also become illegal? Because that would be
25 selling bags to the customer to take merchandise

1 out of the store.

2 SENATOR FELDER: Through you,
3 Mr. President, I can't answer my colleague's
4 question based on a premise that she established.
5 We disagree upon what the law says. You're
6 asking me what I would do if I interpreted the
7 law the way you are interpreting it. I can't
8 answer that.

9 SENATOR KRUEGER: Through you,
10 Mr. President, if the sponsor would continue to
11 yield.

12 ACTING PRESIDENT GRIFFO: Senator
13 Felder, do you yield?

14 SENATOR FELDER: Yes, please.

15 ACTING PRESIDENT GRIFFO: The
16 Senator yields.

17 SENATOR KRUEGER: Thank you.

18 The sponsor, in answering the
19 questions of my previous colleague who was asking
20 questions, talked about it's not okay to pass a
21 bill just to irritate people. I would argue this
22 is not a bill just to irritate people. Probably
23 every bill the State Legislature has ever passed
24 and the City Council has ever passed and county
25 legislatures have ever passed irritates someone.

1 Does the sponsor actually propose
2 that a justification to override a municipality's
3 policy is based on a personal analysis of the
4 irritation level? Is that the basis of passing
5 this bill, he wants to make sure nobody is ever
6 irritated?

7 SENATOR FELDER: Through you,
8 Mr. President, I wish that I had control of
9 making sure that people weren't irritated. I
10 might be able to run for statewide office.

11 But I didn't say that. The sponsor
12 of the bill said that. I don't think I've ever
13 said that I sponsored any legislation to irritate
14 people. I don't think that's the way you get
15 reelected.

16 But certainly that's not the way you
17 tell New Yorkers that something's good for you,
18 or you dictate to New Yorkers and you tell them:
19 This is what you need. Even though you don't
20 think you need it, this is what you need. And
21 the sponsor of the bill -- not me, and certainly
22 not you -- said that the way this bill is
23 supposed to work is that the goal is to irritate
24 people into changing their behavior. I'm only
25 trying to be honest. I'm quoting the sponsor of

1 the bill. I would never want the sponsor of the
2 bill to say, Simcha, you lied, you didn't quote
3 me correctly. That's one.

4 And two, my colleague mentioned,
5 once again, this bill is trying to somehow take
6 away, remove or destroy something that a locality
7 like New York City has done. I will repeat it
8 again. This bill is doing something very
9 important, as Senator Hoylman said -- but he said
10 it to support his position.

11 My bill makes sure that we don't set
12 a terrible precedent by saying the state passes
13 laws and then any locality comes along and says,
14 You know, we don't like it that much, we're going
15 to do our own. That's not the way it works. I
16 didn't make the constitution. That's the
17 constitution of the state. The state has rights;
18 the locality has rights. The rights of the
19 locality is not to pick or choose what it likes
20 or dislikes and then come up with its own laws.

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

24 ACTING PRESIDENT GRIFFO: Senator
25 Felder, do you yield?

1 SENATOR FELDER: Yes.

2 ACTING PRESIDENT GRIFFO: The
3 Senator yields.

4 SENATOR KRUEGER: The sponsor, in
5 explaining why he thought the state should
6 override the local law, referenced his belief
7 that this would have negative consequences for
8 the people of New York City. If the research
9 shows -- which it does -- that over 200 cities
10 around the country have implemented variations on
11 bring-your-own-bag laws and that they've gone
12 into effect in roughly 80 percent of the
13 households in all 200 cities, across lines of
14 race, income, age and family size, have started
15 bringing their own reusable bags back to the
16 stores -- knowing that, would that influence the
17 sponsor's thinking about whether New York State
18 ought to be superseding any locality in
19 New York's right to pass a bill similar to the
20 200 other localities in the United States?

21 SENATOR FELDER: Through you,
22 Mr. President, I will repeat as many times as
23 necessary. New York State is not removing, not
24 rescinding -- I forgot all the words that were
25 used to describe New York City's law. Just the

1 opposite. Just the opposite.

2 New York City is imposing on its
3 residents an unjust and unfair tax -- not a fee,
4 a tax -- which we know a law has been passed a
5 long time ago that said that stores have to have
6 recycle bins.

7 Now, if the sponsors of this bill
8 want to ban plastic bags altogether, they should
9 say so. And that they'd be allowed to do, I
10 believe. But if they want to impose a tax -- and
11 let me be clear, for anyone who has any question
12 whether this is a tax or a fee. A fee, New York
13 State's Constitution vests only in the State
14 Legislature.

15 And the distinction between a fee
16 and a tax is pretty clear. A fee is something
17 that government charges for a service or product
18 it provides. That is a fee. You go and you want
19 to park on a street, and you have to put money in
20 the meter. The government or New York City, in
21 this case, is providing you with a space to park
22 and you have to pay for it.

23 You go ahead and you need to get
24 some permits or inspections or anything like
25 that, and there's a charge. New York City is

1 providing a service or a product and, in turn,
2 you have to pay for it. That is a fee.

3 But here, the government is not
4 providing anything. New York City has decided
5 that the retailer providing the bag -- not the
6 city -- is going to collect money from you for
7 each bag. That's not a fee. I'm sorry, that is
8 not a fee, yes. That's a tax. A tax is where
9 government uses its power to take your money and
10 then decides how it wants it spent.

11 And that's exactly what New York
12 City is doing here. The fact that the city is
13 not keeping the money, the fact is that the city
14 is not keeping the money doesn't make it a fee.
15 It makes it a tax where the city is not keeping
16 the money.

17 So it's clearly a punitive measure
18 to get people to change their behavior. And if
19 we really wanted to encourage recycling -- now,
20 I'm not suggesting this, by any means, but
21 there's a -- my colleague Senator Savino always
22 talks about the Bottle Bill.

23 The Bottle Bill, the way it worked
24 is the state said if you want to buy a soda or
25 anything like that, you have to put a nickel

1 deposit. And if you bring back the bottle, you
2 get your nickel back. And in fact it's become so
3 popular that there are many people who have made
4 a living out of it. Many people don't want to
5 bother.

6 But that's -- that's how the state
7 decided to encourage people to recycle. And they
8 either do or don't. But if they decide to do it,
9 they get their nickel back.

10 In this case the city is telling
11 people clearly that it's a tax. Because they're
12 not giving you your nickel back, they're not
13 telling you to recycle it at the store.

14 Oh, I forgot one other point you
15 might have wanted to ask me in the future. I
16 forgot to tell all of us, tell everyone that it's
17 a misnomer to say that people in New York do not
18 recycle their bags. I dare suggest that if you
19 asked a hundred New Yorkers randomly what they do
20 with the plastic bags they get and they use to
21 bring home their groceries, they will give you
22 multiple answers. Some use it to get rid of
23 diapers. Some use it to make sure that they
24 clean up after their dogs. Some people give it
25 to their kids to be able to take their lunch to

1 school. Some people take their books to school.

2 Very rare -- I'm not going to tell
3 you that there's no one -- very rarely do people
4 take their bags and just throw them in the
5 garbage. I know in my own home we have a place
6 where we keep bags for those types of uses. And
7 I might add, people in apartment buildings, they
8 don't go out and buy Glad or some other company
9 garbage bags, they use bags. They put the bags
10 in the garbage, they put the garbage in the bags,
11 and then they bring it down. Is that nothing not
12 recycling? I don't think there's any better way
13 to recycle.

14 So this whole concept that's been
15 created by some advocates that there is this --

16 ACTING PRESIDENT GRIFFO: Can I
17 have some order in the chamber, please
18 {gaveling}.

19 SENATOR FELDER: I'll continue,
20 I'll continue later. I want the Senator to have
21 a chance to continue with her questions.

22 SENATOR KRUEGER: Thank you.

23 So so far we have the sponsor has a
24 different definition than I think the state
25 has about what does it mean to be allowed to sell

1 or charge for a bag. We have a different
2 definition of what the state defines as tax
3 versus fee.

4 By the way, it clearly is not
5 legally a tax that the city passed, because the
6 City of New York, as both the sponsor and I know,
7 doesn't have a right to pass tax. So it --

8 ACTING PRESIDENT GRIFFO: Senator
9 Krueger, are you on the bill or are you asking a
10 question to Senator Felder?

11 SENATOR KRUEGER: I'm on the bill
12 and I'll go back to questions.

13 ACTING PRESIDENT GRIFFO: Senator
14 Krueger on the bill.

15 SENATOR KRUEGER: Thank you.

16 So it is a fee, because the City of
17 New York couldn't pass a law that taxed. And in
18 fact, it's not even a fee that you have to pay,
19 it's only a fee that you choose to pay if you
20 continue to use plastic or paper bags in the City
21 of New York. If you bring your own reusable
22 bags, there is no fee, there is no tax. It is up
23 to you.

24 That is why it is correlated so
25 effectively with changing people's behavior,

1 because they fairly quickly realize this is a
2 win/win. They can be using reusable bags and not
3 paying any fee at the store. And yet if they
4 decide they really need plastic or paper for some
5 reason, they can pay the fee and still have
6 access to it.

7 As to my colleague's point about
8 recycling when you use the bag for the diapers or
9 you use the bag for -- I think picking up after
10 the dog, I believe, was an example -- that's
11 actually not the definition of recycling. It's
12 reusing, but that plastic bag is still ending up
13 in the waste stream. And the premise of why this
14 law is important is to ensure we are decreasing
15 plastic entering the waste stream, whether or not
16 it might have a dirty diaper in it also or some
17 dog poop in it also. That isn't recycling.

18 If I could now ask the sponsor to
19 continue to yield to some questions.

20 ACTING PRESIDENT GRIFFO: Senator
21 Felder, do you yield?

22 SENATOR FELDER: I do yield. I
23 just wanted to make sure that my colleague heard
24 the other examples that I gave.

25 SENATOR KRUEGER: Beyond diapers

1 and dog poop.

2 SENATOR FELDER: Yeah, because it
3 seemed to me that my colleague enjoyed those two
4 examples more than the other.

5 (Laughter.)

6 SENATOR KRUEGER: I might have
7 appreciated those more, it's true, Mr. President.

8 SENATOR FELDER: Okay, yes.

9 ACTING PRESIDENT GRIFFO: Senator
10 Felder yields.

11 SENATOR KRUEGER: But I'm willing
12 to list all the examples that my colleague gave
13 me.

14 ACTING PRESIDENT GRIFFO: Senator
15 Felder yields.

16 SENATOR KRUEGER: Thank you.

17 Does Senator Felder believe we have
18 a problem with climate change caused by human
19 activity?

20 SENATOR FELDER: Through you,
21 Mr. President, what I do believe is God's running
22 the world and people have to do whatever they can
23 to keep this world in good shape. You can't
24 waste, you can't do things that hurt other
25 people.

1 And by the way, I didn't have a
2 chance to say that I do believe that New Yorkers
3 are more important than bags.

4 So I don't -- I'm not here to
5 discuss my opinion about climate change or
6 what -- what was the -- I don't remember the
7 second thing. Global warming?

8 ACTING PRESIDENT GRIFFO: I'm going
9 to caution both members, let's stick to the
10 premise of the bill right now, please. We're
11 debating the specifics on the New York City
12 regulation and whether or not we're going to take
13 action here.

14 So Senator Krueger, do you want to
15 pose a question?

16 SENATOR KRUEGER: Mr. President, I
17 would premise that we're discussing whether we
18 tried to get plastic out of the waste stream,
19 which is correlated with increased environmental
20 damage. So climate change and environmental
21 damage is the theme of the underlying bill,
22 Mr. President.

23 SENATOR FELDER: Through you,
24 Mr. President. Is it my turn?

25 (Laughter.)

1 SENATOR FELDER: I don't know
2 whether --

3 ACTING PRESIDENT GRIFFO: Senator
4 Krueger, do you object?

5 Senator Felder, you may speak.

6 SENATOR KRUEGER: {Inaudible.}

7 SENATOR FELDER: Was that a yes?

8 SENATOR KRUEGER: Yes.

9 ACTING PRESIDENT GRIFFO: Yes.

10 SENATOR FELDER: Through you,
11 Mr. President, I beg to differ with my colleague.
12 We're not here to debate whether it's important
13 to protect the environment. We're not here to
14 debate climate change or global warming. We're
15 here to debate whether New York City has the
16 right to circumvent state law to impose a tax
17 because it doesn't like the way things are being
18 handled at this time.

19 I'm not discussing whether plastic
20 bags are good, bad, or otherwise. And let me
21 just say that I understood the distinction
22 between reusable and recyclable. What I would
23 also say is there's no way in the world that the
24 examples I gave you are happening otherwise. So
25 if they're not going to use the plastic bags they

1 get from the store, they're going to go buy bags.
2 And if they buy bags, they'll put -- I don't know
3 why I keep on picking Glad. Maybe they were on
4 sale. But they're going to have to buy Glad bags
5 to send lunch to school with their kids. They're
6 going to have to buy Glad bags, plastic bags, to
7 be able to take care of dog poo and diapers.
8 It's not as though we're going to be able to
9 avoid that.

10 So that's why I emphasize -- through
11 you, Mr. President -- this discussion is not
12 about the merits or the importance of saving the
13 environment or trying to avoid the use of plastic
14 bags. This is about making sure that this
15 precedent of New York City's councilmembers
16 telling New Yorkers "We're going to irritate you
17 into changing your behavior to stop using plastic
18 bags. And if you want to use them, you're going
19 to pay a nickel."

20 And I might add that there have
21 been -- in their law, in order to get it passed,
22 they exempted -- for example, they exempted
23 people who are on food stamps from this law
24 entirely, under the theory that if people come to
25 shop they only bring their card and they won't

1 have any change in case they want to buy a bag,
2 and they can't use the card for the bags. And I
3 would say wow, this is a win/win. There's no
4 way -- first of all, they don't have money so
5 they can't even get a bag if they wanted to. So
6 the only way they'd be able to is by making sure
7 they bring money, which would encourage them to
8 use the bags that Senator Krueger is suggesting.

9 So just to recap, in case I didn't
10 say it more than three times, I'm not debating or
11 at least I'm not discussing those things. I'm
12 discussing the process and the way government
13 works. There has to be some orderly process of
14 some sort, or else government is in havoc. And
15 that's what I'm discussing.

16 ACTING PRESIDENT GRIFFO: Senator
17 Krueger.

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

20 ACTING PRESIDENT GRIFFO: Senator
21 Krueger on the bill.

22 SENATOR KRUEGER: I want to thank
23 my colleague for his explanations. I don't think
24 he does understand the details of his own bill.
25 But we can agree to disagree.

1 Here's why I disagree. Yes, the
2 City of New York passed a local law.
3 Municipalities pass local laws all the time. In
4 fact, a fairly conservative Republican premise of
5 this house for years has been the concept of
6 local right to make decisions over what's going
7 on in their counties and in their municipalities.
8 And it is extremely rare for this body to pass a
9 bill that would supersede local law and go
10 further and prevent other localities from
11 potentially passing similar bills.

12 Suffolk County, Westchester County,
13 Erie County, individual towns in those counties
14 and throughout the state are exploring following
15 the lead of New York City. But if we pass this
16 bill into law, we've taken that right away from
17 them.

18 Now, why would they need to do this?
19 Because whether or not my colleague agrees, the
20 research from science that is not funded by the
21 plastic industry shows that plastic bags are a
22 serious problem in the waste stream, that they
23 disproportionately impact negatively poor
24 communities, that they increase the amount of
25 garbage trucks going through our communities, the

1 costs of collecting them and throwing them into
2 the solid waste stream. The plastic never really
3 deteriorates. That's not the word I wanted.
4 What does a plastic bag not do? It shreds, but
5 it never actually goes away.

6 The research shows that this model
7 works. And it's hardly unique to the bag issue.
8 Many people in this chamber -- well, we're
9 getting younger, but I think still quite a few
10 people in this chamber voted to expand cigarette
11 taxes in this state. Why? Because there was
12 research showing the more expensive you make a
13 pack of cigarettes, the fewer people will take up
14 smoking. That saves the state money in
15 healthcare costs. Why did we create the
16 cigarette tax? Because we knew cigarette smoking
17 was bad for your health and we wanted to
18 incentivize people not to smoke or de incentivize
19 smoking by increasing the cost.

20 In this example, the City of New
21 York is saying, We want to incentivize people not
22 to use plastic and paper bags that end up in the
23 waste stream, doing harm to the environment,
24 costing poor communities and the City of New York
25 so much money. We want to offer them and

1 encourage them to use alternatives. And they
2 take many steps towards helping them, including
3 offering free reusable bags, exempting low-income
4 people from the fee, working with the stores to
5 insure that this all can go smoothly.

6 It's a model that is not unique to
7 New York City. As I said, there's 200 cities
8 throughout this country that have already
9 implemented similar laws. These laws have also
10 been implemented in Germany, Belgium, Britain,
11 France and Israel. These places have seen their
12 bag waste reduced from 60 to 90 percent.

13 Now, my colleague's answer before
14 was that environmental groups are lobbying for
15 the city's bill and against his bill. And the
16 plastic industry is underwriting research saying
17 that plastic bags aren't a problem. I guess I
18 would have to ask the question, we know that the
19 plastic and chemical industry makes money on the
20 continued use of plastic bags. I don't think
21 anyone believes Citizens Campaign for the
22 Environment, League of Conservation Voters, the
23 Sierra Club, The Nature Conservancy, Riverkeeper,
24 Environmental Advocates, et cetera, actually make
25 money from advocating for the environment. So I

1 actually do think the legitimacy of the analyses
2 is quite different.

3 There might be flaws with the City
4 Council law. They might decide it's not working
5 after some period of time. Although I'd be
6 surprised, because in every other city and
7 country that has implemented it, it's been
8 working just fine.

9 People catch on quite quickly.
10 There is some change in behavior, just like we
11 saw fewer people smoking when we increased the
12 cost of cigarettes.

13 You raised -- the sponsor raised an
14 example of perhaps recycling, like bottles, could
15 work. Unfortunately, while there's a market for
16 recycled bottles, there's nobody who has
17 successfully created a recycled market for
18 plastic bags. It just doesn't lend itself to
19 that. Another reason that the bags all do end up
20 in our waste stream, whether unused after they
21 return from the food store or filled with dirty
22 diapers, dog poop, and the other items that my
23 colleague used in his examples.

24 Frankly, the State of New York
25 hasn't overrode a local law and superseded a

1 local law, I guess, since I believe the Urstadt
2 bill repealed the city's right to have a say over
3 its own housing policies. And that bill was
4 passed either in 1968 or '71; I don't remember at
5 the moment. So it's been a very long time since
6 this legislative body has taken an action to
7 supersede local law.

8 And for the record, yes, localities
9 pass laws all the time for themselves, and most
10 of the time we respect their right to do so. I
11 hope we will respect the City of New York's right
12 to implement the law that they just passed, and
13 let's watch and see whether it's a problem for
14 people or not. I suspect it won't be.

15 I urge people to vote no,
16 Mr. President. Thank you very much.

17 ACTING PRESIDENT GRIFFO: Thank
18 you, Senator Krueger. Seeing and hearing --
19 Senator Savino, I thought you were going to
20 explain your vote, I was told.

21 SENATOR SAVINO: Thank you, Senator
22 Griffo.

23 I rise in support of this bill, and
24 I want to thank Senator Felder for bringing it
25 and for shepherding this through the Senate. I

1 also want to thank him for taking the time to
2 hold a hearing on this bill in the City of
3 New York. He held it about two weeks ago. I
4 participated in that hearing, along with other
5 members. I know Senator Hoylman was there,
6 Senator Golden was there, I was there, Senator
7 Felder. Assemblymember Dov Hikind attended. If
8 I missed anybody, I apologize.

9 But it was an opportunity for some
10 of us to really delve into the details of this
11 policy that the City Council adopted and the
12 mayor hastily signed into law.

13 And so for those of you who weren't
14 there and didn't take the opportunity to attend,
15 you can probably watch it on video. It was a
16 five-hour hearing. We learned an awful lot that
17 day. But let's just go over the policy itself
18 that the City of New York adopted.

19 And by the way, just for those of
20 you who didn't pay attention, this was not
21 unanimously adopted by the City Council. It
22 wasn't even close. In fact, it was a very close
23 vote: 24 yes and 20 no. I have six City
24 Councilmembers who cross my Senate district.
25 Every single one of them voted in the negative,

1 Brooklyn and Staten Island. That's pretty hard,
2 to get all of them to vote no. They all agreed
3 that this was a bad policy.

4 So let's talk about why they thought
5 it was a bad policy. Not because they think that
6 overuse of plastic bags is good. They're not
7 anti-environment -- none of us are. They
8 rejected it because it was not a well-thought-out
9 solution to this problem, and here's the reason
10 why. Because it's some bags in some stores, some
11 people in some income levels. It is inconsistent
12 policy.

13 And so based upon that, I would say
14 the councilmember who sponsored the legislation
15 may have succeeded in his stated goal of
16 irritating people, because inconsistent policy is
17 irritating in and of itself because it's
18 difficult to implement, and then it becomes
19 completely unsuccessful.

20 This body went through a tortured
21 compromise in 2010 -- some of you may remember
22 it, those of you who were here -- when we
23 expanded the Bottle Bill into -- remember, we
24 called it the Bigger Better Bottle Bill. It was
25 a very difficult negotiation. All of the

1 environmental advocates who are writing memos in
2 opposition on this bill today were involved in
3 the development of that policy.

4 But here's the difference between
5 the Bottle Bill and this plastic bag fee. The
6 Bottle Bill applies to all bottles in all stores
7 and all income levels. Everybody pays the
8 nickel, and all the nickels go into recycling.
9 There is an expectation that the money is going
10 to go to recycling. So we don't object to the
11 idea of collecting a fee for the use of this
12 item. What we object to is the money goes to the
13 stores. They keep it.

14 The stores don't even want it. The
15 storekeepers who came in and testified before us
16 said they don't want to impose this extra fee on
17 their customers. They don't want to have to ask
18 their customers who are on public assistance to
19 prove that they're on public assistance, like
20 it's a scarlet letter. They don't want to have
21 to ask their seniors who aren't on public
22 assistance to pay a nickel more out of their
23 pocket even though they may actually earn less in
24 monthly income than someone who is on public
25 assistance. They don't want to be in that

1 position.

2 And more importantly, they don't
3 want to keep track of nickels that they have no
4 use for.

5 So they said, Why are we doing this?
6 There's no requirement that any of these plastic
7 bags or paper bags be recycled.

8 So we're simply saying that if the
9 City of New York wants to do something to reduce
10 the overuse of plastic bags, we'd probably agree.
11 They should have come to us. They should have
12 sought our advice and our expertise. And it may
13 have dragged out the process a little longer;
14 maybe they wouldn't have gotten to where they are
15 as quickly.

16 But they would have had a better
17 policy, one that applied to all bags and all
18 stores. So that when you went to the grocery
19 store you might have had to pay a fee, but when
20 you went across the street to the pharmacy, you
21 pay the same fee. Or when you went to the liquor
22 store. Because right now, under the policy that
23 the City Council adopted and the mayor signed
24 hastily, bags that you get from a liquor store
25 are somehow less offensive to the environment

1 than plastic bags that come from a supermarket.
2 I don't know why. Bags that you get from a
3 takeout restaurant are less offensive to the
4 environment than bags that you get in Macy's or
5 another retailer. I don't understand why. No
6 one could explain that to any of us.

7 So it is inconsistent policy which
8 is irritating. And that is not going to change
9 people's behavior, it is just going to create a
10 problem for shopkeepers in New York City, it's
11 going to create a problem for families in
12 New York City.

13 And for people who represent coastal
14 areas or border communities, here's what's going
15 to happen. Staten Islanders are going to go
16 shopping in New Jersey. They're going to take
17 their money with them, they're going to go there
18 and they're going to bring the plastic bags that
19 they got in stores in New Jersey back to New York
20 and it's not going to change their behavior in
21 the slightest, we're just going to lose business.
22 We know this.

23 And as a Staten Islander -- I know I
24 can speak for Senator Lanza as well -- there are
25 no people more sensitive to bad environmental

1 policy than the people that we represent. Where
2 we live, for 50 years we were victimized by the
3 worst environmental decision by the Department of
4 Sanitation, the Fresh Kills Landfill, which
5 operated for 50 years without a permit. So we
6 understand what bad environmental policy does.

7 Which is why we also understand
8 you've got to get it right. Because if you don't
9 get it right, it doesn't work. It has to be all
10 in. That's the only way environmental policy
11 works. We all have to be part of it.

12 And so right now we're not all part
13 of it. Again, some bags in some stores and some
14 people in some income levels doesn't work. It's
15 not going to get us to where we need to go.
16 That's why I am firmly in support of Senator
17 Felder's bill.

18 And finally, that hearing was, you
19 know, somewhat illustrative in many ways. It was
20 kind of like a civics lesson and an environmental
21 lesson. You know, Senator Hoylman mentioned how
22 I use the terminology that the City of New York
23 is a creature of the Legislature, and it is. And
24 this will not be the first time, certainly not
25 since I've been in the Senate, that this body

1 attempted to overturn something the city did.

2 In fact, in 2009 when we were in the
3 Senate majority in the Democratic Conference, the
4 City of New York came to Albany seeking the
5 ability to raise their city sales tax to deal
6 with their budget. And we said no. It took a
7 little bit of shuttle diplomacy over the course
8 of a few weeks before we finally granted it to
9 them. But we as a body were prepared to say no
10 to them.

11 So this would not be the first time
12 that we say no when the City Council asks for
13 something that we disagreed with. This time they
14 can get it right. They can come back to us.
15 This bill in the City Council that was signed by
16 the mayor doesn't go into effect until October.
17 They have an opportunity to work with us to get
18 it right and develop a sound, consistent
19 environmental policy that achieves the stated
20 goal of reducing unnecessary plastic bag use,
21 cleaning up our environment, and making sure that
22 everybody participates in a policy that works for
23 all of us.

24 I vote in the affirmative.

25 Thank you, Mr. President.

1 ACTING PRESIDENT GRIFFO: Senator
2 Lanza.

3 SENATOR LANZA: Thank you,
4 Mr. President. On the bill.

5 First I want to thank my colleague
6 Senator Felder for doing something that too few
7 people in government do today, and that is to
8 listen to the people that we come here to
9 represent.

10 I take exception to something that
11 was said during the debate, which is that Senator
12 Felder doesn't understand this legislation. I
13 know of no one who knows more about more things
14 than Senator Felder. And I can tell you he
15 understands exactly what he is doing here. And
16 that is he is listening to the people who sent
17 him here. He is representing the best interests
18 of the people and not listening to a few special
19 interests.

20 The other side I think misconstrued
21 and misrepresented what this legislation does.
22 It was suggested that the plastic industry is the
23 number-one proponent of this legislation, and
24 that's simply not true. The number-one proponent
25 in support of this legislation are the people we

1 represent.

2 I don't know about you, but I know
3 this past weekend and the weekend before, as I
4 traveled through my district, I was approached by
5 scores of constituents who were just scratching
6 their heads in wonderment that the City Council
7 would even suggest that this makes sense and that
8 this is the right thing to do. To impose what
9 Simcha Felder, Senator Felder clearly stated as
10 fact, which is that this is a tax. And we could
11 call it whatever you want, but that's what it is.

12 And you know, a number of reasons
13 have been advanced over the last several years as
14 to why people have lost faith in government. I
15 think the biggest reason among them all is
16 because all too often people in government prove
17 that they are so far removed from the real living
18 and breathing in their own communities, they've
19 lost sight of what truly affects the people
20 we represent. And so what happens? False issues
21 are advanced, day in and day out, to fill
22 people's heads about what we think or it is
23 suggested that they think should be important.
24 And I think, quite frankly, it's because the
25 tough issues are tough and people don't have

1 answers for them.

2 You know, I listened to the City
3 Council at their press conference announcing this
4 tax talk about the effect on the environment that
5 plastic bags have. And one member said that a
6 plastic bag lasts for 5,000 years, it doesn't
7 decompose. Senator Krueger alluded to that fact
8 and then seamlessly moved into a conversation
9 about greenhouse emissions and global warming.

10 I mean, that sounds like the
11 environmentalists that I hear from so often who
12 clearly were absent the day they taught science
13 in school. If something does not break down for
14 5,000 years -- or, as Senator Krueger says,
15 forever -- well, then it does not release
16 greenhouse gases. If it doesn't decompose or
17 decay, then in effect, Senator Krueger, you might
18 want to argue that a plastic bag is great for the
19 environment because it locks up that portion of
20 greenhouse gas emissions forever, never to be
21 released into the environment.

22 You know, you listen to the other
23 side on this and you would think that plastic
24 bags are the greatest threat to our community and
25 to our society and that we must immediately rid

1 ourselves of this plague of plastic. However, if
2 you can't afford the nickel, you can continue to
3 pollute. If you can, simply buy the bag and you
4 can continue to pollute.

5 By the way, the supermarkets will
6 stock up -- I think Senator Felder mentioned
7 Glad, but there are other manufacturers; you can
8 continue to buy these bags.

9 And of course for all the people
10 that use them for the countless uses, some of
11 which were mentioned by Senator Felder, you can
12 keep doing it. You just have to do what the city
13 wants you to do, which really is not to stop
14 using plastic bags, it is to pay for using
15 plastic bags.

16 And so it was also mentioned by
17 Senator Felder these are the same brain
18 surgeons -- when I was a kid we had paper bags at
19 supermarkets. These are the same people who said
20 they're so horrible for the environment, stop
21 immediately using them -- and by the way, we have
22 the answer, the solution which will save the
23 environment. Here it is, it's a plastic bag. Go
24 forth, use plastic bags, because we need to save
25 the environment.

1 This is the stuff that really causes
2 people to lose faith in government. Democrats,
3 Republicans, conservatives, liberals across my
4 district -- and probably across the city, I can
5 only tell you from whom I've heard over the last
6 several weeks -- have come to me and have said,
7 of this tax, this is the dumbest thing, the most
8 ridiculous thing that I've ever heard of. What
9 is wrong with that City Council? What is wrong
10 with that New York City government? I heard that
11 across every demographic for the last month.

12 We've got to start focusing on the
13 things that matter. We've got to stop making it
14 difficult for ordinary New Yorkers to live in our
15 communities. We've got to stop telling people
16 that we want to control every little thing that
17 they do just to support and to carry on and to
18 live and breathe in our communities.

19 Senator Felder, thank you for
20 listening to the people. Thank you for
21 recognizing an action of New York City government
22 that is going to hurt the people we represent
23 and, more importantly, for doing something about
24 it.

25 Mr. President, I vote in the

1 affirmative.

2 ACTING PRESIDENT GRIFFO: Senator
3 Latimer.

4 SENATOR LATIMER: Mr. President, I
5 rise to indicate my opposition to this bill and
6 to tell you why.

7 ACTING PRESIDENT GRIFFO: Senator
8 Latimer on the bill.

9 SENATOR LATIMER: I have served
10 four years on the Rye City Council. I've never
11 served four minutes on the New York City Council,
12 until the last two hours of this discussion.
13 This debate is a debate in the City of New York
14 between the duly elected members of the New York
15 City Council.

16 Now, some of us in the room did not
17 like the way that debate turned out. And
18 therefore, in the New York State Senate and in
19 the Assembly, we are going to redebate that
20 issue.

21 Every day, I have people come to me
22 in my district that say: Do you know what the
23 Port Chester Village Board did? Oh, my God, the
24 Westchester County Legislature did this. And do
25 you know what the Bronxville Village Board did?

1 How about that vote by the Eastchester Town
2 Council last night?

3 What I generally say is: You elect
4 your town councilman, your village trustees, your
5 local city councilman and your county legislators
6 to be your voice in those levels of government.
7 My job is to deal with those issues that are at
8 the state level of scope and not to come in and
9 big-foot every single decision made in Harrison
10 and in North Castle and in Bedford and in every
11 one of those communities.

12 When I sit here and I vote for local
13 bills that come from other parts of the state, I
14 presume that those local governments and that
15 local representative -- and oftentimes it's only
16 one of us that represents the smaller
17 communities, and even the counties of this
18 state -- that when they speak, they speak on
19 behalf of the council that they represent or the
20 county they represent, and that's enough.

21 I don't want to have a public
22 hearing on every issue when we have to
23 reauthorize a tax and bring in the board of
24 supervisors from this county or the county
25 executive from that county or the mayor of this

1 village or the town supervisor of that town in
2 order for them to address a Westchester
3 legislator and pass my test of judgment on their
4 judgment.

5 That is why we have small-d
6 democracy, because people vote for their town,
7 village, city, county officials no matter how big
8 or small that city or county or town is.

9 My concern in voting no is not about
10 the City of New York. This is a debate to be had
11 in the City Council. And that is a debate to be
12 reargued in the City Council if the City Council
13 got it wrong.

14 But I don't want to send a message
15 to Bronxville, to North Castle, to New Rochelle,
16 to White Plains, communities I represent: Boys,
17 girls, whatever you do, you'd better be careful
18 because the New York State Senate might not like
19 what you're doing. The New York State Assembly
20 might have a problem with what you're doing
21 today. And even if you're duly elected in your
22 community and by a vote of 5-2 you pass
23 something, those two guys can find their way into
24 Albany and undo what was done.

25 We have shown so much disrespect for

1 municipal government -- and I'm not talking about
2 the City of New York. The City of New York is
3 the uber municipal government. But there's
4 plenty of other local governments that we
5 represent -- no increase in aid, hard time
6 getting their bills passed, back of the hand
7 treatment when they come to visit us on issues.
8 We've done that universally. Unfunded mandates.
9 We'll pass a bill that says no unfunded mandates,
10 and then later on we'll pass an unfunded mandate.

11 So the bottom line to me is this.
12 Whatever the merit of this issue is, this is an
13 issue that belongs in the City of New York. Are
14 we the government that can override in some
15 fashion? Yes, we are. That power does exist.
16 But when do we use it? We use it sparingly, in
17 only the issues of the greatest magnitude.
18 Because how would we feel, Mr. President, if the
19 Congress of the United States decided to pass
20 judgment on every law that the State of New York
21 government passed? Which they do from time to
22 time. How would we feel as duly elected Senators
23 representing our districts arguing an issue out
24 and coming to closure -- and maybe carrying the
25 vote 24 to 20 or whatever the numerical

1 equivalent in this room is -- working hard just
2 to pass it and to have some Congressman from
3 Texas say: "Well, son, I don't like what you all
4 did up in New York, and we're going to reverse
5 that down here in Washington."

6 Now if you think about this, if you
7 think about this, we're doing a very bad thing
8 today. We're saying if any group of people,
9 however large or small they are, in a
10 jurisdiction doesn't like the way it turned out
11 and don't feel they can reverse it, come to me,
12 come to me and we'll reverse it. We will have
13 Suffolk issues on this floor, we will have Erie
14 County issues on this floor, Syracuse City issues
15 on this floor.

16 And we don't really want them here.
17 We want them resolved in their jurisdiction, and
18 then let the voters of those communities decide
19 whether they were well-decided or not.

20 ACTING PRESIDENT GRIFFO: Senator
21 Nozzolio.

22 SENATOR NOZZOLIO: Thank you,
23 Mr. Chairman.

24 Mr. President and my colleagues, I
25 rise to join this debate. But before I do,

1 I want to say a couple of things about the
2 sponsor of this legislation.

3 Over the last four years, I've had
4 the privilege of sitting next to the sponsor, and
5 I can say this unequivocally. This person, this
6 Senator, Senator Felder, has the utmost
7 integrity, the highest standard of principled
8 life. And it has been my pleasure and honor to
9 sit next to him over these past four years.

10 Winston Churchill said that the most
11 important quality of any human being is courage,
12 because courage is the quality that guarantees
13 all other qualities. Simcha Felder is a person
14 of courage. He's not one to go along to get
15 along. He's not one to see the lemmings running
16 in a certain way and joining that rush to the
17 sea. He's not one to rush to judgment.

18 Frankly, contrary to the comments of
19 the prior speaker, Senator Felder analyzed this
20 issue and on behalf of his own constituents, as
21 Senator Lanza pointed out very clearly, that this
22 measure is to stop a new tax. This isn't simply
23 to give a blanket authority to a local unit of
24 government to enhance a policy. This is a new
25 policy. Senator Felder and those who support

1 Senator Felder's measure clearly are stating on
2 behalf of their constituents that a new tax is
3 not a good tax. It's not a tax that their
4 constituents can support.

5 And because of the courage of the
6 sponsor, the direction that this legislation is
7 headed is simply to say stop, stop this
8 imposition. Our constituents are saying find
9 another way.

10 And for that, Senator Felder, I
11 thank you. I'm honored to join you in support of
12 this legislation. And I congratulate you for the
13 courage that you demonstrate not just here but
14 each and every day.

15 Thank you, Mr. President.

16 ACTING PRESIDENT GRIFFO: Senator
17 Felder to close.

18 SENATOR FELDER: First of all, I
19 want to thank my colleagues for supporting this
20 bill, especially my ranking member, Senator
21 Persaud: Senator Lanza, Senator Savino, Senator
22 Golden, and more than a dozen other sponsors, all
23 of whom live in New York City. So I appreciate
24 it very much.

25 I also appreciate Assemblymember

1 Michael Cusick, who's been leading the fight in
2 the Assembly. And I hope we will succeed there
3 as well.

4 Just one -- two quick succinct
5 points. As my colleague Senator Nozzolio said,
6 this is about New York City imposing a new tax.
7 In fact, Senator Krueger's example of the
8 cigarette tax was a very good one. New York City
9 did not decide to impose a tax on cigarettes,
10 because they are not permitted to. It's New York
11 State that imposed the tax, rightfully so. And
12 if New York City decided tomorrow that they
13 wanted to impose an additional tax on cigarettes,
14 I hope we would come back and say no, we're going
15 to prohibit that, because they do not have the
16 authority to do so.

17 And finally, my colleague Senator
18 Krueger said it's about time something like
19 this -- I'm paraphrasing -- it's about time we
20 respect New York City and localities and allow
21 them to do whatever they want to do. My
22 colleagues, I would say that it's about time to
23 respect New Yorkers. It's about time to respect
24 our constituents, who do not want to be driven
25 crazy and nickled and dimed every day.

1 Thank you. I vote yes.

2 ACTING PRESIDENT GRIFFO: Seeing
3 and hearing no other Senator that wishes to be
4 heard, debate is closed.

5 The Secretary will ring the bell.

6 (Scattered applause.)

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT GRIFFO: Announce
15 the results.

16 THE SECRETARY: In relation to
17 Calendar 705, those recorded in the negative are
18 Senators Boyle, Breslin, Carlucci, Comrie, Dilan,
19 Espaillat, Hamilton, Hannon, Hoylman, Kennedy,
20 Krueger, Latimer, LaValle, Marcellino,
21 Montgomery, Murphy, O'Mara, Parker, Perkins,
22 Rivera, Serrano, Squadron and Stewart-Cousins.
23 Also Senator Hassell-Thompson.

24 Absent from voting: Senators
25 Panepinto and Sanders.

1 Ayes, 35. Nays, 24.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 (Scattered applause.)

5 ACTING PRESIDENT GRIFFO: Okay, can
6 we have some order in the house.

7 The chair will recognize Senator
8 DeFrancisco.

9 SENATOR DeFRANCISCO:
10 Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 DeFrancisco.

13 SENATOR DeFRANCISCO: Could we
14 please lay aside for the day the remaining bills
15 on the controversial calendar.

16 ACTING PRESIDENT GRIFFO: The
17 remaining bills on the controversial calendar of
18 today's active list will be laid aside for the
19 day.

20 SENATOR DeFRANCISCO: Is there any
21 further business at the desk?

22 ACTING PRESIDENT GRIFFO: There is
23 no further business at the desk.

24 SENATOR DeFRANCISCO: Therefore I
25 move -- excuse me. I have one other item.

1 Can we go back to motions and
2 resolutions.

3 ACTING PRESIDENT GRIFFO: We will
4 return to motions and resolutions.

5 SENATOR DeFRANCISCO: I'd like to
6 call up Senator Ritchie's bill, Print 7180,
7 recalled from the Assembly, which is now at the
8 desk.

9 ACTING PRESIDENT GRIFFO: The
10 Secretary will read.

11 THE SECRETARY: Calendar Number
12 1111, by Senator Ritchie, Senate Print 7180, an
13 act to amend the Vehicle and Traffic Law.

14 SENATOR DeFRANCISCO: I now move to
15 reconsider the vote by which the bill was passed.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll on reconsideration.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61.

20 SENATOR DeFRANCISCO: I now offer
21 the following amendments.

22 ACTING PRESIDENT GRIFFO: The
23 amendments are received.

24 SENATOR DeFRANCISCO: And I also
25 move to adjourn until Tuesday, June 7th, at --

1 ACTING PRESIDENT GRIFFO:

2 Wednesday, June 8th?

3 SENATOR DeFRANCISCO: Excuse me,
4 today is Tuesday.

5 ACTING PRESIDENT GRIFFO: It's like
6 Groundhog Day.

7 (Laughter.)

8 SENATOR DeFRANCISCO: Yes. No,
9 we've done this once, and that's enough.

10 So I'll move to adjourn until
11 Wednesday, June 8th, at 1:30 p.m.

12 ACTING PRESIDENT GRIFFO: On
13 motion, the Senate will stand adjourned until
14 Wednesday, June 8th, at 1:30 p.m.

15 The Senate shall stand adjourned.

16 (Whereupon, at 6:27 p.m., the Senate
17 adjourned.)

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