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NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

June 17, 2013

2:59 p.m.

REGULAR SESSION

SENATOR DAVID J. VALESKY, Acting President

FRANCIS W. PATIENCE, Secretary

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

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

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

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

9 ACTING PRESIDENT VALESKY: With us  
10 this afternoon to offer an invocation is Pastor  
11 Paul Glover, of Flatlands Reformed Church in  
12 Brooklyn.

13 PASTOR GLOVER: Will you bow your  
14 head and let us pray.

15 Gracious, loving, eternal and  
16 Almighty Father, we come before Your most holy  
17 and righteous presence. We come giving You  
18 thanks for this day and the gift of life that  
19 You have extended to each of us in this day.

20 We thank You for the call to public  
21 service and the opportunity to live out that  
22 call.

23 Father, as the members of this body  
24 prepare to begin this day's proceedings, I  
25 petition You on their behalf to oversee all

1 activities and proceedings, to pour out Your  
2 spirit of wisdom, peace and love so that it  
3 fills this chamber and guides every discussion  
4 and every debate. May all that is said and done  
5 in this chamber bring honor and glory to You  
6 this day.

7 In the name of the one whom I call  
8 my Lord and Savior Jesus Christ, I pray.

9 Amen.

10 ACTING PRESIDENT VALESKY: The  
11 reading of the Journal.

12 The Secretary will read.

13 THE SECRETARY: In Senate, Sunday,  
14 June 16th, the Senate met pursuant to  
15 adjournment. The Journal of Saturday,  
16 June 15th, was read and approved. On motion,  
17 Senate adjourned.

18 ACTING PRESIDENT VALESKY: Without  
19 objection, the Journal stands approved as read.

20 Presentation of petitions.

21 Messages from the Assembly.

22 The Secretary will read.

23 THE SECRETARY: On page 7, Senator  
24 Addabbo moves to discharge, from the Committee  
25 on Cities, Assembly Bill Number 4835B and

1 substitute it for the identical Senate Bill  
2 Number 3736B, Third Reading Calendar 199.

3 On page 8, Senator Flanagan moves  
4 to discharge, from the Committee on Civil  
5 Service and Pensions, Assembly Bill Number 481  
6 and substitute it for the identical Senate Bill  
7 Number 3788, Third Reading Calendar 221.

8 On page 9, Senator Larkin moves to  
9 discharge, from the Committee on Rules, Assembly  
10 Bill Number 4614A and substitute it for the  
11 identical Senate Bill Number 2790A, Third  
12 Reading Calendar 248.

13 On page 14, Senator Golden moves to  
14 discharge, from the Committee on Finance,  
15 Assembly Bill Number 989B and substitute it for  
16 the identical Senate Bill Number 4422B, Third  
17 Reading Calendar 418.

18 On page 17, Senator Skelos moves to  
19 discharge, from the Committee on Local  
20 Government, Assembly Bill Number 4836 and  
21 substitute it for the identical Senate Bill  
22 Number 3716, Third Reading Calendar 487.

23 On page 18, Senator Skelos moves to  
24 discharge, from the Committee on Local  
25 Government, Assembly Bill Number 6725A and

1 substitute it for the identical Senate Bill  
2 Number 4554A, Third Reading Calendar 496.

3 On page 21, Senator Ritchie moves to  
4 discharge, from the Committee on Local  
5 Government, Assembly Bill Number 1852A and  
6 substitute it for the identical Senate Bill  
7 Number 4201, Third Reading Calendar 587.

8 On page 24, Senator Marcellino moves  
9 to discharge, from the Committee on  
10 Investigations and Government Operations,  
11 Assembly Bill Number 5172B and substitute it for  
12 the identical Senate Bill Number 5314A, Third  
13 Reading Calendar 671.

14 On page 24, Senator LaValle moves to  
15 discharge, from the Committee on Higher  
16 Education, Assembly Bill Number 7138 and  
17 substitute it for the identical Senate Bill  
18 Number 4964, Third Reading Calendar 673.

19 On page 26, Senator Lanza moves to  
20 discharge, from the Committee on Energy and  
21 Telecommunications, Assembly Bill Number 7049 and  
22 substitute it for the identical Senate Bill  
23 Number 4969, Third Reading Calendar 704.

24 On page 28, Senator Fuschillo moves  
25 to discharge, from the Committee on Rules,

1 Assembly Bill Number 6963B and substitute it for  
2 the identical Senate Bill Number 4862B, Third  
3 Reading Calendar 799.

4 And on page 52, Senator Marcellino  
5 moves to discharge, from the Committee on  
6 Finance, Assembly Bill Number 6709 and substitute  
7 it for the identical Senate Bill Number 4258,  
8 Third Reading Calendar 1275.

9 ACTING PRESIDENT VALESKY:  
10 Substitutions ordered.

11 Messages from the Governor.

12 Reports of standing committees.

13 Reports of select committees.

14 Communications and reports from  
15 state officers.

16 Motions and resolutions.

17 Senator Libous.

18 SENATOR LIBOUS: Mr. President, I  
19 believe you would call on Senator Carlucci and  
20 then Senator Gianaris. And then if you would be  
21 so kind as to come back to me.

22 ACTING PRESIDENT VALESKY: Very  
23 good.

24 Senator Carlucci.

25 SENATOR CARLUCCI: Mr. President,

1 on page number 14 I offer the following  
2 amendments to Calendar Number 434, Senate Print  
3 Number 3280, and ask that said bill retain its  
4 place on the Third Reading Calendar.

5 ACTING PRESIDENT VALESKY: The  
6 amendments are received. The bill will retain  
7 its place on third reading.

8 Senator Carlucci.

9 SENATOR CARLUCCI: Mr. President,  
10 on page number 53 I offer the following  
11 amendments to Calendar Number 1353, Senate Print  
12 Number 5058, and ask that said bill retain its  
13 place on the Third Reading Calendar.

14 ACTING PRESIDENT VALESKY: The  
15 amendments are received. The bill will retain  
16 its place on the Third Reading Calendar.

17 Senator Gianaris.

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

20 On behalf of Senator Kennedy, on  
21 page 27 I offer the following amendments to  
22 Calendar Number 780, Senate Print 4187A, and ask  
23 that said bill retain its place on Third Reading  
24 Calendar.

25 ACTING PRESIDENT VALESKY: The

1 amendments are received. The bill retains its  
2 place on third reading.

3 SENATOR GIANARIS: And on behalf of  
4 myself, on page number 40 I offer the following  
5 amendments to Calendar Number 960, Senate Print  
6 595, and ask that said bill retain its place on  
7 Third Reading Calendar.

8 ACTING PRESIDENT VALESKY: The  
9 amendments are received. The bill remains on  
10 third reading.

11 Senator Libous.

12 SENATOR LIBOUS: Mr. President, on  
13 behalf of Senator Marchione, on page 21 I offer  
14 the following amendments to Calendar Number 588,  
15 Senate Print 4550A, and ask that said bill retain  
16 its place on Third Reading Calendar.

17 ACTING PRESIDENT VALESKY: The  
18 amendments are received. The bill remains on  
19 third reading.

20 SENATOR LIBOUS: On behalf of  
21 Senator Marchione, on page 52 I offer the  
22 following amendments to Calendar Number 1294,  
23 Senate Print 5454A, and ask that said bill retain  
24 its place on Third Reading Calendar.

25 ACTING PRESIDENT VALESKY: The

1 amendments are received. The bill remains on  
2 third reading.

3 SENATOR LIBOUS: On behalf of  
4 Senator Bonacic, I want to call up his bill,  
5 Senate Print 1885A, recalled from the Assembly,  
6 which is now at the desk.

7 ACTING PRESIDENT VALESKY: The  
8 Secretary will read.

9 THE SECRETARY: Calendar Number  
10 805, by Senator Bonacic, Senate Print 1885A, an  
11 act to amend the Town Law.

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

15 ACTING PRESIDENT VALESKY: Call the  
16 roll on reconsideration.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 53.

19 SENATOR LIBOUS: Mr. President, I  
20 offer up the following amendments.

21 ACTING PRESIDENT VALESKY: The  
22 amendments are received.

23 SENATOR LIBOUS: On behalf of  
24 Senator Seward, I wish to call up his bill,  
25 Senate Print 2894, recalled from the Assembly,

1 which is now at the desk.

2 ACTING PRESIDENT VALESKY: The  
3 Secretary will read.

4 THE SECRETARY: Calendar Number  
5 355, by Senator Seward, Senate Print 2894, an act  
6 to amend the Insurance Law.

7 SENATOR LIBOUS: Mr. President, I  
8 now move to reconsider the vote by which this  
9 bill was passed.

10 ACTING PRESIDENT VALESKY: Call the  
11 roll on reconsideration.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 53.

14 SENATOR LIBOUS: Mr. President, I  
15 offer up the following amendments.

16 ACTING PRESIDENT VALESKY: The  
17 amendments are received.

18 SENATOR LIBOUS: Mr. President, on  
19 behalf of Senator Gallivan, I wish to call up his  
20 bill, Print Number 3757, recalled from the  
21 Assembly, which is now at the desk.

22 ACTING PRESIDENT VALESKY: The  
23 Secretary will read.

24 THE SECRETARY: Calendar Number  
25 182, by Senator Gallivan, Senate Print 3757, an

1 act to amend Chapter 326 of the Laws of 2011.

2 SENATOR LIBOUS: Mr. President, I  
3 now move to reconsider the vote by which this  
4 bill was passed.

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

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 53.

9 SENATOR LIBOUS: Mr. President, I  
10 offer up the following amendments.

11 ACTING PRESIDENT VALESKY: The  
12 amendments are received.

13 SENATOR LIBOUS: On behalf of  
14 Senator Seward, Mr. President, I wish to call up  
15 his bill, Print Number 3765, recalled from the  
16 Assembly, which is now at the desk.

17 ACTING PRESIDENT VALESKY: The  
18 Secretary will read.

19 THE SECRETARY: Calendar Number  
20 509, by Senator Seward, Senate Print 3765, an act  
21 to amend the Highway Law.

22 SENATOR LIBOUS: I move to  
23 reconsider the vote by which this bill was  
24 passed.

25 ACTING PRESIDENT VALESKY: Call the

1 roll on reconsideration.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 53.

4 SENATOR LIBOUS: Mr. President, I  
5 offer up the following amendments.

6 ACTING PRESIDENT VALESKY: The  
7 amendments are received.

8 SENATOR LIBOUS: On behalf of  
9 Senator Bonacic, Mr. President, I wish to call up  
10 his bill, Senate Print 4042, recalled from the  
11 Assembly, which is now at the desk.

12 ACTING PRESIDENT VALESKY: The  
13 Secretary will read.

14 THE SECRETARY: Calendar Number  
15 637, by Senator Bonacic, Senate Print 4042, an  
16 act to amend the Civil Practice Law and Rules.

17 SENATOR LIBOUS: Mr. President, I  
18 move to reconsider the vote by which this bill  
19 was passed.

20 ACTING PRESIDENT VALESKY: Call the  
21 roll on reconsideration.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 53.

24 SENATOR LIBOUS: Mr. President, I  
25 offer up the following amendments.

1                   ACTING PRESIDENT VALESKY:    The  
2 amendments are received.

3                   SENATOR LIBOUS:    On behalf of  
4 Senator Nozzolio, Mr. President, I wish to call  
5 up his bill, Senate Print 4928, recalled from the  
6 Assembly, which is now at the desk.

7                   ACTING PRESIDENT VALESKY:    The  
8 Secretary will read.

9                   (The Secretary called the roll.)

10                  THE SECRETARY:    Calendar Number  
11 783, by Senator Nozzolio, Senate Print 4928, an  
12 act to amend the Criminal Procedure Law.

13                  SENATOR LIBOUS:    Mr. President, I  
14 move to reconsider the vote by which this bill  
15 was passed.

16                  ACTING PRESIDENT VALESKY:    Call the  
17 roll on reconsideration.

18                  (The Secretary called the roll.)

19                  THE SECRETARY:    Ayes, 53.

20                  SENATOR LIBOUS:    Mr. President, I  
21 offer up the following amendments.

22                  ACTING PRESIDENT VALESKY:    The  
23 amendments are received.

24                  SENATOR LIBOUS:    Mr. President, on  
25 behalf of Senator Ball, I move that the following

1 bills be discharged from their respective  
2 committees and be recommitted with instructions  
3 to strike the enacting clause: Senate Print  
4 2585A, 2666, 2668, 2791, 3875, and 4213.

5 ACTING PRESIDENT VALESKY: So  
6 ordered.

7 SENATOR LIBOUS: On behalf of  
8 Senator Martins, Mr. President, I move to amend  
9 Senate Bill Number 3131B by striking out the  
10 amendments made on 6/14/2013 and restoring it to  
11 its previous print number, 3131A.

12 ACTING PRESIDENT VALESKY: So  
13 ordered.

14 SENATOR LIBOUS: Mr. President.

15 ACTING PRESIDENT VALESKY: Senator  
16 Libous.

17 SENATOR LIBOUS: Thank you.

18 I'd like to offer up the following  
19 amendments to the bills that are on the Third  
20 Reading Calendar.

21 On behalf of Senator Griffo, page 5,  
22 Calendar Number 103, Senate Print 3374.

23 On behalf of Senator Martins,  
24 page 27, Calendar Number 759, Senate Print  
25 Number 5024B.

1                   On behalf of Senator Grisanti,  
2 page 51, Calendar Number 1251, Senate Print  
3 3537C.

4                   On behalf of Senator Marchione,  
5 page 52, Calendar Number 1294, Senate Print  
6 5454A.

7                   On behalf of Senator Griffo,  
8 page 53, Calendar Number 1313, Senate Print  
9 1961A.

10                  On behalf of Senator Zeldin, page 9,  
11 Calendar Number 236, Senate Print 3816A.

12                  On behalf of Senator Gallivan,  
13 page 23, Calendar Number 665, Senate Print 352.

14                  On behalf of Senator Hannon,  
15 page 49, Calendar Number 1165, Senate Print  
16 3944A.

17                  And on behalf of Senator Young,  
18 page 49, Calendar Number 1152, Senate Print  
19 Number 3079.

20                  Mr. President, I now move that these  
21 bills retain their place on the Third Reading  
22 Calendar.

23                  ACTING PRESIDENT VALESKY: All  
24 amendments are received. All bills shall retain  
25 their place on the Third Reading Calendar.

1                   SENATOR LIBOUS:    I don't know about  
2 you, Mr. President, but I'm exhausted.

3                   (Laughter.)

4                   SENATOR LIBOUS:    Mr. President, at  
5 this time I would call an immediate meeting of  
6 the Crime and Correction Committee in Room 332.  
7 Immediately.

8                   ACTING PRESIDENT VALESKY:    An  
9 immediate meeting of the Crime Victims, Crime and  
10 Correction Committee in Room 332.

11                   SENATOR LIBOUS:    And,  
12 Mr. President, that meeting will be --

13                   ACTING PRESIDENT VALESKY:    Can we  
14 have a little order, please.

15                   SENATOR LIBOUS:    Thank you.

16                   That meeting will be immediately  
17 followed by a Finance Committee meeting.

18                   ACTING PRESIDENT VALESKY:    Finance  
19 Committee in Room 332 immediately following the  
20 Crime Victims, Crime and Correction Committee  
21 meeting.

22                   SENATOR LIBOUS:    Mr. President,  
23 while we're waiting to make a decision, if we can  
24 go back to motions, I have another motion.

25                   ACTING PRESIDENT VALESKY:    Motions

1 and resolutions.

2           SENATOR LIBOUS:    On behalf of  
3 Senator Golden, on page 49 I offer the following  
4 amendments to Calendar Number 1148, Senate Print  
5 3536B, and ask that said bill retain its place on  
6 the Third Reading Calendar.

7           ACTING PRESIDENT VALESKY:    The  
8 amendments are received. The bill retains its  
9 place on the Third Reading Calendar.

10           SENATOR LIBOUS:    Mr. President, if  
11 we could just pause for a moment.

12           Mr. President.

13           ACTING PRESIDENT VALESKY:    Senator  
14 Libous.

15           SENATOR LIBOUS:    The pause is  
16 over.

17           And at this time could we take up  
18 the reading of the noncontroversial calendar for  
19 Monday, June 17th.

20           ACTING PRESIDENT VALESKY:    The  
21 Secretary will read the noncontroversial  
22 calendar.

23           THE SECRETARY:    Calendar Number 47,  
24 by Senator Nozzolio, Senate Print 1895A, an act  
25 in relation.

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

3                   Read the last section.

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

6                   ACTING PRESIDENT VALESKY:    Call the  
7 roll.

8                   (The Secretary called the roll.)

9                   THE SECRETARY:    Ayes, 55.  Nays,  
10 1.  Senator Ball recorded in the negative.

11                   ACTING PRESIDENT VALESKY:    The bill  
12 is passed.

13                   THE SECRETARY:    Calendar Number 72,  
14 by Senator Boyle, Senate Print 2121A, an act to  
15 enact.

16                   ACTING PRESIDENT VALESKY:    Read the  
17 last section.

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

20                   ACTING PRESIDENT VALESKY:    Call the  
21 roll.

22                   (The Secretary called the roll.)

23                   THE SECRETARY:    Ayes, 56.

24                   ACTING PRESIDENT VALESKY:    The bill  
25 is passed.

1 THE SECRETARY: Calendar Number  
2 146, by Senator Seward, Senate Print 3084B --

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

5 ACTING PRESIDENT VALESKY: The bill  
6 is laid aside for the day.

7 THE SECRETARY: Calendar Number  
8 198, by Senator Lanza, Senate Print 3702B, an act  
9 to amend the Real Property Tax Law.

10 ACTING PRESIDENT VALESKY: Read the  
11 last section.

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

14 ACTING PRESIDENT VALESKY: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 56.

18 ACTING PRESIDENT VALESKY: The bill  
19 is passed.

20 THE SECRETARY: Calendar Number  
21 199, substituted earlier by Member of the  
22 Assembly Goldfeder, Assembly Print Number 4835B,  
23 an act authorizing.

24 ACTING PRESIDENT VALESKY: Read the  
25 last section.

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

3           ACTING PRESIDENT VALESKY:  Call the  
4 roll.

5                           (The Secretary called the roll.)

6           THE SECRETARY:    Ayes, 56.

7           ACTING PRESIDENT VALESKY:  The bill  
8 is passed.

9           THE SECRETARY:    Calendar Number  
10 220, by Senator Maziarz, Senate Print 3721, an  
11 act in relation.

12          ACTING PRESIDENT VALESKY:  Read the  
13 last section.

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

16          ACTING PRESIDENT VALESKY:  Call the  
17 roll.

18                           (The Secretary called the roll.)

19          THE SECRETARY:    Ayes, 56.

20          ACTING PRESIDENT VALESKY:  The bill  
21 is passed.

22          THE SECRETARY:    Calendar Number  
23 221, substituted earlier by Member of the  
24 Assembly Magnarelli, Assembly Print Number 481,  
25 an act to amend the Civil Service Law.

1                   ACTING PRESIDENT VALESKY:    Read the  
2 last section.

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

5                   ACTING PRESIDENT VALESKY:    Call the  
6 roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:    Ayes, 56.

9                   ACTING PRESIDENT VALESKY:    The bill  
10 is passed.

11                   THE SECRETARY:    Calendar Number  
12 248, substituted earlier by Member of the  
13 Assembly Skoufis, Assembly Print Number 4614A, an  
14 act to amend the Highway Law.

15                   ACTING PRESIDENT VALESKY:    Read the  
16 last section.

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

19                   ACTING PRESIDENT VALESKY:    Call the  
20 roll.

21                   (The Secretary called the roll.)

22                   THE SECRETARY:    Ayes, 56.

23                   ACTING PRESIDENT VALESKY:    The bill  
24 is passed.

25                   THE SECRETARY:    Calendar Number

1 266, by Senator Robach, Senate Print 1172, an act  
2 to amend the Alcoholic Beverage Control Law.

3 ACTING PRESIDENT VALESKY: Read the  
4 last section.

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

7 ACTING PRESIDENT VALESKY: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 55. Nays,  
11 1. Senator Diaz recorded in the negative.

12 ACTING PRESIDENT VALESKY: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 314, by Senator Marcellino --

16 SENATOR LIBOUS: Lay it aside for  
17 the day.

18 ACTING PRESIDENT VALESKY: The bill  
19 is laid aside for the day.

20 THE SECRETARY: Calendar Number  
21 330, by Senator DeFrancisco, Senate Print 3859A,  
22 an act to authorize.

23 ACTING PRESIDENT VALESKY: Read the  
24 last section.

25 THE SECRETARY: Section 6. This

1 act shall take effect immediately.

2 ACTING PRESIDENT VALESKY: Call the  
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 55. Nays,  
6 1. Senator Dilan recorded in the negative.

7 ACTING PRESIDENT VALESKY: The bill  
8 is passed.

9 THE SECRETARY: Calendar Number  
10 340, by Senator Young, Senate Print 3923B, an act  
11 to amend the Highway Law.

12 ACTING PRESIDENT VALESKY: Read the  
13 last section.

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

16 ACTING PRESIDENT VALESKY: Call the  
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 56.

20 ACTING PRESIDENT VALESKY: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 352, by Senator Zeldin, Senate Print 3931, an act  
24 to amend the Real Property Tax Law.

25 ACTING PRESIDENT VALESKY: Read the

1 last section.

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

4 ACTING PRESIDENT VALESKY: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 56.

8 ACTING PRESIDENT VALESKY: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 418, substituted earlier by Member of the  
12 Assembly Rosenthal, Assembly Print Number 989B,  
13 an act to amend the State Technology Law.

14 ACTING PRESIDENT VALESKY: Read the  
15 last section.

16 THE SECRETARY: Section 2. This  
17 act shall take effect January 1, 2014.

18 ACTING PRESIDENT VALESKY: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 56.

22 ACTING PRESIDENT VALESKY: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 440, by Senator Fuschillo, Senate Print 777A, an

1 act to amend the General Business Law.

2 ACTING PRESIDENT VALESKY: Read the  
3 last section.

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

6 ACTING PRESIDENT VALESKY: Call the  
7 roll.

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 56.

10 ACTING PRESIDENT VALESKY: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 453, by Senator Ball, Senate Print 2560A, an act  
14 to amend the Agriculture and Markets Law.

15 ACTING PRESIDENT VALESKY: Read the  
16 last section.

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

19 ACTING PRESIDENT VALESKY: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 56.

23 ACTING PRESIDENT VALESKY: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 477, by Senator Hannon, Senate Print 3926A, an  
2 act to amend the Public Health Law.

3 ACTING PRESIDENT VALESKY: Read the  
4 last section.

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

7 ACTING PRESIDENT VALESKY: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 56.

11 ACTING PRESIDENT VALESKY: The bill  
12 is passed.

13 THE SECRETARY: Calendar Number  
14 487, substituted earlier by Member of the  
15 Assembly Weisenberg, Assembly Print Number 4836,  
16 an act authorizing.

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

19 Read the last section.

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

22 ACTING PRESIDENT VALESKY: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 56.

1                   ACTING PRESIDENT VALESKY:    The bill  
2    is passed.

3                   THE SECRETARY:    Calendar Number  
4    490, by Senator Zeldin, Senate Print 4132B, an  
5    act authorizing.

6                   ACTING PRESIDENT VALESKY:    Read the  
7    last section.

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

10                  ACTING PRESIDENT VALESKY:    Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 55.  Nays,  
14    1.  Senator Bonacic recorded in the negative.

15                  ACTING PRESIDENT VALESKY:    The bill  
16    is passed.

17                  THE SECRETARY:    Calendar Number  
18    496, substituted earlier by Member of the  
19    Assembly Weisenberg, Assembly Print Number 6725A,  
20    an act to authorize.

21                  ACTING PRESIDENT VALESKY:    Read the  
22    last section.

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

25                  ACTING PRESIDENT VALESKY:    Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 56.

4 ACTING PRESIDENT VALESKY: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 510, by Senator Ranzenhofer, Senate Print 3795A,  
8 an act to amend the Highway Law.

9 ACTING PRESIDENT VALESKY: Read the  
10 last section.

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

13 ACTING PRESIDENT VALESKY: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT VALESKY: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 511, by Senator Libous, Senate Print 4360B, an  
21 act to amend the Highway Law.

22 ACTING PRESIDENT VALESKY: Read the  
23 last section.

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

1                   ACTING PRESIDENT VALESKY:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 56.

5                   ACTING PRESIDENT VALESKY:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number  
8 526, by Senator Nozzolio, Senate Print 3869, an  
9 act establishing.

10                  ACTING PRESIDENT VALESKY:    Read the  
11 last section.

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

14                  ACTING PRESIDENT VALESKY:    Call the  
15 roll.

16                  (The Secretary called the roll.)

17                  THE SECRETARY:    Ayes, 56.

18                  ACTING PRESIDENT VALESKY:    The bill  
19 is passed.

20                  THE SECRETARY:    Calendar Number  
21 528, by Senator Grisanti, Senate Print 904, an  
22 act to authorize.

23                  SENATOR LIBOUS:    Lay it aside for  
24 the day.

25                  ACTING PRESIDENT VALESKY:    The bill

1 is laid aside for the day.

2 THE SECRETARY: Calendar Number  
3 531, by Senator Stewart-Cousins, Senate Print  
4 3924A, an act authorizing.

5 ACTING PRESIDENT VALESKY: Read the  
6 last section.

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

9 ACTING PRESIDENT VALESKY: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 56.

13 ACTING PRESIDENT VALESKY: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 543, by Senator Young, Senate Print 4399A, an act  
17 to amend the Public Authorities Law.

18 ACTING PRESIDENT VALESKY: Read the  
19 last section.

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

22 ACTING PRESIDENT VALESKY: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 55. Nays,

1 1. Senator Ball recorded in the negative.

2 ACTING PRESIDENT VALESKY: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 587, substituted earlier by Member of the  
6 Assembly Magnarelli, Assembly Print Number 1852A,  
7 an act to authorize.

8 ACTING PRESIDENT VALESKY: There is  
9 a home-rule message at the desk.

10 Read the last section.

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

13 ACTING PRESIDENT VALESKY: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 56.

17 ACTING PRESIDENT VALESKY: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 594, by Senator Martins, Senate Print 4867, an  
21 act relating.

22 ACTING PRESIDENT VALESKY: Read the  
23 last section.

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

1                   ACTING PRESIDENT VALESKY:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 55.  Nays,  
5 1.  Senator Bonacic recorded in the negative.

6                   ACTING PRESIDENT VALESKY:    The bill  
7 is passed.

8                   THE SECRETARY:    Calendar Number  
9 639, by Senator Savino, Senate Print 4663A, an  
10 act to amend the Social Services Law.

11                   ACTING PRESIDENT VALESKY:    Read the  
12 last section.

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

15                   ACTING PRESIDENT VALESKY:    Call the  
16 roll.

17                   (The Secretary called the roll.)

18                   THE SECRETARY:    Ayes, 56.

19                   ACTING PRESIDENT VALESKY:    The bill  
20 is passed.

21                   THE SECRETARY:    Calendar Number  
22 671, by Member of the Assembly Englebright,  
23 Assembly Print Number 5172B, an act to amend the  
24 Public Lands Law.

25                   ACTING PRESIDENT VALESKY:    Read the

1 last section.

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

4 ACTING PRESIDENT VALESKY: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 56.

8 ACTING PRESIDENT VALESKY: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 673, substituted earlier by Member of the  
12 Assembly Glick, Assembly Print Number 7138, an  
13 act to amend the Education Law.

14 ACTING PRESIDENT VALESKY: Read the  
15 last section.

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

18 ACTING PRESIDENT VALESKY: Call the  
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 56.

22 ACTING PRESIDENT VALESKY: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 704, substituted earlier by Member of the

1 Assembly Crespo, Assembly Print 7049, an act to  
2 amend Section 1 of Part T of Chapter 58 of the  
3 Laws of 2013.

4 ACTING PRESIDENT VALESKY: Read the  
5 last section.

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

8 ACTING PRESIDENT VALESKY: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 56.

12 ACTING PRESIDENT VALESKY: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 795, by Senator Marcellino, Senate Print 3612A,  
16 an act to amend the Tax Law.

17 ACTING PRESIDENT VALESKY: Read the  
18 last section.

19 THE SECRETARY: Section 2. This  
20 act shall take effect January 1, 2015.

21 ACTING PRESIDENT VALESKY: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 56.

25 ACTING PRESIDENT VALESKY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 798, by Senator Young, Senate Print 4625A, an act  
4 to amend Chapter 813 of the Laws of 1990.

5 ACTING PRESIDENT VALESKY: Read the  
6 last section.

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

9 ACTING PRESIDENT VALESKY: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 56.

13 ACTING PRESIDENT VALESKY: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 799, substituted earlier by Member of the  
17 Assembly Morelle, Assembly Print Number 6963B, an  
18 act to amend the Education Law.

19 SENATOR GIANARIS: Lay it aside.

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

22 THE SECRETARY: Calendar Number  
23 814, by Senator Grisanti, Senate Print 5167A, an  
24 act to amend the Not-For-Profit Corporation Law.

25 ACTING PRESIDENT VALESKY: Read the

1 last section.

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

4 ACTING PRESIDENT VALESKY: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 56.

8 ACTING PRESIDENT VALESKY: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 826, by Senator DeFrancisco, Senate Print 2318B,  
12 an act to amend the Vehicle and Traffic Law.

13 ACTING PRESIDENT VALESKY: Read the  
14 last section.

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

17 ACTING PRESIDENT VALESKY: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 56.

21 ACTING PRESIDENT VALESKY: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 831, by Senator Hannon, Senate Print 4552B, an  
25 act to amend the Vehicle and Traffic Law.

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

3                   Read the last section.

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

6                   ACTING PRESIDENT VALESKY:    Call the  
7 roll.

8                   (The Secretary called the roll.)

9                   THE SECRETARY:    Ayes, 55.  Nays,  
10 1.  Senator Ball recorded in the negative.

11                   ACTING PRESIDENT VALESKY:    The bill  
12 is passed.

13                   THE SECRETARY:    Calendar Number  
14 931, by Senator DeFrancisco, Senate Print 3731,  
15 an act to amend the Real Property Tax Law.

16                   ACTING PRESIDENT VALESKY:    Read the  
17 last section.

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

20                   ACTING PRESIDENT VALESKY:    Call the  
21 roll.

22                   (The Secretary called the roll.)

23                   THE SECRETARY:    Ayes, 56.

24                   ACTING PRESIDENT VALESKY:    The bill  
25 is passed.

1 THE SECRETARY: Calendar Number  
2 948, by Senator Gallivan, Senate Print 3042, an  
3 act to amend the Insurance Law.

4 ACTING PRESIDENT VALESKY: Read the  
5 last section.

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

8 ACTING PRESIDENT VALESKY: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 54. Nays,  
12 2. Senators Ball and Kennedy recorded in the  
13 negative.

14 ACTING PRESIDENT VALESKY: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 964, by Senator Ranzenhofer, Senate Print 2210B,  
18 an act to amend the Education Law.

19 ACTING PRESIDENT VALESKY: Read the  
20 last section.

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

23 ACTING PRESIDENT VALESKY: Call the  
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 58.

2 ACTING PRESIDENT VALESKY: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 1035, by Senator Kennedy, Senate Print 5441B, an  
6 act to amend the Highway Law.

7 ACTING PRESIDENT VALESKY: Read the  
8 last section.

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

11 ACTING PRESIDENT VALESKY: Call the  
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT VALESKY: Senator  
15 Kennedy to explain his vote.

16 SENATOR KENNEDY: Thank you,  
17 Mr. President.

18 I'm proud to rise in support of this  
19 important legislation to commemorate the life and  
20 sacrifices of the late New York State Trooper  
21 Kevin Patrick Dobson, Sr. He is remembered as a  
22 loving father and dedicated officer whose  
23 commitment to public safety always remained  
24 unwavering.

25 Trooper Dobson gave his life in

1 service to the State of New York. He was struck  
2 and killed by a vehicle on the I-290, near the  
3 Colvin Boulevard exit, during a traffic stop in  
4 March of 2011.

5 His life was taken in the line of  
6 duty while he was working to keep our roads  
7 safe. Now it's up to us to ensure the memory of  
8 Trooper Dobson, and the sacrifices he made, live  
9 on for generations to come.

10 This legislation will designate the  
11 Interstate 290 bridge that crosses State Route  
12 425 as the New York State Trooper Kevin P. Dobson  
13 Sr. Memorial Bridge. It will serve as a reminder  
14 for all Western New Yorkers that our highways  
15 were made safe by Trooper Dobson and his brothers  
16 and sisters in uniform.

17 It will memorialize the life of  
18 Trooper Dobson and help demonstrate our steadfast  
19 gratitude for the selfless actions of the  
20 hardworking men and women who serve in the  
21 State Police force and local police agencies.

22 In the days and months since his  
23 life was tragically taken in the line of duty,  
24 our community has sought ways to commemorate  
25 Trooper Dobson's service and sacrifice. The

1 Trooper Kevin Dobson Memorial Bridge will  
2 complement the State Police efforts to  
3 commemorate his life with a new monument at the  
4 Clarence Barracks, where he nobly served.

5 Trooper Kevin Dobson was forever  
6 committed to his duty to protect and serve our  
7 community. He went above and beyond, always  
8 working hard to keep our roads and neighborhoods  
9 safe.

10 Today our thoughts and prayers go  
11 out to Trooper Dobson's family and friends, and  
12 we thank all those who have dedicated their lives  
13 to law enforcement. Trooper Dobson made the  
14 ultimate sacrifice, and the memory of that  
15 sacrifice and his over 13 years of service to  
16 this state will live on for years to come, as  
17 motorists every day cross the soon-to-be-named  
18 Trooper Kevin P. Dobson Sr. Memorial Bridge.

19 I had the opportunity to speak to  
20 Dick Dobson, the father of Trooper Dobson, a few  
21 weeks back when we introduced this legislation,  
22 and again today when I saw it was coming to the  
23 floor for this vote. The level of gratitude and  
24 appreciation felt by his family for this gesture  
25 is immeasurable, and I was asked to pass on this

1 sentiment to this honorable body.

2 Trooper Dobson left behind children  
3 Kevin Patrick Jr., Jamie Kathleen, and Brooke  
4 Lauren Dobson, as well as stepson Andrew Hastings  
5 and life partner Bridgett Hastings.

6 I want to thank my colleagues for  
7 supporting this legislation, and I want to  
8 specifically thank the Western New York  
9 delegation as well as the chair of the  
10 Transportation Committee, Senator Fuschillo, for  
11 helping to bring this to a floor vote.

12 This was a collective Western  
13 New York effort to move this bill through the  
14 Senate, and I'm hopeful the Assembly will move  
15 quickly to pass this legislation and to move it  
16 to the Governor's desk for his signature.

17 I vote aye. Thank you,  
18 Mr. President.

19 ACTING PRESIDENT VALESKY: Senator  
20 Kennedy in the affirmative.

21 Announce the results.

22 THE SECRETARY: Ayes, 58.

23 ACTING PRESIDENT VALESKY: The bill  
24 is passed.

25 THE SECRETARY: Calendar Number

1 1061, by Senator Maziarz, Senate Print 5026, an  
2 act to amend the General Municipal Law.

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

5 Read the last section.

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

8 ACTING PRESIDENT VALESKY: Call the  
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 58.

12 ACTING PRESIDENT VALESKY: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 1068, by Senator Zeldin, Senate Print 5259A, an  
16 act to authorize.

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

19 Read the last section.

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

22 ACTING PRESIDENT VALESKY: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 58.

1                   ACTING PRESIDENT VALESKY:    The bill  
2    is passed.

3                   THE SECRETARY:    Calendar Number  
4    1102, by Senator Boyle, Senate Print 5599B, an  
5    act to amend the Highway Law.

6                   ACTING PRESIDENT VALESKY:    Read the  
7    last section.

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

10                  ACTING PRESIDENT VALESKY:    Call the  
11   roll.

12                  (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 58.

14                  ACTING PRESIDENT VALESKY:    The bill  
15    is passed.

16                  Calendar Number 1148 was amended  
17    earlier today so that it is not live.  The  
18    Secretary will continue with Calendar Number 1173.

19                  THE SECRETARY:    Calendar Number  
20    1173, by Senator Hannon, Senate Print 5628A, an  
21    act to amend the Social Services Law.

22                  ACTING PRESIDENT VALESKY:    Read the  
23    last section.

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

1                   ACTING PRESIDENT VALESKY:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 57.  Nays,  
5 1.  Senator Avella recorded in the negative.

6                   ACTING PRESIDENT VALESKY:    The bill  
7 is passed.

8                   THE SECRETARY:    Calendar Number  
9 1203, by Senator Bonacic, Senate Print 4763, an  
10 act to amend the Civil Practice Law and Rules.

11                   SENATOR LIBOUS:    Lay it aside for  
12 the day.

13                   ACTING PRESIDENT VALESKY:    The bill  
14 is laid aside for the day.

15                   THE SECRETARY:    Calendar Number  
16 1222, by Senator Montgomery, Senate Print 1410A,  
17 an act to amend the Executive Law.

18                   ACTING PRESIDENT VALESKY:    Read the  
19 last section.

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

22                   ACTING PRESIDENT VALESKY:    Call the  
23 roll.

24                   (The Secretary called the roll.)

25                   THE SECRETARY:    Ayes, 58.

1                   ACTING PRESIDENT VALESKY:    The bill  
2   is passed.

3                   THE SECRETARY:    Calendar Number  
4   1234, by Senator Griffo, Senate Print 2090, an  
5   act to amend the Tax Law.

6                   ACTING PRESIDENT VALESKY:    Read the  
7   last section.

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

10                  ACTING PRESIDENT VALESKY:    Call the  
11   roll.

12                   (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 58.

14                  ACTING PRESIDENT VALESKY:    The bill  
15   is passed.

16                  THE SECRETARY:    Calendar Number  
17   1275, substituted earlier by Member of the  
18   Assembly Fahy, Assembly Print Number 6709, an act  
19   to amend Chapter 303 of the Laws of 1988.

20                  ACTING PRESIDENT VALESKY:    Read the  
21   last section.

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

24                  ACTING PRESIDENT VALESKY:    Call the  
25   roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 57. Nays,

3 1. Senator Ball recorded in the negative.

4 ACTING PRESIDENT VALESKY: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 1290, by Senator Flanagan, Senate Print 5253A, an  
8 act to amend the Education Law.

9 ACTING PRESIDENT VALESKY: Read the  
10 last section.

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

13 ACTING PRESIDENT VALESKY: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: In relation to  
17 Calendar Number 1290, those recorded in the  
18 negative are Senators Avella, Hoylman, Krueger,  
19 Perkins and Squadron.

20 Ayes, 53. Nays, 5.

21 ACTING PRESIDENT VALESKY: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 1306, by Senator Ranzenhofer, Senate Print 1435,  
25 an act to amend the Real Property Tax Law.

1                   ACTING PRESIDENT VALESKY:    Read the  
2 last section.

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

5                   ACTING PRESIDENT VALESKY:    Call the  
6 roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:    Ayes, 58.

9                   ACTING PRESIDENT VALESKY:    The bill  
10 is passed.

11                   THE SECRETARY:    Calendar Number  
12 1330, by Senator Young, Senate Print 3778, an act  
13 to amend the Education Law.

14                   ACTING PRESIDENT VALESKY:    Read the  
15 last section.

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

18                   ACTING PRESIDENT VALESKY:    Call the  
19 roll.

20                   (The Secretary called the roll.)

21                   THE SECRETARY:    Ayes, 57.  Nays,  
22 1.  Senator Avella recorded in the negative.

23                   ACTING PRESIDENT VALESKY:    The bill  
24 is passed.

25                   Senator Libous, that completes the

1 noncontroversial reading of the calendar.

2 SENATOR LIBOUS: Mr. President.

3 ACTING PRESIDENT VALESKY: Senator  
4 Libous.

5 SENATOR LIBOUS: We're going to  
6 stand at ease pending the report of the Finance  
7 Committee.

8 We have, I believe, two nominations  
9 coming in, and I would guess that they would be  
10 here -- in normal time, I would say 10 minutes,  
11 but in Senate time, maybe 20.

12 ACTING PRESIDENT VALESKY: The  
13 Senate will stand at ease pending the return of  
14 the Finance Committee.

15 (Whereupon, the Senate stood at ease  
16 at 3:32 p.m.)

17 (Whereupon, the Senate reconvened at  
18 4:26 p.m.)

19 SENATOR LIBOUS: Mr. President.

20 ACTING PRESIDENT VALESKY: Senator  
21 Libous.

22 SENATOR LIBOUS: There will be an  
23 immediate meeting of the Rules Committee in  
24 Room 332.

25 And members that are here on the

1 Rules Committee, if you would join me  
2 immediately. And if members are within my voice  
3 and are somewhere where they can hear this,  
4 Room 332 immediately, for the Rules Committee.  
5 The sooner we get there, the sooner we get back  
6 here.

7 ACTING PRESIDENT VALESKY:

8 Immediate meeting of the Rules Committee in  
9 Room 332.

10 The Senate will stand at ease.

11 (Whereupon, the Senate stood at ease  
12 at 4:27 p.m.)

13 (Whereupon, the Senate reconvened at  
14 4:56 p.m.)

15 SENATOR LIBOUS: Mr. President.

16 ACTING PRESIDENT VALESKY: Senator  
17 Libous.

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

20 If we can go back to reports of  
21 standing committees, I believe there's a report  
22 of the Rules Committee at the desk.

23 ACTING PRESIDENT VALESKY: There is  
24 a report of the Rules Committee at the desk.

25 The Secretary will read.

1                   THE SECRETARY:    Senator Skelos,  
2    from the Committee on Rules, reports the  
3    following bills:  
4                    Senate Print 1484B, by Senator  
5    Marcellino, an act to amend the Agriculture and  
6    Markets Law;  
7                    Senate 2305A, by Senator Ball, an  
8    act to amend the Agriculture and Markets Law;  
9                    Senate 2338A, by Senator Klein, an  
10   act to amend Chapter 42 of the Laws of 1996;  
11                   Senate 2382, by Senator Maziarz, an  
12   act to amend the Public Service Law;  
13                   Senate 2648, by Senator Ball, an act  
14   to amend the Tax Law;  
15                   Senate 2814, by Senator Adams, an  
16   act to amend Chapter 15 of the Laws of 1998;  
17                   Senate 3667A, by Senator Savino, an  
18   act to amend the General Business Law;  
19                   Senate 3850, by Senator Savino, an  
20   act to amend the Tax Law;  
21                   Senate 3876, by Senator Ball, an act  
22   to amend the Executive Law;  
23                   Senate 4598, by Senator LaValle, an  
24   act to amend the Financial Services Law;  
25                   Senate 4666, by Senator Golden, an

1 act to amend the Executive Law;

2 Senate 4718A, by Senator Nozzolio,

3 an act to amend the Penal Law;

4 Senate 4719, by Senator Lanza, an

5 act to amend the Executive Law;

6 Senate 4725, by the Committee on

7 Rules, an act to authorize;

8 Senate 4726, by the Committee on

9 Rules, an act authorizing;

10 Senate 4729, by the Committee on

11 Rules, an act to amend the Local Finance Law;

12 Senate 4778B, by Senator Golden, an

13 act to amend the Executive Law;

14 Senate 4810, by Senator Martins, an

15 act to amend the Real Property Tax Law;

16 Senate 4828A, by Senator LaValle, an

17 act to amend the Education Law;

18 Senate 5087, by Senator Carlucci, an

19 act to authorize;

20 Senate 5283A, by Senator LaValle, an

21 act to amend the Education Law;

22 Senate 5323A, by Senator Maziarz, an

23 act to amend the Tax Law;

24 Senate 5542, by Senator Griffo, an

25 act to amend the Executive Law;

1                   Senate 5560A, by the Committee on  
2 Rules, an act creating;  
3                   Senate 5589A, by Senator Carlucci,  
4 an act in relation to authorizing;  
5                   Senate 5590, by Senator Carlucci, an  
6 act in relation to authorizing;  
7                   Senate 5608, by Senator Gallivan, an  
8 act to amend the Retirement and Social Security  
9 Law;  
10                  Senate 5639, by Senator Zeldin, an  
11 act authorizing;  
12                  Senate 5641, by Senator Farley, an  
13 act in relation;  
14                  Senate 5658, by Senator Carlucci, an  
15 act to authorize;  
16                  Senate 5678, by Senator Farley, an  
17 act to amend the Religious Corporations Law;  
18                  Senate 5717A, by Senator  
19 DeFrancisco, an act in relation to authorizing;  
20                  Senate 5730, by Senator Felder, an  
21 act to amend the Vehicle and Traffic Law;  
22                  Senate 5733, by Senator Little, an  
23 act to amend the Environmental Conservation Law;  
24                  Senate 5738A, by Senator Zeldin, an  
25 act to amend the Environmental Conservation Law;

1                   Senate 5776, by Senator Martins, an  
2 act to amend the General Municipal Law;

3                   Senate 5787, by Senator Ball, an act  
4 to amend the Civil Service Law;

5                   Senate 5790, by Senator Sanders, an  
6 act to amend the Executive Law;

7                   Senate 5796, by Senator Golden, an  
8 act to authorize;

9                   And Senate 5798, by Senator Golden,  
10 an act directing the superintendent.

11                   All bills ordered direct to third  
12 reading.

13                   ACTING PRESIDENT VALESKY:    Senator  
14 Libous.

15                   SENATOR LIBOUS:    Mr. President, at  
16 this time could we accept the report of the Rules  
17 Committee.

18                   ACTING PRESIDENT VALESKY:    All  
19 those in favor of accepting the report of the  
20 Rules Committee signify by saying aye.

21                   (Response of "Aye.")

22                   ACTING PRESIDENT VALESKY:    Opposed,  
23 nay.

24                   (No response.)

25                   ACTING PRESIDENT VALESKY:    The

1 Rules Committee report is accepted.

2 Senator Libous.

3 SENATOR LIBOUS: Could we go to  
4 motions, Mr. President.

5 ACTING PRESIDENT VALESKY: Motions  
6 and resolutions.

7 SENATOR LIBOUS: I have two,  
8 Mr. President.

9 On behalf of Senator Zeldin, on page  
10 number blank, I offer the following amendments to  
11 Calendar Number 1408, Senate Print 5738A, and ask  
12 that said bill retain its place on the Third  
13 Reading Calendar.

14 ACTING PRESIDENT VALESKY: The  
15 amendments are received. The bill will retain  
16 its place on third reading.

17 SENATOR LIBOUS: You think the desk  
18 will be able to find page number blank?

19 (Laughter.)

20 ACTING PRESIDENT VALESKY: I'm sure  
21 the desk will locate it, Senator.

22 SENATOR LIBOUS: Thank you.

23 On behalf of Senator Golden, I wish  
24 to call up his bill, Senate Print 4088B, recalled  
25 from the Assembly, which is now at the desk.

1                   ACTING PRESIDENT VALESKY:    The  
2   Secretary will read.

3                   THE SECRETARY:    Calendar Number  
4   371, by Senator Golden, Senate Print 4088B, an  
5   act to amend the Election Law.

6                   SENATOR LIBOUS:    Mr. President, I  
7   move to reconsider the vote by which this bill  
8   was passed.

9                   ACTING PRESIDENT VALESKY:    Call the  
10   roll on reconsideration.

11                   (The Secretary called the roll.)

12                   THE SECRETARY:    Ayes, 62.

13                   SENATOR LIBOUS:    Mr. President, I  
14   hand up the following amendments.

15                   ACTING PRESIDENT VALESKY:    The  
16   amendments are received.

17                   SENATOR LIBOUS:    Thank you,  
18   Mr. President.

19                   Mr. President, at this time  
20   everybody has been passed out Supplemental  
21   Calendar Number 53A. I would like to do a  
22   noncontroversial reading of that calendar at this  
23   time.

24                   ACTING PRESIDENT VALESKY:    The  
25   Secretary will proceed with the noncontroversial

1 reading of Senate Supplemental Calendar 53A.

2 THE SECRETARY: Calendar Number  
3 1374, by Senator Marcellino, Senate Print 1484B,  
4 an act to amend the Agriculture and Markets Law.

5 ACTING PRESIDENT VALESKY: Read the  
6 last section.

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

9 ACTING PRESIDENT VALESKY: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT VALESKY: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 1375, by Senator Ball, Senate Print 2305A, an act  
17 to amend the Agriculture and Markets Law.

18 ACTING PRESIDENT VALESKY: Read the  
19 last section.

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

22 ACTING PRESIDENT VALESKY: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61. Nays,

1 1. Senator Ranzenhofer recorded in the negative.

2 ACTING PRESIDENT VALESKY: The bill  
3 is passed.

4 Calendar Number 1375, announce the  
5 results.

6 THE SECRETARY: In relation to  
7 Calendar 1375, those recorded in the negative are  
8 Senators Montgomery and Ranzenhofer.

9 Ayes, 60. Nays, 2.

10 ACTING PRESIDENT VALESKY: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 1376, by Senator Klein, Senate Print 2338A, an  
14 act to amend Chapter 42 of the Laws of 1996.

15 ACTING PRESIDENT VALESKY: Read the  
16 last section.

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

19 ACTING PRESIDENT VALESKY: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT VALESKY: The bill  
24 is passed.

25 THE SECRETARY: In relation to

1 Calendar 1377, Senator Maziarz moves to  
2 discharge, from the Committee on Energy and  
3 Telecommunications, Assembly Bill Number 6366 and  
4 substitute it for the identical Senate Bill  
5 Number 2382, Third Reading Calendar 1377.

6 ACTING PRESIDENT VALESKY:  
7 Substitution ordered.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number  
10 1377, by Member of the Assembly Paulin, Assembly  
11 Print 6366, an act to amend the Public Service  
12 Law.

13 ACTING PRESIDENT VALESKY: Read the  
14 last section.

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

17 ACTING PRESIDENT VALESKY: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 61. Nays,  
21 1. Senator Espaillet recorded in the negative.

22 ACTING PRESIDENT VALESKY: The bill  
23 is passed.

24 THE SECRETARY: Calendar Number  
25 1378, by Senator Ball, Senate Print 2648, an act

1 to amend the Tax Law.

2 ACTING PRESIDENT VALESKY: Read the  
3 last section.

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

6 ACTING PRESIDENT VALESKY: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT VALESKY: Announce  
10 the results.

11 THE SECRETARY: In relation to  
12 Calendar Number 1378, those recorded in the  
13 negative are Senators Avella, Dilan, Espaillat,  
14 Gianaris, Perkins, Rivera, Sanders, Squadron and  
15 Stavisky. Also Senator Hoylman.

16 Ayes, 52. Nays, 10.

17 ACTING PRESIDENT VALESKY: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 1379, by Senator Adams, Senate Print 2814, an act  
21 to amend Chapter 15 of the Laws of 1998.

22 ACTING PRESIDENT VALESKY: Read the  
23 last section.

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

1                   ACTING PRESIDENT VALESKY:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 62.

5                   ACTING PRESIDENT VALESKY:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number  
8 1380, by Senator Savino, Senate Print 3667A, an  
9 act to amend the General Business Law.

10                  ACTING PRESIDENT VALESKY:    Read the  
11 last section.

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

14                  ACTING PRESIDENT VALESKY:    Call the  
15 roll.

16                  (The Secretary called the roll.)

17                  THE SECRETARY:    Ayes, 60. Nays,  
18 2. Senators Ranzenhofer and Zeldin recorded in  
19 the negative.

20                  ACTING PRESIDENT VALESKY:    The bill  
21 is passed.

22                  THE SECRETARY:    Calendar Number  
23 1381, by Senator Savino, Senate Print 3850, an  
24 act to amend the Tax Law.

25                  ACTING PRESIDENT VALESKY:    Read the

1 last section.

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

4 ACTING PRESIDENT VALESKY: Call the  
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 62.

8 ACTING PRESIDENT VALESKY: The bill  
9 is passed.

10 THE SECRETARY: Calendar Number  
11 1382, by Senator Ball, Senate Print 3876, an act  
12 to amend the Executive Law.

13 ACTING PRESIDENT VALESKY: Read the  
14 last section.

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

17 ACTING PRESIDENT VALESKY: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 62.

21 ACTING PRESIDENT VALESKY: The bill  
22 is passed.

23 THE SECRETARY: Calendar Number  
24 1383, by Senator LaValle, Senate Print 4598, an  
25 act to amend the Financial Services Law.

1                   ACTING PRESIDENT VALESKY:    Read the  
2 last section.

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

5                   ACTING PRESIDENT VALESKY:    Call the  
6 roll.

7                   (The Secretary called the roll.)

8                   THE SECRETARY:    Ayes, 62.

9                   ACTING PRESIDENT VALESKY:    The bill  
10 is passed.

11                   THE SECRETARY:    Calendar Number  
12 1384, by Senator Golden, Senate Print 4666, an  
13 act to amend the Executive Law.

14                   ACTING PRESIDENT VALESKY:    Read the  
15 last section.

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

18                   ACTING PRESIDENT VALESKY:    Call the  
19 roll.

20                   (The Secretary called the roll.)

21                   THE SECRETARY:    Ayes, 62.

22                   ACTING PRESIDENT VALESKY:    The bill  
23 is passed.

24                   THE SECRETARY:    Calendar Number  
25 1385, by Senator Nozzolio, Senate Print 4718A, an

1 act to amend the Penal Law.

2 ACTING PRESIDENT VALESKY: Read the  
3 last section.

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

6 ACTING PRESIDENT VALESKY: Call the  
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT VALESKY: Results.

10 THE SECRETARY: In relation to  
11 Calendar 1385, those recorded in the negative are  
12 Senators Adams, Avella, Ball, Carlucci, Gipson,  
13 Hoylman, Krueger, Martins, Perkins, Rivera,  
14 Serrano and Zeldin.

15 Ayes, 50. Nays, 12.

16 ACTING PRESIDENT VALESKY: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1386, by Senator Lanza, Senate Print 4719, an act  
20 to amend the Executive Law.

21 ACTING PRESIDENT VALESKY: Read the  
22 last section.

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

25 ACTING PRESIDENT VALESKY: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT VALESKY: The bill  
5 is passed.

6 THE SECRETARY: In relation to  
7 Calendar 1387, Senator Skelos moves to discharge,  
8 from the Committee on Rules, Assembly Bill Number  
9 5549 and substitute it for the identical Senate  
10 Bill Number 4725, Third Reading Calendar 1387.

11 ACTING PRESIDENT VALESKY:  
12 Substitution ordered.

13 THE SECRETARY: Calendar Number  
14 1387, by Member of the Assembly Magnarelli,  
15 Assembly Print 5549, an act in relation to  
16 authorizing.

17 ACTING PRESIDENT VALESKY: Read the  
18 last section.

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

21 ACTING PRESIDENT VALESKY: Call the  
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT VALESKY: Senator  
25 Squadron to explain his vote.

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

3                   I see that Senator Rules is not in  
4   the chamber at the moment, so I'm not able to  
5   direct this to the sponsor of the bill. As my  
6   colleagues well know, I am opposed to the  
7   sponsorship of bills by Senator Rules. I think  
8   that bills should be sponsored by individuals who  
9   helped to work on them.

10                  This is a program bill of the State  
11   Comptroller's, and an important one, for Sandy  
12   Storm relief in my district and beyond and many  
13   districts around the state. So I will not vote  
14   against this bill, nor will I repeat this speech  
15   over the course of the next two bills.

16                  But again, I would urge members of  
17   this house to do away with the poor practice of  
18   having Senator Rules sponsor bills when, for  
19   whatever reason, the leadership or certain  
20   members don't want to sponsor bills themselves.

21                  I'll vote aye, Mr. President.

22                  ACTING PRESIDENT VALESKY:    Senator  
23   Squadron to be recorded in the affirmative.

24                  Announce the results.

25                  THE SECRETARY:    Ayes, 62.

1                   ACTING PRESIDENT VALESKY:    The bill  
2    is passed.

3                   THE SECRETARY:     Senator Skelos  
4    moves to discharge, from the Committee on Rules,  
5    Assembly Bill Number 5550 and substitute it for  
6    the identical Senate Bill Number 4726, Third  
7    Reading Calendar 1388.

8                   ACTING PRESIDENT VALESKY:  
9    Substitution ordered.

10                  THE SECRETARY:     Calendar Number  
11   1388, by Member of the Assembly Magnarelli,  
12   Assembly Print Number 5550, an act authorizing.

13                  ACTING PRESIDENT VALESKY:   Read the  
14   last section.

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

17                  ACTING PRESIDENT VALESKY:   Call the  
18   roll.

19                                   (The Secretary called the roll.)

20                  THE SECRETARY:     Ayes, 62.

21                  ACTING PRESIDENT VALESKY:   The bill  
22   is passed.

23                  THE SECRETARY:     In relation to  
24   Calendar 1389, Senator Skelos moves to discharge,  
25   from the Committee on Rules, Assembly Bill Number

1 5551 and substitute it for the identical Senate  
2 Bill Number 4729, Third Reading Calendar 1389.

3 ACTING PRESIDENT VALESKY:  
4 Substitution ordered.

5 THE SECRETARY: Calendar Number  
6 1389, by Member of the Assembly Magnarelli,  
7 Assembly Print 5551, an act to amend the Local  
8 Finance Law.

9 ACTING PRESIDENT VALESKY: Read the  
10 last section.

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

13 ACTING PRESIDENT VALESKY: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT VALESKY: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 1390, by Senator Golden, Senate Print 4778B, an  
21 act to amend the Executive Law.

22 ACTING PRESIDENT VALESKY: Read the  
23 last section.

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

1                   ACTING PRESIDENT VALESKY:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 62.

5                   ACTING PRESIDENT VALESKY:    The bill  
6 is passed.

7                   THE SECRETARY:    Calendar Number  
8 1391, by Senator Martins, Senate Print 4810, an  
9 act to amend the Real Property Tax Law.

10                  ACTING PRESIDENT VALESKY:    Read the  
11 last section.

12                  THE SECRETARY:    Section 4. This  
13 act shall take effect on the 120th day.

14                  ACTING PRESIDENT VALESKY:    Call the  
15 roll.

16                  (The Secretary called the roll.)

17                  THE SECRETARY:    Ayes, 62.

18                  ACTING PRESIDENT VALESKY:    The bill  
19 is passed.

20                  THE SECRETARY:    Calendar Number  
21 1392, by Senator LaValle, Senate Print 4828A, an  
22 act to amend the Education Law.

23                  ACTING PRESIDENT VALESKY:    Read the  
24 last section.

25                  THE SECRETARY:    Section 9. This

1 act shall take effect on the 360th day.

2 ACTING PRESIDENT VALESKY: Call the  
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT VALESKY: Announce  
6 the results.

7 THE SECRETARY: In relation to  
8 Calendar Number 1392, those recorded in the  
9 negative are Senators Addabbo, Avella, Dilan,  
10 Kennedy, Krueger, Marchione, O'Brien, Rivera,  
11 Sanders, Squadron, Stavisky and Zeldin.

12 Ayes, 50. Nays, 12.

13 ACTING PRESIDENT VALESKY: The bill  
14 is passed.

15 THE SECRETARY: Calendar Number  
16 1393, by Senator Carlucci, Senate Print 5087, an  
17 act to authorize.

18 ACTING PRESIDENT VALESKY: Read the  
19 last section.

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

22 ACTING PRESIDENT VALESKY: Call the  
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 62.

1                   ACTING PRESIDENT VALESKY:    The bill  
2    is passed.

3                   THE SECRETARY:    Calendar Number  
4    1394, by Senator LaValle, Senate Print 5283A, an  
5    act to amend the Education Law.

6                   ACTING PRESIDENT VALESKY:    Read the  
7    last section.

8                   THE SECRETARY:    Section 2.  This  
9    act shall take effect April 1, 2014.

10                  ACTING PRESIDENT VALESKY:    Call the  
11   roll.

12                                   (The Secretary called the roll.)

13                  THE SECRETARY:    Ayes, 60.  Nays,  
14    2.  Senators Ball and Marchione recorded in the  
15    negative.

16                  ACTING PRESIDENT VALESKY:    The bill  
17    is passed.

18                  THE SECRETARY:    Senator Maziarz  
19    moves to discharge, from the Committee on  
20    Finance, Assembly Bill Number 7340A and  
21    substitute it for the identical Senate Bill  
22    Number 5323A, Third Reading Calendar 1395.

23                  ACTING PRESIDENT VALESKY:  
24    Substitution ordered.

25                  THE SECRETARY:    Calendar Number

1 1395, by Member of the Assembly Farrell, Assembly  
2 Print 7340A, an act to amend the Tax Law.

3 ACTING PRESIDENT VALESKY: Read the  
4 last section.

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

7 ACTING PRESIDENT VALESKY: Call the  
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 61. Nays,  
11 1. Senator Ball recorded in the negative.

12 ACTING PRESIDENT VALESKY: The bill  
13 is passed.

14 THE SECRETARY: Calendar Number  
15 1396, by Senator Griffo, Senate Print 5542, an  
16 act to amend the Executive Law.

17 ACTING PRESIDENT VALESKY: Read the  
18 last section.

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

21 ACTING PRESIDENT VALESKY: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 61. Nays,  
25 1. Senator Hassell-Thompson recorded in the

1 negative.

2 ACTING PRESIDENT VALESKY: The bill  
3 is passed.

4 THE SECRETARY: Calendar Number  
5 1397, by the Committee on Rules, Senate Print  
6 5560A, an act creating.

7 ACTING PRESIDENT VALESKY: Read the  
8 last section.

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

11 ACTING PRESIDENT VALESKY: Call the  
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 60. Nays,  
15 2. Senators Ranzenhofer and Squadron recorded in  
16 the negative.

17 ACTING PRESIDENT VALESKY: The bill  
18 is passed.

19 THE SECRETARY: Calendar Number  
20 1398, by Senator Carlucci, Senate Print 5589A, an  
21 act in relation to authorizing.

22 ACTING PRESIDENT VALESKY: Read the  
23 last section.

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

1                   ACTING PRESIDENT VALESKY:    Call the  
2 roll.

3                   (The Secretary called the roll.)

4                   THE SECRETARY:    Ayes, 59.  Nays,  
5 3.  Senators Bonacic, Larkin and O'Mara recorded  
6 in the negative.

7                   ACTING PRESIDENT VALESKY:    The bill  
8 is passed.

9                   THE SECRETARY:    Calendar Number  
10 1399, by Senator Carlucci, Senate Print 5590, an  
11 act in relation to authorizing.

12                   ACTING PRESIDENT VALESKY:    Read the  
13 last section.

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

16                   ACTING PRESIDENT VALESKY:    Call the  
17 roll.

18                   (The Secretary called the roll.)

19                   THE SECRETARY:    Ayes, 59.  Nays,  
20 3.  Senators Bonacic, Larkin and O'Mara recorded  
21 in the negative.

22                   ACTING PRESIDENT VALESKY:    The bill  
23 is passed.

24                   THE SECRETARY:    Calendar Number  
25 1400, by Senator Gallivan, Senate Print 5608, an

1 act to amend the Retirement and Social Security  
2 Law.

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

5 ACTING PRESIDENT VALESKY: The bill  
6 is laid aside for the day.

7 THE SECRETARY: Calendar Number  
8 1401, by Senator Zeldin, Senate Print 5639, an  
9 act authorizing.

10 ACTING PRESIDENT VALESKY: Read the  
11 last section.

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

14 ACTING PRESIDENT VALESKY: Call the  
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 59. Nays,  
18 3. Senators Bonacic, Larkin and O'Mara recorded  
19 in the negative.

20 ACTING PRESIDENT VALESKY: The bill  
21 is passed.

22 THE SECRETARY: Calendar Number  
23 1402, by Senator Farley, Senate Print 5641, an  
24 act relating to the sale.

25 ACTING PRESIDENT VALESKY: There is

1 a home-rule message at the desk.

2 Read the last section.

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

5 ACTING PRESIDENT VALESKY: Call the  
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 61. Nays, 1.  
9 Senator Bonacic recorded in the negative.

10 ACTING PRESIDENT VALESKY: The bill  
11 is passed.

12 THE SECRETARY: Calendar Number  
13 1403, by Senator Carlucci, Senate Print 5658, an  
14 act to authorize.

15 ACTING PRESIDENT VALESKY: Read the  
16 last section.

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

19 ACTING PRESIDENT VALESKY: Call the  
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 60. Nays,  
23 2. Senators Bonacic and O'Mara recorded in the  
24 negative.

25 ACTING PRESIDENT VALESKY: The bill

1 is passed.

2 THE SECRETARY: Also in the  
3 negative: Senator Larkin.

4 Ayes, 59. Nays, 3.

5 ACTING PRESIDENT VALESKY: The bill  
6 is passed.

7 THE SECRETARY: Calendar Number  
8 1404, by Senator Farley, Senate Print 5678, an  
9 act to amend the Religious Corporations Law.

10 SENATOR FARLEY: Lay the bill aside  
11 for an amendment.

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

14 THE SECRETARY: Calendar Number  
15 1405, by Senator DeFrancisco, Senate Print 5717A,  
16 an act in relation to authorizing.

17 ACTING PRESIDENT VALESKY: Read the  
18 last section.

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

21 ACTING PRESIDENT VALESKY: Call the  
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT VALESKY: The bill

1 is passed.

2 THE SECRETARY: Calendar Number  
3 1406, by Senator Felder, Senate Print 5730, an  
4 act to amend the Vehicle and Traffic Law.

5 ACTING PRESIDENT VALESKY: Read the  
6 last section.

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

9 ACTING PRESIDENT VALESKY: Call the  
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 61. Nays,  
13 1. Senator Gipson recorded in the negative.

14 ACTING PRESIDENT VALESKY: The bill  
15 is passed.

16 THE SECRETARY: Calendar Number  
17 1407, by Senator Little, Senate Print 5733, an  
18 act to amend the Environmental Conservation Law.

19 ACTING PRESIDENT VALESKY: Read the  
20 last section.

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

23 ACTING PRESIDENT VALESKY: Call the  
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 61. Nays,

2 1. Senator Ball recorded in the negative.

3 ACTING PRESIDENT VALESKY: The bill  
4 is passed.

5 THE SECRETARY: Calendar Number  
6 1409, by Senator Martins, Senate Print 5776, an  
7 act to amend the General Municipal Law.

8 ACTING PRESIDENT VALESKY: Read the  
9 last section.

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

12 ACTING PRESIDENT VALESKY: Call the  
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT VALESKY: The bill  
17 is passed.

18 THE SECRETARY: Calendar Number  
19 1410, by Senator Ball, Senate Print 5787, an act  
20 to amend the Civil Service Law.

21 ACTING PRESIDENT VALESKY: Read the  
22 last section.

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

25 ACTING PRESIDENT VALESKY: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT VALESKY: The bill  
5 is passed.

6 THE SECRETARY: Calendar Number  
7 1411, by Senator Sanders, Senate Print 5790, an  
8 act to amend the Executive Law.

9 ACTING PRESIDENT VALESKY: Read the  
10 last section.

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

13 ACTING PRESIDENT VALESKY: Call the  
14 roll.

15 (The Secretary called the roll.)

16 THE SECRETARY: Ayes, 62.

17 ACTING PRESIDENT VALESKY: The bill  
18 is passed.

19 Senator Gianaris.

20 SENATOR GIANARIS: Mr. President,  
21 this important bill that we just passed providing  
22 for a disaster relief I believe is Senator  
23 Sanders' first bill in our house.

24 ACTING PRESIDENT VALESKY:  
25 Congratulations, Senator Sanders.

1 (Applause.)

2 ACTING PRESIDENT VALESKY: The  
3 Secretary will read.

4 THE SECRETARY: Calendar Number  
5 1412, by Senator Golden, Senate Print 5796, an  
6 act to authorize.

7 ACTING PRESIDENT VALESKY: Read the  
8 last section.

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

11 ACTING PRESIDENT VALESKY: Call the  
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT VALESKY: The bill  
16 is passed.

17 THE SECRETARY: Calendar Number  
18 1413, by Senator Golden, Senate Print 5798, an  
19 act directing.

20 ACTING PRESIDENT VALESKY: Read the  
21 last section.

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

24 ACTING PRESIDENT VALESKY: Call the  
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT VALESKY: The bill  
4 is passed.

5 Senator Libous, that completes the  
6 noncontroversial reading of Senate Supplemental  
7 Calendar 53A.

8 SENATOR LIBOUS: Mr. President, can  
9 we go back to the active list for the day. And  
10 there's a controversial bill, Number 799. If we  
11 could take the controversial bill up at this  
12 time.

13 ACTING PRESIDENT VALESKY: On the  
14 active list, Calendar Number 799. The Secretary  
15 will place that bill before the house after  
16 ringing the bells.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number  
19 799, by Member of the Assembly Morelle, Assembly  
20 Print 6963B, an act to amend the Education Law.

21 SENATOR TKACZYK: Explanation.

22 ACTING PRESIDENT VALESKY: Senator  
23 Fuschillo, an explanation has been requested by  
24 Senator Tkaczyk.

25 SENATOR FUSCHILLO: Thank you very

1 much, Mr. President.

2           In 2011 the Legislature unanimously  
3 passed a new law that for the first time would  
4 allow for the insurance coverage for the  
5 diagnosis, treatment and therapy for autism. And  
6 we all applauded that law, and Governor Cuomo  
7 signed it into law. And there was a big  
8 celebration because it was the first time in  
9 New York State that that would be made possible.

10           And I wish I could stand here and  
11 say we were the first in the nation, but we  
12 weren't. We followed other states. We were a  
13 little behind.

14           Part of that legislation, part of  
15 that law never required the licensing of applied  
16 behavioral analysts. Two days before the law  
17 went into effect -- and Senator Breslin, let me  
18 thank you for your support as well, because I  
19 know you were one of the coprimers on that bill.

20           It took effect November 1st of  
21 2012. Two days before it was going to take  
22 effect, the New York State Division of Financial  
23 Services, the State Education Department and the  
24 Department of Health changed the intent. And  
25 what they did is they created a license for those

1 who perform the services.

2 Well, New York State doesn't have a  
3 license. Only doctors or psychologists were  
4 licensed under New York State to provide these  
5 services. So those who didn't have this license  
6 that New York State created and changed the  
7 intent of the law were not allowed to apply for  
8 insurance reimbursement.

9 So the numbers of those who could  
10 apply went from about 700 individuals that were  
11 applying these services that could now be  
12 eligible for insurance reimbursement down to  
13 about 70.

14 ACTING PRESIDENT VALESKY: Senator  
15 Marcellino, why do you rise?

16 SENATOR MARCELLINO: I apologize  
17 for rising, but I'm having difficulty hearing my  
18 colleague because of the background noise. If we  
19 could get some order.

20 ACTING PRESIDENT VALESKY: If we  
21 could keep the noise down so that we could all  
22 hear Senator Fuschillo's explanation of his bill.

23 SENATOR FUSCHILLO: Thank you very  
24 much. Thank you, Senator Marcellino and  
25 Mr. President.

1           What the legislation does is it  
2           creates a license in two categories. And it  
3           really undoes what the state had done when they  
4           changed the intent of the law. And for the first  
5           time, once this takes effect -- and the Assembly  
6           just passed it unanimously today -- we will go  
7           back to the original intent back in 2012.

8           SENATOR TKACZYK: If the sponsor  
9           would yield for a question, please.

10          ACTING PRESIDENT VALESKY: Senator  
11          Fuschillo, will you yield?

12          SENATOR FUSCHILLO: Yes, I will.

13          And, Senator, thank you for your  
14          support. You and I talked briefly.

15          ACTING PRESIDENT VALESKY: The  
16          sponsor yields.

17          SENATOR TKACZYK: Yes, thank you  
18          for your explanation. I appreciate the bill and  
19          the work that it took to get it here. I just had  
20          two clarifying questions.

21          Under the bill, a new scope of  
22          practice is going to be created. But this scope  
23          of practice is only related to the treatment  
24          professionals, not the direct care workers. Is  
25          that correct?

1                   SENATOR FUSCHILLO:    That's correct.

2                   SENATOR TKACZYK:    And also, can you  
3 just explain how 853 schools and special  
4 education programs are impacted by this  
5 legislation?

6                   SENATOR FUSCHILLO:    They're not  
7 impacted by it.  What the section does is it  
8 organizes them, under Chapter 853 under the  
9 Education Law, so they're considered charter  
10 schools.  And those are the private schools that  
11 we see all over New York State providing the  
12 services right now.

13                   SENATOR TKACZYK:    Thank you,  
14 Senator Fuschillo.

15                                    On the bill, please.

16                   ACTING PRESIDENT VALESKY:    Senator  
17 Tkaczyk on the bill.

18                   SENATOR TKACZYK:    I think this is a  
19 great bill.  I'm really happy to see it get to  
20 the floor.

21                                    According to the Centers for Disease  
22 Control, one in 88 children are diagnosed with an  
23 autism spectrum disorder.  When we provide the  
24 ability for parents to get help from licensed  
25 behavior analysts, I think that's a very good

1 thing. We're going to provide access to  
2 qualified providers and ensure good consumer  
3 protection for those families seeking that  
4 assistance.

5 I want to applaud the Senator, and I  
6 want to urge my colleagues to vote yes on this  
7 bill.

8 Thank you.

9 ACTING PRESIDENT VALESKY: Thank  
10 you, Senator Tkaczyk.

11 Seeing no other Senator who wishes  
12 to be heard, the debate is closed. The Secretary  
13 will ring the bell.

14 Read the last section.

15 THE SECRETARY: Section 16. This  
16 act shall take effect July 1, 2014.

17 ACTING PRESIDENT VALESKY: Call the  
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Absent from  
21 voting: Senators Parker and Squadron.

22 Ayes, 61.

23 ACTING PRESIDENT VALESKY: The bill  
24 is passed.

25 Senator Libous, that completes the

1 controversial reading of today's calendar.

2 SENATOR LIBOUS: Mr. President, I'm  
3 going to tell everybody what we're going to do  
4 now.

5 We're going to call an immediate  
6 meeting of the Finance Committee. We're going to  
7 ask the Finance Committee to go to Room 332  
8 immediately. And the sooner they get there,  
9 there's a small agenda that they'll finish up  
10 pretty quickly, and then we'll come back and we  
11 have some nominees that are in the gallery today  
12 that we have to take care of.

13 And when that gets done, I'll let  
14 you know what the next step is.

15 ACTING PRESIDENT VALESKY: There is  
16 an immediate meeting of the Senate Finance  
17 Committee in Room 332 of the Capitol.

18 The Senate will stand at ease  
19 pending the return of the Finance Committee.

20 SENATOR LIBOUS: Mr. President,  
21 people can go to the Finance Committee, but I'd  
22 like to return to motions before we stand at  
23 ease.

24 ACTING PRESIDENT VALESKY: Motions  
25 and resolutions.

1                   SENATOR LIBOUS:    On behalf of  
2   Senator Zeldin, on page 22 I offer the following  
3   amendments to Calendar Number 622, Senate Print  
4   5037A, and ask that said bill retain its place on  
5   the Third Reading Calendar.

6                   ACTING PRESIDENT VALESKY:    The  
7   amendments are received, and the bill will retain  
8   its place on the Third Reading Calendar.

9                   SENATOR LIBOUS:    Mr. President, at  
10   this time I would ask that the Senate stand at  
11   ease.

12                   ACTING PRESIDENT VALESKY:    The  
13   Senate will now stand at ease.

14                   (Whereupon, the Senate stood at ease  
15   at 5:30 p.m.)

16                   (Whereupon, the Senate reconvened at  
17   5:48 p.m.)

18                   SENATOR LIBOUS:    Mr. President.

19                   ACTING PRESIDENT VALESKY:    Senator  
20   Libous.

21                   SENATOR LIBOUS:    If we can go back  
22   to reports of standing committees, I believe  
23   there's a report of the Finance Committee at the  
24   desk. I ask that it be read at this time.

25                   ACTING PRESIDENT VALESKY:    There is

1 a report of the Finance Committee at the desk.

2 The Secretary will read.

3 THE SECRETARY: Senator  
4 DeFrancisco, from the Committee on Finance,  
5 offers the following nominations.

6 As member and chairman of the State  
7 Commission on Corrections, Thomas A. Beilein, of  
8 Appleton.

9 ACTING PRESIDENT VALESKY: Senator  
10 DeFrancisco.

11 SENATOR DeFRANCISCO: Yes. Are we  
12 on the first nomination?

13 ACTING PRESIDENT VALESKY: We are.

14 SENATOR DeFRANCISCO: Okay. I move  
15 the nomination of Thomas A. Beilein to continue  
16 as chairman of the Commission on Correction.

17 He's been there approximately five  
18 years. He is an outstanding citizen of this  
19 state. He's done a wonderful job. His  
20 background is outstanding. And he unanimously  
21 passed through the Committee on Crime and  
22 Corrections as well as the Finance Committee, and  
23 I proudly move his nomination.

24 ACTING PRESIDENT VALESKY: Thank  
25 you, Senator DeFrancisco.

1                   Senator Gallivan on the nomination.

2                   SENATOR GALLIVAN:    Thank you,  
3   Mr. President.  I too rise to support the  
4   nomination of Thomas A. Beilein to be reappointed  
5   as chair of the Commission of Corrections.

6                   I've worked with the chairman in my  
7   capacity as sheriff of Erie County when he was  
8   the sheriff of Niagara County.  He's an honorable  
9   man.  I concur without repeating what Senator  
10  DeFrancisco has said about his qualifications.

11                   He's been in the position and we've  
12  talked about the challenges facing the  
13  commission, and they're very real.  And I look  
14  forward to working with him in the next several  
15  years in that capacity.

16                   Thank you, Mr. President.

17                   ACTING PRESIDENT VALESKY:    Thank  
18  you, Senator Gallivan.

19                   Senator Maziarz on the nomination.

20                   SENATOR MAZIARZ:    Thank you very  
21  much, Mr. President.

22                   I also rise to second this  
23  nomination of Tom Beilein from Niagara County,  
24  our former sheriff.  Sheriff Beilein and I served  
25  together in the county together when I was the

1 county clerk and he was the sheriff. I've known  
2 the sheriff for well over 20 years now.

3 He's done an excellent job as the  
4 chairman of the Commission of Corrections. This  
5 is a great reappointment by Governor Cuomo.

6 And during the confirmation process  
7 in both the Finance Committee and in the Crime  
8 and Corrections Committee, Chairman Beilein  
9 outlined very well the role of the commission and  
10 what they do and some of the accomplishments that  
11 he has had.

12 I'm also extremely impressed that  
13 Senator DeFrancisco rose to endorse this  
14 nomination, given the fact that Tom Beilein's  
15 brother John, the coach of the Michigan  
16 Wolverines, beat Syracuse. It was probably the  
17 one time that, you know, Syracuse was defeated,  
18 and Senator DeFrancisco still supports the  
19 opposition.

20 (Laughter.)

21 SENATOR MAZIARZ: Thank you very  
22 much, Mr. President.

23 ACTING PRESIDENT VALESKY: Thank  
24 you, Senator Maziarz.

25 All those in favor Of reappointing

1 Thomas A. Beilein, of Appleton, as a member and  
2 chairman of the State Commission on Correction  
3 signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT VALESKY: Opposed,  
6 nay.

7 (No response.)

8 ACTING PRESIDENT VALESKY: Thomas  
9 A. Beilein is hereby confirmed as member and  
10 chairman of the State Commission on Correction.

11 He joins us today in the gallery.  
12 Congratulations. Thank you for your  
13 service.

14 (Standing ovation.)

15 ACTING PRESIDENT VALESKY: The  
16 Secretary will read.

17 THE SECRETARY: As member of the  
18 State Commission on Correction, Thomas J.  
19 Loughren, of McDonough.

20 ACTING PRESIDENT VALESKY: Senator  
21 DeFrancisco.

22 SENATOR DeFRANCISCO: Yes, I'm  
23 proud to also rise to move the nomination of  
24 Thomas Loughren as a new commissioner of  
25 corrections.

1                   He went into great detail about his  
2 background before the Crime and Corrections  
3 Committee. If you haven't read his resume  
4 thoroughly, you really should. He's got an  
5 incredibly broad range of background that suits  
6 him particularly for this particular position.

7                   And as a result, I do move the  
8 nomination and congratulate the Governor for this  
9 fine appointment.

10                   ACTING PRESIDENT VALESKY: Thank  
11 you, Senator DeFrancisco.

12                   Senator Libous on the nomination.

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

15                   I too want to rise on Tom Loughren,  
16 because I had the pleasure of working with Tom  
17 when he was the sheriff of Chenango County. And  
18 he did a fabulous job there, he was extremely  
19 well respected. The men and women who worked for  
20 him, they liked him and they worked very hard.

21                   He did a number of things when it  
22 came to not only just stopping crime but dealing  
23 with drugs and a whole host of things. And we  
24 worked together with some programs.

25                   And I just think that the Governor

1 has chosen as outstanding individual. I was very  
2 pleased when I saw his name come up. And Senator  
3 Gallivan asked me if I knew Tom, and I was very  
4 pleased to tell him that I do know him, he did a  
5 great job as a public servant as sheriff of  
6 Chenango County, and he will serve us very well  
7 on this committee.

8 So, Tom, I congratulate you, and I  
9 congratulate the Governor for this fine nominee.

10 ACTING PRESIDENT VALESKY: Thank  
11 you, Senator Libous.

12 Senator Gallivan on the nomination.

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

15 I rise again to support the  
16 nomination of Thomas Loughren as a member of the  
17 State Commission of Correction. Like Sheriff  
18 Beilein, we worked together in our former lives,  
19 and Tom Loughren comes tremendously qualified  
20 with a tremendous background very well suited for  
21 this position.

22 But I would just point out for all  
23 my colleagues, in addition to what you have  
24 heard, he served at one time as the president of  
25 the State Sheriffs Association and a member of

1 the State Law Enforcement Accreditation Council.

2 And he's a true criminal justice  
3 professional, well suited to meet the challenges  
4 of the Commission of Correction. I'll be voting  
5 in the affirmative.

6 ACTING PRESIDENT VALESKY: Thank  
7 you, Senator Gallivan.

8 Senator Seward on the nomination.

9 SENATOR SEWARD: Thank you very  
10 much, Mr. President.

11 I too rise in support of Tom  
12 Loughren to become a member of the State  
13 Commission of Correction. I share a portion of  
14 Chenango County with Senator Libous and in that  
15 capacity have had the opportunity to personally  
16 observe the fine work of Tom as the sheriff of  
17 Chenango County.

18 He did an outstanding job in that  
19 role. He's operated a correctional facility. He  
20 walks the walk and talks the talk as a lawman.  
21 He has a wide breadth of experience in law  
22 enforcement, a very practical background. And he  
23 will serve the people of the State of New York  
24 very, very well as member of the State Commission  
25 of Corrections.

1                   So I congratulate you, Tom, and I  
2 congratulate the Governor on making an  
3 outstanding nomination. I'm very pleased to rise  
4 in support.

5                   ACTING PRESIDENT VALESKY: Thank  
6 you, Senator Seward.

7                   Senator Farley on the nomination.

8                   SENATOR FARLEY: Yes, I rise in  
9 support of this nomination. You know, for  
10 anybody in this chamber, if you look at this  
11 man's resume and how fortunate we are to get  
12 somebody to serve in a position with the  
13 background that he has, particularly in law  
14 enforcement, in homeland security and so many  
15 things.

16                   I also on a personal basis chatted  
17 with him at good length in the waiting room  
18 before he went in for confirmation, and he's a  
19 person of integrity and somebody that truly we're  
20 very fortunate to have serve as commissioner.

21                   I rise and enthusiastically second  
22 this nomination.

23                   ACTING PRESIDENT VALESKY: Thank  
24 you, Senator Farley.

25                   The question is on the appointment

1 of Thomas J. Loughren, of McDonough, as a member  
2 of the State Commission of Correction. All in  
3 favor signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT VALESKY: Opposed,  
6 nay.

7 (No response.)

8 ACTING PRESIDENT VALESKY: Thomas  
9 J. Loughren is hereby confirmed as a member of  
10 the State Commission of Correction.

11 He joins us today in the gallery.

12 Congratulations, Mr. Loughren.

13 (Standing ovation.)

14 ACTING PRESIDENT VALESKY: The  
15 Secretary will continue to read.

16 THE SECRETARY: As commissioner and  
17 president of the New York State Civil Service  
18 Commission, Jerry Boone, of Troy.

19 As member of the New York State  
20 Housing Financing Agency, Nestor M. Davidson, of  
21 Brooklyn.

22 As member of the Niagara Falls State  
23 Park, Recreation and Historic Preservation  
24 Commission, Stuart H. Angert, of Amherst.

25 As member of the Ogdensburg Bridge

1 and Port Authority, Samuel James LaMacchia, of  
2 Ogdensburg.

3 As member of the Palisades  
4 Interstate Park Commission, Howard G. Seitz, of  
5 Rye.

6 As member of the New York State  
7 Council on the Arts, Laura L. Aswad, of  
8 Woodstock.

9 As member of the Thousand Islands  
10 State Park, Recreation and Historic Preservation  
11 Commission, James W. Ransom, of Rooseveltown.

12 As director of the New York  
13 Convention Center Operating Corporation,  
14 Karen He, of Brooklyn.

15 As members of the Allegany State  
16 Park, Recreation and Historic Preservation  
17 Commission: Thomas A. Erlandson, of Frewsburg,  
18 and Michael F. McLaughlin, of Olean.

19 As trustees of the City University  
20 of New York Board of Trustees: Alfreida D.  
21 Foster, of New York; Carol A. Robles-Román,  
22 Ph.D., of the Bronx; and Charles A. Shorter, of  
23 New York.

24 As members of the Central New York  
25 State Park, Recreation and Historic Preservation

1 Commission: Stephen W. Buechner, of Syracuse;  
2 Terry L. Ettinger, of Syracuse; and Cornelius B.  
3 Murphy, Jr., of Syracuse.

4 As members of the Finger Lakes State  
5 Parks, Recreation and Historic Preservation

6 Commission: Ludi Augustine, of Ithaca; Mitchell  
7 L. Cornish, of Hornell; and Robert H. Scharf, of  
8 Dundee.

9 As members of the Genesee State  
10 Park, Recreation and Historic Preservation

11 Commission: Martin R. Miskell, of Geneseo, and  
12 Loren A. Penman, of Batavia.

13 As members of the Niagara Frontier  
14 Transportation Authority: Charles A. Gurney III,  
15 of Buffalo, and Wesley L. Hicks, Jr., M.D., of  
16 Angola.

17 As members of the State Board for  
18 Historic Preservation: Jay A. DiLorenzo, of  
19 Schenectady, and Douglas A. Perrelli, Ph.D., of  
20 Buffalo.

21 As members of the State Park,  
22 Recreation and Historic Preservation Commission  
23 for the City of New York: Alexander Durst, of  
24 New York; Allison Whipple Rockefeller, of  
25 New York; and Simon C. Roosevelt, of New York.

1                   ACTING PRESIDENT VALESKY: All in  
2 favor of the aforementioned nominations signify  
3 by saying aye.

4                   (Response of "Aye.")

5                   ACTING PRESIDENT VALESKY: Opposed,  
6 nay.

7                   (No response.)

8                   ACTING PRESIDENT VALESKY: The  
9 nominees are confirmed.  
10 Senator Libous.

11                   SENATOR LIBOUS: Mr. President, I  
12 believe Senator Carlucci has a motion. If we can  
13 go back too motions and resolutions.

14                   ACTING PRESIDENT VALESKY: Motions  
15 and resolutions.

16                   Senator Carlucci.

17                   SENATOR CARLUCCI: Thank you,  
18 Mr. President.

19                   On behalf of Senator Savino, on page  
20 number 49 I offer the following amendments to  
21 Calendar Number 1154, Senate Print Number 3677,  
22 and ask that the said bill retain its place on  
23 the Third Reading Calendar.

24                   ACTING PRESIDENT VALESKY: The  
25 amendments are received. The bill will retain

1 its place on the Third Reading Calendar.

2 SENATOR LIBOUS: Mr. President,  
3 give us a second.

4 (Pause.)

5 SENATOR LIBOUS: Mr. President.

6 ACTING PRESIDENT VALESKY: Senator  
7 Libous.

8 SENATOR LIBOUS: The Senate is  
9 going to stand at ease because we are waiting on  
10 amendments that have to be in tonight. I won't  
11 get into the technical reason why, but we have  
12 to.

13 Members will be allowed to leave.  
14 And when we do adjourn, we will adjourn until  
15 Tuesday, June 18th, at 11:30 a.m. For those of  
16 you who aren't sure what I just said, that's  
17 tomorrow at 11:30 a.m.

18 So members at this time can leave,  
19 and the Senate will stand at ease waiting for  
20 amendments.

21 ACTING PRESIDENT VALESKY: The  
22 Senate will stand at ease.

23 (Whereupon, the Senate stood at ease  
24 at 6:01 p.m.)

25 (Whereupon, the Senate reconvened at

1 6:03 p.m.)

2 SENATOR LIBOUS: Mr. President.

3 ACTING PRESIDENT VALESKY: Senator  
4 Libous.

5 SENATOR LIBOUS: Is there any  
6 further business at the desk, Mr. President?

7 ACTING PRESIDENT VALESKY: There is  
8 no further business at the desk.

9 SENATOR LIBOUS: There being no  
10 further business, I move that the Senate adjourn  
11 until Tuesday, June 18th, at 11:30 a.m.

12 ACTING PRESIDENT VALESKY: On  
13 motion, the Senate stands adjourned until  
14 Tuesday, June 18th, at 11:30 a.m.

15 (Whereupon, at 6:04 p.m., the Senate  
16 adjourned.)

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