NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 13, 2017

12:37 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

Kirkland Reporting Service
PROCEEDINGS

ACTING PRESIDENT GRIFFO: The Senate will come to order.

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

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

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

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

ACTING PRESIDENT GRIFFO: The reading of the Journal.

THE SECRETARY: In Senate, Monday, June 12th, the Senate met pursuant to adjournment. The Journal of Sunday, June 11th, was read and approved. On motion, Senate adjourned.

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

Presentation of petitions.
Messages from the Assembly.
The Secretary will read.

THE SECRETARY: On page 87,

Senator Gallivan moves to discharge, from the
Committee on Rules, Assembly Bill Number 6353B
and substitute it for the identical Senate Bill
5494A, Third Reading Calendar 1560.

ACTING PRESIDENT GRIFFO: The
substitution is so ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports of state
officers.

Motions and resolutions.

Senator DeFrancisco.

SENATOR DeFRANCISCO: I'd like to
call up Senate Print 875A, by Senator Ortt,
recalled from the Assembly, which is now at the
desk.

ACTING PRESIDENT GRIFFO: The
Secretary will read.

THE SECRETARY: Calendar Number
117, by Senator Ortt, Senate Print 875A, an act
to amend the County Law.
SENATOR DeFRANCISCO: I now move
to reconsider the vote by which the bill was
passed.

ACTING PRESIDENT GRIFFO: Call the
roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 35.

SENATOR DeFRANCISCO: I'd next
like to call up Senate Print 6096, by Senator
Young, recalled from the Assembly, which is now
at the desk.

ACTING PRESIDENT GRIFFO: The
Secretary will read.

Senator DeFrancisco, were there
amendments on that previous bill too?

SENATOR DeFRANCISCO: There was.

And I would --

ACTING PRESIDENT GRIFFO: So would
you offer the amendments?

SENATOR DeFRANCISCO: I'd like to
offer them.

ACTING PRESIDENT GRIFFO: The
amendments are received.

The Secretary will continue.

THE SECRETARY: Calendar Number
982, by Senator Young, Senate Print 6096, an act
to direct.

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

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 35.

SENATOR DeFRANCISCO: I now offer
the following amendments.

ACTING PRESIDENT GRIFFO: The
amendments are received.

SENATOR DeFRANCISCO: On page 59, I
offer the following amendments to Calendar 1176,
Senate Print 5273, by Senator Gallivan, and ask
that said bill retain its place on the Third
Reading Calendar.

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

SENATOR DeFRANCISCO: On page 72, I
offer the following amendments to Calendar 1380,
Senate Print 870, by Senator Young, and ask that
said bill retain its place on the Third Reading
Calendar.
ACTING PRESIDENT GRIFFO: The amendments are received. The bill shall retain its place on third reading.

SENATOR DeFRANCISCO: On page 10, I offer the following amendments to Calendar 270, Senate Print 3552, and ask that said bill retain its place on the Third Reading Calendar. It's a bill by Senator Golden.

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

SENATOR DeFRANCISCO: On page 88, I offer the following amendments to Calendar 1574, Senate Print 6470A, by Senator Marcellino, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: Can we now take up previously adopted Resolution 626, by Senator Kennedy, read the title only, and call on Senator Kennedy.

ACTING PRESIDENT GRIFFO: The Secretary will read.
THE SECRETARY: Legislative

Resolution Number 626, by Senator Kennedy,
commending Donna Fernandes upon the occasion of
her retirement after 17 years of distinguished
service as President and Chief Executive Officer
of the Buffalo Zoo in Buffalo, New York.

ACTING PRESIDENT GRIFFO: Senator Kennedy.

SENATOR KENNEDY: Thank you, Mr. President.

I rise today to honor Donna Fernandes, the outgoing president of the Buffalo Zoo, who has joined us here today in the Senate chamber.

After 17 years of selfless service to the zoo, Donna leaves behind a transformed organization, one that's central to the culture and character of Buffalo.

Donna is not a Buffalo native; she came to us from Massachusetts. But she quickly became part of our city, and she sold us on a new vision for the third-oldest zoo in the nation. When Donna came here, the zoo was reflective of our city: downtrodden, outdated and struggling. It had lost its accreditation from the Kirkland Reporting Service
Association of Zoos and Aquariums and was struggling to attract visitors, with only 345,000 visitors a year. Simply put, the zoo was in rough shape.

In 2000, when she joined the zoo, Donna Fernandes set about reversing that downward trend. She looked around and realized that the Buffalo-Niagara region, whose history and geography is shaped by water, deserved a zoo with a focus on that exact theme.

Under her leadership, they have regained their accreditation with the Association of Zoos and Aquariums, and they've fundraised millions of dollars to pay for renovations, including new attractions such as the Otter Creek, the Sea Lion Cove, the M&T Bank Rainforest Falls, the Vanishing Animals, the Ecostation, the Delta Sonic Heritage Farm, and Arctic Edge Annual.

Now the zoo attracts over half a million visitors a year who flock to see these new attractions and the many animals that have successfully been birthed under the zoo's captive breeding program. From polar bears to Indian rhinos to gorillas and lions, the Buffalo Zoo
continues to be a leading institution in helping
to preserve and protect these amazing endangered
species.

The success the zoo experiences
today is a testament to the work ethic and vision
that Donna Fernandes brought to the job. She
leaves behind a strong and stable institution,
and she has more than earned her retirement with
her husband Robert.

So Donna, today we thank you so much
for everything that you have done for our zoo,
for Western New York, for our community across
this great State of New York. And we give you
the greatest, greatest respect and admiration for
everything that you have done and accomplished,
and we wish you the greatest achievement in your
retirement in the next phase of your life.

And I have got to tell you, as the
father of three young children that were brought
up under the jurisdiction with you in charge of
the zoo, I know for a fact that the zoo has never
looked better. And there is no place on earth my
children love to go more than the wonderful
Buffalo Zoo, because of you.

So thank you once again. Welcome to
the Senate chamber, and congratulations.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Jacobs.

SENATOR JACOBS: Thank you, Mr. President.

I am honored to be here on this happy and sad occasion that we're recognizing Donna Fernandes, but also her retirement from the Buffalo Zoo.

I'm honored to have the Buffalo Zoo in my district, one of the oldest zoos in the nation. I also have a perspective, as I was a board member of the Buffalo Zoo when Donna came onto the board. I was on the board for a period of time just before, and it was a very difficult time, as Senator Kennedy mentioned, kind of emblematic of Buffalo at that time. The zoo was on a bit of decline and trying to develop a vision for the future.

And I commend the leadership of the zoo board at that point in time in not going to an internal candidate but, through the support of the likes of Bob Wilmers and M&T Bank, supporting a national search to go for the best. And we did
attain the best in Donna Fernandes.

And over the last number of decades, she has transformed the zoo. Many thought, when she came in, the zoo was struggling because it was a smaller zoo and it needed to be huge like many others. She said no, that is an asset, that is an asset for younger families because it is a walkable zoo the young families can enjoy. Let's build upon that.

And what we see today is a dramatically transformed institution that, as was mentioned, had only about 300,000 visitors when she came. It's now over half a million visitors and on the upswing.

So Donna, on behalf of all the citizens of Western New York, thank you for your service. We know you are going into retirement, and retirement for you will probably mean working more than most people and continuing your passion in zoology and helping other zoos do what you have achieved in Buffalo.

Thank you for being here, and thank you for all that you've done for our region.

ACTING PRESIDENT GRIFFO: Senator Gallivan.
SENATOR GALLIVAN: Thank you,

Mr. President.

I too rise to congratulate Donna Fernandes on her retirement and thank her in much simpler words for saving our zoo. We know the direction that it was going in before you came. My colleagues have let everybody in the Senate know of your accomplishments and the role that you played in transforming the zoo.

What I didn't know at the time -- thank you, Senator Jacobs, for being on the board and bringing Donna to Buffalo.

But Donna, you did great things for the zoo, and you were more involved even beyond the borders of the zoo and Delaware Park, and involved in the betterment of Western New York. And I thank you for that and wish you the best in retirement.

ACTING PRESIDENT GRIFFO: As indicated, the resolution was adopted on February 14th of 2017.

Donna, we thank you for your leadership and your hard work at the Buffalo Zoo. We extend our congratulations on your retirement, welcome you to the Senate today, also extend to
you the courtesies of the house and wish you the
best of luck in the next chapter of your life.

Let's stand and recognize Donna.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now take up a privileged resolution by Senator Flanagan, read it in its entirety, and call on Senator Flanagan to speak.

ACTING PRESIDENT GRIFFO: The Secretary will read.

Can I have some order in the house, please.

The Secretary will continue.

THE SECRETARY: Legislative Resolution by Senator Flanagan, honoring Raymond Hess upon the occasion of his retirement after 25 years of distinguished service to the New York State Senate.

"WHEREAS, It is the custom of this Legislative Body to recognize and honor those distinguished citizens of this great Empire State who have devoted themselves to faithfully serving the best interests of their community and the
needs of its residents; and

"WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to honor Raymond Hess upon the occasion of his retirement after 25 years of distinguished service to the New York State Senate; he officially retired from the position of Maintenance Worker on Tuesday, June 6, 2017; and

"WHEREAS, Raymond Hess, affectionately known as Ray, began his illustrious career with the New York State Senate in November of 1992 as a Maintenance Man; and

"WHEREAS, In this capacity, Ray Hess served with loyalty, honor and distinction, earning the admiration, esteem and affection of his colleagues; in January of 1993, his official title changed to Maintenance Worker; and

"WHEREAS, Throughout his career, Ray Hess served the New York State Senate with intelligence and caring dedication, continuously striving to effectively fulfill the duties of his position; and

"WHEREAS, Sincerely loved and greatly respected by all those with whom he
worked, Ray Hess will be remembered for his
honesty, integrity, and keen sense of duty; and

"WHEREAS, Rare indeed is the
occurrence of such a compassionate blending of
strength, leadership and commitment as that
demonstrated by Ray Hess over a lifetime of
sacrifice and dedication to others; and

"WHEREAS, It is the sense of this
Legislative Body that those who enhance the
quality of life in their community, and have
shown a long and sustained commitment to the
maintenance of high standards in their
profession, certainly have earned the recognition
and applause of all the citizens of this great
Empire State; now, therefore, be it

"RESOLVED, That this Legislative
Body pause in its deliberations to honor Raymond
Hess upon the occasion of his retirement after
25 years of distinguished service to the New York
State Senate; and be it further

"RESOLVED, That a copy of this
resolution, suitably engrossed, be transmitted to
Raymond Hess."

ACTING PRESIDENT GRIFFO: Senator
Flanagan.

Kirkland Reporting Service
SENATOR FLANAGAN: Thank you, Mr. President.

As I'm listening to the description and the content of this resolution, I'm reminded of a number of different things. So Senator DeFrancisco and I were just chatting. I hope in some way that Ray is listening. And if he's not, we're certainly going to get him a copy of this so that he can hear not only what's in this resolution but what people have to say.

And I don't think Ray would be the least bit offended by me saying this, but Ray is one of the little people.

(Laughter.)

SENATOR FLANAGAN: Not a big guy in stature, but a gigantic heart. And I'm just going to personally describe my own interactions with him. A gentleman of the highest order, sweet, affectionate, thoughtful, always deferential -- probably far more respectful than many of us deserved along the way.

But I do recall one thing in particular. Not too long ago, my mother was here visiting in Albany. After she met Ray -- of course who was beyond gracious to her --
periodically I would be talking to my mother, and she would say, "How's Ray?" "How's Ray?"

So I don't think -- I know that I am not alone in any way, shape or form. Ray Hess has treated me with just unbelievable affection and respect.

And let's be clear; everyone knows Ray is in a tough spot. So our prayers and thoughts and all good wishes go to him. And when I mention him as one of the little people, it's sort of a double entendre. Because when we work in government, everyone knows that we're elected officials. Everyone knows that we have a job title that says New York State Senator. But everyone also knows, if they really do pay attention, this place operates because of many, many, many, many good people. From the simple things.

I can remember coming in early in the morning -- and everyone knows this -- Ray would be coming in with a big cart. And this is like 7 o'clock in the morning. So I'm thinking like, 7 o'clock in the morning he's coming in, he had already been to the grocery store basically buying the day's rations to keep all of us, well,
hopefully in a better mood. And I think he was
very successful at that.

But I don't want to belabor the
point. The simplicity would be: Ray -- and I'm
just speaking personally -- I adore you, I wish
you only the best, and I am eternally grateful
for the fact that you have spent time working
here, not just in the State of New York, but more
notably in the New York State Senate. Good guy.
Really, really good guy.

Mr. President, thank you.

ACTING PRESIDENT GRIFFO: Thank
you, Senator Flanagan.

Senator Stewart-Cousins.

SENATOR STEWART-COUSINS: Yes,

thank you. Thank you, Mr. President.

And I really want to join Senator
Flanagan and I'm sure all of us here in sending
our highest regards and best wishes and prayers
to Ray Hess. That's the only person I ever knew
in that lounge area, and I think many of us are
in that same situation until very, very recently.

And many of us got here in many
different ways; some just simply walked in, some
were really, really big battles. And everybody,
I think, no matter from where or how, when you walk into this chamber for the first time, it is and can be quite intimidating and just a scary place.

And then you go to the lounge. And how you're greeted, how you're treated, how you're respected makes all the difference, because that was a haven. And with Ray's attention to detail -- I mean, we knew sort of what was on the menu. But if there were little things that could make it a little bit more appetizing or just a little bit more customized to your tastes, if he knew exactly what you wanted, you could depend on Ray to say, "Here, I got a little of this for you," "I got a little of that for you."

Twenty-five years is a long time, but for us at this point I think it's come a little too fast. But I believe that how you've served and who you've served and the quality of what you've done is really the legacy that you will leave. And in his capacity, he played a huge role that made an incredibly positive difference to every single member that had an opportunity to walk into the land where Ray was
king and be treated like royalty.

God bless you, Ray.

ACTING PRESIDENT GRIFFO: Thank you, Senator Stewart-Cousins.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I hope Ray is listening, because I want to defend him against the little people comment.

(Laughter.)

SENATOR DeFRANCISCO: Because I can say unequivocally and literally that Ray and I saw eye to eye.

(Laughter.)

SENATOR DeFRANCISCO: And, you know, I've been here 25 years. I didn't realize Ray was with the Senate 25 years, so our term of duty is the same at this point.

And there have been others in that lounge before Ray, but when Ray came, it was just like this smile. It was tough to get into an argument with anybody in the lounge -- where we get into many arguments out here -- because he's always so gracious, always so much fun. Sometimes the butt of jokes -- some people gave him a harder time than others, Senator Robach.

Kirkland Reporting Service
(Laughter.)

SENATOR DeFRANCISCO: But everybody loved and still loves Ray -- maybe that's where the show came from, "Everybody Loves Raymond" -- because that's the type of person he was.

And on a very serious note, Senator Flanagan mentioned that he's having a hard time. He's having a real hard time. And I would hope that everyone would say some prayers for him; they do work. And they should work for somebody like Ray. And we want to see him back on his feet and around and about again.

Ray, we all love you.

ACTING PRESIDENT GRIFFO: Senator Parker.

SENATOR PARKER: Thank you, Mr. President.

Let me first associate myself with the words of the leaders who have spoken before me.

We are almost at that point in the program where everything has been said, but everybody hasn't said it. But I could not let this moment go by without acknowledging the retirement of somebody who in my time here has
become a real friend, somebody that outside of just the work relationship, somebody who --
sometimes I'm in the lounge by myself -- just
would come over and be like, "Are you okay?" You know, and it's actually that kind of attention and love and literally affection that he would give that made him -- makes him such a special man.

You know, we spend -- those of who work in this chamber spend so much of our time helping others, oftentimes we go without people even asking us are we okay. You know, how is your day going? Like, how are you? He would always ask, like, "How are you doing?" Like, you know, forget all this stuff, are you okay? Is there something I can do for you?

And as all my colleagues before me have indicated, that it really made the lounge a respite. And we wish him well on his retirement, but he's going to be sorely missed here.

I just want to share one personal thing. My big joke, like everybody else, is always being dissatisfied with what they have, you know, what's in the lounge. Like, you know, Do you have this or do you have that? And I used
to joke with him about getting an omelette station.

And then one time we started talking about getting a Ted's Fish Fry. He was really fond of Ted's Fish Fry, as am I. And so we would talk about that and say that we were going to go to the leader and try to petition him to get to a Ted's Fish Fry in the lounge.

And so I remember those moments fondly. I'm going to continue to think about those moments but also pray for my friend Raymond Hess and wish him well on his journey.

As I close, Mr. President, let me just leave him and all of us with this passage from Hebrews 6:10 in the First Testament of the Bible: "God is not unjust; he will not forget your work and the love you have shown him as you have helped his people and continue to help them."

God bless you, Ray.

ACTING PRESIDENT GRIFFO: Senator Sanders.

SENATOR SANDERS: It is usually a bold man who comes after Senator Parker, but I will take this moment.
Ray epitomizes servant leadership, where to lead leaders is like herding cats. But Ray was a giant in his station.

He was often gruff, with love. If he was gruff to you, you'd know that you were doing something that was not in the interests of the whole. And he managed to move -- and at the end of it, you thanked him. Amazing. If I could just learn those qualities, how far I could go.

Ray was an amazing -- is an amazing individual who -- he's a tough guy. This is really a tough guy. I saw him the other day, and he's not taking this stuff. He's fighting. This is a fighter and should be known and our spirits should go to him as a person who is fighting. Fighting for life, fighting to enjoy it -- not simply to exist, as most people do, but to enjoy it.

It is true that I'm surprised that so many other people -- I thought Ray was my personal friend. He managed to get everybody to believe that he was their personal friend, and he was. And he is. Because he would sit down with me and he would -- he would encourage me to drink cranberry juice. And that was our personal

Kirkland Reporting Service
thing. And maybe he was having an inside joke at
my behalf every time I would drink that worthy
liquid. It would be an amazing thing. He would
never drink it with me, mind you, he would
courage me to do it.

So he epitomizes in that sense a
type of servant leadership where he got to know
everybody on a personal basis and at the same
time kept his domain going in the way that it
should.

So we are happy to know Ray and to
have had those moments with him. Ray, I say go
for it. You've taught a great lesson. I say you
might as well continue to teach this lesson. So
I'm sending my prayers to Ray and thanking him
for looking in on my family and everyone else's
family.

And I still say, go for it. Let's
learn from Ray.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator
LaValle.

SENATOR LaVALLE: Thank you,
Mr. President.

There's something called the Senate

Kirkland Reporting Service
family, and we're beginning to see that taking
place today and in days before.

You really don't want to feel this
in a family, because that means that something
not good is going on in your life. But people
here care, deeply, and we're hearing that today
by all the members who are speaking and those who
are thinking and have feelings in their heart.

Senator Flanagan really set the
stage. And I liked the way he said -- and I hope
Ray is listening -- he really is a really good
guy. And that we all know.

Senator Sanders, you're so right how
he knew everyone and what their tastes were and
how they were feeling. And if you weren't
feeling good, he would bring you up.

For me, our special relationship
centered around Winston. For those that don't
know, Winston is my beloved dog. Spoiled. And
Ray would always ask how Winston was doing, was
he in trouble with his mom. And I would say no,
everything is fine. But once in a while I would
say, Well, he really -- he got in trouble with
his mom. And "Oh," Ray would say, "I hope
everything will be all right. You know, he's
such a good guy, Winston." I said, "Yeah, he really is."

And when I got home, I would build a relationship between Ray here and Winston back in Port Jefferson. For those of you who have pets, you understand how this could actually take place. And after a while, my wife would get into the act and say: "How is Ray? And what did he have to say this week?"

And Winston has a move, he cocks his head to the side. Well, since Ray has been ill, I haven't mentioned Ray at home to Winston or to -- I have mentioned Ray to my wife, that he was undergoing some difficult times.

It's very interesting -- I was very touched by Senator Parker going to the Bible. And other people, Senator Flanagan talking about prayers and they do work. And we hope that whatever happens, that a loving God will embrace him and understand and know that he served here on earth the way a person should, and he was a role model for all of us.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Bailey.
SENATOR BAILEY: Thank you, Mr. President.

You know, I know Joe Robach is looking at me and saying what is this freshman doing standing up. But when you're a freshman, it takes you time to get acclimated, whether you're a freshman in school or a freshman at your workplace. You really have to figure out where's the bathroom, where's the lounge.

But when I walked into the lounge, it wasn't a situation where it was hazing. I think we spoke about this, Leader Flanagan and Leader Stewart-Cousins, we spoke about it as a safe haven, as a place where your party doesn't matter, just what's on that television screen matters, what snacks are in front of you. And how are your families? And how are you doing today? Not what's the work of the people, but how are you doing today?

And that's lost, I guess lost in translation, folks. We often are too busy to say hello. And I encourage you as part of what I'm saying today to say hello to your fellow man and your fellow woman. Just say hello. Hello goes a long way.
Ray always said hello. Didn't matter how you were feeling, didn't matter how you walked into that lounge. Ray stopped you and said hello. I haven't been here that long, but I've seen it happen.

When I was there, Ray showed me where everything was. This is the water, this is the refrigerator, these are the sodas, these are the snacks. And it might seem banal or trite, but for somebody that literally does not know what's going on, that introduction the first time when you go into that lounge, that means something. That means a lot.

Ray took pride in his work. And as Martin Luther King famously said, if a man is to be a street sweeper, he should sweep streets how Michelangelo painted or how Beethoven composed music. Raymond had some pride in what he did.

He knew that I liked apples, Granny Smith or Pink Lady. True story. Raymond and I would talk about apples and how the only time, when I was younger, I would ever come to upstate New York is when I was apple picking. And I would talk about the Mutsus and the Honey Crisps and the Gala apples that I would see, and then
Ray would chime in about recipes that his mother would make for apple pie once upon a time.

At the end of the day, we're not "R" or "D," we are people. We are people that serve one God.

And Raymond, I hope you're listening. Thank you for serving us. And I'm going to keep eating those apples in your name, my friend. God bless you.

ACTING PRESIDENT GRIFFO: Senator Gallivan.

SENATOR GALLIVAN: Thank you, Mr. President.

I too rise to congratulate Ray Hess on his retirement and to thank him for the type of person that he was, for all that he did for me, for all that he's done for all of us and all the people who passed through the chamber over his 25 years.

It's pretty interesting to sit here and listen to people and reflect a little bit on Ray and the type of individual that he was. And we all know that the business that we're in, quite often harsh words are spoken, people get angry. But what I'm thinking about in listening
to everybody talk about Ray, is there's a person, 
an individual, that was universally liked. 

    I never heard, in my seven years 
here, one person say a bad word about Ray. And 
of course that of course is a reflection on the 
type of honest, decent, and good human that he 
was. 

    And I'm grateful for it. I'd like 
to thank Ray for making sure that I had hot 
peppers almost every day, and all the good things 
that he's done. 

    Ray and I spoke in this past session 
about his plans to come out to Western New York 
this year for a Hibernian convention that's being 
held out in Western New York. And the plan was 
to go to Niagara Falls, among other things, to 
get together to go to some Irish bar and have a 
pint. 

    And I know that one way or the 
other, Ray will be there with many of us, and I 
look forward to it. And I wish him Godspeed. 

    ACTING PRESIDENT GRIFFO: Senator 
Robach. 

    SENATOR ROBACH: Yes, 
Mr. President, let me too rise. Appreciate all
the comments of my friends.

But when you talk about Ray being part of us, you know, while his job was behind the scenes, Senator LaValle said it: He was certainly part of this family. How many other guys do you know -- you know, he was Ray Ray, Uncle Ray, Little Big Man, probably a lot of other names I didn't know about. But he was really part of the everyday conversation.

And I would agree very strongly with that thing that he was a role model. He took his job very seriously and would say to me, the better adjusted you are out there, the better job you're going to do for the people of New York.

Now, a lot of people would not take that position, having that job, but Ray legitimately did. And he liked telling you about his wife, his Hibernian activity, his kids. And when he asked you how you were doing and how your kids were or something else, he legitimately meant it.

He was a great guy. I'm going to disagree with Senator DeFrancisco; I never gave Ray a hard time except for when he first came on. I said to Ray, "Ray, stop calling me sir." I go,
"It's making me sound old." And his answer was:
"Sir, I'm much older than you are." And that's
when the wrestling started.

(Laughter.)

SENATOR ROBACH: So we had a lot of
fun in the lounge. But he was a great guy.

But I would say this. We're all
rooting for Ray very much at this very, very
important challenge in his life. But I would say
this, not to diminish any of my colleagues. As
much as any of us in this room -- and I love many
and have learned a lot from many -- I would say
this. Getting to know Ray -- we're certainly
diminished by his early retirement. But getting
to know that man certainly enhanced my life.

And he was a great role model, a
good guy, and somebody I got to know off the job
and spend time with because he was that kind of
guy. He was a lover of life and a lover of
people and we're wishing him all the best. I do,
too, hope he's listening with his whole family.
We wish you all the best at this challenging
time.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Thank

Kirkland Reporting Service
you, Senator Robach.

    Senator Comrie.

SENATOR COMRIE: Thank you, Mr. President.

I rise also to join with my colleagues in praising Ray Hess for his service, for his light, for his personality. Ray was very unique. He would remember the small things that you told him. He would remember, as members have said, the animals. My kids, he knew that my kids were in college, he constantly brought that up. He constantly understood the dynamics of people as they came into the lounge, whether they were in a good mood or in a bad mood.

As other members said, he had special things that he would give them, whether it was a special concoction if you had a cold. With me, he saw that there was not much I would turn down, so I was his taste tester a lot.

    (Laughter.)

SENATOR COMRIE: And so he would -- anytime he brought in a new fruit that I didn't understand, he would have me taste it because he was a connoisseur of trying to find unique items to bring into the lounge to share with people.
And he got up -- as the Majority Leader said -- and got to the lounge at 7 o'clock in the morning and started preparing and just started making sure that everything was right for every individual that came in.

Ray defended me a lot from Robach when he gets into his riffs. And Robach's in the lounge doing his jokes and just enjoying life, and he would take a couple of shots at me, and Ray would try to defend me from Robach like I was in trouble, even though we're all having fun. You know, and Ray would actually come stand next to me and act like I needed defending.

But Ray was just a protector of people. You know, he truly enjoyed his station in life. Ray knew what motivated him. He had a rare gift. A lot of people are trying to be more than they are, trying to be better than they think they are, trying to own ten cars or have a hundred items. Ray knew what he wanted in life. He enjoyed his farm, he enjoyed being on his tractor, he enjoyed going to state parks, he enjoyed engaging all of us. He had to be a little crazy to understand all of us.

But he also understood the history
of this place. He understood the members. He
understood all of the people that served the
members as well. And he especially tried to take
care of all the sergeants here as well.

Ray has a special gift. Not many of
us know what our final days are going to be. Not
many of us have an opportunity to understand what
God is preparing for us. Not many people get a
chance to count down and get your life in order.
Ray has got that opportunity.

God bless you, Ray. We'll miss you.

We can't replace you.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator
Savino.

SENATOR SAVINO: Thank you,
Mr. President.

Senator Comrie, you made me cry now.
It's been a long time since I was a
freshman, but I do remember, you know, how -- the
experience of walking into the Senate chamber for
the first time as a new member, and there's so
many things going on, there's so many people.
And you realize how quickly how many people it
takes to keep this place operational and how many
people that we depend upon.

And it's quite startling and almost frightening when you realize that you're a member of the New York State Senate, and then you find there's a place here for all of us. You know, there's that room over there that really we're the only ones allowed in. And so the first time you walk in that door and you encounter Ray Hess and he says hello -- and the way he always says "Hello, hello." And he sees you five times a day, he'll say hello like he hadn't seen you before. He's always happy to see us.

And I just remember the first time I encountered Ray, it was like, oh, my God, it's like he's -- he's ours. He's like -- at the time, he was our 63rd Senator. Today he would be the 64th.

But Ray is as much a member of this body as any of us who are elected. And he existed for the sole purpose of taking care of each and every one of us. In his own way, he figured out what each and every one of us liked. You know, like he knew that I liked Irish breakfast tea, and he made sure that the lounge always had a box of it. And in fact, before
anybody else was allowed to take any of it, he'd check with me just to make sure, because it was mine. And I know every one of you who drinks my Irish breakfast tea, by the way.

He made sure that -- you know, I remember when Senator Hassell-Thompson was here, he would make her tea. He takes care of Senator Larkin because he knows it's important that we have those moments because we sometimes are so stressed in the job that we do here. We're being pulled in ten different directions. And Ray was able to provide that little bit of comfort for us.

And at the same time, you know, we loved him in so many ways. And I used to tease him all the time, because it was easy. It really was. He was such a -- he is such a sweet guy, but he had his own idiosyncrasies. You know, he was a little obsessive-compulsive about the way he laid the table in the lounge, and what would be on the trays. And you're laughing, I see, some of you.

And I would sometimes look at it and I'd say, "Ray, you know, I notice that everyone eats the liverwurst immediately, but nobody ever
eats that turkey ham. Why don't you just get rid of the turkey ham and get more liverwurst? He'd go, "Oh, Senator, no, I can't do that." Kevin's laughing. Right, he'd say, "Oh, I can't do that." Because for whatever reason, he would decide what was going on that tray regardless of what we wanted, because he knew what was best for us.

He was taking care of us in a way that we really needed. We needed nourishment and nurturing, and that's what Ray provided behind that door that says "Senators Only." And he was as much as a Senator behind that door as we are.

So I am happy that he is retired now, and I will pray like hell that he's able to enjoy that retirement for as long as possible because he certainly has earned it, he deserves it, he deserves every honor and respect as a member of this body for as long as he possibly can.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Little.

SENATOR LITTLE: Thank you,

Mr. President.
And since Senator Flanagan started out by talking about Ray as a little person, I thought that I should stand up since I am the only real Little here, so --

(Laughter.)

SENATOR LITTLE: You know, all of us, when we think about Ray, can think of all the things he said. But some of the most common words out of his mouth were "Can I help you?" "What do you need?" "Do you like this? How about that?" "What else do we need here?" He was just always concerned that he was putting out the right food and the right things and making people happy.

And from the comments that we've heard today, we can say that -- I believe that all of the members here didn't just know Ray but had a personal relationship with him. And I treasure that.

And Ray, you are in my thoughts and prayers, and we love you.

ACTING PRESIDENT GRIFFO: Senator Marcellino.

SENATOR MARCELLINO: This is a rare moment. I'm almost at a loss for words. That
never happens.

But we're talking about a special person. Just listen to the comments that have been made. It's unanimous. There's not a person in this room who doesn't love Ray, for good reason. He took care of us like we were his family. He watched over us.

When I had my hip surgery: Senator, how are you feeling? Are you okay? Can I get the door for you? Can I help you here? Is this too heavy? Do you like this? Is your tea right, is your coffee good? All that sort of good stuff. He took care of us.

I'll venture to say everybody who goes home, your family members know the name Ray. I know my wife did. It got to the point where she thought I was going gay, I kept taking about Ray and how Ray would prepare food in a certain way. My wife would say, "Well, you like Ray's cooking better than mine? So be it." She was joking. She understood. And understands.

Ray is one of those special people who you just couldn't help but like. There was nothing evil about him, there was nothing that was done for a nefarious reason. He was good
people. We need more of that here. We need more of that in this chamber. We need more Rays in this world to make it a better place.

Raymond, God bless you.

ACTING PRESIDENT GRIFFO: Senator Squadron.

SENATOR SQUADRON: Thank you, Mr. President.

Every week when I would arrive here and go into the lounge, the first thing Ray would ask about is how my kids were, every single time. And he always seemed sincerely happy to hear they were doing well. Then whatever food I started to take, he would point out how healthy it was or was not. And he would ask, if I hadn't gotten one of these seltzers -- which I drink very many of, and he is highly aware of.

And then we would talk about the Jets. So Ray and I would often have negative conversations. Coach Bowles, I want to put you on warning, Ray is not particularly impressed with last season, and I share it.

When we were here -- a couple of years we were here in the fall, Ray and I would have Jets games to talk about. In fact, my first
couple of seasons we had we were here during extraordinary playoff runs and the AFC championship game, which would give us both extraordinary joy in the weeks when we were up here, partially because of all the non-Jets fans who seemed so upset about it.

And he would always be polite to the fans of other teams -- we do have some other great teams in New York, the Giants and the Bills -- but would then turn to me and say, "They're not the Jets." And I agree.

Ray would also do things like point out to me things that I liked -- "Oh, you know, you really love those cherries." "No, I don't, Ray." "No, you do." "You're right, I do." And I would take them. He knew better than me.

Now, of course, as I think many people here know, Ray in fact had his own bars, restaurants, was a bartender, stood behind the bar for very many years. And in Ray here in the Senate, we had a bartender greater than, you know, the famous Sam Malone, somebody who created a place where everybody does know your name, a sense of camaraderie that I often hear about in the old days of the Senate and experience here in
reality much less frequently -- except in Ray's
domain. Really it is a place where Ray, through
his personality and his effort and his kindness
and all of the beautiful qualities that have been
discussed, created that environment for all of
us. I've had, frankly, conversations with some
colleagues in the lounge who I've never much
spoken to outside of it. And that is an
extraordinarily important role and really speaks
to the fact that we're sent here by our
constituents, at some point we get sent home by
our constituents, but there's a permanent and
critically important institution that is the
Senate. That's personified by the people up
there and by the sergeants-at-arms and not
personified better than Ray by anyone.

So I know Ray is listening, and I
know Ray is listening and saying exactly what he
always says and always said when he would listen
right next door when we were here, which is "When
will it be over? You think we'll get out of here
soon?" And I'm sure he knows better than I do,
because he would always win our little wagers on
what time we would go home, how long we'll go on.

So, Ray, hopefully we're going on a
little bit longer than you expected, and I hope you understand that unlike so many of the speeches that we make here, this one is really important and we all really mean it. We're going to miss you on your retirement. We are praying for you and your energy and your health, and we're going to keep talking until you get fed up.

Thank you for everything, Ray.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Thank you, Mr. President.

I want to thank my colleagues for their comments and of course thank Ray and his family for their service, for his service to this chamber and to the State of New York.

Ray, like many of my colleagues, always asked about my daughter. I would show him pictures, he would laugh and continue to ask and continue to be amused.

One of my favorite stories involves him knowing so many different passageways and doorways throughout this Capitol. And apparently there's a doorway that leads to a rooftop, which then leads to a space where he used to barbecue
during the summer months. Until the Governor caught him once, and he never did that again.

He always used to tell me about all the ghosts that he would see in these hallways late at night and times when he was alone.

But Senator Savino reminded me about her tea. And when I first arrived in the Senate, I found some tea, some very fancy English tea, in that cupboard, and I used to take it every day until Ray caught me. And he was like, "You don't like that tea." And I was, "What's wrong with it? It's English breakfast tea." He said, "No, no, no, try the Lipton. It's better."

(Laughter.)

SENATOR HOYLMAN: I tried the Lipton. Ever since then, I have used Lipton tea. My husband asks me why am I buying Lipton tea, and I have become a real devotee of Lipton tea. And that's due to Ray and his foresight and wisdom as it pertains to the New York State Senate.

Thank you, Ray. Thank you for your service.

ACTING PRESIDENT GRIFFO: Senator Young.
SENATOR YOUNG: Thank you, Mr. Speaker -- Mr. President.

And I would like to join everyone's voices in actually speaking directly to Ray. Ray has been my friend for the 12 years that I've served in the New York State Senate. And if Ray Hess ever had a bad day, he never showed it. He would tell us about what was happening in his life, but he always wanted to do a great job.

And I remember several years ago Ray actually had an accident -- some of the members may remember this -- he was working at his house, and he had part of a tree fall on him. And he had injuries. And despite that fact, he could not wait to get back to work.

Two years ago, Ray had a stroke. Same situation. He loved his job, he loved the members, he loved being here, he loved being part of the Senate family, and he could not wait to get back to be with us.

And every member in this room runs into so many people. Every single day, we meet people, new people. But for me, Ray is one of those people that stands out. He's a person that I aspire to be like. I would like to be more
like Ray. I would like to have that positive attitude. I would like to care so deeply about other people that I wanted to show it every single second. And that's really what Ray did.

So, Ray, I too hope you're listening. I want to thank you for your 12 years of friendship. I want to thank you for your devotion to the New York State Senate. And I want to say that you are somebody that I am going to continue to be inspired by throughout the rest of my life. And think about it, the impact that you have had on the Senate, and you inspire all of us. And we will go out and take what you've done for us and translate it into what we do every single day on behalf of the people of New York State.

I'd like to say that, you know, when you're kind to somebody, it grows exponentially. And Ray, what you've been able to do for us and for so many people in this state is profound.

So thank you, Ray. We do love you. We do miss you. We do give you our best thoughts because of what you've done for us. And you truly are a very unique and special person.

ACTING PRESIDENT GRIFFO: Senator
SENATOR KENNEDY: Thank you, Mr. President.

I rise to honor the legacy of Ray Hess here in Albany, here in the Senate. We have heard from so many of our colleagues here on what an amazing individual Ray was and is. And although he may have been small or, as some have offered in this chamber today, little in stature, we all know Ray, as our friend, as a towering giant.

And to think about the role that he played here in not just taking care of us every day but also, you know, being a leader here in this chamber -- you know, dealing with the characters and the egos and the stresses and the personalities, good and bad, of so many hundreds of Senators that have come through this chamber through 25 years, we owe Ray Hess an extraordinary debt of gratitude in his retirement.

It could be offered that he personally had an impact on millions of people across this state because of his work, because of the interactions he had with each and every one.
of us, the lessons that he taught us, both
directly, in many of the conversations that were
mentioned here today, as well as indirectly, in
simply his actions, treating others the way we
want to be treated, treating others the way they
should be treated and he wanted to be treated,
giving everyone dignity and respect, Senators and
non-Senators alike. However, don't you dare go
in that chamber if you're not a Senator and run
into Ray Hess, because he'll be running you right
out of there, running you out of town if he had
to.

You know, he was a guy who had a lot
of guts. You know, and he needs those guts right
now in his fight. And we all know that our
thoughts and prayers are with him and his family
in this difficult time. But, you know, the guts
that he showed, he wasn't afraid to step up and
speak up and speak out if he needed to say
something to you. He didn't care about whether
or not you were a Senator or -- he cared about
whether things were being done right in his
world, in our world.

And, you know, I just saw a lot of
young children that had joined us here today to
watch these deliberations. You know, as we pause here today -- and we all know that there's hundreds of bills to be passed -- but I think this is so fitting a tribute to give to this giant of a man. And, you know, if there were one lesson that I would ask that these children and our children and the younger generation take from the sort of individual Ray was, it's this. It's whatever job they have, whatever job we have, do it, do it right, and do it well.

And that's exactly what Ray Hess did every single day, the way he treated us and everyone around him. I am proud and honored to be able to call Ray Hess a friend. I will miss, in his retirement, our long conversations about the weather, of course. Being from Buffalo, the conversation seemed to always revolve around the weather -- when it would snow in Buffalo, when it wasn't snowing in Buffalo. When the heat waves were coming through, like we're dealing with today, we'd get into that.

And all around, it centered around the fact that us upstaters were hardened by the weather and we had to demonstrate to our downstate colleagues this toughness that us in
upstate enjoyed because of the weather that
defined us.

So to Ray Hess, we will miss you in
this chamber, we love you and honor your legacy,
and we thank you for 25 years of extraordinary
service to this great state.

    Thank you, Mr. President.

    ACTING PRESIDENT GRIFFO: Senator

Peralta.

SENATOR PERALTA: Thank you,
Mr. President.

    I rise today, as well as all my
colleagues, to honor Ray Hess.

    You know, Ray was really the
gatekeeper of that members' lounge, and he
really epitomized what everyone said about him.
Not only was he a friend, but he knew so much
about each and every one of us because he really
took the time to ask us about our lives.

    Not only did he always say hello,
but he realized that once you walked through
those doors, that there wasn't really a "D" or an
"R" or an "IDC," it was about who the individual
was. And he would ask you about your family, he
would ask you about your friends, he would ask
you about your pets, but he would go deeper and
he would know what type of food you like. And
sometimes when you asked for a particular food,
he would tell you, "I don't have that right now,
but I'll work on it." And the next day he may
bring a little bit of what you asked him for, and
he'll say, "I got this for you this morning, but
don't tell anyone else."

(Laughter.)

SENATOR PERALTA: And that's the
type of man he was and he is. He will go above
and beyond to get you those little things that
you're asking for, that you're craving for, and
to really put a smile on your face. Because he
knows that sometimes we go through tough times
and we make tough decisions in this chamber, and
he knows that we're constantly trying to do
what's right for our community and for the people
that we represent.

I, for one, would always -- anyone
who knows me either sees me with a Pepsi can or
with a Snapple bottle. And for Lent, I give up
soda. And he would call this blue water, and
that was our code. He would say, "Oh, you're not
drinking blue water today?" And he would know it
was Lent time. And he would always say to me, "But blue is good." And some people would always ask, "What are you talking about with Peralta, about blue is good?" Well, soda, because I drink the Pepsi.

Every time there was a late night, I would have these battles with him that I wanted Spanish food. And he would say: "No, but we're getting Italian."

(Laughter.)

SENATOR PERALTA: I would say, "That's nice, Ray. I want Spanish food." And he would say, "That's above my pay grade. You got to talk to Senator Flanagan."

I would always ask him for not only Spanish food, but sometimes I'd ask him for wings. And he would come over when he knew that wings were coming, and he would pull me aside and say, "Senator Peralta, we're getting wings today." And he knew that I was very interested in eating wings, so before anybody else knew, I knew that we were getting wings.

During the budget process and late at night and the end of session, late nights when we're here for a long time, he knows or he knew
that I would play this game of who would play us
if there was a TV show or a movie. And he would
always ask me who would play Senator Griffo. Of
course, Griffo wants Brad Pitt, and Kevin Parker
always wanted Denzel Washington.

But he would always ask me, "I think
I know who can play this Senator," and I would
jot it down. Sometimes he was correct, sometimes
not so correct. But he understood that to keep
our sanity sometimes, late at night, he would
join in in creating this casting call for who
would play us in the movies.

Three times Senator Espaillat ran
for Congress, and each of those times he would
walk into the members' lounge with Senator
Espaillat. And the first time I remember him
telling Senator Espaillat, "You know, I don't
know, this guy Charlie Rangel, he's big, he's big
time. I don't know." And Senator Espaillat
would tell him "I can do this." And he says,
"Mmm, maybe next time."

(Laughter.)

SENATOR PERALTA: The second time
he ran, Ray approached Senator Espaillat and
said, "Wow, You're getting a lot of support. I
don't know, maybe, maybe. This may be your chance." Of course it didn't happen the second time.

The third time he ran, Ray immediately would go up to Espaillat every time he would see him in the members' lounge, and he would know everything that was happening in his district, in Washington Heights, in the Bronx, and say, "I read that you're the front runner and you're going to win this time. I think this is your time." And Senator Espaillat would tell him and say "I hope so."

This is the type of man who really looked not only beyond the titles, but at who the individual was. And that, in this environment, is very precious. So I want to send my blessings to Ray Hess and his family because I know they're going through very difficult times.

You know, I want to end it by thanking him because there were three times, on three occasions, I thought we brought some of the most exciting people to Albany. One was Pedro Martinez, and all he kept on asking me for was a signed ball. He said, "You think he can sign a ball?" I said "Sure, Ray." And he was like a

Kirkland Reporting Service
little kid because he wanted to see Pedro Martinez.

The second was Mike Piazza. Well, Mike Piazza came into the chamber. Again, he was so excited because it was Mike Piazza.

Then of course, third, Senator Griffo brought The Most Interesting Man in the World. And he too was excited for The Most Interesting Man in the World, because he would also look and watch those commercials and he would admire the comedy of it.

But he was always excited and always had a smile on his face, and that's how I'm always going to remember Ray -- someone who always has a smile on his face, always says hello, and is always kind. Doesn't matter what your party affiliation is, he just wants to know who you are as a person.

So God bless you, Ray. God bless your family. And we will keep you in our prayers. Thank you.

ACTING PRESIDENT GRIFFO: Senator Tedisco.

SENATOR TEDISCO: Thank you, Mr. President.
You probably know that there's very few of you in this Senate body that have served in the New York State Legislature holistically more than I have. But the large majority of all of you have served in the New York State Senate for far longer than me. And because of that, I can attest to the fact -- I heard someone say that if you're a stranger you shouldn't go into our Senate lounge.

I can attest to the fact that that's not the case, because most of you who are serving here probably have seen me come over from the Assembly chambers over the last many years and go into the back, into the chimney, and call Senator Farley over, or some of my other colleagues who are here, to talk to him about a bill or a piece of legislation. And to tell you the truth, by way of full disclosure, many times that was a ruse. What I wanted to do was get the good food, get into the Senate lounge.

Because I don't know how many of you have been over to the Assembly lounge, but there's a lot of fruits and a lot of nuts over there --

(Laughter.)
SENATOR TEDISCO: I mean in the lounge.

(Laughter.)

SENATOR FUNKE: And I used to go and be welcomed in the Senate chambers. And Ray used to come up to me and treat me with the same generosity and graciousness and kindness that he continued to treat me with for the first six months I was a Senator and has treated many of you for far longer than I have been here.

And the last time I was treated with the niceties and the level of care and kindness that Ray has treated me with was with my mother and father, I think. My dad, who used to work in the foundry for 30 years, I begged him to buy me Converse canvas sneakers, and they were $9 back then. I didn't want PF Flyers, I didn't want Keds. And my dad used to buy those for me. And that was a lot of money back then.

My mom used to create great lunches for me. And to tell you the truth -- she died when she was 97 -- she used to iron my underwear, my shirts and my underwear and my socks. I'd get up in the morning, and they were ironed. I was tremendously spoiled when I went to college.
Ray, when I'd go into that lounge -- and probably the same for you -- Would you like a soda? Would you like a coffee? Would you like some salad? You want a sandwich? What kind of bread?

But not only that. How was your weekend? I saw you on a bill on TV talking about it, or in the newspaper, and it was great. Always something positive. At least for me, and probably for the rest of you.

And that kind of kindness and graciousness and love of his fellow workers here -- because I looked upon him as just one of the guys and gals here in the New York State Senate and the Legislature -- that kindness that has been mentioned by my colleagues -- family, and concern for others -- to that level is rare.

So, Ray, I was honored to be able to serve here while you were here as an Assemblyman and as a Senator, and I appreciate the care and kindness you've given to me and the way that extended onto others who visited here. And I'd just say we wish you and I wish you all the best. God bless you, and thank you for your service. And our prayers are with you right now.
Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Klein.

SENATOR KLEIN: Thank you, Mr. President.

I didn't want this day to go by without saying a few words on behalf of Ray Hess, a very special individual. And I know we're all congratulating him on his 25 years of service in the State Senate.

I think most of us know, who serve in the State Senate, that the Senate lounge is sort of kind of an oasis where you can't have staff, there's no reporters there, it's just the members. And certainly what adds to, I think, that sort of relaxation or just kind of collecting your thoughts is really Ray.

You know, Ray is a throwback to that type of person that whatever job you do, you're going to do it the best you can. You take pride in your work, you remember the little things. And certainly I know each and every one of us, you know, has a very special story about Ray's dedication.

I used to always tease Ray -- and I
know Senator Savino brought that up -- you know, when you go to the Senate lounge and the same
deli platter is there each and every day year
after year, you sort of notice certain things.
And I used to tell Ray, I said, "Ray, why is it
that everyone always eats the liverwurst first
and that's not replenished like the other things
are?"

And he said he had strict orders to
get a certain amount of liverwurst every day, and
that's what he was going to stick to. And he did
it each and every day.

Or the fact when he knew, even
though it's not healthy, that I liked white
bread. He'd always point out to me that on top
of the refrigerator was white bread.

He probably did this for each and
every one of the members, because I think he had
the utmost respect for each and every one of us,
Democrat or Republican. And I think he had
respect for this institution. And I think that's
something that -- I hope we can have more people
recognize what we do is important. And certainly
what Ray did in making sure to add a smile each
and every day to our lives during our very hectic
schedules.

And I know I'll miss him, and I don't think we'll ever be able to replace Ray Hess.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Latimer.

SENATOR LATIMER: Thank you, Mr. President.

It's never easy to say goodbye. We've all lost people that we knew, people that we liked, people that we loved. It's hard not to see them where we're accustomed to seeing them. And we try to figure out how are we going to go on with our lives when that person is no longer a part of them.

Every one of us has lost parents, lifetime friends. Some of us have lost spouses. Some of us have lost children.

We're all men and women of words. For the last hour and whatever time after I sit down, we'll try to express, each of us in our own way, what we use as part of what we do every day, words, to express how we feel, what we think and to try to say something different and profound so
that, added together, all of us are making a statement that Ray can see on YouTube.

But we really don't know what to say in a moment like this. We remember anecdotes, we remember personal kindnesses, because we know that when there's loss, there's an emptiness and we don't know how to fill it. We're humans. We don't know how to fill it. We do what we can do to try to deal with it as best as we can.

It's still empty inside. I think, in moments like this, we wonder -- because we know that the road that Ray is walking down now is a road that every single one of us in this chamber, however young you are, however old you are, that each one of us in due time will walk down this road. And we don't know what it will look like. We wonder if we'll have a roomful of people spending two hours saying nice things about us.

If I regret anything today, and I don't regret much as I listen to all of my colleagues try to find the words in their own perspective, it's that -- and this is true all the time we eulogize somebody. We all do it in our districts, we do it here on the floor with
various resos. We praise people that we know we
might not have the opportunity to praise again.
And we ask ourselves, I ask myself, why didn't I
do it earlier? Why didn't we bring him out of
that room and have him stand by the clock right
there, and we all would say this right so he
could see it? He'll see it on YouTube, I'm sure.
But we never appreciate it until it's gone, till
it's not part of our world.

    Senator Parker left with a reference
to the Bible. I'll do the same. When I think of
a moment like this, I think of the parable of
Lazarus at the gate, the poor man at the gate
that the rich man passed by every day. And at
the end of days, it was the rich man who looked
across the gulf of salvation to see Lazarus, the
poor individual, resting in the bosom of Abraham.

    The next weeks, the next months --
we hope much longer than that -- but whatever the
length of time is -- I don't know when I'll see
Ray again. Perhaps I won't see him until that
time when he completes his walk and I complete my
walk. But I'm positive, by the way I've seen him
treat everyone in this room and all the people
that have been in this room before I ever got
here, that I will see Ray again in the bosom of
Abraham.

ACTING PRESIDENT GRIFFO: Senator
Marchione.

SENATOR MARCHIONE: Thank you.

You know, it's been terrific
listening to everyone's remembrances of how Ray
served all of us. And you don't know all of
those things until you listen today and you hear
the great little stories about how he got
something for one person and something special
for someone else.

Well, for me, Ray and I shared what
I thought was a secret, because every day I would
have a piece of fruit. And at first Ray would go
get me a knife, because I like to cut my fruit,
and he'd say, "Don't tell anyone, I'm not
supposed to have a knife here." And after a
while, I guess Ray trusted me, because he showed
me the hiding spot for the knife, and he allowed
me to go in and get my own knife and cut my own
fruit.

And, you know, he was -- he is such
an amazing man. And many of us have made
references today, you know, about our own walk,
our own faith that we have. And certainly I have
my own, like all of you do. But my day of
accepting Christ was the greatest day of my life.
And from that point on, you hope God works within
your life to make you a servant and to give you
that servant's heart and to make you a person
that other people would talk about just like
we're all talking about Ray.

Ray had the most servant's heart
that I've ever seen in my entire life. He was a
man of love for every single one of us. I loved
when he used to come over and just make small
talk and make you feel welcome. And I watched
how he served.

And I missed Ray in the summer. We
don't always sometimes miss each other as much as
we all missed Ray in the summer.

And I just want Ray to know how
special our relationship was to me. I actually
thought I was special to him, but now I'm hearing
he's one of those individuals that could make
each one of us feel special.

And I just want to add my thanks for
his 25 years of service, send him my love, and
certainly everyone loves Raymond.
Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Serrano.

SENATOR SERRANO: Thank you, Mr. President.

I wanted to lend my voice to really celebrating the many years that Ray has been with us here as a member of our family. And, you know, Ray was just a very special and unique individual. He knew all of us. He knew all of our concerns.

There was one really special thing that Ray knew about me. He knew how much I loved being a Senator these 12 years I've been here, but he also knew how much I missed my family when I was up here for long periods of time. And he knew my son, he met my son when he was a little boy. I used to bring him up here, my wife, and then my daughter came later and he did get to meet her.

So my family did get the chance to meet Ray in the lounge. So he understood how they were, and he would often ask me how they were. And he knew that it was difficult for me, and he made sure to ask about them. And whenever
there was a bit of break in the action here, I
would run into the lounge and get on Face Time
and talk to my son about how his day was.

But Ray was that humanizing force
that allowed me to maintain that connection to
what really mattered to me, which is my family.
Being here the long hours at night can be a
little disheartening. But when you have someone
like Ray, who was always cheerful, who
understands the humanity and the things that
we're working for, it sort of brings you back to
what's important. It gives you that moment of
clarity to help you understand what we're working
so hard here for.

So Ray really did foster that level
of collegiality, not just with me but with all of
the members. Many have spoken about when we walk
into the lounge, we are not partisan by any
means. And it really did -- I would see a lot of
things get worked out in the lounge that couldn't
be worked out here on the floor.

And I think that level of
collegiality is something that we should continue
to move forward with. This is something that Ray
believes in.
And I remember my dad was a member of the Legislature back in the '70s and '80s, as a member of the New York State Assembly, and he used to tell me stories about the level of collegiality, that it seemed to be so much greater back then than it is now. They would do battle and debate on issues, but once it was done, they would get dinner together or play basketball. There was a deep understanding that this was the work we do, but we shouldn't stop being friends.

And I think that's something that we should really continue to embrace now. There's no place, I believe, for animosity anywhere here in this chamber. We have disagreements, but it really is not more than that, and it should never be personal. And I really hope that as we continue to move forward in the spirit of what Ray taught us, that we move forward in a collegial way and a happy way that he would do it, as we move forward through the rest of the session.

Praying for you, Ray. God bless you and your family.

ACTING PRESIDENT GRIFFO: Senator Kirkland Reporting Service
Boyle.

SENATOR BOYLE: Thank you, Mr. President.

I rise to, with my colleagues, give honor to my friend and fellow Hibernian for five years, Ray Hess.

I got a kick out of listening to some of the stories about secret stashes. When I first came here five years ago, Ray welcomed me, as he welcomes all of my colleagues, and he asked what I like to eat. And I said, "I have very sophisticated tastes. I like baloney on white bread, sometimes peanut butter and jelly on white bread." And he leaned over and said, "Senator, we're really not supposed to have white bread in here." "I understand, no problem."

The next day when I came in, he said, Senator, I got a place, your white bread is hidden over here." For five years it's been my stash. I thought I was the only one with a stash. I guess everyone had different stashes.

But that's the type of guy Ray was. He found out what you liked, and he got it for you. And he talked as a human being, as a friend. We'll always remember him.
And I just want to point out that Ray, we love you. You're in our prayers. And I want all my colleagues to remember that sometimes on this floor we get in kind of a heated, contentious debate. Let's remember at those times to treat each other like Ray treated all of us.

God bless you, Ray.

ACTING PRESIDENT GRIFFO: Senator Murphy.

SENATOR MURPHY: Thank you, Mr. President.

Ray Ray, we miss you already. He's -- some good times I'd like to just reminisce back, I think it was to last year when I -- Senator Akshar and myself actually held up Ray, he had his hands, I had his feet, and we were swinging him back and forth on these late nights here as you get giddy. And it was a special time. He just showed me a picture of it. It was really, really nice.

I will make a recommendation. Twenty-five years working here in the New York State Senate, I will make a recommendation that we name that lounge Ray's Senate Lounge.
(Applause.)

SENATOR MURPHY:   Rename that Ray's Senate Lounge. Twenty-five years, his dedication to the Senate, his dedication to making sure all of our needs were taken care of on both sides of the aisle, like it should be.

Thank you, Mr. President.

Ray, we love you. God bless.

ACTING PRESIDENT GRIFFO:   Senator Amedore.

SENATOR AMEDORE:   Mr. President, I just want to give a quick message to Ray, because I know, I believe that he is watching us talk about his life, his service, and what he has done for every one of us members of the New York State Senate.

Ray, you have been blessed -- maybe not in the stature and height, but you have been blessed in the way that you have made all of our lives a -- made a big difference for us. From a new member to a veteran member, you have served us all. And I know that you have been instrumental on helping us just bring some levity as well as some stability. Because in the late hours of the night, you're there with us, you are
feeding us, you are making sure that we have the
things that we like.

And I believe that you will have a
large mansion in the Land of Glory because of
your love that you've given to all of us.

So God bless you, Ray. Keep up, be
strong, keep the faith.

ACTING PRESIDENT GRIFFO: Senator
Montgomery.

SENATOR MONTGOMERY: Thank you,
Mr. President.

I want to thank all of my colleagues
for the wonderful memories and stories and
vignettes.

And to Ray, you have heard everyone
talk so lovingly about you, I'm sure it must be a
little bit of a surprise to know how closely we
paid attention to all of your words and your
moves and how much you loved us. We have
received your love, and we certainly appreciate
it. We want to express it today.

And today from each of us, I think,
we are giving you back our love to say how much
we appreciate you and thank you so much for being
such a good friend and showing us that we are all
equal in the eyes of God, you and all of us.

Thank you, and God bless you, Ray.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hamilton.

SENATOR HAMILTON: Yes,

Mr. President, I rise to pay tribute and say,

Ray, wishing you the best.

Ray was a great human being. As elected officials, we meet many people, and there are a few people who we really care about and they care about us.

And there's an expression, you don't miss a good thing until it's gone. And now I go into the lounge, it's like a -- there's something missing, something of someone who's caring about you, someone who's always laughing with you, someone who's always giving you what you want.

And when I first came here, I was intimidated, coming here for the first time, and Ray was a person who made me feel at home. The second time I came here and felt a little bit uneasy was when I joined the IDC and people who I would speak to, who I spoke to before, wouldn't say hello.
And Ray said to me, he said, "You know what, Senator, what really matters is that you love your family and take care of your children. Because everything else is that superficial."

And so I say to Ray, thank you for saying -- keeping me in the lounge and keeping me always fed and keeping me always at ease. And so he in a way was my therapist. You know, not realizing it, if you had a situation where you felt upset, you went into the lounge, Ray made it his business to make sure you walked out of there feeling good. Feeling fed, nurtured, and mentally feeling at ease.

And so for him, I praise him that when I walked into that lounge, I knew I would leave there feeling at ease and feeling good to come back into the chamber, especially during the budget time when we're here late nights.

So I just want to say God bless you, Ray. I wish you the best. And God bless you and your family.

Thank you.

ACTING PRESIDENT GRIFFO: Senator O'Mara.
SENATOR O'MARA: Thank you, Mr. President.

I rise to also pay tribute to Ray for his 25 years of service throughout the years to all of us here in the Senate. His stories of being a Hibernian that we relished, as I am myself, his great involvement in that organization and all the fine work he's done with that, I want to thank him for also.

Ray, we certainly miss you here in the Senate. Godspeed to you. And from one brother Hibernian to another, {in Gaelic}.

ACTING PRESIDENT GRIFFO: We thank Senator Flanagan for putting forward this privileged resolution and for all the members today recollecting and expressing some of their fond and shared experiences with Ray and sending him so many good wishes.

We just want to remind Ray that he is in our thoughts and prayers, and as a man of faith, to leave him with another reading to keep to his heart. From Deuteronomy, "The Lord himself goes before you and will be with you; he will never leave you nor forsake you."

The question is on the resolution.
All in favor say aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted, and all members will be listed as cosponsors.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I wish to call up Bill Print Number 6549, by Senator Flanagan, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 1504, by Senator Flanagan, Senate Print 6549, an act to amend the Highway Law.

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

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

SENATOR DeFRANCISCO: I now offer
the following amendments.

ACTING PRESIDENT GRIFFO: The amendments are received.

SENATOR DeFRANCISCO: Please recognize Senator Valesky.

ACTING PRESIDENT GRIFFO: Senator Valesky.

SENATOR VALESKY: Thank you, Mr. President.

I wish to call up Senator Peralta's bill, Print 5754, recalled from the Assembly, which is now at the desk.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 976, by Senator Peralta, Senate Print 5754, an act to direct.

SENATOR VALESKY: I now move to reconsider the vote by which the bill was passed.

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

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

SENATOR VALESKY: I now offer the following amendments.
ACTING PRESIDENT GRIFFO: The amendments are received.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I now move to adopt the Resolution Calendar, with the exception of Resolutions 2792 and 2808.

ACTING PRESIDENT GRIFFO: All in favor of adopting the Resolution Calendar, with the exception of Resolutions 2792 and 2808, signify by saying aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?

(No response.)

ACTING PRESIDENT GRIFFO: The Resolution Calendar is adopted as indicated.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now take up Resolution 2322, title only, and call on Senator Tedisco.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 2322, by Senator Tedisco, commending Marshall G. Jones, Ph.D., upon the occasion of his induction into the National Kirkland Reporting Service
Inventors Hall of Fame.

ACTING PRESIDENT GRIFFO: Senator Tedisco.

SENATOR TEDISCO: Thank you, Mr. President.

Mr. President and my colleagues, up in the balcony before you I would like to introduce to you an outstanding man, an individual who has achieved unbelievable successes. I'm truly honored and privileged to have with us today Dr. Marshall G. Jones from Glenville, my hometown, who has been inducted into the National Inventors Hall of Fame, an unbelievable achievement.

Dr. Jones spent his early years growing up on a duck farm on Long Island. Throughout his life, he has overcome many obstacles to get to where he is today.

After a distinguished 43-year career in the field of engineering, Dr. Jones was selected for his significant contributions to manufacturing and engineering. He is actually credited with pioneering the use of lasers for industrial materials. Dr. Jones also holds more than 50 domestic patents and 31 foreign patents.
in this particular industry.

He is also a big supporter of STEM initiatives. He regularly travels to schools throughout the country, educating children about lasers, and sharing his inspirational story.

The inventors listed with him in the National Hall of Fame include names like Thomas Edison, George Eastman, and Alexander Graham Bell. That is tantamount to being a basketball player and being named in the same breath as James and Durant. Unbelievable, outstanding giants, and he is now among them.

In addition to his inventions and patents, Dr. Jones has authored a book, Never Give Up: The Marshall Jones Story, about his life.

I'm honored and proud to welcome and introduce Dr. Marshall G. Jones to the Senate chambers today.

Doctor, if you would stand, I would ask you, Mr. President, to welcome him, to congratulate him, to thank him for visiting here today, and provide him all the cordialities of this august Senate body.

ACTING PRESIDENT GRIFFO: As
previously indicated, the resolution was adopted on May 23rd of 2017.

Dr. Jones, we extend a warm welcome to you. We congratulate you on such a distinct honor. We appreciate your presence in the chamber today and extend all the courtesies of the house to you.

Let's recognize Dr. Jones.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco.

SENATOR DeFRANCISCO: Could you please take up previously adopted Resolution 2228, by Senator Kennedy, read the title only, and call on Senator Kennedy for some brief remarks.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 2228, by Senator Kennedy, commending Community Beer Works upon the occasion of winning the 2017 TAP New York Governors' Brewers' Cup.

ACTING PRESIDENT GRIFFO: Senator Kennedy.
SENATOR KENNEDY: Thank you, Mr. President.

I rise today to commemorate Community Beer Works of Buffalo on their contribution to the local and state economies and recognize their achievements in beer and food festivals across the state. Community Beer Works was founded five years ago in April 2012 by Ethan Cox, Dan Conley, and Gregory Patterson-Tanski.

Ethan Cox is here with us today in the chamber. Welcome.

Community Beer Works started by offering their beers at Cole's and Mr. Goodbar on Elmwood Avenue in Buffalo, two staples in the community. Since then, they've proven their skill and craftsmanship by winning multiple awards in competitions throughout the state.

In April of this year, Community Beer Works won the Governors' Cup at the 2017 TAP New York Craft Beer and Food Festival. This award recognizes the brewery with the best individual beer in the State of New York.

The TAP New York Craft Beer and Food Festival began in 1998 as a festival in just the Hudson Valley. Now this puts breweries from the
Tip of Long Island all the way to Buffalo on display, to show off this unique and popular industry. At this year's festival, more than 120 breweries participated, featuring over 400 different individual beers.

In 2013, Community Beer Works won second place in the Brewing News National IPA Championship.

Community Beer Works has been a model for business success in Buffalo, helping to pave the way for the breweries and distilleries that have followed. Community Beer Works staff have not only served the people of Buffalo, but they've been pioneers in their craft. They've been instrumental in making Buffalo a brewery- and distillery-friendly city that welcomes these small businesses and the craft scene as a whole.

Their model of fantastic entrepreneurial management has been exemplary, and the guys at Community Beer Works continue to grow and innovate. They opened a small satellite brewery at the Hydraulic Hearth in Buffalo's Larkinville neighborhood, and soon will be opening the first brewery in the City of Niagara Falls in 75 years.
On top of that, they're not
forgetting their home neighborhood on Buffalo's
West Side. They'll be renovating a 14,000 square
foot building into a brewery, packaging center,
and taproom, along with an outdoor beer garden.

So to Ethan and the rest of the
team, congratulations on your success, cheers to
many, many more, and thank you for what you've
given to our community -- beer.

Congratulations.

(Applause.)

ACTING PRESIDENT GRIFFO: Mr. Cox,
welcome here.

The resolution was passed on
May 23rd of 2017.

We congratulate you on the New York
Brewers' Cup award that you received, and we
welcome all the New York State brewers who are
here tonight. Thank you.

   Senator DeFrancisco.

SENATOR DeFRANCISCO: Can we now
take up Resolution 2792, by Senator Peralta, read
the title only, and call on Senator Peralta.

   ACTING PRESIDENT GRIFFO: The
Secretary will read.
THE SECRETARY: Legislative

Resolution Number 2792, by Senator Peralta,

commemorating the 207th anniversary of Colombia's


ACTING PRESIDENT GRIFFO: Before I
call on Senator Peralta, I just want to let every
member know that both the Kennedy resolutions are
open for cosponsorship. Should you choose to be
a cosponsor, please notify the desk.

Senator Peralta.

SENATOR PERALTA: Thank you,

Mr. President.

This year we'll be celebrating the
207th year of Colombia's independence. Colombia
is recognized by many as the oldest democracy in
Latin America. Colombians celebrate each
Independence Day on the 20th of July. This is
the date Colombia commemorates the Declaration of
Independence of 1810.

More than two centuries ago, the
citizens of Bogota, Colombia's capital,
established the first representative council,
which led to Colombia's very first national
government. Independence did not come that same
day; it took Colombia another nine years to
obtain full independence from Spain. The struggle was led by Simón Bolívar, El Libertador. Victory was declared in August of 1819. Since then, Colombians celebrate every year the first Grito de Independencia, or cry of independence.

My district is home to many Colombian restaurants, including La Pequeña Colombia, or Little Colombia. It is located in the heart of my district in Jackson Heights, where generations of Colombian families grew up and still call home.

One of these families is the family of actor and comedian John Leguizamo, who went to I.S. 145, just a few blocks from my house.

Today, approximately 25,000 Colombians live in my district, which as many of you know, I call the United Nations of all Senate districts. Colombians have contributed to make New York what it is today -- a vibrant, friendly, multicultural city.

By way of this resolution, Mr. President, we extend our best wishes to our Colombian-American friends across the city and the state.
Thank you very much, Mr. President.

ACTING PRESIDENT GRIFFO: Thank you, Senator Peralta.

The question is on the resolution. All in favor say aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed? (No response.)

ACTING PRESIDENT GRIFFO: The resolution is adopted.

And Senator Peralta has opened up the resolution for cosponsorship. If you choose to be a cosponsor, please notify the desk.

Senator DeFrancisco.

SENATOR DeFRANCISCO: On page 33, I offer the following amendments to Calendar 777, Senate Print 5309, by Senator Ritchie, and ask that said bill retain its place on the Third Reading Calendar.

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

Senator DeFrancisco.

SENATOR DeFRANCISCO: Could you now take up the noncontroversial reading.
3853

ACTING PRESIDENT GRIFFO: The Secretary will begin the noncontroversial reading.

THE SECRETARY: Calendar Number 74, by Senator Carlucci, Senate Print 711, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

I'm voting no on this bill because while certainly we don't want anyone stealing service -- in this case it would be not paying their toll at a toll site -- this bill would actually, on a second time through without paying your toll, open you up to a felony conviction, up to four years in jail.

So I think everyone should pay their
toll, whether it's a cash toll or an E-ZPass payment, but I really think we've gone a step beyond when we're talking about felony conviction and prison time for a second-time failure to pay something.

I vote no, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 74, those recorded in the negative are Senators Benjamin, Dilan, Hoylman, Krueger, Montgomery, Parker, Rivera, Sanders and Squadron.


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 100, by Senator Felder, Senate Print 1110, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.
(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Bailey to explain his vote.

SENATOR BAILEY: Yes, Mr. President, very briefly.

I think this is overall a good bill, I just think we should look at -- and I would encourage the sponsor into looking into expanding this to possibly include CUNY.

That's pretty much it. Thank you.

ACTING PRESIDENT GRIFFO: Senator Bailey in the affirmative?

SENATOR BAILEY: Yes.

ACTING PRESIDENT GRIFFO: Announce the results.


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 278, substituted earlier by Member of the Assembly Magee, Assembly Print 4972A, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT GRIFFO: Read the last section.
THE SECRETARY: Section 5. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 378, by Senator LaValle, Senate Print 2980, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect January 1, 2018.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number
418, by Senator Little, Senate Print 5141, an act to amend Private Housing Finance Law.

    ACTING PRESIDENT GRIFFO: Read the last section.

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

    ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

    THE SECRETARY: Ayes, 63.

    ACTING PRESIDENT GRIFFO: The bill is passed.

    THE SECRETARY: Calendar Number 491, by Senator Alcantara, Senate Print 1342A, an act to amend the Penal Law.

    ACTING PRESIDENT GRIFFO: Read the last section.

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

    ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

    ACTING PRESIDENT GRIFFO: Senator Parker to explain his vote.

    SENATOR PARKER: To explain my
vote, Mr. President.

One, let me just thank the sponsor for her concern on this issue.

The issue of gang violence and gang activity in particularly New York City has -- is out of control, and it's certainly something that we really need to address. I certainly don't question the sponsor's motives, but just somewhat disagree on how we address it.

I think that continuing to criminalize and create criminal sanctions around gang activities is not the way that we need to go. We need to engage our young people in school and out of school, and we need more school-based athletics, we need more beacon schools and community schools, we need to put more money into youth development throughout the State of New York, but particularly in the City of New York, where we have this problem.

And so I would love to work with the members of this chamber to in fact come up with some different solutions, particularly as relates around the budget. And so although I am regrettably voting no on this bill, I am looking forward to working with the sponsor and others on
a solution to the serious gang problem that we have in the City of New York.

    ACTING PRESIDENT GRIFFO: Senator Parker to be recorded in the negative.
    Announce the results.
    THE SECRETARY: In relation to Calendar 491, those recorded in the negative are Senators Benjamin, Comrie, Dilan, Montgomery and Parker.

    Ayes, 58. Nays, 5.
    ACTING PRESIDENT GRIFFO: The bill is passed.
    THE SECRETARY: Calendar Number 515, by Senator Ranzenhofer, Senate Print 3709, an act to amend the Elder Law.
    ACTING PRESIDENT GRIFFO: Read the last section.
    THE SECRETARY: Section 2. This act shall take effect immediately.
    ACTING PRESIDENT GRIFFO: Call the roll.

    (The Secretary called the roll.)
    THE SECRETARY: Ayes, 63.
    ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 531, by Senator Griffo, Senate Print 2420B, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 566, by Senator Golden, Senate Print 5130, an act to amend the Retirement and Social Security Law.

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

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)
THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 579, by Senator Croci, Senate Print 5305A, an act authorizing.

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

ACTING PRESIDENT GRIFFO:  Lay it aside for the day.

THE SECRETARY:  Calendar Number 716, by Senator Hannon, Senate Print 2271, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO:  Read the last section.

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

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 747, by Senator Hannon, Senate Print 2243, an act
to amend the Executive Law.

   ACTING PRESIDENT GRIFFO: Read the
last section.

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

   ACTING PRESIDENT GRIFFO: Call the
roll.

   (The Secretary called the roll.)

   THE SECRETARY: In relation to
Calendar 747, those recorded in the negative are
Senators DeFrancisco, Hoylman and Ranzenhofer.

   Ayes, 60. Nays, 3.

   ACTING PRESIDENT GRIFFO: The bill
is passed.

   Senator DeFrancisco.

   SENATOR DeFRANCISCO:

   Mr. President, can I interrupt the calling of the
noncontroversial calendar. Would you please
recognize Senator Valesky for a motion.

   ACTING PRESIDENT GRIFFO: Senator
Valesky.

   SENATOR VALESKY: Thank you,
Mr. President.

   On behalf of Senator Avella, on
page 86 I offer the following amendments to
Calendar 1550, Senate Bill 4833, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT GRIFFO: We have returned to motions and resolutions. The amendments are received, and the bill retains its place on third reading.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Could you continue the reading of the noncontroversial calendar.

ACTING PRESIDENT GRIFFO: The Secretary will continue the reading of today's active list, noncontroversial.

THE SECRETARY: Calendar Number 778, by Senator Klein, Senate Print 5664B, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.
ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 779, by Senator Murphy, Senate Print 4395, an act to amend the Administrative Code of the City of New York.

ACTING PRESIDENT GRIFFO: Read the last section.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

SENATOR DeFRANCISCO: Lay it aside for the day.

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

THE SECRETARY: Calendar Number 791, by Senator DeFrancisco, Senate Print 5007, an act in relation to authorizing.

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

The Secretary will read the last section.

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

THE PRESIDENT: Call the roll.
(The Secretary called the roll.)

THE SECRETARY:   Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 817, by Senator Larkin, Senate Print 5401, an act to amend the Alcoholic Beverage Control Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.


ACTING PRESIDENT GRIFFO: The bill is still passed.

THE SECRETARY: Calendar Number 866, by Senator LaValle, Senate Print 3177, an act to amend the Environmental Conservation Law.
ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

I keep seeing this bill over time, or variations on it.

So we at one time passed a law that limited the size of commercial fishing ships. We then grandfathered in people who own their ships. We then started to make exceptions to allow people to replace their ships with a new ship in violation of the size for the state law.

Either there's something wrong with the state law or there's not, but I really do not understand the process of making exceptions for certain people in commercial fishing but not others, or somehow treating this as if you can just pass laws for individual people with
individual ship purchase size needs.

I don't think it's the right way to approach legislation. I'm going to vote no, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 866, those recorded in the negative are Senators Hoylman, Krueger, Sanders and Serrano.


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 895, by Senator Bonacic, Senate Print 3898A, an act to amend the Racing, Pari-Mutuel Wagering and Breeding Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it aside.

THE SECRETARY: Calendar Number 931, by Senator Ritchie, Senate Print 728, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT GRIFFO: Read the last section.
THE SECRETARY: Section 2. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 954, by Senator Young, Senate Print 856, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 954, those recorded in the negative are Senators Bailey, Hoylman, Krueger, LaValle, Rivera, Serrano and Stavisky.
Ayes, 56. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1008, by Senator Lanza, Senate Print 4062, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect July 1, 2017.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

This is yet another bill to reduce funds for the MTA.

Lots of people don't like the commuter tax for lots of reasons. I certainly hope we're going to see a bill soon that will come up with the revenue that the MTA needs as we cut their revenue piece by piece by piece with these individual slashing-MTA-funds bills.
So until I see an alternative way being provided in this legislative home to fund the MTA, I will continue to vote against these bills that do away with selected universes within the MTA commuter transportation mobility tax.

I vote no, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1008, those recorded in the negative are Senators Alcantara, Dilan, Hoylman, Krueger, Parker, Persaud, Rivera, Sanders and Squadron. Also Senator Gianaris. Also Senator Díaz.

Ayes, 52. Nays, 11.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco.

SENATOR DeFRANCISCO: Yes, I would request that we stop the noncontroversial reading and go directly to a bill later on in the calendar. And if I can find it, I'll tell you which one it is.

ACTING PRESIDENT GRIFFO: We will suspend the current reading of the active list,
noncontroversial.

SENATOR DeFRANCISCO: If we can do
1506, Calendar Number 1506, please.

ACTING PRESIDENT GRIFFO: The
Secretary will call up Calendar Number 1506.
The Secretary will read.

THE SECRETARY: Calendar Number
1506, by Senator Flanagan, Senate Print 6567, an
act to amend the Education Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: Lay it
aside.

SENATOR DeFRANCISCO: Can we take
that bill up now, please.

ACTING PRESIDENT GRIFFO: The
Secretary will ring the bell.
The Secretary will read.

THE SECRETARY: Calendar Number
1506, by Senator Flanagan, Senate Print 6567, an
act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Can we
have some order in the house, please.

Somebody have a question?

Senator Hoylman.

SENATOR HOYLMAN: May I have an
explanation, please?

ACTING PRESIDENT GRIFFO: Senator Hoylman requests an explanation.

Senator Flanagan.

SENATOR FLANAGAN: Thank you, Mr. President.

This is one of three bills that we'll be taking up that extends mayoral control for -- this initial bill is for a year. And there are other components in here affecting other aspects of public education for the children of the City of New York.

ACTING PRESIDENT GRIFFO: Senator Hoylman.

SENATOR HOYLMAN: Would the sponsor yield to some questions.

ACTING PRESIDENT GRIFFO: Senator Flanagan, do you yield?

SENATOR FLANAGAN: Yes.

SENATOR HOYLMAN: Thank you.

Through you, Mr. President.

How is this bill different than the other two bills we're considering in connection with mayoral control? And let me first say it's an honor to ask you these questions on the floor,
Senator. Sincerely.

SENATOR FLANAGAN: You might want to wait to hear my answers first, though.

(Laughter.)

SENATOR HOYLMAN: I mean that sincerely.

SENATOR FLANAGAN: No, Senator Hoylman, I would say -- I know we're speaking about one bill in particular. I'm going to give you my own characterization, which I think is relatively accurate.

The first bill is a one-year extender with other components. The second bill is a two-year extender with very similar components, if not identical. And the third bill is a five-year extension of mayoral control with additional components that do not exist in the first two bills.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: I'm curious to know if there's any precedent in the Senate
passing three simultaneous versions on a single issue like mayoral control that are demonstrably different.

    SENATOR FLANAGAN: Well, I'm not sure that I would agree with the characterization that they're demonstrably different. There's a number of facets that are similar in each of the three pieces of legislation.

    And to your question, yes, I believe there are -- I can recall various iterations on mayoral control that go back to the creation of mayoral control, when Mayor Bloomberg was mayor of the City of New York.

    SENATOR HOYLMAN: Will the sponsor continue to yield?

    SENATOR FLANAGAN: Yes.

    ACTING PRESIDENT GRIFFO: The sponsor yields.

    SENATOR HOYLMAN: Thank you. Through you, Mr. President.

    What would be the impact of us passing all three versions today simultaneously, different bills with different lengths of mayoral control? Which one do we support?

    SENATOR FLANAGAN: Well, I'm
supporting all three. I'm not going to speak for anyone else, but I'm supporting all three.

And let me fundamentally demonstrate to our colleagues -- I know Senator Felder is the sponsor of at least one of these pieces of the legislation.

There's a lot of hullabaloo and misconceptions. Senator Hoylman, neither you nor anyone else could find a time or place where I said I don't believe in mayoral control. I've said unequivocally that I believe in mayoral control. And I don't care if it's Giuliani, Bloomberg, de Blasio, whoever it may be sitting in that office, I believe that the mayor should ultimately be responsible for the good parts and whatever negative parts there may be.

And from a historical perspective, I'm going to add that I think I'm one of the few people that says this. The person who is the catalyst and the architect of mayoral control was really Mayor Giuliani, but he didn't get it done. He didn't get it done. Mayor Bloomberg is the one who was able to drive it across the finish line, and of course in accord with the Senate and the Assembly and the Executive here.
But if we look back from a historical perspective, there have been various different pieces of legislation. We had mayoral control at its inception. We had mayoral control in its renewal. And the last time there was a renewal, there was at least one, four or five years. If I'm off by a year, I apologize. But that entailed many, many, many meetings, many, many visits, many, many hearings, particularly by the State of New York Assembly, when Mayor Bloomberg was the mayor of the City of New York.

So I plan on voting for all three.

SENATOR HOYLMAN: If the sponsor would continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: If the sponsor unequivocally supports mayoral control for the City of New York, why the different versions? Why not just a straight extender? Why the extraneous issues of charter schools and education tax credits?

SENATOR FLANAGAN: Therein lies the rub. The word "extraneous" I completely and
utterly disagree with.

There are roughly 1.1 million students in the City of New York -- and if I'm wrong on my statistics, I'm sure I will be corrected. But there's certainly north of a million children in the City of New York.

And while everybody talks about these types of issues, I always marvel, I always marvel at the fact that people talk about charter schools as if they're from some Third World country. These are public schools, by definition and by operation of law.

There are about 100,000 students in charter schools already. I know unequivocally -- I'll use the word again -- that there are over 40,000 children who are on waiting lists to try and get into charter schools. And when I meet and I see the parents of these children, what they're begging, begging and clamoring for, is opportunity, access, and the same type of education that my three kids got in the great public schools that they attended.

So extraneous, that's your interpretation. "Integral" would be the word I would use.
SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: But again, if we passed only on the issue of charters for another day -- which is a worthy debate in and of itself, I think we can agree on that -- isn't the fundamental issue to the sponsor the question of whether mayoral control, whether control of the New York City public school system, whether the results that have been borne out by mayoral control are worthy of an extension?

I again fail to see the connection between charter schools and mayoral control.

SENATOR FLANAGAN: Senator Hoylman, I'm going to maybe turn it around a little. Let me ask you, if I may. And I want to respond to your question. To me, it's hand in glove. They go together.

So if I may, would Senator Hoylman yield?

SENATOR HOYLMAN: Oh. Yes.

ACTING PRESIDENT GRIFFO: Senator
Hoylman yields.

SENATOR HOYLMAN: It's an honor.

SENATOR FLANAGAN: Senator Hoylman, do you believe that charter schools are public schools?

SENATOR HOYLMAN: Yes.

SENATOR FLANAGAN: Do you believe that the children that attend those schools deserve the same quality education that you want for your family and that I want for my own?

SENATOR HOYLMAN: Yes, I believe that they should be -- they are public schools. And like public schools, charter schools should receive the same amount of scrutiny and regulation and accountability and transparency that we impose on our public school system. That's why we in the Senate Democratic Conference introduced a bill to that effect, which I hope we can bring to the floor for consideration before the session is out.

SENATOR FLANAGAN: Do you believe that the mayor of the City of New York has oversight and control of charter schools under the rubric of mayoral control?

SENATOR HOYLMAN: I believe, if I
may, that charter schools have a special relationship with our public education system that demands we provide actually more scrutiny, more transparency. They draw at least a billion dollars' worth of public education funds from the traditional public schools. I think we, as government officials who represent constituents, and as parents -- I have a daughter in the New York City public school system -- need to know where that money is going and how it's being spent and ensure that contracts are being made that are aboveboard and worthy of the great State of New York.

So yes, the mayor has oversight over the charter school system. That said, we know that there are particular exceptions and that charter schools are not subject to every rule and regulation that our traditional public schools are, which at times can create confusion and disagreement among our colleagues.

SENATOR FLANAGAN: If the Senator would continue to yield.

ACTING PRESIDENT GRIFFO: Senator Hoylman, do you continue to yield?

SENATOR HOYLMAN: Yes, but only if
I can get back to my questions.

    ACTING PRESIDENT GRIFFO: You yielded the floor; correct?

    SENATOR FLANAGAN: This is a colloquy back and forth. I will certainly answer --

    SENATOR HOYLMAN: I appreciate that.

    SENATOR FLANAGAN: -- whatever questions there may be. Let me ask you a threshold question.

    SENATOR HOYLMAN: A what?

    SENATOR FLANAGAN: I'm going to ask you a threshold question, because I think it may differentiate our fundamental opinions.

    Do you believe in charter schools at all or, tangentially, would you support legislation to repeal the existence of charter schools?

    SENATOR HOYLMAN: Oh, I believe that charter schools have their place in our education system. They have shown positive results.

    I would say that in some instances they are a shoehorn to the privatization of our
public education system. We saw in Michigan, under the campaign that Betsy DeVos and her family has engineered in that state, they began with a charter school mandate which has now resulted in a voucher system, and you've seen the results of both charter schools and the public voucher system there plummet as a result.

So I think we have to approach this issue very carefully. While we recognize the charter school reality -- 10 percent of the New York public school system -- that is the, you know, tail wagging the proverbial dog.

Our kids who are in the traditional public school system demand the resources that we should be providing them. Charter schools raise private monies, which are oftentimes unaccountable to us in this chamber. They have hiring practices -- which we're looking to change -- in terms of teacher certification, allowing them to be uncertified for up to three years. And to, you know, continue to collocate in schools when they may have the financing that our traditional public schools don't have.

Plus the charter schools have the advantage of selectivity and not having the same
requirements in terms of English language learners or students with disabilities or learning disabilities. They are under great pressure.

So for us to siphon off resources, as I think this bill points to, is straight out of the Michigan playbook, respectfully, and leads to a system that we see being advocated in Washington, D.C., where we are giving up on our public education in favor of privatization. That is what I'm concerned about. That is what I'm concerned about as a New Yorker, but primarily as a parent of a 6-year-old who graduates first grade next week.

So we should approach this issue with public hearings and a great sense of responsibility to the millions of schoolchildren, not just in New York City but across the state. I think that it is -- and I've heard the sponsor say this in the past, one of our fundamental responsibilities is to provide for our public education system. Charter school systems have a place within that system, but they -- unregulated, without scrutiny -- can undermine it.
SENATOR FLANAGAN: So I would hasten to add a couple of things. First of all, I would -- I don't even need to speak to a charter school parent -- to make a reference as that's the tail wagging the dog, I'm -- frankly, I think that's an insult. Because those same parents want the very quality education that you want for your 6-year-old child and that I wanted for my own children.

As regard to a Michigan playbook, honestly, I don't know what the heck you're talking about. I'm the architect of this legislation. The only thing I care about is what's going on in the State of New York. I'm not guided by what's happening in Washington, I'm guided by what's happening here.

And what I listen to and what I see and when I meet with thousands of parents on these subjects, if they're doing good things in Michigan, great. If there are things that are going well in the Bronx or Staten Island or Queens or Suffolk County or Nassau County or Westchester County, so be it. I'm focusing on what are we doing for children.

Now, by way of example, I would
hasten to add that we send roughly $10 billion to
the City of New York. And I have said this time
and time again, they need the money and they
deserve the money. But I'm not going to
apologize for one New York minute for asking
questions.

I'm looking right at Senator
Montgomery, a veteran of this State Senate. She
has every right to know, as I do and you do,
where is money being spent.

So let me -- I'm going to ask a very
direct question.

ACTING PRESIDENT GRIFFO: Do you
continue to yield, Senator Hoylman?

SENATOR HOYLMAN: Yes.

SENATOR FLANAGAN: Senator Hoylman,
will you yield, please.

SENATOR HOYLMAN: Yes, I do.

SENATOR FLANAGAN: I'm going to
give an example. The mayor plays an integral
role in terms of mayoral control and the
interaction between New York City, the New York
City Department of Education, and charter school
existence.

Do you support what the mayor has
done on collocation, under which there have been
almost 100 applications that the City of New York
has denied the ability to collocate and virtually
in every single instance they have been
overturned by the State Department of Education?
I'm not talking about, you know, 5 percent, I'm
talking like a hundred percent.

So do you support what the mayor
has done in rejecting virtually every single
application for charter school collocation?

SENATOR HOYLMAN: Through you,
Mr. President. I think that it's obviously a
complicated issue when you're weighing resources
and trying to determine whether collocation is
acceptable or not. I hear from my
constituents -- and I'll tell you this, I don't
know how many charter schools the sponsor has in
his district. He can explain that, I guess, in a
minute when I'm returning to asking questions.

But I'll say this, that it is
incredibly disconcerting for my constituents who
have students in a traditional public school that
is collocated with a charter school, to see that
the charter school students walk up a different
set of stairs, to see that the charter school
students may have a yoga studio and they have to
double up their lunchroom, to see that the
charter school students may have a fancy,
well-appointed playground and they have to use an
old schoolyard.

So it's the resource question that
is fundamental. And that's why we should be
providing the same amount of scrutiny and
accountability and transparency to our charter
school system, which we agree is part of our
public school system.

So the real question, though, is
whether we are extending mayoral control. It is
a diversion to talk about charter schools.
Charter schools have been a part of the New York
City school system for years, but the issue at
hand is three proposals before us on extending
mayoral control.

So I think, you know, what -- you
know, what make this year's -- if I may ask the
sponsor a question.

SENATOR FLANAGAN: Absolutely.

SENATOR HOYLMAN: What makes this
year's consideration of an extension of mayoral
control any different than previous years, where
this body willingly and enthusiastically extended
the provision for mayoral control under Mayor
Michael Bloomberg for seven years at two
different times? Why is this year different than
any other year?

ACTING PRESIDENT GRIFFO: Senator
Flanagan, do you yield?

SENATOR FLANAGAN: Yes, I do.

If I am wrong, Senator Hoylman, I
will stand corrected. I don't believe we've
extended mayoral control for seven years at any
time. I believe that we extended it for --

SENATOR HOYLMAN: Sorry, six.

SENATOR FLANAGAN: Okay. But if
we're going to facts, I have been here long
enough to understand and know that there was no
unmitigated willingness and enthusiasm to extend
mayoral control after its first permutation.
There were hours and hours and hours and hours of
hearings at the time. And there were changes
made. Many of those changes came from Senate
Democrats who believed that the present system
was not working the way they wanted.

So willingness and enthusiasm -- you
know, when we have dealt with the City of
New York and the mayor in particular, Senator Marcellino chairs the Education Committee, Senator Young chairs the Finance Committee. We have actually had a deliberative process which is known as the public hearings throughout the budget. Senator Krueger has spent many, many, many, many hours listening to public testimony, not only on education.

But I believe that we have extended mayoral control, and we've kept it on a tight time frame because, frankly, some of us, myself included, are not -- I don't think we have a level of confidence that you do in the present administration in terms of what they're doing. And we can have a philosophical difference, but we have -- no one can suggest for a moment that we have not extended mayoral control, because we have. It may be shorter than some people want, but that's what we ended up enacting, in concert with the Assembly and the Governor.

SENATOR HOYLMAN: Would the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: Senator Flanagan, do you yield?

SENATOR FLANAGAN: Yes.
ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR HOYLMAN: I just heard the sponsor say that he doesn't have the same level of confidence that I do in the mayor of the City of New York. But I did want to ask him about the statistics that the City of New York has -- the school system has demonstrated in terms of mayoral control and its effectiveness. The graduation rate is 72.6 percent, the highest it's ever been, even under the previous mayor. The dropout rate is 8.5 percent, the lowest it's ever been. The highest-ever postsecondary enrollment rate is current, 55 percent under the Class of 2015. The highest-ever number of New York City students are taking and passing advanced placement exams in 2016, with an 8.4 percent jump. Test scores are increasing steadily. For the first time, English test scores are better than the state's. Crime in the school is at historic lows. The highest number of arts teachers in 11 years. Hundreds of new guidance counselors. The department has opened up 88 new bilingual programs. The results seem to speak for themselves.
I want to ask the sponsor, why does he not have confidence in the mayor's control of the public school system with those tremendous results, some of which I have read to you?

ACTING PRESIDENT GRIFFO: Senator Flanagan.

SENATOR FLANAGAN: Thank you, Mr. President.

Senator Hoylman, I think we're going to have a difference of opinion. I'm going to give a couple of examples. I'm not going to assert numbers, and frankly I'm not going to quibble with what you just outlined.

If I look at how things have been done through the budgetary process and thereafter, I want to know where the money is going. I want to know is it being spent in schools where there's a higher proportion of homeless students, ESL, students with disabilities, all those factors. And frankly, the administration has been quite slow and recalcitrant, in my opinion, in providing us information, and it took a lot of work to get stuff -- and by the way, let me be clear, not only from my Republican colleagues but my
Democratic colleagues, both in the Senate and the Assembly.

I'm just giving you an unvarnished opinion. I'll leave the names out to protect the innocent. I don't think there's a whole bevy of people saying, By golly, this administration has been so incredibly forthcoming; whenever we need stuff, we get answers.

And by the way, you asked me about charter schools. For my own districts, I ask questions all the time. I look at indices of poverty, I look at ESL, I look at graduation rates, I look at work after high school, employment after high school, college after high school. So I'm not isolating this to the City of New York.

But when we have this magnitude of authority and discretion that we have to deal with, as I said before, I'm not going to apologize, nor should I think anybody would have to, for asking these questions.

So fundamentally, again, I believe in mayoral control. Am I thrilled with the job that I would believe that Mayor de Blasio has been doing? No. And you're going to absolutely
disagree with me, but that's why we have this deliberative process.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: Senator Flanagan yields.

SENATOR HOYLMAN: Thank you. Through you, Mr. President.

So I have a letter that the sponsor sent to the mayor requesting specific information about results and data and saying that the lack of detail in New York City on how New York City spends -- referencing what the sponsor just said -- almost $9 billion provided to it by the state has been one of the key determining factors in a short-term extension of mayoral control. That was sent May 22, 2017.

But I ask the sponsor, why then, if he wants more information for this body, didn't he link an extension of mayoral control to more data or to data that perhaps he and his conference, you know, could use? Why link it to issues like charter schools? If it's about the data, then link mayoral control to the data.
SENATOR FLANAGAN: Mr. President, through you. Senator Hoylman, this is where we have a difference. All I'm focused on is the students. The data is helpful, but this is about the kids, plain and simple.

And why did I not link -- and by the way, this is not me, this is our conference talking about these issues. Why did we do this? Some of the things that we asked from --

SENATOR HOYLMAN: Yes.

SENATOR FLANAGAN: Some of the things which we asked the City of New York for, they were obligated to do by law, and they didn't. And they were Obligated to present it in certain forms, and they didn't.

So if I'm going to go back and say, hey, Template A was supposed to be used and you decided that B was better because that's what you liked, I'm going back and say, you'd better give me A. You'd better give it to us so we can discern what it means to the constituents that our members represent, as well as you and your own members.

SENATOR HOYLMAN: Will the sponsor continue to yield?
SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Well, I've spoken to the City of New York, and they say they have provided you with all the information that you requested in various formats. It's over 7,000 pages of data.

But I'll continue to ask the question as to the two different -- well, I think it's three different parts of the law -- two different parts of the law that we're addressing here in connection with this mayoral control extension. Education Law Sections 2851 through 2857; Finance Law Section 179-q.

The question I have is what happens on June 30th if we don't renew mayoral control? Has the sponsor considered that?

SENATOR FLANAGAN: Mr. President, if I may. Frankly, I'm confused. Senator Hoylman made reference. Are we talking about the bill that's before us? So the sections you're referencing are on Bill 6567?

SENATOR HOYLMAN: Yes.

SENATOR FLANAGAN: Okay. And, you
I'm going to put this in a positive vein. I'm going to assume to a degree -- assumptions are always dangerous -- that your question is somewhat rhetorical. Because have I contemplated what would happen? As I've had discussions with Senator Lanza, Senator Felder, Senator Golden about what it means not to have mayoral control, you're darn right I have. Darn right I have.

And by the way, there are some people sitting on this side of the room who I know -- I know, because I've had some of the those personal conversations -- they'd like to see mayoral control go away. They'd like to see some reversion back to the way things used to be. I'm not opining one way or the other as to the value of that, but I know there are members who want -- Senator Klein, while he's not here at the moment, wants different parental reforms.

And yes, I believe -- I may be off by a hair again -- that if we lost mayoral control -- and let me be really clear. I believe we can have mayoral control before we leave here on June 21st. And for anyone who's listening, we're leaving June 21st. And if that doesn't get

Kirkland Reporting Service
me a round of applause, nothing will.

(Laughter; scattered applause.)

SENATOR FLANAGAN: But in all --

Senator Hoylman, in all sincerity, they would return -- and I'm going to -- it may be a tad inartful, but we would in essence revert back to an old system and there would have to be a series of elections in November with community boards. And I think the number that I heard is about 243 or thereabouts. And I've had legislators come to me and say that would be awesome. That would be awesome.

I believe in mayoral control. I want the buck to stop at somebody's desk. And if things are going well, as you touted, then whomever is sitting in that office deserves the credit. If things are not going well, they should be shouldering the blame.

SENATOR HOYLMAN: Would the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR FLANAGAN: Yes.

SENATOR HOYLMAN: So what does happen is the Board of Education is revived, it's
a seven-member board with two appointments by the mayor, five by the borough presidents. In May 2018, the community school boards would reawaken, elections would be held among 32 school districts, they'd appoint superintendents. The chancellor would lose her job, and the board would have to appoint a new one.

I guess the question is, why are we risking the level of confusion and uncertainty -- if you run a business, as I know many of my colleagues have done, predictability is one of your North Stars. Why don't we have that kind of predictability and certainty in government so we can build confidence among our citizenry? Why are we leaving this (a) until the last minute and (b) being hung up on issues that we disagree, arguably, are related or unrelated to the bigger picture, which we agree on is the extension of mayoral control?

SENATOR FLANAGAN: So I'm thinking about what you're saying. And I'm going to reiterate -- and if I do it 5,000 times, that's fine. I believe we can still have mayoral control before we leave here. Your hypotheticals and your facts about what happens thereafter I
respect, but I'm focusing on the here and now.

And as everyone knows in this room,
while we essentially have six days left of
session, that in most other worlds could be about
17 years. There's a lot of work that happens in
the latter part of the stages of session.

So when I look at this, if people
want to be critical, so be it. People want to
say it's ridiculous that you have three bills,
that's fine. That's their interpretation. No
one can say that we haven't put options on the
table.

And now, Senator Hoylman, I'm going
to make a major distinction. We have three bills
right here before us that involve children,
students, the City of New York, mayoral control,
and the well-being of all kids who are attending
school in the City of New York.

And I always say -- I see Senator
Robach; if things are going well for the children
in the City of New York, that bodes well for
Rochester. If you're in the Southern Tier and
you're out by Fred Akshar and things are not
going well where he is, that affects the children
in the City of New York. It's all one team.
Unlike the Assembly -- unlike the Assembly, Senator Hoylman, we've packaged three bills and every component of these bills has to do with education of students all across the State of New York and in the City of New York.

The Assembly -- you all know this -- the Assembly said about a month ago -- I got beaten about the head, which is fine. I got beaten about the head because they said I was bringing up charter schools and was castigated for having any linkage. The Assembly said: Absolutely not. No trades, no nothing, we're not doing that. This is about the mayor and mayoral control, and that's it. Poof.

About a week later, the Assembly comes out with a mayoral control bill for two years that links it to sales tax extenders all across the State of New York, potentially hanging up a number of people who serve in this room who need revenue for their local municipalities and local governments.

I'll take every ounce of criticism that's leveled at what we're advocating. But the one thing I know, all of this is about education of children.
SENATOR HOYLMAN: Will the sponsor continue to yield?

ACTING PRESIDENT GRIFFO: Senator Flanagan, do you yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: I appreciate the fact that the sponsor has had -- had had hearings last year before the one-year extension of mayoral control. No hearings this year. I was wondering why.

SENATOR FLANAGAN: Senator, if you would repeat that, I apologize.

SENATOR HOYLMAN: I appreciate the fact that you had hearings last year before we extended mayoral control for one year, and I was curious to know why you did not hold any hearings this year on mayoral control.

SENATOR FLANAGAN: Well, I believe mayoral control was discussed at length in the context of the budget process and the hearings through the finance committees. The mayor appeared, as he does, at the Local Government hearing, and there were conversations that took
place on that.

And we're going to have a qualitative difference. I can just tell you that I'm only speaking for myself personally. On an issue of this magnitude, the first real conversation I had with the mayor on this subject was in the latter part of last week. If this is the be-all and end-all, you know, waiting four months to pick up the phone? Maybe not the smartest thing to do.

    SENATOR HOYLMAN: Will the sponsor continue to yield?

    SENATOR FLANAGAN: Yes.

    ACTING PRESIDENT GRIFFO: The sponsor yields.

    SENATOR HOYLMAN: The reference to the phone was the mayor calling -- not calling you? Is that -- I'm sorry, I missed -- I didn't understand that last response.

    SENATOR FLANAGAN: Senator Hoylman, I have -- since the budget process, I have not had one conversation with the mayor about mayoral control until last week. But I want to -- you know what? We're going off track here.

    This is about getting something
done. It's about getting something done. It's about doing things that are good on behalf of children. The mayor and I had a very cordial conversation last week. Yesterday, because we got caught up in the work we were doing here, I missed a phone call that was supposed to happen. I have a scheduled call with him today. I'm laying it all out so everyone knows. I'll sit down, I'll meet, I'll talk, I'll go through all this stuff.

But you're asking, so I'm explaining. You know, I thought there was extensive conversations during the budget process. We did not have hearings. But there were certain things that the city was obligated to do by law, and they did not get it done in a timely fashion. And even when it came, as I said before, it wasn't in a form that was particularly helpful.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Thank you.
I wanted to make sure the sponsor was aware of the business community's support for a lengthy extension of mayoral control, writing -- a group of 100 CEOs signed -- not all of them, certainly, fans of Mayor de Blasio -- signed a letter saying that mayoral control {reading} has restored the confidence of employers in our city school system.

{Reading.} They released a letter signed by more than 100 CEOs of major businesses urging the Legislature to extend mayoral control on its current terms. The signatories are not necessarily Democrats nor fans of Mayor de Blasio, they are advocates for a well-run public system. We hope the Legislature appreciates the importance of this issue to rise above politics and extend mayoral control for at least three years.

Were there any recommendations from the 2016 hearings that you held or from the finance hearings that you say where we discussed mayoral control that are in any of these three proposals or the one that we're discussing now?

SENATOR FLANAGAN: Mr. President, I think there were two questions. You asked about
whether or not I was aware of the support of the
business community. The answer is yes.

SENATOR HOYLMAN: Oh, this -- would
the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR HOYLMAN: Sorry about that.

Were there any recommendations from
your hearings in 2016 or your finance hearings
that are incorporated in the three versions -- or
the first version that you and I are discussing
now?

SENATOR FLANAGAN: Yes.

SENATOR HOYLMAN: Would the sponsor
continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR HOYLMAN: Could the sponsor
elaborate, please?

SENATOR FLANAGAN: I think I've
spoken to it at least three or four times
already. We made changes in the law that asked
for further disclosure and more detail from the
City of New York, which is pertinent to how money is being spent and if it's being spent properly.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: I don't believe that provision is in this bill, the bill that you and I -- the first one that we're discussing. Am I incorrect?

SENATOR FLANAGAN: You asked me a question about whether we did anything based on the hearings that have taken place in the past. The answer is yes. And that was part of the budgetary process. There were changes made to the law that are fundamentally linked to the issues that we're discussing. So we took action based on what took place in those hearings.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.
SENATOR HOYLMAN: I wanted to ask a few questions about the charter provisions in S6567. You and I disagree, as we’ve established, on whether they should be connected at all.

But do you know how many charters have-- there’s a provision about allowing charters to be closed -- to be reissued without being counted toward the cap. Can the sponsor explain the rationale behind that?

SENATOR FLANAGAN: Through you, Mr. President. Yes. The rationale is we -- again, I'm going to go back. There's over 100,000 kids who are in charter schools, over 40,000 who are on waiting lists. We want to make sure that we provide the ultimate amount of flexibility and options for parents who are trying to do the best by their children.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Thank you, Mr. President.

The other -- another provision
extends the window that a charter may apply to change its chartering entity from one to two years.

What's the purpose of a charter school changing its chartering entity? Like, is there -- in the sponsor's mind, is there a qualitative difference between applying to the Department of Education or the Board of Regents versus SUNY?

SENATOR FLANAGAN: I don't know if there's a qualitative difference. It provides an option that can make things more timely, and that's just a function of listening to people who are in the field and trying to figure out what's the quickest and most efficient way, with appropriate oversight and regulation, to make sure that those options are available.

SENATOR HOYLMAN: Will the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: On the provision that changes the charter teacher certification, I wanted to understand why you -- why the sponsor's
bill changes the number of years from their start
date to meet teacher certification requirements.
Could the sponsor explain why he makes that
change in the legislation?

SENATOR FLANAGAN: Mr. President,
through you, it's actually quite simple. This is
about making sure you have the best and most
appropriate teachers in front of any classroom,
charter school or traditional public school.

We have made amendments to the law
for, quote, unquote, traditional public school
teacher certification. We have an extensive time
period under which people can seek their
certification. We have a waiver and an amendment
process that can elongate that process.

I don't care if it's STEM, English,
arts, music, history, whatever it is; if I listen
to people in the field, whether it's NYSUT or UFT
or school boards or superintendents, they come to
us and say, These changes in the law would help.
That's why it's in there.

SENATOR HOYLMAN: Through you,
Mr. President, would the sponsor continue to
yield?

SENATOR FLANAGAN: Yes.
ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: Are charter schools having a difficult time recruiting teachers? Is that part of the rationale?

SENATOR FLANAGAN: No.

SENATOR HOYLMAN: Would the sponsor continue to yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR HOYLMAN: The language in the bill allows teachers employed by a high-performing charter school with a, quote, rigorous teacher training program to have three years from the start date to meet their teacher certification requirements.

Where is "high-performing charter school" and "rigorous teaching teacher training program" defined? How is it defined? I couldn't find reference to it.

SENATOR FLANAGAN: I think that will be interpreted by the State Department of Education.

SENATOR HOYLMAN: Will the sponsor
continue to yield?

    SENATOR FLANAGAN: Yes.

    ACTING PRESIDENT GRIFFO: The sponsor yields.

    SENATOR HOYLMAN: Thank you.

    I guess my final question is about New York City and its ability to self-govern. Where else in the state do we require Albany's assent for a local matter on public edu -- the appointment of a chancellor, for example, in our public education system? Why is New York City being singled out on this issue?

    SENATOR FLANAGAN: Senator DeFrancisco just reminded me of something so incredibly simple. The city asked for mayoral control. Not everyone wants mayoral control.

    And there are hundreds, hundreds of examples. And we will have a bevy of local bills between now and the end of session that deal with management of local school districts for which we have oversight and regulation. There will be transportation forgiveness contracts. There will be a whole litany of legislation that properly understands the role that we play in overseeing education and educational policy in the State of
SENATOR HOYLMAN: Thank you.

On the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hoylman on the bill.

SENATOR HOYLMAN: I want to thank the sponsor sincerely for his responses. We have established many differences on this issue.

Again, I address this primarily as a parent in the public school system, as someone who interfaces, you know, on every day I drop my daughter off at school or go to a PTA meeting or pick her up in the yard, the confusion that exists among my fellow members of the parent community about the direction of the New York City public school system. We have these results, which I relayed.

Again, just to take another, the highest-ever percentage of high school juniors taking the SAT; currently, in the New York City public school system, 52 percent. Test scores increasing steadily. The highest-ever college readiness rate -- 37 percent of all students and 51 percent of graduates in the Class of 2016 graduated high school on time and met CUNY
standards for college readiness in English and math.

And what's interesting is that the sponsor isn't disputing the evidence. The sponsor isn't saying that mayoral control isn't working. The sponsor isn't saying that New York City schools are not on the right path. Quite the opposite. The sponsor agrees that mayoral control should be extended, as I understand it.

It's just what bells and whistles get attached to it and what we can use, apparently, to leverage the extension of mayoral control to win other issues, whether it be charter schools or a tax credit for private institutions.

I think it's fundamentally wrong and cynical, frankly, to link an issue that has widespread support in this chamber to issues we know are controversial, not only in this house but especially in the Assembly.

Calling our kids a political football in this scenario is actually an understatement. They are being used as almost human shields to battle, to do battle with our colleagues on the other side of the Capitol. I
really take umbrage with that because mainly, as I said, I'm a parent with a child in the public school system.

And let's talk about the chaos that this is engendering. There's not just confusion on the playground among my parent community; you've got business leaders saying, What are they doing up in Albany? Why are they questioning probably the most uniformly lauded change in government in the last decade and saying that it perhaps should be either extinguished or severely curtailed? That doesn't make sense to business leaders. And I don't blame them, because we have the statistics that show mayoral control is working.

And then it's the issue of self-governance. I mean, look, saying it's always been done that way isn't an excuse for continuing to do it that way. The fact that New York City had to come to Albany to ask for mayoral control is actually part of the problem. New York City should be able to -- the mayor of New York City should be able to appoint, you know, his or her own chancellor without having to jump through flaming hoops here on the floor of
the Senate chamber in order to get that done.

I'll also say that the chaos that we're engendering is due to the fact we have three different bills before us. I mean, I think it's kind of crazy to an outsider to see that we're presenting this buffet table of options for our colleagues in the other house, rather than actually sitting down with them and hammering out a bill that works for our schoolchildren.

Look, I really appreciate the sponsor's responses. But if our colleagues across the aisle support mayoral control, let's get it done. Let's extend it for three years, as has been proposed. Let's not weight it down with issues that have nothing to do with the issue at hand, issues that aren't relevant to whether the mayor is performing well.

If you have problems about the data -- as the sponsor apparently does -- being provided to this chamber, then why not build in a provision in the extension of mayoral control that actually addresses that issue, rather than complain about it, write letters, and then present bills that don't address it?

I'm mystified by the approach that
our colleagues are taking on mayoral control. We have a proven success story here in the state.

We have people who disagree with the current mayor on a number of issues, but yet they all seem to agree that he's managing the school system well. And if they don't, they can at least take comfort in the fact that the statistics suggest he is.

So I'm despondent, a little depressed that this is the way we do business in this chamber. That rather than forge an agreement with the city and our colleagues in the other chamber, we are indeed using kids, New York City public schoolkids, my daughter, as a proxy for political warfare.

So I'll be voting in the negative, Mr. President. But I'll be interested to hear from the sponsor and from my other colleagues on this issue.

Thank you.

ACTING PRESIDENT GRIFFO: Seeing and hearing no other Senator that wishes to be heard, the debate is closed and the Secretary will ring the bell.

Read the last section.
THE SECRETARY: Section 6. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Montgomery to explain her vote.

SENATOR MONTGOMERY: Yes, thank you, Mr. President.

I am voting no on this. I'm voting no on the process.

But I rise to remind my colleagues that I predicted so many years ago that this was a bad idea, that this would politicize education in the City of New York forever. And here we are debating whether or not the 1 million children in the City of New York should be subjected to us having this kind of debate where --

ACTING PRESIDENT GRIFFO: Excuse me, Senator Montgomery.

Can I have some order in the house.

SENATOR MONTGOMERY: -- where we conflate one issue which has nothing to do with mayoral control, and that is charter schools.

We should be having a debate, a
discussion about the meaning of charter schools, which is not supposed to be another system. It's supposed to be a program within the public education system. But that's neither here nor there.

Mayoral control means that we politicize education. And who suffers from that? Who suffers from this madness of this debate up here? Not -- all due respect to Senator Flanagan, I don't think you did this by yourself. But all of those years ago, I knew that this would happen. Because this is what happens to everything that we touch. It becomes a political football for people -- your side, my side, up, down, up north, down south, the city versus everybody else, whatever.

So I am so upset that this has come to the place where it is, where we're talking about what happens, providing stability for the 1 million children in the City of New York. Shame on us. We should not be doing this. It's a bad process. I vote no because it's the wrong thing to do to those children in the City of New York.

I vote no, Mr. President.
ACTING PRESIDENT GRIFFO: Senator Montgomery to be recorded in the negative.

Senator Savino to explain her vote.

SENATOR SAVINO: Thank you, Mr. President.

First I want to thank Senator Flanagan and Senator Hoylman for that debate.

You know, I am still young enough that I remember a lot. I remember when mayoral control was first proposed by Mayor Giuliani and didn't get anywhere. I remember when mayoral control was proposed by Mayor Bloomberg and it was roundly criticized by I think every Democrat in the State of New York, certainly every Democrat in the City of New York. I remember when mayoral control came up for extension when the Democrats held the majority and how contentious it was then. And all of the changes that we wanted to see in mayoral control, suddenly nobody wants to see because we have a different administration. I remember every hypocritical position on mayoral control.

I'm going to vote for this bill and every other bill that comes before us today, and I'm going to tell you why. Because I do think
mayoral control does work, but I do think it needs to be changed. I also support charter schools. I believe in parental choice. I believe in our Catholic school system. I've said that on the floor many times.

But you know, I got a bunch of memos and letters -- and I'll try and do this as quickly as I can. I got a letter from the congressional delegation -- they even got my own congressman, Danny Donovan, to sign onto it -- begging me and every one of us to pass mayoral control, it's so critically important.

I got letters from labor leaders saying that if we don't pass mayoral control, I think the world will end and the children will die. I got letters from business leaders saying we absolutely must do this.

So you know what? All of these people must be pretty smart. They come from different walks of life. They all believe that mayoral control is the most important thing that we have to do.

We have three bills before us today. I don't know which one is going to be the one that the Assembly likes. Maybe none of them
will. But I think that mayoral control is so important, because all of these people keep telling me it's so important, I'm going to vote for every mayoral control bill that comes through here until we get it right.

    Thank you, Mr. President.

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

    Senator Parker to explain his vote.

    SENATOR PARKER: Thank you, Mr. President, to explain my vote.

    First let me also thank Senator Flanagan for his work, not just on this issue but on education. He's somebody who prior to becoming the leader of the chamber chaired the Education Committee for a significant amount of time and always was somebody who kind of fought for the children and fought to make our system better.

    And so I certainly understand where he's coming from with this bill. I disagree with the approach of combining mayoral control with the issues around charter schools. I'm definitely pro-charter school. I think that we don't necessarily use them in the right way. And
I think there's lots of things that we could do to make them even better in terms of serving our children.

Charter schools should be laboratories in which we take the best educational practices and then generalize them to the entire system to make the system better. We have not done that. I'm hoping that going forward that we'll get to that place. But certainly the notion of expanding the cap is something that I think separately I could vote for.

There is a bill that already was passed as relates to mayoral control in the Assembly. I'm going to urge this body to take this bill up and pass it as soon as possible so that mayoral control gets done.

Again, it is, you know, kind of the height of a contradiction to be for mayoral control when Bloomberg was the mayor and, now that de Blasio is the mayor, to not be for mayoral control.

We should not do a two- or three-year extender, we should just make mayoral control permanent. I certainly agree with
Senator Hoylman, who believes that mayoral
control should be the purview of the City Council
in New York City and not the State Legislature.

And so on those bases, I vote nay.

ACTING PRESIDENT GRIFFO: Senator Parker to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1506, those recorded in the negative are Senators Addabbo, Alcantara, Bailey, Benjamin, Breslin, Brooks, Carlucci, Comrie, Dilan, Gianaris, Hoylman, Kaminsky, Kennedy, Krueger, Latimer, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins.

Absent from voting: Senator Díaz.


ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1507. The Secretary will read.

THE SECRETARY: Calendar Number 1507, by Senator Flanagan, Senate Print 6568, an act to amend the Education Law.

SENATOR GIANARIS: Lay it aside.
ACTING PRESIDENT GRIFFO: Lay it aside.

The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1507, by Senator Flanagan, Senate Print 6568, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Again, I'm going to ask for some order in the house. There are a number of things taking place right now, and I'd ask that the conversations could take place outside the chamber.

Senator Squadron.

SENIOR SQUADRON: Thank you, Mr. President. If the sponsor would yield.

ACTING PRESIDENT GRIFFO: Senator Flanagan, do you yield?

SENIOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENIOR SQUADRON: Let me open by saying when you became leader of your conference, I congratulated you. I also breathed a sigh of relief that I would never be debating you again on the floor.
(Laughter.)

SENATOR SQUADRON: So I am sorry to see you here, though I do appreciate it very much, and I think you'll understand.

SENATOR FLANAGAN: Is that a backhanded compliment or something like that?

SENATOR SQUADRON: I think it was just a compliment.

SENATOR FLANAGAN: Happy to engage in the discussion.

SENATOR SQUADRON: I think it's going to be downhill from here.

(Laughter.)

SENATOR SQUADRON: But if the sponsor would yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: How is this bill different from the prior bill that was taken up?

SENATOR FLANAGAN: This is a two-year extension.

SENATOR SQUADRON: If the sponsor will continue to yield.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

    SENATOR SQUADRON: Are there any
other differences between this bill and the
prior?

    SENATOR FLANAGAN: No.

    ACTING PRESIDENT GRIFFO: Senator
Squadron? He said no.

    SENATOR FLANAGAN: Oh. Senator
Squadron, I apologize. I made a mistake. On the
ability to differentiate, where you seek to get a
charter, this bill is different. It's two years,
and that makes that option permanent. It does
not extend it for one year.

    SENATOR SQUADRON: If the sponsor
would continue to yield.

    SENATOR FLANAGAN: Yes.

    ACTING PRESIDENT GRIFFO: The
sponsor yields.

    SENATOR SQUADRON: Is there any
alignment in time period between the length of
this extension and that change in the authorizing
entity?

    SENATOR FLANAGAN: Yes.

    SENATOR SQUADRON: If the sponsor
would yield, what is the alignment?
SENATOR FLANAGAN: I think when we are looking to do things, we have a menu of options here, as has been discussed. And I know we have a third bill that goes on to five years. And it's our contention that if we're going to be extending things, that we want to provide other options. So it's a legislative prerogative.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: It's absolutely a legislative prerogative to put forward any bill, and certainly the leader's prerogative under the rules of the house. I just want to sort of be clear that I'm not missing a policy linkage between an extra year of mayoral control authorization and a permanent authorization for charter schools to apply to different authorizing entities.

SENATOR FLANAGAN: I'm sorry, is the question is there a policy linkage?

SENATOR SQUADRON: Right.

SENATOR FLANAGAN: Yes.
SENATOR SQUADRON: If the sponsor would yield and explain it.

ACTING PRESIDENT GRIFFO: The sponsor yields. And he's asked for an explanation of that.

SENATOR FLANAGAN: Senator Squadron, as I had just described, anyone can introduce pieces of legislation. There are thousands of bills introduced by you and other members in this house.

I put this legislation in. And yes, there's a policy linkage between the length of the extension and making that choice. That's why we have three bills.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: Did the sponsor support the extension of mayoral control in 2009 for a six-year period?

SENATOR FLANAGAN: Senator Squadron, you have now vexed me with that question. I -- because I know if I give the
wrong answer, it will be tweeted out in five seconds.

I have to apologize. I don't recall. I do remember how many debates there were on a lot of the issues that were out there, but I am sure that that will be fact-checked by our staff instantaneously. So I reserve the right to amend my answer.

SENATOR SQUADRON: Actually, while we're checking that, if the sponsor will continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: Were there -- by the way, my strong recollection, but I much prefer the fact-checking of the staff on both sides of the aisle, all sides of the aisle, is yes. As did I.

But moving on to the second point while we fact-check that --

SENATOR FLANAGAN: You know, 2009 was kind of a fuzzy year, so I just have to -- I've got to check a few things out.

SENATOR SQUADRON: That extension
was complicated.

SENATOR FLANAGAN: The answer is, Senator, I voted yes.

SENATOR SQUADRON: Thank you very much.

SENATOR FLANAGAN: Just to prove that I do support mayoral control.

SENATOR SQUADRON: As did I.

Were there charter provisions in that bill, to the sponsor's recollection?

SENATOR FLANAGAN: I believe yes. Do I know the exact content of it? No. And if I'm wrong, I'm sure you'll correct me.

SENATOR SQUADRON: I don't believe there were in that bill. There were a lot of discussion of charter schools that year out of mayoral control. I believe that there were some changes made to the mayoral control law to strengthen parent input and create some new processes, but that charter schools themselves were not dealt with in that legislation.

And does the sponsor recall -- this is an easier one -- who the mayor was at the time?

SENATOR FLANAGAN: I'm sorry?
SENATOR SQUADRON: Who the mayor of the City of New York was at the time in 2009.

SENATOR FLANAGAN: Mayor Bloomberg.

SENATOR SQUADRON: How long an extension -- because as the sponsor has mentioned, he's put forward a menu of options here. Just on the question of mayoral control, in an ideal world, how long an extension does the sponsor support now?

SENATOR FLANAGAN: In an ideal world I would have gotten a lot more answers to pertinent questions that are relevant to many of the members on both sides of the aisle in this house.

So if one -- I'll tell you what. When I see the ideal world, then I can give you a better answer.

SENATOR SQUADRON: If the sponsor would continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: In the actual world, what is the length of time that the sponsor thinks is the appropriate period of time
for mayoral control to be extended?

SENATOR FLANAGAN: Senator Squadron, I want to say this as respectfully as possible. You know the answer to that question, because we have three pieces of legislation right here. One year, two years, five years, all with different policy considerations and implications.

And as I said to Senator Hoylman before, if someone wants to castigate me or any of our colleagues for advancing that stuff, that is absolutely your prerogative. So unlike a lot of other people, I actually put bills on the floor.

SENATOR SQUADRON: Unlike a lot of other people, you have --

ACTING PRESIDENT GRIFFO: Senator Squadron.

SENATOR SQUADRON: -- the right under the --

ACTING PRESIDENT GRIFFO: Senator Squadron --

SENATOR SQUADRON: -- the rules to decide what bills come to the floor.

ACTING PRESIDENT GRIFFO: Senator Squadron --
SENATOR SQUADRON: But if the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: Senator Squadron, are you asking the Senator to yield?

SENATOR SQUADRON: Yes.

SENATOR FLANAGAN: Yes, I will.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR SQUADRON: So then I should take the bills at face value to understand that the sponsor supports a one-year extension of mayoral control provided only that the limit of 50 charters in New York City is lifted, and that there's a two-year window for charters to change their chartering entity; that the sponsor supports a two-year extension of mayoral control if that window is made permanent; and, from the bill that will be before us later, the sponsor supports a five-year extension of mayoral control if, in addition to those changes, there is also a so-called education tax credit. And that the sponsor doesn't have any position on the length of mayoral control absent those other issues.

SENATOR FLANAGAN: Mr. President,

I'm not really sure I have a proper answer to
that question. I don't know how it could be any
more evident. You see a one-year bill, you see a
two-year bill, a five-year bill.

And by the way, I just proved -- we
just proved I'm not the only one that supports
it. I listened to the eloquence of Senator
Savino and my colleagues who supported the last
bill. So this is not like the Flanagan personal
legislative agenda. This is about what are we
doing for the City of New York mayoral control
for 1.1 million students.

If someone else wants to put in the
a bill to make it permanent or seven years, I
highly doubt that there are going to be a lot of
people who support just a permanent extension of
mayoral control, because I know members who have
deep-seated concerns about the present status of
the educational system in the City of New York.

SENATOR SQUADRON: If the sponsor
would continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR SQUADRON: Does the sponsor
believe that mayoral control -- that the wisdom
of mayoral control has been called into question by the current administration?

SENATOR FLANAGAN: Mr. President, I frankly don't understand the question.

SENATOR SQUADRON: I'll restate it. I guess on the same question.

Does the sponsor believe that there's a crisis in New York City right now that would justify the ending of mayoral control?

SENATOR FLANAGAN: First of all, it depends upon how one defines crisis. Do I think there's a crisis? No. Do I think there are missed opportunities and failures? Absolutely.

And it's astounding to me that I'm listening to these purported thoughts about the end of mayoral control. We're passing bills to extend it. I don't know how much clearer it can be.

If people don't want to agree with our positions, so be it. But anyone who walks out of here and says we're trying to end mayoral control obviously knows nothing about the legislative process.

SENATOR SQUADRON: If the sponsor will continue to yield.
SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: Are there provisions in this bill that apply to charter schools -- not to mayoral control -- that are so critical they are worth losing mayoral control over the course of the next five days?

SENATOR FLANAGAN: I just completely disagree with the premise of the question. The legislative content -- the bill is easy to read, it's straightforward. There's nothing about losing mayoral control. That's what the whole discussion and debate is about.

SENATOR SQUADRON: If the sponsor will continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR SQUADRON: And the sponsor just made this point, but I think it bears repeating, and it's a critically important one. The sponsor just said that we are passing bills to extend mayoral control now. In the prior debate, the sponsor said quite clearly that he
was confident that something will happen between now and June 21st --

ACTING PRESIDENT GRIFFO: Senator Squadron, do you have a question?

SENATOR SQUADRON: I do, yes.

ACTING PRESIDENT GRIFFO: Direct.

SENATOR SQUADRON: These are the underlying facts of the question, Mr. President.

In the prior debate, the sponsor said that he was confident that something would happen before June 21st. Now, yesterday the Daily News reported, quoting a source close to the leader saying that it really may not happen before the Senate goes home. Since there's a different position there than have been in the public sphere, I wanted to give the sponsor and the leader of our house the opportunity to just very clearly tell us which of those two outcomes it is.

SENATOR FLANAGAN: Senator Squadron, this is getting -- I'm going to put it this way. I'm going to answer this question, and if there's other questions like this, I'm just going to stop yielding. Okay?

Unnamed sources? You're talking to Kirkland Reporting Service
me. You're talking to me as a colleague and a
member of this house. And I'll put it in jocular
terms. You're talking to the horse. You'll
figure out what part of the horse you're talking
to, but you're hearing it right from me.

As I said very firmly before, we
have not failed to do the people's business. We
have extended mayoral control. In the last two
years, a one-year extension. We have proven that
we believe in mayoral control and that we will
extend it under the right circumstances.

I am fully prepared to sit down and
negotiate with the mayor, with the Governor, with
Senator Klein and Speaker Heastie, to get this
done as part of the people's business.

SENATOR SQUADRON: If the sponsor
would yield for another question.

SENATOR FLANAGAN: Yes.

SENATOR SQUADRON: Thank you.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR SQUADRON: Is -- does the
sponsor believe that there is a policy benefit to
having annual expirations and extensions of
mayoral control from an educational point of
view?

SENATOR FLANAGAN: Yes. Yes, I do.

SENATOR SQUADRON: And if the sponsor wouldn't mind explaining that a little bit, I'd appreciate it. If the sponsor will yield.

SENATOR FLANAGAN: I just did.

That's my opinion, and it's -- by the way, it's proven to be the collective wisdom of the assembly, the Senate and the Governor. Because mayoral control got passed for one year by virtue of the people in this body, in the other house, and the Governor.

SENATOR SQUADRON: Thank you very much. I very much thank the sponsor. It's been a long time, and --

ACTING PRESIDENT GRIFFO: Senator Squadron, are you on the bill.

SENATOR SQUADRON: -- it's good to talk.

I am on the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Squadron on the bill.

SENATOR SQUADRON: You know, the challenge here is that of course it's not true
that we had one-year extenders the last two years
because that's what the Assembly wanted.
Certainly it's not true that that's what the City
of New York or the New York City Department of
Education wanted.

What's true is there was a threat
implied, and in many cases said out loud, that
mayoral control itself would expire and New York
City would be sent back to the bad old days
without accountability and a clear governance
structure. And in that context, the Assembly and
the Governor, the City of New York, were forced
by this house to accept a one-year extension.

It's also true that there's never
been a substantive policy argument for why a
one-year extension is critically important or is
an improvement or is better for our schools. In
fact, when the tables were turned, when there was
a different control in City Hall, we got a
six-year extension that was overwhelming
supported by the other conference -- that I also
supported -- and now we don't.

So it's not fair to suggest that a
one-year extension is the collective wisdom of
all of the parties here in our Capitol. It is
fair to say that it's the best New York City has been able to get when threatened with a catastrophic outcome for our 1.1 million schoolkids, included among them my own son, who's at P.S. 29, and for whom the quality of our school system and the accountability of our school system is an issue no less profound than his basic education and our ability to make a life in the city.

It's also a pretty risky game of brinksmanship to say you can get mayoral control, but only if there are really basically unrelated issues that you'll give up.

And there is an important question that we need to understand, that those of us who care about the city, those of us who care about mayoral control need to understand, and it's this. If for some reason we can't get to agreement on the charter provisions -- some are for, some are against, some have questions -- will we lose mayoral control? And why is it that an issue as important as mayoral control to the education of 1.1 million schoolkids depends not on the best length for that authorization to happen from an educational and oversight
standpoint, but on how many boxes get checked on a fundamentally unrelated issue.

    Mayoral control is not an issue that should fall victim to logrolling or horse trading, to use the sponsor's analogy, or any of these other political issues. It is an issue that is simply too important for that.

    But it does appear, from the evidence of what we saw in 2009 and the support we saw, the full-throated support we saw for mayoral control in 2009, the incredible challenge getting mayoral control passed each year since 2014, that this is an issue that is becoming entirely about politics at the cost of a substantive conversation about a very complex question, which is what is the best way to govern the largest school system in our country, larger than many states? What is the best way to govern the school system that's responsible for educating my son and so many others' kids?

    And I know it's Albany, and I know in Albany the negotiation and the deal is paramount. On this issue, I wish that weren't the case, because that's exactly what we're seeing. We're seeing hey, New York City, you get
one year if you give certain things, you get two
years if you give certain other things, you get
five years if you give even more. Not you get
one year if we answer certain policy questions
about mayoral control, you get two years if we
answer other policy questions about mayoral
control, you get six years if we answer a third
set of policy questions.

It's been turned into a political
issue that risks the very well-being of our
school system. That's unfortunately the case. I
do really hope and urge the sponsor and the
leader of this house, who does determine our
agenda, to negotiate with Speaker Heastie and the
Governor and Mayor de Blasio, regardless of
political disagreements, on the best possible
extension of mayoral control itself -- from a
policy point of view, from the point of view of
the New York City school system, from the point
of view of 1.1 million students, from the point
of view of my son and his classmates at P.S. 29,
who will be stepping up from kindergarten to
first grade at 8:30 a.m. on June 22nd.

And I will be there, thanks to the
leader's commitment on June 21st, and I
appreciate that. And I hope that I am there saying we've extended mayoral control and we haven't done it in a tit-for-a-tat or a logroll or a horse trade, we've done it in a way that is best for the students.

This bill does not do that, and I'll vote no, Mr. President.

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

The Secretary will ring the bell.

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hamilton to explain his vote.

SENATOR HAMILTON: Yes, Mr. President, I rise to vote no on this bill.

I heard my colleagues in the Senate talk about the pros and cons of mayoral control, but I haven't heard one sentence mentioned about low-performing schools in minority communities.
In my Brownsville section of Brooklyn, we have schools where only 13 percent of the kids are reading at grade level, but nothing was mentioned about giving more aid to schools that are failing. In some of my schools in Brownsville, we have 51 percent of the kids coming from shelters, but I have heard nothing about giving more funding to those schools.

I heard a lot about charter schools, but we haven't heard anything about progressive schools, progressive schools on the Upper West Side of Manhattan, where you have classes that are predominantly white in schools that are predominantly black that are separated -- sort of like an apartheid system. But we haven't heard about that yet.

So we have gentrification happening in our neighborhoods. We have the most segregated schools in the country -- excuse me, in New York City. But I heard nothing today talking about having segregated schools and how to change that. So right now New York City schools are more segregated than in Alabama, Mississippi, in the places where we thought were the places of slavery in our country. So now we
lead the nation as far as having the most
segregated schools in New York City.

    So I wish we had more conversations
about integrating our schools, more conversations
about fixing failing schools, and stop talking
about mayoral control and charter schools. In
some areas, charter schools are the only option
for parents who feel that their children are
being left out of the American dream. So I wish
we had more discussion about getting funding into
our failing schools and making sure all kids have
the skill sets to be productive in our society.

    Thank you very much.

    ACTING PRESIDENT GRIFFO: Senator Hamilton, how do you vote?

    SENATOR HAMILTON: I vote no.

    ACTING PRESIDENT GRIFFO: Senator Hamilton in the negative.

    Senator Parker to explain his vote.

    SENATOR PARKER: Thank you very much, Mr. President, to explain my vote.

    Once again, I want to thank Senator Flanagan for his leadership on this important
issue. Just like the last bill we voted on, I
think that there's some inherent contradictions
in this bill that force me to vote no, unfortunately.

I certainly want to see mayoral control happen. I think it should be permanent. I think it should be done probably on the city level as opposed to the state level, to take the politics out of it, which is the point that Senator Montgomery made when she explained her vote on the last vote.

And again, no opposition to charter schools or even what we're doing here within the context of expansion of the charter school cap. I certainly would love to vote on that in a separate bill. I think we should bring it to the floor and both deal with our charter schools both around making sure they have enough resources, enough numbers in terms of expanding the system, as well as funding. But that should be a separate issue for what we're currently doing here around mayoral control.

I vote nay.

ACTING PRESIDENT GRIFFO: Senator Parker to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to
Calendar 1507, those recorded in the negative are Senators Addabbo, Alcantara, Bailey, Benjamin, Breslin, Brooks, Carlucci, Comrie, Dilan, Gianaris, Hamilton, Hoylman, Kaminsky, Kennedy, Krueger, Latimer, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins.

Absent from voting: Senator Díaz.

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will read Calendar Number 1508.

THE SECRETARY: Calendar Number 1508, by Senator Flanagan, Senate Print 6569, an act to amend the Education Law.

SENATOR GIANARIS: Lay it aside.

ACTING PRESIDENT GRIFFO: The bill is laid aside.

THE SECRETARY: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1508, by Senator Flanagan, Senate Print 6569, an act to amend the Education Law.
ACTING PRESIDENT GRIFFO: Senator Krueger, before you begin, I'm going to ask again for some order in the house so that we can hear the members.

Senator Krueger.

SENATOR KRUEGER: Thank you, Mr. President. If the sponsor would please yield.

ACTING PRESIDENT GRIFFO: Senator Flanagan, do you yield?

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KRUEGER: Thank you.

So this bill is a continuation of the saga of the last two bills.

SENATOR FLANAGAN: Excuse me, Mr. President, I can't hear Senator Krueger.

ACTING PRESIDENT GRIFFO: Again, I'm asking everyone in the chamber to please take their conversations outside the chamber and that we continue to have some order in the house.

SENATOR FLANAGAN: Thank you.

ACTING PRESIDENT GRIFFO: Senator Krueger, you may continue.
SENATOR KRUEGER: Thank you.

This bill is a continuation of the discussion of the last two bills, and this bill offers a five-year mayoral control extender, after a bill that offered a one-year, then a two-year.

Senator Flanagan, when answering a previous question on the earlier bill, said he brings his bills to the floor. Would Senator Flanagan allow me to bring a bill to the floor that had a five-year straight extender for mayoral control for New York City, since clearly he supports that proposal?

ACTING PRESIDENT GRIFFO: Senator Flanagan.

SENATOR FLANAGAN: Mr. President, we have a deliberative internal process, we have a committee process, Finance Committee, Rules Committee.

Do I believe there should a straight-up five-year extension on mayoral control? No.

SENATOR KRUEGER: Through you, Mr. President. Just to clarify, Senator Flanagan said --
ACTING PRESIDENT GRIFFO: Are you asking the sponsor to yield, Senator Krueger?

SENATOR KRUEGER: I'm asking I think perhaps the President to ask Senator Flanagan to repeat that he says he does not support a straight five-year extender bill. I wanted to make sure I heard him correctly.

ACTING PRESIDENT GRIFFO: Did Senator Krueger hear you correctly?

SENATOR FLANAGAN: Mr. President, I didn't lack for clarity the first time. The answer is the same.

SENATOR KRUEGER: Thank you. Through you, Mr. President, if the sponsor will continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: The sponsor was discussing issues such as collocation of charter schools in the earlier discussion of the bills that are parallel. Can he please point out what section of this bill has anything to do with collocation of charter schools?

SENATOR FLANAGAN: There is none.
SENATOR KRUEGER: Thank you.

Through you, Mr. President, if the sponsor will continue to yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

I think it was brought up, but just to highlight. There were, in 2016, multiple hearings of this legislative body around proposed changes in mayoral control involving parents, teachers, administrators, community leaders, business leaders. Were any of the recommendations that came from those hearings included in any of these three bills changing the rules around mayoral control?

SENATOR FLANAGAN: Senator Krueger, I can't speak to exactly what transpired at those hearings because frankly I was not in attendance. I might have to defer to my learned colleague Senator Marcellino. But I'll put it this way.

What you see in this legislation is a reflection of input from a lot of different groups, publicly, privately. But there has been a considerable amount of discussions and input.

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

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: I thank him for his answer.

Apparently factually there are no changes in these bills relating to mayoral control. So whether or not these hearings had specific recommendations that some people might support or not support, none of that is included, because this is a straight extender bill plus other unrelated things to mayoral control. That's not a question, that was just getting a fact on the record.

SENATOR FLANAGAN: Excuse me, Mr. President. Mr. President.

ACTING PRESIDENT GRIFFO: Senator Flanagan.

SENATOR FLANAGAN: The Senator made a comment to suggest that factually there are no changes to mayoral control. That is completely false. There are aspects of mayoral control in this legislation that affect a variety of
factors. To suggest that factually there's no
changes is just simply a mistake.

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

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR KRUEGER: Could the sponsor
please outline for me the changes to mayoral
control within Bill 6569?

SENATOR FLANAGAN: Yes. In terms
of the chartering entity, we make it permanent.
Teacher certification is for three years. We
make changes to the regional cap. And we have an
increase in charter schools and a tax credit.

SENATOR KRUEGER: Through you,
Mr. President. Perhaps our difference of opinion
is because I don't understand how charter school
standards or an educational tax credit for
private schools --

ACTING PRESIDENT GRIFFO: Senator
Krueger, are you asking a question or are you on
the bill?

SENATOR KRUEGER: I am asking a
question, Mr. President. Through you. I don't understand how changes in charter school cap numbers or educational tax credits for private schools are actually a part of mayoral control. Could the sponsor please clarify for me?

SENATOR FLANAGAN: Yes. I'm going to make two fundamental points.

First of all, with regard to the tax credit, to suggest that it only applies to private entities is again just completely mistaken. Fifty percent of the money goes to public schools. There's a tax credit available for teachers up to $200, and for people who provide home instruction.

And I don't -- you know, maybe -- I don't know how we get around this, frankly. The mayor is ultimately in charge of the well-being of the school system in the City of New York. That includes charter schools. That includes 100,000 children, thereabouts. So if there are problems with things like collocation and finding appropriate space, that's within the purview of the mayor, the New York City Department of Education, and ultimately the State of New York through the State Education Department and the
Board of Regents. They're all interrelated.

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

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR KRUEGER: In his previous
back-and-forth with other colleagues on the
similar bills, the sponsor used the examples of
collocation, he used the examples of the City of
New York being late, perhaps, in the reporting of
the information the Senate asked for and legally
was entitled to.

Just for me to keep track of, do we
require those same kinds of reports and standards
and rules for every other school district in the
State of New York?

SENATOR FLANAGAN: Yes.

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

SENATOR FLANAGAN: Yes, I will.

ACTING PRESIDENT GRIFFO: The
sponsor yields.
SENATOR KRUEGER: So every other school district in the State of New York is producing the detailed reports we have seen the City of New York distribute to us and put up on their website, even though perhaps not in the format the Senate leader would have requested? So every other school district is providing that same quantity of data to us?

SENATOR FLANAGAN: Now, see, we have -- Mr. President, we seem to be making a fundamental distinction again.

What I've spoken to is what is required by law. It's not what I asked for, it's compliance with the law. Which was not properly done.

Secondarily, I believe that other school districts throughout the State of New York actually in many respects probably have to provide more data. Because before every public school vote on the third Tuesday in May, there's a whole extensive process and procedure under which detailed information has to go to SED, has to be approved, it's part of a property tax report card that they're obligated to do by law.

So there is a wealth of information
that the other approximately 700 other school
districts in the State of New York have to
provide to the public before any budget vote.

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

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR KRUEGER: Thank you.

Do these reports have to be
presented to the Legislature, by law, for these
other school districts?

SENATOR FLANAGAN: Yes, they do.

SENATOR KRUEGER: Through you,
Mr. President. Where would we find those?

SENATOR FLANAGAN: Senator Krueger,
I think I'm correct, if I'm saying it a tad
inartfully. I believe there are requirements by
law that all those documents need to be provided
to the respective leaders of the houses and, I
believe, the chairs of the respective Finance and
Ways and Means Committee in the Assembly.

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

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you, Mr. President.

The section of this bill that is different than the previous two bills, in addition to going to a five-year extender of mayoral control, is the addition of a nonrefundable education affordability tax credit. Is that correct?

SENATOR FLANAGAN: Yes.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor will continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: What is the dollar amount maximum for any individual to draw down under this tax credit?

SENATOR FLANAGAN: It depends upon their level of income.

SENATOR KRUEGER: Through you,
Mr. President, if the sponsor could clarify, if there's some schedule, what the schedule is, depending on their income?

SENATOR FLANAGAN: It's if your income is less than $300,000, it can be 90 percent of a contribution. And if your income is greater than $300,000, it's 75 percent of contributions.

And the way the program would be structured -- because this debate has taken place before -- it's first come, first served. If there's an oversubscription, then Tax and Finance prorates all eligible parties.

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

SENATOR FLANAGAN: Senator, if I may, I just think it would be pertinent to --

SENATOR KRUEGER: Sure.

SENATOR FLANAGAN: -- add there's a cap, $150 million the first year, $225 million the second year, and $300 million in the third year and thereafter.

ACTING PRESIDENT GRIFFO: The Senator had requested you to continue to yield.
SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The Senator yields.

SENATOR KRUEGER: Thank you.

Would I be correct that the maximum deduction someone could take from their state taxes under this plan could be as much as $875,000?

SENATOR FLANAGAN: That's correct.

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

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: And so adding up those three years that the sponsor offered of up to $150 million in 2018, $250 million in 2019, $300 million in 2020, that would total $675 million of revenue that would not come into the state through its normal revenue for perhaps public education, is that correct?

SENATOR FLANAGAN: Yes. But I would hasten to add that we're talking about people who will be making contributions, and
50 percent of the money that would be eligible for each of those first three years and thereafter goes to public institutions. I could make a cogent argument that that is directly related to public school education.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor will continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: The sponsor used the term "contribution." Does he mean charitable contribution when he says "contribution"?

SENATOR FLANAGAN: Senator Krueger, I simply mean contribution. Whether one considers it philanthropic, benevolent, charitable, wise, prudent, imprudent, that can be -- you can make that decision on your own.

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

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.
SENATOR KRUEGER: I think the word "contribution" is important here because as I read the Senator's bill, you are not paying your taxes, you are instead contributing in a variety of possible ways. But it's not in addition to paying your taxes, as would be the case if it was a charitable contribution under existing law, it would be I'm not paying my taxes to the State of New York, I am taking this allowable annual credit instead. Am I correct?

SENATOR FLANAGAN: Senator Krueger, I'm not even going to remotely begin to suggest that I am a financier or someone who is particularly knowledgeable in tax law. This is how I look at it. This provides an option. And the totality of the first three years you described aptly in terms of the overall, quote, unquote, contribution. This is, as it is aptly named, an education investment tax credit for both public and nonpublic entities.

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

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR KRUEGER: So 50 percent available for education scholarship organizations, private schools, 50 percent available for public education entities. But also charters are eligible. Which 50 percent do they fall under?

SENATOR FLANAGAN: Public.

SENATOR KRUEGER: Public. So it's 50 --

SENATOR FLANAGAN: Because they are, by definition of law and operation of law, they are public schools.

SENATOR KRUEGER: Just wanted to get my facts right. Thank you.

So 50 percent private, religious, non-religious, and 50 percent between either public and/or charters. And again, using -- neither of us are in finance, we're both here in the Senate working hard. As I understand it, if I owed the State of New York $875,000 in taxes in the year 2018 and I got in the queue early, I, instead of owing the State of New York $875,000 in taxes, could instead direct my money as a contribution to private, parochial, public or
charter schools. Is that correct?

SENATOR FLANAGAN: Yes.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor will continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: The money I'm not taking in taxes but am giving as what's called a contribution to these combinations of school scenarios, do they go for specific children going to these schools and is there an income cutoff for the eligibility of children to receive the largesse of these contributions?

SENATOR FLANAGAN: I don't believe it's the intention nor do I believe it would be applicable legally to say I'm going to donate money for one kid in one school in some community. This is a broad range, and I don't think it's applicable to any one individual in particular.

SENATOR KRUEGER: Through you, Mr. President --

SENATOR FLANAGAN: And frankly,
that's not something I would support.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor will continue to yield.

SENATOR FLANAGAN: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: As I am reading the bill, and I confess I could be wrong, that the money would actually -- even if you, the contributor, nontaxpayer anymore, was not naming who the money went to, it would go to students residing in households with certain categories of income. And as I read this, it would be households with up to two children with a federal AGI of up to $500,000 in income per year. Am I reading that bill correctly?

SENATOR FLANAGAN: Yes.

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

ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: I want to thank the sponsor for his answers to my questions.

Many of the issues in this bill are
exactly the concerns raised by my two previous colleagues.

I really do believe we could do a straight mayoral extender. Nothing stops us from doing it. It's actually the right answer this late in the process. I'm really fairly amazed that New York City is the only location in the state where we go through this game year in, year out, of whether or not we're going to throw the entire public education system into chaos as the days and the hours count down.

And why? Not because we couldn't do a straight mayoral extender. The sponsor has offered us sections of three bills that are three bills that are straight extenders of existing law for mayoral control -- all three of the bills we're debating today, 1506, 1507, and 1508.

But instead, some of us at least feel like the City of New York, where I represent, is being held hostage that unless we also give things to charter schools, that we can't have mayoral control extended. And several of my colleagues have pointed out they might like or dislike different proposals within these bills for charter schools, but I've heard them say
those should be dealt with as separate, freestanding bills with a separate discussion.

I am particularly concerned about this bill because I am long on record as pointing out I actually don't think really, really rich people should get to decide not to pay their taxes, call it a contribution, look like big man or woman on campus, appear to be handing large sums of money to public or private or parochial or charter schools, when it just really means they're not paying their taxes and they're going to get charitable deductibility for it on top of that in their federal taxes -- unless Donald Trump changes that rule soon, and he might.

I would rather the State of New York collect its taxes in a fair, progressive and transparent way and then the State of New York make its decisions in a fair, equitable and transparent way of how we distribute money for education. There's even lawsuits that have instructed us on how we should actually be doing that. We have educational aid formulas that instruct us on how to do that.

And yet in this bill, we're saying some sub-universe of wealthy people can, instead
of paying their taxes towards public education
and other needs of the State of New York, they
get to decide, I want to put my money there.
That's where I'd like to put it. I want to get
an award for putting my money there. That's
where I'd like to get it.

    I might be an investor in the same
school I'm going to put the money towards.
What's the problem with that? There's a bunch of
problems with that.

    And we're not even saying this money
has to go for poor children in poor schools.
Because in fact I would think most of us agree,
if your family income is up to $500,000 a year,
under federal AGI you don't really qualify as
low income, even middle class. So the targeting
of this money is also exceptionally disturbing to
me.

    And while I have had this debate
with other sponsors on variations of the exact
same proposal and they tell me it's not
privatizing government money for vouchers to
private schools, you know, it sort of smells and
tastes and looks just like privatizing vouchers
to private schools with money you're not paying
to taxes, you're just getting to spend as you
damn please.

I think this is the worst of the
three bills, even though it would offer a
five-year straight extender for the actual
section of the law, mayoral control, that many of
us think and know we need to move forward on.

So I'm recommending a no vote for
all the reasons people voted no on Bills 1506 and
1507. But even if you thought 6 and 7 you could
live with, please think really carefully about
the dangerous, dangerous precedent of allowing
educational privatized revenue voucher tax
credits for the wealthy to, actually, the
wealthy.

I vote no, Mr. President.

ACTING PRESIDENT GRIFFO: Hearing
and seeing no other Senator that wishes to be
heard, debate is closed, and the Secretary will
ring the bell.

Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

Kirkland Reporting Service
(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Parker to explain his vote.

SENATOR PARKER: Thank you very much, Mr. President. Again, to explain my vote on this very important issue.

Again, we want to thank Leader Flanagan for his leadership on this issue.

We really want -- myself specifically -- really want to see mayoral control get done. I don't think that this bill, once again, takes us as far as we'd like to go.

Also, on the issue of educational tax credits, that's another issue again I support. I think we should be doing that in the context of the budget. There are a lot of parents in my community and surrounding communities in Brooklyn who are sending their children to private and parochial schools who certainly could use the help who are paying lots of their own money and they're not getting the benefit of the public schools, so we certainly should be supporting them with an educational tax credit. I'm certainly looking for an opportunity to vote yes on that legislation.
And I obviously want to reemphasize my support for charter schools, but we really ought to be having some real debates and maybe even some public hearings on some of these important issues. But that's a discussion for another day.

I vote nay.

ACTING PRESIDENT GRIFFO: Senator Parker to be recorded in the negative.

Senator Flanagan to explain his vote.

SENATOR FLANAGAN: Thank you, Mr. President.

It's really fascinating to listen to some of the commentary. I want to thank my colleagues for their time, their questions. And I think it presents a distinction and philosophical divide, to a degree.

And I just want to clarify something for people to understand. The whole concept and notion of public hearings, sometimes people get invited and then they cancel. Sometimes people get invited and they don't want to participate.

I'll stand here for all the hours necessary. Some of the other people who are

Kirkland Reporting Service
deeply involved in these issues should be doing
the same thing, especially knowing that this is
the end of session.

So I just want to go over a couple
of basic things so people understand I believe
what our conference supports and what I know and
I believe.

I care about kids. I care about
students. I care about poor kids, I care about
wealthy kids, I care about kids who don't speak
English, I care about children with disabilities.
And I'm going to give you a novel concept. If I
had my way, every child in the State of New York
would have an IEP. Every child. Because if
we're educating children the right way, gosh darn
it, that's the way we should be doing it. That's
number one.

I believe in parents. As a proud
father of three children, I believe in parents.
And their guidance and their wisdom and their
input and their involvement should be paramount,
because nobody cares more about those children
than the parents.

I also believe in teachers. I think
teaching is probably one of the hardest jobs in
the world to do, particularly if it's done right.

Those are our priorities. Now, as I said before, the City of New York gets about $10 billion. And if I'm off, I'll be obviously corrected. I believe they need that money, and I don't want to do anything to create the impression of anything to the contrary.

And with that magnitude of expenditure, it's right, proper, fair for us to continue to ask questions, just as we all do of our own districts -- whether it's GEA or Foundation Aid, whatever the case may be.

Let's not lose sight of the fact that we spend over $29 billion between direct funding and aid to education and the STAR program. So we make a lot of investments in education here in the State of New York.

So I want to give two last pertinent, pertinent facts. Two and a half, I'm sorry. I'm looking at my colleague Senator Felder. I've met with him and parents from his communities. There are people who are doing everything possible to give their child an appropriate education, and they are hanging on by a thread. And a lot of those people are parents.
who make choices that they want their child to
have a faith-based education. We want to help.
We want to help.

Now, unlike the Assembly, let's get
our facts straight. There are three bills here
that are about mayoral control. Not about sales
tax. Not about other communities. You don't
have to like these bills, but we put them out.
We put them out. The Assembly has not put out a
stand-alone bill on mayoral control. So let's be
real. Now, based on me saying this at 4:30,
they'll probably be in print by 6 o'clock. But
there's no bill right now on stand-alone mayoral
control.

And lastly and most importantly,
when mayoral control was extended for six years,
don't anybody -- don't anybody labor under the
misconception or illusion that everyone just
said, Oh, this is awesome, we're going to do a
straight extension of mayoral control, we're not
going to make Bloomberg go through meetings and
hearings and everything else.

The changes that were made to get a
six-year extension didn't include a straight
extension of mayoral control. There were
fundamental changes that were made, because that was then and this is now. We have every right and prerogative to be advancing this.

Mr. President, I apologize for having gone well over my two minutes, but I just want to make sure that if I had any lack of clarity, that I just fixed it. Thank you.

Oh, by the way, I'm voting yes.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator Flanagan to be recorded in the affirmative.

But as sponsor of the bill, you have five minutes. So you have an additional 30 seconds, which we will not yield to anyone.

Senator Sanders to explain his vote.

SENATOR SANDERS: Mr. President, I will take his extra minutes on this issue.

ACTING PRESIDENT GRIFFO: Overruled.

(Laughter.)

SENATOR SANDERS: Then I will stay within my two.

Mr. President, many worthy points have been raised over here in this debate over charter schools, over education. But a point has
escaped us all, sadly, and that point is New York City is the only city in New York State that does not have a school board. We don't have a school board. Democracy has not been allowed into New York City.

I think that as we struggle for all of these things, that we should put that on the table and we should also figure out ways where you can have mayoral control and have the voice of the parents themselves. We are hearing of parents, but really there's no real way that they can make themselves known and their power known here.

So having said that, I believe that all of these bills, as worthy as they are, are still not getting to where we need to be. So on that, and within my two minutes, I'm voting no, sir.

ACTING PRESIDENT GRIFFO: Senator Sanders to be recorded in the negative.
Senator Latimer to explain his vote.

SENATOR LATIMER: Thank you, Mr. President.

I'm sorry to speak after the Majority Leader; usually that should be the end
of the discussion. But it's very important for me to explain that I'm going to vote no on this bill.

And I'm troubled in this regard. I have spent five years in this chamber, and I was tasked by my conference leader to be the ranking Democrat on Education. And I've dialogued with my colleagues, and I've dialogued with my colleagues in the IDC on these issues, and I've been open to my friends across the aisle.

But when we are dealing with issues this complicated, I think it's a mistake that the majority makes their decisions and never includes in the development of them minority side of the aisle voices. I have always been willing to be an intelligent, intense -- working on these issues, I've long respected Senator Flanagan's expertise in this area and in my own response have tried to develop some expertise in this area.

But these bills that are put before us today are the product of the thinking of one side of the aisle, not a joint dialogue across the aisle. And since ultimately they're going to have to be dealt with by the other house, it
would make much more sense to have members of the minority included in the development of these ideas.

So while there are elements of this plan, Mr. President, that I have supported in the past -- and if I have any further time in this chamber before I return as a member of the Tin Cup Brigade next year, I hope that we'll be able to have more of a bi- or tripartisan dialogue to get to bills that we can vote for unanimously. That would be the goal here.

ACTING PRESIDENT GRIFFO: Senator Latimer to be recorded in the negative.

Senator Stavisky to explain her vote.

SENATOR STAVISKY: Thank you, Mr. President.

As I sat listening to the debate, the thought occurred to me that sometimes the best answer is the simplest answer. And in this case, a simple answer, a simple solution would be a straight extension of mayoral control. Almost like a Christmas tree without any ornaments on it.

So, Mr. President, I urge everybody
to come together in a simple solution, a one -- I would prefer a two- or three-year extension of mayoral control. But because that is not the case, this Christmas tree has too many ornaments on it. I vote no.

ACTING PRESIDENT GRIFFO: Senator Stavisky to be recorded in the negative.

The clerk will announce the results.

THE SECRETARY: In relation to Calendar 1508, those recorded in the negative are Senators Addabbo, Alcantara, Bailey, Benjamin, Breslin, Brooks, Carlucci, Comrie, Dilan, Gianaris, Hoylman, Kaminsky, Kennedy, Krueger, Latimer, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins.

Senator Díaz absent from voting.


ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the controversial reading of that bill.

(Inaudible comment from unidentified member.)

(Laughter.)
SENATOR DeFRANCISCO: I'm sorry, I missed the line, but I don't care to hear it anyway.

(Laughter.)

SENATOR DeFRANCISCO: If we could go back to motions and resolutions.

ACTING PRESIDENT GRIFFO: I'm glad you can still hear.

(Reaction from members.)

SENATOR DeFRANCISCO: Motions and resolutions.

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

SENATOR DeFRANCISCO: On page 52, I offer the following amendments to Calendar 1114, Senate Print 5830A, by Senator Phillips, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: On page 44, I offer the following amendments to Calendar Number 979, Senate Print 5912A, by Senator Jacobs, and ask that said bill retain its place on the
Third Reading Calendar.

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

SENATOR DeFRANCISCO: And finally, on page 81 I offer the following amendments to Calendar 1497, Senate Print 6020A, by Senator Seward, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: Since we're back on motions and resolutions, can we please take up Resolution 2808, by Senator Parker, read the title only, and then call on Senator Parker for some powerful but brief remarks.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Legislative Resolution Number 2808, by Senator Parker, honoring PCNYInTheStreets upon the occasion of its designation as recipient of the Excellence in Service Award by the ejuana Corporation.

ACTING PRESIDENT GRIFFO: Senator Kirkland Reporting Service
"Succinct" Parker.

    (Laughter.)

SENATOR PARKER: Thank you, Mr. President. I hope to live up to my new moniker.

I want to just congratulate Precision Concierge of New York InTheStreets. They're an organization that has very many facets. They actually are a for-business operator, but then also it's a family that does a lot of grassroots work, and particularly around feeding the homeless in New York City. And they've done this for many years.

    They're really committed to, you know, again --

ACTING PRESIDENT GRIFFO: Excuse me.

Can I have some order in the house.

SENATOR PARKER: Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Sorry, Senator Parker. You may continue.

SENATOR PARKER: Thank you.

They are -- PCNYInTheStreets is committed to addressing this issue, particularly
right now when our economy is unbalanced due to
unemployment, unfair judgment towards the
homeless population. As we deal with the
homeless crisis every single day, here is an
organization that has put their money where their
mouth is, their time where their mouth is, their
energy where their mouth is as it relates to the
issue of dealing with this.

And they have not only just worked
with the homeless population, they also have been
mentors to young people and doing a lot of work
in partnership with organizations such as foster
care agencies like Foster Care Unplugged, the
National Basketball Association, restaurants, and
various other organizations in our community.

They distribute items and take --
you know, things that we take for granted every
single day, they deliver hygiene kits with, you
know, soap and toothpaste and those kind of
things. They provide groceries and do boxes of
nonperishables to families that need them,
particularly those families with young children.

And they offer paths to
self-sufficiency to men and women who have lost
direction, and make available the necessities of
life to people experiencing homelessness -- like
food, clothing, shelter and personal hygiene.

I just want to acknowledge their
work, as they've been awarded, through one of the
local nonprofits, and they're here with us today.
So I just wanted the Senate to take a moment and
acknowledge their presence.

Thank you very much for all that you
do, and I look forward to our continued work
together. God bless.

ACTING PRESIDENT GRIFFO: Thank
you, Senator Parker.

We welcome our guests here today,
and we appreciate you being in attendance. And
we extend all the courtesies of the house to you.

I'd ask that the members recognize
our distinguished guests.

(Standing ovation.)

ACTING PRESIDENT GRIFFO: The
question is on the resolution. All in favor say
aye.

(Response of "Aye.")

ACTING PRESIDENT GRIFFO: Opposed?
(No response.)

ACTING PRESIDENT GRIFFO: The
resolution is adopted.

        Senator Parker has opened up the
resolution for cosponsorship. If a member would
like to be a cosponsor, please notify the desk.

        Senator DeFrancisco.

SENATOR DeFRANCISCO: I have
another motion. On page 35, I offer the
following amendments to Calendar 799, Senate
Print 5502, by Senator Hannon, and ask that said
bill retain its place on the Third Reading
Calendar.

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

        SENATOR DeFRANCISCO: Could we now
go back to the noncontroversial reading, in
order, of the balance of that calendar, please.

        ACTING PRESIDENT GRIFFO: We're on
Calendar Number 1030.

        The Secretary will read.

THE SECRETARY: Calendar Number
1030, by Senator Griffo, Senate Print 2730, an
act to amend the Penal Law.

        ACTING PRESIDENT GRIFFO: Read the
last section.
THE SECRETARY: Section 5. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Rivera to explain his vote.

SENATOR RIVERA: Thank you, Mr. President. I will be voting in the negative on this piece of legislation.

This is a bill by the -- by you, Mr. President, which would create a violent felony offender if that -- somebody who is in prison and up for parole would then be denied parole if that person is, quote, unquote, an imminent threat to society.

The problem with this, Mr. President, in the middle of the conversation that we're having statewide about parole and about the concerns of our parole system, the fact that there are -- the question that we should ask ourselves is do we believe in rehabilitation. Do we believe that people that maybe 10, 15, 20, 30, 40 years ago might have committed a crime and might have made a mistake have been able to
rehabilitate themselves and become better human beings? I believe the answer is yes.

And when we introduce pieces of legislation like this, what we're saying is that we do not believe in rehabilitation. We believe that we are leaving it open to the individuals on the Parole Board who potentially might use this as a way to say regardless of what you've done while you've been incarcerated, you are not worthy to be back among us.

And I think that that is the wrong way to go, Mr. President. I think that we need to think long and hard.

I know that next week or at some point in the next couple of days we'll be talking about the Parole Board and about new members of the Parole Board, and we should be having a real discussion about how to reform that process, not introduce pieces of legislation like this that make it seem as if people who are incarcerated are impossible to rehabilitate.

So, Mr. President, I'll be voting in the negative. Thank you.

ACTING PRESIDENT GRIFFO: Senator Rivera to be recorded in the negative.
Senator Sanders to explain his vote.

SENATOR SANDERS: Mr. President, I think that we have forgotten the law of unanticipated consequences here, where I believe that this bill will make prisons more dangerous. And that becomes more dangerous to the correction officers who are there.

When you are saying that a person has less to look forward to, they may be less good, if you wish, in prison. And we want the folk to be good, not simply for their own sake, but for the sake of the very worthy correction officers that are there.

Also, we're taking more and more power away from parole boards. Isn't that why we have the parole boards? So that they can make the individual assessment, they can look at the particular person and say yes to this one and no to that one by studying their particular case.

So under those conditions, I look forward to your redoing this one so I can join you and vote for it. But unfortunately, at this moment I'm voting no.

ACTING PRESIDENT GRIFFO: Senator Sanders to be recorded in the negative.
Announce the results.

Senator Parker to explain his vote.

Sorry, Senator Parker.

SENATOR PARKER: Mr. President, to explain my vote.

First let me thank the sponsor for bringing this bill to the floor. I agree with the sponsor, in that I share the concern about keeping our communities safe. We certainly want to make sure that people who are committing violent crimes in our communities pay their debt to society.

But in fact if we have a criminal justice system that is predicated on the rule of law, and we have judges that preside over that criminal justice system that then oversee the court proceedings and then dole out both sentences, then when people are up for parole, we should not be trying to backdoor the notion of determinate sentencing through the back doors of parole.

Parole is exactly that. If someone has paid their debt to society and they've done what the sentence calls for and they're eligible for parole, we should not then be burdening the
Parole Board with keeping people in over the one thing that they cannot change, that the inmate cannot change, which is their crime. And so no matter what happens, the crime is going to remain the same.

But if they're eligible for parole and they have met the standards and the criteria for parole, then they should be allowed to be paroled.

And so on that notion, although I want to keep our communities safe and I agree with the sponsor on that, I'm forced to vote no, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Parker to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation Calendar 1030, those recorded in the negative are Senators Alcantara, Comrie, Dilan, Gianaris, Hoylman, Krueger, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Serrano, Squadron. Also Senator Bailey and Senator Benjamin.

Ayes, 47. Nays, 16.

ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 1045, by Senator Lanza, Senate Print 2634, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Yet another bill, Mr. President, to reduce funding for the MTA without the associated alternative revenue that we would put in to ensure the subways and the buses in the 12 counties of the MTA region can in fact address the needs of riders.

I'll vote no and continue to vote no on these commuter tax reduction formulas.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to
Calendar 1045, those recorded in the negative are Senators Alcantara, Benjamin, Dilan, Gianaris, Hamilton, Hoylman, Montgomery, Persaud, Sanders and Squadron. Also Senator Parker. Also Senator Krueger.

SENATOR KRUEGER: Thank you.

THE SECRETARY: You're welcome.

Ayes, 51. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1046, by Senator Little, Senate Print 2645A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

I understand the need for our ski
resorts, particularly those that are struggling
to have real snow, to get a tax break in order to
produce it.

But I wanted to point out that we're
giving a tax break for the use of fossil fuels.
It's well known that our continued use of fossil
fuels is contributing to increased warming of our
planet.

So if you think about it, this bill
could be construed as proactively enabling
climate change. We're making it easier for ski
resorts to use fossil fuels to produce synthetic
snow, while the use of fossil fuels make the
product, fake snow, more and more necessary.

So I'll be voting in the negative.

Thank you, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to
Calendar 1046, those recorded in the negative are
Senators Alcantara, Bailey, Comrie, Dilan,
Hamilton, Hoylman, Krueger, Montgomery, Rivera,
Sanders, Squadron, Stavisky and Stewart-Cousins.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1080, by Senator Seward, Senate Print 4654, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1125, by Senator Young, Senate Print 547, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)
ACTING PRESIDENT GRIFFO: Could those in the negative please raise your hands again.

Announce the results.

THE SECRETARY: In relation to Calendar 1125, those recorded in the negative are Senators Addabbo, Alcantara, Avella, Bailey, Benjamin, Breslin, Brooks, Comrie, Dilan, Gianaris, Hamilton, Hoylman, Kaminsky, Kennedy, Krueger, Latimer, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Savino, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 36. Nays, 27.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1273, by Senator Gallivan, Senate Print 4509A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect April 1, 2018.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)
ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President. Can you guess what I'm going to say?

He's not listening. I was going to ask, might you guess what I'm going to say on this bill?

ACTING PRESIDENT GRIFFO: Nostradamus I am not.

SENATOR KRUEGER: So this is yet another bill where apparently vendors at tracks and casinos and racinos -- I get confused between them all -- just can't make enough money gambling, so they come to the state to get us to change the formula of what they get to keep and what we get.

So it would give them more money; it gives the schoolchildren of New York State less money. I'm voting no again, Mr. President.

Thank you.

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

Announce the results.

THE SECRETARY: In relation to
Calendar 1273, those recorded in the negative are Senators Brooks, Hoylman, Krueger and Parker.


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1285, by Senator Valesky, Senate Print 5903, an act to amend the State Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1290, by Senator DeFrancisco, Senate Print 3506, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect immediately.
ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1300, by Senator Seward, Senate Print 421, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1309, by Senator Helming, Senate Print 2572, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1309, those recorded in the negative are Senators Bailey, Benjamin, Comrie, Gianaris, Hoylman, Krueger, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Serrano and Squadron.

Ayes, 49. Nays, 14.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1383, by Senator Bonacic, Senate Print 1027, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1383, those recorded in the negative are
Senators Alcantara, Bailey, Benjamin, Comrie, Dilan, Gianaris, Hoylman, Krueger, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 45. Nays, 18.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1390, by Senator Akshar, Senate Print 1248, an act to amend the Judiciary Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect January 1, 2018.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1424, by Senator Gallivan, Senate Print 2512, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.
THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1424, those recorded in the negative are Senators Hoylman, Krueger and Squadron.

Ayes, 60. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1427, by Senator Helming, Senate Print 2566, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Bailey to explain his vote.

SENATOR BAILEY: Thank you, Mr. President.
I really believe that our -- we talked about the life of Officer Steven McDonald, so I'm definitely somebody who recognizes the need to make sure that our police officers are protected. But I believe that this bill goes a little too far. I believe that it infringes upon our First Amendment rights of free speech of protestors.

And I'm very concerned about the fact that this bill would not actually have to produce evidence of actual -- excuse me, wouldn't have to produce the violence against a police officer. It seems too -- it seems void for vagueness. It seems overbroad, in my opinion.

And for that reason I vote no. I applaud the sponsor for her attempt to make sure that our heroes in blue are protected. But this is overbroad, and I believe a violation of the Constitution, so I vote no.

ACTING PRESIDENT GRIFFO: Senator Bailey to be recorded in the negative.

Senator Parker to explain his vote.

SENATOR PARKER: Thank you, Mr. President, to explain my vote.

First let me commend the sponsor of...
the bill for again raising an issue that's very important for our communities.

Like her, you know, I love and want the police to have, you know, protection. And we want to protect the police. I have a lot of very good friends and even family members who are members of the New York City Police Department, and actually a few very, very good friends who are State Troopers in this state. And certainly we want to make sure that the folks who are protecting us are protected. And so for that, I commend Senator Helming for bringing this important issue to the fore.

I think that we have to look for some other modalities. I think that this bill goes a little far. I'm not sure of even the constitutionality of it.

And so for those reasons, despite its good intentions, I'll be voting no.

ACTING PRESIDENT GRIFFO: Senator Parker to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to Calendar 1427, those recorded in the negative are Senators Bailey, Benjamin, Comrie, Gianaris,
Hoylman, Krueger, Montgomery, Parker, Rivera, Sanders and Squadron. Also Senator Serrano.

Ayes, 51. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

With previous action on the next three bills, we will now go to Calendar 1518.

THE SECRETARY: On page 83, Senator Bonacic moves to discharge, from the Committee on Rules, Assembly Bill Number 8102A and substitute it for the identical Senate Bill 6561, Third Reading Calendar 1518.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1518, by Member of the Assembly Weinstein, Assembly Print 8102A, an act in relation to.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)
THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1528, by Senator Amedore, Senate Print 893, an act to establish.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

The Secretary will continue.

THE SECRETARY: Calendar Number 1529, by Senator Robach, Senate Print 1014, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.
roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1530, by Senator Marcellino, Senate Print 1186, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1531, by Senator Marcellino, Senate Print 1311, an act relating to legalizing, validating, and ratifying.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1532, by Senator Funke, Senate Print 1348, an act to amend Chapter 57 of the Laws of 2012.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1533, by Senator Ritchie, Senate Print 1470, an act to direct.
ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1534, by Senator Carlucci, Senate Print 1650, an act to amend the Parks, Recreation and Historic Preservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number Kirkland Reporting Service
1535, by Senator Ritchie, Senate Print 1910A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1536, by Senator Serino, Senate Print 2137A, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect April 1, 2017.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 1537, by Senator Serino, Senate Print 2154A, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect October 1, 2018.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1538, by Senator Serino, Senate Print 2155A, an act to amend the Elder Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number 1539, by Senator Serino, Senate Print 2173, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1539, those recorded in the negative are Senators Bailey, Comrie, Montgomery, Rivera and Sanders.

Ayes, 58. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1540, by Senator LaValle, Senate Print 2550, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.
THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1541, by Senator LaValle, Senate Print 2554, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Sanders to explain his vote.

SENATOR SANDERS: Thank you, Mr. President.

While I agree that New Yorkers are staggering under the weight of student debt, this is perhaps not the way to go about it. We have
to -- this one will reward the banks and will not
protect future students. We need a more
comprehensive way of dealing with this issue.

So although I agree with the
short-term aiding of those who are suffering now,
we are not looking out for those who are still
falling into the same hole. And for that reason,
I am voting no.

ACTING PRESIDENT GRIFFO: Senator
Sanders to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to
Calendar 1541, those recorded in the negative are
Senators Hoylman, Krueger and Sanders.

Ayes, 60. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number
1543, by Senator Ranzenhofer, Senate Print 3879,
an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 1544, by Senator Ranzenhofer, Senate Print 3880, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO:  Read the last section.

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

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 1545, by Senator O'Mara, Senate Print 3931, an act to amend the Transportation Law.

ACTING PRESIDENT GRIFFO:  Read the last section.

THE SECRETARY:  Section 2.  This Kirkland Reporting Service
act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1546, by Senator Savino, Senate Print 3981A, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

SENATOR VALESKY: Lay it aside for the day.

ACTING PRESIDENT GRIFFO: Lay it aside for the day.

THE SECRETARY: Calendar Number 1547, by Senator Lanza, Senate Print 4059, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.
(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger, do you want to speak?

SENATOR KRUEGER: Yes.

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

I wasn't sure if you were waving to me or if you wanted to speak.

SENATOR KRUEGER: No, I wanted you to guess what I was going to say, though, and I'm -- we're not doing that so well today.

So I am voting no on this bill. Let me explain why. It actually would put the address of the employer of a Level 2 or 3 sex offender on the registry.

My concern is that while this might appear to be a bill to try to provide information about where sex offenders are at any given time, where they live or where they work, the dilemma is the actual penalty could be paid by the employer, because people will see that they hire sex offenders and may choose to boycott them, do protests out front --

ACTING PRESIDENT GRIFFO: Can I have some order, please.
Senator Krueger, continue.

SENATOR KRUEGER: Thank you.

-- or hurt business, when in fact the employer may be doing a civic good by providing people who have come out of jail a job, hopefully keep them on the straight and narrow, prevent them from having to return back into prison or returning to a life of crime.

There is no data that shows that everyone who is a sex offender ends up being a recidivist. And to actually cut off the possibility that anyone will want to hire them because then they too will end up on the registry just seems like the wrong message, and it will be discouraging employers from being willing to hire people when they get out of jail. And frankly, that's bad for all of us.

So I vote no, Mr. President.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1547, those recorded in the negative are Senators Hoylman, Krueger, Montgomery, Parker, Persaud and Sanders.
Ayes, 57. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1548, by Senator Savino, Senate Print 4135A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1550 has been amended, it is high today, so we will go to Calendar Number 1552.

THE SECRETARY: Calendar Number 1552, by Senator Valesky, Senate Print 5059A, an act to amend the Abandoned Property Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1553, by Senator Ranzenhofer, Senate Print 5064A, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number
1555, by the Senate Committee on Rules, Senate Print 5269, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Squadron to explain his vote.

SENATOR SQUADRON: Thank you, Mr. President.

I believe that this is Senator Rules' first bill passing the house this year -- (Scattered applause; laughter.)

SENATOR SQUADRON: Senator Rules thanks you for the congratulations.

I make a joke, but it's not a joke at all. It's a very poor practice that this house has participated in for many years, as long as I've been here, to introduce bills -- including bills like this that are not even sort of omnibus bills outside of the budget process -- individual bills dealing with individual
districts, but not sponsored by individual human members of this house, not brought to the floor by people who were elected, who were sent here by their constituents, who have bosses that they work for, but instead by an anonymous, nonexistent senator, Senator Rules.

I'm not going to vote no on all of these bills, because I'm sure that these localities need what they're asking for and I believe in a whole lot more local control and influence than this house has exhibited, as we see from the difficulty in getting New York City what it so desperately needs to survive.

But let's get rid of Senator Rules. We've already increased the size of the Senate over the last 20 years by a whole lot. We don't need a 64th senator that no one elects, that's accountable to no one. It's a bad practice. Let's stop it.

I'll vote no {sic}, and I'll say to Senator Rules, congratulations on passing a whole lot of bills this year.

ACTING PRESIDENT GRIFFO: Senator Squadron, how do you vote?

SENATOR SQUADRON: Aye.
ACTING PRESIDENT GRIFFO: Senator Squadron to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 1555, those recorded in the negative are Senators Alcantara, Brooks, Hoylman, Kaminsky, Lanza and Rivera. Also Senator Avella.

Ayes, 56. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1556, by the Senate Committee on Rules, Senate Print 5270, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1556, those recorded in the negative are Senators Avella, Brooks, Hoylman, Kaminsky, Lanza, Peralta and Rivera.
Ayes, 56. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1557, by the Senate Committee on Rules, Senate Print 5271, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1557, those recorded in the negative are Senators Avella, Brooks, Hoylman, Kaminsky, Lanza and Rivera.

Ayes, 57. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1558, by the Senate Committee on Rules, Senate Print 5359, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 1558, those recorded in the negative are Senators Avella, Brooks, Hoylman, Kaminsky, Lanza and Rivera.

Ayes, 57. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1559, by Senator Serino, Senate Print 5415A, an act to amend the Elder Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)
THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1560, substituted earlier by Member of the Assembly Weprin, Assembly Print 6353B, an act to amend the Correction Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1561, by Senator Croci, Senate Print 5641A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the same date and in the same manner as Chapter 59 of the Laws of 2017.
ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Hoylman to explain his vote.

SENATOR HOYLMAN: Thank you, Mr. President.

I rise to support this legislation and thank my colleague across the aisle. It relates to the criminal background check of Uber drivers and other transportation network drivers.

Unfortunately, I think it's another one-house wonder when it comes to sex offender bills. It's actually our 32nd this session. Last year we did 50, so we have a little ways to go.

But I think we all know that we can pass a comprehensive piece of legislation called the Child Victims Act, which would open up a window to allow current survivors to file claims against predators who may be still in contact with their kids. A number of states have done that -- California, Connecticut, Delaware, Georgia, Guam, Hawaii, Minnesota and Utah. And to date, according to the statistics, there have
been zero instances of false claims. Zero instances of false claims.

So I'm hopeful that we can move that legislation as well as support this bill here today. I'll vote aye.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Hoylman in the affirmative.

Senator Croci to explain his vote.

SENATOR CROCI: Yes, Mr. President, I want to thank my colleagues for their support on this important legislation.

For the house, for every member of the Senate's edification, this bill is being entered by Assemblyman Murray, and that this will actually see the light of day. And hopefully the Governor will sign it into law and we will make sure that when your kids or you and your family are driving in a limousine, or you're in a car, you know that the people who are driving you are in fact not guilty of any of these crimes.

So I want to thank my colleagues for their support on this, I want to thank the member of the Assembly who is moving this legislation, and I vote aye.
ACTING PRESIDENT GRIFFO: Senator Croci to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1562, by Senator Ortt, Senate Print 5680, an act to require.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1563, by the Senate Committee on Rules, Senate Print 5826, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1563, those recorded in the negative are Senators Avella, Brooks, Hoylman, Kaminsky, Lanza and Rivera.

Ayes, 57. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1564, by the Senate Committee on Rules, Senate Print 5956, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1564, those recorded in the negative are
Senators Avella, Brooks, Hoylman, Kaminsky, Lanza
and Rivera.

        Ayes, 57.  Nays, 6.

        ACTING PRESIDENT GRIFFO:  The bill is passed.

        THE SECRETARY:  Calendar Number 1565, by the Senate Committee on Rules, Senate
Print 5957, an act to amend the Tax Law.

        ACTING PRESIDENT GRIFFO:  Read the last section.

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

        ACTING PRESIDENT GRIFFO:  Call the roll.

        (The Secretary called the roll.)

        ACTING PRESIDENT GRIFFO:  Senator LaValle to explain his vote.

        SENATOR LaVALLE:  Thank you, Mr. President, to explain my vote. I'm voting in
the negative on this bill.

        The East End of Long Island, Suffolk County, raises a considerable amount of the
revenue from hotels. That's where the Hamiltons are located and the major part of
tourism. It does not receive back an equal
percentage of what it raises. And that needs to
be rectified. And until that is, I will continue
to vote no on the hotel/motel tax.

ACTING PRESIDENT GRIFFO: Senator
LaValle to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to
Calendar 1565, those recorded in the negative are
Senators Avella, Brooks, Hoylman, Kaminsky,
Lanza, LaValle and Rivera.

Ayes, 56. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number
1566, by the Senate Committee on Rules, Senate
Print 5958, an act to amend the Real Property Tax
Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce
the results.

THE SECRETARY: In relation to Calendar 1566, those recorded in the negative are Senators Avella, Hoylman, Lanza and Rivera.


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1567, by the Senate Committee on Rules, Senate Print 5959, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1567, those recorded in the negative are Senators Avella, Brooks, Hoylman, Kaminsky, Lanza and Rivera.

Ayes, 57. Nays, 6.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number
1568, by the Senate Committee on Rules, Senate
Print 5960, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to
Calendar 1568, those recorded in the negative are
Senators Avella, Brooks, Hoylman, Kaminsky, Lanza
and Rivera. Also Senator LaValle.

Ayes, 56. Nays, 7.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number
1569, by Senator Serino, Senate Print 6022, an
act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the
(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1570, by Senator Serino, Senate Print 6081, an act to amend Chapter 942 of the Laws of 1983.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1571, by Senator Serino, Senate Print 6431A, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1572, by Senator DeFrancisco, Senate Print 6459, an act to expand.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar 1574 has been amended and is high and ineligible.

The Secretary will read Calendar 1575.

THE SECRETARY: Calendar Number
1575, by Senator Ritchie, Senate Print 6514, an act to amend the Local Finance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1577, by Senator Serino, Senate Print 6650, an act to amend the Banking Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY:   Calendar Number 1579, by Senator Klein, Senate Print 6659, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO:   Read the last section.

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

ACTING PRESIDENT GRIFFO:   Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO:   Senator Krueger to explain her vote.

SENATOR KRUEGER:   Apparently there's another racino that didn't get a reduction on what they owe the State of New York and the schoolchildren of New York.

So I will again vote no and continue to point out that this is just going to keep happening over and over and over again.  And you know, these are private businesses and we don't get to open their books.  We're calling to open the books of our schools and our school systems.  It seems to me when we're taking gamblers' money, giving it to the house and away from the
schoolchildren, we ought to at least be able to
look at the books and see why they think they
need it,

    I vote no, Mr. President.

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

Senator Bonacic to explain his vote.

SENATOR BONACIC:   Thank you,
Mr. President.

    The nine racinos throw off
$900 million a year for education.  Now, in this
particular legislation, because I don't see
Senator Klein, they have agreed, in order to get
the benefit of a vendors award and an enhanced
capital award, to build a $185 million hotel.

    So we take a little step backwards
on education to move forward greatly with
rateables, with the hopes of bringing more money
to education.  And I haven't even talked about
what the three casinos are doing for education.

    Thank you, Mr. President.  I vote
yes.

ACTING PRESIDENT GRIFFO:   Senator
Bonacic to be recorded in the affirmative.

        Announce the results.
THE SECRETARY: In relation to Calendar 1579, those recorded in the negative are Senators Brooks, Croci, Hoylman, Krueger, LaValle, Parker and Squadron. Also Senator Comrie.

Ayes, 55. Nays, 8.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1580, by Senator Hannon, Senate Print 6661, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1582, by Senator Ortt, Senate Print 6663, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the
THE SECRETARY: Section 5. This act shall take effect on the first of January.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes the noncontroversial reading of the active list before the house.

SENATOR DeFRANCISCO: I've been asked a couple of times what's going to happen the rest of the day, so I'm going to give you a preview.

What we have left -- first of all, as soon as I get done speaking, we're going to be at ease for about five to ten minutes. The court stenographer -- not the court, the Senate stenographer has been there taking every word, whether it's a good statement or not, down. So she needs a break, five to ten minutes. Whenever she gets back, I start up again.

First thing I'm going to do is call Kirkland Reporting Service
the controversial. It's Senator Bonacic's bill on online gambling, I believe. Then after that there's a supplemental active list of seven bills that starts out with the two Stavisky bills. Then after that we have a supplemental active list which has more than seven bills, and that starts out with two Amedore bills, Calendars 31 and 86. After that, we have one other supplemental active list with eight bills, starting with Senator Díaz, his bill.

After that we will have a Rules meeting. And what I'm being told, as far as the balance of the calendars, I don't believe anything is going to be laid aside by anybody. Take that for what it's worth. That's number one.

Number two is the Rules Committee, there's a Rules list already. And those on the Rules Committee, if they want to take a look at that -- I know that the Democrats want to take a look at it and study it before they go into Rules. But it's out there, and you can -- if you want to just practice voting, you can do that.

(Laughter.)

SENATOR DeFRANCISCO: So with that,
we're at ease for five minutes and then I start
in the order I just discussed.

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

    (Whereupon, the Senate stood at ease
at 5:31 p.m.)

    (Whereupon, the Senate reconvened at
5:40 p.m.)

    ACTING PRESIDENT GRIFFO: The
Senate will return to order.

    Senator DeFrancisco.

    SENATOR DeFRANCISCO: Yes, can we
now take up the controversial reading of the
first active calendar, the one bill, the Senator
Bonacic bill.

    ACTING PRESIDENT GRIFFO: The
Secretary will ring the bell.

    The Secretary will read.

    THE SECRETARY: Calendar Number
895, by Senator Bonacic, Senate Print 3898A, an
act to amend the Racing, Pari-Mutuel Wagering and
Breeding Law.

    ACTING PRESIDENT GRIFFO: Senator
Krueger.

    SENATOR KRUEGER: Thank you. If
the sponsor would please yield.

       ACTING PRESIDENT GRIFFO:   Senator

Bonacic, do you yield?

       SENATOR BONACIC:   I do.

       ACTING PRESIDENT GRIFFO:   Senator

Krueger.

       SENATOR KRUEGER:   Thank you.

       So this bill would create a

statutory framework for the State Gaming

Commission to license and implement Texas Hold'em

and Omaha Hold'em online poker games, is that

correct?

       SENATOR BONACIC:   It is correct.

       And I could explain the bill to you;

maybe it would save you some time for other

questions. But I'll follow your path.

       SENATOR KRUEGER:   Through you.

Mr. President, if the sponsor would like to

explain the bill, he's welcome to.

       ACTING PRESIDENT GRIFFO:   The

sponsor yields.

       SENATOR BONACIC:   I do.

       This bill will authorize the Gaming

Commission to issue up to 11 licenses to operate

online poker websites in New York to offer Texas
Hold' em and Omaha Hold' em poker. Finally, it provides a regulatory structure for the offering of online poker and for taxation of the proceeds from online poker.

What's happening now is that we have illegal sites in New York conducting online poker. There are no consumer protections. There is no tax structure, and therefore we're losing potential money for education.

We did this bill last year; there were five no votes. But the difference between last year's bill and this year's bill, any money that is gained from online poker is going to education.

Okay. I think I'll stop for -- oh, by the way, one other provision that I think is important.

SENATOR KRUEGER: Certainly.
SENATOR BONACIC: The online poker platforms must be located at the nine racinos and/or the three casinos and the fourth one to come on shortly. Mortar and brick operation at those places and all the racinos, as well as the casinos, want this legislation.

It is now being conducted in three
states: Nevada, Jersey, and Delaware. And there's more states where it's pending.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you for your answers.

So up to 11 licenses can be given by the Gaming Commission, and you just added up I think 14 potentially eligible sites in New York. Is that correct?

SENATOR BONACIC: No, no. No, no, let me take a step back.

SENATOR KRUEGER: Okay.

SENATOR BONACIC: The -- did I say $10 million for 10 years for each license?

SENATOR KRUEGER: No. We weren't at the money yet. I was asking how many licenses and how many sites.

I thought that you said up to 11 licenses, but then when you were counting racinos and casinos, I thought you were up to 13 or 14 sites. So I was just trying to make sure I had
heard you correctly.

SENATOR BONACIC: The reason for the discrepancy, two racinos are going to become casinos. So it's -- they were -- when I said nine racinos, it's going to be seven. Because they were racinos converted to casinos.

SENATOR KRUEGER: Then plus four casinos existing?

SENATOR BONACIC: Yeah, it's seven and four.

SENATOR KRUEGER: I'm sorry -- oh, I lost Mr. President.

SENATOR BONACIC: No, seven and four. Seven racinos, four casinos.

SENATOR KRUEGER: Yup.

SENATOR DeFRANCISCO: Excuse me, Mr. President. Will you perform your duties up there? Because we have a conversation going on right now. Which would probably be better if they took it out of the room and we could do some other things, but --

(Laughter.)

ACTING PRESIDENT GRIFFO: I'm going to ask both members to go through the house. I'm sorry, we're taking care of some other business.
But go ahead.

SENATOR BONACIC: And we'll go through Senator DeFrancisco also.

ACTING PRESIDENT GRIFFO: It was so entertaining that I had to take care of something else.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor will continue to yield.

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: As I understand now, he is suggesting 11 licenses and there are 11 racinos and/or casinos in the State of New York that would be the only entities eligible to get these licenses. Is that correct?

SENATOR BONACIC: That is correct.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: These are 10-year
licenses, and yet the state law for expanding casinos will allow four additional -- oh, three additional sometime in the near future.

So the next three casinos to come online in New York State under existing law, they won't be allowed to have licenses?

SENATOR BONACIC: I think we'll probably address that development when they come on board. And it's probably likely that we'll do additional legislation to enhance the amount of licenses. So those three casinos will also be able to do online gaming.

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

SENATOR BONACIC: Yes.

SENATOR KRUEGER: Does the Commission on Gaming and Wagering have to approve each of these licenses?

SENATOR BONACIC: Well, when you say do they have to, they're authorizing it. So there will be a review process to see, you know, who's conducting it.

But if the -- you know, we know some of the history of the players with the racinos.
We know the history and the background checks for the three owners and operators of the casinos. They've been vetted pretty well. So I would say to you that that's pretty much done.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: So Racing and Wagering doesn't really have the ability to say no to anyone.

The entities who own the casinos and racinos, will they be 100 percent owners of the online poker businesses as well, they can't bring in other partners?

SENATOR BONACIC: The answer is they can bring in another partner, a significant vendor. Yes, they can.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor will continue to yield.

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR KRUEGER: So even though the sponsor and I might agree we have gone through a vetting process and licensing process for who runs the casinos and racinos in the State of New York, since they would each get a license -- the commission couldn't really stop that -- but then they might go into business with other outside businesses who haven't gone through vetting by Racing and Wagering or anything else in the state, how are we going to protect against bad actors going into this business by going into partnerships with the existing casinos and racinos in the State of New York?

SENATOR BONACIC: Through you, Mr. President. Under our legislation, every contractor, subcontracting vendor that would partner with a racino and/or casino has to be vetted. And there is a suitability or -- to try to avoid a bad-actor player in this. So they'll look at character, they'll look at history, they'll look at deep financial, deep pockets. And they'll look, obviously, at whether or not there's been any kind of criminality of activity in the past that they've been associated with.
So there is a thorough vetting process for those new players that may want to become a partner, as you've asked.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

So last year we passed an online sports betting bill, but then the multiple companies merged into one company, so I don't remember what the name of the company is right now. But there was -- Draft Kings, maybe? Is that what they are today?

SENATOR BONACIC: Draft? They've merged, yeah.

SENATOR KRUEGER: They merged.

But in that bill, Mr. President, there was some very specific bad-actor language that would prevent people who had been defined under the bad-actor standards from running those businesses.

I don't see the same bad-actor
language that was in the sports betting bill in
the online poker bill. Could the sponsor explain
why that same language is not included in this
bill?

SENATOR BONACIC: On page 5, lines
30 to 46 in the bill, in the suitability review
for operators and their significant vendors, one
of the factors the Gaming Commission must take
into consideration is whether or not the operator
or significant vendor offered online poker or
online gaming in the United States in violation

So the language may not be
identical, but there is duplicate language that
covers the same protections.

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

SENATOR BONACIC: I would love to,
yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

I have to disagree with my colleague. In the DFS bad-actor language from
last year, it made explicit bad actors were
prohibited from receiving a license. In this
online poker bill, the commission has only to
consider criminal background when conducting
suitability review. And as we've already
established, they really can't say no because
we're saying each and every entity gets a
license.

So how are we protected from bad
actors under established standards in law
becoming the business partners in gambling in the
State of New York?

SENATOR BONACIC: Through you,
Mr. President, the Gaming Commission can say no
to anyone they deem not suitable.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The
sponsor yields.

SENATOR KRUEGER: Thank you.

This bill makes explicit that Texas
Hold'em and Omaha Hold'em would be recognized as
games of skill rather than games of luck or
chance. Is that correct?

SENATOR BONACIC: That is correct.

SENATOR KRUEGER: Through you,

Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR BONACIC: I do.

SENATOR KRUEGER: So if the State of New York establishes poker as games of skill under law, what stops me from opening up a poker club or a poker game anywhere I wish? Because we've established that now we recognize this as legal. How could we limit it to only online as opposed to real life?

SENATOR BONACIC: Through you,

Mr. President, we said that the Gaming Commission could only issue a license up to 11 and therefore would not give a license to your poker club.

SENATOR KRUEGER: Through you,

Mr. President, if the -- you know what, Mr. President, could I ask for a little quiet?

ACTING PRESIDENT GRIFFO: Are you bluffing?

SENATOR KRUEGER: Am I what?
ACTING PRESIDENT GRIFFO: Bluffing.

SENATOR KRUEGER: Bluffing? Oh, as in a poker game?

ACTING PRESIDENT GRIFFO: There you go.

(Laughter.)

SENATOR KRUEGER: Oh, I -- touché. I actually don't play poker.

ACTING PRESIDENT GRIFFO: Can we have some order in the house, please?

Senator Krueger, you may continue.

SENATOR KRUEGER: Thank you, Mr. President.

This bill would establish poker as a game of skill in the State of New York. I don't believe we have done that under any other law. So while we think we're discussing online poker and online poker licenses, what stops anyone from saying now poker is a recognized gambling activity as a game of skill, and why can't we play it all over the place and charge money for it? What prevents that once we have opened up that door in this bill?

SENATOR BONACIC: Through you, Mr. President, because we're making it a

Kirkland Reporting Service
violation of the Penal Law to engage in the kind
of poker club you're speaking about without a
license.

    That would be Section 225 to 36,
page 30 -- at line 30 and continuing.

SENATOR KRUEGER: I'm reading,
Mr. President.

SENATOR BONACIC: On page 8. On
page 8, Senator.

SENATOR KRUEGER: So through you,
Mr. President, if the sponsor would continue to
yield.

SENATOR BONACIC: Yes.

SENATOR KRUEGER: It is the
sponsor's position that the language in this
section of the bill would actually make explicit
that you could not gamble via these two games of
poker in any way, shape or form that was not the
online poker or taking place at a casino/racino?

SENATOR BONACIC: Yes.

SENATOR KRUEGER: Through you,
Mr. President, I'm just not sure that I agree.
But I will accept that the sponsor thinks that's
what this says. I'm personally not sure it
doesn't open up a whole new set of questions for
us.

But through you, if the sponsor would continue to yield.

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: In the online sporting bill that we debated last year and that passed, there were concerns about bots being participants in the online sports betting activities and the damage that could occur to unknowing players when they did not know they were actually playing against computer bots as opposed to another human being.

What kind of protections are there written into this bill to prevent people from I guess being suckered into losing their money against a computer bot when they do online poker?

SENATOR BONACIC: There is a provision in the legislation that the casinos and racinos would have penalties for so-called cheating. So right now I don't have that section, but I'll have my rep look for it and when we find it, I'll come back to it.

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

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: I appreciate the sponsor looking into it. But perhaps the scenario is not necessarily the casino or the racino or the business they're in business with running the online poker cheating, it's I'm signing up as a player to play Senator Bonacic, but actually I'm running a bot system. So I'm not necessarily the licensed entity, I am using their platform to go into poker cheating because I'm using computer bots to win.

What in this law protects poker players from not being ripped off by sophisticated, if you will, hackers of online poker through a bot system?

SENATOR BONACIC: Through you, Mr. President, I'm impressed that Senator Krueger is concerned about the consumer protections of people playing poker.

I've told you before I started that in North Korea we've had instances of them...
engaging in online poker illegally without consumer protections, without escrow funds for people that bet and protect their money, and it's untaxed.

Now, coming back to your question before, on page 6, line 40 to 45 talks of appropriate safeguards to ensure to a reasonable degree of certainty that the gaming will be honest and fair and they will implement appropriate measures to deter, detect, and the extent of cheating devices.

Now, I have never conducted an online gaming. I've been to the State of New Jersey, where this has existed for some time. They have very sophisticated technology that can detect cheaters.

And so when you talk about this stuff, I assure you that when we talk about in the bill that there's appropriate safeguards and measures, it's that sophistication and technology that's been going on in those three states with online gaming.

SENATOR KRUEGER: Through you, Mr. President. On the bill, but I will go back to additional questions.
ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

SENATOR KRUEGER: Thank you.

I want to thank the sponsor for the questions we've gone through so far.

His point that he's surprised I'm concerned about the consumer protection -- actually, almost my entire theory of objecting to gambling bills in the Senate is that we aren't protecting consumers.

And so there is research being done as we speak, an article from Technology, "The Bot That Bluffed Me," about the fact that the advances in computer bots being used to rip people off in online gambling is extraordinarily high.

Yes, there is illegal gambling going on online all over the world, whether it's the Koreans or anyone else who are offering us illegal gambling activities. But in fact the research being done shows that the potential for the gambler to be ripped off without even knowing it is extraordinarily high.

The likelihood that the companies will either find this or make good on returning
the money to the exploited consumer is not explicit enough for my satisfaction in this bill.

And I am not aware of any other state where, when they have in fact found bot-like illegal activities on their online platforms, have actually made good to the gambler with the money back.

When you sit at a card game, you might catch someone cheating. But there's a pretty good chance that if and when you do, someone does something about it and you get the money back.

But what I'm reading in technology magazines and online sites is that online gambling and bots is technically a much more dangerous form of gambling from a chance of being exploited and ripped off perspective. That in fact some technology experts are arguing this is what will blow up online gambling completely, because we won't be able to control and protect from bots pretending to be other players but standing a statistically incredibly high chance of beating the actual players.

That online gambling is actually statistically more addictive than other forms of
gambling. Why, you might ask, Mr. President? Because computer software companies and app companies are specializing in creating apps that actually addict your brain. There's a recent book called Brain Hacking. If you watch 60 Minutes, you might have seen the story about it just this Sunday, where a person who was a tech insider came to 60 Minutes to explain how he was being hired and others were being hired to ensure that all of us were becoming more addicted to the technology and the apps, like our phones and our computers.

I look around this room, and half of us are on them as we speak. I actually feel I may need a 12-step program because of my attachment to my smartphone.

So we're being -- literally, we're having our brains reprogrammed to participate in these redundant but fun activities. There's no one around to notice or stop us. Unlike if you show up at the casino every day, your spouse might go, Hello, honey, you don't go to your job anymore and we're not feeding the kids or paying the rent, you're just attached to these machines that are being designed to addict you.
And then you face the chance of being ripped off by bots who are actually playing against you. I think this is actually so much worse than the kind of gambling we allow in casinos and racinos and the lottery, that there can't possibly be the protections built into this bill that would actually address my concerns.

Now, Mr. President, I would like to go back to asking the sponsor some more questions.

ACTING PRESIDENT GRIFFO: Senator Bonacic, are you all in?

SENATOR BONACIC: I'm all in.

(Laughter.)

ACTING PRESIDENT GRIFFO: Senator Krueger.

SENATOR KRUEGER: Thank you. Just a few more of the technicalities on the bill.

So the bill says that the license fees for the 11 licenses -- which I believe he said were $10 million each -- will go into the state lottery fund for education. Or the opposite? Excuse me, that the -- let me pose it as a question, Mr. President.

The licensing fees for the 11
licenses goes where?

SENATOR BONACIC: Education.

SENATOR KRUEGER: So you're saying the licensing fees goes to the lottery for education?

SENATOR BONACIC: $110 million will go to education, and 15 percent tax rate of the interactive winnings from -- will go to the state for education.

SENATOR KRUEGER: Through you, Mr. President, if the sponsor will continue to yield.

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: So from the sponsor's bill, page 8, Section 1505, the licensees engaged in the businesses of conducting interactive gaming pursuant to this article shall pay a privilege tax based on the licensee's interactive gaming gross revenue at a 15 percent rate, and the commission shall pay into the state lottery fund all taxes imposed by this article. So that implies that the 15 percent share of the winnings does go into the lottery.

Kirkland Reporting Service
But I believe that the licensing fees are not explicitly required to go into education.

Can I just reask the question? Is it both that go into --

SENIOR BONACIC: Yes.

SENIOR KRUEGER: Yes. Okay, I'm going to ask staff to double-check that.

So through you, Mr. President, on page 5, section -- paragraph 8, starting at the bottom: The commission shall require all licensees to operate interactive gaming to pay a one-time fee of $10 million. Such fee paid by each licensee shall be applied to satisfy in whole or part, as applicable, the licensee's tax obligation, pursuant to Section 1505 of this article, in 60 equal monthly installments allocated to each of the first 60 months of the tax owed.

But it doesn't say explicitly anywhere in this section that that goes to education or the lottery fund.

SENIOR BONACIC: My good counsel here has said that the license fee is treated as a tax, all taxes go to education. In the legislation.
SENATOR KRUEGER: Okay. Through you, Mr. President, if the sponsor will continue to yield.

SENATOR BONACIC: Yes.

ACTING PRESIDENT GRIFFO: The sponsor yields.

SENATOR KRUEGER: Thank you.

What provisions are there in this bill to provide increased revenue for people who become addicted? Because again, the research shows there's a higher addiction rate to online gaming than other forms of gambling.

SENATOR BONACIC: There is no additional monies for addiction on online gaming. But the -- let me just look at lines 46 and 47. Yeah, just appropriate safeguards to minimize compulsive gaming and to provide notice to participants of resources to help problem gamblers.

What we found in New Jersey, you can self-declare you're addicted to gambling and then they would not be allowed to play online gaming at that residence. And/or they could track the monies that are put up in an escrow account to support online gaming for the games they want to
play.

And if the professionals at the casino think that this could be a problem gambler, but not addicted or declared, they can cut them off. They have that discretion.

SENYOR KRUER: Through you, Mr. President, if the sponsor would continue to yield.

SENYOR BONAC: Yes.

ACTING PRESIDENT GRIFF: The sponsor yields.

SENYOR KRUER: Thank you.

Shifting to another section, does this new bill take into consideration the fact that the federal government might change how it interprets the Wire Act? And do we have a plan in the event that the Wire Act is reinterpreted by the federal government?

SENYOR BONAC: We could only talk of what the law is today. So let me touch on the Wire Act, since you've raised it.

There were two federal laws that we were concerned with when we started fantasy sports and we started online gaming. Now, when you speak of the Wire Act, that prohibits the
transmission across state lines of information related to sports betting. Sports betting, not poker.

And it was originally adopted in 1961 to stop the use of wire communications by unlawful bookmakers to receive information or place bets on sporting events.

In a memo issued September 20, 2011, by the Assistant Attorney General, Criminal Division, of the United States Department of Justice, they said the Wire Act has no impact on online gaming if the gaming in question does not involve a sporting event.

That's the law today. And that's how we proceed based on what the law is today.

SENATOR KRUEGER: Through you, Mr. President. My reason for being concerned about this -- on the bill, Mr. President -- is that while the sponsor is correct in citing the 2011 memos, in the interview of the U.S. Senate for recently hired Attorney General Jeff Sessions, he actually was explicit about wanting to reverse the Wire Act and not sharing his predecessor's opinion about the interpretations of allowing online gaming. So I'm just pointing
out we might have a new problem on our hands.

    Going -- you know, on the bill,

Mr. President.

    ACTING PRESIDENT GRIFFO: Senator Krueger on the bill.

    I was hoping you were going to fold,

but --

    (Laughter.)

SENATOR KRUEGER: I really have to learn gambling so that I can have this fun repartee with you. I'm sorry, I just can't do it.

    So no one would be surprised that I am not a big fan of gambling. But as I continue to say, there's probably gambling bills I could support, they're just never the bills that come to the floor of the New York State Senate.

    I'm really very concerned about online poker. Ironically, a heavy concern is consumer protection, as was spoken by the Senate sponsor being surprised.

    I'm also concerned that it will directly compete with the enormous investments the State of New York has put into bricks-and-mortar gambling. Because while it's
true I guess there will have to be a computer
terminal at an existing New York site that is the
server -- or whatever we call those today for
online gambling -- you need an incredibly small
number of people working in online poker to have
online poker.

And the dilemma is because -- you
know, I'm speaking on the bill, Mr. President.

ACTING PRESIDENT GRIFFO: Senator
Krueger, you're allowed 30 minutes on the bill.
The conference is allowed two hours. You have
now expended 35 minutes. So I will give you --

SENATOR KRUEGER: Okay, I'll talk
faster.

ACTING PRESIDENT GRIFFO: --
exercise a little more flexibility if you could
conclude.

SENATOR KRUEGER: So it will
actually risk the kinds of jobs we have already
factored into our economy when we added casinos
and racinos, because frankly online poker doesn't
require a lot of people to be involved at all.
It doesn't involve you going somewhere. It
doesn't involve your buying some food or some
drink while you're there or staying over at a
hotel. It just involves you sitting on your phone or on your computer and spending your money.

   It is more addictive. More people's money will go down the tubes. You are more likely to be exploited in this kind of gambling.

   And in closing, please remember when people argue that economic generation comes with expanded gambling, that's actually not true. People have a limited amount of disposable income, and every time they lose it gambling, they are not spending it somewhere else in our local economy.

   And under this scenario, they won't be spending it anywhere in our local economy. And the only people who will have won any money are the businesses who run these.

   So I think it's a bad bet, Mr. President, and I urge my colleagues to fold and not vote yes.

   (Laughter.)

   SENATOR KRUEGER: I vote no,

   Mr. President.

   ACTING PRESIDENT GRIFFO: Seeing and hearing no other Senator that wishes to be
heard, the debate is closed. The Secretary will ring the bell.

The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Can I have some order, please, in the chamber.

Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Bonacic.

Senator Bonacic will close in the explanation of votes.

SENATOR BONACIC: Thank you, Mr. President.

Back in 2013 the people of this state, in a constitutional amendment, said that they want commercial gaming in the State of New York as a form of recreation if they so choose. It's their money. They decide how to use it. That's point number one.

Point number two, this is projected in this state that in the outyears, $4.5 billion deficit, 2019; $6 billion, 2020, $7.5 billion,
2021. We need to enhance our revenues.

Since the people have voted, we now have had nine racinos, there will be four casinos, and probably three more four to five years out, probably in the metropolitan area. Probably.

That money that comes from gaming in the casinos --

ACTING PRESIDENT GRIFFO: Excuse me, Senator Bonacic.

Can I have some order and respect, please, in the chamber.

Senator Bonacic.

SENATOR BONACIC: Eighty percent of that money that comes from commercial gaming comes to us for education.

You know how we all are on the budgets. When it comes, we want to see the runs, how is our school districts doing, how is our school districts doing. So this is a revenue enhancer for education.

I said before that illegal online gaming is going on, so why don't we monitor it, put consumer protections in, and tax it for a very good purpose. And where those casinos are,
in case you forgot, all those counties around the
casino -- the host casino, where the casino is
located, picks up 10 percent of the action, and
all the other counties pick up a sharing of
10 percent for property tax reduction and
education.

Now, I'm not singling out Senator
Krueger. She has a moral issue with gambling.
And no matter how much -- I'm never going to
convince her that gambling is a good thing if she
thinks it's an issue of morality.

But the people have told us they
want this. And we have to be smart about it.
It's here. If they don't do it in New York,
they'll just go to Jersey and play. And they'll
go to the states all around us and play. So we
should keep the money in the State of New York
and use it for good purposes, which we are.

I vote aye. Thank you very much
Mr. President.

ACTING PRESIDENT GRIFFO: Senator
Bonacic to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to
Calendar 895, those recorded in the negative are
Senators Brooks, Hoylman, Jacobs, Krueger, Lanza, LaValle, Parker, Ranzenhofer and Squadron.

Absent from voting: Senator Díaz.


ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that concludes the controversial reading.

SENATOR DeFRANCISCO: I'd like to go to the supplemental active list, please, noncontroversial.

ACTING PRESIDENT GRIFFO: You want the original supplemental active list with Senator Stavisky at the top, Calendar Number 1481?

You had indicated earlier, Senator DeFrancisco, that we were going to take up a -- we have three supplemental active lists before us: The original -- Supplemental Active List 2, with Calendar Number 31, is that what you want, or Calendar Number --

SENATOR DeFRANCISCO: What I said was supplemental active list. I didn't say 2 or 3.

ACTING PRESIDENT GRIFFO: You did,
sir, I did hear you. So the Secretary will read.

SENATOR DeFRANCISCO: Okay. The supplemental active list starting with two Stavisky bills, will you do the noncontroversial.

ACTING PRESIDENT GRIFFO: Thank you.

The Secretary will read.

THE SECRETARY: Calendar Number 1481, by Senator Stavisky, Senate Print 5213, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1482, by Senator Stavisky, Senate Print 5220, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.
THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1523, substituted earlier by Member of the Assembly Weprin, Assembly Print 3053, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect one year after it shall have become a law.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number
1542, by Senator Parker, Senate Print 3421, an
act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)


Senators Akshar, Murphy and Ortt recorded in the
negative.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: On page 86, Senator
Díaz moves to discharge, from the Committee on
Rules, Assembly Bill Number 2394 and substitute
it for the identical Senate Bill 4909, Third
Reading Calendar 1551.

ACTING PRESIDENT GRIFFO: The
substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number
1551, by Member of the Assembly Dinowitz,
Assembly Print 2394, an act to amend the
Executive Law.

        ACTING PRESIDENT GRIFFO: Read the last section.

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

        ACTING PRESIDENT GRIFFO: Call the roll.

        (The Secretary called the roll.)

        THE SECRETARY: Ayes, 63.

        ACTING PRESIDENT GRIFFO: The bill is passed.

        THE SECRETARY: Calendar Number 1554, by Senator Stavisky, Senate Print 5222, an act to amend the Real Property Tax Law.

        ACTING PRESIDENT GRIFFO: Read the last section.

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

        ACTING PRESIDENT GRIFFO: Call the roll.

        (The Secretary called the roll.)

        THE SECRETARY: Ayes, 63.

        ACTING PRESIDENT GRIFFO: The bill is passed.

        THE SECRETARY: Calendar Number
1573, by Senator Stewart-Cousins, Senate Print
6462, an act to amend Chapter 118 of the Laws of
1969.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

Senator DeFrancisco, that completes
the noncontroversial reading of the supplemental
active list.

SENATOR DeFRANCISCO:
Mr. President, will you now take up Supplemental
Active List 2, starting with two Senator Amedore
bills.

ACTING PRESIDENT GRIFFO: The
Secretary will read, starting with Calendar
Number 31.

SENATOR DeFRANCISCO: Before you
read the noncontroversial reading of that
calendar, can I please go back to motions and resolutions.

ACTING PRESIDENT GRIFFO: We'll return to motions and resolutions.

SENATOR DeFRANCISCO: On page 48, I offer the following amendments to Calendar 1042, Senate Print 1356, by Senator Funke, and ask that said bill retain its place on the Third Reading Calendar.

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

SENATOR DeFRANCISCO: Thank you. Can we now go to the noncontroversial reading of Supplemental Active List 2.

ACTING PRESIDENT GRIFFO: The Secretary will read.

THE SECRETARY: Calendar Number 31, by Senator Amedore, Senate Print 894A, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 86, by Senator Amedore, Senate Print 898, an act to amend the Mental Hygiene Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


Senator Hoylman --

ACTING PRESIDENT GRIFFO: Members be alert, please.

Announce the results.


Senators Brooks and Hoylman recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 299, by Senator LaValle, Senate Print 2482C, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 328, by Senator Little, Senate Print 367A, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.


ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 421, by Senator Ortt, Senate Print 2921A, an act in relation to directing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

Senator Hoylman recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 15, Senator Ortt moves to discharge, from the Committee on Rules, Assembly Bill Number 559A and substitute it for the identical Senate Bill 1152A, Third Reading Calendar 425.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 425, by Member of the Assembly Woerner, Assembly Print 559A, an act to amend the General Obligations Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: On page 16, Senator Hannon moves to discharge, from the Committee on Rules, Assembly Bill Number 834B and substitute it for the identical Senate Bill 3567B, Third Reading Calendar 436.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 436, by Member of the Assembly Gunther, Assembly Print 834B, an act directing.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 452, by Senator Ritchie, Senate Print 1907, an act in relation to properties.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 468, by Senator Alcantara, Senate Print 2386A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 160th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 17, Senator Akshar moves to discharge, from the Committee on Rules, Assembly Bill Number 3910A and substitute Kirkland Reporting Service
it for the identical Senate Bill 4473A,
Third Reading Calendar 472.

    ACTING PRESIDENT GRIFFO: The substitution is so ordered.
    The Secretary will read.
    THE SECRETARY: Calendar Number 472, by Member of the Assembly Crouch,
Assembly Print 3910A, an act to amend the Highway Law.

    ACTING PRESIDENT GRIFFO: Read the last section.
    THE SECRETARY: Section 2. This act shall take effect immediately.

    ACTING PRESIDENT GRIFFO: Call the roll.
    (The Secretary called the roll.)
    THE SECRETARY: Ayes, 63.
    ACTING PRESIDENT GRIFFO: The bill is passed.

    THE SECRETARY: On page 17, Senator Akshar moves to discharge, from the Committee on Rules, Assembly Bill Number 3913A and substitute it for the identical Senate Bill 4475A,
Third Reading Calendar 473.

    ACTING PRESIDENT GRIFFO: The
substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 473, by Member of the Assembly Crouch, Assembly Print 3913A, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 17, Senator Marchione moves to discharge, from the Committee on Rules, Assembly Bill Number 6496A and substitute it for the identical Senate Bill 4662A, Third Reading Calendar 474.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 473, by Member of the Assembly Crouch, Assembly Print 3913A, an act to amend the Highway Law.
474, by Member of the Assembly Woerner, Assembly Print 6496A, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 496, by Senator Amedore, Senate Print 2761, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Amedore to explain his vote.
SENATOR AMEDORE: Mr. President, I rise to support this important piece of legislation.

There's no question big-business dealers continue to look at ways to make their product more potent, more powerful, stronger, and all for the reason to make more money, more profits. All the while, overdose deaths in the State of New York continue to rise.

They will continue -- these big-business dealers will continue to prey on the most vulnerable in our communities. And until the punishment fits the crime, they will continue to do whatever it takes.

So this Laree's Law, combined with other law enforcement measures, we believe here in the Senate will go a long way to stopping the flow of the drugs that are in our communities.

I want to introduce Patty Farrell. She's up in the gallery. You all know her because she's been here a few different times on Laree's Law, because Laree, at the age of 18, five days before her 19th birthday, overdosed and died in her bedroom upstairs from Patty.

And because of big dealers mixing
this poison heroin with fentanyl and other synthetic drugs, we are losing at an astonishing rate our young people and those who are bound by addiction.

So I believe, Mr. President, that this will go a long way. And I want to thank Patty for your advocacy, your dedication, your tenacity and your love for so many in New York to help them battle their addiction by this other-prong approach of enforcement.

So thank you, Mr. President. I vote aye.

ACTING PRESIDENT GRIFFO: Senator Amedore to be recorded in the affirmative.

Senator Akshar to explain his vote.

SENATOR AKSHAR: Mr. President, I rise to explain my vote.

Many of you have heard me say this, that this is, in my humble opinion, one of the most pervasive issues that is plaguing our communities across this great state.

And I would say this, that this very epidemic is poisoning the heart and soul of America. It is ripping families apart. We see that all too often. We have in fact taken a
multifaceted approach in dealing with this particular issue. We have invested record amounts of money in prevention, education, treatment and recovery.

Now is not the time -- and I repeat, now is not the time to discuss overpopulation in correctional facilities, reforms to the criminal justice system. These bills, this particular bill and the rest of the bills that we'll be taking up doesn't penalize those suffering from addiction. It holds people who peddle this poison in our communities accountable.

I have to be honest with everybody; I can't help but scratch my head when I see the spokesman of the Assembly say, and I quote, Enhanced penalties are not a solution to addiction. And we'll study the issue.

What have you got to study? We're losing a generation of people. The time to act is now. And I would suggest to everybody in this room and everybody in the other house, put people before politics. Please, when voting on these bills, put people before politics.

I vote aye, Mr. President.

ACTING PRESIDENT GRIFFO: Senator Kirkland Reporting Service
Akshar to be recorded in the affirmative.

    Senator Kaminsky to explain his
dvote.

    SENATOR KAMINSKY: Thank you.

    I vote in the affirmative and I want
to thank the sponsor for this.

    I have talked to the district
attorneys in my area who have described to me the
agonizing conversations with families of victims
who want to know why the same person who killed
their son or daughter is out there standing on
the street corner, probably selling to other
people -- in fact, definitely selling to other
people.

    Look, we have to have a holistic
approach and I completely agree that whether it's
treatment or a better focus on mental health --
all of which we need to do more on -- there
definitely is a place for prosecuting the right
people -- or should I say the wrong people.

    And when people knowingly sell to
others that result in their death, this is the
least we can do. It's just, it's right, and
there's a place for this in our overall holistic
approach to combating the heroin epidemic, which
is absolutely eating up the area where I live and
where so many of you live.

So I vote in the affirmative. Thank
you to the sponsor. Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator
Kaminsky to be recorded in the affirmative.

Senator Parker to explain his vote.

SENATOR PARKER: Thank you, Mr. President, to explain my vote.

Let me thank the sponsor of the bill
for bringing this forward. As the ranking member
on the Alcoholism and Substance Abuse Committee,
I certainly share their concerns.

As somebody who comes from a place
where I've had family members -- I had a brother
who was a heroin addict in the 1980s, contracted
AIDS, and died in prison. Right? So this is not
an abstract thing for me. This is a very real
thing for me.

And so I'm telling you now that
you're not going to stop the heroin epidemic with
this bill, that this is a back door to the
Rockefeller Drug Laws that we repealed back in
2009 exactly because it didn't work.

And so I get where everybody is.
Patty, I am so sorry for your family and for your
daughter and for everything you've gone through.
And we want to do everything we can to help
families all over. And I'm glad that everybody
is at the party now, right, now that good white
kids are dying from this. Let's keep it funky.
But at the end of the day, this has been a plague
in the black and Latino community for 30 years
and this body did nothing.

And so I'm glad that everybody is
now here, I'm glad we're here dealing with this,
because everybody deserves to get help on this.
But criminalizing it, it didn't work before.
It's not like we don't know the history of this.
And we don't need to study it, I agree with that.

But we do need to provide the kind
of services that communities need, the education
that communities need. And we actually need to
be working on -- if you want to do something from
a criminal justice perspective, to work with both
federal and state and local agencies to create
more task forces to keep the drugs out of our
community but to treat people in it.

So unfortunately, although I agree
with the merits, I can't vote yes on this bill.
I'm a no.

ACTING PRESIDENT GRIFFO: Senator Parker to be recorded in the negative.

Senator Robach to explain his vote.

SENATOR ROBACH: Yes, Mr. President. Just quickly to explain my vote.

I think we're talking about a lot of things here, and I want to go back to what Senator Akshar said. We have addressed this in a multi-pronged approach. This attempt is to go after the people literally that are profiting off of selling death.

And I'm not sure I understand it. In the early '80s when I worked for Monroe County, if you found heroin on the street that was 14 or 15 percent, it was high. This heroin from these dealers -- and I'm not sure how it even works in a business model, let alone a personal model -- is 50 percent heroin and then knowingly cut with fentanyl, which is synthetic heroin, which may be even more dangerous.

So they clearly know -- they're not feeding addiction, they're willing to let those people die. They know they are. And in every one of our counties, every one of our
neighborhoods, go look at the numbers. The
deaths are up. That's with thousands of people
being saved by Narcan.

So we are not talking about what
happened in the past, we are talking about what's
going on today in every neighborhood, in every
demographic, in every group.

So there has to be a clear message
to these peddlers literally of not only misery
and addiction but now, knowingly, death, but that
you're going to pay a price if you choose to cut
it with that, continue to sell that, and be out
there.

And many times we've talked about in
this chamber going after the people who are the
distributors, the top people. That's what this
bill does. And I'm very proud; in my community
we have a police department, the Gates Police
Department, a suburban police department, that's
trying to track, through packaging, the deadly
heroin that's being sold in our neighborhood.

I want to congratulate Senator
Amedore, the task force. This is a bill that, if
it gets passed, I literally believe will save
people's lives and let people know that in
addition to trying to deal with addiction and
treatment, that we are not going to let people
knowingly sell this. This is a different brand
of product. And that if you do choose to do
that, you are going to pay the price equal to
what you deal to other people.

    Thank you, Mr. President. I vote
yes.

ACTING PRESIDENT GRIFFO: Senator
Robach to be recorded in the affirmative.

Senator Rivera to explain his vote.

SENATOR RIVERA: Mr. President,
I'll be voting in the negative on this bill.

    One of my colleagues just referred
to we should be focusing on what's happening
right now as opposed to what happened in the
past. But if it is said that the past is
prologue, what we in this body -- I did not serve
in this body when thankfully the Rockefeller Drug
Laws were reformed in a very big way. I was not
in this body when the Rockefeller Drug Laws were
imposed. And the reality is that what that did
for a very long time was the New York version of
a criminal justice system which criminalized not
only addiction, but also the communities that it
The past is prologue. The folks that have been -- that are currently -- many of them are currently incarcerated around the country. When we think about most of the folks that are incarcerated for nonviolent drug crimes -- this is trickling us back in that direction.

So, Mr. President, I thank -- and as I have many times on this floor, I thank my colleagues in the Republican Conference for finally recognizing that addiction is a public health issue and not a criminal justice one.

I would remind them that bills like this are precisely what a few decades ago started trickling us towards having hundreds of thousands of people across the country in prison and up to this point, still to this day, the highest population of incarcerated people in the entire world.

We should not start trickling back in that direction, Mr. President. I'm thankful that we've been moving in a positive direction. But this bill is not the way to do it. I vote in the negative. Thank you, Mr. President.
ACTING PRESIDENT GRIFFO: Senator Rivera to be recorded in the negative.

Senator Squadron to explain his vote.

SENATOR SQUADRON: Thank you, Mr. President.

The good news is that on both sides of the aisle we're all expressing the same values and goals here, and that is a step forward. And I know that folks mean it, a multi-pronged approach, going after the folks who are peddling and pushing poison for young people, treating folks who have addictions. That's a good set of shared values.

The problem with this bill is it doesn't reflect those values because while it uses the word "sale," in the law it includes the act of sharing. That means giving something to someone else without compensation for it.

So if someone were to unlawfully, without a prescription, take an opiate or controlled substance out of someone's else's -- including a family member's -- medicine cabinet, share it or give it to a friend and they went back home, God forbid something happened to that
second person. You'd have an A-1 felony, the
highest level of penalty we have in this state,
the closest thing we have to locking someone up
and throwing away the keys.

That is not consistent with the
goals that we're talking about across the aisle
here. It is the impact of this bill. It's the
reason I'm a no. And I hope we see more bills
that really do reflect the shared values we're
hearing across the aisle.

Thank you, Mr. President.

ACTING PRESIDENT GRIFFO: Senator
Squadron to be recorded in the negative.

Announce the results.

THE SECRETARY: In relation to
Calendar 496, those recorded in the negative are
Senators Alcantara, Bailey, Dilan, Gianaris,
Hamilton, Hoylman, Krueger, Montgomery, Parker,
Peralta, Rivera, Sanders and Squadron. Also
Senators Benjamin and Comrie. Also
Senator Persaud. Also Senator Stavisky.

Ayes, 46. Nays, 17.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number
539, by Senator Gallivan, Senate Print 2393A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 596, by Senator Golden, Senate Print 233A, an act to establish.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 627, by Senator Phillips, Senate Print 4456A, an act to amend the Civil Practice Law and Rules.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 675, by Senator Seward, Senate Print 3959A, an act to amend the Insurance Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number 701, by Senator Flanagan, Senate Print 3522, an act to amend the Highway Law.

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

Please read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 723, by Senator Ranzenhofer, Senate Print 5374, an act to amend the New York State Urban Development Corporation Act.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.
(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 731, by Senator LaValle, Senate Print 3834, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 750, by Senator Ranzenhofer, Senate Print 2642A, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 764, by Senator Griffo, Senate Print 5192, an act to amend the Public Service Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar 777 has been amended and is therefore ineligible because it's high.

Next, Calendar Number 789.

THE SECRETARY: Calendar Number 789, by Senator Hannon, Senate Print 4632, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the
The last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 821, by Senator Marcellino, Senate Print 1146A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Announce the results.

THE SECRETARY: In relation to Calendar 821, those recorded in the negative are Senators Bailey, Comrie, Hamilton, Hoylman,
Krueger, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Serrano and Stewart-Cousins. Also Senator Dilan. Also Senator Squadron. Also Senator Stavisky. Also Senator Gianaris.

Ayes, 46. Nays, 17.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 831, by Senator DeFrancisco, Senate Print 3203, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 36, Senator Young moves to discharge, from the Committee on Rules, Assembly Bill Number 4742A and substitute it for the identical Senate Bill Number 2585A, Third Reading Calendar 841.
ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 841, by Member of the Assembly Giglio, Assembly Print 4742A, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 859, by Senator Lanza, Senate Print 2602, an act to amend the Environmental Conservation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.
(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  On page 39, Senator Bonacic moves to discharge, from the Committee on Judiciary, Assembly Bill Number 6955 and substitute it for the identical Senate Bill 5737, Third Reading Calendar 873.

ACTING PRESIDENT GRIFFO:  The substitution is so ordered.

The Secretary will read.

THE SECRETARY:  Calendar Number 873, by Member of the Assembly Buchwald, Assembly Print 6955, an act to amend the Judiciary Law.

ACTING PRESIDENT GRIFFO:  Read the last section.

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

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.
THE SECRETARY: Calendar Number 883, by Senator Croci, Senate Print 1853, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 891, by Senator LaValle, Senate Print 3828, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect September 1, 2018.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number 916, by Senator Lanza, Senate Print 2631, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 916, those recorded in the negative are Senators Hoylman, Montgomery and Parker.

Ayes, 60. Nays, 3.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 917, by Senator Golden, Senate Print 2744, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.
roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.


Senators Montgomery and Parker recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 920, by Senator Lanza, Senate Print 3538, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 920, those recorded in the negative are Senators Hoylman, Krueger, Montgomery, Parker and Squadron.

Ayes, 58. Nays, 5.

ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number

921, by Senator LaValle, Senate Print 3857, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number

928, by Senator Croci, Senate Print 5946, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.
ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 965, by Senator Akshar, Senate Print 4474A, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 999, by Senator Klein, Senate Print 5619, an act to establish.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 11. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)
THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1007, by Senator Carlucci, Senate Print 391A, an act to amend the Public Officers Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

So this bill would change a 40-year system where people who work for the City of New York, some of whom live in the City of New York and some of whom live outside of the City of New York, currently all pay equal taxes to the city. And it's been fair, and it's been equitable.

If this law gets passed, the City of
New York reports they will lose, in the first year, $156 million of revenue. It will actually create a model that encourages more and more people to move out of the City of New York.

Now, many of you don't seem to love New York City residents, so I don't know if you want us moving into your districts. I think not. But I know that this is the wrong thing to do for the City of New York. They have explicitly urged a no vote.

And I don't know why we here in the Senate tonight, at 7 p.m. on whatever night of June this is, would choose to reverse 40 years of established law for New York City's tax policy. I urge a no vote, certainly if you come from the City of New York, and maybe if you live outside the City of New York and don't want us moving to your neighborhoods.

I vote no, Mr. President. Thank you.

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

Announce the results.

THE SECRETARY: In relation to Calendar 1007, those recorded in the negative are
Senators Alcantara, Bailey, Benjamin, Comrie, DeFrancisco, Dilan, Gianaris, Hamilton, Hoylman, Krueger, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Savino, Serrano, Squadron and Stavisky.


ACTING PRESIDENT GRIFFO: The bill passes.

THE SECRETARY: On page 46, Senator Little moves to discharge, from the Committee on Rules, Assembly Bill Number 7646A and substitute it for the identical Senate Bill Number 4276B, Third Reading Calendar 1010.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1010, by Member of the Assembly Jones, Assembly Print 7646A, an act to amend the Indian Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.
(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1017, by Senator Boyle, Senate Print 638, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1017, those recorded in the negative are Senators Alcantara, Bailey, Comrie, Dilan, Hamilton, Hoylman, Krueger, Montgomery, Parker, Persaud, Rivera, Sanders, Serrano and Squadron.

Ayes, 49. Nays, 14.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1019, by Senator O'Mara, Senate Print 724A, an
act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: While this would not apply to the City of New York, I worry about everyone's children. And in fact the sparkling devices can put someone's eye out or cause incredible burns.

So I would urge, on behalf of the parents of New York State, that we not allow these sparklers to be sold and end up with too many damaged children, particularly around July 4th.

And also I'm feeling bad that I wasn't continuing my Senator No Fun streak. So on behalf of Senator No Fun, we should try to keep our children whole until they become adults.

I vote no, Mr. President.
ACTING PRESIDENT GRIFFO: Senator Krueger in the negative.

Announce the results.


Senators Hoylman and Krueger recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1027, by Senator Golden, Senate Print 1864, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


Senator Dilan recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1042 has been amended and therefore is high and ineligible.

Calendar Number 1060.
THE SECRETARY: Calendar Number 1060, by Senator O'Mara, Senate Print 2083A, an act to amend the Transportation Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 49, Senator Croci moves to discharge, from the Committee on Rules, Assembly Bill Number 7186 and substitute it for the identical Senate Bill 5511, Third Reading Calendar 1069.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1069, by Member of the Assembly Thiele, Assembly Print 7186, an act to amend Chapter 435 of the Kirkland Reporting Service
Laws of 2014.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1106, by Senator DeFrancisco, Senate Print 3297, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: If you're in the negative, raise your hand or we'll list you in the affirmative.
Announce the results.

THE SECRETARY: In relation to Calendar 1106, those recorded in the negative are Senators Addabbo, Alcantara, Avella, Bailey, Benjamin, Breslin, Brooks, Carlucci, Comrie, Dilan, Gianaris, Hamilton, Hoylman, Kaminsky, Kennedy, Klein, Krueger, Latimer, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders, Savino, Serrano, Squadron, Stavisky, Stewart-Cousins and Valesky.


(Reaction from members.)

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1113, by Senator LaValle, Senate Print 5776A, an act to amend Section 1 of Chapter --

SENATOR DeFRANCISCO: Lay it aside for the day.

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

Calendar Number 1114 has been amended and is high and ineligible for consideration.

Calendar Number 1117 is before the
house.

THE SECRETARY: Calendar Number

1117, by Senator Phillips, Senate Print 5944A, an
act authorizing.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: On page 56,
Senator Hannon moves to discharge, from the
Committee on Rules, Assembly Bill Number 7203 and
substitute it for the identical Senate Bill 4741,
Third Reading Calendar 1145.

ACTING PRESIDENT GRIFFO: The
substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number
1145, by Member of the Assembly Jones,
Assembly Print 7203, an act to amend the
Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Roll call.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1147, by Senator Hannon, Senate Print 5357, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 13. This act shall take effect on the 90th day.

ACTING PRESIDENT GRIFFO: Roll call.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1149, by Senator Akshar, Senate Print 5670, an
act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Roll call.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1153, by Senator Jacobs, Senate Print 5884, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Roll call.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number
1155, by Senator Valesky, Senate Print 5940, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Roll call.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1157, by Senator Seward, Senate Print 6012, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 1158, by Senator Hannon, Senate Print 6053, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 60th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar 1176 has been amended and is high and ineligible for consideration.

The Secretary will read Calendar 1179.

SENATOR MARCELLINO: Lay the bill aside for the day.

ACTING PRESIDENT GRIFFO: Lay that bill aside for the day.

Calendar 1196 is before the house.

THE SECRETARY: Calendar Number 1196, by Senator Marchione, Senate Print 4514, an act to amend Chapter 556 of the Laws of 2007.
ACTING PRESIDENT GRIFFO:  Read the last section.

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

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  In relation to Calendar 1196, those recorded in the negative are Senators Brooks, Kaminsky and Lanza.

Ayes, 60.  Nays, 3.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 1243, by Senator Hamilton, Senate Print 5120, an act to establish.

ACTING PRESIDENT GRIFFO:  Read the last section.

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

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill
is passed.

THE SECRETARY:  Calendar Number

1246, by Senator Golden --

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

ACTING PRESIDENT GRIFFO:  Lay it aside for the day.

THE SECRETARY:  Calendar Number

1263, by Senator Griffo, Senate Print 2539, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO:  Read the last section.

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

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number

1267, by Senator Murphy, Senate Print 4243, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO:  Read the last section.
THE SECRETARY:  Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 1269, by Senator Murphy, Senate Print 4247A, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO:  Read the last section.

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

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 1272, by Senator Felder, Senate Print 4491, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO:  Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 63, Senator Gallivan moves to discharge, from the Committee on Rules, Assembly Bill Number 7568 and substitute it for the identical Senate Bill 5407, Third Reading Calendar 1278.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1278, by Member of the Assembly Weprin, Assembly Print 7568, an act to amend the Executive Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the
(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 1283, by Senator Little, Senate Print 5661B, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO:  Read the last section.

THE SECRETARY:  Section 2.  This act shall take effect April 1, 2018.

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 1307, by Senator Marcellino, Senate Print 1182, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO:  Read the last section.

THE SECRETARY:  Section 6.  This act shall take effect on the first of November.
ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


Senators Montgomery and Parker recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1308, by Senator Avella, Senate Print 1876, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1308, those recorded in the negative are Senators Alcantara, Bailey, Benjamin, Brooks, Comrie, Gianaris, Hoylman, Krueger, Montgomery, Parker, Persaud, Rivera, Sanders, Serrano, Squadron and Stewart-Cousins.

Kirkland Reporting Service
Ayes, 47. Nays, 16.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1313, by Senator Lanza, Senate Print 3313, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1324, by Senator Klein, Senate Print 6369A, an act to amend the General Business Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 3. This act shall take effect immediately.
ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 67, Senator Marchione moves to discharge, from the Committee on Rules, Assembly Bill Number 6000 and substitute it for the identical Senate Bill 3692, Third Reading Calendar 1327.

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

The substitution is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number 1327, by Member of the Assembly Woerner, Assembly Print 6000, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)
THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 67, Senator Marchione moves to discharge, from the Committee on Rules, Assembly Bill Number 5976 and substitute it for the identical Senate Bill 3693, Third Reading Calendar 1328.

ACTING PRESIDENT GRIFFO: There is a home-rule message present at the desk. The substitution is so ordered. The Secretary will read.

THE SECRETARY: Calendar Number 1328, by Member of the Assembly Woerner, Assembly Print 5976, an act to authorize.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 1340, by Senator Phillips, Senate Print 5704, an act to amend the Retirement and Social Security Law.

ACTING PRESIDENT GRIFFO: There is a home-rule message present at the desk. The Secretary will read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Phillips to explain her vote.

SENATOR PHILLIPS: Yes, just quickly, everyone.

I just want to say Nassau County police medics serve our community, they provide the highest possible quality emergency care. These police medics respond to all kinds of situations in all kinds of places -- on highways, at fire scenes, in railroad incidences and crime scenes.

This legislation brings the
Nassau County police medics into line with the
disability benefits that many other first
responders already have. And I urge and thank
all my colleagues for supporting this.

    Thank you. I vote aye,
Mr. President.

    ACTING PRESIDENT GRIFFO: Senator Phillips to be recorded in the affirmative.
    Announce the results.
    THE SECRETARY: Ayes, 63.
    ACTING PRESIDENT GRIFFO: The bill is passed.
    THE SECRETARY: Calendar Number 1349, by Senator Hamilton, Senate Print 3758A, an
act to amend the Banking Law.
    ACTING PRESIDENT GRIFFO: Read the last section.
    THE SECRETARY: Section 2. This act shall take effect immediately.
    ACTING PRESIDENT GRIFFO: Call the roll.
    (The Secretary called the roll.)
    THE SECRETARY: Ayes, 63.
    ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 1353, by Senator Griffo, Senate Print 5990A, an act to amend the General Municipal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1361, by Senator Marchione, Senate Print 219, an act to amend the Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

    THE SECRETARY: Calendar Number
1362, by Senator Murphy, Senate Print 284, an act
to amend the Vehicle and Traffic Law.

    ACTING PRESIDENT GRIFFO: Read the
last section.

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

    ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

    THE SECRETARY: Ayes, 63.

    ACTING PRESIDENT GRIFFO: The bill
is passed.

    THE SECRETARY: Calendar Number
1363, by Senator Robach, Senate Print 285, an act
to amend the Penal Law.

    ACTING PRESIDENT GRIFFO: Read the
last section.

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

    ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1366, by Senator Ortt, Senate Print 376, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1368, by Senator Golden, Senate Print 420, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.
(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1368, those recorded in the negative are Senators Alcantara, Bailey, Hoylman and Montgomery. Also Senator Benjamin. Also Senator Squadron.

ACTING PRESIDENT GRIFFO: Hands up, please, if you're in the negative.

Results.

THE SECRETARY: In relation to Calendar 1368, those recorded in the negative are Senators Alcantara, Bailey, Benjamin, Gianaris, Hoylman, Montgomery, Parker, Peralta, Persaud, Rivera, Sanders and Squadron. Also Senator Krueger.


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1370, by Senator Young, Senate Print 513, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.
ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1371, by Senator Young, Senate Print 554, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1371, those recorded in the negative are Senators Bailey, Benjamin, Comrie, Dilan, Gianaris, Hoylman, Krueger, Montgomery, Parker, Rivera, Sanders, Serrano and Squadron.


ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 1373, by Senator Ortt, Senate Print 695, an act to amend the Canal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.


ACTING PRESIDENT GRIFFO: The bill still passes.

THE SECRETARY: Calendar Number 1376, by Senator Ritchie, Senate Print 759, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of November.
ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1377, by Senator Carlucci, Senate Print 783, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1377, those recorded in the negative are Senators Bailey, Breslin, Comrie, Dilan, Gianaris, Hoylman, Krueger, Montgomery, Parker, Rivera, Sanders, Serrano, Squadron and Stavisky. Also Senator Benjamin.


ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number 1381, by Senator Ortt, Senate Print 880, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1382, by Senator Croci, Senate Print 915, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.
THE SECRETARY: In relation to Calendar 1382, those recorded in the negative are Senators Benjamin, Breslin, Comrie, Dilan, Gianaris, Hoylman, Krueger, Montgomery, Parker, Rivera, Sanders, Serrano, Squadron and Stavisky. Also Senator Kennedy.


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1384, by Senator Bonacic, Senate Print 1032, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1385, by Senator Carlucci, Senate Print 1036, an act to amend the Tax Law.
ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1386, by Senator Felder, Senate Print 1111, an act establishing.

ACTING PRESIDENT GRIFFO: The Secretary will read the last section and call the roll.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, why do you
rise?

SENATOR DeFRANCISCO: Yes, can you
go back to Calendar Number 1381. And I'd like to
request, with unanimous consent, that we move to
reconsider the vote by which this bill was
passed.

ACTING PRESIDENT GRIFFO: Without
objection, it is so ordered.

The Secretary will read.

THE SECRETARY: Calendar Number
1381, by Senator Ortt, Senate Print 880, an act
to amend the Penal Law.

ACTING PRESIDENT GRIFFO: I'll
entertain a motion to reconsider the vote.

SENATOR DeFRANCISCO: I move to
reconsider the vote by which this bill was
passed.

ACTING PRESIDENT GRIFFO: Call the
roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: We'll
accept amendments.

SENATOR DeFRANCISCO: Now can we
read the last section. Read the bill, then the
last section to revote.

    ACTING PRESIDENT GRIFFO: The amendments are received. The bill --

    SENATOR DeFRANCISCO: Let me clarify that. Do whatever you have to do to revote.

    (Laughter.)

    ACTING PRESIDENT GRIFFO: Thank you. All right. So we're going to call it up again, and it's before the house.

    The Secretary will read.

    THE SECRETARY: Calendar Number 1381, by Senator Ortt, Senate Print 880, an act to amend the Penal Law.

    ACTING PRESIDENT GRIFFO: Read the last section.

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

    ACTING PRESIDENT GRIFFO: Call the roll.

    (The Secretary called the roll.)

    ACTING PRESIDENT GRIFFO: Senator Gianaris to explain his vote.

    SENATOR GIANARIS: Yeah, thank you, Mr. President.
Just because there's some confusion in terms of whether this bill was included in our packets, I just want to let all the members know this bill reduces the weight requirements as it relates to penalties for heroin offenses, to compensate for the lighter weight of heroin.

So everyone knows what they're voting on, that's what this bill does.

I will be voting in the negative.

ACTING PRESIDENT GRIFFO: Senator Gianaris to be recorded in the negative.

Results.

THE SECRETARY: In relation to Calendar 1381, those recorded in the negative are Senators Bailey, Benjamin, Comrie, Gianaris, Krueger, Montgomery, Parker, Persaud, Sanders and Squadron.

Ayes, 53. Nays, 10.

ACTING PRESIDENT GRIFFO: The bill is passed.

Calendar Number 1400 is before the house.

THE SECRETARY: Calendar Number 1400, by Senator Golden, Senate Print 1616A, an act to amend the Public Authorities Law.
ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1406, by Senator Golden, Senate Print 1744, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator Krueger to explain her vote.

SENATOR KRUEGER: Thank you, Mr. President.

I'm supporting this bill. It will
mean a hit to MTA, but I actually think lowering
the fare crossing the Verrazano Bridge will mean
fewer people who don't need to come into
Manhattan are just driving through it now because
it's a lower cost than going on the Verrazano
Bridge to go to New Jersey or back to Brooklyn
from New Jersey, that fewer people will actually
be crossing Manhattan Island, adding to the
congestion in Manhattan.

So even though this bill will have
some impact on MTA revenue, I think it's the
right public policy decision, certainly the right
decision for Manhattan, and I hear the right
decision for the people of Brooklyn as well.

I vote yes, Mr. President.

ACTING PRESIDENT GRIFFO: Senator
Krueger to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number
1407, by Senator Ortt, Senate Print 1752, an act
to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill is passed.

THE SECRETARY:  Calendar Number 1412, by Senator Bonacic, Senate Print 2050A, an act to amend the Criminal Procedure Law.

ACTING PRESIDENT GRIFFO:  Read the last section.

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

ACTING PRESIDENT GRIFFO:  Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO:  Announce the results.

THE SECRETARY:  In relation to Calendar 1412, those recorded in the negative are Senators Bailey, Benjamin, Comrie, Hoylman, Krueger, Montgomery, Parker, Rivera, Sanders and
Ayes, 51. Nays, 12.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1413, by Senator LaValle, Senate Print 2073, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1417, by Senator Larkin, Senate Print 2389, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.
ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1421, by Senator LaValle, Senate Print 2467, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1423, by Senator Helming, Senate Print 2507, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

    ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number

1426, by Senator Helming, Senate Print 2564C, an

act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the

last section.

THE SECRETARY: Section 3. This

act shall take effect immediately.

    ACTING PRESIDENT GRIFFO: Call the

roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill

is passed.

THE SECRETARY: Calendar Number

1429, by Senator Ranzenhofer, Senate Print 2598,

an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1429, those recorded in the negative are Senators Alcantara, Bailey, Benjamin, Breslin, Comrie, Dilan, Gianaris, Hoylman, Krueger, Montgomery, Murphy, Parker, Rivera, Sanders, Serrano, Squadron, Stavisky and Stewart-Cousins.

Ayes, 45. Nays, 18.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1441, by Senator Hannon, Senate Print 3137, an act to require.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)
ACTING PRESIDENT GRIFFO: Senator Brooks, you want to explain your vote?

SENATOR BROOKS: Thank you, Mr. President.

This legislation involves a roadway on Long Island that has far too many accidents. I think it's critical that an evaluation of that roadway is made. Between cars going in the wrong directions, cars overturned, cars having difficulty exiting the parkway and entering the parkway, it's critical that this road be evaluated.

And I'm voting aye on this bill. Thank you.

ACTING PRESIDENT GRIFFO: Senator Brooks to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1443, by Senator Larkin, Senate Print 3248, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.
THE SECRETARY: Section 3. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1445, by Senator Valesky, Senate Print 1246, an act to amend the Public Health Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: We're on Senator Valesky's Calendar Number 1445. Announce the results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number 1444, by Senator DeFrancisco, Senate Print 3296A, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the 180th day.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Senator DeFrancisco to explain his vote.

SENATOR DeFRANCISCO: You simply have to be on your toes all the time in these chambers. I was sleeping for a moment, and I didn't see you skip my bill.

(Laughter.)

ACTING PRESIDENT GRIFFO: We skipped it for that reason.

SENATOR DeFRANCISCO: Well, thank you very much, and I'll be much more attentive from here on out.

ACTING PRESIDENT GRIFFO: Results.

Senator Little recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1447, by Senator Robach, Senate Print 3459A, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1448, by Senator Ortt, Senate Print 3460, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.
(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1452, by Senator Marchione, Senate Print 3845, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: In relation to Calendar 1452, those recorded in the negative are Senators Dilan, Hoylman, Krueger and Montgomery.


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1464, by Senator Golden, Senate Print 4175, an act to amend the Highway Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1471, by Senator DeFrancisco, Senate Print 4421, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: You're with us, right, Senator DeFrancisco?

SENATOR DeFRANCISCO: Yes, I'm with you.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number 1474, by Senator LaValle, Senate Print 4559, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: The roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1476, by Senator Marchione, Senate Print 4659, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number

1477, by Senator Bonacic, Senate Print 4866, an
act to amend the Estates, Powers and Trusts Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill
is passed.

THE SECRETARY: Calendar Number

1478, by Senator Larkin, Senate Print 4994, an
act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the
last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)

Senator Montgomery recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1479, by Senator Ritchie, Senate Print 5129, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 61. Nays, 2. Senators Amedore and Murphy recorded in the negative.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: On page 79, Senator Ranzenhofer moves to discharge, from the Committee on Rules, Assembly Bill Number 1250 and substitute it for the identical Senate Bill 5159, Third Reading Calendar 1480.

ACTING PRESIDENT GRIFFO: The substitution is so ordered.
The Secretary will read.

THE SECRETARY: Calendar Number 1480, by Member of the Assembly Buchwald, Assembly Print 1250, an act to amend the Public Authorities Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1485, by Senator Seward, Senate Print 5434, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

THE SECRETARY: Ayes, 63.
ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1486, by Senator Lanza, Senate Print 5451, an act to amend Chapter 154 of the Laws of 1921.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect upon enactment into law by the State of New Jersey.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1516, by Senator Robach, Senate Print 6523, an act to amend the Vehicle and Traffic Law.

ACTING PRESIDENT GRIFFO: Read the last section.

THE SECRETARY: Section 2. This act shall take effect November 1, 2019.

ACTING PRESIDENT GRIFFO: Call the roll.
(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1526, by Senator Alcantara, Senate Print 794A, an act to amend the Education Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 1526, those recorded in the negative are Senators Akshar, Amedore, Bonacic, Croci, DeFrancisco, Griffo, Hannon, Helming, Jacobs, Little, Marcellino, Marchione, Murphy, Ort, Serino and Seward. Also Senator Tedisco.

Ayes, 46. Nays, 17.

ACTING PRESIDENT GRIFFO: The bill is passed.

Senator DeFrancisco, that completes
the noncontroversial reading of Supplemental
Active List 2.

SENATOR DeFRANCISCO: All right,
can we go back to motions and resolutions.

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

SENATOR DeFRANCISCO: I wish to
call up Senator Lanza's bill, Print Number 2631,
recalled from the Assembly, which is now at the
desk.

ACTING PRESIDENT GRIFFO: The
Secretary will read.

THE SECRETARY: Calendar Number
916, by Senator Lanza, Senate Print 2631, an act
to amend the Penal Law.

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

ACTING PRESIDENT GRIFFO: Call the
roll on reconsideration.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

SENATOR DeFRANCISCO: I now offer
the following amendments.

ACTING PRESIDENT GRIFFO: The
amendments are received.

SENATOR DeFRANCISCO: On page 22, I offer the following amendments to Calendar 579, Senate Print 5305A, and ask that said bill retain its place on the Third Reading Calendar. It's a bill by Senator Croci.

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

SENATOR DeFRANCISCO: Could we now take up the noncontroversial reading of Supplemental Active List 3, which will be the last list for the day.

ACTING PRESIDENT GRIFFO: The Secretary will take up the noncontroversial reading of Supplemental Active List 3, beginning with Calendar Number 71.

THE SECRETARY: Calendar Number 71, by Senator Díaz, Senate Print 508, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the
roll.

(The Secretary called the roll.)


Senators Montgomery and Parker recorded in the
negative.

ACTING PRESIDENT GRIFFO:  The bill
is passed.

THE SECRETARY:  Calendar Number
514, by Senator Addabbo, Senate Print 3674A, an
act to amend the Education Law.

ACTING PRESIDENT GRIFFO:  Read the
last section.

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

ACTING PRESIDENT GRIFFO:  Call the
roll.

(The Secretary called the roll.)

THE SECRETARY:  Ayes, 63.

ACTING PRESIDENT GRIFFO:  The bill
is passed.

THE SECRETARY:  Calendar Number
584, by Senator Kaminsky, Senate Print 5421, an
act in relation to permitting.

ACTING PRESIDENT GRIFFO:  Read the
last section.
THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)


ACTING PRESIDENT GRIFFO: The bill is passed.

Senator Gianaris.

SENATOR GIANARIS: Thank you, Mr. President.

I just want to pause as we near the end to point out that this hard-fought bill we just passed through the Senate is Senator Kaminsky's first bill.

(Enthusiastic standing ovation.)

ACTING PRESIDENT GRIFFO: The Secretary will continue.

THE SECRETARY: Calendar Number 653, by Senator Persaud, Senate Print 1199A, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 726, by Senator Comrie, Senate Print 3868A, an act to amend the Real Property Tax Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 740, by Senator Rivera, Senate Print 1222, an act to amend the Social Services Law.

ACTING PRESIDENT GRIFFO: Read the last section.
THE SECRETARY: Section 2. This act shall take effect on the first of July.

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT GRIFFO: Results.

THE SECRETARY: In relation to Calendar 740, those recorded in the negative are Senators Akshar, Griffo, Murphy and Ortt.


ACTING PRESIDENT GRIFFO: The bill is passed.

THE SECRETARY: Calendar Number 1303, by Senator Kennedy, Senate Print 660, an act to amend the Penal Law.

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.
THE SECRETARY: Calendar Number 1439, by Senator Gianaris, Senate Print 3042, an act to amend the New York City Civil Court Act.

ACTING PRESIDENT GRIFFO: Did I hear a lay-aside there?

(Laughter.)

ACTING PRESIDENT GRIFFO: Read the last section.

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

ACTING PRESIDENT GRIFFO: Call the roll.

(The Secretary called the roll.)

THE SECRETARY: Ayes, 63.

ACTING PRESIDENT GRIFFO: The bill is passed.

And Senator DeFrancisco, that concludes the noncontroversial reading of today's Supplemental Active List Number 3.

SENATOR DeFRANCISCO: If I could just have your attention for a minute so you know when we're going to continue.

But there will be no Rules Committee meeting today.

Is there any further business at the Kirkland Reporting Service
desk?

    ACTING PRESIDENT GRIFFO:  There is none.

    SENATOR DeFRANCISCO:  All right.

Then in that case, we're moving to adjourn until Wednesday -- that's tomorrow -- June 14th, at
11:00 a.m.

We're going to have a Republican conference at 10:00, but when we get here at
11:00 we're going to go immediately to the Rules Committee meeting. So please conference
the bills on that calendar that we were supposed to do today.

    ACTING PRESIDENT GRIFFO:  There will be a Republican conference tomorrow at
10:00 a.m. in Room 332. That will be followed by a meeting of full session. The Rules Committee
will meet upon the beginning of session tomorrow.

    So on motion, the Senate will stand adjourned until Wednesday, June 14th -- Flag Day -- at 11:00 a.m.

    The Senate stands adjourned.

    (Whereupon, at 7:54 p.m., the Senate adjourned.)