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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 20, 2018

12:28 p.m.

REGULAR SESSION

SENATOR JOSEPH GRIFFO, Acting President

FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT GRIFFO: In the  
10 absence of clergy today, I ask that you bow your  
11 heads in a moment of silent prayer and reflect on  
12 Mark, Chapter 13: But about that end day or  
13 hour, no one knows, not even the angels in  
14 heaven, nor the Son, only the Father.

15 (Laughter.)

16 ACTING PRESIDENT GRIFFO: Senator  
17 DeFrancisco.

18 SENATOR DeFRANCISCO: Would you  
19 mind checking with the Father so we know what  
20 time we're leaving tonight?

21 (Laughter.)

22 ACTING PRESIDENT GRIFFO: The  
23 reading of the Journal.

24 THE SECRETARY: In Senate, Tuesday,  
25 June 19th, the Senate met pursuant to

1 adjournment. The Journal of Monday, June 18th,  
2 was read and approved. On motion, Senate  
3 adjourned.

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

7 Presentation of petitions.

8 Messages from the Assembly.

9 The Secretary will read.

10 THE SECRETARY: On page 14,  
11 Senator Ritchie moves to discharge, from the  
12 Committee on Rules, Assembly Bill Number 3210A  
13 and substitute it for the identical Senate  
14 Bill 5860A, Third Reading Calendar 401.

15 On page 19, Senator Hannon moves to  
16 discharge, from the Committee on Rules,  
17 Assembly Bill Number 1647 and substitute it for  
18 the identical Senate Bill 2273, Third Reading  
19 Calendar 558.

20 On page 28, Senator Marcellino moves  
21 to discharge, from the Committee on Rules,  
22 Assembly Bill Number 208E and substitute it for  
23 the identical Senate Bill 2587E, Third Reading  
24 Calendar 785.

25 On page 31, Senator Ritchie moves to

1 discharge, from the Committee on Rules,  
2 Assembly Bill Number 10311B and substitute it for  
3 the identical Senate Bill 7373C, Third Reading  
4 Calendar 849.

5 On page 34, Senator Marchione moves  
6 to discharge, from the Committee on Rules,  
7 Assembly Bill Number 11044 and substitute it for  
8 the identical Senate Bill 7946, Third Reading  
9 Calendar 947.

10 On page 40, Senator Ranzenhofer  
11 moves to discharge, from the Committee on  
12 Finance, Assembly Bill Number 2688B and  
13 substitute it for the identical Senate Bill  
14 3780B, Third Reading Calendar 1099.

15 On page 57, Senator Helming moves to  
16 discharge, from the Committee on Rules,  
17 Assembly Bill Number 10648 and substitute it for  
18 the identical Senate Bill 8522A, Third Reading  
19 Calendar 1426.

20 And on page 59, Senator Marcellino  
21 moves to discharge, from the Committee on  
22 Education, Assembly Bill Number 10472 and  
23 substitute it for the identical Senate Bill 8331,  
24 Third Reading Calendar 1463.

25 ACTING PRESIDENT GRIFFO: The

1 substitutions are so ordered as read and  
2 presented.

3 Messages from the Governor.

4 Reports of standing committees.

5 Reports of select committees.

6 Communications and reports of state  
7 officers.

8 Motions and resolutions.

9 Senator DeFrancisco.

10 SENATOR DeFRANCISCO: I'd like to  
11 call an immediate meeting of the Rules Committee  
12 in Room 332.

13 ACTING PRESIDENT GRIFFO: There  
14 will be an immediate meeting of the Rules  
15 Committee in Room 332.

16 The Senate will stand at ease.

17 (Whereupon, the Senate stood at ease  
18 at 12:31 p.m.)

19 (Whereupon, the Senate reconvened at  
20 12:54 p.m.)

21 ACTING PRESIDENT GRIFFO: The  
22 Senate will return to order.

23 Senator DeFrancisco.

24 SENATOR DeFRANCISCO: Yes, is there  
25 a report of the Rules Committee at the desk?

1                   ACTING PRESIDENT GRIFFO:    There is  
2 a Committee on Rules report at the desk.

3                   The Secretary will read.

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

7                   Senate Print 321A, by Senator  
8 Robach, an act to amend the Education Law;

9                   Senate 710, by Senator Carlucci, an  
10 act to amend the Mental Hygiene Law;

11                  Senate 794A, by Senator Alcantara,  
12 an act to amend the Education Law;

13                  Senate 858, by Senator Young, an act  
14 to amend the Executive Law;

15                  Senate 994C, by Senator Bonacic, an  
16 act to amend the General Municipal Law;

17                  Senate 1036, by Senator Carlucci, an  
18 act to amend the Tax Law;

19                  Senate 1518A, by Senator Avella, an  
20 act authorizing;

21                  Senate 2356A, by Senator Parker, an  
22 act to amend the Public Service Law;

23                  Senate 2484, by Senator Golden, an  
24 act to amend the Uniform Commercial Code;

25                  Senate 2651, by Senator Klein, an

1 act to amend the General Business Law;

2 Senate 2932A, by Senator Dilan, an

3 act to amend the Vehicle and Traffic Law;

4 Senate 3665, by Senator Klein, an

5 act to amend the Insurance Law;

6 Senate 3891, by Senator Funke, an

7 act to amend the Parks, Recreation and Historic  
8 Preservation Law;

9 Senate 4207, by Senator Dilan, an

10 act to authorize;

11 Senate 5055, by Senator Kennedy, an

12 act to amend the Highway Law;

13 Senate 5096C, by Senator Young, an

14 act to amend the State Finance Law;

15 Senate 5481A, by Senator Murphy, an

16 act to direct;

17 Senate 5663, by Senator Parker, an

18 act to amend the Social Services Law;

19 Senate 5743A, by Senator Marcellino,

20 an act to grant;

21 Senate 5887A, by Senator Golden, an

22 act to amend the Tax Law;

23 Senate 5970, by Senator Klein, an

24 act to amend the Insurance Law;

25 Senate 6285, by Senator Golden, an

1 act to amend the Tax Law;

2 Senate 6325, by Senator Golden, an

3 act to amend the Tax Law;

4 Senate 6405, by Senator Bonacic, an

5 act to amend the Tax Law;

6 Senate 6603, by Senator Hannon, an

7 act to amend the Environmental Conservation Law;

8 Senate 6647B, by Senator Helming, an

9 act to amend the Tax Law;

10 Senate 6730B, by Senator Lanza, an

11 act granting;

12 Senate 6814B, by Senator Young, an

13 act to authorize;

14 Senate 6948A, by Senator Hannon, an

15 act to amend the Public Health Law;

16 Senate 7891, by Senator Little, an

17 act to amend the Executive Law;

18 Senate 7957A, by Senator Marchione,

19 an act to amend the Environmental Conservation

20 Law;

21 Senate 8207, by Senator Hannon, an

22 act to amend the Vehicle and Traffic Law;

23 Senate 8225, by Senator Ranzenhofer,

24 an act to amend the Public Service Law;

25 Senate 8298, by Senator Gallivan, an



1 act to amend the Domestic Relations Law;

2 Senate 8375, by Senator Gallivan, an

3 act to amend the Tax Law;

4 Senate 8392A, by Senator Hannon, an

5 act to amend the Public Health Law;

6 Senate 8441B, by Senator Phillips,

7 an act to amend the Insurance Law;

8 Senate 8602A, by Senator Griffo, an

9 act to amend the Public Service Law;

10 Senate 8638, by Senator Gallivan, an

11 act to amend the Not-For-Profit Corporation Law;

12 Senate 8667, by Senator Amedore, an

13 act to amend the Racing, Pari-Mutuel Wagering and

14 Breeding Law;

15 Senate 8699, by Senator Gallivan, an

16 act to amend the Not-For-Profit Corporation Law;

17 Senate 8781, by Senator Phillips, an

18 act to amend the Education Law;

19 Senate 8808A, by Senator Tedisco, an

20 act to amend the Public Authorities Law;

21 Senate 8845A, by Senator Akshar, an

22 act creating;

23 Senate 8870A, by Senator Ritchie, an

24 act to amend the Executive Law;

25 Senate 8877, by Senator Tedisco, an

1 act to amend the Racing, Pari-Mutuel Wagering and  
2 Breeding Law;

3 Senate 8878, by Senator LaValle, an  
4 act in relation to;

5 Senate 8894, by Senator Little, an  
6 act to amend the Executive Law;

7 Senate 8924, by Senator Seward, an  
8 act to amend the Insurance Law;

9 Senate 8942, by Senator Hannon, an  
10 act to amend Part B of Chapter 57 of the Laws of  
11 2018;

12 Senate 8992, by Senator Flanagan, an  
13 act to amend the Education Law;

14 Senate 9012, by Senator Persaud, an  
15 act to amend the Vehicle and Traffic Law;

16 Senate 9040, by Senator Gallivan, an  
17 act to amend the Tax Law;

18 Senate 9049, by Senator Marchione,  
19 an act to amend the Highway Law;

20 Senate 9050, by Senator Marchione,  
21 an act to amend the Highway Law;

22 Senate 9051, by Senator Marchione,  
23 an act to amend the Highway Law;

24 Senate 9073, by Senator Felder, an  
25 act to amend the Education Law;

1                   Senate 9103A, by Senator LaValle, an  
2 act authorizing;

3                   Senate 9104, by the Senate Committee  
4 on Rules, an act to amend Chapter 88 of the Laws  
5 of 2009;

6                   And Senate 9105, by Senator Ortt, an  
7 act to amend the General Business Law.

8                   All bills reported direct to third  
9 reading.

10                  ACTING PRESIDENT GRIFFO:     Senator  
11 DeFrancisco.

12                  SENATOR DeFRANCISCO:     Move to  
13 accept the report of the Rules Committee.

14                  ACTING PRESIDENT GRIFFO:     All in  
15 favor of accepting the Committee on Rules report  
16 say aye.

17                  (Response of "Aye.")

18                  ACTING PRESIDENT GRIFFO:     Opposed?

19                  (No response.)

20                  ACTING PRESIDENT GRIFFO:     The  
21 Rules Committee report is accepted and before the  
22 house.

23                  SENATOR DeFRANCISCO:     Can we go  
24 back to messages from the Assembly.

25                  ACTING PRESIDENT GRIFFO:     We will

1 return to messages from the Assembly.

2 The Secretary will read.

3 THE SECRETARY: Senator Young moves  
4 to discharge, from the Committee on Finance,  
5 Assembly Bill Number 1789 and substitute it for  
6 the identical Senate Bill 858, Third Reading  
7 Calendar 2028.

8 Senator Lanza moves to discharge,  
9 from the Committee on Rules, Assembly Bill Number  
10 8411B and substitute it for the identical  
11 Senate Bill 6730B, Third Reading Calendar 2051.

12 Senator Parker moves to discharge,  
13 from the Committee on Energy and  
14 Telecommunications, Assembly Bill Number 2892A  
15 and substitute it for the identical Senate Bill  
16 2356A, Third Reading Calendar 2032.

17 Senator Murphy moves to discharge,  
18 from the Committee on Rules, Assembly Bill  
19 Number 7402A and substitute it for the identical  
20 Senate Bill 5481A, Third Reading Calendar 2041.

21 Senator Little moves to discharge,  
22 from the Committee on Rules, Assembly Bill  
23 Number 9886 and substitute it for the identical  
24 Senate Bill 7891, Third Reading Calendar 2054.

25 Senator Marchione moves to

1 discharge, from the Committee on Rules,  
2 Assembly Bill Number 10070A and substitute it for  
3 the identical Senate Bill 7957A, Third Reading  
4 Calendar 2055.

5 Senator Ranzenhofer moves to  
6 discharge, from the Committee on Corporations,  
7 Authorities and Commissions, Assembly Bill  
8 Number 7183A and substitute it for the identical  
9 Senate Bill 8225, Third Reading Calendar 2057.

10 Senator Gallivan moves to discharge,  
11 from the Committee on Rules, Assembly Bill  
12 Number 10795 and substitute it for the identical  
13 Senate Bill 8298, Third Reading Calendar 2058.

14 Senator Hannon moves to discharge,  
15 from the Committee on Rules, Assembly Bill  
16 Number 10675 and substitute it for the identical  
17 Senate Bill 8392A, Third Reading Calendar 2060.

18 Senator Griffo moves to discharge,  
19 from the Committee on Rules, Assembly Bill  
20 Number 11099 and substitute it for the identical  
21 Senate Bill 8602A, Third Reading Calendar 2062.

22 Senator Gallivan moves to discharge,  
23 from the Committee on Rules, Assembly Bill  
24 Number 10534 and substitute it for the identical  
25 Senate Bill 8638, Third Reading Calendar 2063.

1           Senator Gallivan moves to discharge,  
2 from the Committee on Corporations, Authorities  
3 and Commissions, Assembly Bill Number 10336A and  
4 substitute it for the identical Senate Bill 8699,  
5 Third Reading Calendar 2065.

6           Senator Tedisco moves to discharge,  
7 from the Committee on Rules, Assembly Bill  
8 Number 10756A and substitute it for the identical  
9 Senate Bill 8808A, Third Reading Calendar 2067.

10          Senator Akshar moves to discharge,  
11 from the Committee on Rules, Assembly Bill  
12 Number 10774A and substitute it for the identical  
13 Senate Bill 8845A, Third Reading Calendar 2068.

14          Senator Ritchie moves to discharge,  
15 from the Committee on Rules, Assembly Bill  
16 Number 10744A and substitute it for the identical  
17 Senate Bill 8870A, Third Reading Calendar 2069.

18          Senator Little moves to discharge,  
19 from the Committee on Rules, Assembly Bill  
20 Number 11128 and substitute it for the identical  
21 Senate Bill 8894, Third Reading Calendar 2072.

22          Senator Seward moves to discharge,  
23 from the Committee on Rules, Assembly Bill  
24 Number 11043 and substitute it for the identical  
25 Senate Bill 8924, Third Reading Calendar 2073.

1           Senator Persaud moves to discharge,  
2 from the Committee on Rules, Assembly Bill  
3 Number 2620A and substitute it for the identical  
4 Senate Bill 9012, Third Reading Calendar 2076.

5           Senator Gallivan moves to discharge,  
6 from the Committee on Rules, Assembly Bill  
7 Number 11203 and substitute it for the identical  
8 Senate Bill 9040, Third Reading Calendar 2077.

9           And Senator Marchione moves to  
10 discharge, from the Committee on Rules,  
11 Assembly Bill Number 11001A and substitute it for  
12 the identical Senate Bill 9049, Third Reading  
13 Calendar 2078.

14           ACTING PRESIDENT GRIFFO:    The  
15 substitutions are so ordered as read and  
16 presented before the house.

17           Senator DeFrancisco.

18           SENATOR DeFRANCISCO:    Are you done?

19           (Laughter.)

20           ACTING PRESIDENT GRIFFO:    Yes.

21           SENATOR DeFRANCISCO:    All right.

22           In that case, since we're -- can we go back to  
23 motions and resolutions.

24           ACTING PRESIDENT GRIFFO:    We will  
25 return to motions and resolutions.

1                   SENATOR DeFRANCISCO:    Can we take  
2 up, simultaneously, two previously adopted  
3 resolutions by Senator Marchione, 5803 and 5786,  
4 read the titles of both only, and call on  
5 Senator Marchione to speak.

6                   ACTING PRESIDENT GRIFFO:    The  
7 Secretary will read both titles.

8                   THE SECRETARY:    Legislative  
9 Resolution Number 5803, by Senator Marchione,  
10 congratulating the Ichabod Crane Varsity Softball  
11 Team and Head Coach Tracy Nytransky upon the  
12 occasion of capturing the 2018 New York State  
13 Public High School Athletic Association Softball  
14 Class B Championship on June 9, 2018.

15                   Legislative Resolution Number 5786,  
16 by Senator Marchione, congratulating  
17 scholar-athlete Ama Boham upon the capturing of  
18 the New York State New York State Public High  
19 School Athletic Association Girls Track and Field  
20 Hurdles Championship on June 9, 2018.

21                   ACTING PRESIDENT GRIFFO:    Can I  
22 have some order, please.

23                   Senator Marchione.

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



1                   I rise to honor the outstanding  
2 effort by scholar-athlete Ama Boham for winning  
3 the Girls Track and Field 100-Meter Hurdles  
4 New York State Championship this year. In fact,  
5 Ama broke her own school record, with a  
6 blistering 14.69 time.

7                   Ama, would you please rise?

8                   Last year Ama became the first  
9 female track athlete in school history to win a  
10 New York State championship, and this year became  
11 the only two-time winner.

12                  In addition to being an outstanding  
13 athlete, Ama is also an outstanding student who  
14 maintains a 99 average. This dedication to  
15 excellence is shared by her teammates on the  
16 Girls Track Team, who have the highest scholastic  
17 average of any sports team at the Ichabod Crane  
18 School.

19                  I want to congratulate Ama and ask  
20 her to remain standing while I talk about the  
21 Ichabod Crane Varsity Softball Team.

22                  They had outstanding efforts this  
23 year at the Ichabod Crane Varsity Softball Team,  
24 and their coach Tracy Nytransky -- if she would  
25 stand, please -- for capturing the second

1 Softball Class B New York State Championship.

2 I would also like to congratulate  
3 all of the dedicated team members, and if you  
4 would please stand -- their coach, Coach  
5 Nytransky, and her assistants, if you would  
6 stand, Bob Wheeler and Chris Saccento -- on a  
7 successful season. Your 22 wins with only one  
8 loss is a result of your hard work, your talent,  
9 and your teamwork.

10 In addition to being dedicated to  
11 the game you love, more importantly, you are  
12 dedicated to each other as a team, and that's a  
13 bond that will never be broken.

14 I'd like to just tell a little bit  
15 about what happened at the last game. They were  
16 coming down from the Town of Moreau, and at  
17 Exit 12 they were met with people from the  
18 fire company and the ambulance corps and the  
19 police department from their area, with an escort  
20 that escorted them home. It speaks so highly of  
21 the place that they come from, from being able to  
22 be so supported.

23 I said to them a little earlier when  
24 I had an opportunity to meet them myself, that  
25 I've never seen so many students come down with

1 so many parents. That success that these girls  
2 have had is a direct result of their talent, of  
3 course; their love for the game; but also for the  
4 selfless dedication of wonderful parents.

5 So I congratulate all of you on a  
6 great season. And again, I congratulate Ama  
7 Boham. Congratulations to you.

8 ACTING PRESIDENT GRIFFO: Upon  
9 behalf of the Senate --

10 (Standing ovation.)

11 ACTING PRESIDENT GRIFFO:  
12 Congratulations, Ama and the Ichabod Crane  
13 Softball Team. Welcome and best of luck.

14 Senator DeFrancisco.

15 SENATOR DeFRANCISCO: Yes,  
16 Mr. President. Could you please recognize  
17 Senator Sanders for a very brief introduction.

18 ACTING PRESIDENT GRIFFO: Senator  
19 Sanders.

20 SENATOR SANDERS: Thank you,  
21 Mr. President. That word is usually not used  
22 with me, but I'm going to prove that it is true  
23 today.

24 I have been blessed to have two  
25 young interns who have been working,

1 international interns who have come to learn of  
2 the American system, and they picked the best  
3 office to learn of it. And I want to introduce  
4 to this great body Andres Fuentes, from Chile,  
5 and Ms. Katrin Yeung -- you can stand up -- from  
6 that faraway country of Canada.

7 So I want this body just to  
8 recognize them, and I want to thank you for  
9 working hard to learn of this system and to do  
10 wonderful things. Thank you for your hard work.

11 Mr. President, if the body would  
12 recognize them, I'd appreciate it.

13 ACTING PRESIDENT GRIFFO: We  
14 recognize you and thank you for such an  
15 outstanding stewardship under the great mentor  
16 Senator Sanders. So we hope it was rewarding for  
17 you, and we appreciate all the work you've done.

18 So let's give them a round of  
19 applause.

20 (Standing ovation.)

21 ACTING PRESIDENT GRIFFO: Senator  
22 DeFrancisco.

23 SENATOR DeFRANCISCO: Thank you,  
24 Senator Sanders, for being true to your word.

25 Can we now take up the

1 noncontroversial reading of the active list.

2           ACTING PRESIDENT GRIFFO:    The  
3 Secretary will read.

4           THE SECRETARY:    Calendar Number  
5 185, by Senator Golden, Senate Print 2531, an act  
6 to repeal Chapter 7 of Title 11 of the  
7 Administrative Code of the City of New York.

8           ACTING PRESIDENT GRIFFO:    Read the  
9 last section.

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

12          ACTING PRESIDENT GRIFFO:    Call the  
13 roll.

14                            (The Secretary called the roll.)

15          THE SECRETARY:    Ayes, 60.

16          ACTING PRESIDENT GRIFFO:    The bill  
17 is passed.

18          THE SECRETARY:    Calendar Number  
19 246, by Senator Golden, Senate Print 27, an act  
20 to amend the Criminal Procedure Law.

21          ACTING PRESIDENT GRIFFO:    Read the  
22 last section.

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

25          ACTING PRESIDENT GRIFFO:    Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT GRIFFO: Announce  
4 the results.

5 THE SECRETARY: In relation to  
6 Calendar 246, those recorded in the negative are  
7 Senators Comrie, Gianaris, Hoylman, Kavanagh,  
8 Krueger, Montgomery, Parker, Peralta, Sanders and  
9 Sepúlveda. Also Senator Alcantara in the  
10 negative.

11 Ayes, 49. Nays, 11.

12 ACTING PRESIDENT GRIFFO: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 378, by Senator Ritchie, Senate Print 7164A, an  
16 act to amend the Education Law.

17 ACTING PRESIDENT GRIFFO: Read the  
18 last section.

19 THE SECRETARY: Section 8. This  
20 act shall take effect immediately.

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT GRIFFO: The bill

1 passes.

2 THE SECRETARY: Calendar Number  
3 401, substituted earlier by Member of the  
4 Assembly Ortiz, Assembly Print 3210A, an act to  
5 require.

6 ACTING PRESIDENT GRIFFO: Read the  
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the  
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT GRIFFO: The bill  
15 passes.

16 THE SECRETARY: Calendar Number  
17 558, substituted earlier by Member of the  
18 Assembly Galef, Assembly Print 1647, an act to  
19 amend the Real Property Tax Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 59. Nays, 1.  
3 Senator Akshar recorded in the negative.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 670, by Senator Alcantara, Senate Print 7348, an  
8 act to amend the Agriculture and Markets Law.

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT GRIFFO: Senator  
17 Marchione to explain her vote.

18 SENATOR MARCHIONE: Yeah, I think  
19 that this is a really good bill, except that I  
20 think that if 25 percent of our food is being  
21 disposed of and the supermarkets are being  
22 required -- which is a really good thing -- to  
23 help feed the poor, I also think that that bill  
24 should have come with a tax credit so that the  
25 supermarkets that are giving the food away, it



1 gets them benefits for the monies they've spent  
2 on those foods that they're not able to sell and  
3 that they're generous enough to give way.

4 So my vote on this is no just for  
5 that reason. I think it should have been a  
6 two-prong approach where the supermarkets could  
7 get some benefit for the generosity that they  
8 would have.

9 Thank you, Mr. President.

10 ACTING PRESIDENT GRIFFO: Senator  
11 Marchione to be recorded in the negative.

12 Announce the results.

13 THE SECRETARY: Ayes, 58. Nays, 2.  
14 Senators Helming and Marchione recorded in the  
15 negative.

16 ACTING PRESIDENT GRIFFO: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 785, substituted earlier by Member of the  
20 Assembly Lupardo, Assembly Print 208E, an act to  
21 amend the Vehicle and Traffic Law.

22 ACTING PRESIDENT GRIFFO: Read the  
23 last section.

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

1                   ACTING PRESIDENT GRIFFO:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 60.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number  
8 849, substituted earlier by Member of the  
9 Assembly Wallace, Assembly Print 10311B, an act  
10 directing.

11                   ACTING PRESIDENT GRIFFO:    Read the  
12 last section.

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

15                   ACTING PRESIDENT GRIFFO:    Call the  
16 roll.

17                   (The Secretary called the roll.)

18                   ACTING PRESIDENT GRIFFO:    Announce  
19 the results.

20                   THE SECRETARY:    In relation to  
21 Calendar 849, those recorded in the negative are  
22 Senators Alcantara, Avella, Bailey, Benjamin,  
23 Carlucci, Comrie, Dilan, Hamilton, Hoylman,  
24 Kavanagh, Krueger, Mayer, Montgomery, Peralta,  
25 Persaud, Savino, Sepúlveda, Serrano, Stavisky and

1 Stewart-Cousins. Also Senator Gianaris. Also  
2 Senator Klein. Also Senator Breslin. Also  
3 Senator Sanders.

4 Ayes, 36. Nays, 24.

5 ACTING PRESIDENT GRIFFO: The bill  
6 is passed.

7 THE SECRETARY: Calendar Number  
8 947, substituted earlier by the Assembly  
9 Committee on Rules, Assembly Print 11044, an act  
10 to amend the General Municipal Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: In relation to  
19 Calendar 947, those recorded in the negative are  
20 Senators Avella, Comrie, Hoylman and Krueger.  
21 Also Senator Gianaris.

22 Ayes, 55. Nays, 5.

23 ACTING PRESIDENT GRIFFO: The bill  
24 passes.

25 THE SECRETARY: Calendar Number

1 1099, substituted earlier by Member of the  
2 Assembly Steck --

3 SENATOR DeFRANCISCO: Lay it aside  
4 temporarily.

5 ACTING PRESIDENT GRIFFO: The bill  
6 will be laid aside temporarily.

7 THE SECRETARY: Calendar Number  
8 1426, substituted earlier by Member of the  
9 Assembly Stirpe, Assembly Print 10648, an act to  
10 amend the Education Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

13 THE SECRETARY: Section 2. This  
14 act shall take effect January 1, 2020.

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT GRIFFO: The bill  
20 passes.

21 THE SECRETARY: Calendar Number  
22 1463, substituted earlier by Member of the  
23 Assembly Lifton, Assembly Print 10472, an act to  
24 amend Chapter 352 of the Laws of 2005.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 1819, by Senator Golden, Senate Print 1760, an  
12 act to amend the Penal Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT GRIFFO: Announce  
21 the results.

22 THE SECRETARY: In relation to  
23 Calendar 819, those recorded in the negative are  
24 Senators Comrie, DeFrancisco, Kavanagh, Little  
25 and Montgomery.

1                   Ayes, 55. Nays, 5.

2                   ACTING PRESIDENT GRIFFO:    The bill  
3 passes.

4                   THE SECRETARY:    Calendar Number  
5 1822, by Senator Golden, Senate Print 2746, an  
6 act to amend the Insurance Law.

7                   ACTING PRESIDENT GRIFFO:    Read the  
8 last section.

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

11                   ACTING PRESIDENT GRIFFO:    Call the  
12 roll.

13                   (The Secretary called the roll.)

14                   THE SECRETARY:    Ayes, 59. Nays, 1.  
15 Senator Seward recorded in the negative.

16                   ACTING PRESIDENT GRIFFO:    The bill  
17 passes.

18                   THE SECRETARY:    Calendar Number  
19 1863, by Senator Golden, Senate Print 7901, an  
20 act to amend the Insurance Law.

21                   ACTING PRESIDENT GRIFFO:    Read the  
22 last section.

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

25                   ACTING PRESIDENT GRIFFO:    Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: In relation to  
4 Calendar 1863, those recorded in the negative are  
5 Senators Comrie, Hoylman, Krueger and Sepúlveda.  
6 Also Senator Kavanagh. Also Senator Avella.  
7 Also Senator Sanders.

8 Ayes, 53. Nays, 7.

9 ACTING PRESIDENT GRIFFO: The bill  
10 passes.

11 THE SECRETARY: Calendar Number  
12 1964, by Senator Murphy, Senate Print 8501B, an  
13 act to amend the Arts and Cultural Affairs Law.

14 SENATOR KLEIN: Lay it aside.

15 ACTING PRESIDENT GRIFFO: Lay it  
16 aside.

17 THE SECRETARY: Calendar Number  
18 1991, by Senator Hoylman, Senate Print 9039B, an  
19 act to amend Chapter 592 of the Laws of 1998.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT GRIFFO: The bill  
4 passes.

5 THE SECRETARY: Calendar Number  
6 2024, by Senator O'Mara, Senate Print 9106, an  
7 act to amend the Environmental Conservation Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT GRIFFO: The bill  
17 passes.

18 Senator DeFrancisco, that concludes  
19 the noncontroversial reading of the active list,  
20 with one temporary lay-aside and one  
21 lay-it-aside.

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

24 We also have another calendar,  
25 Senate Supplemental Calendar 58A, from the Rules



1 Committee this morning. I would like to first  
2 take one bill and read it noncontroversial, and  
3 take that up first. And that's Calendar 2083,  
4 Rules, Print Number 9104, which is on the last  
5 page of the supplemental calendar.

6 ACTING PRESIDENT GRIFFO: We will  
7 refer the members to Senate Supplemental  
8 Calendar 58A, which was the Rules report that was  
9 reported earlier, to Calendar Number 2083.

10 And the Secretary will read.

11 THE SECRETARY: Calendar Number  
12 2083, by the Senate Committee on Rules --

13 SENATOR KLEIN: Lay it aside,  
14 please.

15 ACTING PRESIDENT GRIFFO: Can I  
16 just read it first.

17 THE SECRETARY: -- Senate Print  
18 9104, an act to amend Chapter 88 of the Laws of  
19 2009.

20 ACTING PRESIDENT GRIFFO: The bill  
21 is laid aside.

22 Senator DeFrancisco, that completes  
23 the noncontroversial reading of the bill that you  
24 have presented for the house from the  
25 supplemental calendar.

1 (Pause.)

2 ACTING PRESIDENT GRIFFO: Senator  
3 DeFrancisco.

4 SENATOR DeFRANCISCO: Yes,  
5 Mr. President. That bill has been laid aside.

6 Now we'd like to go to the  
7 noncontroversial reading of the entire Senate  
8 Supplemental Calendar 58A.

9 ACTING PRESIDENT GRIFFO: Okay, the  
10 Secretary will begin reading, noncontroversial,  
11 Senate Supplemental Calendar 58A.

12 Read.

13 THE SECRETARY: Calendar Number  
14 2025, by Senator Robach, Senate Print 321A, an  
15 act to amend the Education Law.

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 60.

24 ACTING PRESIDENT GRIFFO: The bill  
25 passes.

1                   THE SECRETARY:     Calendar Number  
2     2026, by Senator Carlucci, Senate Print 710, an  
3     act to amend the Mental Hygiene Law.

4                   ACTING PRESIDENT GRIFFO:     Read the  
5     last section.

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

8                   ACTING PRESIDENT GRIFFO:     Roll  
9     call.

10                   (The Secretary called the roll.)

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

13                   ACTING PRESIDENT GRIFFO:     The bill  
14     passes.

15                   THE SECRETARY:     Calendar Number  
16     2027, by Senator Alcantara, Senate Print 794A, an  
17     act to amend the Education Law.

18                   ACTING PRESIDENT GRIFFO:     Read the  
19     last section.

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

22                   ACTING PRESIDENT GRIFFO:     Call the  
23     roll.

24                   (The Secretary called the roll.)

25                   THE SECRETARY:     In relation to

1 Calendar 2027, those recorded in the negative are  
2 Senators Akshar, Gallivan, Helming, Ortt and  
3 Serino. Also Senator Murphy.

4 Ayes, 54. Nays, 6.

5 ACTING PRESIDENT GRIFFO: The bill  
6 is passed.

7 THE SECRETARY: Calendar Number  
8 2028, substituted earlier by Member of the  
9 Assembly Peoples-Stokes, Assembly Print 1789, an  
10 act to amend the Executive Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 59. Nays, 1.  
19 Senator Sanders recorded in the negative.

20 ACTING PRESIDENT GRIFFO: The bill  
21 passes.

22 THE SECRETARY: Calendar Number  
23 2029, by Senator Bonacic, Senate Print 994C, an  
24 act to amend the General Municipal Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 SENATOR KLEIN: Lay it aside.

8 ACTING PRESIDENT GRIFFO: Lay it  
9 aside.

10 The Secretary will continue.

11 THE SECRETARY: Calendar Number  
12 2030, by Senator Carlucci, Senate Print 1036, an  
13 act to amend the Tax Law.

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 60.

22 ACTING PRESIDENT GRIFFO: The bill  
23 passes.

24 THE SECRETARY: Calendar Number  
25 2031, by Senator Avella, Senate Print 1518A, an

1 act authorizing.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 60.

10 ACTING PRESIDENT GRIFFO: The bill  
11 passes.

12 THE SECRETARY: Calendar Number  
13 2032, substituted earlier by Member of the  
14 Assembly Dilan, Assembly Print 2892A, an act to  
15 amend the Public Service Law.

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

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

20 SENATOR KLEIN: Lay it aside for  
21 the day.

22 ACTING PRESIDENT GRIFFO: Lay this  
23 one aside for the day.

24 The Secretary will continue,  
25 Calendar 2033.

1                   THE SECRETARY:    Calendar Number  
2   2033, by Senator Golden, Senate Print 2484, an  
3   act to amend the Uniform Commercial Code.

4                   ACTING PRESIDENT GRIFFO:   Read the  
5   last section.

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

8                   ACTING PRESIDENT GRIFFO:   Call the  
9   roll.

10                   (The Secretary called the roll.)

11                   THE SECRETARY:    Ayes, 60.

12                   ACTING PRESIDENT GRIFFO:   The bill  
13   passes.

14                   THE SECRETARY:    Calendar Number  
15   2034, by Senator Klein, Senate Print 2651, an act  
16   to amend the General Business Law.

17                   ACTING PRESIDENT GRIFFO:   Read the  
18   last section.

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

21                   ACTING PRESIDENT GRIFFO:   Call the  
22   roll.

23                   (The Secretary called the roll.)

24                   THE SECRETARY:    Ayes, 60.

25                   ACTING PRESIDENT GRIFFO:   The bill

1 passes.

2 THE SECRETARY: Calendar Number  
3 2035, by Senator Dilan, Senate Print 2932A, an  
4 act to amend the Vehicle and Traffic Law.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

7 THE SECRETARY: Section 3. This  
8 act shall take effect January 1, 2019.

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT GRIFFO: The bill  
14 passes.

15 THE SECRETARY: Calendar Number  
16 2036, by Senator Klein, Senate Print 3665, an act  
17 to amend the Insurance Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

20 THE SECRETARY: Section 13. This  
21 act shall take effect on the 180th day.

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.



1                   ACTING PRESIDENT GRIFFO:    The bill  
2 passes.

3                   THE SECRETARY:    Calendar Number  
4 2037, by Senator Funke, Senate Print 3891, an act  
5 to amend the Parks, Recreation and Historic  
6 Preservation Law.

7                   ACTING PRESIDENT GRIFFO:    Read the  
8 last section.

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

11                   ACTING PRESIDENT GRIFFO:    Call the  
12 roll.

13                   (The Secretary called the roll.)

14                   THE SECRETARY:    In relation to  
15 Calendar 2037, those recorded in the negative are  
16 Senators Hoylman, Kavanagh and Krueger.

17                   Ayes, 57.  Nays, 3.

18                   ACTING PRESIDENT GRIFFO:    The bill  
19 is passed.

20                   THE SECRETARY:    Calendar Number  
21 2038, by Senator Dilan, Senate Print 4207, an act  
22 to authorize.

23                   ACTING PRESIDENT GRIFFO:    Read the  
24 last section.

25                   THE SECRETARY:    Section 2.  This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: In relation to  
6 Calendar 2038, those recorded in the negative are  
7 Senators Akshar, Bonacic and O'Mara.

8 Ayes, 57. Nays, 3.

9 ACTING PRESIDENT GRIFFO: The bill  
10 passes.

11 THE SECRETARY: Calendar Number  
12 2039, by Senator Kennedy, Senate Print 5055, an  
13 act to amend the Highway Law.

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 60.

22 ACTING PRESIDENT GRIFFO: The bill  
23 passes.

24 THE SECRETARY: Calendar Number  
25 2040, by Senator Young, Senate Print 5096C, an

1 act to amend the State Finance Law.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 60.

10 ACTING PRESIDENT GRIFFO: The bill  
11 passes.

12 THE SECRETARY: Calendar Number  
13 2041, substituted earlier by Member of the  
14 Assembly Pretlow, Assembly Print 7402A, an act to  
15 direct.

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 60.

24 ACTING PRESIDENT GRIFFO: The bill  
25 passes.

1                   THE SECRETARY:     Calendar Number  
2     2042, by Senator Parker, Senate Print 5663, an  
3     act to amend the Social Services Law.

4                   ACTING PRESIDENT GRIFFO:     Read the  
5     last section.

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

8                   ACTING PRESIDENT GRIFFO:     Call the  
9     roll.

10                   (The Secretary called the roll.)

11                   THE SECRETARY:     Ayes, 60.

12                   ACTING PRESIDENT GRIFFO:     The bill  
13     passes.

14                   THE SECRETARY:     Calendar Number  
15     2043, by Senator Marcellino --

16                   SENATOR DeFRANCISCO:     Lay it aside  
17     temporarily.

18                   ACTING PRESIDENT GRIFFO:     Temporary  
19     lay-aside.

20                   THE SECRETARY:     Calendar Number  
21     2044, by Senator Golden, Senate Print 5887A, an  
22     act to amend the Tax Law.

23                   ACTING PRESIDENT GRIFFO:     Read the  
24     last section.

25                   THE SECRETARY:     Section 8. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 57. Nays, 3.  
6 Senators Akshar, Krueger and Ortt recorded in the  
7 negative.

8 ACTING PRESIDENT GRIFFO: The bill  
9 passes.

10 THE SECRETARY: Calendar Number  
11 2045, by Senator Klein, Senate Print 5970, an act  
12 to amend the Insurance Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60.

21 ACTING PRESIDENT GRIFFO: The bill  
22 passes.

23 THE SECRETARY: Calendar Number  
24 2046, by Senator Golden, Senate Print 6285, an  
25 act to amend the Tax Law.

1                   ACTING PRESIDENT GRIFFO:    Read the  
2 last section.

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

5                   ACTING PRESIDENT GRIFFO:    Call the  
6 roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:    Ayes, 59.  Nays, 1.  
9 Senator Montgomery recorded in the negative.

10                  ACTING PRESIDENT GRIFFO:    The bill  
11 is passed.

12                  THE SECRETARY:    Calendar Number  
13 2047, by Senator Golden, Senate Print 6325, an  
14 act to amend the Tax Law.

15                  ACTING PRESIDENT GRIFFO:    Read the  
16 last section.

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

19                  ACTING PRESIDENT GRIFFO:    Call the  
20 roll.

21                  (The Secretary called the roll.)

22                  THE SECRETARY:    In relation to  
23 Calendar 2047, those recorded in the negative are  
24 Senators Gianaris, Hoylman, Krueger, Montgomery  
25 and Parker.

1                   Ayes, 55. Nays, 5.

2                   ACTING PRESIDENT GRIFFO: The bill  
3 passes.

4                   THE SECRETARY: Calendar Number  
5 2048, by Senator Bonacic, Senate Print 6405, an  
6 act to amend the Tax Law.

7                   ACTING PRESIDENT GRIFFO: Read the  
8 last section.

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

11                   ACTING PRESIDENT GRIFFO: Call the  
12 roll.

13                   (The Secretary called the roll.)

14                   THE SECRETARY: Ayes, 59. Nays, 1.  
15 Senator Krueger recorded in the negative.

16                   ACTING PRESIDENT GRIFFO: The bill  
17 passes.

18                   THE SECRETARY: Calendar Number  
19 2049, by Senator Hannon, Senate Print 6603, an  
20 act to amend the Environmental Conservation Law.

21                   SENATOR O'MARA: Lay it aside.

22                   ACTING PRESIDENT GRIFFO: We'll do  
23 a temporary lay-aside on the bill.

24                   THE SECRETARY: Calendar Number  
25 2050, by Senator Helming, Senate Print 6647B, an

1 act to amend the Tax Law.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 59. Nays, 1.  
10 Senator Krueger recorded in the negative.

11 ACTING PRESIDENT GRIFFO: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 2051, substituted earlier by Member of the  
15 Assembly Castorina, Assembly Print 8411B, an act  
16 granting.

17 ACTING PRESIDENT GRIFFO: Read the  
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT GRIFFO: The bill



1 passes.

2 THE SECRETARY: Calendar Number  
3 2052, by Senator Young, Senate Print 6814B, an  
4 act to authorize.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT GRIFFO: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 2053, by Senator Hannon, Senate Print 6948A, an  
17 act to amend the Public Health Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 is passed.

3                   THE SECRETARY:    Calendar Number  
4 2054, substituted earlier by Member of the  
5 Assembly Bichotte, Assembly Print 9886, an act to  
6 amend the Executive Law.

7                   ACTING PRESIDENT GRIFFO:    Read the  
8 last section.

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

11                   ACTING PRESIDENT GRIFFO:    Call the  
12 roll.

13                   (The Secretary called the roll.)

14                   THE SECRETARY:    Ayes, 60.

15                   ACTING PRESIDENT GRIFFO:    The bill  
16 passes.

17                   THE SECRETARY:    Calendar Number  
18 2055, substituted earlier by Member of the  
19 Assembly McDonald, Assembly Print 10070A, an act  
20 to amend the Environmental Conservation Law.

21                   ACTING PRESIDENT GRIFFO:    Read the  
22 last section.

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

25                   ACTING PRESIDENT GRIFFO:    Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 2056, by Senator Hannon, Senate Print 8207, an  
8 act to amend the Vehicle and Traffic Law.

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 60.

17 ACTING PRESIDENT GRIFFO: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 2057, substituted earlier by Member of the  
21 Assembly Zebrowski, Assembly Print 7183A, an act  
22 to amend the Public Service Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT GRIFFO: The bill  
7 is passed.

8 THE SECRETARY: Calendar Number  
9 2058, substituted earlier by Member of the  
10 Assembly Paulin, Assembly Print 10795, an act to  
11 amend the Domestic Relations Law.

12 ACTING PRESIDENT GRIFFO: Read the  
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 58. Nays, 2.  
20 Senators O'Mara and Ranzenhofer recorded in the  
21 negative.

22 ACTING PRESIDENT GRIFFO: The bill  
23 passes.

24 THE SECRETARY: Calendar Number  
25 2059, by Senator Gallivan, Senate Print 8375, an

1 act to amend the Tax Law.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

4 THE SECRETARY: Section 2. This  
5 act shall take effect on the first day of a  
6 quarterly sales tax period.

7 ACTING PRESIDENT GRIFFO: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 60.

11 ACTING PRESIDENT GRIFFO: The bill  
12 passes.

13 THE SECRETARY: Calendar Number  
14 2060, substituted earlier by Member of the  
15 Assembly Gottfried, Assembly Print 10675, an act  
16 to amend the Public Health Law.

17 ACTING PRESIDENT GRIFFO: Read the  
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 2061, by Senator Phillips, Senate Print 8441B, an  
4 act to amend the Insurance Law.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

7 THE SECRETARY: Section 8. This  
8 act shall take effect January 1, 2020.

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT GRIFFO: Senator  
13 Phillips to explain her vote.

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

16 I rise today because I really  
17 believe that this is landmark legislation for  
18 families in New York State, and I'm truly honored  
19 to have this measure before us.

20 You know, I met a family yesterday  
21 with a 2-year-old little boy who literally, this  
22 woman and this family -- she dropped out of  
23 medical school and spent \$160,000 of her own  
24 money to fulfill a dream that this family so  
25 desperately wanted.

1           New York State employees have these  
2 benefits. There is absolutely no reason why all  
3 of New York State shouldn't have these benefits.

4           However, bills like this do not just  
5 come before us, and this is legislation that has  
6 taken years to come by. And I would be remiss  
7 not giving Senator Savino a huge shout-out,  
8 because this is legislation that she worked on  
9 and graciously handed over to my office several  
10 months ago.

11           So Senator Savino, thank you very  
12 much for your hard work, because this wouldn't  
13 have happened without you.

14           To my cosponsor Senator Little, I  
15 know Senator Helming and many others in my  
16 conference, thank you for hearing me out and  
17 thank you for supporting families here in  
18 New York State.

19           I'll be voting aye.

20           ACTING PRESIDENT GRIFFO:    Senator  
21 Phillips in the affirmative.

22           Senator Savino to explain her vote.

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

25           I want to thank Senator Phillips

1 also for her work on this issue. As she pointed  
2 out, it's a bill that I have carried, a similar  
3 bill, but recognizing how important it is that we  
4 bring New York State into the modern era when it  
5 comes to fertility services for struggling  
6 families.

7           Senator Phillips and I and others  
8 have seen how families have come forward after  
9 spending almost their entire life savings in an  
10 effort to have a healthy child. And the only  
11 thing standing in their way, oftentimes, is our  
12 outdated insurance laws. So I want to thank her  
13 for her work, and I know that we have more work  
14 to do to get the Assembly to pass a companion  
15 bill.

16           And one other point I would like to  
17 make. What's lost oftentimes is young people who  
18 suddenly find themselves facing a life  
19 threatening illness -- and now, because of modern  
20 science, they're able to preserve their  
21 fertility, so a round of chemotherapy and  
22 radiation doesn't rob them of the ability to have  
23 a family. This bill also covers the ability to  
24 preserve your fertility for the future.

25           It's not done yet. Senator



1 Phillips, I thank you for your work on it, but we  
2 have more work to do. And hopefully we will get  
3 it done for families all across New York State.

4 Thank you.

5 ACTING PRESIDENT GRIFFO: Senator  
6 Krueger.

7 SENATOR KRUEGER: I think Senator  
8 Hoylman had his hand up first.

9 ACTING PRESIDENT GRIFFO: I'm going  
10 by what I was instructed from your desk.

11 I can call on Senator Hoylman. Go  
12 ahead, Senator Krueger yields.

13 SENATOR HOYLMAN: Thank you. Thank  
14 you, Senator Krueger. Thank you, Mr. President.

15 I'm rising to oppose this bill. I  
16 appreciate the intentions of the sponsor. When  
17 the sponsor talks about families, though, it  
18 omits a particular kind of family, my family, an  
19 LGBT family. In fact, I have knowledge that when  
20 this bill was negotiated before us, the provision  
21 that would provide nondiscrimination to LGBT  
22 families was expressly struck.

23 And I find that, Mr. President,  
24 unacceptable, and I vote nay.

25 ACTING PRESIDENT GRIFFO: Senator

1 Hoylman is to be recorded in the negative.

2                   Senator Krueger now to explain her  
3 vote.

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

6                   So this is a one-house bill.  And I  
7 think it's an imperfect bill.  And I'm still not  
8 sure how I'm voting.  The reasons that I want to  
9 make clear here today is it's a one-house bill,  
10 so all the women who are hoping that we will  
11 accomplish something for them before we leave  
12 session, it isn't going to be possible.

13                   But with all due respect about all  
14 the good things in the bill, as Senator Hoylman  
15 already highlighted, it requires you to first  
16 have had intercourse for 12 months and not gotten  
17 pregnant to be eligible for these services, so  
18 that's pretty much writing off the LGBTQ  
19 community right away.  And New York State should  
20 not be having discriminatory healthcare policy.

21                   It also chooses to put a cap in,  
22 which, if you follow the ACA law, it's not clear  
23 we're supposed to provide caps for anything.  
24 Lifetime caps are no longer allowed in insurance  
25 for other things, so I have concern about putting

1 a lifetime cap in in this situation.

2 Particularly because if you talk to people, you  
3 learn that \$50,000 in IVF may not go that far.

4 It also -- excuse me, Mr. President.

5 It also assumes that insurance companies can ask  
6 you about a preexisting condition because they  
7 can require you let them know your history of  
8 infertility and treatments prior to receiving  
9 this insurance, I assume to calculate your  
10 lifetime cap. And I get that they would have to  
11 ask that to calculate a lifetime cap. But then  
12 we're walking into the territory of reviewing  
13 someone's preexisting condition, and I know  
14 that's not allowed in New York State law, even  
15 before the ACA.

16 So I struggle because I so want us  
17 to accomplish it. But I think that I will have  
18 to be a no today, hoping that we can resolve all  
19 these things with a good two-house bill in the  
20 future.

21 Thank you, Mr. President.

22 ACTING PRESIDENT GRIFFO: Senator  
23 Krueger in the negative.

24 Senator Akshar to explain his vote.

25 SENATOR AKSHAR: I just want to

1 make a point very quickly if I can.

2           Sometimes one-house bills start a  
3 conversation and foster compromise in bringing  
4 people together. So I know Senator Krueger  
5 raises a lot of points, a lot of issues that she  
6 thinks need to be addressed, but nonetheless I  
7 think we should still be advancing this  
8 particular conversation.

9           I do just want to make one point  
10 very clear, if I may. Senator LaValle, in 2002,  
11 passed a very similar bill as well. So I think  
12 there are a lot of people in this great house  
13 over the course of time that have carried the  
14 torch on this -- Senator Savino, Senator Phillips  
15 and Senator LaValle.

16           So I vote aye.

17           ACTING PRESIDENT GRIFFO: Senator  
18 Akshar in the affirmative.

19           Senator Jacobs to explain his vote.

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

22           I want to thank the sponsor and  
23 everybody that's worked on this. I also  
24 appreciate the discussion of the issues that were  
25 raised just now by Senator Hoylman and others.

1           As was mentioned, this bill is a  
2 one-house bill, so it is more likely than not  
3 that it will not be progressing into law at this  
4 point in time. I also have introduced a bill  
5 that was a narrower bill in regards to  
6 individuals that are in cancer treatment and  
7 their ability to preserve eggs for the ability in  
8 the future to have children.

9           But I am listening -- with the  
10 issues and concerns that were raised by  
11 Mr. Hoylman, Senator Hoylman, I would say I'm  
12 going to vote aye today, knowing that this is a  
13 one-house bill, with hopes that we can work  
14 together and make this more of an all-inclusive  
15 bill to achieve the goal for anybody who wants to  
16 have a child.

17           Thank you.

18           ACTING PRESIDENT GRIFFO:    Senator  
19 Jacobs in the affirmative.

20           Announce the result.

21           THE SECRETARY:    In relation to  
22 Calendar 2061, those recorded in the negative are  
23 Senators Amedore, DeFrancisco, Dilan, Gallivan,  
24 Hoylman, Kavanagh, Krueger and Ortt. Also  
25 Senator Kaminsky.

1                   Ayes, 51. Nays, 9.

2                   ACTING PRESIDENT GRIFFO:    The bill  
3 passes.

4                   THE SECRETARY:    Calendar Number  
5 2062, substituted earlier by the Assembly  
6 Committee on Rules, Senate Print 11099, an act to  
7 amend the Public Service Law.

8                   ACTING PRESIDENT GRIFFO:    Read the  
9 last section.

10                  THE SECRETARY:    Section 2. This  
11 act shall take effect on the same date and in the  
12 same manner as a chapter of the Laws of 2018.

13                  ACTING PRESIDENT GRIFFO:    Call the  
14 roll.

15                               (The Secretary called the roll.)

16                  THE SECRETARY:    Ayes, 60.

17                  ACTING PRESIDENT GRIFFO:    The bill  
18 passes.

19                  THE SECRETARY:    Calendar Number  
20 2063, substituted earlier by Member of the  
21 Assembly Paulin, Assembly Print 10534, an act to  
22 amend the Not-For-Profit Corporation Law.

23                  ACTING PRESIDENT GRIFFO:    Read the  
24 last section.

25                  THE SECRETARY:    Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT GRIFFO: The bill  
7 passes.

8 THE SECRETARY: Calendar Number  
9 2064, by Senator Amedore, Senate Print 8667, an  
10 act to amend the Racing, Pari-Mutuel Wagering and  
11 Breeding Law.

12 ACTING PRESIDENT GRIFFO: Read the  
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the  
17 roll.

18 (The Secretary called the roll.)

19 ACTING PRESIDENT GRIFFO: Announce  
20 the results.

21 THE SECRETARY: In relation to  
22 Calendar 2064, those recorded in the negative are  
23 Senators Bonacic, Dilan, Hannon, Hoylman, Krueger  
24 and Marcellino.

25 Ayes, 54. Nays, 6.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 passes.

3                   THE SECRETARY:     Calendar Number  
4 2065, substituted earlier by Member of the  
5 Assembly Paulin, Assembly Print 10336A, an act to  
6 amend the Not-For-Profit Corporation Law.

7                   ACTING PRESIDENT GRIFFO:    Read the  
8 last section.

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

11                   ACTING PRESIDENT GRIFFO:    Call the  
12 roll.

13                   (The Secretary called the roll.)

14                   THE SECRETARY:     Ayes, 58.  Nays, 2.  
15 Senators Kaminsky and Ranzenhofer recorded in the  
16 negative.

17                   ACTING PRESIDENT GRIFFO:    The bill  
18 passes.

19                   THE SECRETARY:     Calendar Number  
20 2066, by Senator Phillips, Senate Print 8781, an  
21 act to amend the Education Law.

22                   ACTING PRESIDENT GRIFFO:    Read the  
23 last section.

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



1                   ACTING PRESIDENT GRIFFO:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 60.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6 passes.

7                   THE SECRETARY:    Calendar Number  
8 2067, substituted earlier by Member of the  
9 Assembly Steck, Assembly Print 10756A, an act to  
10 amend the Public Authorities Law.

11                   ACTING PRESIDENT GRIFFO:    Read the  
12 last section.

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

15                   ACTING PRESIDENT GRIFFO:    Call the  
16 roll.

17                   (The Secretary called the roll.)

18                   THE SECRETARY:    Ayes, 60.

19                   ACTING PRESIDENT GRIFFO:    The bill  
20 passes.

21                   THE SECRETARY:    Calendar Number  
22 2068, substituted earlier by Member of the  
23 Assembly Lupardo, Assembly Print 10774A, an act  
24 creating.

25                   ACTING PRESIDENT GRIFFO:    Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 passes.

10 THE SECRETARY: Calendar Number  
11 2069, substituted earlier by Member of the  
12 Assembly Peoples-Stokes, Assembly Print 10744A,  
13 an act to amend the Executive Law.

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 60.

22 ACTING PRESIDENT GRIFFO: The bill  
23 passes.

24 THE SECRETARY: Calendar Number  
25 2070, by Senator Tedisco, Senate Print 8877, an

1 act to amend the Racing, Pari-Mutuel Wagering and  
2 Breeding Law.

3 ACTING PRESIDENT GRIFFO: Read the  
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 60.

11 ACTING PRESIDENT GRIFFO: The bill  
12 passes.

13 THE SECRETARY: Calendar Number  
14 2071, by Senator LaValle, Senate Print 8878, an  
15 act in relation to.

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 60.

24 ACTING PRESIDENT GRIFFO: The bill  
25 passes.

1                   THE SECRETARY:    Calendar Number  
2   2072, substituted earlier by the Assembly  
3   Committee on Rules, Assembly Print 11128, an act  
4   to amend the Executive Law.

5                   ACTING PRESIDENT GRIFFO:    Read the  
6   last section.

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

9                   ACTING PRESIDENT GRIFFO:    Call the  
10  roll.

11                   (The Secretary called the roll.)

12                   THE SECRETARY:    Ayes, 60.

13                   ACTING PRESIDENT GRIFFO:    The bill  
14  passes.

15                   THE SECRETARY:    Calendar Number  
16  2073, substituted earlier by the Assembly  
17  Committee on Rules, Assembly Print 11043, an act  
18  to amend the Insurance Law.

19                   ACTING PRESIDENT GRIFFO:    Read the  
20  last section.

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

23                   ACTING PRESIDENT GRIFFO:    Call the  
24  roll.

25                   (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 60.

2 ACTING PRESIDENT GRIFFO: The bill  
3 passes.

4 THE SECRETARY: Calendar Number  
5 2074, by Senator Hannon, Senate Print 8942, an  
6 act to amend Part B of Chapter 57 of the Laws of  
7 2018.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT GRIFFO: The bill  
17 passes.

18 THE SECRETARY: Calendar Number  
19 2075, by Senator Flanagan, Senate Print 8992, an  
20 act to amend the Education Law.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT GRIFFO: Senator  
4 Kaminsky to explain his vote.

5 SENATOR KAMINSKY: So this is one  
6 of the critical issues we've been dealing with.  
7 I have about 13,000 public school teachers in my  
8 district.

9 Teachers just want to be able to  
10 teach again; we could all agree on that. They're  
11 tired of their paperwork, they're tired of having  
12 to teach to a test. The fun of their job and the  
13 fun of our students learning has been taken out  
14 of their classroom.

15 So why can't we just deal with that  
16 today and get that done and not attach it to  
17 anything else and hold it hostage to a political  
18 process? We all want to make points, we all want  
19 to get things done, but we've got like seven  
20 hours to go and we're not going to resolve one of  
21 these major issues.

22 So let's just cut this loose, let's  
23 get APPR out of the way, let's let our teachers  
24 teach again, and let's move on with it. I vote  
25 in the negative.

1                   ACTING PRESIDENT GRIFFO:    Senator  
2 Kaminsky in the negative.

3                   Announce the results.

4                   THE SECRETARY:    In relation to  
5 Calendar 2075, those recorded in the negative are  
6 Senators Alcantara, Avella, Bailey, Benjamin,  
7 Breslin, Brooks, Carlucci, Comrie, Dilan,  
8 Gianaris, Hoylman, Kaminsky, Kavanagh, Kennedy,  
9 Krueger, Mayer, Montgomery, Persaud, Sanders,  
10 Sepúlveda, Serrano and Stavisky.  Also  
11 Senator Hamilton.  Also Senator Peralta.  Also  
12 Senator Stewart-Cousins.

13                   Ayes, 35.  Nays, 25.

14                   ACTING PRESIDENT GRIFFO:    The bill  
15 passes.

16                   THE SECRETARY:    Calendar Number  
17 2076, substituted earlier by Member of the  
18 Assembly Perry, Assembly Print 2620A, an act to  
19 amend the Vehicle and Traffic Law.

20                   ACTING PRESIDENT GRIFFO:    Read the  
21 last section.

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

24                   ACTING PRESIDENT GRIFFO:    Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT GRIFFO: The bill  
4 passes.

5 THE SECRETARY: Calendar Number  
6 2077, substituted earlier by the Assembly  
7 Committee on Rules, Assembly Print 11203, an act  
8 to amend the Tax Law.

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

11 THE SECRETARY: Section 2. This  
12 act shall take effect on the first day of the  
13 sales tax quarterly period.

14 ACTING PRESIDENT GRIFFO: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 2078, substituted earlier by Member of the  
22 Assembly Ashby, Assembly Print 11001A, an act to  
23 amend the Highway Law.

24 ACTING PRESIDENT GRIFFO: Read the  
25 last section.



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

3 ACTING PRESIDENT GRIFFO: Call the  
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 60.

7 ACTING PRESIDENT GRIFFO: The bill  
8 passes.

9 THE SECRETARY: Calendar Number  
10 2079, by Senator Marchione, Senate Print 9050, an  
11 act to amend the Highway Law.

12 ACTING PRESIDENT GRIFFO: Read the  
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The bill  
21 passes.

22 THE SECRETARY: Calendar Number  
23 2080, by Senator Marchione, Senate Print 9051, an  
24 act to amend the Highway Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 passes.

10 THE SECRETARY: Calendar Number  
11 2081, by Senator Felder, Senate Print 9073, an  
12 act to amend the Education Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 59. Nays, 1.  
21 Senator Mayer recorded in the negative.

22 ACTING PRESIDENT GRIFFO: The bill  
23 passes.

24 THE SECRETARY: Calendar Number  
25 2082, by Senator LaValle, Senate Print 9103A, an

1 act authorizing.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Can I  
10 have some order in the chamber to call the roll.

11 Senator Stavisky to explain her  
12 vote.

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

15 This bill was introduced Sunday, and  
16 it's very similar to a bill that we considered in  
17 the Higher Education Committee some weeks ago.  
18 For some reason, a new bill was introduced  
19 covering many of the same points.

20 And very briefly, I vote no because  
21 I'm concerned with privatizing, through this  
22 company Staffco, a public institution.

23 Secondly, I'm troubled by the  
24 pitting of classified workers versus unclassified  
25 workers, because it's very difficult to work --

1                   ACTING PRESIDENT GRIFFO:     Excuse  
2 me, Senator Stavisky.

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

5                   Senator Stavisky.

6                   SENATOR STAVISKY:     -- because it's  
7 very difficult to work side by side with people  
8 in different job classifications.

9                   I raised these issues in committee.  
10 They have not been resolved in the new bill.  
11 There is a ten-year period of time between the  
12 date of enactment and the time period when this  
13 has to be finalized, when the lease has to be  
14 signed. We have 10 years to study this, not a  
15 few days.

16                   And for that reason, Mr. Speaker,  
17 and my concerns with transparency, I vote no.

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

20                   Announce the results.

21                   THE SECRETARY:     In relation to  
22 Calendar 2082, those recorded in the negative are  
23 Senators Alcantara, Avella, Benjamin, Comrie,  
24 Krueger, Peralta, Sanders, Savino, Sepúlveda and  
25 Stavisky.

1                   Ayes, 50. Nays, 10.

2                   ACTING PRESIDENT GRIFFO: The bill  
3 is passed.

4                   THE SECRETARY: Calendar Number  
5 2084, by Senator Ortt, Senate Print 9105, an act  
6 to amend the General Business Law.

7                   ACTING PRESIDENT GRIFFO: Read the  
8 last section.

9                   THE SECRETARY: Section 4. This  
10 act shall take effect on the 180th day.

11                   ACTING PRESIDENT GRIFFO: Call the  
12 roll.

13                   (The Secretary called the roll.)

14                   THE SECRETARY: Ayes, 60.

15                   ACTING PRESIDENT GRIFFO: The bill  
16 is passed.

17                   THE SECRETARY: In relation to  
18 Calendar 2084: Ayes, 59. Nays, 1. Senator  
19 Krueger recorded in the negative.

20                   ACTING PRESIDENT GRIFFO: The bill  
21 still passes.

22                   Senator DeFrancisco, that concludes  
23 the noncontroversial reading of today's Senate  
24 Supplemental Calendar 58A.

25                   SENATOR DeFRANCISCO: Thank you,

1 Mr. President.

2                   Would you now recognize Senator  
3 Flanagan for an introduction.

4                   ACTING PRESIDENT GRIFFO:    Senator  
5 Flanagan for the purposes of an introduction.

6                   Again, we have a lot of guests in  
7 the chamber and a lot of conversations taking  
8 place, so I'd ask if you could take the  
9 conversations outside the chamber and if we can  
10 give our attention to the members as they're  
11 speaking.

12                   Senator Flanagan.

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

15                   We have with us today, on the last  
16 day of session, we have special guests, one of  
17 whom is a gentleman I've known for many years who  
18 always has a beaming smile; many of us know him  
19 in this room.  That's Mr. Bobby Kumar, who hails  
20 from Nassau County.

21                   We are also joined by Mr. Chendra  
22 and Mr. Chatwal, who are honored guests here.  
23 One of these gentlemen serves in an elected  
24 capacity in India, and we are delighted to have  
25 you with us here today, as you can see how we

1 deliberate. Based on how the day may unfold, we  
2 may be seeking your guidance and your counsel in  
3 terms of how to run this place.

4 But I know Senator Marcellino has  
5 been kind enough to speak with you gentlemen.  
6 And for our members, these gentleman are part of  
7 an entity that does all kinds of work around the  
8 world, but they happen to be working in  
9 Sullivan County, I think in Monticello in  
10 particular, in Senator Bonacic's district.

11 And they are wholly into a wide  
12 variety of things, including healthcare and  
13 something that I only know about in the abstract,  
14 and that's yoga in particular. So they're  
15 opening up a very large facility.

16 Mr. President, I want to just add my  
17 voice and welcome these folks here to our Senate  
18 chamber.

19 And if you would call on  
20 Senator Bonacic.

21 ACTING PRESIDENT GRIFFO: Senator  
22 Bonacic.

23 SENATOR BONACIC: I would like to  
24 join with Senator Flanagan to welcome you here  
25 today to the chambers.

1           I know tomorrow is a very special  
2 day. Tomorrow will be cutting the ribbon for a  
3 resort that they have built in Sullivan County,  
4 and there will be a visual from the prime  
5 minister of India calling to congratulate these  
6 people for the hotel that they've built. And  
7 they've built hotels all over the world for  
8 wellness, health. This would be a high-end  
9 hotel. And they're coming to Sullivan County,  
10 which is a great place.

11           And profit's not a dirty word, I  
12 want you to know that, and we wish you much  
13 success and good health. Thank you for being  
14 here.

15           ACTING PRESIDENT GRIFFO: Thank  
16 you, Senator Bonacic.

17           We want to express, to Mr. Kumar and  
18 our guests that are here today, a very warm  
19 welcome. We appreciate you joining us today and  
20 extend our best wishes to all of you.

21           Let's recognize them, please.

22           (Standing ovation.)

23           ACTING PRESIDENT GRIFFO: Senator  
24 DeFrancisco.

25           SENATOR DeFRANCISCO: Yes,



1 Mr. President, can we go back to the active list.

2 ACTING PRESIDENT GRIFFO: We will  
3 return to the active list.

4 SENATOR DeFRANCISCO: And call up a  
5 bill that was laid aside, Calendar 1964, by  
6 Senator Murphy, and do the noncontroversial  
7 reading.

8 ACTING PRESIDENT GRIFFO: We will  
9 do the controversial reading --

10 SENATOR DeFRANCISCO: Controversial  
11 reading.

12 ACTING PRESIDENT GRIFFO: -- of  
13 Senator Murphy's bill, Senate Bill 8501B.

14 The Secretary will ring the bell.  
15 And the Secretary will read.

16 And again, I know we want to get  
17 some pictures and everything, but we're going to  
18 have to have the members -- Senator Gianaris,  
19 you're going to ask for an explanation? Oh,  
20 okay. As soon as we find Senator Hoylman, then  
21 we will begin the questioning, Senator Murphy.

22 I'm going to let the Secretary read  
23 the bill, okay, as we're waiting. The Secretary  
24 will please read.

25 THE SECRETARY: Calendar Number

1 1964, by Senator Murphy, Senate Print 8501B, an  
2 act to amend the Arts and Cultural Affairs Law.

3 ACTING PRESIDENT GRIFFO: Senator  
4 Murphy, Senator Hoylman has asked for an  
5 explanation. Or do you have questions?

6 SENATOR HOYLMAN: Just questions.

7 ACTING PRESIDENT GRIFFO: Just  
8 questions.

9 Senator Murphy, do you yield to  
10 Senator Hoylman?

11 SENATOR MURPHY: Yes,  
12 Mr. President.

13 SENATOR HOYLMAN: Thank you,  
14 Mr. President. Thank you to the sponsor.

15 Would the sponsor yield to a few  
16 questions? I think the answer is yes. I wanted  
17 to ask first -- as we know, the Pope visited  
18 New York City in 2015 and made sure that tickets  
19 were free. Why doesn't the sponsor's bill  
20 address the issue of free tickets being sold on  
21 the secondary market?

22 SENATOR MURPHY: Sure. Through  
23 you, Mr. President.

24 Last year I sat here and let  
25 everybody know that I would be doing an awful lot

1 of work to come back with something very  
2 comprehensive. This piece of legislation is  
3 probably the most comprehensive piece of  
4 legislation that has come through Government  
5 Operations and Investigations in probably the  
6 past 10 years.

7           What this bill does is it addresses  
8 speculative tickets, that has been agreed upon by  
9 our Attorney General and the Assembly. It  
10 addresses a little bit of the bots violation, if  
11 there is one, and what kind of penalty would  
12 happen. It also addresses disclosure -- prices,  
13 fees and charges -- to make sure people know  
14 exactly what they're paying for. It also  
15 addresses the primary to secondary site transfer  
16 and what you need to do to disclose to a consumer  
17 that he or she is being redirected to a secondary  
18 site.

19           It also addresses the URL fraud. So  
20 if you go to someone's website -- let's use the  
21 example of the Yankees -- you expect to be on the  
22 official website of the New York Yankees. At  
23 times right now, you are not, you are actually on  
24 a secondary website.

25           This also addresses a 5 percent

1 paperless ballpark pass for people that would  
2 like to be able to afford to go to a ball game,  
3 with regards to a specific number of games that  
4 would be addressed and to a capacity of 30,000  
5 people or more for a venue.

6           It also -- it puts in a three-year  
7 extender. Because the definition of insanity is  
8 doing this thing over and over and over and  
9 expecting different results, and that's all we've  
10 been doing for the past few years, is one-year  
11 extenders. So we put in a three-year extender.

12           ACTING PRESIDENT GRIFFO:    Senator  
13 Hoylman.

14           SENATOR HOYLMAN:    I don't think the  
15 sponsor answered my question about why the  
16 sponsor's bill does not address free tickets  
17 being sold on the secondary market.

18           SENATOR MURPHY:    So through you,  
19 Mr. President, there was an awful lot of work  
20 that has been put into this over the past year.  
21 And between the Attorney General's office and the  
22 Assembly and myself and any other person that has  
23 come in, it was never addressed. It was never  
24 brought up.

25           ACTING PRESIDENT GRIFFO:    Perhaps,

1 Senator Hoylman, if you did it through a rap,  
2 like Senator Squadron used to, we could --

3 SENATOR HOYLMAN: Don't tempt me.

4 SENATOR MURPHY: Through you,  
5 Mr. President, I promise I won't be rapping.

6 SENATOR HOYLMAN: Would the sponsor  
7 continue to yield?

8 ACTING PRESIDENT GRIFFO: The  
9 sponsor yields.

10 SENATOR HOYLMAN: Does the sponsor  
11 acknowledge that there is a problem with the sale  
12 of free tickets, like to the Pope, on the  
13 secondary market?

14 SENATOR MURPHY: Sure. Through  
15 you, Mr. President, absolutely.

16 SENATOR HOYLMAN: Will the sponsor  
17 continue to yield?

18 ACTING PRESIDENT GRIFFO: The  
19 sponsor yields.

20 SENATOR HOYLMAN: Does the sponsor  
21 recognize the issue that happened back in 2012  
22 with the concert to benefit the victims of  
23 Hurricane Sandy, where tickets were sold for  
24 charity but resold on the open market, as much as  
25 \$70,000 for a pair? My question is, why doesn't

1 the sponsor's bill address the issue of tickets  
2 sold for charitable purposes on the secondary  
3 market?

4 SENATOR MURPHY: Through you,  
5 Mr. President. Between the Attorney General's  
6 office, the Assembly and myself, it was never  
7 brought to our attention.

8 SENATOR HOYLMAN: Will the sponsor  
9 continue to yield?

10 ACTING PRESIDENT GRIFFO: The  
11 sponsor yields.

12 SENATOR MURPHY: Of course.

13 SENATOR HOYLMAN: Through you,  
14 Mr. President. Did the sponsor have any public  
15 hearings on this legislation or any solicitation  
16 of public feedback before the bill was drafted?

17 SENATOR MURPHY: Through you,  
18 Mr. President. I would just like to, for the  
19 record, let Senator Hoylman know that we've had  
20 meetings, close to 20 different meetings, which  
21 he's been invited to and has never shown up.

22 So I've met with Vivid Seats, we've  
23 had a meeting with them. I've had a meeting with  
24 StubHub. I've had a meeting with Ticketmaster.  
25 I've had a meeting with Broadway.com. I've had a

1 meeting with the Yankees. I've had a meeting  
2 with MSG. I've had a meeting with Broadway  
3 League. I've had a meeting with All Shows. I've  
4 had a meeting with producers. I've had a meeting  
5 with brokers. I've had a meeting with  
6 Tickets.net. I've had a meeting with Field  
7 Entertainment.

8           Those are just some of the meetings  
9 that we've had collaboratively with a bunch of  
10 people that unfortunately I guess the Senator  
11 never had time to come.

12           SENATOR HOYLMAN: Point of personal  
13 privilege.

14           ACTING PRESIDENT GRIFFO: What is  
15 your point of privilege?

16           SENATOR HOYLMAN: For the record,  
17 the Senator never invited me. And if he can  
18 produce any record, email, invitation, transcript  
19 to that effect, I'd be very eager to see that.

20           But would the sponsor continue to  
21 yield?

22           ACTING PRESIDENT GRIFFO: Senator  
23 Murphy, would you continue to yield?

24           SENATOR MURPHY: Yes,  
25 Mr. President.

1                   SENATOR HOYLMAN:    The sponsor just  
2 told us all the private interests with whom he  
3 met, ranging from StubHub to Madison Square  
4 Garden to the Yankees.

5                   Did the sponsor meet with any  
6 members of the public about a bill that is  
7 supposed to protect consumers and fans?

8                   SENATOR MURPHY:    Meeting with the  
9 public? I met with as many people as I can, like  
10 I said I was going to do, Senator Hoylman.

11                   This is the bill that we've been  
12 working on for the past year. And to come in --  
13 let's -- let's -- to get an email or let me say a  
14 text message Friday morning at 11:27 from you  
15 with regards to having a bill that you would like  
16 to have introduced, I thought was just too much.

17                   SENATOR HOYLMAN:    Would the sponsor  
18 continue to yield?

19                   ACTING PRESIDENT GRIFFO:    The  
20 sponsor yields.

21                   And I'll ask the gentlemen to  
22 continue to stay focused on the bill-in-chief.

23                   Senator Murphy yields. Do you want  
24 to add something?

25                   SENATOR MURPHY:    Yeah, through you,



1 just that --

2 ACTING PRESIDENT GRIFFO: Senator  
3 Hoylman, do you object?

4 SENATOR MURPHY: We've also  
5 reviewed the AG's report that was -- that had a  
6 lot of public complaints that were involved in it  
7 too.

8 ACTING PRESIDENT GRIFFO: Senator  
9 Hoylman.

10 SENATOR HOYLMAN: Does the sponsor  
11 think that a consumer should know the established  
12 value of a ticket for which they are purposing --  
13 for example, if you go onto StubHub, should a  
14 consumer be able to tell what the face value of a  
15 ticket is like a consumer can do in the United  
16 Kingdom if they go on StubHub to, say, purchase  
17 tickets for a concert?

18 SENATOR MURPHY: Through you,  
19 Mr. President, I think that is -- I think that  
20 addresses that in our bill with the disclosure.

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

23 ACTING PRESIDENT GRIFFO: The  
24 sponsor yields.

25 SENATOR HOYLMAN: Can the sponsor

1 explain why we do not have, yet, paperless  
2 ticketing in the State of New York but one  
3 organization managed to get a provision that  
4 would allow the sale of paperless membership  
5 passes for certain sports venues?

6           SENATOR MURPHY: Oh, absolutely.  
7 Through you, Mr. President. So this is such a  
8 big issue that this is kind of a pilot program  
9 that we're trying to do for the State of New  
10 York. That's why we tried to narrow it in, to  
11 make sure that as one lever goes forward, the  
12 other levers are not going back. And that's why  
13 it's written very specific, for 5 percent, venues  
14 over 30,000 people.

15           SENATOR HOYLMAN: On the bill,  
16 Mr. President.

17           ACTING PRESIDENT GRIFFO: Senator  
18 Hoylman on the bill.

19           SENATOR HOYLMAN: Thank you to the  
20 sponsor, although I believe there was a  
21 misrepresentation of the facts. We can discuss  
22 that later.

23           I will say that the answers I  
24 received today were more than insufficient, they  
25 were confusing and didn't address the questions

1 at hand. For example, there is no requirement  
2 that purchasers, consumers or fans see the face  
3 value. I think the sponsor would have you  
4 believe otherwise.

5 Yes, the provision does now permit  
6 or require that sales taxes and other charges be  
7 revealed, which is a positive step. But it does  
8 not require the face value. So if you as a  
9 consumer purchase a ticket on the secondary  
10 market, you won't know what the original price  
11 is. You could be being ripped off. If the event  
12 is canceled, you don't know what you're going to  
13 get in terms of a return. That's one of  
14 many provisions.

15 And I think the problem,  
16 Mr. President, was identified by the sponsor. He  
17 met with the wrong people. He met with the  
18 lobbyists and the industry. He met with the  
19 people who have the most money at stake. But  
20 we -- the consumers, the fans and everyday  
21 New Yorkers -- I'm sorry to say were left out.

22 This is it. This is our big chance  
23 at reform for the next three years. To finally  
24 stand up for fans and everyday New Yorkers  
25 against those big corporate interests.

1                   I'm really disappointed we didn't do  
2 more. Especially for giving the ticket industry  
3 three years of status quo.

4                   We should not throw away our shot at  
5 fixing our ticket laws.

6                   We should not throw away our shot!

7                   Hey yo, for our music fans,

8                   They're young, scrappy and hungry

9                   And we should not throw away our  
10 shot!

11                   You shouldn't need a degree from  
12 Kings College,

13                   To understand our ticket laws, but  
14 dag, I'm amazed and astonished,

15                   The problem is we got too many  
16 lobbyists we must acknowledge,

17                   But what about the fans -- seems  
18 they gotta holler

19                   With every word, they could drop  
20 knowledge!

21                   But we had no hearings, or public  
22 debate -- instead we left it to the back room,  
23 the back room, which we hate,

24                   The back room, that was shrouded,

25                   There might not have been smoke but

1 it sure was cloudy!

2                   So I'm not surprised the fans got  
3 ripped, with all that money at the table they was  
4 bound to be gypped,

5                   When the language of our laws has to  
6 be written by the people who profit, our system  
7 is sickened!

8                   So fans won't see face value in this  
9 law of the land, fans won't get holdbacks or free  
10 tickets banned,

11                   So if you wanna see the Pope, you're  
12 gonna pay a grand,

13                   Hey'd you read about the Sandy  
14 concert on the newsstand?

15                   On the other hand --

16                   Right, there's some good things in  
17 the bill, stuff we had to do,

18                   Oh yeah, we helped out the Yankees,  
19 but what about you?

20                   At the end of the day, this much  
21 seems true: The lobbyists ate our lunch -- and  
22 the fans' lunch, too!

23                   Mr. President, we should not throw  
24 away our shot. I vote no.

25                   ACTING PRESIDENT GRIFFO: I don't

1 know if you've made America's Got Talent, Senator  
2 Hoylman.

3 (Laughter.)

4 ACTING PRESIDENT GRIFFO: But I  
5 still like Squadron's rap.

6 Senator Lanza, then Senator Krueger.

7 SENATOR LANZA: Mr. President, on  
8 the bill.

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

11 SENATOR LANZA: Mr. President,  
12 could I get a refund on that ticket for this  
13 concert we just --

14 (Laughter.)

15 SENATOR LANZA: No, I thought it  
16 was a great job, Senator Hoylman.

17 Mr. President, I've worked on this  
18 issue for a number of years. I recall some of  
19 the debates and conversations I had with my  
20 colleague Senator Squadron and Senator Hoylman.

21 I want to thank Senator Murphy,  
22 though. I think he really has given this an  
23 exhaustive analysis. And you heard all the  
24 entities and folks that he talked to -- who know  
25 the business, who know the industry and how it

1 works.

2           And to suggest that there hasn't  
3 been a public debate really couldn't be further  
4 from the truth. This is an issue that has been  
5 discussed in the public arena for more than a  
6 decade. We've read about it, we've heard about  
7 it, people have talked about it. And everyone  
8 has been free, as part of our responsibility in  
9 this body, to engage with whomever we thought can  
10 help move the ball with respect to this issue.

11           Here's the bottom line. Senator  
12 Murphy I don't think could have brought forward a  
13 more clear and more robust piece of legislation  
14 dealing with this issue. Senator Murphy, if I  
15 didn't understand the issue before, I understand  
16 it so much better thanks to your explanation.  
17 And I think the people back home can begin to  
18 understand.

19           There are some, in spite of what  
20 they might say, who would like us to go back to  
21 the time when I was growing up on Staten Island  
22 when only the well-heeled, the well-connected,  
23 the wealthy, someone who had a parent or an aunt  
24 who worked in a corporation, could have access to  
25 a Yankee game or to a concert. You know, the

1 truth of the matter is, without this legislation,  
2 we're going back to the days when only the rich  
3 can attend an event.

4 This legislation -- and granted,  
5 this is a complicated issue, so there's no one  
6 piece of legislation that could fully address all  
7 the issues involved. But without this  
8 legislation, you can be clear and certain of one  
9 thing, that unless you're very wealthy or know  
10 someone who's very wealthy or connected, you're  
11 going to be shut out again. All across New York  
12 City or all across the State of New York, you're  
13 going to be shut out.

14 It's already tough for average folks  
15 to be able to sit in a box seat at Yankee  
16 Stadium. They can't afford it. But with the new  
17 market, the way it works, and with legislation  
18 like this, at least -- at least -- there will be  
19 accessibility for average people across the  
20 state. And that's the way it ought to work.

21 Senator Murphy, I thank you for your  
22 work.

23 Mr. President, I'll be supporting  
24 this legislation.

25 ACTING PRESIDENT GRIFFO: Senator



1 Krueger.

2 SENATOR KRUEGER: Thank you.

3 I also want to say congratulations  
4 to my colleague Brad Hoylman for his improving  
5 rap style. I thought you did very well today.  
6 We still have some ringers in the conference, and  
7 we could all take some more lessons from them --  
8 Jamaal Bailey.

9 But I thought you did an excellent  
10 job today, and I think you were better -- better  
11 than Senator Squadron --

12 (Response from Senators.)

13 SENATOR KRUEGER: -- who's no  
14 longer here to stand up and debate me. So  
15 there's no one to go "Point of personal  
16 privilege."

17 (Laughter.)

18 ACTING PRESIDENT GRIFFO: Senator  
19 Krueger on the bill.

20 SENATOR KRUEGER: Here's why -- on  
21 the bill, Mr. President.

22 It was not exhaustive, because as  
23 was just pointed out, consumer groups weren't  
24 talked to. The research couldn't have been  
25 exhaustive, because apparently Senator Murphy

1 never even heard about the problems of free  
2 tickets for charities being sold on secondary  
3 markets for enormous amounts of money. So how  
4 exhaustive could this research have been?

5           It wasn't exhaustive because we  
6 still don't have the transparency that is  
7 critical for this to work. I hear Senator  
8 Lanza's concerns about wanting to make sure that  
9 everybody has a chance. I agree. But that means  
10 transparency. You will not be able to see the  
11 face value of the ticket when you end up going  
12 and buying it for perhaps four or five times the  
13 face value on a secondary market.

14           Now, you might decide it's worth it  
15 to you to want to pay four or five times, but you  
16 should at least know what the face value is.  
17 Because if for some reason you need to get a  
18 return on that or they cancel, that's all you're  
19 getting, the face value, not the four or five  
20 times you paid for it.

21           And if we believe that we want to  
22 make sure there's equitable opportunity for all  
23 to get these tickets, we're not addressing the  
24 fundamental problem that the primary venue  
25 doesn't have to let you know what percent of the

1 tickets are actually going on sale to the public.

2           And the research by the AG's office,  
3 which if -- hopefully Senator Murphy read this  
4 detailed report -- shows that you can have up to  
5 50 percent, 60 percent of the tickets being held  
6 or distributed on presale bases, and so those are  
7 never even open to the public to have an  
8 opportunity to buy.

9           And so at least we ought to be  
10 letting people know, when they are in search of a  
11 ticket to a Justin Bieber concert or a -- I'm  
12 just looking. Let's see, I'm neither a rapper or  
13 that much of a concertgoer, but I have all the  
14 names here -- anyone else's concerts that you  
15 used to be able to know that actually only  
16 30 percent of the seats are being made available  
17 to you through the primary market, because  
18 70 percent of them have disappeared some other  
19 way, and so you'll only be able to buy those on a  
20 more expensive secondary market.

21           So are there improvements in this  
22 bill compared to what we've had? Yes. Have we  
23 addressed the consumer protection problems that  
24 we will continue to have in New York State? No.  
25 Do I want to go backwards? No, I want to go

1 forward. This isn't getting us far enough  
2 forward.

3 I'm voting no. I'm hoping that  
4 another year, another opportunity for us to get  
5 it right.

6 Thank you, Mr. President.

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

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO: It's my  
13 understanding the debate is complete?

14 ACTING PRESIDENT GRIFFO: The  
15 debate is closed. The Secretary has rang the  
16 bell.

17 SENATOR DeFRANCISCO: Well, stop  
18 ringing the bell, because by unanimous consent  
19 we're going to take this up on the  
20 noncontroversial calendar for a vote.

21 ACTING PRESIDENT GRIFFO: So  
22 without objection, we will return to the  
23 noncontroversial reading.

24 The Secretary will read the last  
25 section.

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

3 ACTING PRESIDENT GRIFFO: Call the  
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT GRIFFO: Senator  
7 Young to explain her vote.

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

10 I rise to commend Senator Murphy for  
11 his diligence on this issue. He has spent hours  
12 and hours of time coming up with a solution. And  
13 everything that you need to know about this  
14 legislation is included in the bill memo, which I  
15 will read from.

16 "Everyday New Yorkers are denied  
17 fair access to tickets by resellers who distort  
18 the market, obscure information that allows for  
19 better purchasing decisions, and gouge fans with  
20 excessive prices and fees. In 2016, the Office  
21 of New York State Attorney General released a  
22 report exposing the unscrupulous practices of the  
23 industry and making it clear that reforms are  
24 critical to protect consumers. This bill reforms  
25 the system to create a fairer and more

1 transparent marketplace. It allows New Yorkers a  
2 fair shot at fairly priced tickets."

3           That's what this legislation does,  
4 so let's be clear on that. And thank you,  
5 Senator Murphy, for your leadership, for your  
6 diligence, for your hard work in coming up with a  
7 solution that benefits the fans.

8           I will be voting aye, Mr. President.

9           ACTING PRESIDENT GRIFFO: Senator  
10 Young in the affirmative.

11           Announce the results.

12           THE SECRETARY: In relation to  
13 Calendar 1964, those recorded in the negative are  
14 Senators Dilan, Golden, Hoylman, Krueger,  
15 Persaud, Sanders, Sepúlveda and Serrano --

16           ACTING PRESIDENT GRIFFO: Senator  
17 Murphy to explain his vote.

18           SENATOR MURPHY: Oh, I just wanted  
19 to say thank you. And thank you to my colleagues  
20 for voting on this.

21           I'd like to also thank Assemblyman  
22 O'Donnell, who I've worked with, and the  
23 Attorney General's office, after going through  
24 their report.

25           But I was not going to allow another

1 one-year extender to happen, because that  
2 happened back in 2011, 2012, 2013, 2014, 2015.  
3 My good buddy Senator Lanza here finally picked  
4 the ball up and got bots done. We had another  
5 extender last year, 2017, when I stood in front  
6 of you all and I said I'm going to work  
7 diligently on this and we're going to come up and  
8 we're going to have a comprehensive bill. And  
9 this is it.

10           This right here, this gives access  
11 to the everyday people. It helps the everyday  
12 person in order for them to try and get into a  
13 play -- which I've talked to Broadway League and  
14 Broadway.com. I've exhausted a number of  
15 different avenues to make sure that we tried to  
16 get this right.

17           It is very, very convoluted. This  
18 is what we've gotten so far, and I'm very proud  
19 of this bill. And I'd just like to thank my  
20 colleagues for voting on this.

21           Thank you, Mr. President.

22           ACTING PRESIDENT GRIFFO:    Senator  
23 Murphy in the affirmative.

24           Results.

25           THE SECRETARY:    Also Senator Parker

1 in the negative.

2 Ayes, 51. Nays, 9.

3 ACTING PRESIDENT GRIFFO: The bill  
4 passes.

5 Senator DeFrancisco.

6 SENATOR DeFRANCISCO: Can we now go  
7 to the Supplemental Calendar 58A and take up  
8 previously laid aside Calendar Number 2083,  
9 controversial.

10 ACTING PRESIDENT GRIFFO: The  
11 Secretary has rang the bell, and we will now read  
12 2083.

13 THE SECRETARY: Calendar Number  
14 2083, by the Senate Committee on Rules,  
15 Senate Print 9104, an act to amend Chapter 88 of  
16 the Laws of 2009.

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

21 Read the last section.

22 Senator DeFrancisco, this is on a  
23 controversial reading. Do we have your request  
24 to convert to noncontroversial?

25 SENATOR DeFRANCISCO: No. No. I



1 would like it to be -- excuse me, I would like it  
2 to be controversial. And I would like to answer  
3 Senator Seward's request for an explanation.

4 ACTING PRESIDENT GRIFFO: Okay. So  
5 we are on a controversial reading. The debate  
6 has been closed.

7 The Secretary will read the last  
8 section, and then members will have an  
9 opportunity to explain their votes.

10 SENATOR DeFRANCISCO: I would like  
11 to give an explanation of the bill.

12 ACTING PRESIDENT GRIFFO: Debate  
13 has been closed, but we'll reopen it, if that's  
14 what you're requesting.

15 SENATOR DeFRANCISCO: I think  
16 that's what I said earlier.

17 ACTING PRESIDENT GRIFFO: Okay.  
18 Senator Seward, what is your question?

19 SENATOR SEWARD: I would like an  
20 explanation.

21 (Laughter.)

22 ACTING PRESIDENT GRIFFO: Senator  
23 Seward would like an explanation.

24 SENATOR DeFRANCISCO: You know,  
25 this bill is very --

1                   ACTING PRESIDENT GRIFFO:    Senator  
2 Rules, would you like to speak?

3                   (Laughter.)

4                   SENATOR DeFRANCISCO:    I wish  
5 Senator Squadron was here, but -- he would have  
6 given a better rap, and he would have brought  
7 that up.

8                   The reason I want to explain it is  
9 apparently there's some negative votes that are  
10 being contemplated. And what -- this bill is  
11 extremely simple.

12                   There are many tax bills that have  
13 been in existence by various jurisdictions that  
14 we keep re-upping every year and give another  
15 year, another two years, whatever the number of  
16 years are of the extender. And quite frankly,  
17 it's ridiculous. If we've already authorized a  
18 town or a county or a village or somebody to  
19 raise sales tax, for example, or mortgage tax,  
20 why do they have to keep coming back? And why do  
21 we just give them a short length of time?

22                   We should have a -- it should be  
23 automatic. And they should only come back if  
24 they want to reduce it, permission to reduce,  
25 which they don't need.

1           And all this bill is is a bill that  
2 allows for these extenders and some of the  
3 municipalities -- New Rochelle, Rye, Yonkers,  
4 Essex, Albany, Warren. And from a political  
5 standpoint, these counties are very different as  
6 far as the geographics and also different with  
7 respect to their politics, whether they have  
8 basically Republicans or Democrats leading their  
9 counties.

10           And if we do not pass this bill,  
11 monies that these municipalities have been  
12 relying on for years, for years, will stop,  
13 because we have not authorized those taxes to  
14 continue.

15           So I would hope that those who are  
16 considering possibly voting no consider what the  
17 effects would be. And most importantly, there's  
18 really no reason, no reason not to continue to  
19 allow these extensions. And there are extenders  
20 for -- that Democrats are requesting and  
21 extenders that the GOP is requesting, and they go  
22 all over the ballpark.

23           So the reason I want to explain it  
24 is because I think it's important that we know  
25 here and the general public knows here what we're

1 voting on and what a no vote would be.

2 Thank you, Mr. President.

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

6 The Secretary will ring the bell.

7 (Pause.)

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

10 THE SECRETARY: Section 24. This  
11 act shall take effect immediately.

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Some  
16 order, please.

17 Senator Gianaris to explain his  
18 vote.

19 SENATOR GIANARIS: Thank you,  
20 Mr. President.

21 Despite Senator DeFrancisco's  
22 customary eloquence, I did want to point out a  
23 couple of things about this bill.

24 Number one, it is a one-house bill  
25 which does not have a companion in the Assembly,

1 which means its likelihood of actually resulting  
2 in anything meaningful is minimal at best.

3           Number two, the majority picked and  
4 chose which of the various provisions of law that  
5 are expiring it wanted to include in this  
6 legislation.

7           So this is little more, at the end  
8 of the day, than just political posturing. I  
9 will be voting no, together with many of my  
10 colleagues, because if we want a real solution,  
11 we should roll up our sleeves and actually get to  
12 work on things that can pass both houses.

13           Thank you.

14           ACTING PRESIDENT GRIFFO:    Senator  
15 Gianaris in the negative.

16           Senator DeFrancisco to explain his  
17 vote.

18           SENATOR DeFRANCISCO:    Yes, I just  
19 want --

20           ACTING PRESIDENT GRIFFO:    Can I  
21 have some order, please.

22           SENATOR DeFRANCISCO:    I just want  
23 to explain briefly there's been many one-house  
24 bills that have been passed in either house that  
25 ultimately become law. And this is -- this could

1 be one of them.

2           And everybody knows the facts of  
3 life, the things that go on in Albany, that this  
4 bill is being used for leverage to get other  
5 totally unrelated things done. And it has  
6 nothing to do with it being one house or two  
7 houses or three houses. What it has to do with  
8 is leverage that the Assembly is trying to apply  
9 to get the Senate to do something that should be  
10 done on its own one way or the other.

11           And that's -- that's the real story  
12 here. And I would hope that -- again, that the  
13 Assembly would -- the Senators, the Democrat  
14 Senators will reconsider. And I'm sure if this  
15 bill passes, all extenders that they're concerned  
16 about or they're interested in would happen as  
17 well.

18           ACTING PRESIDENT GRIFFO:    Senator  
19 DeFrancisco in the affirmative.

20           Senator Klein to explain his vote.

21           SENATOR KLEIN:    Again,  
22 Mr. President, I certainly understand that  
23 there's a lot in this bill that affects various  
24 regions -- tax extenders, mortgage recording  
25 taxes that are expanded. But at the same time, I

1 think that was pointed out by Senator Gianaris,  
2 this is certainly, at this late time in the  
3 session, is not a same-as with the Assembly.

4 I do want to point out one specific  
5 issue which is important to me and I think  
6 everyone else in the City of New York, is the  
7 speed camera program. I actually did the  
8 original legislation which created the program,  
9 thus also expanding the program. And I do want  
10 to say the program has been up and running for  
11 over four years and has saved thousands and  
12 thousands of lives. We have seen, thank God, all  
13 types of horror that used to occur near schools  
14 go down dramatically.

15 So even though we're doing extenders  
16 supposedly in this piece of legislation, the  
17 speed camera legislation, which is going to  
18 sunset any day now, is not in this legislation as  
19 well.

20 So I stand by my previous vote and  
21 vote no, Mr. President.

22 ACTING PRESIDENT GRIFFO: Senator  
23 Klein in the negative.

24 Senator Young to explain her vote.

25 SENATOR YOUNG: Thank you,

1 Mr. President.

2 We all know that local communities  
3 that we represent need to have these local bills  
4 done. And I just want to read a list of the  
5 local communities that are affected by this,  
6 because they apparently need the revenue in order  
7 to operate their budgets.

8 So it's the occupancy tax in the  
9 City of New Rochelle, it's also in the City of  
10 Rye, and it's also relating to the City of  
11 Yonkers. We have Senator Mayer, who's newly  
12 elected, on the other side of the aisle. To me,  
13 it would be shocking if she voted against her own  
14 communities.

15 SENATOR GIANARIS: Mr. President.

16 ACTING PRESIDENT GRIFFO: Senator  
17 Gianaris, why do you rise?

18 SENATOR YOUNG: So --

19 SENATOR GIANARIS: We always take  
20 great care not to single out individuals and  
21 criticize them by name in this chamber, and I  
22 would caution Senator Young not to do that right  
23 now.

24 SENATOR YOUNG: -- the  
25 representative from Yonkers, the City of Rye and



1 New Rochelle would vote against their own -- her  
2 own community.

3 ACTING PRESIDENT GRIFFO: Announce  
4 the results.

5 THE SECRETARY: In relation to  
6 Calendar 2083, those recorded in the negative are  
7 Senators Alcantara, Avella, Bailey, Benjamin,  
8 Breslin, Brooks, Carlucci, Comrie, Dilan,  
9 Gianaris, Hamilton, Hoylman, Kaminsky, Kavanagh,  
10 Kennedy, Klein, Krueger, Mayer, Montgomery,  
11 Parker, Peralta, Persaud, Sanders, Savino,  
12 Sepúlveda, Serrano, Stavisky, Stewart-Cousins and  
13 Valesky.

14 Ayes, 31. Nays, 29.

15 ACTING PRESIDENT GRIFFO: The bill  
16 fails.

17 Senator Flanagan.

18 SENATOR FLANAGAN: The Senate will  
19 stand at ease.

20 There will be an immediate  
21 Republican conference.

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

24 There's an immediate meeting of the  
25 Republican Conference in Room 332.

1                   The Senate is at ease.

2                   (Whereupon, the Senate stood at ease  
3 at 2:41 p.m.)

4                   (Whereupon, the Senate reconvened at  
5 4:14 p.m.)

6                   ACTING PRESIDENT GRIFFO:   And now a  
7 word from our sponsor.

8                   Senator DeFrancisco.

9                   SENATOR DeFRANCISCO:   We're ready  
10 to proceed.  And if legislators from the Senate  
11 are in the hearing of my voice, we'd love to see  
12 you.

13                   ACTING PRESIDENT GRIFFO:   I'd ask  
14 all members to please report to the chamber.

15                   SENATOR DeFRANCISCO:   All right, if  
16 we can --

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

19                   Senator DeFrancisco.

20                   SENATOR DeFRANCISCO:   The first  
21 bill we want to take up is a hand-down for  
22 Senator Akshar, who's on his way, I hope.

23                   ACTING PRESIDENT GRIFFO:   We will  
24 return to messages from the Assembly.

25                   The Secretary will read.

1           THE SECRETARY:    The Assembly sent  
2 for concurrence the following bill.  On motion of  
3 Senator Flanagan, and by unanimous consent, the  
4 rules were suspended and said bill ordered to a  
5 third reading:  Assembly 8057B.

6           ACTING PRESIDENT GRIFFO:    It is so  
7 ordered.

8           The bill is before the house.  The  
9 Secretary will read.

10          THE SECRETARY:    Calendar Number  
11 2085, by Member of the Assembly Abbate,  
12 Assembly Print 8057B, an act to amend the  
13 Civil Service Law.

14          ACTING PRESIDENT GRIFFO:    Read the  
15 last section.

16          SENATOR DeFRANCISCO:    Time out.

17          ACTING PRESIDENT GRIFFO:    Time out.

18          Read the last section.

19          SENATOR DeFRANCISCO:    Please wait.

20          ACTING PRESIDENT GRIFFO:    Okay.

21          The Senate will stand temporarily at ease.

22                 (Whereupon, the Senate stood at ease  
23 at 4:15 p.m.)

24                 (Whereupon, the Senate reconvened at  
25 4:22 p.m.)

1                   SENATOR DeFRANCISCO:  
2   Mr. President, can we lay this bill aside  
3   temporarily and go to the Supplemental Calendar  
4   58A. We laid aside a Senator Marcellino bill  
5   temporarily, 2043. Can we take that up now,  
6   please.

7                   ACTING PRESIDENT GRIFFO:    The  
8   Senate will return to order.

9                   The bill that was previously before  
10  the house will be laid aside temporarily.

11                   And the request is now to go to  
12  Senate Supplemental 58A, and we will be looking  
13  at Calendar Number 2043.

14                   The Secretary will read.

15                   THE SECRETARY:    Senator Marcellino  
16  moves to discharge, from the Committee on Rules,  
17  Assembly Bill Number 6320A and substitute it for  
18  the identical Senate Bill 5743A, Third Reading  
19  Calendar 2043.

20                   ACTING PRESIDENT GRIFFO:    The  
21  substitution is so ordered.

22                   There is a home-rule message present  
23  at the desk.

24                   The Secretary will read.

25                   THE SECRETARY:    Calendar Number

1 2043, by Member of the Assembly Montesano,  
2 Assembly Print 6320A, an act to grant.

3 ACTING PRESIDENT GRIFFO: Read the  
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 60.

11 ACTING PRESIDENT GRIFFO: The bill  
12 passes.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Has that bill  
15 been passed?

16 ACTING PRESIDENT GRIFFO: It has  
17 been passed.

18 SENATOR DeFRANCISCO: All right.  
19 Can we now take up, off the original active list,  
20 a bill that was temporarily laid aside, the  
21 Ranzenhofer bill, Calendar 1099. Can we take up  
22 that at this time.

23 ACTING PRESIDENT GRIFFO: The  
24 Secretary will read, from the original active  
25 list, Calendar Number 1099.

1                   THE SECRETARY:    Calendar Number  
2    1099, by Member of the Assembly Steck,  
3    Assembly Print 2688B, an act to amend the  
4    Executive Law.

5                   ACTING PRESIDENT GRIFFO:    Read the  
6    last section.

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

9                   ACTING PRESIDENT GRIFFO:    Call the  
10   roll.

11                   (The Secretary called the roll.)

12                   THE SECRETARY:    Ayes, 60.

13                   ACTING PRESIDENT GRIFFO:    The bill  
14   passes.

15                   SENATOR DeFRANCISCO:    That  
16   completes the active list.  You can rip it up,  
17   just like the president did.

18                   All right.  Now we're going back to  
19   the Senate supplemental calendar.  And the bill  
20   that was laid aside on that calendar, 2029, by  
21   Senator Bonacic, can we call that bill up,  
22   please.

23                   ACTING PRESIDENT GRIFFO:    The  
24   Secretary will read.

25                   THE SECRETARY:    Calendar Number

1 2029, by Senator Bonacic, Senate Print 994C, an  
2 act to amend the General Municipal Law.

3 ACTING PRESIDENT GRIFFO: Senator  
4 Krueger.

5 SENATOR KRUEGER: Thank you. On  
6 the bill, Mr. President. Can I?

7 ACTING PRESIDENT GRIFFO: So one  
8 second -- yes. We were on a noncontroversial  
9 reading. Are we going to a controversial  
10 reading?

11 SENATOR KRUEGER: It had been laid  
12 aside earlier.

13 ACTING PRESIDENT GRIFFO: Okay, the  
14 bill has been -- correct, you are right,  
15 Senator Krueger, the bill is laid aside.

16 SENATOR KRUEGER: So I assume --

17 ACTING PRESIDENT GRIFFO: Let me  
18 ring the bell.

19 And Senator Krueger, you may be  
20 heard.

21 SENATOR KRUEGER: I wasn't going to  
22 ask to debate, Mr. President, I was just going to  
23 speak on the bill.

24 ACTING PRESIDENT GRIFFO: Senator  
25 Krueger on the bill.

1                   SENATOR KRUEGER:    Thank you.

2                   So this bill continues a pattern in  
3 this state of expanding gambling, perhaps without  
4 thinking about the impact on the broader universe  
5 of other gambling that we've passed.  So we  
6 regulate and we pass and we put a limit on  
7 casinos, and we make agreements with, compacts  
8 with Native American casinos.  And we think about  
9 and explore whether we're going to do sports  
10 betting or not, whether we're going to do  
11 Internet betting or not, what we're doing with  
12 OTBs, on and on.

13                   And yet then we take a look at a  
14 bill like this, which basically says we will  
15 allow specific nonprofit facilities to become  
16 casinos.  Not a full-fledged casino, but slot  
17 machines, which now are being called electronic  
18 bell jars in this bill.  And we've already  
19 approved tax-free alcohol for these same  
20 facilities.

21                   So I'm just wondering what the State  
22 of New York is thinking about when it's expanding  
23 a secondary market of lower-taxed gambling  
24 casinos with -- perhaps without the fancy lights.

25                   And of course while they are



1 veterans organization facilities, you don't have  
2 to be a veteran to go there. So it's not a  
3 sublimited universe, it's the entire New York  
4 public. Or I guess people from outside of  
5 New York State could also come to our secondary  
6 discounted-price casinos.

7 I think it's just bad policy for the  
8 state, Mr. President. Even though I've heard  
9 that these are organizations searching for more  
10 charitable money, I don't think we're doing  
11 ourselves a favor by doing this. And I think  
12 we're also opening ourselves to all kinds of  
13 questions people might ask later, when I think we  
14 here in the Senate should have asked those  
15 questions before we pass these laws.

16 And so I'm a no, Mr. President.  
17 Thank you.

18 ACTING PRESIDENT GRIFFO: Seeing  
19 and hearing no other Senator that wishes to be  
20 heard -- Senator Bonacic.

21 SENATOR BONACIC: To explain my  
22 vote.

23 ACTING PRESIDENT GRIFFO: We're on  
24 the bill -- you want to explain your vote later,  
25 then, Senator Bonacic?

1           SENATOR BONACIC:    Sure.

2           ACTING PRESIDENT GRIFFO:    Okay.  So  
3 I will close debate.

4           The Secretary will ring the bell.

5           Read the last section.

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

8           ACTING PRESIDENT GRIFFO:    The  
9 Secretary will call the roll.

10           We are on a controversial vote, so  
11 the members should enter the chamber, please.

12           (The Secretary called the roll.)

13           SENATOR DeFRANCISCO:    Could you  
14 withdraw the roll call and -- I think people are  
15 getting jumpy at this point.  And I'm trying not  
16 to.

17           But by unanimous consent, I would  
18 request that this be put back on the  
19 noncontroversial calendar and a vote be taken in  
20 that manner.

21           ACTING PRESIDENT GRIFFO:    So  
22 without objection, we will return to the  
23 noncontroversial reading.

24           There being no objection, the  
25 Secretary will read the last section.

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

3           ACTING PRESIDENT GRIFFO:    The  
4 Secretary will call the roll.

5                           (The Secretary called the roll.)

6           ACTING PRESIDENT GRIFFO:    Senator  
7 Bonacic to explain his vote.

8           SENATOR BONACIC:    Yes.  Thank you,  
9 Mr. President.

10                           First of all, this particular  
11 machine that would go in benevolent  
12 corporations -- and 59 percent of them are in  
13 veteran halls.  And the rest would be in the  
14 Elks, it would be in the Moose Lodge, it would be  
15 in the churches, and it would also -- and there's  
16 about 1200 of them.

17                           Since 1997, the revenue from these  
18 organizations was \$66 million.  Now it is down to  
19 \$33 million.  You know what's happened?  Veterans  
20 posts have closed.  Veterans, you know, when they  
21 can come home from the war, they don't talk to  
22 people about their experiences.  They need a  
23 place to go and talk to other veterans if they're  
24 inclined to talk at all.

25                           So this is a -- this is -- what we

1 want to do is to give them a bell jar machine  
2 that is not a gambling device. It's preprinted  
3 in the machine, not a gambling device. I don't  
4 know how many times I can say that. With the  
5 hope, with the hope that maybe more of these  
6 benevolent corporation members, and mainly  
7 veterans, would go and play this machine.

8 ACTING PRESIDENT GRIFFO: Excuse  
9 me, Senator Bonacic.

10 Can I have some order in the house.

11 Senator Bonacic, please continue.

12 SENATOR BONACIC: So that's why  
13 we're putting this forward. We are one with the  
14 Assembly on this. There's a same-as bill. In  
15 fact, the Assembly passed this earlier in the  
16 year and recalled it so we could have the same  
17 language.

18 But that's what this bill does.

19 Thank you, Mr. President. I vote  
20 yes.

21 ACTING PRESIDENT GRIFFO: Senator  
22 Bonacic in the affirmative.

23 Senator Ortt to explain his vote.

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

1 I'd like to thank the sponsor. I  
2 know he spent a lot of time on this bill.

3 You know, gaming bills, bills that  
4 deal with any kind of gambling are always  
5 somewhat controversial. There are those who  
6 don't like them, there are those who support  
7 them.

8 For me, this was mostly about trying  
9 to find a way to help and provide an additional  
10 revenue stream for community organizations that  
11 play a huge role in most of our districts,  
12 whether it's veterans organizations -- VFWs,  
13 American Legions -- whether it's volunteer  
14 firefighting companies, whether it is other  
15 community organizations -- the Knights of  
16 Columbus, that kind of a thing.

17 Now, keep in mind, my only concern  
18 with this legislation, I represent a casino  
19 that's on Native American territory. And I know  
20 they have some concerns about the compact with  
21 the state. But I believe that the sponsor has  
22 tried to work very hard to make sure this bill is  
23 not in violation of that compact.

24 And I think ultimately this bill  
25 does more for -- more good for groups in our

1 community than it does harm. And so for that  
2 reason, Mr. President, I vote aye.

3 ACTING PRESIDENT GRIFFO: Senator  
4 Ortt in the affirmative.

5 Senator Kennedy to explain his vote.

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

8 First of all, I want to thank the  
9 bills's sponsor. I know that he has worked very,  
10 very hard on this bill and has communicated  
11 appropriately.

12 The issue that we have with this  
13 bill is that I have a memo of opposition from the  
14 Seneca Nation of Indians President Todd Gates  
15 opposing this bill, believing that the  
16 legislation clearly violates the compact of 2002.  
17 These are serious allegations, and these are  
18 allegations that we need to take into  
19 consideration as we're passing this bill.

20 We are basically affirming the  
21 support for video gaming that in many ways will  
22 help charitable organizations, yes. But if it  
23 violates the compact, it ultimately goes against  
24 the word of the State of New York from 2002, then  
25 what in fact is the worth of the word of the

1 State of New York in any capacity to begin with?  
2 Who would negotiate in good faith with the City  
3 of New York in any capacity moving forward if in  
4 fact New York State doesn't keep its word?

5           And if the bill that we are  
6 supporting today violates the compact, and the  
7 Seneca Nation is saying that they are going to  
8 challenge this bill -- ultimately resulting, I'm  
9 assuming, in litigation, and much like what  
10 happened with Moxie Mania and the VLTs that were  
11 put forward in the past that violated the compact  
12 and were arbitrated and resulted in a long legal,  
13 problematic, adjudicated issue -- in fact, we  
14 should hit the pause button, get everyone to the  
15 table, negotiate the bill with all parties  
16 involved, including the Seneca Nation and other  
17 nations that will be affected across the state as  
18 it pertains to their own gaming compacts, and put  
19 a bill in that works for everybody.

20           I know this is important to the  
21 charitable organizations. And as I mentioned to  
22 you earlier, I appreciate the sponsor's work on  
23 this and recognize that conceptually we can all  
24 agree to that. However, I believe that this is  
25 in violation of the compact. I have grave

1 concerns about it.

2           With that, I'll be voting no, and I  
3 ask my colleagues to do the same. And while this  
4 is a C print of this bill, hopefully we can put  
5 together another print that works.

6           ACTING PRESIDENT GRIFFO:    Senator  
7 Kennedy, how do you vote?

8           SENATOR KENNEDY:    Mr. President, I  
9 vote in the negative. Thank you.

10          ACTING PRESIDENT GRIFFO:    Senator  
11 Kennedy in the negative.

12          Senator Marchione to explain her  
13 vote.

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

16                I also want to thank the sponsor,  
17 Senator Bonacic, for this piece of legislation.

18                I had a lot of concerns about it, as  
19 of course I come from an area that has a racino  
20 that certainly is being squeezed and hasn't felt  
21 the full effects of a casino that's very close to  
22 it.

23                But I want to thank him very much  
24 for listening to the concerns that we had for  
25 adjusting the bill and for making it palatable



1 for those of us who are now able to support the  
2 bill. And I just want to say that that's  
3 indicative of Senator Bonacic, and I would like  
4 to thank him for always trying to work with the  
5 rest of us to make a bill better that we all can  
6 support.

7 Thank you, Mr. President.

8 ACTING PRESIDENT GRIFFO: Senator  
9 Marchione in the affirmative.

10 Announce the results.

11 THE SECRETARY: In relation to  
12 Calendar 2029, those recorded in the negative are  
13 Senators Bailey, Comrie, Gianaris, Kaminsky,  
14 Kavanagh, Kennedy, Klein, Krueger, Peralta,  
15 Persaud, Sanders, Sepúlveda and Stewart-Cousins.  
16 Also Senators Benjamin and Stavisky. Also  
17 Senator Alcantara.

18 Ayes, 44. Nays, 16.

19 ACTING PRESIDENT GRIFFO: The bill  
20 passes.

21 Senator DeFrancisco.

22 SENATOR DeFRANCISCO:  
23 Mr. President, can we now stand at ease and await  
24 a Democrat conference, a minority conference.

25 SENATOR KLEIN: Mr. President,

1 there will be an immediate Democratic conference  
2 in the Democratic Conference Room.

3 ACTING PRESIDENT GRIFFO: There  
4 will be an immediate meeting of the Democrat  
5 Conference in the Democrat Conference Room.

6 The Senate will stand at ease.

7 (Whereupon, the Senate stood at ease  
8 at 4:38 p.m.)

9 (Whereupon, the Senate reconvened at  
10 4:54 p.m.)

11 ACTING PRESIDENT GRIFFO: The  
12 Senate will return to order.

13 Senator Flanagan.

14 SENATOR FLANAGAN: Senator Griffo,  
15 thank you. There will be a meeting of the  
16 Judiciary Committee in 10 minutes, 10 minutes, in  
17 Room 124.

18 ACTING PRESIDENT GRIFFO: There  
19 will be a meeting of the Judiciary Committee in  
20 10 minutes. The Judiciary Committee will meet in  
21 Capitol Room 124 at 5:10. All members of  
22 Judiciary should report to Room 124 at 5:10.

23 SENATOR FLANAGAN: Mr. President,  
24 the Senate will stand at ease.

25 ACTING PRESIDENT GRIFFO: The

1 Senate will stand at ease.

2 (Whereupon, the Senate stood at ease  
3 at 4:54 p.m.)

4 (Whereupon, the Senate reconvened at  
5 7:12 p.m.)

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

8 Senator DeFrancisco.

9 SENATOR DeFRANCISCO: Could we  
10 please return to messages from the Assembly.

11 ACTING PRESIDENT GRIFFO: We will  
12 return to messages from the Assembly.

13 The Secretary will read.

14 THE SECRETARY: The Assembly sent  
15 for concurrence the following bill. On motion of  
16 Senator Flanagan, the rules were suspended and  
17 said bill ordered to a third reading: Assembly  
18 Bill 9537.

19 ACTING PRESIDENT GRIFFO: So  
20 ordered.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number  
23 2098, by Member of the Assembly Pretlow,  
24 Assembly Print 9537, an act to amend the  
25 Local Finance Law.

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

3                   The Secretary will read the last  
4 section.

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

7                   ACTING PRESIDENT GRIFFO:    Call the  
8 roll.

9                   (The Secretary called the roll.)

10                  THE SECRETARY:    Ayes, 60.

11                  ACTING PRESIDENT GRIFFO:    The bill  
12 passes.

13                  THE SECRETARY:    The Assembly sent  
14 for concurrence the following bill.  On motion of  
15 Senator Flanagan, the rules were suspended and  
16 said bill ordered to a third reading:  Assembly  
17 Bill 10385.

18                  ACTING PRESIDENT GRIFFO:    So  
19 ordered.

20                  The Secretary will read.

21                  THE SECRETARY:    Calendar Number  
22 2097, by Member of the Assembly Otis, Assembly  
23 Print 10385, an act to amend Chapter 88 of the  
24 Laws of 2009.

25                  ACTING PRESIDENT GRIFFO:    Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

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

10 ACTING PRESIDENT GRIFFO: The bill  
11 passes.

12 The Secretary will read.

13 THE SECRETARY: The Assembly sent  
14 for concurrence the following bill. On motion of  
15 Senator Flanagan, the rules were suspended and  
16 said bill ordered to a third reading: Assembly  
17 Bill 10355.

18 ACTING PRESIDENT GRIFFO: So  
19 ordered.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number  
22 2095, by Member of the Assembly Joyner, Assembly  
23 Print 10355, an act to amend the General  
24 Municipal Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 SENATOR KLEIN: Lay it aside.

8 ACTING PRESIDENT GRIFFO: Lay the  
9 bill aside.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: Can we please  
12 take up the controversial reading of the bill  
13 that was just laid aside.

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

16 The Secretary will read.

17 THE SECRETARY: Calendar Number  
18 2095, by Member of the Assembly Joyner, Assembly  
19 Print 10355, an act to amend the General  
20 Municipal Law.

21 SENATOR KLEIN: Explanation of the  
22 bill, please.

23 ACTING PRESIDENT GRIFFO: An  
24 explanation has been requested on the bill.

25 Senator DeFrancisco.

1                   SENATOR DeFRANCISCO:    Yes, I'll  
2 give you a brief explanation if we could have a  
3 little order on the floor.

4                   ACTING PRESIDENT GRIFFO:    Senator  
5 DeFrancisco, as you begin the explanation, I want  
6 to refer the members to that these are hand-downs  
7 from the Assembly, so you should refer to the  
8 iPads, look at the Assembly number, and that will  
9 give you the information.

10                   Senator DeFrancisco.

11                   SENATOR DeFRANCISCO:    This is  
12 simply a three-year extender, a bill passed by  
13 the Assembly, that we're taking up now. The bill  
14 would assist in the development of federally  
15 financed housing of low income, elderly and  
16 disabled persons by continuing to make such  
17 developments eligible for expedited land use  
18 review, under Section 2002 of the Supportive  
19 Housing for the Elderly Program and Section 811  
20 of the Supportive Housing for Persons with  
21 Disabilities.

22                   So it's basically an extender of an  
23 excellent program that has already passed in the  
24 Assembly.

25                   ACTING PRESIDENT GRIFFO:    Seeing

1 and hearing no other Senator that wishes to be  
2 heard, debate is closed.

3 The Secretary will ring the bell.

4 SENATOR DeFRANCISCO:

5 Mr. President, by unanimous consent, we could  
6 replace this on the noncontroversial reading and  
7 take a vote.

8 ACTING PRESIDENT GRIFFO: Without  
9 objection, so ordered.

10 The Secretary will read the last  
11 section.

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

14 ACTING PRESIDENT GRIFFO: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT GRIFFO: The bill  
19 is passed.

20 THE SECRETARY: The Assembly sent  
21 for concurrence the following bill. On motion of  
22 Senator Flanagan, the rules were suspended and  
23 said bill ordered to a third reading: Assembly  
24 10479.

25 ACTING PRESIDENT GRIFFO: It is so



1 ordered.

2 The Secretary will read.

3 SENATOR KLEIN: Lay it aside,  
4 please.

5 ACTING PRESIDENT GRIFFO: Lay it  
6 aside.

7 The Secretary will ring the bell.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number  
10 2088, by Member of the Assembly Weinstein,  
11 Assembly Print 10479, an act to amend the Local  
12 Finance Law.

13 SENATOR KLEIN: Explanation,  
14 please.

15 ACTING PRESIDENT GRIFFO: An  
16 explanation has been requested. (Pause.)  
17 Senator Golden.

18 SENATOR GOLDEN: Mr. President,  
19 10479 is an OMB number-one bill for an extender  
20 to give them the ability to go out and to bring  
21 their bonds to market and to give them the  
22 ability to have a tremendous savings at the end  
23 of the process.

24 ACTING PRESIDENT GRIFFO: Seeing  
25 and hearing no other Senator that wishes to be

1 heard, debate is closed.

2 The Secretary will ring the bell.

3 Read the last section.

4 SENATOR DeFRANCISCO: Excuse me.  
5 By unanimous consent, we could take this up in  
6 noncontroversial --

7 ACTING PRESIDENT GRIFFO: Without  
8 objection, it is so ordered.

9 The Secretary will read the last  
10 section.

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

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 60.

17 ACTING PRESIDENT GRIFFO: The bill  
18 is passed.

19 SENATOR DeFRANCISCO: Please read  
20 the next bill, please.

21 ACTING PRESIDENT GRIFFO: The  
22 Secretary will read.

23 THE SECRETARY: The Assembly sent  
24 for concurrence the following bill. On motion of  
25 Senator Flanagan, the rules were suspended and

1 said bill ordered to a third reading: Assembly  
2 Bill Number 10501.

3 ACTING PRESIDENT GRIFFO: It is so  
4 ordered.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number  
7 2094, by Member of the Assembly Kim, Assembly  
8 Print 10501, an act to amend Chapter 613 of the  
9 Laws of 1996.

10 ACTING PRESIDENT GRIFFO: Read the  
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT GRIFFO: The bill  
19 passes.

20 The Secretary will read.

21 THE SECRETARY: The Assembly sent  
22 for concurrence the following bill. On motion of  
23 Senator Flanagan, the rules were suspended and  
24 said bill ordered to a third reading: Assembly  
25 Bill Number 10502.

1                   ACTING PRESIDENT GRIFFO:    So  
2 ordered.

3                   The Secretary will read.

4                   THE SECRETARY:    Calendar Number  
5 2093, by Member of the Assembly Dilan, Assembly  
6 Bill 10502, an act to amend Chapter 84 of the  
7 Laws of 1993.

8                   ACTING PRESIDENT GRIFFO:    Read the  
9 last section.

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

12                  ACTING PRESIDENT GRIFFO:    Call the  
13 roll.

14                  (The Secretary called the roll.)

15                  THE SECRETARY:    Ayes, 60.

16                  ACTING PRESIDENT GRIFFO:    The bill  
17 passes.

18                  The Secretary will read.

19                  THE SECRETARY:    The Assembly sent  
20 for concurrence the following bill. On motion of  
21 Senator Flanagan, the rules were suspended and  
22 said bill ordered to a third reading: Assembly  
23 Bill Number 10559.

24                  ACTING PRESIDENT GRIFFO:    It is so  
25 ordered.

1                   The Secretary will read.

2                   THE SECRETARY:    Calendar Number  
3 2091, by Member of the Assembly Niou, Assembly  
4 Print 10559, an act to amend Chapter 449 of the  
5 Laws of 1986.

6                   ACTING PRESIDENT GRIFFO:   Read the  
7 last section.

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

10                  ACTING PRESIDENT GRIFFO:   Call the  
11 roll.

12                               (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 60.

14                  ACTING PRESIDENT GRIFFO:   The bill  
15 passes.

16                   The Secretary will read.

17                  THE SECRETARY:    The Assembly sent  
18 for concurrence the following bill.  On motion of  
19 Senator Flanagan, the rules were suspended and  
20 said bill ordered to a third reading:  Assembly  
21 Bill Number 10560.

22                  ACTING PRESIDENT GRIFFO:   It is so  
23 ordered.

24                   The Secretary will read.

25                  THE SECRETARY:    Calendar Number

1 2090, by Member of the Assembly Walker,  
2 Assembly Print 10560, an act to amend Chapter 253  
3 of the Laws of 2004.

4 ACTING PRESIDENT GRIFFO: Read the  
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 60.

12 ACTING PRESIDENT GRIFFO: The bill  
13 passes.

14 The Secretary will read.

15 THE SECRETARY: The Assembly sent  
16 for concurrence the following bill. On motion of  
17 Senator Flanagan, the rules were suspended and  
18 said bill ordered to a third reading: Assembly  
19 Bill Number 10561.

20 ACTING PRESIDENT GRIFFO: So  
21 ordered.

22 The Secretary will read.

23 THE SECRETARY: Calendar Number  
24 2089, by Member of the Assembly Joyner, Assembly  
25 Print 10561, an act to amend Chapter 375 of the

1 Laws of 1999.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 60.

10 ACTING PRESIDENT GRIFFO: The bill  
11 passes.

12 The Secretary will read.

13 THE SECRETARY: The Assembly sent  
14 for concurrence the following bill. On motion of  
15 Senator Flanagan, the rules were suspended and  
16 said bill ordered to a third reading: Assembly  
17 Bill Number 10605.

18 ACTING PRESIDENT GRIFFO: It is so  
19 ordered.

20 The Secretary will read.

21 THE SECRETARY: Calendar Number  
22 2092, by Member of the Assembly Epstein, Assembly  
23 Print 10605, an act to amend Chapter 777 of the  
24 Laws of 1986.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 passes.

10 The Secretary will read.

11 THE SECRETARY: The Assembly sent  
12 for concurrence the following bill. On motion of  
13 Senator Flanagan, the rules were suspended and  
14 said bill ordered to a third reading: Assembly  
15 Bill Number 11123.

16 ACTING PRESIDENT GRIFFO: It is so  
17 ordered.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number  
20 2096, by the Assembly Committee on Rules,  
21 Assembly Bill 11123, an act to amend the  
22 Real Property Tax Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 2. This



1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 60.

6 ACTING PRESIDENT GRIFFO: The bill  
7 passes.

8 The Secretary will read.

9 THE SECRETARY: The Assembly sent  
10 for concurrence the following bill. On motion of  
11 Senator Flanagan, the rules were suspended and  
12 said bill ordered to a third reading: Assembly  
13 Bill Number 416A.

14 ACTING PRESIDENT GRIFFO: It is so  
15 ordered.

16 The Secretary will read.

17 THE SECRETARY: Calendar Number  
18 2099, by Member of the Assembly Magnarelli,  
19 Assembly Print 416A, an act to amend the  
20 Real Property Tax Law.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT GRIFFO: Senator  
4 DeFrancisco.

5 SENATOR DeFRANCISCO: Yes, we had  
6 previously laid aside Calendar Number 2085 from  
7 the --

8 ACTING PRESIDENT GRIFFO: Senator  
9 DeFrancisco, we're on the bill right now. Did  
10 you want to explain a vote on that, or no? It's  
11 your bill.

12 SENATOR DeFRANCISCO: I don't want  
13 to explain anything.

14 ACTING PRESIDENT GRIFFO: Okay, the  
15 desk is a little confused right now.

16 SENATOR DeFRANCISCO: Okay.

17 ACTING PRESIDENT GRIFFO: So we  
18 will continue. We read the last section and  
19 called the roll --

20 SENATOR KLEIN: Lay it aside,  
21 please.

22 ACTING PRESIDENT GRIFFO: Lay it  
23 aside.

24 SENATOR DeFRANCISCO: Can we lay  
25 that aside temporarily so we can try something

1 else.

2           ACTING PRESIDENT GRIFFO: We're  
3 going to lay it aside temporarily.

4           SENATOR DeFRANCISCO: There was a  
5 Senator Akshar bill, I believe it was on the  
6 supplemental calendar, that was laid aside. It's  
7 Calendar 2085.

8           ACTING PRESIDENT GRIFFO: The  
9 Secretary will read.

10           THE SECRETARY: Calendar Number  
11 2085, by Member of the Assembly Abbate,  
12 Assembly Print 8057B, an act to amend the  
13 Civil Service Law.

14           ACTING PRESIDENT GRIFFO: Read the  
15 last section.

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

18           ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20           (The Secretary called the roll.)

21           ACTING PRESIDENT GRIFFO: Announce  
22 the results.

23           THE SECRETARY: Ayes, 59. Nays, 1.  
24 Senator Hannon recorded in the negative.

25           ACTING PRESIDENT GRIFFO: The bill

1 passes.

2 Senator DeFrancisco.

3 SENATOR DeFRANCISCO: Can we please  
4 take up Senator Jacobs' bill, Calendar 1874,  
5 please.

6 ACTING PRESIDENT GRIFFO: Calendar  
7 1874. The Secretary will read.

8 THE SECRETARY: Senator Jacobs  
9 moves to discharge, from the Committee on Rules,  
10 Assembly Bill Number 10468B and substitute it for  
11 the identical Senate Bill 8275B, Calendar Number  
12 1874.

13 SENATOR KLEIN: Lay it aside.

14 ACTING PRESIDENT GRIFFO: The  
15 substitution is so ordered, and the bill is laid  
16 aside.

17 SENATOR DeFRANCISCO: Could we  
18 stand at ease, please.

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

21 (Whereupon, the Senate stood at ease  
22 at 7:30 p.m.)

23 (Whereupon, the Senate reconvened at  
24 7:36 p.m.)

25 ACTING PRESIDENT GRIFFO: Senator

1 DeFrancisco.

2 SENATOR DeFRANCISCO:

3 Mr. President, can we do the noncontroversial --  
4 excuse me, the controversial reading of the  
5 Jacobs bill, please.

6 ACTING PRESIDENT GRIFFO: The  
7 Secretary will ring the bell.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number  
10 1874, by Member of the Assembly Ryan,  
11 Assembly Print 10468B, an act to amend the  
12 Public Health Law.

13 SENATOR KLEIN: I'd like an  
14 explanation, please.

15 ACTING PRESIDENT GRIFFO: An  
16 explanation has been requested by Senator Klein,  
17 Senator Jacobs.

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

20 This legislation stems from a  
21 situation coming from a particular individual  
22 suffering from a disease, but the legislation  
23 will actually deal with an issue and problems  
24 that come up more broadly.

25 The situation is a young person who

1 is on a trial run of a certain type of drug to  
2 deal with epilepsy. And the program is allowed  
3 to be done before this drug is fully approved by  
4 the FDA under an initiative called the  
5 Compassionate Care Program, and that allows for a  
6 trial to use a particular drug that has not been  
7 fully approved, because of the severity of the  
8 ailment.

9           What this legislation would do is it  
10 is anticipated very soon that the FDA will  
11 approve this drug, reclassify this drug so it can  
12 be used more broadly, and that this particular  
13 patient who has been in the trial -- and  
14 others -- can continue to use this drug that is  
15 having a profound impact on improving their  
16 quality of life and this issue of epilepsy.

17           The issue at hand is that it is  
18 likely that the FDA approval will happen within  
19 the next number of weeks after we are out of  
20 session. What this legislation does is empower  
21 and allow the Commissioner of Health to  
22 approve -- when it is reclassified at the federal  
23 level, to in turn reclassify it and to allow it  
24 to be legal at the state level.

25           This is one incident that is

1 happening with this particular drug, but it is  
2 not uncommon for it to happen in other cases. We  
3 want to make sure that the federal government,  
4 after testing something, reclassifies it and  
5 makes it legal, that we enable the Commissioner  
6 of Health to in turn have the discretion to make  
7 that decision, not have to wait for another six  
8 or eight months until this body is back in  
9 session.

10 Thank you.

11 ACTING PRESIDENT GRIFFO: Senator  
12 Klein.

13 SENATOR KLEIN: Mr. President, will  
14 the sponsor yield for a couple of questions?

15 ACTING PRESIDENT GRIFFO: Senator  
16 Jacobs, do you yield?

17 SENATOR JACOBS: Yes.

18 ACTING PRESIDENT GRIFFO: The  
19 Senator yields.

20 SENATOR KLEIN: Through you,  
21 Mr. President. I heard the sponsor's  
22 explanation, but can they actually state what  
23 controlled substance they're actually  
24 reclassifying?

25 SENATOR JACOBS: What controlled

1 substance -- hold on -- if you -- one moment,  
2 please.

3 SENATOR KLEIN: I guess just to  
4 restate, the title of the bill is "an act to  
5 amend the Public Health Law in relation to  
6 authorizing the reclassification of controlled  
7 substances by regulation."

8 So this something that we're  
9 changing as far as the federal analog bill and  
10 reclassifying a controlled substance?

11 SENATOR JACOBS: Through you,  
12 Mr. President, it's a new type of cannabinoid  
13 oil.

14 SENATOR KLEIN: So when you say  
15 it's a new type of cannabinoid oil --

16 ACTING PRESIDENT GRIFFO: Senator  
17 Klein, please direct through the chair.

18 SENATOR KLEIN: Okay. Again,  
19 through you, Mr. President. I guess how is it  
20 different than the presently regulated substance  
21 that I guess is illegal under the analog bill?

22 SENATOR JACOBS: This is -- again,  
23 this is --

24 ACTING PRESIDENT GRIFFO: Senator  
25 Jacobs, through the chair.



1                   SENATOR JACOBS:    Mr. President,  
2    this is going through trial right now.  But it is  
3    a purer form of the oil, as opposed to what is  
4    being used at this point in time.

5                   SENATOR KLEIN:    Again through you,  
6    Mr. President.  Again, when you're actually  
7    dealing with reclassifying a controlled  
8    substance, the way it usually works, it's always  
9    dictated by the federal government.  They keep  
10   changing different changes to specific  
11   substances, because sometimes the substance will  
12   change and it mimics something that's already  
13   illegal.

14                   So I guess this is a change to what  
15   would be known as cannabis.  So how is this  
16   different than what exists presently in the  
17   analog bill that is now illegal?

18                   SENATOR JACOBS:    Through you,  
19   Mr. President.  Again, it will -- this would be  
20   only upon the reclassification at the federal  
21   level, that it would in turn allow the  
22   Commissioner of Health to reclassify here at the  
23   state level.

24                   SENATOR KLEIN:    So I guess --  
25   through you, Mr. President, I guess my question

1 is if it's already going to be deemed legal on  
2 the federal level, wouldn't it automatically be  
3 legal now in the state as well?

4           SENATOR JACOBS: Through you,  
5 Mr. President, no, it would not. A point that is  
6 raised -- and this is the need for this  
7 legislation -- it would not be legal just upon  
8 the federal reclassification.

9           SENATOR KLEIN: Again through you,  
10 Mr. President. When we do the reclassification,  
11 what would -- I guess who would we actually be  
12 treating with I guess, for want of a better word,  
13 this new form of cannabis?

14           SENATOR JACOBS: Through you,  
15 Mr. President, this is again stemming from a  
16 specific case. But again, it will be applied and  
17 able to be utilized because there are more  
18 instances than this one case.

19           That this individual is part of a  
20 trial through this Compassionate Care Program, a  
21 federal program. This individual -- this strand  
22 of the cannabis oil is being found to be  
23 profoundly effective in this ailment, so this  
24 individual would like to continue to use this and  
25 be prescribed it by a physician on an ongoing

1 basis beyond the trial.

2           SENATOR KLEIN:    Again through you,  
3 Mr. President, I guess what I'm getting at,  
4 again, there's treatment -- cannabis is used to  
5 treat, you know, various ailments. What  
6 specifically would be treated that we can't use I  
7 guess what we would use now, which is readily  
8 available under our medical marijuana program in  
9 the State of New York? What would this specific  
10 change in drug be able to treat that we can't  
11 already treat with the existing cannabis we use?

12           SENATOR JACOBS:   Through you,  
13 Mr. President, it's a specific -- excuse me if I  
14 don't have the actual name in front of me. It's  
15 a specific type of epilepsy that this strand has  
16 been shown, through this trial, to be effective,  
17 and that other elements of medical marijuana have  
18 not been.

19           SENATOR KLEIN:    And through you,  
20 Mr. President, again, I understand that this is a  
21 specific type of epilepsy that would be treated.  
22 But again, when someone is manufacturing a drug,  
23 it usually has a much wider use. Are there any  
24 other diseases or other types of ailments which  
25 would be able to be treated through this new form

1 of cannabis?

2                   SENATOR JACOBS: Through you,  
3 Mr. President. At this point in time this trial  
4 has been focused on this type of epilepsy. And  
5 at this point in time that has been the only use.  
6 At some point in time, with other trials, it may  
7 be shown to have an impact beneficially on other  
8 ailments, but at this time it is solely on this  
9 strand of epilepsy.

10                   SENATOR KLEIN: Thank you.

11                   Through you, Mr. President, would  
12 the sponsor agree to yield for another question?

13                   SENATOR JACOBS: Yes.

14                   ACTING PRESIDENT GRIFFO: The  
15 sponsor yields.

16                   SENATOR KLEIN: Again, it says in  
17 the bill memo that this legislation would also  
18 limit the commissioner's reclassification powers  
19 to not only being able to reclassify drugs to a  
20 new division in the same numbered schedule.

21                   Can you explain what powers we're  
22 giving or taking away from the commissioner?

23                   SENATOR JACOBS: Essentially --  
24 Mr. President, through you. Essentially this is  
25 allowing the commissioner to do at a state level

1 what is done at the federal level. So if there's  
2 reclassification at the federal level, it's  
3 within that scope allowing the commissioner to  
4 reclassify it at the state level so they are  
5 consistent.

6 SENATOR KLEIN: Thank you,  
7 Mr. President. I have no further questions.

8 ACTING PRESIDENT GRIFFO: Thank  
9 you.

10 Seeing and hearing no other Senator  
11 that wishes to be heard, debate is closed and the  
12 Secretary will ring the bell.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Yes, by  
15 unanimous consent we're going to vote on this  
16 bill -- send it back to the noncontroversial  
17 calendar, please.

18 ACTING PRESIDENT GRIFFO: Without  
19 objection, it is so ordered.

20 The Secretary will read the last  
21 section.

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

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT GRIFFO: The bill  
4 passes.

5 SENATOR DeFRANCISCO:  
6 Mr. President, there was one other bill, a  
7 Magnarelli bill that was passed and sent back  
8 here. Can we have the noncontroversial reading  
9 of that bill.

10 ACTING PRESIDENT GRIFFO: Without  
11 objection, it is so ordered to noncontroversial.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number  
14 2099, by Member of the Assembly Magnarelli,  
15 Assembly Print 416A, an act to amend the  
16 Real Property Tax Law.

17 ACTING PRESIDENT GRIFFO: Read the  
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT GRIFFO: The bill

1 passes.

2 Senator DeFrancisco.

3 SENATOR DeFRANCISCO: Yes, I  
4 believe there's an Assembly bill at the desk,  
5 Number 10618.

6 ACTING PRESIDENT GRIFFO: It's not  
7 presently at the desk, Senator DeFrancisco.

8 SENATOR DeFRANCISCO: All right.  
9 And it's going to be there momentarily, is it?

10 ACTING PRESIDENT GRIFFO: Yes. Do  
11 you want to stand at ease temporarily?

12 SENATOR DeFRANCISCO: Yes -- no, we  
13 don't have to if we can call on -- is there a  
14 report from the Judiciary Committee?

15 ACTING PRESIDENT GRIFFO: There is  
16 a Judiciary Committee report at the desk.

17 The Secretary will read.

18 SENATOR DeFRANCISCO: Please read.

19 ACTING PRESIDENT GRIFFO: Senator  
20 DeFrancisco, before we take the Judiciary  
21 Committee report, that material is now at the  
22 desk. So with your concurrence, we will move on  
23 that.

24 SENATOR DeFRANCISCO: Absolutely.

25 ACTING PRESIDENT GRIFFO: The

1 Secretary will read.

2 THE SECRETARY: Senator Kennedy  
3 moves to discharge, from the Committee on Rules,  
4 Assembly Bill Number 10618A and substitute it for  
5 the identical Senate Bill 7346A, Third Reading  
6 Calendar 943.

7 ACTING PRESIDENT GRIFFO: The  
8 substitution is so ordered.

9 The Secretary will read.

10 THE SECRETARY: Calendar Number  
11 943, by Member of the Assembly Peoples-Stokes,  
12 Assembly Print 10618A, an act to amend the  
13 Real Property Tax Law.

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

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

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

25 And I want to thank my colleagues



1 for supporting this extremely important bill for  
2 the City of Buffalo.

3           There has been year after year of  
4 individuals who have come into the City of  
5 Buffalo, bought properties and then taken  
6 advantage of the community while not living in  
7 these homes. They're collecting rent and  
8 oftentimes allowing these properties to fall into  
9 disrepair. And then when the housing code  
10 violations or fire code violations pile up, these  
11 same individuals, who we refer to as slumlords,  
12 that have taken advantage of our community don't  
13 pay those housing code violations.

14           What this legislation ultimately  
15 does is it ensures that if these slumlords do not  
16 pay those housing code violations, that they're  
17 held accountable, that they ultimately have to  
18 pay, because that fine will be put on their tax  
19 roll at the end of the year.

20           With that, Mr. President, I vote  
21 aye. I urge my colleagues to do the same. And I  
22 thank my colleagues for their support on this  
23 bill.

24           ACTING PRESIDENT GRIFFO:     Senator  
25 Kennedy in the affirmative.

1 Senator DeFrancisco.

2 SENATOR DeFRANCISCO: The last bill  
3 that was passed is exactly like Senator Kennedy's  
4 bill. In fact, it was around here for a while.  
5 I sponsored the bill. And I just want to say one  
6 thing to explain my vote here: Ditto.

7 (Laughter.)

8 ACTING PRESIDENT GRIFFO: Senator  
9 DeFrancisco in the affirmative.

10 Announce the results.

11 THE SECRETARY: Ayes, 60.

12 ACTING PRESIDENT GRIFFO: The bill  
13 is passed.

14 Now we will have the Secretary's  
15 reading of the Judiciary Committee report.

16 ACTING PRESIDENT GRIFFO: Senator  
17 Bonacic, from the Committee on Judiciary, offers  
18 the following nominations for Interim Supreme  
19 Court Judges:

20 Nicholas Iacovetta, Vincent  
21 Martorana, and Michael Obus.

22 ACTING PRESIDENT GRIFFO: Senator  
23 Bonacic.

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

1           Let me start off by apologizing to  
2 the nominees who came with their families, young  
3 children. I knew you were here at 10:00 a.m.  
4 But this is the last day of session. And  
5 whenever you have the last day of session, things  
6 get complicated. And we were not able to address  
7 all of you sooner, so we apologize for the long  
8 delay.

9           So let me start, I'm going to start  
10 with the interim Supreme Court justices that have  
11 been given to us by Governor Cuomo. There are  
12 three. Then we'll do the eight Court of Claims,  
13 okay?

14           So earlier today the Senate  
15 Judiciary Committee met and considered the  
16 appointment of three interim Supreme Court  
17 judges. In addition, we considered the  
18 nomination of eight new appointees to the Court  
19 of Claims.

20           I want to thank Governor Cuomo for  
21 putting forth an impressive list of nominees for  
22 the court. The experienced jurists that are here  
23 today have all been approved by the Judicial  
24 Nominating Commission.

25           We always strive to put judges on

1 the bench who display exemplary temperament and  
2 dedication to the bench. I am confident that the  
3 nominees before the State Senate Judiciary  
4 Committee today will hold themselves to such  
5 standards.

6 Pursuant to the provisions of  
7 Section 21 of Article VI of the Constitution and  
8 pursuant to the provisions of Section 9 of  
9 Article VI of the Constitution and the provisions  
10 of Section 2 of the Court of Claims Act, the  
11 Judiciary Committee has reported all of the  
12 nominations to the floor for Senate confirmation,  
13 and I might say unanimously.

14 I'm going to introduce the judges,  
15 their friends and family in attendance today.

16 First, the interim Supreme Court  
17 nominees. We're going to start with -- and when  
18 I call your name, I'm going to ask you to stand  
19 up. If you have family with you, which I'll  
20 acknowledge, I would ask them to stand up also.

21 The Honorable Nicholas Iacovetta,  
22 and he's here about his brother John.

23 The next gentleman is the Honorable  
24 Vincent Martorana, and he's here with his bride,  
25 Jane. Okay?

1                   And the last gentleman is the  
2 Honorable Michael Obus.

3                   Mr. President, at this time I move  
4 these three nominations to the floor and ask for  
5 Senate confirmation and if you would recognize  
6 any Senator who wishes to speak on any of these  
7 three nominees.

8                   ACTING PRESIDENT GRIFFO:   Thank  
9 you, Senator Bonacic.

10                  Senator Klein.

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

13                  While I rise to congratulate all of  
14 the acting Supreme Court nominees, I want to  
15 point out one very special judge, and that's  
16 Judge Nicholas Iacovetta. He's my constituent  
17 and a friend from the Country Club section of the  
18 Bronx.

19                  And if you would look at his resume,  
20 he really was moved in the direction to really be  
21 a Supreme Court judge. He spent many years in  
22 the Bronx District Attorney's office. He was at  
23 one time chief of the Criminal Court Bureau. He  
24 was head of the Homicide Bureau; he served there  
25 from 1974 to 1988. He then was appointed as

1 Criminal Court judge in Bronx County from '88 to  
2 '93. And of course he was the acting Supreme  
3 Court judge in the Criminal Part in Bronx County  
4 as well.

5 He never really left the Bronx,  
6 because he also attended Fordham as an undergrad,  
7 Fordham Law School as well. And he's someone  
8 that is eminently qualified. When Judge Nicholas  
9 Iacovetta takes his rightful place as a Supreme  
10 Court judge, all over the Bronx justice will  
11 truly be done.

12 Congratulations to you and your  
13 family.

14 ACTING PRESIDENT GRIFFO: The  
15 question before the house is on the names read  
16 for the positions of interim Supreme Court judge  
17 of the State of New York. All in favor say aye.

18 (Response of "Aye.")

19 ACTING PRESIDENT GRIFFO: Opposed?

20 (No response.)

21 ACTING PRESIDENT GRIFFO: The  
22 individuals that have been named and read are  
23 hereby confirmed by the Senate as Interim Supreme  
24 Court Judges.

25 Congratulations. Please rise and be

1 recognized.

2 (Standing ovation.)

3 ACTING PRESIDENT GRIFFO: Senator  
4 Bonacic.

5 SENATOR BONACIC: Let us continue  
6 now with the eight Court of Claims nominees.

7 ACTING PRESIDENT GRIFFO: Senator  
8 Bonacic, we're just going to read first and then  
9 come to you, okay?

10 SENATOR BONACIC: Sure.

11 ACTING PRESIDENT GRIFFO: The  
12 Secretary will read.

13 THE SECRETARY: As Judges of the  
14 Court of Claims: Joel Cohen; John Higgitt;  
15 Francis Kahn III; Honorable Chris Ann Kelley;  
16 David Lewis; James McCarty, Jr.; Michele Rodney;  
17 and Honorable Lillian Wan.

18 ACTING PRESIDENT GRIFFO: The  
19 report is before the house.

20 Senator Bonacic.

21 SENATOR BONACIC: Thank you,  
22 Mr. President.

23 Our first gentleman is Mr. Joel  
24 Cohen. He's with his bride, Stacy, and children  
25 Jake and Holly. So could you -- if you're all --

1 there they are, all four. Very good.

2 The next gentleman is Mr. John  
3 Higgitt. He's with his bride, Sandra, and  
4 children Jackson and Luke. Over there,  
5 very good.

6 The next one is Mr. Francis Kahn  
7 III, with his bride, Jodi. Okay.

8 A good-looking group up there, I  
9 would say, as we continue.

10 Next is the Honorable Chris Ann  
11 Kelley, with her spouse, Jacqueline, and  
12 daughters Marina and Calla. Okay.

13 Next is Mr. James McCarty, Jr., with  
14 his wife, Martha, and sons Matthew and Michael.

15 Next is Ms. Michele Rodney, parents  
16 Karl and Faye, sister Karlisa.

17 And last but not least is the  
18 Honorable Lillian Wan. She's with her husband,  
19 Adam, as well as their children Sophia and  
20 Nathan.

21 At this time, Mr. President, I move  
22 all the nominations to the floor.

23 Do you have any Senators that wish  
24 to speak on the nominees?

25 ACTING PRESIDENT GRIFFO: We will,



1 Senator Bonacic, one second.

2 SENATOR BONACIC: How could I miss  
3 him? How could I miss our favorite one?

4 I'd like to put forth the name of  
5 the Honorable David Lewis. David, there you are  
6 in the background.

7 (Laughter.)

8 SENATOR BONACIC: Okay.  
9 Mr. President, I move all the nominations to the  
10 floor for Senate confirmation, and I ask you to  
11 recognize any Senator who wishes to speak.

12 ACTING PRESIDENT GRIFFO: Thank  
13 you, Senator Bonacic.

14 Senator Mayer.

15 SENATOR MAYER: Thank you very  
16 much.

17 I rise to support the nomination of,  
18 among all the others, James A. McCarty, Jr., who  
19 lives in my district and has an extraordinary  
20 history in the Westchester County District  
21 Attorney's office.

22 Mr. McCarty was hired in 1980 by  
23 Carl Vergari, for those of us old enough to  
24 remember him, as a junior assistant district  
25 attorney, and he has served since that time with

1     incredible distinction and been promoted  
2     repeatedly in the office of the Westchester  
3     County District Attorney. He currently serves as  
4     chief assistant to District Attorney Anthony  
5     Scarpino.

6                     And during his career, Mr. McCarty  
7     has handled thousands of cases and tried over  
8     100 jury trials, including some of the most  
9     significant in Westchester County. In 2016, he  
10    was named the Acting District Attorney of  
11    Westchester County when our former District  
12    Attorney -- now Chief Judge DiFiore -- was named  
13    to her position, and he served with incredible  
14    distinction and character.

15                    He's a graduate of the University of  
16    Rochester and Albany Law School.

17                    I just would like to add that having  
18    dealt with him in the course of my service in  
19    Westchester County, Mr. McCarty continues to  
20    conduct himself with the utmost professionalism  
21    and commitment to public service.

22                    He will bring honor to the bench,  
23    and I look forward to his confirmation.

24                    Thank you, Mr. President.

25                    ACTING PRESIDENT GRIFFO:     Thank

1 you, Senator Mayer.

2 Senator Young.

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

5 I extend my sincere congratulations  
6 to each and every one of the nominees and their  
7 families. We are so proud of you today, and  
8 we're very grateful that you want to give this  
9 type of public service to the people of New York  
10 State.

11 However, I do want to talk about one  
12 of the nominees in particular, and that is our  
13 friend David Lewis.

14 David is someone who is extremely  
15 well qualified to become a judge. He has been  
16 associated with the New York State Senate for  
17 many years, starting in 1990, when he was named  
18 special counsel to the New York State Senate  
19 Select Committee on Arts and Cultural Affairs,  
20 under the chair of someone that many of us knew  
21 long ago, and that's former Senator Roy Goodman.

22 So for the past 28 years, he has  
23 been associated with the Senate, has done  
24 excellent work on behalf of the Senators here.  
25 And his resume is extremely impressive. He has

1 an extensive resume in professional teaching and  
2 training, but he's also known for his brilliant  
3 legal mind. And because of his contributions,  
4 the people of New York State have reaped the  
5 benefits of his expertise in developing  
6 meaningful policy, which in many cases has  
7 literally changed people's lives for the better.

8 So make no mistake, having David  
9 move on today is a loss for our institution that  
10 we hold so dear. But we are also very happy and  
11 thrilled that he is starting a new chapter in his  
12 life. And we wish him all the best, much  
13 success, and we can't wait to call you Judge.

14 Thank you, Mr. President.

15 ACTING PRESIDENT GRIFFO: Thank  
16 you, Senator Young.

17 The nominees feel free to be seated.

18 I've got a whole list. Just bear  
19 with me, all right? Thank you, nominees.

20 We're going to go to Senator Parker.

21 SENATOR PARKER: Thank you,  
22 Mr. President.

23 First let me congratulate all of the  
24 nominees to the New York State Court of Claims.

25 I specifically rise to congratulate and to second

1 the nomination of Michele S. Rodney, who although  
2 not a constituent is a good personal friend for,  
3 you know, probably over 20 years.

4 This St. John's University Law  
5 School graduate has served with distinction for  
6 almost 15 years in the Bronx DA's office, and has  
7 had a very distinguished legal career and has  
8 been a member of both the Westchester and the New  
9 Rochelle bars.

10 She is somebody whose work is also  
11 outside of the courtroom, has been in the  
12 classroom, where she has helped other people in  
13 their legal careers. And I'm sure she is going  
14 to serve the courts with distinction and honor,  
15 and certainly brings a much-needed perspective  
16 and diversity to the courts.

17 I want to also congratulate her  
18 mother and father, Karl and Faye Rodney, who are  
19 institutions, you know, in the Caribbean  
20 community and in the larger journalistic  
21 community. And certainly the fruit doesn't fall  
22 far from the tree when it talks about hard work,  
23 character and integrity. And I also want to  
24 congratulate her sister as well.

25 And I just wanted to say how proud I

1 know I am and the people of my district are of  
2 Michele Rodney, and we just all want to wish her  
3 Godspeed in her journey to the bench.

4           And while I still rise, let me  
5 associate myself with Senator Young's comments  
6 about David Lewis, who is somebody who, you know,  
7 I think almost all of us have dealt with, with  
8 dignity and respect. He's somebody whose  
9 expertise I think this institution has counted on  
10 for a number of decades, and certainly he's going  
11 to be missed. And I want to wish him well and  
12 his family all the best of luck.

13           Thank you, Mr. President.

14           ACTING PRESIDENT GRIFFO:    Senator  
15 Hamilton.

16           SENATOR HAMILTON:    Yes,  
17 Mr. President, I rise to congratulate all the  
18 nominees to the New York Court of Claims. In  
19 particular, I'm rising on behalf of Lillian Wan.

20           On the personal side, I know her as  
21 being a dynamic woman, a great mother of two  
22 children, and a great wife. As an attorney in  
23 surrogates court, she was well respected as a  
24 great attorney, dealing with families during a  
25 time of hardship.

1           She was in the top five of her class  
2 at Albany Law School and was on Law Review. And  
3 she now works in Family Court in Kings County.

4           Kings County has 2.6 million people,  
5 and Family Court in Kings County has the highest  
6 rate of people coming in in the country. It has  
7 a calendar that's second to none in the United  
8 States. And many times the judges in Family  
9 Court, I call them angels, or gods -- not gods,  
10 but people who are compassionate about the  
11 constituents in Kings County. And Lillian Wan is  
12 one of those people. Because an average judge  
13 goes from 9:00 to 5:00, but when you're in Family  
14 Court in Kings County, you may go from 9 o'clock  
15 to 6 o'clock, 7 o'clock at night.

16           And Lillian Wan is someone who has  
17 stayed the course, who has worked hard. And  
18 she's also making history, history in this  
19 chamber, history in this state, as being the  
20 first Asian-American woman to the Court of  
21 Claims.

22           So I rise to pay tribute to all the  
23 people to the Court of Claims, but especially to  
24 Lillian Wan on making history. And I know she'll  
25 bring compassion to the court and will be an

1 excellent judge in the Court of Claims.

2 Thank you.

3 ACTING PRESIDENT GRIFFO: Thank  
4 you, Senator Hamilton.

5 Senator Bailey.

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

8 I associate myself with all of the  
9 comments of my esteemed colleagues in making sure  
10 that we recognize such a talented group and  
11 diverse group -- though we could do a little bit  
12 better on the diversity -- of wonderful  
13 judges-to-be. Their records are beyond reproach.

14 And I just want to make a comment  
15 about former dean -- I can't call her "Dean"  
16 anymore -- Michele Rodney. I'm very sad that I  
17 won't be able to call her dean, but we gained a  
18 great mind on the bench.

19 And Senator Parker spoke about her  
20 legal background, but I can speak about working  
21 with her at Monroe College and her understanding  
22 and leaving her door literally open to anybody  
23 who wanted to come talk to her about anything,  
24 whether it was personal, whether it was  
25 professional, in the classroom or out.



1           That is the kind of person that we  
2 need as a judge, because as an practicing  
3 attorney, I know there are some attorneys that  
4 I've practiced with that I wouldn't want to see  
5 on the bench. Not going to name any names.

6           But Dean Rodney is certainly  
7 somebody that has the temperament in what is  
8 often the forgotten branch of government. We  
9 focus on the legislative branch here, and we talk  
10 about the executive, but sometimes we forget how  
11 important it is to have good and qualified judges  
12 on the bench.

13           And Michele Rodney, you exemplify  
14 that. And I am happy to second your nomination  
15 as well, and I look forward to a long and storied  
16 career for you on the bench.

17           Thank you, Mr. President.

18           ACTING PRESIDENT GRIFFO: Thank  
19 you, Senator Bailey.

20           Senator Sepúlveda.

21           SENATOR SEPÚLVEDA: Thank you,  
22 Mr. President.

23           I too rise to congratulate every  
24 single individual that's been nominated in their  
25 own right. They have impeccable resumes. They

1 are wonderful jurists. And I'm sure that they'll  
2 make us proud on the bench.

3 I too want to associate myself with  
4 the comments of Senator Bailey regarding  
5 Michele Rodney. She had an illustrious 14-year  
6 career with the DA. As an educator, a dean of  
7 the School of Criminal Justice of Monroe College,  
8 she has put other students on the path to become  
9 members of the legal profession.

10 But I'd be remiss not to take this  
11 opportunity to underscore the fact that there is  
12 still a lack of diversity on the bench of the  
13 State of New York, especially amongst Latinos.  
14 There are many wonderful Latino attorneys,  
15 wonderful Latino educators in the legal  
16 profession that are still -- that are still not  
17 feeling like they're part of the judicial  
18 process. That has to change. It is our  
19 responsibility.

20 These individuals can serve as role  
21 models for the future, for future lawyers who  
22 aspire to become judges, who aspire to go to the  
23 Court of Appeals and maybe aspire to become part  
24 of the United States Supreme Court.

25 But today I want to congratulate all

1 of the individuals today, and I want to thank  
2 them for their service to the State of New York.

3 ACTING PRESIDENT GRIFFO: Thank  
4 you, Senator Sepúlveda.

5 Senator Bonacic.

6 SENATOR BONACIC: Real brief, I  
7 want to congratulate all 11 judges. I want to  
8 single out David Lewis. I know his bride,  
9 Mrs. Lewis, would have loved to be here today,  
10 but yesterday she had brain surgery.

11 And I want you to know we wish her a  
12 speedy recovery and that she be home soon to join  
13 you in the next chapter of your life.

14 Thank you, Mr. President.

15 ACTING PRESIDENT GRIFFO: Thank  
16 you, Senator Bonacic.

17 Senator Flanagan.

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

20 I want to concur with the remarks of  
21 Senator Bonacic and take a moment to just say  
22 thank you to Senator Bonacic in his capacity as  
23 chair of the Judiciary Committee. Anyone who  
24 serves on the committee knows that he takes that  
25 obligation very seriously, does a significant

1 vetting of all the candidates before the  
2 committee, prior to the committee, and he does  
3 follow-up as well.

4           So sometimes people overlook the  
5 fact that the role of confirmation and consent by  
6 the Senate is a perfunctory exercise when many of  
7 us know that's simply not the case. So to  
8 Senator Bonacic, thank you for your diligence,  
9 your patience, and your service.

10           To our honorees who are here today,  
11 of course congratulations to all of you, and to  
12 your families who have stuck it out throughout  
13 the day.

14           To David Lewis, David, best of luck,  
15 good luck, congratulations.

16           And to Judge Martorana, who hails  
17 from Suffolk County -- Kenny LaValle knows him  
18 quite well also -- you know, I know he's supposed  
19 to have deference -- "Honorable," "Judge," all  
20 these different things. To us, Vinny, you're  
21 still Vinny. You've been a great practicing  
22 lawyer for many years. You got, obviously,  
23 elected to the bench. This appointment was a  
24 capstone in your career.

25           I just want to wish you

1 congratulations. It's great that you have your  
2 wife here with you today.

3           And I have a special final  
4 introduction for Judge Kelley. Judge Kelley is a  
5 sitting judge in Suffolk County, and she is now  
6 obviously going to be elevated to the Court of  
7 Claims. So I want to tell -- Senator Bonacic  
8 said he felt kind of bad. You've been here all  
9 day, had to wait around, you weren't sure what's  
10 going to happen.

11           I don't really feel that bad.  
12 Because we have to run for office every two  
13 years, and every one of you who is going to the  
14 Court of Claims just got a nine- or ten-year  
15 term, so you don't have to run for office. So if  
16 the worst thing you have to do is sit around all  
17 day, with that kind of action, I'll take it any  
18 single day.

19           But Judge Kelly, a number of our  
20 colleagues spoke to the resume of the people who  
21 are now being confirmed. I read a bunch of  
22 things about Chris Kelley's resume.

23           Chris is here with her spouse,  
24 Jackie. And Marina, Calla, I got a chance to  
25 spend some quality time with today. And it's

1 great to see government through the eyes of young  
2 children, and they were enthralled -- well,  
3 Calla, is 20, so maybe a young woman. But for  
4 them to see the chamber, the Capitol, they were  
5 in awe as the day progressed.

6 Now, the most important thing I can  
7 tell you about Judge Kelley, if I knew nothing  
8 else -- and it's not going to appear on her  
9 resume -- she's an FOM, Friend of Mom. Chris and  
10 my mother worked together in the Family Court for  
11 many, many years. So if I ever needed any  
12 vindication or any affirmation of her skill sets  
13 or her talents, my mother said she's a great  
14 person, great judge.

15 Chris, to you, your family, and to  
16 everyone, best of luck and congratulations. Do  
17 us proud, and do great things for the State of  
18 New York.

19 Mr. President, thank you.

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

22 The question before the house is on  
23 the names read for the position of Court of  
24 Claims Judge for the State of New York. All in  
25 favor say aye.

1 (Response of "Aye.")

2 ACTING PRESIDENT GRIFFO: Opposed?

3 (No response.)

4 ACTING PRESIDENT GRIFFO: Those  
5 individuals that have been named and read are  
6 hereby confirmed by the Senate as Court of Claims  
7 Judges for the State of New York.

8 Please rise and be recognized.  
9 Congratulations and best wishes.

10 (Standing ovation.)

11 ACTING PRESIDENT GRIFFO: Our  
12 congratulations and best wishes.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: We are going  
15 to stand at ease temporarily.

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

18 (Whereupon, the Senate stood at ease  
19 at 8:13 p.m.)

20 (Whereupon, the Senate reconvened at  
21 8:33 p.m.)

22 SENATOR DeFRANCISCO:  
23 Mr. President. Mr. President, please.

24 ACTING PRESIDENT BONACIC: The  
25 Senate will come to order while I take a picture

1 with Senator Stavisky.

2 SENATOR DeFRANCISCO: Excuse me.

3 (Laughter.)

4 SENATOR DeFRANCISCO: John, could  
5 you please kiss down on the -- downstairs?

6 ACTING PRESIDENT GRIFFO: Senator  
7 DeFrancisco.

8 SENATOR DeFRANCISCO: Yes. There  
9 will be a Rules Committee meeting in 332 at  
10 9:00 p.m., and an immediate meeting of the  
11 Finance Committee to deal with some nonpaid  
12 appointments.

13 ACTING PRESIDENT GRIFFO: There's  
14 an immediate meeting of the Finance Committee in  
15 Room 332. That will be followed by a meeting at  
16 9:00 p.m. of the Rules Committee, also in  
17 Room 332.

18 SENATOR DeFRANCISCO: Thank you.

19 ACTING PRESIDENT GRIFFO: The  
20 Senate will stand at ease.

21 And the podium is available to take  
22 pictures with Senator Bonacic.

23 (Laughter.)

24 (Whereupon, the Senate stood at ease  
25 at 8:34 p.m.)



1                   (Whereupon, the Senate reconvened at  
2 9:02 p.m.)

3                   ACTING PRESIDENT GRIFFO:    The  
4 Senate returns to order.

5                   Senator DeFrancisco for an  
6 announcement.

7                   SENATOR DeFRANCISCO:    Not for an  
8 announcement.  Do we have a Rules Committee  
9 agenda yet?  I mean a Finance Committee report.

10                  ACTING PRESIDENT GRIFFO:    We do  
11 have a Finance Committee report at the desk.

12                  SENATOR DeFRANCISCO:    Can we take  
13 up the report, please.

14                  ACTING PRESIDENT GRIFFO:    The  
15 Secretary will read.

16                  THE SECRETARY:    Senator Young, from  
17 the Committee on Finance, reports the following  
18 nominations.

19                  As a member of the Port of Oswego  
20 Authority:  Francis Enwright.

21                  As members of the Ogdensburg Bridge  
22 and Port Authority:  David King and Joseph  
23 Andriano.

24                  As a nonvoting member of the  
25 Rochester-Genesee Regional Transportation

1 Authority: Jacques Chapman.

2 As a member of the New York Job  
3 Development Authority: Alfredo Vazquez Assad.

4 As a commissioner of the State  
5 Insurance Fund: Dennis Kessler.

6 As members of the Niagara Frontier  
7 State Park, Recreation and Historic Preservation  
8 Commission: Thomas A. Chambers, Ph.D., and Susan  
9 Swiatkowski.

10 As a member of the Waterfront  
11 Commission of New York Harbor: Paul T.  
12 Weinstein.

13 As a director of the New York State  
14 Urban Development Corporation: Eric Gertler.

15 As a member of the Board of  
16 Directors of the New York Convention Center  
17 Operating Corporation: Brian O'Dwyer.

18 As a member of the Dormitory  
19 Authority of the State of New York: Wellington  
20 Z. Chen.

21 As a member of the Battery Park City  
22 Authority: Anthony S. Kendall.

23 As members of the Board of Directors  
24 of the New York Convention Center Operating  
25 Corporation: Steven C. Koppel and Fred Wesley

1 Dixon.

2 As members of the Veterans' Affairs  
3 Commission: Ken Rosenblum, Tanye D.  
4 Nelson-Waller, Kent Eiler, and Eugene Di Giacomo.

5 As a member of the Board of Visitors  
6 for the New York State Home for Veterans and  
7 Their Dependents at Batavia: Daniel J. Burling.

8 As a member of the Board of Visitors  
9 for the New York State Home for Veterans and  
10 Their Dependents at Montrose: Susan P. Hayel.

11 As a member of the Board of Visitors  
12 of the Richard H. Hutchins Psychiatric Center:  
13 Mary K. Bartowski.

14 As a member of the Board of Visitors  
15 of the Helen Hayes Hospital: Mary Eileen  
16 O'Brian, Ph.D.

17 As members of the Justice Center  
18 Advisory Council: Jeffery R. Savoy; Hanns  
19 Meissner, Ph.D.; Jason Edward Hershberger, Ph.D.;  
20 and Thomas McAlvanah.

21 As a member of the Board of Visitors  
22 of the Western New York Developmental  
23 Disabilities Services Office: Michael P. Rogers.

24 As a member of the Board of Visitors  
25 of the Rochester Psychiatric Center: David

1 Mullen.

2 As a member of the Board of Visitors  
3 of the Rockland Psychiatric Center: John Allen  
4 Murphy.

5 As members of the Board of Visitors  
6 of the Staten Island Developmental Disabilities  
7 Services Office: Patricia Yandoli and Bernardo  
8 Pace.

9 As a member of the Board of Visitors  
10 of the Sunmount Developmental Disabilities  
11 Services Office: Wayne P. Rogers.

12 As members of the Behavioral Health  
13 Services Advisory Council: Susan Saiomone and  
14 Donna Mae Depola.

15 As a member of the Board of Visitors  
16 of the Elmira Psychiatric Center: Richard Arthur  
17 Hamling.

18 As members of the Board of Visitors  
19 of the Central New York Developmental  
20 Disabilities Services Office: James A. Yonai,  
21 Ph.D., and Young Hee-Lee.

22 As a member of the Board of Visitors  
23 of the Buffalo Psychiatric Center: Tadeusz S.  
24 Pietrzak.

25 As members of the Board of Visitors

1 of the Manhattan Psychiatric Center: Peter G.  
2 Holden, Sr., and Felton Jenkins.

3 As members of the Board of Visitors  
4 of the Binghamton Psychiatric Center: Nancy Ann  
5 Thomas and Joyce Gioia.

6 As a member of the Board of Visitors  
7 of the Kingsboro Psychiatric Center: Marie G.  
8 Delus.

9 As members of the Board of Visitors  
10 of the Capital District Developmental  
11 Disabilities Services Office: Patricia K. Wright  
12 and Linda E. Sartoris.

13 As a member of the Board of Visitors  
14 of the Bronx Psychiatric Center: Gerald M.  
15 Friedman.

16 As a member of the Board of Visitors  
17 of the Mohawk Valley Psychiatric Center: Ramona  
18 Rossi.

19 As members of the Board of Visitors  
20 of the Richard H. Hutchins Psychiatric Center:  
21 Patricia M. Okoniewski and Robert Feldman, Ph.D.

22 As a member of the Board of Visitors  
23 of the Hudson Valley Developmental Disabilities  
24 Services Office: William Evans.

25 As a member of the Board of Visitors

1 of the New York City Children's Center: Pasquale  
2 DePetris, Ph.D.

3 As a commissioner of the State  
4 Liquor Authority: Lily M. Fan.

5 And as a member of the Public Health  
6 and Health Planning Council: Hugh R. Thomas.

7 ACTING PRESIDENT GRIFFO: Senator  
8 DeFrancisco, I'll entertain a motion.

9 SENATOR DeFRANCISCO: Yes, I move  
10 to accept the report of the Finance Committee.

11 ACTING PRESIDENT GRIFFO: All in  
12 favor of accepting the report of the Finance  
13 Committee say aye.

14 (Response of "Aye.")

15 ACTING PRESIDENT GRIFFO: Opposed?

16 (No response.)

17 ACTING PRESIDENT GRIFFO: The  
18 Finance Committee report has been accepted and is  
19 before the house.

20 SENATOR DeFRANCISCO: Would you now  
21 take up the nominations.

22 ACTING PRESIDENT GRIFFO: Senator  
23 Young.

24 SENATOR YOUNG: Yes, Mr. President.  
25 I'm very honored and privileged to advance the

1 names that were just read off to be confirmed.

2 Thank you.

3 ACTING PRESIDENT GRIFFO: Senator  
4 Kavanagh.

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

7 I rise to speak of the nomination of  
8 Anthony Kendall to the Battery Park City  
9 Authority Board.

10 Mr. Kendall is someone who's lived  
11 and worked in Battery Park City for many years.  
12 He's a very distinguished nominee. He has been  
13 the CEO of a major accounting firm in our  
14 community. He is the chair of the Binghamton  
15 University Alumni Association, for the Binghamton  
16 folks in the room.

17 But for our purposes tonight, it's  
18 particularly noteworthy that he is the second  
19 resident of Battery Park City who is being  
20 appointed to the seven-person board. That is  
21 pursuant to a piece of legislation that was  
22 negotiated and passed in this chamber and signed  
23 by the Governor in December, with a recent  
24 amendment to make it effective.

25 So I just want to thank all those

1 who brought this nomination forward and, more  
2 than that, the people of Battery Park City who  
3 have fought very hard and very long to have real  
4 representation on that board. And again, I'd  
5 like to acknowledge the great work of my  
6 predecessor, Daniel Squadron, who worked long and  
7 hard to get this done.

8                   So thank you, Mr. President. I'll  
9 be voting in the affirmative.

10                   ACTING PRESIDENT GRIFFO: Senator  
11 Robach.

12                   SENATOR ROBACH: Yes,  
13 Mr. President, just real quickly. I wanted to  
14 rise -- I'm happy that we're finally getting to  
15 Hugh Thomas on the Public Hospital Planning  
16 Commission.

17                   And I'll just say expeditiously --  
18 his resume is in the package -- he's done great  
19 things to advance healthcare in Rochester, and I  
20 think he'll be a great member of this board as  
21 well. He's a great member of our community, with  
22 a lot of expertise, both legal and in healthcare,  
23 and this is good.

24                   I would be remiss if I didn't take  
25 this chance, though, since he stuck it out to be



1 here, I don't know why it took the Governor  
2 three and a half years to send us the nomination,  
3 but I'm glad it's finally here. Better late than  
4 never.

5 Thank you, Mr. Thomas, for your  
6 willingness to serve not only in Rochester but  
7 the greater State of New York.

8 Thank you, Mr. President.

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

11 Senator Funke.

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

14 I really wanted to support Dennis  
15 Kessler as a commissioner of the State Insurance  
16 Fund.

17 He is a Northwestern and Yale Law  
18 grad, professor of entrepreneurship at the  
19 University of Rochester Simon School of Business.  
20 He has also taught at CCNY and St. John Fisher  
21 College and at SUNY Brockport -- all this while  
22 operating 69 Friendlys and Burger King  
23 restaurants. All this while serving his  
24 community in a wide range of ways. All this  
25 while giving back philanthropically, with his

1 brother Larry, and providing funding for the  
2 Kessler Burn Center in Rochester and the Kessler  
3 Trauma Center and the Kessler Center for People  
4 with Disabilities.

5 He is smart, he is diligent, he is a  
6 man of utmost integrity. He will make an  
7 outstanding commissioner at the State Insurance  
8 Fund.

9 So I wholly support Dennis Kessler  
10 for this position. And again, it took two and a  
11 half years to get this done, and that is not a  
12 good thing. We need to figure out a better way  
13 to handle these appointments.

14 Thank you very much.

15 ACTING PRESIDENT GRIFFO: Thank  
16 you, Senator Funke.

17 The question before the house is on  
18 the nominations of the individuals that have been  
19 named for the positions that were so designated.  
20 All those in favor signify by saying aye.

21 (Response of "Aye.")

22 ACTING PRESIDENT GRIFFO: Opposed?

23 (No response.)

24 ACTING PRESIDENT GRIFFO:

25 Accordingly, all those individuals who have been

1 read and named for the positions that were  
2 designated are hereby confirmed by the Senate.

3           Congratulations. We appreciate your  
4 willingness to serve. Best of luck to you.

5           Let's acknowledge those in  
6 attendance.

7           (Appause.)

8           ACTING PRESIDENT GRIFFO: Senator  
9 DeFrancisco.

10           SENATOR DeFRANCISCO: We will now  
11 stand at ease.

12           ACTING PRESIDENT GRIFFO: The  
13 Senate will stand at ease.

14           (Whereupon, the Senate stood at ease  
15 at 9:12 p.m.)

16           (Whereupon, the Senate reconvened at  
17 10:35 p.m.)

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

20           SENATOR DeFRANCISCO: I'd like to  
21 call an immediate meeting of the Rules Committee  
22 in Room 332.

23           ACTING PRESIDENT GRIFFO: There  
24 will be an immediate meeting of the Rules  
25 Committee in Room 332, an immediate meeting of

1 the Rules Committee in Room 332.

2 The Senate is at ease.

3 (Whereupon, the Senate stood at ease  
4 at 10:35 p.m.)

5 (Whereupon, the Senate reconvened at  
6 10:55 p.m.)

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

9 Senator DeFrancisco.

10 SENATOR DeFRANCISCO: Yes. Is  
11 there a report of the Rules Committee at the  
12 desk?

13 ACTING PRESIDENT GRIFFO: There is  
14 a report of the Rules Committee at the desk.

15 The Secretary will read.

16 THE SECRETARY: Senator Flanagan,  
17 from the Committee on Rules, reports the  
18 following bills:

19 Senate Print 2281, by Senator  
20 Griffo, an act to amend the State Finance Law;

21 Senate 2493A, by Senator Phillips,  
22 an act to amend the Education Law;

23 Senate 3362A, by Senator Krueger, an  
24 act to amend the New York State Urban Development  
25 Corporation Act;

1 Senate 3512, by Senator Ranzenhofer,  
2 an act to amend the Education Law;

3 Senate 3875, by Senator Ranzenhofer,  
4 an act to amend the Education Law;

5 Senate 3905A, by Senator Griffo, an  
6 act to amend the Tax Law;

7 Senate 1156C, by Senator Ortt, an  
8 act to amend the Insurance Law;

9 Senate 7199A, by Senator Seward, an  
10 act to amend the Penal Law;

11 Senate 7211, by Senator LaValle, an  
12 act to amend Chapter 464 of the Laws of 2016;

13 Senate 7536, by Senator Breslin, an  
14 act to amend Chapter 105 of the Laws of 2009;

15 Senate 7945, by Senator Funke, an  
16 act to amend the Education Law;

17 Senate 7960, by Senator Ranzenhofer,  
18 an act to amend the Public Authorities Law;

19 Senate 7997A, by Senator Boyle, an  
20 act to amend the Environmental Conservation Law;

21 Senate 8073A, by Senator Montgomery,  
22 an act to amend the Labor Law;

23 Senate 8122A, by Senator Kennedy, an  
24 act to amend Chapter 108 of the Laws of 2016;

25 Senate 8168, by Senator Griffo, an

1 act to amend the Education Law;

2 Senate 8286, by Senator Ortt, an act  
3 to require;

4 Senate 8292, by Senator Little, an  
5 act to authorize;

6 Senate 8311A, by Senator Griffo, an  
7 act to amend the Public Service Law;

8 Senate 8362A, by Senator Ritchie, an  
9 act to amend the Agriculture and Markets Law;

10 Senate 8377, by Senator Mayer, an  
11 act to amend Chapter 89 of the Laws of 2009;

12 Senate 8519, by Senator O'Mara, an  
13 act in relation to;

14 Senate 8565, by Senator LaValle, an  
15 act to amend the Environmental Conservation Law;

16 Senate 8570, by Senator LaValle, an  
17 act to amend the Environmental Conservation Law;

18 Senate 8759, by Senator Amedore, an  
19 act to amend the Executive Law;

20 Senate 8760, by Senator Amedore, an  
21 act to amend the Civil Practice Law and Rules;

22 Senate 8817A, by Senator Marcellino,  
23 an act to incorporate;

24 Senate 8846, by Senator Gallivan, an  
25 act to authorize;

1                   Senate 8847A, by Senator Felder, an  
2 act redistributing;

3                   Senate 8938, by Senator Funke, an  
4 act to amend the Tax Law;

5                   Senate 8946, by Senator Lanza, an  
6 act to amend the Public Authorities Law;

7                   Senate 8968, by Senator Helming, an  
8 act to amend the Executive Law;

9                   Senate 8980A, by Senator Jacobs, an  
10 act to amend the Criminal Procedure Law;

11                   Senate 8999B, by Senator Mayer, an  
12 act to amend the Public Service Law;

13                   Senate 9008, by Senator Flanagan, an  
14 act to amend the Social Services Law;

15                   Senate 9011B, by Senator Little, an  
16 act to authorize;

17                   Senate 9038, by Senator Ortt, an act  
18 to amend the Public Service Law;

19                   Senate 9044, by Senator Murphy, an  
20 act to amend the Tax Law;

21                   Senate 9071, by Senator Ortt, an act  
22 to amend the Public Health Law;

23                   Senate 8713, by Senator Gallivan, an  
24 action granting;

25                   Senate 9116, by Senator Hamilton, an

1 act to amend the Criminal Procedure Law;

2 Senate 8783, by Senator Golden, an

3 act to amend the Private Housing Finance Law;

4 Senate 9004, by Senator Boyle, an

5 act establishing;

6 Senate 7837, by Senator Kennedy, an

7 act to amend the Public Authorities Law;

8 Senate 8875, by Senator

9 Stewart-Cousins, an act to amend the Vehicle and  
10 Traffic Law; and

11 Senate 9102, by Senator Savino, an

12 act to amend the Public Health Law.

13 All bills reported direct to third  
14 reading.

15 ACTING PRESIDENT GRIFFO: Senator  
16 DeFrancisco.

17 SENATOR DeFRANCISCO: I now move to  
18 accept the report of the Rules Committee, please.

19 ACTING PRESIDENT GRIFFO: All in  
20 favor of accepting the Committee on Rules report  
21 say aye.

22 (Response of "Aye.")

23 ACTING PRESIDENT GRIFFO: Opposed?

24 (No response.)

25 ACTING PRESIDENT GRIFFO: The



1 Rules Committee report is accepted and before the  
2 house.

3 SENATOR DeFRANCISCO: Can we go  
4 back to messages from the Assembly.

5 ACTING PRESIDENT GRIFFO: We'll go  
6 back to messages from the Assembly, and the  
7 Secretary will read. (Pause.)

8 Senator DeFrancisco, it will take us  
9 a couple of minutes. The desk is organizing the  
10 subs right now as they've been brought to the  
11 chamber.

12 SENATOR DeFRANCISCO: That's quite  
13 all right. We have nothing else to do.

14 (Pause.)

15 ACTING PRESIDENT GRIFFO: Okay, we  
16 are ready to read the subs from the sub report.

17 If I can have some order, please,  
18 the Secretary will begin.

19 THE SECRETARY: Senator Krueger  
20 moves to discharge, from the Committee on Rules,  
21 Assembly Bill Number 8292A and substitute it for  
22 the identical Senate Bill 3362A, Third Reading  
23 Calendar 2102.

24 Senator Ortt moves to discharge,  
25 from the Committee on Rules, Assembly Bill

1 Number 3694C and substitute it for the identical  
2 Senate Bill 1156C, Third Reading Calendar 2106.

3           Senator LaValle moves to discharge,  
4 from the Committee on Environmental Conservation,  
5 Assembly Bill Number 8747 and substitute it for  
6 the identical Senate Bill 7211, Third Reading  
7 Calendar 2108.

8           Senator Breslin moves to discharge,  
9 from the Committee on Rules, Assembly Bill  
10 Number 9622 and substitute it for the identical  
11 Senate Bill 7536, Third Reading Calendar 2109.

12           Senator Boyle moves to discharge,  
13 from the Committee on Rules, Assembly Bill  
14 Number 11040 and substitute it for the identical  
15 Senate Bill 7997A, Third Reading Calendar 2112.

16           Senator Kennedy moves to discharge,  
17 from the Committee on Rules, Assembly Bill  
18 Number 10298A and substitute it for the identical  
19 Senate Bill 8122A, Third Reading Calendar 2114.

20           Senator Little moves to discharge,  
21 from the Committee on Rules, Assembly Bill  
22 Number 10492 and substitute it for the identical  
23 Senate Bill 8292, Third Reading Calendar 2117.

24           Senator Griffo moves to discharge,  
25 from the Committee on Rules, Assembly Bill

1 Number 8010A and substitute it for the identical  
2 Senate Bill 8311A, Third Reading Calendar 2118.

3 Senator Ritchie moves to discharge,  
4 from the Committee on Rules, Assembly Bill  
5 Number 10301B and substitute it for the identical  
6 Senate Bill 8362A, Third Reading Calendar 2119.

7 Senator Mayer moves to discharge,  
8 from the Committee on Rules, Assembly Bill  
9 Number 10516 and substitute it for the identical  
10 Senate Bill 8377, Third Reading Calendar 2120.

11 Senator LaValle moves to discharge,  
12 from the Committee on Rules, Assembly Bill  
13 Number 10682 and substitute it for the identical  
14 Senate Bill 8565, Third Reading Calendar 2122.

15 Senator LaValle moves to discharge,  
16 from the Committee on Environmental Conservation,  
17 Assembly Bill Number 10506A and substitute it for  
18 the identical Senate Bill 8570, Third Reading  
19 Calendar 2123.

20 Senator Amedore moves to discharge,  
21 from the Committee on Rules, Assembly Bill  
22 Number 10403 and substitute it for the identical  
23 Senate Bill 8760, Third Reading Calendar 2125.

24 Senator Marcellino moves to  
25 discharge, from the Committee on Rules,

1 Assembly Bill Number 11115A and substitute it for  
2 the identical Senate Bill 8817A, Third Reading  
3 Calendar 2126.

4 Senator Felder moves to discharge,  
5 from the Committee on Rules, Assembly Bill  
6 Number 10971A and substitute it for the identical  
7 Senate Bill 8847A, Third Reading Calendar 2128.

8 Senator Funke moves to discharge,  
9 from the Committee on Rules, Assembly Bill  
10 Number 4572A and substitute it for the identical  
11 Senate Bill 8938, Third Reading Calendar 2129.

12 Senator Lanza moves to discharge,  
13 from the Committee on Rules, Assembly Bill  
14 Number 9805A and substitute it for the identical  
15 Senate Bill 8946, Third Reading Calendar 2130.

16 Senator Helming moves to discharge,  
17 from the Committee on Rules, Assembly Bill  
18 Number 9981A and substitute it for the identical  
19 Senate Bill 8968, Third Reading Calendar 2131.

20 Senator Mayer moves to discharge,  
21 from the Committee on Rules, Assembly Bill  
22 Number 11118C and substitute it for the identical  
23 Senate Bill 8999B, Third Reading Calendar 2133.

24 Senator Flanagan moves to discharge,  
25 from the Committee on Rules, Assembly Bill

1 Number 10697 and substitute it for the identical  
2 Senate Bill 9008, Third Reading Calendar 2134.

3 Senator Little moves to discharge,  
4 from the Committee on Rules, Assembly Bill  
5 Number 11193A and substitute it for the identical  
6 Senate Bill 9011B, Third Reading Calendar 2135.

7 Senator Murphy moves to discharge,  
8 from the Committee on Veterans, Homeland Security  
9 and Military Affairs, Assembly Bill Number 3842A  
10 and substitute it for the identical Senate  
11 Bill 9044, Third Reading Calendar 2137.

12 Senator Gallivan moves to discharge,  
13 from the Committee on Rules, Assembly Bill  
14 Number 10770 and substitute it for the identical  
15 Senate Bill 8713, Third Reading Calendar 2139.

16 Senator Hamilton moves to discharge,  
17 from the Committee on Rules, Assembly Bill  
18 Number 11185 and substitute it for the identical  
19 Senate Bill 9116, Third Reading Calendar 2140.

20 Senator Golden moves to discharge,  
21 from the Committee on Rules, Assembly Bill  
22 Number 10828 and substitute it for the identical  
23 Senate Bill 8783, Third Reading Calendar 2141.

24 Senator Kennedy moves to discharge,  
25 from the Committee on Rules, Assembly Bill

1 Number 10074 and substitute it for the identical  
2 Senate Bill 7837, Third Reading Calendar 2143.

3 And Senator Stewart-Cousins moves  
4 to discharge, from the Committee on Rules,  
5 Assembly Bill Number 10961A and substitute it  
6 for the identical Senate Bill 8875,  
7 Third Reading Calendar 2144.

8 ACTING PRESIDENT GRIFFO: The  
9 substitutions are so ordered as read and  
10 presented to the house.

11 Senator DeFrancisco.

12 SENATOR DeFRANCISCO:  
13 Mr. President, there is a supplemental active  
14 list, starting with Calendar 46, by  
15 Senator Griffo. I'd like to do the  
16 noncontroversial reading of that bill.

17 ACTING PRESIDENT GRIFFO: The  
18 Secretary will read.

19 Senator DeFrancisco, before we begin  
20 the calendar, we just received another batch of  
21 messages from the Assembly for substitutions.  
22 Can you allow us to go back to messages from the  
23 Assembly to allow those subs to be put in?

24 SENATOR DeFRANCISCO: Excellent  
25 idea.

1                   ACTING PRESIDENT GRIFFO:    Okay,  
2                   we'll return to messages from the Assembly, and  
3                   the Secretary will read.

4                   THE SECRETARY:    On page 4,  
5                   Senator Griffo moves to discharge, from the  
6                   Committee on Rules, Assembly Bill Number 8921A  
7                   and substitute it for the identical Senate Bill  
8                   7318A, Third Reading Calendar 46.

9                   On page 20, Senator Savino moves to  
10                  discharge, from the Committee on Judiciary,  
11                  Assembly Bill Number 7899A and substitute it for  
12                  the identical Senate Bill 6217A, Third Reading  
13                  Calendar 595.

14                  On page 29, Senator Bonacic moves to  
15                  discharge, from the Committee on Judiciary,  
16                  Assembly Bill Number 9564 and substitute it for  
17                  the identical Senate Bill 6179A, Third Reading  
18                  Calendar 811.

19                  On page 36, Senator Croci moves to  
20                  discharge, from the Committee on Rules,  
21                  Assembly Bill Number 10859 and substitute it for  
22                  the identical Senate Bill 7907, Third Reading  
23                  Calendar 987.

24                  On page 36, Senator O'Mara moves to  
25                  discharge, from the Committee on Rules,

1 Assembly Bill Number 10611 and substitute it for  
2 the identical Senate Bill 7953, Third Reading  
3 Calendar 991.

4 On page 46, Senator Murphy moves to  
5 discharge, from the Committee on Rules,  
6 Assembly Bill Number 9640A and substitute it for  
7 the identical Senate Bill 7603A, Third Reading  
8 Calendar 1237.

9 On page 57, Senator Golden moves to  
10 discharge, from the Committee on Alcoholism and  
11 Drug Abuse, Assembly Bill Number 8151 and  
12 substitute it for the identical Senate Bill 8552,  
13 Third Reading Calendar 1428.

14 On page 61, Senator Hannon moves to  
15 discharge, from the Committee on Rules,  
16 Assembly Bill Number 397B and substitute it for  
17 the identical Senate Bill 7522A, Third Reading  
18 Calendar 1498.

19 On page 62, Senator LaValle moves to  
20 discharge, from the Committee on Rules,  
21 Assembly Bill Number 10681A and substitute it for  
22 the identical Senate Bill 8658A, Third Reading  
23 Calendar 1617.

24 On page 65, Senator Ritchie moves to  
25 discharge, from the Committee on Rules,



1 Assembly Bill Number 10803 and substitute it for  
2 the identical Senate Bill 5309B, Third Reading  
3 Calendar 1835.

4 On page 66, Senator Gallivan moves  
5 to discharge, from the Committee on Rules,  
6 Assembly Bill Number 5539B and substitute it for  
7 the identical Senate Bill 8272A, Third Reading  
8 Calendar 1873.

9 On page 67, Senator Serino moves to  
10 discharge, from the Committee on Rules,  
11 Assembly Bill Number 10743A and substitute it for  
12 the identical Senate Bill 8928, Third Reading  
13 Calendar 1895.

14 And on page 68, Senator Golden moves  
15 to discharge, from the Committee on Rules,  
16 Assembly Bill Number 11241 and substitute it for  
17 the identical Senate Bill 8837A, Third Reading  
18 Calendar 1976.

19 ACTING PRESIDENT GRIFFO: The  
20 substitutions are so ordered as read and  
21 presented.

22 Senator DeFrancisco.

23 SENATOR DeFRANCISCO: Now can we  
24 take up the supplemental active list, starting  
25 with Calendar 46 by Senator Griffo.

1           ACTING PRESIDENT GRIFFO:    We will  
2 begin the noncontroversial reading of the  
3 supplemental active list with Calendar Number 46.

4           THE SECRETARY:    Calendar Number 46,  
5 substituted earlier by Member of the Assembly  
6 Paulin, Assembly Print 8921A, an act to amend the  
7 Public Service Law.

8           ACTING PRESIDENT GRIFFO:    Read the  
9 last section.

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

12          ACTING PRESIDENT GRIFFO:    Call the  
13 roll.

14                            (The Secretary called the roll.)

15          THE SECRETARY:    Ayes, 60.

16          ACTING PRESIDENT GRIFFO:    The bill  
17 passes.

18          THE SECRETARY:    Calendar Number  
19 595, substituted earlier by Member of the  
20 Assembly Rozic, Assembly Print 7899A, an act to  
21 amend the Surrogate's Court Procedure Act.

22          ACTING PRESIDENT GRIFFO:    Read the  
23 last section.

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

1                   ACTING PRESIDENT GRIFFO:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT GRIFFO:    Senator  
5 Savino to explain her vote.

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

8                   I want to thank all of my colleagues  
9 for supporting this piece of legislation, which  
10 may seem like an arcane change to the  
11 Surrogate's Court Procedure Act, but in fact it  
12 is very timely.

13                   The Surrogate's Court Procedure Act  
14 allows a parent or guardian to designate a  
15 standby guardian in the event of their  
16 incapacity, their debilitation or their death.  
17 We are seeking to amend that to allow a parent to  
18 add a standby guardian in the event of an  
19 administrative separation between them and their  
20 child.

21                   As we speak, the country is  
22 transfixed with what is happening at the border  
23 and in detention centers, where parents and  
24 children are being separated as a result of the  
25 immigration status of the parents. This bill

1 will allow parents to designate a guardian that  
2 they trust, that they know, that they may be  
3 related to, who has status here in the  
4 United States to protect those children.

5           As a former caseworker, I can tell  
6 you I am still haunted by the experience of  
7 separating children from their parents. It is a  
8 traumatic experience for children that they never  
9 get over. The ability to place them with someone  
10 that they know and trust is so critically  
11 important.

12           And I want to thank each and every  
13 one of you for helping me with this. Senator  
14 Golden, you were there; Senator Felder; and of  
15 course our leader Senator Stewart-Cousins. And I  
16 want to thank the staff for making sure this bill  
17 made it on, the last bill of the night. It is  
18 that important that we protect children when they  
19 need it the most.

20           Thank you, Mr. President.

21           ACTING PRESIDENT GRIFFO:    Senator  
22 Savino in the affirmative.

23           Announce the results.

24           THE SECRETARY:    Ayes, 60.

25           ACTING PRESIDENT GRIFFO:    The bill

1 passes.

2 THE SECRETARY: Calendar Number  
3 811, substituted earlier by Member of the  
4 Assembly Dinowitz, Assembly Print 9564, an act to  
5 amend the Uniform Commercial Code.

6 ACTING PRESIDENT GRIFFO: Read the  
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the  
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT GRIFFO: The bill  
15 passes.

16 THE SECRETARY: Calendar Number  
17 987, substituted earlier by Member of the  
18 Assembly Pellegrino, Assembly Print 10859, an act  
19 to amend the Environmental Conservation Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Senator  
3 Kaminsky to explain his vote.

4 SENATOR KAMINSKY: Thank you.

5 Although I would like to use this  
6 time to speak of my love of scallops, I instead  
7 want to speak of my affection for the sponsor of  
8 the bill, Senator Croci. He's really been the  
9 MVP of our conference over the last few weeks and  
10 has really taken us --

11 (Laughter.)

12 SENATOR KAMINSKY: -- really taken  
13 us farther than we really have ever been in a  
14 long time, and I want to thank him. I never  
15 really understood the phrase "less is more" until  
16 the last few weeks.

17 And I wish him well. I actually do  
18 appreciate his service.

19 But I vote in the affirmative.  
20 Thank you.

21 ACTING PRESIDENT GRIFFO: Announce  
22 the results.

23 THE SECRETARY: In relation to  
24 Calendar 987, those recorded in the negative are  
25 Senators Gallivan, Griffio, Ortt and Ritchie.

1 Also Senator Little. Also Senator Helming.

2 Ayes, 54. Nays, 6.

3 ACTING PRESIDENT GRIFFO: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 991, substituted earlier by Member of the  
7 Assembly Stern, Assembly Print 10611, an act to  
8 amend the Environmental Conservation Law.

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 60.

17 ACTING PRESIDENT GRIFFO: The bill  
18 passes.

19 THE SECRETARY: Calendar Number  
20 1071, by Senator Ranzenhofer, Senate Print 3238,  
21 an act to amend the Alcoholic Beverage Control  
22 Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT GRIFFO: Announce  
6 the results.

7 THE SECRETARY: In relation to  
8 Calendar 1071, those recorded in the negative are  
9 Senators Alcantara, Bailey, Benjamin, Breslin,  
10 Comrie, Dilan, Gianaris, Hamilton, Hoylman,  
11 Krueger, Montgomery, Peralta, Persaud, Sanders,  
12 Sepúlveda and Serrano.

13 Ayes, 44. Nays, 16.

14 ACTING PRESIDENT GRIFFO: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 1097, by Senator Tedisco, Senate Print 2883A, an  
18 act to amend the Executive Law.

19 ACTING PRESIDENT GRIFFO: Read the  
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the  
24 roll.

25 (The Secretary called the roll.)



1 THE SECRETARY: Ayes, 60.

2 ACTING PRESIDENT GRIFFO: The bill  
3 passes.

4 THE SECRETARY: Calendar Number  
5 1237, substituted earlier by Member of the  
6 Assembly Galef, Assembly Print 9640A, an act to  
7 amend the Executive Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT GRIFFO: The bill  
17 passes.

18 THE SECRETARY: Calendar Number  
19 1291, by Senator Murphy, Senate Print 7262A, an  
20 act to amend the Public Service Law.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT GRIFFO: The bill  
5 passes.

6 THE SECRETARY: Calendar Number  
7 1300, by Senator DeFrancisco, Senate Print 7671,  
8 an act to amend the Public Authorities Law.

9 ACTING PRESIDENT GRIFFO: Read the  
10 last section.

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

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 ACTING PRESIDENT GRIFFO: Senator  
17 DeFrancisco to explain his vote.

18 SENATOR DeFRANCISCO: Yes. I voted  
19 for the naming of the bridge, the Mario Cuomo  
20 Bridge. And it wasn't until I started running  
21 around the state seeking the Republican  
22 nomination for governor that I realized the  
23 historical significance of the name Tappan Zee.

24 Anytime I was in the Hudson Valley,  
25 I heard from people saying this is a historic

1 name and has meaning, this is wrong. Many wanted  
2 to remove the name Mario Cuomo from the bridge  
3 and go back to Tappan Zee.

4           It seemed to me that a reasonable  
5 compromise would be to name it the Mario Cuomo  
6 Tappan Zee Bridge. And those thousands upon  
7 thousands of people who signed petitions calling  
8 for it to be changed were satisfied with that  
9 compromise.

10           I want to make it clear this is no  
11 disrespect to Mario Cuomo. His name will forever  
12 be on the bridge. I served in the Senate for  
13 two years under Mario Cuomo, and he was an  
14 honorable individual who did a lot of things for  
15 the state.

16           So this compromise I think respects  
17 both history and the service of Mario Cuomo, and  
18 that's why I brought the bill, that's why I'm  
19 voting yes, and that's why I'm asking for support  
20 of this body.

21           Thank you.

22           ACTING PRESIDENT GRIFFO:    Senator  
23 DeFrancisco in the affirmative.

24           Announce the results.

25           THE SECRETARY:    In relation to

1 Calendar 1300, those recorded in the negative are  
2 Senators Alcantara, Bailey, Benjamin, Breslin,  
3 Brooks, Dilan, Gianaris, Hamilton, Hoylman,  
4 Kaminsky, Kavanagh, Kennedy, Klein, Peralta,  
5 Sanders, Savino, Sepúlveda, and Serrano. Also  
6 Senator Krueger. Also Senator Persaud.

7 Ayes, 40. Nays, 20.

8 ACTING PRESIDENT GRIFFO: The bill  
9 passes.

10 THE SECRETARY: Calendar Number  
11 1428, substituted earlier by Member of the  
12 Assembly Rosenthal, Assembly Print 8151, an act  
13 to amend the Mental Hygiene Law.

14 ACTING PRESIDENT GRIFFO: Read the  
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 60.

22 ACTING PRESIDENT GRIFFO: The bill  
23 passes.

24 THE SECRETARY: Calendar Number  
25 1434, by Senator Golden, Senate Print 1634B, an

1 act to amend the Administrative Code of the City  
2 of New York.

3 SENATOR KLEIN: Lay it aside,  
4 please.

5 ACTING PRESIDENT GRIFFO: Lay it  
6 aside.

7 THE SECRETARY: Calendar Number  
8 1498, substituted earlier by Member of the  
9 Assembly Gunther, Assembly Print 397B, an act to  
10 amend the Public Health Law.

11 ACTING PRESIDENT GRIFFO: Read the  
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT GRIFFO: The bill  
20 passes.

21 THE SECRETARY: Calendar Number  
22 1500, by Senator Hannon, Senate Print 8082A, an  
23 act to amend the Public Health Law.

24 ACTING PRESIDENT GRIFFO: Read the  
25 last section.

1 THE SECRETARY: Section 2. This  
2 act shall take effect January 1, 2019.

3 ACTING PRESIDENT GRIFFO: Call the  
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 60.

7 ACTING PRESIDENT GRIFFO: The bill  
8 passes.

9 THE SECRETARY: Calendar Number  
10 1617, substituted earlier by Member of the  
11 Assembly Thiele, Assembly Print 10681A, an act  
12 authorizing.

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

15 The Secretary will read the last  
16 section.

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

19 ACTING PRESIDENT GRIFFO: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT GRIFFO: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 1815, by Senator Amedore, Senate Print 893, an  
2 act to establish.

3 ACTING PRESIDENT GRIFFO: Read the  
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 60.

11 ACTING PRESIDENT GRIFFO: The bill  
12 passes.

13 THE SECRETARY: Calendar Number  
14 1817, by Senator Marcellino, Senate Print 1261,  
15 an act to amend the Vehicle and Traffic Law.

16 ACTING PRESIDENT GRIFFO: Read the  
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the  
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59. Nays, 1.  
24 Senator Marchione recorded in the negative.

25 ACTING PRESIDENT GRIFFO: The bill

1 passes.

2 THE SECRETARY: Calendar Number  
3 1829, by Senator Seward, Senate Print 4288, an  
4 act to amend the State Law.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT GRIFFO: Senator  
13 Krueger to explain her vote.

14 SENATOR KRUEGER: Thank you.

15 I consulted with the state tree  
16 frog, and he doesn't think we should have  
17 baseball as our official sport. So I'm voting  
18 no.

19 (Laughter.)

20 ACTING PRESIDENT GRIFFO: Senator  
21 Krueger in the negative.

22 Announce the results.

23 THE SECRETARY: In relation to  
24 Calendar 1829, those recorded in the negative are  
25 Senators Hoylman, Kavanagh, Krueger and



1 Sepúlveda.

2 Ayes, 56. Nays, 4.

3 ACTING PRESIDENT GRIFFO: The bill  
4 passes.

5 THE SECRETARY: Calendar Number  
6 1832, by Senator Helming, Senate Print 4536A, an  
7 act to amend the Public Health Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT GRIFFO: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1835, substituted earlier by Member of the  
20 Assembly Magee, Assembly Print 10803, an act to  
21 amend the Agriculture and Markets Law.

22 ACTING PRESIDENT GRIFFO: Read the  
23 last section.

24 THE SECRETARY: Section 16. This  
25 act shall take effect on the 120th day.

1                   ACTING PRESIDENT GRIFFO:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 60.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number  
8 1842, by Senator Ritchie, Senate Print 5897A, an  
9 act to amend the Vehicle and Traffic Law.

10                  ACTING PRESIDENT GRIFFO:    Read the  
11 last section.

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

14                  ACTING PRESIDENT GRIFFO:    Call the  
15 roll.

16                  (The Secretary called the roll.)

17                  THE SECRETARY:    Ayes, 60.

18                  ACTING PRESIDENT GRIFFO:    The bill  
19 passes.

20                  THE SECRETARY:    Calendar Number  
21 1873, substituted earlier by Member of the  
22 Assembly Weprin, Assembly Print 5539B, an act to  
23 amend the Municipal Home Rule Law.

24                  ACTING PRESIDENT GRIFFO:    Read the  
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the  
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 60.

7 ACTING PRESIDENT GRIFFO: The bill  
8 is passed.

9 THE SECRETARY: Calendar Number  
10 1895, substituted earlier by Member of the  
11 Assembly Byrne, Assembly Print 10743A, an act to  
12 amend the Town Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60.

21 ACTING PRESIDENT GRIFFO: The bill  
22 passes.

23 THE SECRETARY: Calendar Number  
24 1976, substituted earlier by the Assembly  
25 Committee on Rules, Assembly Print 11241, an act

1 to amend the Civil Service Law.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 60.

10 ACTING PRESIDENT GRIFFO: The bill  
11 passes.

12 And Senator DeFrancisco, that  
13 completes the noncontroversial reading of the  
14 active list currently before the house.

15 SENATOR DeFRANCISCO: All right.  
16 Can we now take up Calendar 1342, that's Senate  
17 Print 6424A, by Senator Ritchie.

18 (Lengthy pause.)

19 ACTING PRESIDENT GRIFFO: The  
20 Senate will return to order.

21 The Secretary will read.

22 THE SECRETARY: Senator Ritchie  
23 moves to discharge, from the Committee on Rules,  
24 Assembly Bill Number 7265A and substitute it for  
25 the identical Senate Bill 6424A, Third Reading

1 Calendar 1342.

2 ACTING PRESIDENT GRIFFO: The  
3 substitution is so ordered, and the Secretary  
4 will read.

5 THE SECRETARY: Calendar Number  
6 1342, by Member of the Assembly Abinanti,  
7 Assembly Print 7265A, an act to amend the  
8 State Finance Law.

9 ACTING PRESIDENT GRIFFO: The  
10 Secretary will read the last section.

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

13 ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 60.

17 ACTING PRESIDENT GRIFFO: The bill  
18 is passed.

19 The Secretary will continue.

20 THE SECRETARY: Senator Flanagan  
21 moves to discharge, from the Committee on Rules,  
22 Assembly Bill Number 10926 and substitute it for  
23 the identical Senate Bill 8886, Third Reading  
24 Calendar 1893.

25 ACTING PRESIDENT GRIFFO: The

1 substitution is so ordered, and the Secretary  
2 will read.

3 THE SECRETARY: Calendar Number  
4 1893, by Member of the Assembly Englebright,  
5 Assembly Print 10926, an act to authorize.

6 ACTING PRESIDENT GRIFFO: Read the  
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the  
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 59. Nays, 1.  
14 Senator Akshar recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill  
16 passes.

17 Senator DeFrancisco, that now  
18 completes the noncontroversial reading that we  
19 had with those two subs that we had talked about  
20 earlier on this current active list before the  
21 house. There has been one lay-aside.

22 SENATOR DeFRANCISCO:  
23 Mr. President, we have a Senate Supplemental  
24 Calendar 58B, which is the bills that were just  
25 dealt with in Rules most recently. May we have

1 the noncontroversial reading of that calendar.

2           ACTING PRESIDENT GRIFFO: The  
3 Secretary will begin the noncontroversial reading  
4 of Senate Supplemental Calendar 58B,  
5 noncontroversial.

6           THE SECRETARY: Calendar Number  
7 2100, by Senator Griffo, Senate Print 2281, an  
8 act to amend the State Finance Law.

9           ACTING PRESIDENT GRIFFO: Read the  
10 last section.

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

13           ACTING PRESIDENT GRIFFO: Call the  
14 roll.

15           (The Secretary called the roll.)

16           THE SECRETARY: Ayes, 60.

17           ACTING PRESIDENT GRIFFO: The bill  
18 passes.

19           THE SECRETARY: Calendar Number  
20 2101, by Senator Phillips, Senate Print 2493A, an  
21 act to amend the Education Law.

22           ACTING PRESIDENT GRIFFO: Read the  
23 last section.

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

1                   ACTING PRESIDENT GRIFFO:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   ACTING PRESIDENT GRIFFO:    Announce  
5 the results.

6                   THE SECRETARY:    In relation to  
7 Calendar Number 2101, those recorded in the  
8 negative are Senators Bailey, Comrie, Dilan,  
9 Gianaris, Hoylman, Kavanagh, Krueger, Montgomery,  
10 Peralta, Persaud, Sanders and Sepúlveda.

11                   Ayes, 48.   Nays, 12.

12                   ACTING PRESIDENT GRIFFO:    The bill  
13 passes.

14                   THE SECRETARY:    Calendar Number  
15 2102, substituted earlier by Member of the  
16 Assembly Seawright, Assembly Print 8292A, an act  
17 to amend the New York State Urban Development  
18 Corporation Act.

19                   ACTING PRESIDENT GRIFFO:    Read the  
20 last section.

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

23                   ACTING PRESIDENT GRIFFO:    Call the  
24 roll.

25                   (The Secretary called the roll.)



1 THE SECRETARY: Ayes, 60.

2 ACTING PRESIDENT GRIFFO: The bill  
3 passes.

4 THE SECRETARY: Calendar Number  
5 2103, by Senator Ranzenhofer, Senate Print 3512,  
6 an act to amend the Education Law.

7 ACTING PRESIDENT GRIFFO: Read the  
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the  
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT GRIFFO: The bill  
16 passes.

17 THE SECRETARY: Calendar Number  
18 2104, by Senator Ranzenhofer, Senate Print 3875,  
19 an act to amend the Education Law.

20 ACTING PRESIDENT GRIFFO: Read the  
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT GRIFFO: The bill  
4 passes.

5 THE SECRETARY: Calendar Number  
6 2105, by Senator Griffo, Senate Print 3905A, an  
7 act to amend the Tax Law.

8 ACTING PRESIDENT GRIFFO: Read the  
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT GRIFFO: The bill  
17 passes.

18 THE SECRETARY: Calendar Number  
19 2106, substituted earlier by Member of the  
20 Assembly Gunther, Assembly Print 3694C, an act to  
21 amend the Insurance Law.

22 ACTING PRESIDENT GRIFFO: Read the  
23 last section.

24 THE SECRETARY: Section 4. This  
25 act shall take effect on the 60th day.

1                   ACTING PRESIDENT GRIFFO:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 60.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number  
8 2107, by Senator Seward, Senate Print 7199A, an  
9 act to amend the Penal Law.

10                  ACTING PRESIDENT GRIFFO:    Read the  
11 last section.

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

14                  ACTING PRESIDENT GRIFFO:    Call the  
15 roll.

16                  (The Secretary called the roll.)

17                  THE SECRETARY:    In relation to  
18 Calendar 2107, those recorded in the negative are  
19 Senators Hoylman, Kavanaugh, Montgomery and  
20 Sepúlveda.

21                               Ayes, 56.   Nays, 4.

22                  ACTING PRESIDENT GRIFFO:    The bill  
23 is passed.

24                  THE SECRETARY:    Calendar Number  
25 2108, substituted earlier by Member of the

1 Assembly Englebright, Assembly Print 8747, an act  
2 to amend Chapter 464 of the Laws of 2016.

3 SENATOR O'MARA: Lay it aside.

4 ACTING PRESIDENT GRIFFO: The bill  
5 will be laid aside for the day.

6 SENATOR DeFRANCISCO: Nope.

7 ACTING PRESIDENT GRIFFO: No? Just  
8 lay it aside.

9 THE SECRETARY: Calendar Number  
10 2109, by Member of the Assembly McDonald,  
11 Assembly Print 9622, an act to amend Chapter 105  
12 of the Laws of 2009.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: In relation to  
21 Calendar Number 2109, those recorded in the  
22 negative are Senators Brooks, Kaminsky and  
23 Murphy. Also Senator Lanza.

24 Ayes, 56. Nays, 4.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 2110, by Senator Funke, Senate Print 7945, an act  
4 to amend the Education Law.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

7 THE SECRETARY: Section 3. This  
8 act shall take effect August 1, 2018.

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT GRIFFO: The bill  
14 passes.

15 THE SECRETARY: Calendar Number  
16 2111, by Senator Ranzenhofer, Senate Print 7960,  
17 an act to amend the Public Authorities Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 passes.

3                   THE SECRETARY:    Calendar Number  
4 2112, substituted earlier by the Assembly  
5 Committee on Rules, Assembly Print 11040, an act  
6 to amend the Environmental Conservation Law.

7                   SENATOR O'MARA:    Lay it aside.

8                   ACTING PRESIDENT GRIFFO:   Lay it  
9 aside.

10                  THE SECRETARY:    Calendar Number  
11 2113, by Senator Montgomery, Senate Print 8073A,  
12 an act to amend the Labor Law.

13                  ACTING PRESIDENT GRIFFO:   Read the  
14 last section.

15                  THE SECRETARY:    Section 4. This  
16 act shall take effect one year after it shall  
17 have become a law.

18                  ACTING PRESIDENT GRIFFO:   Call the  
19 roll.

20                               (The Secretary called the roll.)

21                  THE SECRETARY:    Ayes, 59. Nays, 1.  
22 Senator Little recorded in the negative.

23                  ACTING PRESIDENT GRIFFO:   The bill  
24 passes.

25                  THE SECRETARY:    Calendar Number

1 2114, substituted earlier by Member of the  
2 Assembly Peoples-Stokes, Assembly Print 10298A,  
3 an act to amend Chapter 108 of the Laws of 2016.

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

6 The Secretary will read the last  
7 section.

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

10 ACTING PRESIDENT GRIFFO: Call the  
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT GRIFFO: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 2115, by Senator Griffo, Senate Print 8168, an  
18 act to amend the Education Law.

19 ACTING PRESIDENT GRIFFO: Read the  
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the  
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 60.

2 ACTING PRESIDENT GRIFFO: The bill  
3 passes.

4 THE SECRETARY: Calendar Number  
5 2116, by Senator Ortt, Senate Print 8286, an act  
6 to require.

7 ACTING PRESIDENT GRIFFO: Read the  
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the  
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT GRIFFO: The bill  
16 passes.

17 THE SECRETARY: Calendar Number  
18 2117, substituted earlier by Member of the  
19 Assembly Stec, Assembly Print 10492, an act to  
20 authorize.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the



1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT GRIFFO: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 2118, substituted earlier by Member of the  
8 Assembly Dinowitz, Assembly Print 8010B, an act  
9 to amend the Public Service Law.

10 ACTING PRESIDENT GRIFFO: Read the  
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT GRIFFO: The bill  
19 passes.

20 THE SECRETARY: Calendar Number  
21 2119, substituted earlier by Member of the  
22 Assembly Barrett, Assembly Print 10301B, an act  
23 to amend the Agriculture and Markets Law.

24 ACTING PRESIDENT GRIFFO: Read the  
25 last section.

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

3                   ACTING PRESIDENT GRIFFO:   Call the  
4 roll.

5                   (The Secretary called the roll.)

6                   THE SECRETARY:    Ayes, 60.

7                   ACTING PRESIDENT GRIFFO:    The bill  
8 passes.

9                   THE SECRETARY:    Calendar Number  
10 2120, substituted earlier by Member of the  
11 Assembly Otis, Assembly Print 10516, an act to  
12 amend Chapter 89 of the Laws of 2009.

13                   ACTING PRESIDENT GRIFFO:    Read the  
14 last section.

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

17                   ACTING PRESIDENT GRIFFO:    Call the  
18 roll.

19                   (The Secretary called the roll.)

20                   THE SECRETARY:    In relation to  
21 Calendar 2120, those recorded in the negative are  
22 Senators Brooks, Kaminsky, Lanza, Murphy and  
23 Seward.

24                   Ayes, 55.  Nays, 5.

25                   ACTING PRESIDENT GRIFFO:    The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 2121, by Senator O'Mara, Senate Print 8519, an  
4 act in relation to authorizing.

5 ACTING PRESIDENT GRIFFO: Read the  
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT GRIFFO: The bill  
14 passes.

15 THE SECRETARY: Calendar Number  
16 2122, substituted earlier by Member of the  
17 Assembly Englebright, Assembly Print 10682, an  
18 act to amend the Environmental Conservation Law.

19 SENATOR O'MARA: Lay it aside.

20 ACTING PRESIDENT GRIFFO: Lay it  
21 aside.

22 THE SECRETARY: Calendar Number  
23 2123, substituted earlier by Member of the  
24 Assembly Englebright, Assembly Print 10506A, an  
25 act to amend the Environmental Conservation Law.

1 SENATOR O'MARA: Lay it aside.

2 ACTING PRESIDENT GRIFFO: Lay it  
3 aside.

4 THE SECRETARY: Calendar Number  
5 2124, by Senator Amedore, Senate Print 8759, an  
6 act to amend the Executive Law.

7 ACTING PRESIDENT GRIFFO: Read the  
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the  
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 59. Nays, 1.  
15 Senator Montgomery recorded in the negative.

16 ACTING PRESIDENT GRIFFO: The bill  
17 passes.

18 THE SECRETARY: Calendar Number  
19 2125, substituted earlier by Member of the  
20 Assembly Fahy, Assembly Print 10403, an act to  
21 amend the Civil Practice Law and Rules.

22 ACTING PRESIDENT GRIFFO: Read the  
23 last section.

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

1                   ACTING PRESIDENT GRIFFO:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 60.

5                   ACTING PRESIDENT GRIFFO:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number  
8 2126, substituted earlier by the Assembly  
9 Committee on Rules, Assembly Print 11115A, an act  
10 to incorporate.

11                   ACTING PRESIDENT GRIFFO:    Read the  
12 last section.

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

15                   ACTING PRESIDENT GRIFFO:    Call the  
16 roll.

17                   (The Secretary called the roll.)

18                   THE SECRETARY:    Ayes, 60.

19                   ACTING PRESIDENT GRIFFO:    The bill  
20 passes.

21                   THE SECRETARY:    Calendar Number  
22 2127, by Senator Gallivan, Senate Print 8846, an  
23 act to authorize.

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

1                   The Secretary will read the last  
2 section.

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

5                   ACTING PRESIDENT GRIFFO:   Call the  
6 roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:    Ayes, 60.

9                   ACTING PRESIDENT GRIFFO:   The bill  
10 passes.

11                   THE SECRETARY:    Calendar Number  
12 2128, substituted earlier by Member of the  
13 Assembly Magnarelli, Assembly Print 10971A, an  
14 act redistributing bond volume.

15                   ACTING PRESIDENT GRIFFO:   Read the  
16 last section.

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

19                   ACTING PRESIDENT GRIFFO:   Call the  
20 roll.

21                   (The Secretary called the roll.)

22                   THE SECRETARY:    Ayes, 60.

23                   ACTING PRESIDENT GRIFFO:   The bill  
24 is passed.

25                   THE SECRETARY:    Calendar Number

1 2129, substituted earlier by Member of the  
2 Assembly Magee, Assembly Print 4572A, an act to  
3 amend the Tax Law.

4 ACTING PRESIDENT GRIFFO: Read the  
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 60.

12 ACTING PRESIDENT GRIFFO: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 2130, substituted earlier by Member of the  
16 Assembly Abinanti, Assembly Print 9805A, an act  
17 to amend the Public Authorities Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

20 THE SECRETARY: Section 5. This  
21 act shall take effect on the 120th day.

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1                   ACTING PRESIDENT GRIFFO:    The bill  
2 passes.

3                   THE SECRETARY:    Calendar Number  
4 2131, substituted earlier by Member of the  
5 Assembly Wallace, Assembly Print 9981A, an act to  
6 amend the Executive Law.

7                   ACTING PRESIDENT GRIFFO:    Read the  
8 last section.

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

11                   ACTING PRESIDENT GRIFFO:    Call the  
12 roll.

13                   (The Secretary called the roll.)

14                   THE SECRETARY:    Ayes, 60.

15                   ACTING PRESIDENT GRIFFO:    The bill  
16 is passed.

17                   THE SECRETARY:    Calendar Number  
18 2132, by Senator Jacobs, Senate Print 8980A, an  
19 act to amend the Criminal Procedure Law.

20                   ACTING PRESIDENT GRIFFO:    Read the  
21 last section.

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

24                   ACTING PRESIDENT GRIFFO:    Call the  
25 roll.



1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 60.

3 ACTING PRESIDENT GRIFFO: Announce  
4 the results.

5 THE SECRETARY: In relation to  
6 Calendar 2132, those recorded in the negative are  
7 Senators Alcantara, Comrie, Dilan, Gianaris,  
8 Hoylman, Kavanagh, Krueger, Persaud, Sanders and  
9 Sepúlveda. Also Senator Bailey.

10 Ayes, 49. Nays, 11.

11 ACTING PRESIDENT GRIFFO: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 2133, substituted earlier by the Assembly  
15 Committee on Rules, Assembly Print 11118C, an act  
16 to amend the Public Service Law.

17 ACTING PRESIDENT GRIFFO: Read the  
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 The Secretary will continue.

3 THE SECRETARY: Calendar Number  
4 2134, substituted earlier by Member of the  
5 Assembly Hevesi, Assembly Print 10697, an act to  
6 amend the Social Services Law.

7 ACTING PRESIDENT GRIFFO: Read the  
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the  
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT GRIFFO: Senator  
15 Krueger to explain her vote.

16 SENATOR KRUEGER: Thank you,  
17 Mr. President. I would have laid it aside for a  
18 debate, but it's midnight.

19 (Scattered applause; laughter.)

20 SENATOR KRUEGER: And in fact,  
21 federal law would not accept a waiver to take  
22 SNAP money and use it for multivitamins as  
23 opposed to food.

24 The fact is SNAP provides minimal  
25 money for food already. In fact, it works out to

1 only \$1.40 a meal, on average. We can't afford  
2 to take money away from poor people for food. We  
3 should be expanding the program so that they can  
4 afford more quality foods.

5           And the research shows that  
6 multivitamins and other forms of food supplements  
7 can be significantly more expensive than actual  
8 food for people and be less effective as far as  
9 nutrient intake. And many of these products are  
10 not even tested correctly at any national  
11 standards level.

12           So it's a mistake that hopefully the  
13 federal government won't change their law and  
14 give us that option. Right now we don't have  
15 that option. And yet I'm still voting no.

16           Thank you, Mr. President.

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

19           Announce the results.

20           THE SECRETARY: In relation to  
21 Calendar 2134, those recorded in the negative are  
22 Senators Hoylman, Krueger, Sanders and Sepúlveda.

23           Ayes, 56. Nays, 4.

24           ACTING PRESIDENT GRIFFO: The bill  
25 passes.

1                   THE SECRETARY:    Calendar Number  
2   2135, substituted earlier by the Assembly  
3   Committee on Rules, Assembly Print 11193A, an act  
4   to authorize.

5                   ACTING PRESIDENT GRIFFO:   Read the  
6   last section.

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

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

11                   Read the last section.

12                   (The Secretary called the roll.)

13                   THE SECRETARY:    Ayes, 60.

14                   ACTING PRESIDENT GRIFFO:   The bill  
15  is passed.

16                   THE SECRETARY:    Calendar Number  
17  2136, by Senator Ortt, Senate Print 9038, an act  
18  to amend the Public Service Law.

19                   SENATOR KLEIN:    Lay it aside,  
20  please.

21                   ACTING PRESIDENT GRIFFO:   Lay it  
22  aside.

23                   THE SECRETARY:    Calendar Number  
24  2137, substituted earlier by Member of the  
25  Assembly Ortiz, Assembly Print 3842A, an act to

1 amend the Tax Law.

2 ACTING PRESIDENT GRIFFO: Read the  
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 60.

10 ACTING PRESIDENT GRIFFO: The bill  
11 passes.

12 THE SECRETARY: Calendar Number  
13 2138, by Senator Ortt, Senate Print 9071, an act  
14 to amend the Public Health Law.

15 ACTING PRESIDENT GRIFFO: Read the  
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT GRIFFO: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 2139, substituted earlier by Member of the  
2 Assembly Errigo, Assembly Print 10770, an act  
3 granting.

4 ACTING PRESIDENT GRIFFO: Read the  
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 60.

12 ACTING PRESIDENT GRIFFO: The bill  
13 passes.

14 THE SECRETARY: Calendar Number  
15 2140, substituted earlier by the Assembly  
16 Committee on Rules, Assembly Print 11185, an act  
17 to amend the Criminal Procedure Law.

18 ACTING PRESIDENT GRIFFO: Read the  
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the  
23 roll.

24 (The Secretary called the roll.)

25 ACTING PRESIDENT GRIFFO: Announce

1 the results.

2 THE SECRETARY: In relation to  
3 Calendar 2140, those recorded in the negative are  
4 Senators Bailey, Comrie, Dilan, Kavanagh,  
5 Krueger, Montgomery, Sanders and Sepúlveda.

6 Ayes, 52. Nays, 8.

7 ACTING PRESIDENT GRIFFO: The bill  
8 is passed.

9 THE SECRETARY: Calendar Number  
10 2141, substituted earlier by Member of the  
11 Assembly Cymbrowitz, Assembly Print 10828, an act  
12 to amend the Private Housing Finance Law.

13 ACTING PRESIDENT GRIFFO: Read the  
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60.

21 ACTING PRESIDENT GRIFFO: The bill  
22 passes.

23 THE SECRETARY: Calendar Number  
24 2142, by Senator Boyle, Senate Print 9004, an act  
25 establishing.

1                   ACTING PRESIDENT GRIFFO:    Read the  
2 last section.

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

5                   ACTING PRESIDENT GRIFFO:    Call the  
6 roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT GRIFFO:    Senator  
9 Boyle to explain his vote.

10                  SENATOR BOYLE:       Yes, Mr. President,  
11 to explain my vote.

12                  This bill is being put forward in  
13 memory of Jovani Ligurgo, a 2-year-old who was  
14 recently killed in Virginia.  He was abducted by  
15 his father, the father's house was set ablaze,  
16 and the father drove Jovani to Virginia, where he  
17 killed the child and committed suicide.

18                  For some reason, Suffolk County  
19 police officials had contacted the State Police  
20 to ask for an Amber Alert when the child went  
21 missing -- a couple of times -- and the Amber  
22 Alert was never issued.  It could have saved  
23 Jovani's life.

24                  We want to guard against this ever  
25 happening again.  There's some reason -- the



1 criteria of an Amber Alert is that a child is in  
2 danger. A 2-year-old abducted, a house set on  
3 fire, and the perpetrator has a gun; that child  
4 was in danger. We want to make sure that the  
5 criteria is the best it can be to protect our  
6 children, and this creates a temporary commission  
7 to make recommendations. I vote in favor.

8 Thank you.

9 ACTING PRESIDENT GRIFFO: Senator  
10 Boyle in the affirmative.

11 Announce the results.

12 THE SECRETARY: Ayes, 60.

13 ACTING PRESIDENT GRIFFO: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 2143, substituted earlier by Member of the  
17 Assembly Peoples-Stokes, Assembly Print 10074, an  
18 act to amend the Public Authorities Law.

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

21 The Secretary will read the last  
22 section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT GRIFFO: The bill  
5 passes.

6 THE SECRETARY: Calendar Number  
7 2144, substituted earlier by Member of the  
8 Assembly Abinanti, Assembly Print 10961A, an act  
9 to amend the Vehicle and Traffic Law.

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

12 The Secretary will read the last  
13 section.

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

16 ACTING PRESIDENT GRIFFO: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 60.

20 ACTING PRESIDENT GRIFFO: The bill  
21 passes.

22 Senator DeFrancisco, that completes  
23 the noncontroversial reading of the bills before  
24 the house in Senate Supplemental Calendar 58B.

25 SENATOR DeFRANCISCO:

1 Mr. President, pursuant to Rule 6, Section 2, I  
2 move to remain in session past midnight.

3 ACTING PRESIDENT GRIFFO: It is so  
4 ordered. Without objection, so ordered.

5 SENATOR DeFRANCISCO: Now I'd like  
6 to go back to the supplemental active list.  
7 There was one bill laid aside, Senator Golden's  
8 bill. Could we please have the controversial  
9 reading, please.

10 ACTING PRESIDENT GRIFFO: The  
11 Secretary will ring the bell.

12 The Secretary will read.

13 THE SECRETARY: Calendar Number  
14 1434, by Senator Golden, Senate Print 1634B, an  
15 act to amend the Administrative Code of the City  
16 of New York.

17 SENATOR KLEIN: Explanation,  
18 please.

19 ACTING PRESIDENT GRIFFO: An  
20 explanation has been requested by Senator Klein.

21 Senator Golden.

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

24 This is a safety zone that would be  
25 set up within the City of New York around

1 schools. There's present right now -- 50 schools  
2 were added since 2014 to set up these safety  
3 zones around the City of New York. What this  
4 would do, it would add to that safety zone an  
5 actual speed limit sign, the hours on the sign,  
6 and blinking yellows that would be in the school  
7 zones around the City of New York.

8           So if somebody is driving into a  
9 school zone, they would see those blinking  
10 yellows, they would see the speed limit and they  
11 would see the hours of the speed limit. And that  
12 would reduce accidents and reduce harm to our  
13 children, and it would enhance public safety in  
14 the City of New York.

15           We've been trying to get this bill  
16 done for a number of years. The city has  
17 declined to do it. I think it's long overdue.  
18 And hopefully this conference here will see the  
19 value of this bill for our kids and pass this.

20           ACTING PRESIDENT GRIFFO:    Senator  
21 Klein.

22           SENATOR KLEIN:    Mr. President,  
23 would the sponsor yield for a couple of  
24 questions.

25           SENATOR GOLDEN:    Certainly.

1                   ACTING PRESIDENT GRIFFO:    Senator  
2 Golden, do you yield for a couple of questions?

3                   SENATOR GOLDEN:    Yes,  
4 Mr. President.

5                   SENATOR KLEIN:    Through you,  
6 Mr. President.  Who would determine where the  
7 speed zones are?  As I think was pointed out,  
8 there's only a percentage over the first couple  
9 of years, and then it's increasing.

10                   So who would determine where these  
11 speed zones are?

12                   SENATOR GOLDEN:    The City of  
13 New York would decide where those speed zones  
14 are.

15                   SENATOR KLEIN:    Who within the City  
16 of New York?  Through you, Mr. President.

17                   SENATOR GOLDEN:    The Police  
18 Department, working with the Department of  
19 Education.  And Transportation.

20                   SENATOR KLEIN:    Again,  
21 Mr. President, would the sponsor agree to yield  
22 for another question?

23                   SENATOR GOLDEN:    Yes,  
24 Mr. President.

25                   ACTING PRESIDENT GRIFFO:    The

1 Senator yields.

2 SENATOR KLEIN: Through you,  
3 Mr. President, would these speed zones be in the  
4 same places presently where there are speed  
5 cameras within the City of New York?

6 SENATOR GOLDEN: Mr. President,  
7 they could be.

8 SENATOR KLEIN: Again through you  
9 Mr. President, when we say could be, would we be  
10 using the data that we're using now that's  
11 supplied by DOT where they actually rate the most  
12 dangerous schools as far as crossing is  
13 concerned, and that's where disproportionately  
14 the speed cameras are located? Would that be the  
15 case with these speed zones?

16 SENATOR GOLDEN: Mr. President, the  
17 people that are speeding in our streets don't  
18 know where the speed cameras are. And there's  
19 only 140 speed cameras out there presently. This  
20 would add to, be able to enhance public safety  
21 across our city and to give our children and our  
22 parents the ability to have a safe journey to and  
23 from school.

24 SENATOR KLEIN: On the bill,  
25 Mr. President.

1                   ACTING PRESIDENT GRIFFO:    Senator  
2 Klein on the bill.

3                   I'm going to remind the members that  
4 we're discussing signage here, so I would ask  
5 that members confine their comments to the  
6 content of the bill.

7                   Senator Klein on the bill.

8                   SENATOR KLEIN:    Sure.  Well, on the  
9 bill.

10                  First of all, I want to thank  
11 Senator Golden for putting this bill forward.

12                  However, it certainly is something  
13 that's half a loaf.  You know, in a lot of  
14 negotiation that took place in the original  
15 Vision Zero program -- which actually lowered the  
16 speed limits and also created an expanded speed  
17 camera program.  I think in Senator Golden's  
18 present version of the bill, we make it a lot  
19 easier for people to identify where these speed  
20 zones are -- in essence, where are the speed  
21 cameras -- flashing lights, signage, which I  
22 think is a very, very good idea.

23                  But what we're going to be doing  
24 when we leave here tonight is effectively ending  
25 the speed camera program in the City of New York.

1 It sunsets sometime at the end of July. I doubt  
2 we'll be back. So not only will we not have the  
3 over 140 speed cameras that presently exist at  
4 schools all over the City of New York -- which,  
5 by the way, since the program is implemented,  
6 everyone would agree save lives. We've seen  
7 fatalities go down year after year, day after  
8 day.

9                   And while I think that Marty  
10 Golden's bill here would go a long way towards an  
11 increase in the speed camera program, just this  
12 alone is giving, I think, people a sense of  
13 security that our streets are now going to be  
14 safe, knowing that tonight -- or I should say at  
15 the end of July -- we will no longer have a speed  
16 camera program.

17                   So I vote no on this. I don't think  
18 this is something we should be passing now when  
19 at the same time, when we leave here, we will no  
20 longer have a speed camera program in the City of  
21 New York. I vote no.

22                   ACTING PRESIDENT GRIFFO:    Senator  
23 Peralta.

24                   SENATOR PERALTA:    On the bill,  
25 Mr. President.



1                   ACTING PRESIDENT GRIFFO:     Senator  
2 Peralta on the bill.

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

5                   So tonight we're talking about  
6 signage.   Signage.   We have a program of 140  
7 speed cameras.   We were talking about expanding  
8 it 50 per year for the next three years, for a  
9 total of 290.   And the bill we have in front of  
10 us is street signage.

11                  The sponsor states that the purpose  
12 of this bill is to protect schoolchildren.   Well,  
13 unfortunately, Mr. President I call BS on that,  
14 because this is really not going to protect  
15 schoolchildren.   So what you have signs?

16                  The sponsor doesn't provide data  
17 that indicates the frequency of traffic-related  
18 accidents.   Well, since 2013, 63 percent of  
19 people speeding in a school zone have declined --  
20 there's been a 63 percent decline in speeding in  
21 a school zone with these cameras.   Eighty-one  
22 percent of the people who have gotten a ticket  
23 for the first time don't get another ticket.   So  
24 it changes behavior.

25                  Now, all we were asking for was

1 150 more cameras. The cameras are going to go  
2 away. Kids are going to die. We have  
3 33 Senators that were sponsoring this bill, a  
4 bipartisan measure, Democrats and Republicans.  
5 We had a home-rule message from the City of  
6 New York --

7                   ACTING PRESIDENT GRIFFO:    Senator  
8 Peralta, I want to remind you again to stay  
9 germane to the bill before the house.

10                   SENATOR PERALTA:    This is about  
11 this bill.

12                   ACTING PRESIDENT GRIFFO:    It is  
13 not. You are -- the bill is -- it's discussing  
14 signage.

15                   SENATOR PERALTA:    It's about  
16 signage.

17                   ACTING PRESIDENT GRIFFO:    Senator  
18 Peralta, we're discussing signage --

19                   SENATOR PERALTA:    Yes, it is about  
20 signage --

21                   ACTING PRESIDENT GRIFFO:    -- and  
22 speed limits. Stay germane to the content of the  
23 bill, please.

24                   SENATOR PERALTA:    It is about  
25 signage. It is about signage. We're discussing

1 signage.

2           This is not enough. We could have  
3 done something today. We could have passed speed  
4 cameras and expanded it, but we didn't. We chose  
5 politics over children's lives.

6           I want to thank the advocates who  
7 came up here this week and the week before that.  
8 Amy Cohen, whose child would have been 18 years  
9 old tomorrow, and she lost her child when he was  
10 9. Raul Ampuero lost his child just last  
11 month -- not because of signage or lack thereof.  
12 There was no speed cameras where these kids lost  
13 their lives.

14           So here we have an opportunity to do  
15 something, and we didn't do it. But yet tonight  
16 we're passing a bill on signage. It's not  
17 enough. We need to do something about this. We  
18 need to come back, or we need to pass it tonight.  
19 But this is not enough. Signage is not going to  
20 protect the children's lives.

21           And the next time a child loses his  
22 life in a school zone, I want you to remember  
23 tonight. Because you chose, you chose, to pass a  
24 bill on signage.

25                    ACTING PRESIDENT GRIFFO:    Senator

1 Lanza on the bill.

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

4 You know, I rarely engage in  
5 hyperbole on the floor of this august body. I in  
6 fact detest it. I hate it back home too, when  
7 people want to tell you that if you don't support  
8 their legislation, someone's blood is going to be  
9 on your hands. But we've heard it tonight.

10 You want to talk about politics over  
11 safety? We in this body, back in the month of  
12 May, passed a piece of legislation, 6212A,  
13 germane to this legislation. It would require  
14 that the City of New York place a stop sign or  
15 traffic signal at the four corners surrounding  
16 every school in the City of New York.

17 You know, a few years ago in my  
18 district a young child was killed at an  
19 intersection right outside a school, mowed down  
20 by a motorist. There was no stop sign there. I  
21 submit to you, my colleagues, that a hidden speed  
22 camera would never have prevented that tragedy  
23 from happening, but a stop sign probably would  
24 have.

25 So some would say that we're putting

1 politics above safety. I would say that others  
2 are putting money above the lives of children.  
3 That legislation has not become law in the State  
4 of New York for one simple reason, because the  
5 City of New York, my good friend Mayor de Blasio  
6 has opposed it and has asked the Assembly to  
7 oppose it. The commissioner of DOT, a good  
8 person and a great commissioner, opposes it and  
9 has asked the Assembly to oppose it and not to  
10 pass it.

11 So can speed cameras be part of the  
12 equation? Could they provide some measure of  
13 safety? Perhaps, as part of a comprehensive  
14 plan. But I tell you all, nothing would do more  
15 to slow a car down around a school in our city  
16 than a red light or a stop sign.

17 So let's put all this nonsense  
18 behind us. Let's get together, let's really do  
19 what we say we mean, which is provide safety for  
20 our children. Let's put a stop sign and a red  
21 light around the four corners surrounding every  
22 school in the City of New York, and you'll see  
23 tragedies go down immediately.

24 Mr. President, I thank Senator  
25 Golden for this legislation, which would

1 complement the legislation that I just spoke of  
2 in a meaningful way and actually save lives.

3 Mr. President, I support Senator  
4 Golden's legislation.

5 (Interruption from balcony.)

6 ACTING PRESIDENT GRIFFO:

7 (Gaveling.)

8 Seeing and hearing no other Senator  
9 that wishes to be heard, debate is closed and the  
10 Secretary will ring the bell.

11 The Secretary will read the last  
12 section.

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

15 ACTING PRESIDENT GRIFFO: Call the  
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT GRIFFO: Announce  
19 the results.

20 THE SECRETARY: In relation to  
21 Calendar 1434, those recorded in the negative are  
22 Senators Alcantara, Bailey, Benjamin, Breslin,  
23 Brooks, Carlucci, Comrie, Dilan, Gianaris,  
24 Hamilton, Hoylman, Kaminsky, Kavanagh, Kennedy,  
25 Klein, Krueger, Mayer, Montgomery, Parker,

1 Peralta, Persaud, Sanders, Savino, Sepúlveda,  
2 Serrano, Stavisky, Stewart-Cousins and Valesky.

3 Absent from voting: Senators Avella  
4 and Bonacic.

5 Ayes, 30. Nays, 28.

6 ACTING PRESIDENT GRIFFO: The bill  
7 fails.

8 Senator Flanagan.

9 SENATOR FLANAGAN: Mr. President,  
10 call up Calendar Number 2087, by Senator LaValle.

11 ACTING PRESIDENT GRIFFO: We will  
12 return to messages from the Assembly, and the  
13 Secretary will read.

14 THE SECRETARY: The Assembly sent  
15 for concurrence the following bill. On motion of  
16 Senator Flanagan, the rules were suspended and  
17 said bill ordered to a third reading: Assembly  
18 Bill Number 11227.

19 ACTING PRESIDENT GRIFFO: So  
20 ordered.

21 The Secretary will read.

22 THE SECRETARY: Calendar Number  
23 2087, by the Assembly Committee on Rules,  
24 Assembly Print 11227, an act implementing.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT GRIFFO: The bill  
9 is passed.

10 Senator DeFrancisco.

11 SENATOR DeFRANCISCO: Yes, on the  
12 Senate Supplemental Calendar 58B, there was a  
13 bill laid aside, the Senator Ortt bill, 2136.  
14 Could we call that up controversial.

15 ACTING PRESIDENT GRIFFO: Okay.  
16 We're returning to Senate Supplemental  
17 Calendar 58B.

18 And Calendar Number 2136, the  
19 Secretary will ring the bell and the Secretary  
20 will read.

21 THE SECRETARY: Calendar Number  
22 2136, by Senator Ortt, Senate Print 9038, an act  
23 to amend the Public Service Law.

24 SENATOR DeFRANCISCO: Read the last  
25 section.



1                   ACTING PRESIDENT GRIFFO:    Read the  
2 last section.

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

5                   ACTING PRESIDENT GRIFFO:    Call the  
6 roll.

7                   (The Secretary called the roll.)

8                   ACTING PRESIDENT GRIFFO:    Senator  
9 Ortt to explain his vote.

10                  SENATOR ORTT:       Well, thank you,  
11 Mr. President.

12                  I realize this is a futile exercise,  
13 explaining my vote on a bill that may seem  
14 destined to fail here.  But I think it's  
15 important to explain what the bill would actually  
16 do for those out there who care.

17                  This bill would actually enact  
18 provisions for the protection of the health,  
19 safety and employment rights of people losing  
20 their employment as a result of the closure of  
21 coal plants across our state.

22                  There is a direct result of the  
23 Governor's policy, which is to close all coal  
24 plants by 2020.  We just had a great debate the  
25 other day by my colleague Senator Murphy.  He has

1 a nuclear facility, obviously, Indian Point,  
2 which will be closing in 2021, and then there's a  
3 whole decommissioning process.

4           These plants, I believe there's two  
5 left in New York -- one's in my district -- will  
6 be closed by 2020. And there's been a lot of lip  
7 service to the men and women who work there, some  
8 of whom will be getting up in just a few hours.  
9 But there's been no real policy or anything  
10 enacted to actually provide these employees with  
11 any type of transitional work to different energy  
12 production or any other kind of additional work  
13 to make sure these people are still employed  
14 after 2020.

15           It would create a one-year advanced  
16 notice to all workers at a coal generation  
17 facility, mandatory extensive health screenings  
18 for all employees, contractors and subcontractors  
19 working in a facility on the date of issuance,  
20 and worker retraining programs for all employees,  
21 contractors and subcontractors, to be conducted  
22 at the facility during the one-year advance  
23 notice period, to include training for things  
24 like biomass or natural gas plant operating  
25 skills.

1           As long as the policies continue on  
2 the energy side to get rid of coal, to get rid of  
3 nuclear, to prevent natural gas, to even kill  
4 pipelines that carry natural gas, I believe  
5 myself and many of my colleagues will continue to  
6 put forth legislation like this, because it's  
7 important to our communities and it's important  
8 to working men and women who work at these  
9 plants. They deserve a lot more than lip  
10 service; they deserve actual policies to help  
11 them transition in their own lives, and for our  
12 communities.

13           Mr. President, I vote aye.

14           ACTING PRESIDENT GRIFFO:    Senator  
15 Ortt to be recorded in the affirmative.

16           The Secretary will announce the  
17 results.

18           THE SECRETARY:    In relation to  
19 Calendar 2136, those recorded in the negative are  
20 Senators Alcantara, Bailey, Benjamin, Breslin,  
21 Brooks, Carlucci, Comrie, Dilan, Gianaris,  
22 Hamilton, Hoylman, Kaminsky, Kavanagh, Kennedy,  
23 Klein, Krueger, Mayer, Montgomery, Parker,  
24 Peralta, Persaud, Sanders, Savino, Sepúlveda,  
25 Serrano, Stavisky, Stewart-Cousins and Valesky.

1                   Absent from voting: Senators Avella  
2 and Bonacic.

3                   Ayes, 30. Nays, 28.

4                   ACTING PRESIDENT GRIFFO: The bill  
5 fails.

6                   SENATOR FLANAGAN: Mr. President,  
7 there will be an immediate Republican conference.

8                   The Senate will stand at ease.

9                   ACTING PRESIDENT GRIFFO: There  
10 will be an immediate Republican conference in  
11 Room 332, and the Senate will stand at ease.

12                   (Whereupon, the Senate stood at ease  
13 at 12:21 a.m.)

14                   (Whereupon, the Senate reconvened at  
15 1:19 a.m.)

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

18                   Senator DeFrancisco.

19                   SENATOR DeFRANCISCO:  
20 Mr. President, there are I believe four remaining  
21 bills that were laid aside from the various  
22 calendars that we dealt with this evening. I  
23 move to lay aside those bills for the day.

24                   ACTING PRESIDENT GRIFFO: Those  
25 bills will be laid aside for the day.

1                   SENATOR DeFRANCISCO:    I understand  
2 we have three hand-downs from the Assembly.  I'd  
3 like to call up, first, Calendar Number 2147,  
4 Assembly 11175.

5                   ACTING PRESIDENT GRIFFO:   We will  
6 return to messages from the Assembly.

7                   The Secretary will read.

8                   THE SECRETARY:    The Assembly sent  
9 for concurrence the following bill.  On motion of  
10 Senator Flanagan, the rules were suspended and  
11 said bill ordered to third reading:  Assembly  
12 Bill Number 11175.

13                   ACTING PRESIDENT GRIFFO:   It is so  
14 ordered.

15                   The Secretary will read.

16                   THE SECRETARY:    Calendar Number  
17 2147, by the Assembly Committee on Rules,  
18 Assembly Print 11175, an act to validate.

19                   ACTING PRESIDENT GRIFFO:   Read the  
20 last section.

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

23                   ACTING PRESIDENT GRIFFO:   Call the  
24 roll.

25                   (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 60.

2 ACTING PRESIDENT GRIFFO: The bill  
3 passes.

4 Senator DeFrancisco.

5 SENATOR DeFRANCISCO: I believe  
6 there's another hand-down on our calendar, 2146.  
7 Could we take that up.

8 ACTING PRESIDENT GRIFFO: The  
9 Secretary will read.

10 THE SECRETARY: The Assembly sent  
11 for concurrence the following bill. On motion of  
12 Senator Flanagan, the rules were suspended and  
13 said bill ordered to third reading: Assembly  
14 Bill Number 11174.

15 ACTING PRESIDENT GRIFFO: So  
16 ordered.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number  
19 2146, by the Assembly Committee on Rules,  
20 Assembly Print 11174, an act to validate.

21 ACTING PRESIDENT GRIFFO: Read the  
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT GRIFFO: The bill  
5 passes.

6 SENATOR DeFRANCISCO: Could we now  
7 take up a hand-down which is our Calendar Bill  
8 2086, Assembly 11158.

9 ACTING PRESIDENT GRIFFO: The  
10 Secretary will read.

11 THE SECRETARY: The Assembly sent  
12 for concurrence the following bill. On motion of  
13 Senator Flanagan, the rules were suspended and  
14 said bill ordered to third reading: Assembly  
15 Bill Number 11158.

16 ACTING PRESIDENT GRIFFO: It is so  
17 ordered.

18 The Secretary will read.

19 THE SECRETARY: Calendar Number  
20 2086, by the Assembly Committee on Rules,  
21 Assembly Print 11158, an act to amend the  
22 Transportation Law.

23 ACTING PRESIDENT GRIFFO: Read the  
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the  
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT GRIFFO: Announce  
6 the results.

7 THE SECRETARY: In relation to  
8 Calendar 2086, those recorded in the negative are  
9 Senators Comrie, Dilan, Hoylman, Kavanagh,  
10 Krueger, Robach, Sanders and Sepúlveda.

11 Ayes, 52. Nays, 8.

12 ACTING PRESIDENT GRIFFO: The bill  
13 is passed.

14 Senator DeFrancisco.

15 SENATOR DeFRANCISCO: We have the  
16 vote on that?

17 ACTING PRESIDENT GRIFFO: We had  
18 the vote; the bill passed.

19 SENATOR DeFRANCISCO: Okay.  
20 There's one other bill, a Senator Murphy bill,  
21 5587. I think it's on the calendar. Can we call  
22 that up.

23 ACTING PRESIDENT GRIFFO: The  
24 Secretary will read.

25 THE SECRETARY: Calendar Number



1 1370, by Senator Murphy, Senate Print 5587, an  
2 act to amend the Executive Law.

3 ACTING PRESIDENT GRIFFO: Read the  
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the  
8 roll.

9 (The Secretary called the roll.)

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

12 SENATOR MURPHY: Yes, thank you,  
13 Mr. President.

14 This bill here is the Medal of  
15 Honor. Putnam County is the first county in  
16 New York State that is the representative of the  
17 Medal of Honor. And tonight we have our great  
18 friend who's been in here for a number of years,  
19 our wonderful buddy, Senator Bill Larkin, in  
20 honor of this bill.

21 Mr. President, we can go on and on  
22 and on tonight, but I would just like to thank  
23 Senator Larkin for your service, not only to our  
24 state but to our great country, for all you have  
25 done.

1           Tonight I know is your last night in  
2           our wonderful chamber here, and I can't thank you  
3           enough for having the honor of being able to meet  
4           you and to serve with you in the State  
5           Legislature. This is a fitting end to your  
6           career and an honor of us being able to do the  
7           Medal of Honor in your honor for the last night  
8           here.

9           Senator, thank you very much for all  
10          you have done for your service to our country,  
11          for your service to the state.

12          Mr. President, I'll be voting aye.

13          ACTING PRESIDENT GRIFFO:    Senator  
14          Murphy in the affirmative.

15          Announce the results.

16          THE SECRETARY:    Ayes, 60.

17          ACTING PRESIDENT GRIFFO:    The bill  
18          passes.

19          (Extended standing ovation.)

20          ACTING PRESIDENT GRIFFO:    Senator  
21          DeFrancisco.

22          SENATOR DeFRANCISCO:    Can we go  
23          back to motions and whatever it is.

24          ACTING PRESIDENT GRIFFO:    We will  
25          return to motions and resolutions.

1                   SENATOR DeFRANCISCO:    Yes,  
2   Mr. President, I wish to call up Calendar Numbers  
3   982, 1499, 2032, 2108, 2112, 2122, 2123, with  
4   their corresponding Assembly Print Numbers 7108,  
5   9837A, 2892A, 8747, 11040, 10682, and 10506A.

6                   I now move to reconsider the vote by  
7   which these Assembly bills were substituted.

8                   ACTING PRESIDENT GRIFFO:    The  
9   Secretary will read the titles of the bills.

10                  THE SECRETARY:    Calendar Number  
11   982, by Member of the Assembly Gottfried,  
12   Assembly Print 7108, an act to amend the Public  
13   Health Law.

14                  Calendar Number 1499, by Member of  
15   the Assembly Steck, Assembly Print 9837A, an act  
16   to amend the Public Health Law.

17                  Calendar Number 2032, by Member of  
18   the Assembly Dilan, Assembly Print 2892A, an act  
19   to amend the Public Service Law.

20                  Calendar Number 2108, by Member of  
21   the Assembly Englebright, Assembly Print 8747, an  
22   act to amend Chapter 464 of the Laws of 2016.

23                  Calendar Number 2112, by the  
24   Assembly Committee on Rules, Assembly  
25   Print 11040, an act to amend the Environmental

1 Conservation Law.

2 Calendar Number 2122, by Member of  
3 the Assembly Englebright, Assembly Print 10682,  
4 an act to amend the Environmental Conservation  
5 Law.

6 And Calendar Number 2123, by Member  
7 of the Assembly Englebright, Assembly Print  
8 10506A, an act to amend the Environmental  
9 Conservation Law.

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

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT GRIFFO: Senator  
16 DeFrancisco, I'll entertain a motion to move that  
17 these bills be recommitted to the calendar on  
18 Rules and restored to the order of third reading.

19 SENATOR DeFRANCISCO: I now move  
20 that all Assembly bills be recommitted to the  
21 Committee on Rules, and all Senate bills be  
22 restored to the order of third reading.

23 ACTING PRESIDENT GRIFFO: All in  
24 favor say aye.

25 (Response of "Aye.")

1                   ACTING PRESIDENT GRIFFO:    Opposed?

2                   (No response.)

3                   ACTING PRESIDENT GRIFFO:    They are  
4 recommitted.

5                   SENATOR DeFRANCISCO:    Now I move to  
6 recommit the calendar with the following  
7 exceptions:  Calendar 1516, by Rules; 1577, by  
8 Senator DeFrancisco; 1518, by Senator  
9 DeFrancisco; 1519, by Senator DeFrancisco; 1520,  
10 by Senator DeFrancisco; 1521, by Senator  
11 DeFrancisco; and 1522, by Senator DeFrancisco.

12                  ACTING PRESIDENT GRIFFO:    It is so  
13 ordered.

14                  SENATOR DeFRANCISCO:    Would you  
15 please call on Senator Stewart-Cousins for  
16 closing remarks.

17                  ACTING PRESIDENT GRIFFO:    Senator  
18 Stewart-Cousins.

19                  SENATOR STEWART-COUSINS:    Thank  
20 you, Mr. President.

21                  And I know the hour is late, so I  
22 won't spend -- everybody is happy, right -- I  
23 won't spend a lot of time doing anything but  
24 doing what we should do, which is thank the staff  
25 on both sides of the aisle who have really, you

1 know, done an incredible job of making sure that  
2 as difficult as these days can be, we still  
3 managed to get through the business of the day  
4 and the work that the people have sent us here to  
5 do.

6           And certainly I want to thank my  
7 personal staff. I want to thank my counsel,  
8 Shontell Smith -- where is Shontell? She's not  
9 here? There you are.

10           (Applause.)

11           SENATOR STEWART-COUSINS: And of  
12 course my communications director, Mike Murphy.  
13 Hey, Mike.

14           (Applause.)

15           SENATOR STEWART-COUSINS: My  
16 finance director, Felix Muniz. Felix?

17           (Applause.)

18           SENATOR STEWART-COUSINS: And of  
19 course Suzy Ballantyne, who keeps all the trains  
20 going. Suzy, where are you?

21           (Applause.)

22           SENATOR STEWART-COUSINS: And  
23 again, I know that Senator Flanagan will be  
24 thanking so many individually.

25           And I do want to thank Senator

1 Flanagan. It has not been an easy couple of  
2 months for a lot of -- we'll just say for a lot  
3 of reasons. We had an opportunity to spend more  
4 time together than I think we ever thought we  
5 would, good times and bad. But, you know, I  
6 think that under these very difficult  
7 circumstances we were able to again, you know, do  
8 some of what people sent us here to do.  
9 Obviously there is unfinished business, and as I  
10 said, I'm not going to go through that.

11           But I do want to thank you,  
12 Senator Flanagan, for being available, for being  
13 cordial, for, you know, doing the things that you  
14 did in order to keep us on track. So I thank  
15 you.

16           And for my colleagues here, you  
17 know, we've stood here at the end of session and  
18 we had been divided for so long, and we're not.  
19 And I am eternally grateful for what is a unified  
20 Democratic Conference. I am very, very happy  
21 that not only are we unified but, again, the  
22 level of integrity, the level of passion, the  
23 expertise, the professionalism that you bring to  
24 every single issue and every single opportunity.

25           We are certainly stronger and better

1 together, and I am humbled and honored to be able  
2 to serve as the leader of this great unified  
3 conference. So I thank each and every one of  
4 you.

5           And to my colleagues across the  
6 aisle, like I said, we're always going to agree  
7 on probably the majority of things, but there are  
8 obviously things that we will disagree on. But  
9 we have managed, I think, to disagree in mostly  
10 agreeable ways. And I am sure that, again, we  
11 will continue to be able to ultimately serve the  
12 people that we are sent here to serve.

13           As far as the members who are  
14 leaving, I wanted to, you know, wish you all the  
15 best. That we will miss you, Senator Marchione.  
16 You know, you're getting our count of women down,  
17 you're not supposed to. But I hope that you  
18 enjoy your time that -- with your family.

19           And I know -- I have said goodbye to  
20 Senator Bonacic before, and we've spoken of  
21 Senator Croci. But clearly, Senator DeFrancisco,  
22 you have such a flavor to you.

23           (Laughter.)

24           SENATOR DeFRANCISCO: Thank you  
25 very much.



1                   SENATOR STEWART-COUSINS:    You're  
2   welcome.

3                   (Laughter.)

4                   SENATOR DeFRANCISCO:    Can I ask  
5   what flavor?

6                   (Laughter.)

7                   SENATOR STEWART-COUSINS:    Yeah,  
8   don't get me to start telling you which flavor,  
9   but --

10                  (Laughter.)

11                  SENATOR STEWART-COUSINS:    I know,  
12   everybody's got a flavor, but we're not going --  
13   but we are going to miss you.

14                  Obviously the work that you've done  
15   as Finance first, you know, when you really  
16   started being in our lives day to day, and  
17   certainly as floor leader, it has been, you know,  
18   a pleasure, really, and much more fun than I  
19   thought that it would be.

20                  So again, I wish you the very, very  
21   best.  And thank you for the time that you've  
22   spent here in service and, you know, certainly  
23   cultivating our friendship.  And also for the  
24   spaghetti dinner that you did with Liz, which was  
25   really cute.

1           And of course Colonel, Senator, aah,  
2 I'm sorry to see you go. And I will always  
3 remember your friendship. And how, you know, no  
4 matter what you were always somebody who tried to  
5 keep to the high ground and remind us all that  
6 whatever we're doing is inconsequential unless we  
7 are doing it for the service of others.

8           You have never stopped being a  
9 fabulous role model, a friend, and somebody who  
10 each and every person in this chamber and beyond  
11 has the utmost respect for and only wishes you  
12 the best. And really, really we are grateful for  
13 the life that you have shared with us.

14           So Godspeed. And, you know, I hope  
15 you have good health and a lot of fun with Pat  
16 and the children and the grandchildren. Thank  
17 you so much.

18           So with that, everyone, I know it's  
19 going to be interesting over the next few months,  
20 but I wish everyone success in their elections  
21 and their endeavors, and I'm looking forward to  
22 seeing everybody back in January. So thank you  
23 so very much.

24           (Standing ovation.)

25           ACTING PRESIDENT GRIFFO:    Thank

1 you, Senator Stewart-Cousins.

2 Senator Flanagan.

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

5 You know, I'm reminding myself that  
6 some of the funnest times that you can possibly  
7 have are out here on the floor. And I want to  
8 thank whomever is in charge of the microphones.  
9 If DeFrancisco had had a hot mike all the time,  
10 we'd all be in big trouble.

11 (Laughter.)

12 SENATOR FLANAGAN: So I see him --  
13 let me start, I see him standing over right by  
14 his office -- I don't want to say in the corner,  
15 because nobody puts Frank Patience in a corner.

16 (Laughter.)

17 SENATOR FLANAGAN: But Frank, to  
18 you and to your staff, and by extension all the  
19 Senate staff -- you know, Frank and his team are  
20 the people that keep the lights on, keep the  
21 place running, make sure that everything runs  
22 smoothly. It's not easy. It's not easy.

23 But when you just take a step back  
24 and look at the splendor we have around us and  
25 how lucky we are to be here, it doesn't happen by

1 mistake. So we have a lot of good people who are  
2 strongly involved in those types of issues. And  
3 for that, I know I'm appreciative, and I think I  
4 can take the liberty of speaking for our members.

5 I want to join the voice of Senator  
6 Stewart-Cousins in recognizing staff generally.  
7 Because we all know that when we look good, it's  
8 in large part -- you know, every now and then  
9 it's something we may think of, but a lot of the  
10 people around us and who support us really help  
11 us keep going and get good things done. And  
12 sometimes they actually protect us from  
13 ourselves, which is oftentimes perhaps more  
14 helpful.

15 But, you know, for our side I look  
16 and think of all the people who are here on the  
17 floor -- Colleen, Lisa, all the folks at the  
18 desk. Again, the same thing. This place runs  
19 like a nice, you know, Swiss watch on 99 percent  
20 of the occasions, and we are lucky to have the  
21 people here that we do.

22 Senator Griffo. You have done an  
23 outstanding job. I know periodically people step  
24 in --

25 (Standing ovation.)

1                   SENATOR FLANAGAN:    Joe, it's good  
2 to see you smile.

3                   (Laughter.)

4                   SENATOR FLANAGAN:    And also to --  
5 I'm not sure exactly where they are, the tall guy  
6 in the back, pretty quiet, even-tempered, but  
7 Shawn MacKinnon has done an outstanding job as  
8 secretary to the Finance Committee, comports  
9 himself as a gentleman on all occasions, and has  
10 an incredible depth of knowledge that inures to  
11 the benefit of everybody, because he's collegial,  
12 he knows how to work with people.  And by  
13 extension, all the people on his staff deserve  
14 credit as well.

15                   I see Scott Reif, Scott Reif and our  
16 communications team.  I heard Mr. Murphy's name  
17 mentioned before.  They go over the top to try  
18 and help us get our message out.  And yes,  
19 periodically they protect us from ourselves as  
20 well.  So to Scott and his team, thank you for  
21 all the work that you do.

22                   And only physically to his left, not  
23 politically to his left, is Joe Conway, from our  
24 member services office, who's a quiet gentleman  
25 but does fantastic work in dealing with our

1 members.

2 I'm not sure -- he may be hiding  
3 here somewhere, but Dave Previte -- Dave Previte,  
4 in our counsel's office, I see James Curran up  
5 there, Jon Federman. You know, the skinny guy.  
6 Right? The closer. He's quiet, he doesn't say  
7 much. But how about a round of applause for Joe  
8 Messina, who walks around --

9 (Enthusiastic applause.)

10 SENATOR FLANAGAN: You know, and  
11 Joe is a good indication, he's never a person  
12 that looks for any kind of accolades. But thank  
13 goodness we have people like him serving with us.

14 James has done a terrific, terrific  
15 job in helping run our place here, but I  
16 really -- Dave Previte has been fantastic to our  
17 members and I think to the service of the Senate.  
18 And again, to his staff, I really want to express  
19 our thanks.

20 Here on the floor, to all of our  
21 floor folks who work on both sides of the aisle,  
22 Jeff Klein, Mike Gianaris, certainly Senator  
23 Stewart-Cousins and John DeFrancisco. You know,  
24 if you look back, remember January? We all came  
25 in, you know, bright-eyed and bushy-tailed. If

1 everyone ever prognosticated in January what  
2 would happen between January and June, no one,  
3 even the most jaded amongst us, would have ever  
4 believed that we could have seen what we've seen.

5 But you know what? We got it done.  
6 Maybe not everything, but we got it done.

7 So when I look around the room, I  
8 see our senior members -- Senator Montgomery,  
9 longest-serving member of the Democratic  
10 Conference who, you know, is a very, very good  
11 Senator, has wisdom and knowledge that is helpful  
12 to your members and to us as well. By extension,  
13 you have a similar colleague here, Ken LaValle,  
14 who is not only the dean of our conference but  
15 the dean of the Senate, now finishing up his  
16 42nd year of service in the Senate.

17 Kenny, Senator Montgomery, thank you  
18 for staying around and being with us. You really  
19 make all of us better legislators as a result.

20 And, you know, I could single out so  
21 many different people. I'm looking at Senator  
22 Bailey, I'm looking at our new members, Senator  
23 Phillips, Senator Helming, Senator Jacobs. There  
24 are a lot of good people here. We have a lot of  
25 good people here. And it's not always

1 recognized.

2                   And you know I keep saying this, and  
3 I'm not going to get tired of saying it. Be  
4 proud of who you are, be proud of the fact that  
5 you're a public servant, an elected official, a  
6 New York State Senator who is doing the people's  
7 business. And we have done a tremendous amount  
8 of business.

9                   Now, to our colleagues. I was  
10 trying to figure out what would be an appropriate  
11 order. So I want to started with the lady from  
12 Saratoga.

13                   Now, why is Kathy Marchione leaving?  
14 She's leaving because of her family. And what  
15 could possibly be wrong with that? She wants to  
16 spend more time with her family and her  
17 grandchildren. And a little-known fact,  
18 virtually the entire family lives within a  
19 hundred yards of each other.

20                   (Laughter.)

21                   SENATOR FLANAGAN: And they still  
22 like each other, believe it or not.

23                   (Laughter.)

24                   SENATOR FLANAGAN: But Senator  
25 Marchione is petite, she is quiet. But don't



1 make any mistakes, she is tenacious and  
2 passionate and unrelenting on behalf of her  
3 constituents. Unrelenting is a good word. If  
4 you don't believe me, just ask the people in  
5 Hoosick Falls. You don't believe me, go up to  
6 Saratoga and look at how she's worked on behalf  
7 of the people up in Saratoga for racing and all  
8 those types of issues in the State of New York.  
9 And she represents the best of what all of our  
10 colleagues are, a very good local politician.  
11 And politician in this sense is a great word. I  
12 embrace the word politician.

13           And Senator Marchione, I will miss  
14 you. Our colleagues will miss you. And the  
15 State of New York will miss you for your service.  
16 So thank you for being amongst us.

17           Now, my colleague and friend who  
18 started in service with my father; I had the  
19 pleasure of serving with him in the Assembly and  
20 now in the Senate. There are so many things that  
21 have been said, properly so, about Senator  
22 Larkin. He is unbelievably loyal. Unbelievably  
23 dedicated, unbelievably passionate about the  
24 things that he believes in.

25           And most important, he loves, loves

1 this country. Loves this country with every  
2 fiber of his being. And if I've learned nothing  
3 else from him -- God, I'm like every time I see  
4 him, he's got all the pins and everything else.  
5 I walk around, I'm proud to be an American just  
6 because I'm standing next to him.

7           So Bill, thank you for an  
8 incredible, incredible amount of service. And  
9 you know, when you look at Senator Marchione,  
10 Senator DeFrancisco, Senator Bonacic and  
11 Senator Larkin, that's about 200 years of  
12 service. No lie. DeFran's trying to think, what  
13 is he talking about? But, you know, a lot of  
14 people served in different capacities before they  
15 came here, and that made them better legislators  
16 when they came here.

17           So Senator Larkin, to you, thank you  
18 very much.

19           John Bonacic. Bonacic is not here.  
20 Come on, who -- who -- everybody loves Bonacic,  
21 right? Hail fellow well met, dapper, he's got  
22 that \$10 million smile, he's got a little pep in  
23 his step, he's always bobbing and weaving,  
24 talking to everybody. I'm not sure anyone else  
25 could have done what he did today. He got up on

1 that roster when Griffo wasn't there, and  
2 everybody went up -- I'm taking a picture with  
3 Bonacic, I love Bonacic, I want to get my photo  
4 with Bonacic. We had to stop session because  
5 everybody was taking a picture with John.

6 But you know what, I think too -- I  
7 have known John Bonacic for 28 years. And I've  
8 been blessed to know his family. I actually went  
9 to his daughter's wedding. His family was up  
10 here this week. The love of his life, the love  
11 of his life is his bride of 51 years. And he  
12 talks about her with the deepest affection that  
13 we should all really emulate whenever we can.

14 So Senator Marchione left because of  
15 her family. Senator Larkin left because of his  
16 family -- and if he didn't leave, they were going  
17 to come and get him and take him away.

18 (Laughter.)

19 SENATOR FLANAGAN: He told us that  
20 a bunch of times.

21 Senator Bonacic left because of his  
22 family.

23 And then there's John DeFrancisco.

24 SENATOR DeFRANCISCO: I left in  
25 spite of them.

1                   SENATOR FLANAGAN:    He left because  
2 he doesn't like anybody.

3                   (Laughter.)

4                   SENATOR FLANAGAN:    I don't hear  
5 anyone disagreeing.

6                   (Laughter.)

7                   SENATOR FLANAGAN:    John DeFrancisco  
8 is one of the most talented individuals I've met  
9 in my entire life.  A very successful career on  
10 so many different levels.  Wickedly smart,  
11 dedicated, loyal.  A skutch on many occasions,  
12 which worked to his benefit, but frankly it made  
13 all of us better, I think, by extension.

14                   And, you know, I'm really going to  
15 miss him and my colleagues.  You don't sometimes  
16 realize the imprimatur or the effect that people  
17 have on you until they're not around.  So maybe  
18 it's a good way for us to take stock of who we  
19 are, appreciate each other on a daily basis, and  
20 recognize that having someone like John go to be  
21 with his family, enjoy other things outside of  
22 this Legislature -- you know what, from the  
23 bottom of my heart to you, thank you for your  
24 friendship, for your leadership, and for your  
25 service.

1           I'm a better person because I know  
2 all these people. When I speak this way, I have  
3 the privilege of getting up to speak. Any one of  
4 us could have gotten up and said similar type  
5 things. It could have been Mike Gianaris, it  
6 could have been Neil Breslin, it could have been  
7 Senator Peralta. Everyone can extol the virtues  
8 of the people who serve here.

9           So on that note, I want to thank  
10 Senator Stewart-Cousins for our good, solid,  
11 strong working relationship. Yeah, a couple of  
12 bumps in the road, but that's life. That's life  
13 and that's politics. But I'm still amazed at how  
14 many things that we've actually gotten done for  
15 the people of the State of New York.

16           So thank you to all of you. I  
17 appreciate the indulgence of allowing me to make  
18 these comments. I hope everyone travels safely,  
19 gets enough rest so that you're bright-eyed and  
20 bushy-tailed to do your own petitions over the  
21 next couple of weeks. And as we get into the  
22 summer season, I hope everyone enjoys what a  
23 great, beautiful, wonderful state we live in.

24           Mr. President, thank you very much.

25           ACTING PRESIDENT GRIFFO: Thank

1 you, Senator Flanagan.

2 (Extended standing ovation.)

3 ACTING PRESIDENT GRIFFO: Senator  
4 DeFrancisco.

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

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

9 SENATOR DeFRANCISCO: There being  
10 no further business, I move we adjourn at the  
11 call of the Temporary President, intervening days  
12 being legislative days.

13 ACTING PRESIDENT GRIFFO: On  
14 motion, the Senate will stand adjourned until the  
15 call of the Temporary President, intervening days  
16 being legislative days.

17 The Senate is adjourned.

18 (Whereupon, at 1:49 a.m., the Senate  
19 adjourned.)

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25