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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 8, 2016

2:20 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: In the  
10 absence of clergy, I would ask that everyone  
11 please bow their heads in a moment of silent  
12 prayer and reflection.

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

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

17 THE SECRETARY: In Senate,  
18 Tuesday, June 7th, the Senate met pursuant to  
19 adjournment. The Journal of Monday, June 6th,  
20 was read and approved. On motion, Senate  
21 adjourned.

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

25 Presentation of petitions.

1 Messages from the Assembly.

2 The Secretary will read.

3 THE SECRETARY: On page 11,  
4 Senator Lanza moves to discharge, from the  
5 Committee on Housing, Construction and Community  
6 Development, Assembly Bill Number 8140A and  
7 substitute it for the identical Senate Bill  
8 3342A, Third Reading Calendar 393.

9 On page 22, Senator Ritchie moves  
10 to discharge, from the Committee on Agriculture,  
11 Assembly Bill Number 9536 and substitute it for  
12 the identical Senate Bill 7011A, Third Reading  
13 Calendar 761.

14 On page 28, Senator Croci moves to  
15 discharge, from the Committee on Higher  
16 Education, Assembly Bill Number 9118 and  
17 substitute it for the identical Senate Bill  
18 Number 6942, Third Reading Calendar 928.

19 On page 30, Senator Croci moves to  
20 discharge, from the Committee on Corporations  
21 and Authorities, Assembly Bill Number 9751 and  
22 substitute it for the identical Senate Bill  
23 7198, Third Reading Calendar 1025.

24 On page 32, Senator Avella moves to  
25 discharge, from the Committee on Environmental

1 Conservation, Assembly Bill Number 9289 and  
2 substitute it for the identical Senate Bill  
3 6630, Third Reading Calendar 1061.

4 On page 34, Senator Griffo moves to  
5 discharge, from the Committee on Cultural  
6 Affairs, Tourism, and Parks and Recreation,  
7 Assembly Bill Number 9860 and substitute it for  
8 the identical Senate Bill 7231, Third Reading  
9 Calendar 1087.

10 On page 35, Senator Funke moves to  
11 discharge, from the Committee on Social  
12 Services, Assembly Bill Number 9317 and  
13 substitute it for the identical Senate Bill  
14 7278, Third Reading Calendar 1097.

15 On page 42, Senator Savino moves to  
16 discharge, from the Committee on Labor,  
17 Assembly Bill Number 9766 and substitute it for  
18 the identical Senate Bill 7854, Third Reading  
19 Calendar 1198.

20 On page 43, Senator LaValle moves  
21 to discharge, from the Committee on  
22 Transportation, Assembly Bill Number 297 and  
23 substitute it for the identical Senate Bill  
24 1119, Third Reading Calendar 1209.

25 On page 53, Senator Murphy moves to

1 discharge, from the Committee on Environmental  
2 Conservation, Assembly Bill Number 9219 and  
3 substitute it for the identical Senate Bill 6729,  
4 Third Reading Calendar 1333.

5           On page 53, Senator Marcellino moves  
6 to discharge, from the Committee on Environmental  
7 Conservation, Assembly Bill Number 10113 and  
8 substitute it for the identical Senate Bill 7223,  
9 Third Reading Calendar 1337.

10           On page 56, Senator Ortt moves to  
11 discharge, from the Committee on Mental Health  
12 and Developmental Disabilities, Assembly Bill  
13 Number 7226A and substitute it for the identical  
14 Senate Bill 7584, Third Reading Calendar 1369.

15           On page 57, Senator Bonacic moves to  
16 discharge, from the Committee on Crime Victims,  
17 Crime and Correction, Assembly Bill Number 1819A  
18 and substitute it for the identical Senate Bill  
19 Number 1608A, Third Reading Calendar 1382.

20           On page 62, Senator Bonacic moves to  
21 discharge, from the Committee on Codes,  
22 Assembly Bill Number 9455 and substitute it for  
23 the identical Senate Bill 6683, Third Reading  
24 Calendar 1453.

25           And on page 64, Senator Funke moves

1 to discharge, from the Committee on Consumer  
2 Protection, Assembly Bill Number 7610E and  
3 substitute it for the identical Senate Bill  
4 4771E, Third Reading Calendar 1489.

5 ACTING PRESIDENT GRIFFO: The  
6 substitutions are all so ordered.

7 Messages from the Governor.

8 Reports of standing committees.

9 Reports of select committees.

10 Communications and reports of state  
11 officers.

12 Motions and resolutions.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO:

15 Mr. President, I wish to call up Senator Seward's  
16 bill, Print Number 2346, recalled from the  
17 Assembly, which is now at the desk.

18 ACTING PRESIDENT GRIFFO: The  
19 Secretary will read.

20 THE SECRETARY: Calendar Number  
21 839, by Senator Seward, Senate Print 2346, an act  
22 to amend the Tax Law.

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

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will call the roll on reconsideration.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 45.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is restored to its place on third reading.

6 SENATOR DeFRANCISCO: I now offer  
7 the following amendments.

8 ACTING PRESIDENT GRIFFO: The  
9 amendments are received.

10 SENATOR DeFRANCISCO: Next I wish  
11 to call up Senator Marchione's bill, Print 5792A,  
12 recalled from the Assembly, which is now at the  
13 desk.

14 ACTING PRESIDENT GRIFFO: The  
15 Secretary will read.

16 THE SECRETARY: Calendar Number  
17 502, by Senator Marchione, Senate Print 5792A, an  
18 act to amend the Criminal Procedure Law.

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

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll on reconsideration.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 45.

25 ACTING PRESIDENT GRIFFO: The bill

1 is restored to its place on third reading.

2 SENATOR DeFRANCISCO: I now offer  
3 the following amendments.

4 ACTING PRESIDENT GRIFFO: The  
5 amendments are received.

6 And I'm going to ask for some order  
7 in the house, please.

8 SENATOR DeFRANCISCO: On page 18 I  
9 offer the following amendments to Senator  
10 Hannon's bill, Calendar 673, Print Number 6767A,  
11 and ask that said bill retain its place on the  
12 Third Reading Calendar.

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

16 SENATOR DeFRANCISCO: On page 40, I  
17 now offer the following amendments to Senator  
18 Murphy's bill, Calendar 1180, Senate Print 7004,  
19 and ask that the bill retain its place on the  
20 Third Reading Calendar.

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

24 SENATOR DeFRANCISCO: On page 52, I  
25 offer the following amendments to Senator

1 Marcellino's bill, Calendar 1323, Print Number  
2 6837A, and ask that the bill retain its place on  
3 the Third Reading Calendar.

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

7 SENATOR DeFRANCISCO: And finally,  
8 I move to recommit Senate Print 7772A, Calendar  
9 1515, by Senator LaValle, and ask that the bill  
10 retain its place on the Third Reading Calendar --  
11 no, I don't mean that.

12 ACTING PRESIDENT GRIFFO: That's  
13 why I didn't say anything yet.

14 SENATOR DeFRANCISCO: Okay. I've  
15 got to say it again.

16 I move to recommit Senate Print  
17 Number 7772A, Calendar Number 1515, which is on  
18 the order of third reading, to the Committee on  
19 Rules. That's Senator LaValle's bill.

20 ACTING PRESIDENT GRIFFO: It is so  
21 ordered.

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

25 ACTING PRESIDENT GRIFFO: Senator

1 Valesky.

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

4                   On behalf of Senator Avella, on  
5 page 24 I offer the following amendments to  
6 Calendar 825, Senate Bill 7031, and ask that said  
7 bill retain its place on the Third Reading  
8 Calendar.

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

12                   We are having a little difficulty,  
13 though, trying to hear what is taking place. So  
14 if everyone will please take your conversations  
15 outside the chamber, we'd appreciate that.

16                   Senator DeFrancisco.

17                   SENATOR DeFRANCISCO:    Yes, can we  
18 now take up previously adopted Resolution 6058,  
19 by Senator Kennedy, read the title only, and call  
20 on Senator Kennedy to speak.

21                   ACTING PRESIDENT GRIFFO:    The  
22 Secretary will read.

23                   THE SECRETARY:    Legislative  
24 Resolution Number 6058, by Senator Kennedy,  
25 mourning the death of Jesse Edward Nash, Jr.,

1 distinguished citizen and devoted member of his  
2 community.

3           SENATOR KENNEDY: Thank you very  
4 much, Mr. President.

5           I rise today to honor the remarkable  
6 life of Jesse Edward Nash, Jr., who passed away  
7 on May 11th at the age of 90.

8           Mr. President, imagine for a second  
9 that it's 1965 at Canisius College in Buffalo,  
10 New York. The student body and a small  
11 population of African-American students are  
12 looking to change the world around them, starting  
13 with the lack of leadership positions for  
14 African-American students. These students had  
15 grit, they had a message, they had energy -- all  
16 they needed was a mentor to guide them. And they  
17 found this and more in a first-year sociology  
18 professor, Jesse Edward Nash, Jr., who helped  
19 them found the Afro-American Society, seeking  
20 constructive ways to advance civil rights.

21           That was Jesse Nash, always seeking  
22 constructive change to the people and communities  
23 around him. Frustrated with the lack of  
24 advancement for inner-city residents, Mr. Nash  
25 took action by serving as the executive director

1 of the Model Cities agency from 1967 to 1971.  
2 Disappointed with the lack of healthcare access  
3 on Buffalo's east side, Mr. Nash worked  
4 tirelessly to establish a health center in 1972,  
5 which has since been dedicated in his name.  
6 Noticing a lack of academic research in  
7 African-American studies, Mr. Nash focused his  
8 career on urban power structures and their effect  
9 on the black community.

10           You see, Mr. Jesse Nash, Jr., came  
11 from a family of doers. His father, the Reverend  
12 Jesse Edward Nash, Sr., was a long-time pastor of  
13 the Michigan Avenue Baptist Church in Buffalo,  
14 helping to bring branches of the Urban League and  
15 NAACP to Buffalo. His mother, Frances Jackson  
16 Nash, was the solid rock, helping his father help  
17 all people throughout his life.

18           Jesse Nash, Jr., followed in his  
19 parents' footsteps, seeking ways to give back.  
20 He founded Seventy-Eight Restoration, focused on  
21 community development, and created the Emerson  
22 Row apartments for low-income individuals.  
23 Mr. Nash spearheaded the Buffalo Waterfront  
24 Alternatives Study, the War Memorial Stadium  
25 Restoration Project, and the Erie Community

1 College City Campus feasibility study.

2           Among civic groups, Mr. Nash was a  
3 member of Alpha Sigma Nu, the Jesuit National  
4 Honor Society, Omega Psi Phi, a lifetime member  
5 of the NAACP, and vice president of the Buffalo  
6 Urban League.

7           And as a professor concerned with  
8 education and health access, he gave back through  
9 service on the College Council of SUNY Buffalo  
10 State, the New York State Commission on  
11 Minorities in Health-Related Professions in  
12 Higher Education, as well as on the boards of  
13 Child and Family Services, the Millard Fillmore  
14 Gates Hospital, and the Erie County Industrial  
15 Development Agency.

16           Mr. Nash is survived by his wife of  
17 65 years, Hortense Nash; two sons, George Raymond  
18 Nash and Jesse Edward Nash, III; and one  
19 daughter, Deborah Nash Franklin.

20           Jesse Edward Nash, Jr., it was clear  
21 from his first year as a professor at Canisius  
22 that he would do great things. Over his life he  
23 showed that determination and grit, combined with  
24 kindness and being a gentle soul. He  
25 demonstrated that with these traits, an

1 individual can go very far in life and have a  
2 resounding impact on his or her community.

3 Buffalo and New York thank Jesse  
4 Edward Nash, Jr., for a lifetime of commitment to  
5 Buffalo, New York State, and this great nation.  
6 His example will be revered for generations to  
7 come.

8 Mr. President, thank you for your  
9 indulgence. And I would ask that the honor of  
10 the house be given to the Nash family at this  
11 time. Thank you very much.

12 ACTING PRESIDENT GRIFFO: The  
13 resolution was previously adopted on June 2nd of  
14 this year.

15 Senator DeFrancisco.

16 SENATOR DeFRANCISCO: Senator  
17 Kennedy has agreed to open this up for  
18 cosponsorship.

19 ACTING PRESIDENT GRIFFO: The  
20 resolution is open for cosponsorship. Should you  
21 choose not to be a cosponsor, please notify the  
22 desk.

23 SENATOR DeFRANCISCO: Next, would  
24 you take up previously adopted Resolution 6079,  
25 by Senator Serino, read it in its entirety, and

1 call on Senator Serino.

2 ACTING PRESIDENT GRIFFO: The  
3 Secretary will read.

4 THE SECRETARY: Legislative  
5 Resolution Number 6079, by Senator Serino,  
6 honoring Chase Piotrowski upon the occasion of  
7 his designation as recipient of a Liberty Medal,  
8 the highest honor bestowed upon an individual by  
9 the New York State Senate.

10 "WHEREAS, It is the sense of this  
11 Legislative Body to recognize and pay tribute to  
12 those young people within the great Empire State  
13 who have made strong contributions to their  
14 communities and who serve as role models for  
15 their peers; and

16 "WHEREAS, Attendant to such concern,  
17 and in full accord with its long-standing  
18 traditions, this Legislative Body is justly proud  
19 to honor Chase Piotrowski upon the occasion of  
20 his designation as recipient of a Liberty Medal,  
21 the highest honor bestowed upon an individual by  
22 the New York State Senate; and

23 "WHEREAS, The New York State Senate  
24 Liberty Medal was established by resolution and  
25 is awarded to individuals who have merited

1 special commendation for exceptional, heroic, or  
2 humanitarian acts on behalf of their fellow  
3 New Yorkers; and

4 "WHEREAS, Seven-year old Chase  
5 Piotrowski of Beacon, New York, was playing  
6 outside of his home on Thursday, April 21, 2016,  
7 when he spotted a forest fire and immediately  
8 alerted his mother, who dialed 911; and

9 "WHEREAS, Beacon City firefighters  
10 subsequently responded to the call and  
11 extinguished the 10-foot-high flames; and

12 "WHEREAS, In addition to this most  
13 prestigious recognition, Chase Piotrowski  
14 received an official Beacon Fire Department  
15 helmet and t-shirt for his quick, astute and  
16 heroic actions; and

17 "WHEREAS, With his sense of civic  
18 duty and his commitment to others, Chase  
19 Piotrowski represents the best development of the  
20 potential which is inherent in our most precious  
21 resource, our youth; now, therefore, be it

22 "RESOLVED, That this Legislative  
23 Body pause in its deliberations to honor Chase  
24 Piotrowski upon the occasion of his designation  
25 as recipient of a Liberty Medal, the highest

1 honor bestowed upon an individual by the New York  
2 State Senate; and be it further

3 "RESOLVED, That a copy of this  
4 resolution, suitably engrossed, be transmitted to  
5 Chase Piotrowski."

6 ACTING PRESIDENT GRIFFO: Senator  
7 Serino.

8 SENATOR SERINO: Thank you,  
9 Mr. President.

10 Today I am honored to have the  
11 opportunity to recognize a small hero who played  
12 a big role in ensuring the safety of our  
13 community. Meet 7-year-old Chase Piotrowski, of  
14 Beacon. Chase, can you please stand up and wave?  
15 Hi.

16 Chase was playing outside of his  
17 home on Thursday, April 21st, when he spotted a  
18 forest fire burning nearby. He acted immediately  
19 and alerted his mother, Tara, who dialed 911.  
20 Beacon City firefighters responded to the call  
21 and were subsequently able to extinguish the  
22 10-foot-high flames.

23 Chase's quick thinking and immediate  
24 action enabled our firefighters to respond and  
25 contain a fire that had the potential to cause

1 significant damage.

2 I read somewhere that a true hero  
3 isn't measured by the size of his strength, but  
4 by the strength of his heart. Let me tell you,  
5 this young man has a huge heart. When he was  
6 made an honorary fireman by the City of Beacon,  
7 Chase was quick to say that he thought the  
8 firemen who responded were the real heroes. But  
9 I think that all of us here can agree that Chase  
10 is also a true hero.

11 It is my honor to award him with our  
12 state's highest mark of distinction, the New York  
13 State Liberty Medal. If this action is any  
14 indication, this young man has a very bright  
15 future ahead of him. And it is my hope that his  
16 good work will inspire others throughout our  
17 community and state to act in the face of  
18 trouble.

19 Thank you, Mr. President.

20 ACTING PRESIDENT GRIFFO: Thank  
21 you, Senator Serino.

22 The resolution was previously  
23 adopted on June 2nd.

24 At this time we'd like to extend our  
25 congratulations to the award recipient, Chase

1     Piotrowski, and also commend him for taking such  
2     outstanding action at such a young age. Truly a  
3     young leader, and we can be very impressed with  
4     your actions.

5                     So on behalf of the Senate, please  
6     rise, and we extend the courtesies of the house  
7     to you and your family.

8                     (Standing ovation.)

9                     ACTING PRESIDENT GRIFFO:     Senator  
10    DeFrancisco.

11                    SENATOR DeFRANCISCO:     I just want  
12    to tell Chase, good job. And he got to get a day  
13    off of school. Isn't that good?

14                    (Laughter.)

15                    SENATOR DeFRANCISCO:     Terrific.

16                    Please open this up for  
17    cosponsorship.

18                    ACTING PRESIDENT GRIFFO:     The reso  
19    is open for cosponsorship. Should you choose not  
20    to be a cosponsor, notify the desk.

21                    Senator DeFrancisco.

22                    SENATOR DeFRANCISCO:     Could we now  
23    take up Senate Resolution 6144, by Senator  
24    Hamilton, and read the title only and call on  
25    Senator Hamilton.

1                   ACTING PRESIDENT GRIFFO:    The  
2   Secretary will read.

3                   THE SECRETARY:    Legislative  
4   Resolution Number 6144, by Senator Hamilton,  
5   memorializing Governor Andrew M. Cuomo to  
6   proclaim June 2016 as Caribbean-American Heritage  
7   Month in the State of New York.

8                   ACTING PRESIDENT GRIFFO:    Senator  
9   Hamilton.

10                  SENATOR HAMILTON:    Mr. President, I  
11   rise to salute the past, present and ongoing  
12   contributions of the Caribbean-American community  
13   to New York and in recognition of June as  
14   Caribbean Heritage Month.

15                  We take this moment to honor our  
16   intertwined history with the Caribbean since  
17   New York was New Amsterdam.   Caribbean  
18   immigration didn't start in the 20th century --  
19   it is essential to the founding, and foundations,  
20   of this country.

21                  There is certainly no shortage of  
22   distinguished Caribbean-Americans to name:  
23   Founding Father Alexander Hamilton, former  
24   Secretary of State Colin Powell, actor and singer  
25   Harry Belafonte, basketball star Patrick Ewing,

1 former U.S. Attorney General Eric Holder, actor  
2 Sidney Poitier, and the late Congresswoman  
3 Shirley Chisholm.

4           And I will not neglect those whose  
5 names are not bold-faced in the papers, those  
6 people in our history who did not migrate  
7 voluntarily, and people whose jobs are behind the  
8 scenes, those who have been scientists,  
9 inventors, caretakers, transit workers or  
10 secretaries -- just a few of the jobs we don't  
11 take the time to recognize often enough.

12           Caribbean-Americans have worked in  
13 all sectors that make New York State the capital  
14 of the world. Through generations, we have built  
15 family and community. Those families include my  
16 own.

17           My 101-year-old great-uncle Robby  
18 Tate is still alive today, who migrated to  
19 New York City from St. Thomas Parish in Barbados  
20 with my great-grandparents. They continued to  
21 share stories with my family about our rich  
22 Caribbean history. Growing up as a  
23 third-generation Barbadian, they taught me the  
24 value of hard work and advocating for the people.  
25 My uncle served our country bravely in the U.S.

1 Army through our country's most difficult times.

2 Caribbean immigrants have been  
3 contributing to the well-being of American  
4 society since its founding. During  
5 Caribbean-American Heritage Month, we honor the  
6 courage and perseverance of the  
7 Caribbean-American community. Families with  
8 roots in the Caribbean like mine, and millions  
9 across the state, pursued the American dream,  
10 sharing the immigrant story held in common with  
11 countless millions of fellow Americans. I take  
12 this moment to honor them and their sacrifice.

13 Often overlooked in the immigrant  
14 experience is the propensity to overcome  
15 barriers. The barriers may relate to language --  
16 Spanish and French being among the languages  
17 Caribbean-Americans can lay claim to -- culture  
18 shock, a difference in the pace or cold weather,  
19 and navigating one's way far from home, without  
20 family and familiarity.

21 Despite those challenges, these  
22 generations of migrants and their  
23 Caribbean-American descendants persisted,  
24 persevered, and created the largest Caribbean  
25 population outside the Caribbean here in

1 New York -- a vibrant and impactful  
2 representation that enriches our economy and  
3 institutions and communities.

4 I can't hear myself talk.

5 ACTING PRESIDENT GRIFFO: Can I  
6 have some order in the house, please.

7 SENATOR HAMILTON: Thank you. I  
8 appreciate that.

9 Now I have to start all over again  
10 for the videotape.

11 (Laughter.)

12 SENATOR STAVISKY: We're listening.

13 SENATOR HAMILTON: You're  
14 listening? All right.

15 Excuse me for those of you who are  
16 watching.

17 As a Caribbean-American, my own  
18 experiences in sharing of celebrations and  
19 culture began with the New York Caribbean  
20 Carnival Week presented during Labor Day week by  
21 the West Indian American Day Carnival Association  
22 in my district, which draws 2 million people and  
23 brings in \$300 million in revenue -- excuse me.  
24 Excuse me. Excuse me. I can't hear myself talk,  
25 for the second time. I'm going to start all over

1 again --

2           As a Caribbean-American, my own  
3 experiences in sharing of celebrations and  
4 culture began with New York Caribbean Carnival  
5 Week, presented during the Labor Day week by the  
6 West Indian American Day Carnival Association in  
7 my district, which draws 2 million people and  
8 brings \$300 million in revenue to the state. It  
9 is our pleasure to celebrate Caribbean-American  
10 heritage with and host people from all over the  
11 world. Last Labor Day I met people from  
12 California and Louisiana, from New Zealand and  
13 Australia, and from Spain and Portugal, all  
14 coming to celebrate with us.

15           I invite all of my colleagues, and  
16 all New Yorkers who haven't already come to our  
17 carnival, to visit. And those who have come, I  
18 invite you to come celebrate with us again.  
19 You're welcome to march with us in the parade to  
20 the sweet sounds of steelband music -- the only  
21 instrument invented in the 20th century.

22           And I just want to say thank you all  
23 for letting me speak here today, and God bless  
24 the Caribbean and to the Caribbean islands of  
25 Jamaica, St. Kitts and Nevis, Barbados, Bahamas,

1 St. Lucia, Puerto Rico, Aruba, St. Martín, Haiti,  
2 Guyana, and the Dominican Republic.

3 Thank you very much.

4 UNIDENTIFIED SENATOR: Don't forget  
5 Brooklyn.

6 SENATOR HAMILTON: And Brooklyn,  
7 yes.

8 (Laughter.)

9 ACTING PRESIDENT GRIFFO: The  
10 resolution was adopted previously on June 7th.

11 SENATOR DeFRANCISCO: Please open  
12 that resolution up for cosponsorship.

13 ACTING PRESIDENT GRIFFO: The  
14 resolution is also open for cosponsorship.  
15 Should you choose not to be a cosponsor, please  
16 notify the desk.

17 SENATOR DeFRANCISCO: I'd like to  
18 call an immediate Rules Committee meeting in  
19 Room 332 of the Capitol.

20 And please bring your tablets in  
21 case you want to read the bills.

22 ACTING PRESIDENT GRIFFO: There  
23 will be an immediate meeting of the Rules  
24 Committee in Room 332. Please bring tablets and  
25 please return them to the chamber.

1           The Senate will stand at ease.

2           (Whereupon, the Senate stood at ease  
3 at 2:43 p.m.)

4           (Whereupon, the Senate reconvened at  
5 3:08 p.m.)

6           ACTING PRESIDENT GRIFFO:    The  
7 Senate will come to order.

8           SENATOR DeFRANCISCO:    If we could  
9 return to the reports of standing committees,  
10 please.

11          ACTING PRESIDENT GRIFFO:    We'll  
12 return to reports of standing committees.

13          SENATOR DeFRANCISCO:    There's a  
14 report of the Rules Committee at the desk, is  
15 there not?

16          ACTING PRESIDENT GRIFFO:    There is,  
17 and the Secretary will read.

18          SENATOR DeFRANCISCO:    Thank you.

19          THE SECRETARY:    Senator Flanagan,  
20 from the Committee on Rules, reports the  
21 following bills:

22                 Senate Print 228, by Senator  
23 LaValle, an act to amend the Education Law;

24                 Senate 426B, by Senator Marcellino,  
25 an act to amend the Vehicle and Traffic Law;

1                   Senate 434, by Senator Gallivan, an  
2 act to amend the General Business Law;

3                   Senate 845, by Senator Robach, an  
4 act to amend the Correction Law;

5                   Senate 992, by Senator Rivera, an  
6 act to amend the Executive Law;

7                   Senate 1109B, by Senator Golden, an  
8 act to amend the Penal Law;

9                   Senate 1147C, by Senator Avella, an  
10 act to amend the Agriculture and Markets Law;

11                   Senate 1483A, by Senator LaValle, an  
12 act to amend the Executive Law;

13                   Senate 1633, by Senator Bonacic, an  
14 act to amend the County Law;

15                   Senate 1647, by Senator Robach, an  
16 act to amend the Environmental Conservation Law;

17                   Senate 1994A, by Senator Golden, an  
18 act to amend the Criminal Procedure Law;

19                   Senate 2020, by Senator  
20 Hassell-Thompson, an act to amend the Penal Law;

21                   Senate 2060A, by Senator  
22 DeFrancisco, an act to amend the Public Health  
23 Law;

24                   Senate 2104, by Senator LaValle, an  
25 act to amend the Vehicle and Traffic Law;

1                   Senate 2134, by Senator Flanagan, an  
2 act to amend the Highway Law;

3                   Senate 2135, by Senator Flanagan, an  
4 act to amend the Highway Law;

5                   Senate 2150, by Senator Carlucci, an  
6 act to amend the Social Services Law;

7                   Senate 2160, by Senator Hannon, an  
8 act to amend the Executive Law;

9                   Senate 2653A, by Senator Griffo, an  
10 act to amend the Highway Law;

11                  Senate 2847, by Senator Lanza, an  
12 act to amend the Public Health Law;

13                  Senate 2924, by Senator DeFrancisco,  
14 an act to amend the State Finance Law;

15                  Senate 2941A, by Senator Griffo, an  
16 act to amend the Executive Law;

17                  Senate 3067A, by Senator Young, an  
18 act to amend the Public Authorities Law;

19                  Senate 3094, by Senator Marchione,  
20 an act to amend the Executive Law;

21                  Senate 3627, by Senator Ortt, an act  
22 to amend the Correction Law;

23                  Senate 3847, by Senator Lanza, an  
24 act to amend the Mental Hygiene Law;

25                  Senate 4237A, by Senator Gallivan,

1 an act to amend the Tax Law;

2 Senate 4603, by Senator Griffo, an  
3 act to amend the State Finance Law;

4 Senate 4737, by Senator Carlucci, an  
5 act to amend the Town Law;

6 Senate 4964B, by Senator Ritchie, an  
7 act to amend the Vehicle and Traffic Law;

8 Senate 5131, by Senator DeFrancisco,  
9 an act in relation to authorizing;

10 Senate 5270, by Senator Little, an  
11 act to amend the Mental Hygiene Law;

12 Senate 5355A, by Senator Marchione,  
13 an act to amend the General Business Law;

14 Senate 5601C, by Senator Golden, an  
15 act to amend the State Finance Law;

16 Senate 5637A, by Senator Seward, an  
17 act to amend the Vehicle and Traffic Law;

18 Senate 5941A, by Senator Espailat,  
19 an act to amend the Criminal Procedure Law;

20 Senate 6034A, by Senator  
21 DeFrancisco, an act to amend the Vehicle and  
22 Traffic Law;

23 Senate 6320, by Senator Ranzenhofer,  
24 an act to amend the Education Law;

25 Senate 6334, by Senator Latimer, an

1 act to amend the Public Officers Law;

2 Senate 6373, by Senator Avella, an

3 act to amend the Education Law;

4 Senate 6446, by Senator Croci, an

5 act to amend the Executive Law;

6 Senate 6509, by Senator Marcellino,

7 an act to amend the Education Law;

8 Senate 6572, by Senator DeFrancisco,

9 an act to amend the Tax Law;

10 Senate 6583B, by Senator Hannon, an

11 act to amend the Social Services Law;

12 Senate 6689, by Senator Serino, an

13 act to amend the Correction Law;

14 Senate 6715, by Senator Krueger, an

15 act to amend the Public Health Law;

16 Senate 6733, by Senator Funke, an

17 act to authorize;

18 Senate 6746, by Senator Farley, an

19 act to amend the Education Law;

20 Senate 6865A, by Senator

21 Ranzenhofer, an act to amend the Public Officers

22 Law;

23 Senate 6926, by Senator Golden, an

24 act to amend the Executive Law;

25 Senate 6949A, by Senator Gallivan,

1 an act to amend the Public Officers Law;

2 Senate 6954A, by Senator Little, an

3 act to amend the Private Housing Finance Law;

4 Senate 6963, by Senator Persaud, an

5 act to amend the Elder Law;

6 Senate 7025, by Senator Venditto, an

7 act to amend the Tax Law;

8 Senate 7067A, by Senator Savino, an

9 act to amend the Social Services Law;

10 Senate 7082A, by Senator Avella, an

11 act to amend the Family Court Act;

12 Senate 7127, by Senator Croci, an

13 act to amend the Executive Law;

14 Senate 7191, by Senator Gallivan, an

15 act to amend the Executive Law;

16 Senate 7224, by Senator Murphy, an

17 act to amend the Executive Law;

18 Senate 7246, by Senator DeFrancisco,

19 an act to amend the Criminal Procedure Law;

20 Senate 7252, by Senator Ortt, an act

21 to amend the Correction Law;

22 Senate 7408A, by Senator Young, an

23 act to amend the County Law;

24 Senate 7501, by Senator Seward, an

25 act to amend the Environmental Conservation Law;

1                   Senate 7521, by Senator Farley, an  
2 act in relation to authorizing;

3                   Senate 7529, by Senator Hannon, an  
4 act to amend the Public Health Law;

5                   Senate 7563, by Senator Murphy, an  
6 act to amend the Vehicle and Traffic Law;

7                   Senate 7619, by Senator Ortt, an act  
8 to amend the State Administrative Procedure Act;

9                   Senate 7653, by Senator Bonacic, an  
10 act to amend the Alcoholic Beverage Control Law;

11                   Senate 7660A, by Senator Murphy, an  
12 act to amend the State Administrative Procedure  
13 Act;

14                   Senate 7948, by Senator Robach, an  
15 act in relation to authorizing;

16                   Senate 7959, by Senator Larkin, an  
17 act to authorize;

18                   Senate 7973, by Senator Farley, an  
19 act to amend the Public Authorities Law;

20                   Senate 7976, by Senator Valesky, an  
21 act to amend the State Finance Law;

22                   Senate 7992, by Senator LaValle, an  
23 act to authorize;

24                   Senate 8027, by Senator Little, an  
25 act to amend the Environmental Conservation Law;

1                   And Senate 8028, by Senator Little,  
2 Concurrent Resolution of the Senate and Assembly.

3                   All bills reported direct to third  
4 reading.

5                   SENATOR DeFRANCISCO:    I move to  
6 accept the report of the Rules Committee.

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

10                   (Response of "Aye.")

11                   ACTING PRESIDENT GRIFFO:    Opposed?

12                   (No response.)

13                   ACTING PRESIDENT GRIFFO:    The  
14 report of the Rules Committee is accepted.

15                   Senator DeFrancisco.

16                   SENATOR DeFRANCISCO:    Can we now  
17 return to motions and resolutions.

18                   ACTING PRESIDENT GRIFFO:    We will  
19 return to motions and resolutions.

20                   SENATOR DeFRANCISCO:    I wish to  
21 call up Senator Young's bill, Print Number 3671,  
22 recalled from the Assembly, which is now at the  
23 desk.

24                   ACTING PRESIDENT GRIFFO:    The  
25 Secretary will read.

1                   THE SECRETARY:     Calendar Number  
2     490, by Senator Young, Senate Print 3671, an act  
3     to amend the Criminal Procedure Law.

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

6                   ACTING PRESIDENT GRIFFO:     Call the  
7     roll on reconsideration.

8                   (The Secretary called the roll.)

9                   THE SECRETARY:     Ayes, 60.

10                  ACTING PRESIDENT GRIFFO:     The bill  
11     is restored to its place on third reading.

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

14                  ACTING PRESIDENT GRIFFO:     The  
15     amendments are received.

16                  SENATOR DeFRANCISCO:     Would you  
17     please recognize Senator Valesky.

18                  ACTING PRESIDENT GRIFFO:     Senator  
19     Valesky.

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

22                  On page 67, I offer the following  
23     amendments to Calendar 1519, Senate Bill 7952,  
24     and ask that said bill retain its place on the  
25     Third Reading Calendar.     That's on behalf of

1 Senator Carlucci.

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

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO: Would you  
7 please take up the noncontroversial reading of  
8 the calendar.

9 ACTING PRESIDENT GRIFFO: The  
10 Secretary will read.

11 THE SECRETARY: Calendar Number 41,  
12 by Senator Hannon, Senate Print 3461A, 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 immediately.

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 60.

22 ACTING PRESIDENT GRIFFO: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number 95,  
25 by Senator Martins, Senate Print 5880, an act to

1 amend the Workers' Compensation 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, 60.

10 ACTING PRESIDENT GRIFFO: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 163, by Senator Larkin, Senate Print 5666, an act  
14 to amend the Alcoholic Beverage Control 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, 60.

23 ACTING PRESIDENT GRIFFO: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 296, by Senator Serino, Senate Print 4337, an act  
2 to amend the Uniform Justice Court Act.

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 ACTING PRESIDENT GRIFFO: Announce  
11 the results.

12 THE SECRETARY: In relation to  
13 Calendar 296, those recorded in the negative are  
14 Senators Breslin, Comrie, Gianaris, Hoylman,  
15 Krueger, Parker, Perkins, Rivera, Serrano and  
16 Stavisky. Also Senator Sanders.

17 Ayes, 49. Nays, 11.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 322, by Senator Golden, Senate Print 5745B, an  
22 act to amend the Workers' Compensation Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 5. 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, 60.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 393, substituted earlier by Member of the  
10 Assembly Wright, Assembly Print 8140A, an act to  
11 amend the Public Housing Law.

12 ACTING PRESIDENT GRIFFO: Read the  
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 474, by Senator Squadron, Senate Print 2190A, an  
24 act to amend the Penal Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 3. This  
3 act shall take effect on the first of November.

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 59. Nays, 1.  
8 Senator Hassell-Thompson recorded in the  
9 negative.

10 ACTING PRESIDENT GRIFFO: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 475, by Senator Larkin, Senate Print 2251A, an  
14 act to amend the Penal Law.

15 ACTING PRESIDENT GRIFFO: Read the  
16 last section.

17 THE SECRETARY: Section 2. This  
18 act shall take effect on the same date and in the  
19 same manner as Chapter 472 of the Laws of 2015.

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 475, those recorded in the negative are  
2 Senators Comrie, DeFrancisco, Hassell-Thompson,  
3 Krueger, Montgomery, Perkins and Rivera. Also  
4 Senator Sanders.

5 Ayes, 52. Nays, 8.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 599, by Senator Marchione, Senate Print 6497B, an  
10 act to amend the Highway Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

13 THE SECRETARY: Section 3. 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, 60.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 610, by Senator Ortt, Senate Print 6916C, an act  
23 to amend the Mental Hygiene 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, 60.

7           ACTING PRESIDENT GRIFFO:    The bill  
8 is passed.

9           THE SECRETARY:    Calendar Number  
10 629, by Senator Croci, Senate Print 7130, an act  
11 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 on the 120th day.

16          ACTING PRESIDENT GRIFFO:    Call the  
17 roll.

18                           (The Secretary called the roll.)

19          THE SECRETARY:    Ayes, 60.

20          ACTING PRESIDENT GRIFFO:    The bill  
21 is passed.

22          THE SECRETARY:    Calendar Number  
23 665, by Senator Young, Senate Print 3084, an act  
24 to amend the Social Services Law.

25          ACTING PRESIDENT GRIFFO:    Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT GRIFFO: Announce  
8 the results.

9 THE SECRETARY: In relation to  
10 Calendar 665, those recorded in the negative are  
11 Senators Addabbo, Avella, Breslin, Comrie,  
12 Gianaris, Hamilton, Hassell-Thompson, Hoylman,  
13 Kaminsky, Kennedy, Krueger, Montgomery, Parker,  
14 Peralta, Persaud, Rivera, Sanders, Savino,  
15 Serrano, Squadron, Stavisky and Stewart-Cousins.  
16 Also Senator Perkins. Also Senator Dilan.

17 Ayes, 36. Nays, 24.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 709, by Senator Espaillat, Senate Print 7157, an  
22 act to amend the Public Officers Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect on the 180th day.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

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 the  
13 bill aside.

14 THE SECRETARY: Calendar Number  
15 761, substituted earlier by Member of the  
16 Assembly Magee, Assembly Print 9536, an act to  
17 amend the Agriculture and Markets 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.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 is passed.

3                   THE SECRETARY:     Calendar Number  
4 807, by Senator Seward, Senate Print 3287, an act  
5 to amend the Insurance Law.

6                   SENATOR GIANARIS:    Lay it aside.

7                   ACTING PRESIDENT GRIFFO:   Lay the  
8 bill aside.

9                   THE SECRETARY:     Calendar Number  
10 815, by Senator Ritchie, Senate Print 6648, an  
11 act to amend the State Finance 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 April.

16                   ACTING PRESIDENT GRIFFO:   Call the  
17 roll.

18                   (The Secretary called the roll.)

19                   THE SECRETARY:     Ayes, 60.

20                   ACTING PRESIDENT GRIFFO:   The bill  
21 is passed.

22                   THE SECRETARY:     Calendar Number  
23 837, by Senator Croci, Senate Print 7497, an act  
24 authorizing.

25                   ACTING PRESIDENT GRIFFO:   There is

1 a home-rule message at the desk.

2 The Secretary will read the last  
3 section.

4 THE SECRETARY: Section 6. 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, 60.

10 ACTING PRESIDENT GRIFFO: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 867, by Senator Parker, Senate Print 2787A, an  
14 act to amend the Public Health Law.

15 ACTING PRESIDENT GRIFFO: Read the  
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT GRIFFO: The bill  
24 is passed.

25 THE SECRETARY: In relation to

1 Calendar 867: Ayes, 59. Nays, 1. Senator Funke  
2 recorded in the negative.

3 ACTING PRESIDENT GRIFFO:  
4 Reannounce the results.

5 THE SECRETARY: In relation to  
6 Calendar 867, those recorded in the negative are  
7 Senators Felder, Funke and Robach.

8 Ayes, 57. Nays, 3.

9 ACTING PRESIDENT GRIFFO: The bill  
10 is passed.

11 THE SECRETARY: Calendar Number  
12 877, by Senator Gallivan, Senate Print 7111, an  
13 act granting.

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

16 The Secretary will read the last  
17 section.

18 THE SECRETARY: Section 4. 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, 60.

24 ACTING PRESIDENT GRIFFO: The bill  
25 is passed.

1                   THE SECRETARY:    Calendar Number  
2   922, by Senator Ortt, Senate Print 3125, an act  
3   to amend the Education Law.

4                   ACTING PRESIDENT GRIFFO:   Read the  
5   last section.

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

8                   ACTING PRESIDENT GRIFFO:   Call the  
9   roll.

10                   (The Secretary called the roll.)

11                   THE SECRETARY:    Ayes, 59.  Nays, 1.  
12   Senator Perkins recorded in the negative.

13                   ACTING PRESIDENT GRIFFO:   The bill  
14   is passed.

15                   The chamber is getting somewhat  
16   loud.  Please, if we can have some order so we  
17   can hear all the bill numbers and the  
18   stenographer will be able to get all the  
19   information she needs.  Thank you.

20                   The Secretary will continue.

21                   THE SECRETARY:    Calendar Number  
22   928, substituted earlier by Member of the  
23   Assembly Buchwald, Assembly Print 9118, an act to  
24   amend the Education Law.

25                   ACTING PRESIDENT GRIFFO:   Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 944, by Senator Ortt, Senate Print 7469A, an act  
12 to amend the Correction Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

15 THE SECRETARY: Section 3. 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, 60.

21 ACTING PRESIDENT GRIFFO: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 955, by Senator Avella, Senate Print 893B, an act  
25 to amend the Real Property Tax Law.

1                   ACTING PRESIDENT GRIFFO:    Read the  
2 last section.

3                   THE SECRETARY:       Section 23. 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                   ACTING PRESIDENT GRIFFO:    Announce  
9 the results.

10                  THE SECRETARY:       In relation to  
11 Calendar 955, those recorded in the negative are  
12 Senators Dilan, Hamilton, Hassell-Thompson,  
13 Hoylman, Kennedy, Montgomery, Perkins, Rivera,  
14 Sanders, Serrano and Squadron.

15                   Ayes, 49. Nays, 11.

16                  ACTING PRESIDENT GRIFFO:    The bill  
17 is passed.

18                  THE SECRETARY:       Calendar Number  
19 1025, substituted earlier by Member of the  
20 Assembly Russell, Assembly Print 9751, an act to  
21 amend the Not-for-Profit Corporation 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, 60.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number  
8 1061, substituted earlier by Member of the  
9 Assembly Cymbrowitz, Assembly Print 9289, an  
10 acknowledgment establishing.

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, 56. Nays, 4.  
19 Senators DeFrancisco, Marchione, Ortt and Seward  
20 recorded in the negative.

21                   ACTING PRESIDENT GRIFFO:    The bill  
22 is passed.

23                   THE SECRETARY:    Calendar Number  
24 1070, by Senator Griffo, Senate Print 7840, an  
25 act to amend the Public Service 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, 59.  Nays, 1.  
9 Senator Perkins recorded in the negative.

10                  ACTING PRESIDENT GRIFFO:    The bill  
11 is passed.

12                  THE SECRETARY:    Calendar Number  
13 1080, by Senator Little, Senate Print 6083A, an  
14 act to amend the Navigation 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, 58.  Nays, 2.  
23 Senators Perkins and Sanders recorded in the  
24 negative.

25                  ACTING PRESIDENT GRIFFO:    The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 1083, by Senator Marcellino, Senate Print 6836B,  
4 an act to amend the Parks, Recreation and  
5 Historic Preservation Law.

6 ACTING PRESIDENT GRIFFO: Read the  
7 last section.

8 THE SECRETARY: Section 3. 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.

14 ACTING PRESIDENT GRIFFO: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 1087, substituted earlier by Member of the  
18 Assembly Butler, Assembly Print 9860, an act to  
19 amend the Parks, Recreation and Historic  
20 Preservation 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 THE SECRETARY: Ayes, 59. Nays, 1.

4 Senator Perkins recorded in the negative.

5 ACTING PRESIDENT GRIFFO: The bill  
6 is passed.

7 THE SECRETARY: Calendar Number  
8 1097, substituted earlier by Member of the  
9 Assembly Hevesi, Assembly Print 9317, an act to  
10 amend the Social Services 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 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 1198, substituted earlier by Member of the  
23 Assembly Mayer, Assembly Print 9766, an act to  
24 amend Chapter 831 of the Laws of 1981.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 1207, by Senator Hannon, Senate Print 823, an act  
12 to amend the Family Court Act.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60.

21 ACTING PRESIDENT GRIFFO: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 1209, substituted earlier by Member of the  
25 Assembly Dinowitz, Assembly Print 297, an act to

1 amend the Vehicle and Traffic Law.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

4 THE SECRETARY: Section 2. 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, 60.

10 ACTING PRESIDENT GRIFFO: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 1214, by Senator Little, Senate Print 1684B, an  
14 act to amend the Lien 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, 60.

23 ACTING PRESIDENT GRIFFO: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 1226, by Senator Lanza, Senate Print 3352, an act  
2 to amend the Executive 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 ACTING PRESIDENT GRIFFO: Senator  
11 Krueger to explain her vote.

12 SENATOR KRUEGER: Thank you,  
13 Mr. President. I rise to explain why I'm voting  
14 no today.

15 Really, you would think the City of  
16 New York, a city of 8.5 million people, one of  
17 the largest local governments in the country,  
18 bigger than many states in this country, was  
19 incapable of making any of its own decisions at a  
20 local level. Yet again the State Senate is  
21 attempting to micromanage the government  
22 decisions appropriately made at the local level,  
23 and uniquely only for the largest city in the  
24 state.

25 It's unjustified. It's unnecessary.

1 I vote no.

2 ACTING PRESIDENT GRIFFO: Senator  
3 Krueger to be recorded in the negative.

4 Announce the results.

5 THE SECRETARY: In relation to  
6 Calendar 1226, those recorded in the negative are  
7 Senators Comrie, Gianaris, Hamilton, Hoylman,  
8 Krueger, Montgomery, Perkins, Persaud, Sanders  
9 and Squadron. Also Senator Rivera. Also Senator  
10 Stavisky.

11 Ayes, 48. Nays, 12.

12 ACTING PRESIDENT GRIFFO: The bill  
13 is passed.

14 And again, I'm going to ask everyone  
15 to get some order in the house. We're having  
16 some difficulty getting all the information to  
17 the desk. So if you would please give us some  
18 quiet in the house so we can conduct the business  
19 of the house.

20 The Secretary will continue.

21 THE SECRETARY: Calendar Number  
22 1234, by Senator Golden, Senate Print 4133, an  
23 act to amend the Penal Law.

24 ACTING PRESIDENT GRIFFO: Read the  
25 last section.

1                   THE SECRETARY:    Section 2.  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 1234, those recorded in the negative are  
8 Senators Montgomery, Parker, Perkins and Sanders.

9                   Ayes, 56.  Nays, 4.

10                  ACTING PRESIDENT GRIFFO:   The bill  
11 is passed.

12                  THE SECRETARY:    Calendar Number  
13 1239, by Senator Lanza, Senate Print 4583A, an  
14 act to amend the Vehicle and Traffic 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, 59.  Nays, 1.  
23 Senator Krueger recorded in the negative.

24                  ACTING PRESIDENT GRIFFO:   The bill  
25 is passed.

1                   THE SECRETARY:    Calendar Number  
2 1240, by Senator Lanza, Senate Print 4621, an act  
3 to amend the Public Authorities Law.

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, 57.  Nays, 3.  
12 Senators Comrie, Rivera and Sanders recorded in  
13 the negative.

14                   ACTING PRESIDENT GRIFFO:   The bill  
15 is passed.

16                   THE SECRETARY:    Calendar Number  
17 1250, by Senator Farley, Senate Print 5405A, an  
18 act to amend the Education Law.

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, 60.

2 ACTING PRESIDENT GRIFFO: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 1252, by Senator Lanza, Senate Print 5556, an act  
6 to amend the Public Authorities Law.

7 ACTING PRESIDENT GRIFFO: Read the  
8 last section.

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

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT GRIFFO: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 1272, by Senator --

17 SENATOR DeFRANCISCO: Lay it aside  
18 for the day, please.

19 ACTING PRESIDENT GRIFFO: Lay the  
20 bill aside for the day.

21 THE SECRETARY: Calendar Number  
22 1275, by Senator Bonacic, Senate Print 7655A, an  
23 act to amend the Vehicle and Traffic 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 ACTING PRESIDENT GRIFFO: Announce  
7 the results.

8 THE SECRETARY: In relation to  
9 Calendar 1275, those recorded in the negative are  
10 Senators Comrie, Dilan, Gianaris, Hamilton,  
11 Hassell-Thompson, Hoylman, Krueger, Montgomery,  
12 Parker, Perkins, Persaud, Rivera, Serrano,  
13 Squadron, Stavisky and Stewart-Cousins.

14 Ayes, 44. Nays, 16.

15 ACTING PRESIDENT GRIFFO: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 1276, by Senator Murphy, Senate Print 7659, an  
19 act to amend the Highway Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

22 THE SECRETARY: Section 3. 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, 60.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 1277, by Senator Valesky, Senate Print 7855, an  
7 act in relation to authorizing.

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.

16 ACTING PRESIDENT GRIFFO: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1285, by Senator Breslin, Senate Print 6789, an  
20 act to amend the Insurance Law.

21 SENATOR GIANARIS: Lay it aside for  
22 the day.

23 ACTING PRESIDENT GRIFFO: Lay the  
24 bill aside for the day.

25 THE SECRETARY: Calendar Number

1 1296, by Senator Little, Senate Print 7352A, an  
2 act to authorize.

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

5 The Secretary will read the last  
6 section.

7 THE SECRETARY: Section 5. 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, 60.

13 ACTING PRESIDENT GRIFFO: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 1301, by Senator Amedore, Senate Print 7603, an  
17 act to amend Chapter 325 of the Laws of 2015.

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

20 The Secretary will read the last  
21 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, 60.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 1306, by Senator LaValle, Senate Print 7773, an  
7 act to amend Part F of Chapter 54 of the Laws of  
8 2016.

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

11 The Secretary will read the last  
12 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, 60.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 1333, substituted earlier by Member of the  
23 Assembly Zebrowski, Assembly Print 9219, an act  
24 to amend the Environmental Conservation Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 1337, substituted earlier by Member of the  
12 Assembly Englebright, Assembly Print 10113, an  
13 act to amend the Environmental Conservation Law.

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

16 THE SECRETARY: Section 2. 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, 59. Nays, 1.  
22 Senator LaValle recorded in the negative.

23 ACTING PRESIDENT GRIFFO: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 1354, by Senator Felder, Senate Print 5469, an  
2 act to amend the Multiple Dwelling Law.

3 SENATOR DeFRANCISCO: Lay it aside  
4 for the day, please.

5 ACTING PRESIDENT GRIFFO: Lay the  
6 bill aside for the day.

7 THE SECRETARY: Calendar Number  
8 1363, by Senator Espaillet, Senate Print 4261, an  
9 act to amend the Mental Hygiene Law.

10 ACTING PRESIDENT GRIFFO: Read the  
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 1368, by Senator Carlucci, Senate Print 7414, an  
22 act to amend the Social Services Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 3. 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.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 1369, substituted earlier by Member of the  
10 Assembly Gunther, Assembly Print 7226A, an act to  
11 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 called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 1376, by Senator Díaz, Senate Print 358, an act  
24 to amend the Elder Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 1381, by Senator Ranzenhofer, Senate Print 1051,  
12 an act to amend the Education Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Announce  
21 the results.

22 THE SECRETARY: In relation to  
23 Calendar 1381, those recorded in the negative are  
24 Senators Comrie, Hassell-Thompson, Hoylman,  
25 Krueger and Perkins. Also Senator Rivera.

1                   Ayes, 54. Nays, 6.

2                   ACTING PRESIDENT GRIFFO: The bill  
3 is passed.

4                   THE SECRETARY: Calendar Number  
5 1382, substituted earlier by Member of the  
6 Assembly Gunther, Assembly Print 1819A, an act to  
7 amend the Correction Law.

8                   ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12                  ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14                               (The Secretary called the roll.)

15                  THE SECRETARY: Ayes, 59. Nays, 1.  
16 Senator Parker recorded in the negative.

17                  ACTING PRESIDENT GRIFFO: The bill  
18 is passed.

19                  THE SECRETARY: Calendar Number  
20 1383, by Senator Little, Senate Print 1683A, an  
21 act to amend the Tax Law.

22                  ACTING PRESIDENT GRIFFO: Read the  
23 last section.

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

1                   ACTING PRESIDENT GRIFFO:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   SENATOR GIANARIS:    Mr. President.

5                   ACTING PRESIDENT GRIFFO:    Senator  
6 Gianaris, why do you rise?

7                   SENATOR GIANARIS:    Point of  
8 clarification.  I don't see that calendar number  
9 on the list.

10                  ACTING PRESIDENT GRIFFO:    It's  
11 1393, Senator Gianaris.

12                  Senator Gianaris, your point is well  
13 taken.  The Secretary will reread Calendar Number  
14 1393.

15                  THE SECRETARY:    Calendar Number  
16 1393, by Senator Savino, Senate Print 4238B, an  
17 act to amend the Executive Law.

18                  ACTING PRESIDENT GRIFFO:    Read the  
19 last section.

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

22                  ACTING PRESIDENT GRIFFO:    Call the  
23 roll.

24                  (The Secretary called the roll.)

25                  ACTING PRESIDENT GRIFFO:    Senator

1 Krueger to explain her vote.

2 Can I have some order again, please,  
3 in the house.

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

6 Now that we've clarified the number  
7 and the sponsor, this is a bill that would allow  
8 for exceptions to certain standards in  
9 emergencies for architects and construction.

10 There are several bills moving  
11 through this house that do similar but not  
12 exactly the same thing. In fact, when we had  
13 Rules today, we moved a bill by Senator Hannon  
14 which does something very similar. I can support  
15 Senator Hannon's bill. I unfortunately cannot  
16 support Senator Savino's bill.

17 But I'm hoping this house, since it  
18 seems to be moving two similar yet different  
19 bills, will have an opportunity to take a look at  
20 both bills side by side and think this through  
21 very quickly.

22 Thank you, Mr. President.

23 ACTING PRESIDENT GRIFFO: Senator  
24 Krueger to be recorded in the negative.

25 Announce the results.

1           THE SECRETARY:    In relation to  
2 Calendar 1393, those recorded in the negative are  
3 Senators DeFrancisco, Hoylman, Krueger and  
4 Stavisky.

5                           Ayes, 56.   Nays, 4.

6           ACTING PRESIDENT GRIFFO:    The bill  
7 is passed.

8           THE SECRETARY:    Calendar Number  
9 1405, by Senator Young, Senate Print 5049, an act  
10 to amend the Alcoholic Beverage Control 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           THE SECRETARY:    Ayes, 60.

19           ACTING PRESIDENT GRIFFO:    The bill  
20 is passed.

21           THE SECRETARY:    Calendar Number  
22 1417, by Senator Ranzenhofer, Senate Print 865,  
23 an act to amend the Education Law.

24           ACTING PRESIDENT GRIFFO:    Read the  
25 last section.

1 THE SECRETARY: Section 3. 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, 60.

7 ACTING PRESIDENT GRIFFO: The bill  
8 is passed.

9 THE SECRETARY: Calendar Number  
10 1431, by Senator Lanza, Senate Print 3489, an act  
11 to amend the Penal Law.

12 ACTING PRESIDENT GRIFFO: Read the  
13 last section.

14 THE SECRETARY: Section 2. 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 ACTING PRESIDENT GRIFFO: Announce  
20 the results.

21 THE SECRETARY: In relation to  
22 Calendar 1431, those recorded in the negative are  
23 Senators DeFrancisco, Hassell-Thompson,  
24 Montgomery and Perkins.

25 Ayes, 56. Nays, 4.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 is passed.

3                   THE SECRETARY:     Calendar Number  
4 1434, by Senator Ortt, Senate Print 3651D, an act  
5 to amend the Social Services Law.

6                   ACTING PRESIDENT GRIFFO:    Read the  
7 last section.

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

10                  ACTING PRESIDENT GRIFFO:   Call the  
11 roll.

12                                 (The Secretary called the roll.)

13                  THE SECRETARY:     Ayes, 60.

14                  ACTING PRESIDENT GRIFFO:   The bill  
15 is passed.

16                  THE SECRETARY:     Calendar Number  
17 1435, by Senator Lanza, Senate Print 3755, an act  
18 to amend the Penal Law.

19                  ACTING PRESIDENT GRIFFO:   Read the  
20 last section.

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

23                  ACTING PRESIDENT GRIFFO:   Call the  
24 roll.

25                                 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59. Nays, 1.

2 Senator Montgomery recorded in the negative.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 1436, by Senator Lanza, Senate Print 3852, an act  
7 to amend the Penal Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

10 THE SECRETARY: Section 4. 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 ACTING PRESIDENT GRIFFO: Announce  
16 the results.

17 THE SECRETARY: In relation to  
18 Calendar 1436, those recorded in the negative are  
19 Senators Comrie, Dilan, Hoylman, Krueger,  
20 Montgomery, Parker, Perkins, Persaud, Rivera,  
21 Sanders, Serrano and Squadron.

22 Ayes, 48. Nays, 12.

23 ACTING PRESIDENT GRIFFO: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 1437, by Senator Ranzenhofer, Senate Print 4198,  
2 an act to amend the Criminal Procedure Law.

3 ACTING PRESIDENT GRIFFO: Read the  
4 last section.

5 THE SECRETARY: Section 2. 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, 60.

11 ACTING PRESIDENT GRIFFO: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 1438, by Senator Young, Senate Print 4407, an act  
15 to validate.

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

18 THE SECRETARY: Section 4. 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, 60.

24 ACTING PRESIDENT GRIFFO: The bill  
25 is passed.

1                   THE SECRETARY:    Calendar Number  
2 1441, by Senator Golden, Senate Print 4699, an  
3 act to amend the Criminal Procedure Law.

4                   ACTING PRESIDENT GRIFFO:   Read the  
5 last section.

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

8                   ACTING PRESIDENT GRIFFO:   Call the  
9 roll.

10                   (The Secretary called the roll.)

11                   THE SECRETARY:    In relation to  
12 Calendar 1441, those recorded in the negative are  
13 Senators Hoylman, Krueger, Montgomery, Parker,  
14 Perkins and Rivera.  Also Senator Squadron.

15                   Ayes, 53.  Nays, 7.

16                   ACTING PRESIDENT GRIFFO:   The bill  
17 is passed.

18                   THE SECRETARY:    Calendar Number  
19 1452, by Senator Ritchie, Senate Print 6614, an  
20 act to amend the Education Law.

21                   ACTING PRESIDENT GRIFFO:   Read the  
22 last section.

23                   THE SECRETARY:    Section 13.  This  
24 act shall take effect on the first of July.

25                   ACTING PRESIDENT GRIFFO:   Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 59. Nays, 1.

4 Senator Perkins recorded in the negative.

5 ACTING PRESIDENT GRIFFO: The bill  
6 is passed.

7 THE SECRETARY: Calendar Number  
8 1453, substituted earlier by Member of the  
9 Assembly Gunther, Assembly Print 9455, an act to  
10 amend the Penal 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 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 THE SECRETARY: Calendar Number  
22 1456, by Senator Seward, Senate Print 7051, an  
23 act to amend the Penal Law.

24 ACTING PRESIDENT GRIFFO: Read the  
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT GRIFFO: Announce  
7 the results.

8 THE SECRETARY: In relation to  
9 Calendar 1456, those recorded in the negative are  
10 Senators Dilan, Hoylman, Montgomery, Parker,  
11 Perkins, Persaud, Rivera and Squadron.

12 Ayes, 52. Nays, 8.

13 ACTING PRESIDENT GRIFFO: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 1457, by Senator LaValle, Senate Print 7056, an  
17 act to provide.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

20 THE SECRETARY: Section 3. 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.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 is passed.

3                   THE SECRETARY:     Calendar Number  
4 1462, by Senator Savino, Senate Print 7338, an  
5 act to amend the Penal 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                  ACTING PRESIDENT GRIFFO:    Senator  
14 Savino to explain her vote.

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

17                                 This bill would create the felony  
18 crime of pretending to be or impersonating a  
19 public utility employee for the purpose of  
20 knowingly entering and remaining unlawfully on  
21 premises.  It would be punishable by up to four  
22 years' imprisonment.

23                                 Earlier this year, in March, an  
24 81-year-old Coney Island woman was attacked and  
25 robbed in her own home by someone posing as a

1 Con Ed employee. Later that month, two men also  
2 posing as Con Ed workers forced their way into a  
3 woman's Bronx home, tied her up, assaulted her  
4 and robbed her. Also this year a similar  
5 incident occurred in Dyker Heights when someone  
6 posing as a uniformed energy salesman tried --  
7 thankfully unsuccessfully -- to force their way  
8 into a resident's home.

9           Criminals pretending to be utility  
10 workers are becoming a serious hazard, and the  
11 number of incidents of imposters posing as  
12 legitimate utility workers is growing. This has  
13 become an increasingly common crime in recent  
14 months, especially against seniors, though there  
15 have been stories of similar impersonation crimes  
16 since at least the aftermath of Hurricane Sandy.  
17 So this is a problem that only seems to be  
18 growing.

19           This bill would create a crime of  
20 impersonating a public utility worker in order to  
21 gain access to the home and commit another crime.  
22 It will be punishable, as I said, by up to four  
23 years in jail. This bill is being carried in the  
24 New York State Assembly by Assemblywoman Pam  
25 Harris.

1           New York State Councilman Mark  
2     Treyger has introduced legislation in the City  
3     Council that would require our local utility  
4     companies, National Grid and Con Ed, to require  
5     that their workers have access codes that  
6     customers will be able to call to guarantee that  
7     those people are in fact utility employees.

8           Con Ed is supporting this, National  
9     Grid is supporting this, Verizon is supporting  
10    this, because they want to make sure that when  
11    someone comes to your door claiming to be your  
12    employee, that you will have faith in them. And  
13    I suggest we all support this bill; it is that  
14    important.

15           Thank you, Mr. President.

16           ACTING PRESIDENT GRIFFO:    Senator  
17     Savino to be recorded in the affirmative.

18           Announce the results.

19           THE SECRETARY:    Ayes, 59.   Nays, 1.  
20     Senator Perkins recorded in the negative.

21           ACTING PRESIDENT GRIFFO:    The bill  
22     is passed.

23           THE SECRETARY:    Calendar Number  
24     1468, by Senator Marchione, Senate Print 7852, an  
25     act to amend Chapter 486 of the Laws of 1964.

1                   ACTING PRESIDENT GRIFFO:    Read the  
2 last section.

3                   THE SECRETARY:    Section 2.  This  
4 act shall take effect upon the issuance of a  
5 certification.

6                   ACTING PRESIDENT GRIFFO:    Call the  
7 roll.

8                   (The Secretary called the roll.)

9                   THE SECRETARY:    Ayes, 60.

10                  ACTING PRESIDENT GRIFFO:    The bill  
11 is passed.

12                  THE SECRETARY:    Calendar Number  
13 1469, by Senator Gallivan, Senate Print 7862, an  
14 act to amend the Correction 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, 60.

23                  ACTING PRESIDENT GRIFFO:    The bill  
24 is passed.

25                  THE SECRETARY:    Calendar Number

1 1470, by Senator Ranzenhofer, Senate Print 7914,  
2 an act to amend the Executive 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, 60.

11 ACTING PRESIDENT GRIFFO: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 1472, by Senator Martins, Senate Print 7999, an  
15 act in relation.

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

18 The Secretary will read the last  
19 section.

20 THE SECRETARY: Section 8. 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.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 is passed.

3                   THE SECRETARY:     Calendar Number  
4 1474, by Senator Gallivan, Senate Print 92A, an  
5 act to amend the Environmental Conservation Law.

6                   ACTING PRESIDENT GRIFFO:    Read the  
7 last section.

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

10                  ACTING PRESIDENT GRIFFO:   Call the  
11 roll.

12                                   (The Secretary called the roll.)

13                  ACTING PRESIDENT GRIFFO:   Announce  
14 the results.

15                  THE SECRETARY:     In relation to  
16 Calendar 1474, those recorded in the negative are  
17 Senators Addabbo, Comrie, Hoylman, Krueger,  
18 Rivera and Sanders. Also Senator Serrano.

19                                   Ayes, 53. Nays, 7.

20                  ACTING PRESIDENT GRIFFO:   The bill  
21 is passed.

22                  THE SECRETARY:     Calendar Number  
23 1475, by Senator Gallivan, Senate Print 96, an  
24 act to amend the Tax Law.

25                  ACTING PRESIDENT GRIFFO:   Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT GRIFFO: Senator  
8 Hoylman to explain his vote.

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

11 I'm voting no for this, not in  
12 principle but really only because in terms of the  
13 description of the fiscal implication, it says  
14 "None." And I find it hard to believe that if  
15 there's an exemption for sales and use taxes,  
16 that there wouldn't be some fiscal implication  
17 that should be delineated for our colleagues.

18 Thank you.

19 ACTING PRESIDENT GRIFFO: Senator  
20 Hoylman to be recorded in the negative.

21 Announce the results.

22 THE SECRETARY: In relation to  
23 Calendar 1475, those recorded in the negative are  
24 Senators Dilan, Hoylman, Krueger, Perkins,  
25 Serrano, Squadron and Stavisky. Also Senator

1 Hassell-Thompson.

2 Ayes, 52. Nays, 8.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 1478, by Senator Marcellino, Senate Print 457, an  
7 act to amend the Vehicle and Traffic Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT GRIFFO: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1479, by Senator Addabbo, Senate Print 2496A, an  
20 act to amend the Tax Law.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

23 THE SECRETARY: Section 2. This  
24 act shall take effect January 1, 2017.

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 59. Nays, 1.

4 Senator Krueger recorded in the negative.

5 ACTING PRESIDENT GRIFFO: The bill  
6 is passed.

7 THE SECRETARY: Calendar Number  
8 1483, by Senator DeFrancisco, Senate Print 2925,  
9 an act to amend the General Obligations 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 ACTING PRESIDENT GRIFFO: Announce  
18 the results.

19 THE SECRETARY: In relation to  
20 Calendar 1483, those recorded in the negative are  
21 Senators Comrie, Gianaris, Hassell-Thompson,  
22 Hoylman, Krueger, Perkins, Persaud, Rivera and  
23 Squadron. Also Senator Dilan. Also Senator  
24 Hamilton. Also Senator Serrano.

25 Ayes, 48. Nays, 12.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 is passed.

3                   THE SECRETARY:     Calendar Number  
4 1484, by Senator Sanders, Senate Print 3265A, an  
5 act to amend the Agriculture and Markets Law.

6                   ACTING PRESIDENT GRIFFO:    Read the  
7 last section.

8                   THE SECRETARY:     Section 6.  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.

14                  ACTING PRESIDENT GRIFFO:    The bill  
15 is passed.

16                  THE SECRETARY:     Calendar Number  
17 1487, by Senator Seward, Senate Print 3926, an  
18 act to amend the Penal Law.

19                  ACTING PRESIDENT GRIFFO:    Read the  
20 last section.

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

23                  ACTING PRESIDENT GRIFFO:    Call the  
24 roll.

25                                   (The Secretary called the roll.)

1                   ACTING PRESIDENT GRIFFO:    Announce  
2 the results.

3                   THE SECRETARY:    Ayes, 58.  Nays, 2.  
4 Senators Montgomery and Perkins recorded in the  
5 negative.

6                   ACTING PRESIDENT GRIFFO:    The bill  
7 is passed.

8                   THE SECRETARY:    Calendar Number  
9 1488, by Senator Lanza, Senate Print 4051A, 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                   THE SECRETARY:    Ayes, 60.

19                   ACTING PRESIDENT GRIFFO:    The bill  
20 is passed.

21                   THE SECRETARY:    Calendar Number  
22 1489, substituted earlier by Member of the  
23 Assembly Dinowitz, Assembly Print 7610E, an act  
24 to amend the General Business Law.

25                   ACTING PRESIDENT GRIFFO:    Read the

1 last section.

2 THE SECRETARY: Section 3. 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, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 1490, by Senator Savino, Senate Print 5216A, an  
12 act to amend the Public Health Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

15 THE SECRETARY: Section 4. 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, 60.

21 ACTING PRESIDENT GRIFFO: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 1491, by Senator Lanza, Senate Print 5248, an act  
25 to amend the Environmental Conservation 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, 60.

9                   ACTING PRESIDENT GRIFFO:    The bill  
10 is passed.

11                   THE SECRETARY:    Calendar Number  
12 1492, by Senator O'Mara, Senate Print 5477, an  
13 act to amend the Environmental Conservation Law.

14                   ACTING PRESIDENT GRIFFO:    Read the  
15 last section.

16                   THE SECRETARY:    Section 2.  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:    Announce  
22 the results.

23                   Some order in the house, please.

24                   THE SECRETARY:    In relation to  
25 Calendar 1492, those recorded in the negative are

1 Senators Addabbo, Avella, Breslin, Carlucci,  
2 Comrie, Dilan, Gianaris, Hamilton,  
3 Hassell-Thompson, Hoylman, Kaminsky, Kennedy,  
4 Klein, Krueger, Latimer, Montgomery, Parker,  
5 Perkins, Persaud, Rivera, Sanders, Serrano,  
6 Squadron, Stavisky and Stewart-Cousins.

7 Ayes, 35. Nays, 25.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 1493, by Senator Savino, Senate Print 5624, an  
12 act to amend the Banking Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Announce  
21 the results.

22 THE SECRETARY: In relation to  
23 Calendar 1493, those recorded in the negative are  
24 Senators Comrie, DeFrancisco, Hamilton,  
25 Hassell-Thompson, Krueger, Martins, Parker,

1 Perkins, Rivera and Serrano.

2 Ayes, 50. Nays, 10.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 1494, by Senator Valesky, Senate Print 5789B, an  
7 act to amend the Public Health Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

10 THE SECRETARY: Section 6. 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.

16 ACTING PRESIDENT GRIFFO: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1496, by Senator DeFrancisco, Senate Print 6027A,  
20 an act to amend the Labor Law.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 1499, by Senator Akshar, Senate Print 6665, an  
8 act to amend the Environmental Conservation Law.

9 SENATOR DeFRANCISCO: Lay the bill  
10 aside for the day, please.

11 ACTING PRESIDENT GRIFFO: The bill  
12 shall be laid aside for the day.

13 THE SECRETARY: Calendar Number  
14 1500, by Senator Ortt, Senate Print 6675, an act  
15 to amend the Navigation 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, 60.

24 ACTING PRESIDENT GRIFFO: The bill  
25 is passed.

1                   THE SECRETARY:    Calendar Number  
2 1501, by Senator Griffo, Senate Print 6815, an  
3 act to amend the Penal 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, 59.  Nays, 1.  
12 Senator Perkins recorded in the negative.

13                   ACTING PRESIDENT GRIFFO:    The bill  
14 is passed.

15                   THE SECRETARY:    Calendar Number  
16 1502, by Senator Boyle, Senate Print 6864A, an  
17 act to amend the Executive 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.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 is passed.

3                   THE SECRETARY:    Calendar Number  
4 1518, by Senator Savino, Senate Print 7922, an  
5 act to amend Chapter 62 of the Laws of 2011.

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.

14                  ACTING PRESIDENT GRIFFO:    The bill  
15 is passed.

16                                   Calendar Number 1519 has been  
17 amended.  It is high and ineligible for  
18 consideration.

19                                   As a result of that, Senator  
20 DeFrancisco, that completes the noncontroversial  
21 reading of today's active-list calendar.

22                                   SENATOR DeFRANCISCO:    Thank you.

23                                   We do have a supplemental calendar,  
24 51A, based on the bills that were reported from  
25 Rules.  I'd like to take up one of those bills,

1 Calendar 1573, Senate Print 6963, if we could,  
2 please, noncontroversial.

3 ACTING PRESIDENT GRIFFO: We are  
4 going to the Senate Supplemental Calendar 51A,  
5 and we will do the noncontroversial reading of  
6 Senator Persaud's bill, Calendar Number 1573.

7 The Secretary will read.

8 THE SECRETARY: Calendar Number  
9 1573, by Senator Persaud, Senate Print 6963, an  
10 act to amend the Elder 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 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT GRIFFO: The bill  
20 is passed.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO: Would you  
23 please recognize Senator Gianaris for an  
24 announcement and also some motions.

25 ACTING PRESIDENT GRIFFO: Senator

1 Gianaris.

2 Can I have some order in the house,  
3 please. Thank you.

4 Senator Gianaris.

5 SENATOR GIANARIS: Thank you,  
6 Mr. President.

7 First of all, the bill we just  
8 passed was by our colleague, who's passed bills  
9 in the State Legislature before because she came  
10 to us from the Assembly. But this was her first  
11 bill as a member of the Senate, so we should  
12 congratulate Senator Persaud.

13 (Applause.)

14 SENATOR GIANARIS: And on motions  
15 and resolutions, Mr. President.

16 ACTING PRESIDENT GRIFFO: Senator  
17 Gianaris, we will return to motions and  
18 resolutions.

19 SENATOR GIANARIS: Thank you.

20 On behalf of Senator Kennedy, I wish  
21 to call up Print Number 4229A, recalled from the  
22 Assembly, which is now at the desk.

23 ACTING PRESIDENT GRIFFO: The  
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 261, by Senator Kennedy, Senate Print 4229A, an  
2 act to amend the Real Property Tax Law.

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

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

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 60.

9 ACTING PRESIDENT GRIFFO: The bill  
10 is now before the house. I'll accept amendments.

11 SENATOR GIANARIS: I offer the  
12 following amendments.

13 ACTING PRESIDENT GRIFFO: The  
14 amendments are received.

15 SENATOR GIANARIS: And also, on  
16 behalf of Senator Breslin, on page 48 I offer the  
17 following amendments to Calendar 1285, Senate  
18 Print 6789, and ask that said bill retain its  
19 place on third reading.

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

23 Thank you, Senator Gianaris.

24 Senator DeFrancisco.

25 SENATOR DeFRANCISCO:

1 Mr. President, we have two bills that have been  
2 laid aside for debate, but we must first do an  
3 immediate meeting of the Finance Committee in  
4 Room 332. And I would appreciate if everyone  
5 could return promptly when it's so over so that  
6 we can quickly start the controversial calendar.

7 ACTING PRESIDENT GRIFFO: There is  
8 an immediate meeting of the Senate Finance  
9 Committee in Room 332. Immediate meeting of the  
10 Senate Finance Committee in Room 332.

11 The Senate will stand temporarily at  
12 ease.

13 (Whereupon, the Senate stood at ease  
14 at 4:08 p.m.)

15 (Whereupon, the Senate reconvened at  
16 4:42 p.m.)

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

19 Senator DeFrancisco.

20 SENATOR DeFRANCISCO: Yes,  
21 Mr. President, can we lay aside the rest of the  
22 supplemental calendar.

23 ACTING PRESIDENT GRIFFO: So Senate  
24 Supplemental Calendar 51A will be laid aside for  
25 the day, the remainder of that calendar.

1                   SENATOR DeFRANCISCO:    Thank you.

2                    Could you go back to motions and  
3 resolutions and recognize Senator Valesky,  
4 please.

5                    ACTING PRESIDENT GRIFFO:    We will  
6 return to motions and resolutions.

7                    And Senator Valesky, you're  
8 recognized.

9                    SENATOR VALESKY:    Mr. President, on  
10 behalf of Senator Savino, on page 34 I offer the  
11 following amendments to Calendar 1078, Senate  
12 Bill 5660, and ask that said bill retain its  
13 place on the Third Reading Calendar.

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

17                    SENATOR VALESKY:    Also on behalf of  
18 Senator Savino, on page 20 I offer the following  
19 amendments to Calendar 737, Senate Bill 4702A,  
20 and ask that said bill retain its place on the  
21 Third Reading Calendar.

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

25                    Senator DeFrancisco.

1                   SENATOR DeFRANCISCO:    Yes, could we  
2 remain at ease for a moment.

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

5                   (Whereupon, the Senate stood at ease  
6 at 4:43 p.m.)

7                   (Whereupon, the Senate reconvened at  
8 4:45 p.m.)

9                   ACTING PRESIDENT GRIFFO:    The  
10 Senate will come to order.

11                   Senator DeFrancisco.

12                   SENATOR DeFRANCISCO:  
13 Mr. President, can we now go on to the reading of  
14 the controversial calendar.

15                   ACTING PRESIDENT GRIFFO:    We will  
16 have the controversial reading of the calendar.

17                   The Secretary will ring the bell.

18                   The Secretary will read.

19                   THE SECRETARY:    Calendar Number  
20 715, by Senator Golden, Senate Print 1073, an act  
21 to amend the Multiple Dwelling Law.

22                   ACTING PRESIDENT GRIFFO:    Senator  
23 Krueger.

24                   SENATOR KRUEGER:    Hi.

25                   (Laughter.)

1                   ACTING PRESIDENT GRIFFO:    You may  
2 continue, Senator Krueger.

3                   SENATOR KRUEGER:    Thank you so  
4 much, Mr. President.

5                   Would the sponsor please yield to  
6 some questions.

7                   SENATOR GOLDEN:    I would be glad  
8 to, Mr. President.

9                   ACTING PRESIDENT GRIFFO:    The  
10 sponsor yields.

11                   SENATOR KRUEGER:    Thank you.

12                   So the Department of Buildings  
13 already has certain authority to make exemptions  
14 in a variety of kinds of buildings, but not in  
15 Multiple Dwelling Law. Why do you feel that we  
16 need to give them that power to exempt developers  
17 doing rehabilitation of multiple dwellings from  
18 existing standards?

19                   SENATOR GOLDEN:    Well, what  
20 happens, Mr. President, the owners of these  
21 buildings are not inclined to do any work because  
22 they have to go to the Standards and Appeals, to  
23 the board, and that's going to cost them anywhere  
24 from \$25,000 to \$50,000 to get out of the board,  
25 and they would have to rehab the entire building.

1           So what they do with these tenements  
2 that were built in the early 1900s, they don't do  
3 anything. And they just sit there and they  
4 deteriorate. And as they deteriorate, they  
5 reduce the quality of life for the people that  
6 live there. We're talking about houses that have  
7 wooden stairs or doors that open into the  
8 staircases and are not fireproof.

9           So we need to be able to make these  
10 locations safe, and this would reduce one of the  
11 regulations -- or I should say not reduce it, but  
12 give that opportunity to give waivers to the  
13 Building Department to be able to get the stairs  
14 done, to get these doors put back so they don't  
15 open up onto staircases, and to bring these  
16 buildings somewhat into code. But since they've  
17 been built so many years ago and there's so much  
18 work and so much money required to repair them,  
19 they don't. And so this would be an incentive to  
20 get those tenements up to code.

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

24           ACTING PRESIDENT GRIFFO: The  
25 sponsor yields.

1                   SENATOR GOLDEN:    Yes,  
2   Mr. President.

3                   SENATOR KRUEGER:    So I don't  
4   necessarily disagree with the sponsor on the  
5   desire to make sure that buildings are being kept  
6   up to code and modernized.  My dilemma is that  
7   under current practices, the Department of  
8   Buildings seems to be incapable of actually  
9   ensuring that -- standards of reasonable  
10   protection for the residents in buildings when  
11   rehab is going on is almost out of control.

12                   We file complaints regularly, along  
13   with other elected officials, for the Department  
14   of Buildings not ensuring tenant protection plans  
15   for developers and owners doing work, declaring  
16   on forms that the building is empty, therefore  
17   they have to do no protection plans.  And that  
18   the concept of exempting them from any current  
19   laws would be a serious mistake and increase the  
20   number of problems we're seeing.

21                   Could the sponsor help me understand  
22   how we can do more to make sure that the current  
23   problems don't continue and get expanded if this  
24   is becoming law?

25                   SENATOR GOLDEN:    Mr. President,

1 through you, some of the issues that  
2 Senator Krueger speaks to go back to the  
3 early 1900s as well.

4           It's unfortunate, but we are in a  
5 very bureaucratic city. When it comes to the  
6 Building Department, there's a lot of  
7 construction going on and a lot of issues going  
8 on in the City of New York. I believe this  
9 Building Department that we presently have is  
10 doing its best to get the buildings inspected and  
11 the inspectors out to these locations where there  
12 is a complaint.

13           I know that I work with them in my  
14 community where I have illegal conversions going  
15 on, and we have some legislation coming up here  
16 in this body on illegal conversions in our city  
17 and in our state. And I've had so far, over the  
18 past year and a half or so, a good rapport  
19 with -- the past year and a half, two years --  
20 the Building Department getting those complaints  
21 answered and projects stopped where they had to  
22 be stopped and made safe where they had to be  
23 made safe.

24           But you can look at this as a public  
25 school today that's under guidelines that are

1 equal to none, and you can still see some safety  
2 issues -- I just had a pipe fall at one of my  
3 schools only yesterday. And so they do have  
4 issues regardless, and we try to get around as  
5 best we can to make sure that they are made safe  
6 and made to conform to the law.

7           SENATOR KRUEGER: Through you,  
8 Mr. President, on the bill.

9           ACTING PRESIDENT GRIFFO: Senator  
10 Krueger on the bill.

11           SENATOR KRUEGER: I want to thank  
12 the sponsor for his explanation.

13           His answer about concerns about  
14 schools I would with agree with. But this bill  
15 would specifically change the rules on  
16 construction or alteration of multiple dwellings,  
17 which are residential buildings; it wouldn't  
18 impact the school building issue.

19           I cannot support this bill at this  
20 time because there are too many incidents, day  
21 in, day out, even under existing law, of  
22 Department of Buildings not disapproving illegal  
23 activities, not doing the correct audits, not  
24 implementing stop-work orders even when other  
25 agencies of the City of New York are bringing

1 cases against specific buildings.

2           So you can have the Law Department  
3 bringing a case against a building for a  
4 violation of law and the Department of Buildings  
5 actually okaying them on work permits. You can  
6 have buildings which have 1200 residents in  
7 them -- I believe it was Senator Hoylman's  
8 district, quite recently -- where it's a building  
9 of 1200 units and the paperwork filed with the  
10 Department of Buildings is that it's a vacant  
11 building and therefore nothing needs to be done  
12 to protect tenants, and the Department of  
13 Buildings simply signs off on it.

14           So in fact, maybe if everything was  
15 working okay, decreasing the checks and balances  
16 by skipping Department of Buildings process or  
17 BSA process might make sense. But under the  
18 current reality in New York City, where there is  
19 so much construction going on in buildings where  
20 people are living -- with real harm being done to  
21 people, and not nearly enough enforcement or  
22 watching whether in fact any of the rules are  
23 being followed -- the concept, for me, of  
24 allowing the commissioner of buildings to waive  
25 provisions -- again, for residences where people

1 are living -- in order for construction to move  
2 ahead is not acceptable.

3 We are talking about safety and  
4 health of people who are living in apartment  
5 buildings where construction is going on. And  
6 really, if anything, we should be strengthening  
7 the requirements on the Department of Buildings  
8 and those who violate its existing laws. We  
9 shouldn't be weakening the laws increasing the  
10 chances that more people will be harmed under  
11 this kind of situation.

12 I'm urging my colleagues to vote no.

13 Thank you, Mr. President.

14 ACTING PRESIDENT GRIFFO: Seeing  
15 and hearing no other Senator that wishes to be  
16 heard, debate is closed.

17 Senator DeFrancisco.

18 SENATOR DeFRANCISCO: Yes, if -- I  
19 don't know if we have to ring the bell again or  
20 ring something else in order to get people in  
21 here.

22 ACTING PRESIDENT GRIFFO: We can  
23 ring the bell, but I thought you had a  
24 suggestion.

25 SENATOR DeFRANCISCO: No, I don't

1 have anything to say. I guess that's the end of  
2 the debate.

3 ACTING PRESIDENT GRIFFO: All  
4 right. So debate is closed. The Secretary has  
5 rung the bell. We are awaiting members.

6 I would ask all members to please  
7 remain in their seats during the last section.

8 Senator Golden, debate has been  
9 closed.

10 SENATOR GOLDEN: I want to speak on  
11 the bill.

12 ACTING PRESIDENT GRIFFO: Debate is  
13 closed, Senator Golden. So I can have you  
14 explain your vote.

15 SENATOR GOLDEN: To explain my  
16 vote.

17 ACTING PRESIDENT GRIFFO: We  
18 haven't called the roll yet, Senator Golden.

19 SENATOR GOLDEN: I can wait.

20 ACTING PRESIDENT GRIFFO: We have  
21 one more bill on the controversial reading, so if  
22 members can stay close to the chamber.

23 Can I have some order in the  
24 chamber, please.

25 I'm going to ask the Secretary to

1 read the last section, and then we're going to  
2 allow for any explanation of votes. But we're  
3 going to need some quiet in the house, please.

4 The Secretary will read the last  
5 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 ACTING PRESIDENT GRIFFO: Senator  
12 Golden to explain his vote.

13 SENATOR GOLDEN: Thank you,  
14 Mr. President.

15 Again, these multiple dwellings are  
16 not large units these are five, 10, 15 units,  
17 walk-ups that were created in the early 1900s --  
18 1901, 1909, 1938. So the only repairs -- they  
19 have wooden stairs. We need to be able to get  
20 steel stairs in there. We need to be able to get  
21 doors put away from the staircases. We need to  
22 get in these sprinkler systems and make them  
23 fireproof.

24 They're not going to spend this  
25 money if they have to rehab the entire building.

1 So what we're doing -- in essence, by voting this  
2 bill down, what you do is you allow those  
3 buildings to deteriorate. And you not only allow  
4 it to deteriorate, but you ruin the quality of  
5 life for the people that live in those buildings.

6 This is to help people that live in  
7 those buildings to have a better quality of life  
8 and to clean up the housing stock in the City of  
9 New York. So think twice when you're voting no,  
10 ladies and gentlemen.

11 I vote aye.

12 ACTING PRESIDENT GRIFFO: Senator  
13 Golden to be recorded in the affirmative.

14 Those in the negative, please raise  
15 your hand.

16 The Secretary will announce the  
17 results.

18 THE SECRETARY: In relation to  
19 Calendar 715, those recorded in the negative are  
20 Senators Avella, Dilan, Hamilton,  
21 Hassell-Thompson, Hoylman, Krueger, Montgomery,  
22 Parker, Peralta, Perkins, Rivera, Sanders,  
23 Serrano, Squadron, Stavisky and Stewart-Cousins.

24 Ayes, 44. Nays, 16.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 I'd ask the members to please remain  
3 in the chamber or close to the chamber. We have  
4 one more bill.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number  
7 807, by Senator Seward, Senate Print 3287, an act  
8 to amend the Insurance Law.

9 ACTING PRESIDENT GRIFFO: Senator  
10 Krueger.

11 Can we have some order in the house,  
12 please.

13 SENATOR KRUEGER: Thank you,  
14 Mr. President. If the sponsor would please yield  
15 to some questions.

16 ACTING PRESIDENT GRIFFO: Senator  
17 Seward, do you yield?

18 SENATOR SEWARD: I will.

19 SENATOR KRUEGER: Thank you.

20 Through you, Mr. President, there's  
21 been an argument made that this legislation is  
22 actually unconstitutional under the New York  
23 State constitution, since our constitution states  
24 the legislative power of the state shall be  
25 vested in the Senate and the Assembly.

1                   We have controlled insurance law in  
2 this state, and this would hand over our  
3 responsibilities to some interstate compact.  
4 Does the sponsor agree me that there are  
5 constitutional concerns?

6                   SENATOR SEWARD:     Mr. President, I  
7 do not.

8                   First, I've heard that argument  
9 raised regarding this legislation, which has  
10 passed this house every year since 2007 with  
11 bipartisan support.

12                   Quite frankly, the fact is that by  
13 New York joining this compact, it could only  
14 happen by action of the Senate and the Assembly  
15 and of course the legislation signed into law by  
16 the Governor. So we are covered, I believe, in  
17 that way because it would be -- New York's  
18 joining the compact would be through legislation  
19 enacted by the Legislature and signed into law by  
20 the Governor.

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

24                   SENATOR SEWARD:     Yes.

25                   ACTING PRESIDENT GRIFFO:   The

1 sponsor yields.

2           SENATOR KRUEGER: We have passed it  
3 in this house -- I think I voted against it every  
4 year since 2007 -- so we haven't had an  
5 opportunity to test the constitutionality yet.  
6 But I think there's a series of legal cases that  
7 would confirm that this would be  
8 unconstitutional.

9           But to continue with questioning,  
10 Mr. President, does the sponsor believe that this  
11 would undermine our existing statutory and  
12 regulatory consumer protections and quite  
13 possibly lower the standards on insurance  
14 products under existing law in this state?

15           SENATOR SEWARD: Mr. President, I  
16 do not have those concerns, for a number of  
17 reasons. In fact, I see some advantages to  
18 consumers here in New York State with the  
19 enactment of this legislation and New York's  
20 ultimately joining this interstate compact.

21           And I say that for this reason.  
22 Very often we all see the ads that insurance  
23 products are available throughout the country  
24 except New York, because of the fact that it can  
25 take the department up to a year to approve a new

1 insurance product.

2           Now, the compact deals with life  
3 insurance-related products, life insurance,  
4 annuities, disability income, long-term care  
5 insurance. That's what's covered under this  
6 legislation. That's what dealt with at the  
7 existing Interstate Insurance Product Regulation  
8 Compact. Which, by the way, 45 other states are  
9 a member of that compact.

10           But back to the consumer concerns,  
11 there are advantages to the consumer because  
12 products can come to market faster and be  
13 available to consumers to meet their needs here  
14 in New York if we were a member of the compact.

15           Also, you know, in today's mobile  
16 society, where people tend to be moving across  
17 state lines, these life insurance products have a  
18 long life span, for the most part. And as people  
19 move across state lines, the uniformity of the  
20 product and other aspects of the regulation of  
21 these products through the compact, that would  
22 follow them from state to state.

23           Now, I would point out that, you  
24 know, the compact is designed to be a single  
25 point of contact so that companies that have an

1 insurance product and want both their product and  
2 the rate approved can do so with a compact, and  
3 then that product would be available throughout  
4 all of the member states. As I said, 45 states;  
5 46 if New York joins. And that's an advantage.  
6 Obviously it streamlines the whole process.

7 But also I would point out that if  
8 New York State, the department or this  
9 Legislature, felt that for whatever reason the  
10 compact -- they did not agree with a decision  
11 made at the compact, there is an opt-out  
12 provision here so that New York, either through  
13 regulation or legislation, could opt out, and  
14 then the normal process here in New York could  
15 proceed. And so that's further protection if  
16 something goes awry at the compact in the view of  
17 New York State.

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

21 SENATOR SEWARD: Yes.

22 ACTING PRESIDENT GRIFFO: The  
23 sponsor yields.

24 SENATOR KRUEGER: Thank you.

25 So I'm reviewing the opt-out option

1 within the state compact, and in fact the option  
2 is quite burdensome and restrictive on the state  
3 and effectively designed to preclude a state  
4 who's part of the compact from opting out.  
5 There's a heavy burden to meet in order to opt  
6 out once you've joined the compact. There's  
7 inadequate time to make the case for the opt-out.  
8 The potential for challenge on appeal is there  
9 where they can refuse to allow you to opt out.

10           And interestingly, for the states  
11 that participate, the one story I could find was  
12 that Florida, having stronger protections for  
13 consumers than the compact once they joined, but  
14 the compact actually threw them out because they  
15 wanted to keep their stronger protections in  
16 their insurance law. So they ended up throwing  
17 the state out of the compact rather than allowing  
18 the state to keep its stronger consumer  
19 protections.

20           So again, why is the sponsor so sure  
21 that we would have the flexibility we need to opt  
22 out when it seems to be so biased in favor of the  
23 compact, not the individual state?

24           SENATOR SEWARD: Well,  
25 Mr. President, I would respond with two points.

1           Number one, New York, should we join  
2 the compact, because of our market share here in  
3 New York, we would be a major voice and a major  
4 force on the compact. We would automatically  
5 become part of the management of the commission  
6 and have a large voice in decisions made at the  
7 compact. So I think the concerns of New York  
8 would be reflected in decisions made by the  
9 compact.

10           But I would point out again, the  
11 opt-out is there, that option is available. And  
12 should New York State disagree with a decision  
13 made at the compact, then we do have that option  
14 to opt out. Or, as -- I wasn't aware of the  
15 Florida incident that you cited. But if it's  
16 accurate, we could be thrown out.

17           So it's a -- one way or the other,  
18 New York would have a major voice at the compact.  
19 If we disagree, there are options to go it alone  
20 here in New York State.

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

24           SENATOR SEWARD: Yes.

25           ACTING PRESIDENT GRIFFO: The

1 sponsor yields.

2 SENATOR KRUEGER: Thank you.

3 Actually, we're looking it up, but  
4 we think Florida is bigger than New York in  
5 population now, so -- it is. Thank you, Senator  
6 Griffo.

7 ACTING PRESIDENT GRIFFO: Number  
8 three state in the union.

9 SENATOR KRUEGER: So if they  
10 actually choose to override Florida and throw  
11 them out, they could probably do the same to us  
12 as well.

13 The sponsor was talking about the  
14 concern that right now we may in fact have  
15 different insurance -- I'm sorry, I don't want  
16 to -- are you okay, Mr. President?

17 ACTING PRESIDENT GRIFFO: Yeah.

18 SENATOR KRUEGER: Good. Thank you.

19 The sponsor pointed out that because  
20 New York State has its own laws and standards and  
21 isn't part of the compact, we have different  
22 insurance products than other states. That's  
23 true. I actually think we have better insurance  
24 products.

25 I just want to clarify. I thought I

1 heard him say that that means as people leave and  
2 go to other states, or come, they can't take  
3 their New York State insurance coverage with  
4 them. But just double-checking, I thought if you  
5 live in New York and you buy insurance that you  
6 continue to have the right to keep that insurance  
7 if you move to a different state. Am I correct?

8 SENATOR SEWARD: Yeah, I don't  
9 disagree with that. Depending on the contract,  
10 obviously.

11 But the point is that with -- there  
12 are advantages to the consumer because of the  
13 fact that with the compact, they could -- if they  
14 move to another state, if they have purchased a  
15 product under the auspices of the compact, that's  
16 been approved by the compact, they can make --  
17 it's a little easier to make alterations,  
18 additions, changes, those types of things because  
19 it would be uniform in their new state. That is  
20 a point.

21 But you're correct, you can maintain  
22 your coverage if you do move.

23 SENATOR KRUEGER: Thank you for  
24 that answer.

25 Mr. President, through you, if the

1 sponsor would continue to yield.

2           ACTING PRESIDENT GRIFFO:    The  
3 sponsor yields.

4           SENATOR SEWARD:    Yes.

5           SENATOR KRUEGER:   Thank you.

6           There's also concerns about because  
7 we have higher standards than many states, that  
8 people under a contract would actually lose a  
9 number of the protections.

10           One of the examples is that in  
11 New York State, deferred annuity contract holders  
12 have protections under New York non-forfeiture  
13 law. And if we were to roll into the contract,  
14 our deferred annuity holders would not have the  
15 same protections of our existing non-forfeiture  
16 law. Account values, surrender values, death and  
17 benefit values would all be lower under the  
18 compact-approved annuity products.

19           Is that not a concern for us here in  
20 New York?

21           SENATOR SEWARD:    Well, we would be  
22 talking about here new products going forward  
23 that come before the compact. Certainly if --  
24 we're not looking to roll back existing consumer  
25 protections that are in place.

1           And as I would point out once again,  
2           if that is a concern here in New York, that the  
3           compact was in fact not adequately protecting  
4           consumers here in New York, we always have that  
5           opt-out option.

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

9           SENATOR SEWARD:    Yes.

10          ACTING PRESIDENT GRIFFO:    The  
11          sponsor yields.

12          SENATOR KRUEGER:    Appreciate the  
13          answers.

14          So no, we're not totally sure we  
15          would have the opt-out option, because opting out  
16          is difficult.

17          But if we join the compact, while if  
18          you owned an annuity the day before we joined the  
19          compact you might have all the existing  
20          protections -- excuse me, Mr. President.   May I  
21          ask Senator Hannon a question?

22          SENATOR HANNON:    No.

23          ACTING PRESIDENT GRIFFO:    Senator  
24          Hannon has not spoken, so is not eligible to be  
25          questioned at this point in time, Senator

1 Krueger. So you may continue with Senator  
2 Seward.

3 SENATOR KRUEGER: Thank you.

4 So Senator Seward, existing law, if  
5 I have a product that I've purchased the day  
6 before we go into the compact, I have these  
7 protections. But if I'm buying a product a week  
8 after we join the compact, I wouldn't have the  
9 same protections because we know for a fact that  
10 the compact has weaker standards on deferred  
11 annuity. Is that correct?

12 SENATOR SEWARD: Well,  
13 Mr. President, it wouldn't be that automatic. We  
14 would be joining the compact under this  
15 legislation, or give New York the option of doing  
16 that, to allow us to do. And what would occur  
17 would be insurance companies would be approaching  
18 the compact with a new product and seeking a  
19 rate, and then after the compact has approved  
20 that, considered it, approved it, only that going  
21 forward. It would not impact existing  
22 protections.

23 And once again, if there's concern  
24 about lack of protections for consumers, we have  
25 the opt-out. But also, as I pointed out before,

1 New York would have a major voice on the compact.  
2 And I would suggest that many of the protections  
3 that we currently have in New York would be  
4 reflected in ongoing future decisions of the  
5 compact.

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

9 SENATOR SEWARD: Yes.

10 ACTING PRESIDENT GRIFFO: The  
11 sponsor yields.

12 SENATOR KRUEGER: So under the  
13 current compact, without New York, they have  
14 lower account values, surrender values, death  
15 benefits and income benefits than our insurance  
16 products in New York.

17 Do we think we could make sure that  
18 our existing standards were applied to a compact  
19 with 45 other states, since theirs are all lower  
20 than ours now?

21 SENATOR SEWARD: If New York were  
22 to join the compact in decisions going forward,  
23 New York would have a major voice. And I think  
24 many of our protections that we have here in  
25 New York would -- I would predict would be

1 reflected in future decisions of the compact.

2 But if there -- I keep repeating  
3 myself, but if there were concerns, New York  
4 always has that option to opt out.

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

8 SENATOR SEWARD: Yes.

9 ACTING PRESIDENT GRIFFO: The  
10 sponsor yields.

11 SENATOR KRUEGER: I have a series  
12 of concerns, and I personally would opt out if we  
13 were in. But I'm trying to make sure we don't go  
14 and in then have to opt out.

15 An additional concern is that we  
16 have very strong solvency protections that the  
17 compact does not have. So a great discussion in  
18 this Legislature even earlier today in a  
19 committee meeting I was in were concerns about  
20 Health Republic having gone bankrupt, and the  
21 fact that we don't have certain standards for  
22 health insurance companies going under but we  
23 have them for other kinds of companies.

24 So if we joined the compact under  
25 their current law, our solvency protections would

1 be reduced for life insurance annuities and long  
2 term care, which under current New York State law  
3 have to be self-supporting for solvency purposes.

4 Does the sponsor share any of my  
5 concerns that we would be weakening the  
6 protections for policyholders regarding the  
7 ongoing solvency of insurance companies to have  
8 to make good on the products that they sell?

9 SENATOR SEWARD: No. And I would  
10 just say my previous answers apply to this  
11 question as well.

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

15 SENATOR SEWARD: Yes.

16 ACTING PRESIDENT GRIFFO: The  
17 sponsor yields.

18 SENATOR KRUEGER: Thank you,  
19 Mr. President.

20 Under current law, if you're  
21 objecting to how an insurance company is treating  
22 you under the contract you believed you signed  
23 and that you believe they're in violation of your  
24 contract, you can go to our DFS, who can take  
25 action against an insurer relating to their not

1 making good on their contract.

2           What would happen if we were under  
3 the 45- or perhaps 46-state compact? Where would  
4 you go to make a complaint that your insurance  
5 company violated the contract?

6           SENATOR SEWARD: Mr. President,  
7 this legislation and joining the compact would  
8 not dismantle the Consumer Protection Unit at  
9 DFS, and the current process that is in place  
10 would remain.

11           SENATOR KRUEGER: Through you,  
12 Mr. President, if the sponsor would continue to  
13 yield.

14           SENATOR SEWARD: Yes.

15           ACTING PRESIDENT GRIFFO: Senator  
16 Seward yields.

17           SENATOR KRUEGER: Thank you.

18           So it's my understanding that you  
19 could only go to DFS consumer protection with a  
20 complaint if there was prior authorization by the  
21 compact. Is that your understanding?

22           SENATOR SEWARD: That is not my  
23 understanding.

24           SENATOR KRUEGER: Through you,  
25 Mr. President, I think I have read the bill

1 differently. But I accept that we may have a  
2 different understanding of the powers of the  
3 compact versus the powers of DFS to protect us  
4 when we go into insurance contracts.

5 On the bill, Mr. President.

6 ACTING PRESIDENT GRIFFO: Senator  
7 Krueger on the bill.

8 SENATOR KRUEGER: Thank you.

9 So I think this all comes down to  
10 the question: Who does it advantage for us to go  
11 into a compact versus remain as a state with a  
12 strong insurance industry but strong consumer  
13 protections?

14 I would argue that we shouldn't be  
15 giving up any consumer protections and that going  
16 into this compact, even if found  
17 constitutional -- which I think it may not be --  
18 would undermine existing regulatory and statutory  
19 protections for consumers.

20 I'm proud of the fact that New York  
21 State has such strong consumer protections when  
22 you go out into the insurance market. I'm proud  
23 of the fact that we have a Department of  
24 Financial Services -- could you ask for some  
25 quiet?

1                   ACTING PRESIDENT GRIFFO:    Quiet,  
2                   please.

3                   SENATOR KRUEGER:    Thank you.  Thank  
4                   you.

5                   I'm proud that we have a Department  
6                   of Financial Services where you can go to try to  
7                   get resolution of problems.  I don't like at all  
8                   the idea that we'd be actually giving up existing  
9                   protections both for individual consumers and for  
10                  the standards we have applied to solvency of  
11                  insurance companies and insurance products in  
12                  this state.

13                  I like the fact that we have an  
14                  ability to evaluate the rates that insurance  
15                  companies charge and, if people think that they  
16                  are being overcharged, the books must be opened  
17                  and the DFS can evaluate whether or not the  
18                  increased charges are justified by insurance  
19                  companies.

20                  I like the fact that we in the  
21                  Legislature have continuing authority to try to  
22                  fix problems when they arise.  And please  
23                  remember, we would be giving up that legislative  
24                  authority also for any future products.

25                  I don't like that the compact has

1 less stringent ethical prohibitions than our  
2 current state laws do and that our current  
3 stronger ethical prohibitions would be overridden  
4 by the compact. While the sponsor continued to  
5 say we could opt out, again, the experience of  
6 other states is that that has not been  
7 particularly effective or successful.

8 Yes, we could drop out, begging the  
9 question or raising the question of why should we  
10 go in in the first place if we have a better  
11 system in place.

12 The sponsor argues that New York  
13 would have the ability to influence the entire  
14 compact for all the other states. But New York  
15 would only have one vote as a member of the  
16 compact, and only one vote as the management  
17 commission, which consists of 14 members. So  
18 New York's ability to influence the interstate  
19 compact would be minimal, and there is no veto  
20 power on this commission.

21 So again, we have better laws than  
22 most states. We have stronger consumer  
23 protections. We have more opportunity to insert  
24 ourselves when things go wrong to try to fix  
25 them. We don't have a lack of insurance company

1 activity in New York State, and I personally  
2 don't understand why we want to give up our  
3 stronger protections, our stronger rights, and  
4 default down to some race to the bottom of  
5 protecting consumers so that the industry finds  
6 it easier because they can have one set of rules.

7           If the other 46 states showed up and  
8 said "We want to develop a compact that has  
9 New York State rules and regulations," I'd say  
10 "Hear, hear," because they would be realizing  
11 we've set it up with greater consumer protections  
12 for the people of New York State. But that's not  
13 what we're being asked to do. And if we join the  
14 compact, we will not have the power to change the  
15 lowered standards that already exist and are in  
16 place.

17           I urge my colleagues to think about  
18 this carefully. I know many of us have voted yes  
19 in the past. I'm hoping it's not going to come  
20 into law this year. I urge people to vote no.

21           Thank you, Mr. President.

22           ACTING PRESIDENT GRIFFO:    Senator  
23 Breslin on the bill.

24           SENATOR BRESLIN:    Thank you very  
25 much, Mr. President.

1           I stand in support of this bill,  
2           having been a sponsor of it when we were in the  
3           majority and having been a cosponsor for the  
4           number of years prior and thereafter. And the  
5           Interstate Insurance Product Regulation Compact,  
6           -- let's take a step back. Compacts have been  
7           accepted in New York State for years and years  
8           and years. They've gone through the court  
9           process. A compact is valid, you can enter into  
10          agreements with other states.

11           Now, with insurance, insurance is  
12          state-based. It isn't like banks where there's a  
13          federal and a state charter. So insurance is  
14          state-based, but there are many products. And  
15          you think of those insurance products, they're  
16          just almost identical, okay, state by state.

17           So the National Association of  
18          Insurance Commissioners some 15 years ago, along  
19          with the National Conference of Insurance  
20          Legislators, got together and started talking  
21          about ways to make the insurance industry better.  
22          And one of it was with products that are  
23          marketable in a number of states and very  
24          similar, you could use this compact process. And  
25          it was entered into. And as Senator Seward said,

1 there are now 45 of the 50 states. And I might  
2 add, New York State is the number-one producer in  
3 the United States and in the world. But there  
4 are seven states that are among the top 20  
5 producers in the world.

6 So with the Internet and electronic  
7 filings that are possible, this does a lot to  
8 make insurance companies in the State of New York  
9 better. It gives them an ability to get to the  
10 market quicker, rather than waiting for the inane  
11 process of approvals, when other states are ahead  
12 of them selling the same product.

13 And as Senator Seward said, in this  
14 compact -- which, incidentally, has been  
15 recommended by the Federal Insurance Office,  
16 which was set up by the Dodd-Frank legislation,  
17 it's been recommended that we get into it to help  
18 consumers.

19 So Senator Seward explains clearly  
20 the opt-out procedures that are available. And I  
21 could go on, but the time is late. Suffice it to  
22 say I believe it is positive for the State of  
23 New York, for its insurance industry that has  
24 been crying out for it for years.

25 And the idea that we are the best at

1 everything is -- to me speaks volumes about being  
2 too cocky about our ability to sell products.  
3 Because in many cases New York falls behind when  
4 it loses that competitive advantage.

5 And I would urge all my colleagues  
6 to consider this and vote for it and to get part  
7 of the interstate compact.

8 Thank you, Mr. President.

9 ACTING PRESIDENT GRIFFO: Thank  
10 you, Senator Breslin.

11 Seeing and hearing no other Senator  
12 that wishes to be heard, debate is closed.

13 The Secretary will ring the bell.

14 The Secretary will read the last  
15 section.

16 THE SECRETARY: Section 3. This  
17 act shall take effect on the 180th day.

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

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

23 SENATOR HANNON: Thank you. I rise  
24 in support and congratulate Senator Seward and  
25 Senator Breslin for sponsoring this bill.

1           This whole bill was a way to keep  
2 the state's jurisdiction over insurance  
3 preserved, because there's been a movement in the  
4 federal government to take over what has been a  
5 state prerogative.

6           The opposition to this bill reminds  
7 me of that famous New Yorker cover which showed  
8 somebody looking across America from Manhattan,  
9 and Manhattan was bigger than the rest of the  
10 world.

11           We're part of a nation, we're part  
12 of a nationwide market. The standards that are  
13 built into this bill protect consumers, they  
14 protect the state's jurisdiction for the Attorney  
15 General and the Insurance Department, and were  
16 carefully balanced so that New York would have a  
17 predominant role.

18           I vote yes.

19           ACTING PRESIDENT GRIFFO:    Senator  
20 Hannon to be recorded in the affirmative.

21           Senator Sanders to explain his vote.

22           SENATOR SANDERS:    Both sides,  
23 Mr. President, have made persuasive arguments  
24 here. With a heavy heart, I'm going to go with  
25 our ranker on this so I will stay in the

1 committee.

2 (Laughter.)

3 ACTING PRESIDENT GRIFFO: Senator  
4 Sanders to be recorded in the affirmative.

5 The Secretary will announce the  
6 results.

7 THE SECRETARY: Ayes, 58. Nays, 2.  
8 Senators Krueger and Perkins recorded in the  
9 negative.

10 ACTING PRESIDENT GRIFFO: The bill  
11 is passed.

12 Senator DeFrancisco, that completes  
13 the controversial reading of today's active-list  
14 calendar.

15 Can I have some order, please. The  
16 Senator may be making some interesting  
17 announcements.

18 SENATOR DeFRANCISCO: Well, not  
19 really. I'm just waiting --

20 (Laughter.)

21 SENATOR DeFRANCISCO: I'm just  
22 waiting for a motion. I believe he's running  
23 over here now.

24 Can we return to motions and  
25 resolutions.

1           ACTING PRESIDENT GRIFFO:    We will  
2 return to motions and resolutions.

3           SENATOR DeFRANCISCO:    I wish to  
4 call up Senator Croci's bill, Print Number 6361,  
5 recalled from the Assembly, which is now at the  
6 desk.

7           ACTING PRESIDENT GRIFFO:    The  
8 Secretary will read.

9           THE SECRETARY:    Calendar Number  
10 120, by Senator Croci, Senate Print 6361, an act  
11 granting.

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

14          ACTING PRESIDENT GRIFFO:    Call the  
15 roll on reconsideration.

16                                    (The Secretary called the roll.)

17          THE SECRETARY:    Ayes, 60.

18          SENATOR DeFRANCISCO:    I now offer  
19 the following amendments.

20          ACTING PRESIDENT GRIFFO:    The  
21 amendments are received.

22                                    Senator DeFrancisco.

23          SENATOR DeFRANCISCO:    Is there any  
24 further business at the desk?

25          ACTING PRESIDENT GRIFFO:    There is

1 no further business before the desk.

2                   SENATOR DeFRANCISCO: In that case,  
3 I move to adjourn until Thursday, June 9th, at  
4 11:00 a.m., 11:00 a.m.

5                   ACTING PRESIDENT GRIFFO: That's  
6 the announcement.

7                   The Senate will stand adjourned, on  
8 motion, until Thursday, June 9th, at 11:00 a.m.

9                   The Senate is adjourned.

10                   (Whereupon, at 5:29 p.m., the Senate  
11 adjourned.)

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