

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 June 18, 2013

11 11:59 a.m.

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13
14 REGULAR SESSION

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18 SENATOR JOSEPH GRIFFO, Acting President

19 FRANCIS W. PATIENCE, Secretary

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

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

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

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

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

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

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

17 The Secretary will read.

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

23 ACTING PRESIDENT GRIFFO: Without
24 objection, the Journal stands approved as read.

25 Presentation of petitions.

1 Messages from the Assembly.

2 The Secretary will read.

3 THE SECRETARY: On page 6, Senator
4 Young moves to discharge, from the Committee on
5 Rules, Assembly Bill Number 5900A and substitute
6 it for the identical Senate Bill Number 3843A,
7 Third Reading Calendar 176.

8 ACTING PRESIDENT GRIFFO:
9 Substitution so ordered.

10 THE SECRETARY: On page 8, Senator
11 Latimer moves to discharge, from the Committee
12 on Local Government, Assembly Bill Number 2288A
13 and substitute it for the identical Senate Bill
14 Number 2122A, Third Reading Calendar 231.

15 ACTING PRESIDENT GRIFFO:
16 Substitution so ordered.

17 THE SECRETARY: On page 14,
18 Senator Squadron moves to discharge, from the
19 Committee on Housing, Construction and Community
20 Development, Assembly Bill Number 5438 and
21 substitute it for the identical Senate Bill
22 Number 226, Third Reading Calendar 435.

23 ACTING PRESIDENT GRIFFO:
24 Substitution so ordered.

25 THE SECRETARY: On page 15,

1 Senator Boyle moves to discharge, from the
2 Committee on Environmental Conservation,
3 Assembly Bill Number 7411 and substitute it for
4 the identical Senate Bill Number 4367A, Third
5 Reading Calendar 466.

6 ACTING PRESIDENT GRIFFO:
7 Substitution so ordered.

8 THE SECRETARY: On page 20,
9 Senator Carlucci moves to discharge, from the
10 Committee on Rules, Assembly Bill Number 7904
11 and substitute it for the identical Senate Bill
12 Number 4861A, Third Reading Calendar 597.

13 ACTING PRESIDENT GRIFFO: The
14 substitution is so ordered.

15 THE SECRETARY: On page 27,
16 Senator DeFrancisco moves to discharge, from the
17 Committee on Investigations and Government
18 Operations, Assembly Bill Number 7262 and
19 substitute it for the identical Senate Bill
20 Number 4696, Third Reading Calendar 838.

21 ACTING PRESIDENT GRIFFO:
22 Substitution so ordered.

23 Messages from the Governor.

24 Reports of standing committees.

25 Reports of select committees.

1 Communications and reports from
2 state officers.

3 Motions and resolutions.

4 Senator Libous.

5 SENATOR LIBOUS: Mr. President,
6 Senator Valesky I believe has a motion.

7 ACTING PRESIDENT GRIFFO: Senator
8 Valesky.

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

11 On behalf of Senator Savino, on
12 page 21 I offer the following amendments to
13 Calendar Number 660, Senate Print Number 4589,
14 and ask that said bill retain its place on the
15 Third Reading Calendar.

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

19 Senator Libous.

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

22 On behalf of Senator Ranzenhofer, I
23 wish to call up his bill, Print Number 2118,
24 recalled from the Assembly, and it's now at the
25 desk.

1 ACTING PRESIDENT GRIFFO: The
2 Secretary will read.

3 THE SECRETARY: Calendar Number 50,
4 by Senator Ranzenhofer, Senate Print 2118, an act
5 to amend the Public Health Law.

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

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

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 53.

13 SENATOR LIBOUS: I offer up the
14 following amendments.

15 ACTING PRESIDENT GRIFFO: The
16 amendments are received.

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

19 On behalf of Senator Gallivan, I
20 wish to call up his bill, Senate Print 89,
21 recalled from the Assembly, and it's now at the
22 desk.

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will read.

25 THE SECRETARY: Calendar Number

1 1214, by Senator Gallivan, Senate Print 89, an
2 act to amend the Executive Law.

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

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

8 (The Secretary called the roll.)

9 THE SECRETARY: Ayes, 53.

10 SENATOR LIBOUS: I offer up the
11 following amendments.

12 ACTING PRESIDENT GRIFFO: The
13 amendments are received.

14 SENATOR LIBOUS: Mr. President, on
15 behalf of Senator Gallivan, I move to amend
16 Senate Bill Number 352A by striking out the
17 amendments made on June 17th and restoring it to
18 its original print, 352.

19 ACTING PRESIDENT GRIFFO: So
20 ordered.

21 SENATOR LIBOUS: Mr. President, at
22 this time I'd like to adopt the Resolution
23 Calendar, with the exception of Resolution 2419,
24 by Senator Larkin; Resolution 2421, by Senator
25 Little; Resolution 2485, by Senator Carlucci; and

1 Resolution 2490, by Senator Breslin.

2 ACTING PRESIDENT GRIFFO: All in
3 favor of adopting the Resolution Calendar, with
4 the exception of Resolutions 2419, 2421, 2485,
5 and 2490, signify by saying aye.

6 (Response of "Aye.")

7 ACTING PRESIDENT GRIFFO: Opposed?

8 (No response.)

9 ACTING PRESIDENT GRIFFO: The
10 Resolution Calendar is adopted.

11 SENATOR LIBOUS: Mr. President, if
12 you'd just give me a second here.

13 (Pause.)

14 ACTING PRESIDENT GRIFFO: Can I
15 have some order in the chamber, please.

16 Senator Libous.

17 SENATOR LIBOUS: Mr. President, I
18 want to take up Resolution 2421, by Senator
19 Little, have the title read, and call on
20 Senator Little.

21 ACTING PRESIDENT GRIFFO: The
22 Secretary will read.

23 THE SECRETARY: Legislative
24 Resolution Number 2421, by Senator Little,
25 memorializing Governor Andrew M. Cuomo to

1 proclaim July 1, 2013, as the "Spirit of 1776"
2 Wagon Day in the State of New York.

3 ACTING PRESIDENT GRIFFO: Senator
4 Little.

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

7 This is a resolution that is
8 supported by all of the women Senators here in
9 the chamber. And it is important because
10 New York State is the cradle for the women's
11 rights movement in the United States.

12 As we all know, in 2020 we will
13 celebrate the anniversary of women's right to
14 vote, 100 years, in 1920. And in 2017 we will
15 celebrate the first women's vote in New York
16 State.

17 So why is the "Spirit of 1776" Wagon
18 important? This is part of a women's exhibit
19 that was in the museum for 2012, it was there,
20 and it actually led the way in the women's
21 movement from Seneca Falls to the Supreme Court.
22 And the exhibit showcased a horse-drawn campaign
23 wagon called the "Spirit of 1776" that was used
24 in parades and special events.

25 This wagon was part of the beginning

1 movement for the campaigners who were campaigning
2 for women's right to vote. The wagon was used in
3 Manhattan. It was taken to parades in Long
4 Island. It was used throughout that part of
5 New York State.

6 It's a historical artifact
7 symbolizing the significance of New York women's
8 participation in the suffrage movement, which
9 really lasted over a 72-year period, starting in
10 1848 in Seneca Falls, New York, and ending with
11 the ratification of the 19th Amendment that
12 allowed women to vote in New York State that took
13 place, as I said, in 1917 and 1920 on the
14 national level.

15 We have in the gallery Susan Zimet,
16 who is an organizer and really spearheaded a
17 group of women together, a national group of
18 women that is called Votes for Women 2020 and is
19 promoting the celebration in order to educate,
20 inspire, and promote the history of women's right
21 to vote, with a focus on the past and an eye to
22 the future, with the goals of preserving and
23 promoting New York State history sites. And we
24 have many sites in New York State. Just to
25 mention a few, the Susan B. Anthony House, the

1 Matilda Joslyn Gage Home, and the Harriet Tubman
2 Home.

3 And the goal of Votes for Women 2020
4 is to create in New York State a Women's Heritage
5 Trail. And with that, we're beginning that whole
6 beginning by using this wagon that was used in
7 the very initial trail that brought us to having
8 women have the right to vote in New York and in
9 this country.

10 So I commend Susan for starting
11 this. And I ask all of you to join with me as we
12 celebrate the "Spirit of 1776" Wagon and ask the
13 Governor to proclaim July 1, 2013, as that day.
14 And I believe we're going to have having the
15 wagon here tomorrow outside the Capitol at
16 10 o'clock in the morning. Thank you.

17 Thank you, Mr. President.

18 ACTING PRESIDENT GRIFFO: Thank
19 you, Senator Little.

20 Senator Tkaczyk.

21 SENATOR TKACZYK: Thank you,
22 Mr. President.

23 I want to thank Senator Little for
24 bringing this resolution to the floor. I
25 wholeheartedly support it.

1 And I think when we look at our
2 history, celebrating the fact that women have the
3 right to vote is a great thing. I want to thank
4 Susan Zimet and the others who have been working
5 on this. And I wholeheartedly support the
6 resolution, not only the resolution but what
7 we're about to embark on.

8 And I would love to work with
9 Senator Little on a trail around the state that
10 recognizes the important role women have played
11 in our history to get us to this point. A
12 hundred-year anniversary is something we need to
13 start working on now. And I look forward to
14 working with Senator Little on this in the
15 future.

16 Thank you.

17 ACTING PRESIDENT GRIFFO: Senator
18 Hassell-Thompson.

19 SENATOR HASSELL-THOMPSON: Thank
20 you, Mr. President.

21 I raise to thank Senator Little for
22 allowing for us to be a cosponsor, particularly
23 because the work of the suffragette is not yet
24 finished. It certainly is represented very well
25 in this Senate by the women who serve here.

1 And I know that men are still not
2 ready for us to have the "vote" vote, but I think
3 what we are doing here is celebrating a major
4 milestone that women have made in changing the
5 way in which government works.

6 And so I thank her and appreciate
7 the opportunity to have been one of the signers
8 on this important piece of legislation in the
9 form of a resolution.

10 Thank you, Mr. President.

11 ACTING PRESIDENT GRIFFO: Senator
12 Hoylman.

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

15 I rise to thank Senator Little for
16 her efforts and also acknowledge the historic
17 link between the women's rights movement and the
18 LGBT community, as summarized by the President of
19 the United States in his inaugural address, where
20 he noted the connection between Seneca Falls and
21 Stonewall, which is in my district.

22 And I wanted to thank all the
23 advocates here today, and I look forward to
24 working with them as we prepare for this historic
25 anniversary, Mr. President.

1 Thank you, Senator Little.

2 ACTING PRESIDENT GRIFFO: Thank
3 you, Senator Hoylman.

4 Is there any other Senator who
5 wishes to be heard?

6 The question is on the resolution.
7 All in favor of adopting the resolution signify
8 by saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT GRIFFO: Opposed?

11 (No response.)

12 ACTING PRESIDENT GRIFFO: The
13 resolution is adopted.

14 Senator Libous.

15 SENATOR LIBOUS: Mr. President, I
16 believe there's a resolution at the desk,
17 Number 2490, by Senator Breslin. He'd like it
18 read in its entirety, and then if we could call
19 on him for comments.

20 ACTING PRESIDENT GRIFFO: I'm going
21 to ask for some order in the chamber, please.

22 The Secretary will read the
23 resolution.

24 THE SECRETARY: Legislative
25 Resolution Number 2490, by Senator Breslin,

1 mourning the untimely death of Lieutenant Colonel
2 Todd Clark, of Albany, New York, and paying
3 tribute to his courageous actions as a member of
4 the United States Army.

5 "WHEREAS, The courage and bravery of
6 our military personnel since the United States
7 Armed Forces commenced Operation Iraqi Freedom
8 will ensure our continued role as a nation which
9 embodies the ideals of democracy, and as a
10 defender of liberty for people throughout the
11 world; and

12 "WHEREAS, Members of the Armed
13 Services from the State of New York, who have
14 served so valiantly and honorably during
15 Operation Enduring Freedom, deserve a special
16 salute from this Legislative Body; and

17 "WHEREAS, It is with feelings of
18 deepest regret that this Legislative Body mourns
19 the untimely death of 40 year-old Lieutenant
20 Colonel Todd Clark, of Albany, New York, and pays
21 tribute to his courageous actions as a member of
22 the United States Army; he died in the line of
23 duty on Saturday, June 8, 2013; and

24 "WHEREAS, Lieutenant Colonel Todd
25 Clark was a brigade-level advisor with the United

1 States Army's 10th Mountain Division; and

2 "WHEREAS, Lieutenant Colonel Todd
3 Clark spent more than 17 years in the military;
4 he graduated from Christian Brothers Academy in
5 1990, enrolled at Texas A&M and entered the
6 United States Army shortly after earning his
7 degree; and

8 "WHEREAS, Serving his second tour in
9 Afghanistan, Lieutenant Colonel Todd Clark had
10 completed three other tours in Iraq, and spent
11 roughly 12 years overseas; and

12 "WHEREAS, In July of 2010,
13 Lieutenant Colonel Todd Clark was injured by a
14 roadside bomb in the southern Afghan province of
15 Kandahar; he received a Purple Heart and, after
16 recovering, he became deeply involved in the
17 Wounded Warrior program; and

18 "WHEREAS, Lieutenant Colonel Todd
19 Clark is survived by his proud parents, Jack and
20 Kathleen Clark, his loving wife, Shelley, and
21 their two beautiful children, Madison and Collin;
22 and

23 "WHEREAS, The banner of freedom will
24 always wave over our beloved New York and all of
25 America, the land of the free and the home of the

1 Brave; and

2 "WHEREAS, Residents of this great
3 state must never forget the courage with which
4 these men and women served their country, and
5 must recognize that no greater debt is owed than
6 that owed to those who gave their lives for their
7 beloved nation and to those who continue to be
8 missing in action; and

9 "WHEREAS, The freedoms and security
10 we cherish as Americans come at a very high price
11 for those serving in the military in times of
12 conflict; it is fitting and proper that we who
13 are the beneficiaries of those who risk their
14 lives, leaving their families behind, express our
15 appreciation and eternal gratitude for their
16 sacrifices and courageous acts; now, therefore,
17 be it

18 "RESOLVED, That this Legislative
19 Body pause in its deliberations to mourn the
20 untimely death of Lieutenant Colonel Todd Clark,
21 of Albany, New York, and to pay tribute to his
22 courageous actions as a member of the United
23 States Army; and be it further

24 "RESOLVED, That a copy of this
25 resolution, suitably engrossed, be transmitted to

1 the family of Lieutenant Colonel Todd Clark."

2 ACTING PRESIDENT GRIFFO: Senator
3 Breslin.

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

6 As we meet here today in our
7 New York State Legislature, in the Senate, at the
8 same time the Clark family is preparing for the
9 funeral of Lieutenant Colonel Todd Clark today.
10 And Todd Clark and others are responsible for
11 allowing us to have those freedoms.

12 A young man -- only 40 -- 17 years
13 in the service, a graduate of Christian Brothers
14 Academy here in Albany. Seventeen years in the
15 service, but it goes beyond that.

16 Todd served three tours in Iraq, and
17 he was now in his second tour in Afghanistan. On
18 his first tour in Afghanistan, he was wounded by
19 a roadside explosion. He knew the dangers of
20 being there, but he also knew that he was
21 protecting our country and serving our country.

22 And we mourn him this day for what
23 he has done and what he represents. A lieutenant
24 colonel at 40, he leaves a wife, Shelley, and two
25 young children.

1 And it's no coincidence that he rose
2 to that level of lieutenant colonel. He's the
3 son of a decorated service veteran who knew the
4 risks, but he knew it was necessary to protect
5 this country.

6 We will mourn his loss, but we
7 should not forget that loss. And we should
8 continue to praise those people who make the
9 ultimate sacrifice to allow us to participate in
10 the most wonderful democracy in the world.

11 Thank you, Mr. President.

12 ACTING PRESIDENT GRIFFO: Thank
13 you, Senator Breslin.

14 Senator Ritchie.

15 SENATOR RITCHIE: I would like to
16 thank Senator Breslin for bringing this
17 resolution to the Senate today.

18 As you know, Fort Drum, which is the
19 home of the Army's 10th Mountain Division, is in
20 my district. Colonel Clark and his family made
21 their home in Evans Mills, just outside the gates
22 on the post. Some of you may recall Colonel
23 Clark in 2012 when he joined us here in this
24 chamber as part of the first Fort Drum Day.

25 I envisioned Fort Drum Day as a way

1 for this body to celebrate this post and
2 highlight the important role it plays in the
3 North Country community and our state's economy.
4 But the commanding general at the time insisted
5 that we rename it 10th Mountain Division and
6 Fort Drum Day, in that order, because it was
7 important for us to recognize the individual
8 fellow men and women, our fellow New Yorkers, who
9 serve in our armed forces and the sacrifices they
10 have made for our freedom.

11 The price of that we see today, and
12 we acknowledge it today. Lieutenant Colonel Todd
13 Clark and his fellow officer Lieutenant Colonel
14 Jaimie Leonard, another graduate of West Point
15 and also a constituent of Colonel Larkin's, are
16 the fourth and the fifth Fort Drum soldiers who
17 have given their lives in Afghanistan this year.
18 Their loss is a tragedy for their families, to
19 the community and the state.

20 Today as we learn about Lieutenant
21 Colonel Clark, as we honor his life and his
22 dedication and his commitment, I encourage my
23 colleagues to remember the sacrifice of all our
24 men and women in uniform. Say a prayer for them
25 each day and be proud to a live in a nation that

1 produces such brave men and women like Lieutenant
2 Colonel Clark and Lieutenant Colonel Leonard.

3 Thank you, Mr. President.

4 ACTING PRESIDENT GRIFFO: Thank
5 you, Senator Ritchie.

6 Senator Farley.

7 SENATOR FARLEY: Thank you,
8 Mr. President.

9 I rise also to pay tribute to a
10 magnificent American and somebody that gave his
11 life.

12 Anybody that's been reading the
13 local papers about this sad and tragic story that
14 has happened to the Clark family and the tribute
15 that has been paid in this community to this
16 person that gave his life for his country -- you
17 know, Senator Ritchie was saying he was a member
18 of the 10th Mountain Division, one of the most
19 celebrated fighting divisions that has ever been
20 part of our armed forces and who we honored here
21 in this Senate. He goes back to that long
22 tradition of defending our country.

23 And Colonel Clark did so much and
24 served so long and finally gave his life on
25 behalf of this country. And I think everybody in

1 this chamber should be proud of his service and
2 what his family has done for our country.

3 It is with great sorrow and
4 gratitude that I stand to praise this magnificent
5 person, Colonel Clark.

6 ACTING PRESIDENT GRIFFO: Thank
7 you, Senator Farley.

8 Senator DeFrancisco.

9 SENATOR DeFRANCISCO: I also rise
10 to speak on this resolution.

11 Having served in the Air Force,
12 fortunately I did not have to serve in combat.
13 And the thing that I reflect on in listening to
14 this resolution is that it's very difficult to
15 even imagine someone who served in Iraq for three
16 tours and was on his second tour in Afghanistan.
17 I mean, this is truly a special person.

18 It's one thing to serve and be
19 called a veteran; it's another to serve in
20 combat. But to repeatedly serve in combat which
21 increases exponentially the chances of something
22 terrible happening shows the character of this
23 particular individual, Todd Clark.

24 So when we reflect on this
25 resolution and reflect on him, we truly have to

1 recognize a special, special individual who not
2 only served, not only served repeatedly, but put
3 himself in harm's way on five different
4 occasions.

5 So God rest his soul, and God please
6 give peace to Todd Clark's family.

7 Thank you.

8 ACTING PRESIDENT GRIFFO: Thank
9 you, Senator DeFrancisco.

10 Senator Larkin.

11 SENATOR LARKIN: Thank you,
12 Mr. President.

13 You know, it's a sad day when we
14 have to come and bear the news brought to us
15 about our fellow human beings, and especially our
16 New Yorkers.

17 Here are two individuals who have
18 been in combat for over five years. They were on
19 a special mission, military intelligence. They
20 had seen the fight of battle. And yet it comes
21 home to us, because now it's our turn.

22 Too often I think we as Americans
23 pass it by as, oh, two soldiers got killed
24 yesterday, three got killed last week. If it
25 weren't for those individuals, you wouldn't be

1 sitting on your you-know-what here today in
2 Albany.

3 They made the supreme sacrifice.
4 They cared about our country. They cared about
5 our state. And yet they pursued in defense of
6 this great nation.

7 You know, I think Patty said it
8 quite clearly, John, a few others -- Senator
9 Farley -- this is a gift we've been given of
10 these great, honest, sincere and dedicated
11 Americans who have made a supreme sacrifice.
12 Their family, their family is distraught. Where
13 do they go from here? How do they make up their
14 families? How do they move on?

15 They're blessed in one respect
16 because from the Academy we take care of our
17 own. But just don't go home tonight and think,
18 well, we praised a couple of soldiers. They're
19 not a couple of soldiers, they're a couple of
20 distinguished American citizens who happen to be
21 part of our armed forces who gave something so
22 that we can continue to live on in a peaceful,
23 happy way.

24 Thank you, Mr. President.

25 ACTING PRESIDENT GRIFFO: Thank

1 you, Senator Larkin.

2 The question is on the resolution.

3 All in favor signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT GRIFFO: Opposed?

6 (No response.)

7 ACTING PRESIDENT GRIFFO: The
8 resolution is adopted.

9 Senator Libous.

10 SENATOR LIBOUS: Mr. President, I'd
11 like to open up this resolution to all the
12 members. And as our custom is, if someone
13 doesn't want to be on it, just let the desk know.

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

18 Senator Libous.

19 SENATOR LIBOUS: Mr. President, at
20 this time like to take up Resolution Number 2485,
21 by Senator Carlucci. Read the title and call on
22 Senator Carlucci, please.

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will read.

25 THE SECRETARY: Legislative

1 Resolution Number 2485, by Senator Carlucci,
2 honoring Jill A. Warner upon the occasion of her
3 designation as recipient of the Thomas P. Morahan
4 Annual Leadership Award in Mental Health and
5 Developmental Disabilities.

6 ACTING PRESIDENT GRIFFO: Senator
7 Carlucci.

8 SENATOR CARLUCCI: Mr. President, I
9 rise to honor Jill Warner as the recipient of the
10 Thomas P. Morahan Leadership Award in Mental
11 Health and Developmental Disabilities.

12 As many of you know, Senator Thomas
13 Morahan served in this chamber and dedicated his
14 career and really his life to serving those with
15 developmental disabilities and mental health
16 issues, and made it a priority to make sure that
17 we protect our most vulnerable populations. So
18 it's so fitting that we honor, in his legacy, a
19 true champion of our most vulnerable
20 populations.

21 And Jill Warner serves as the
22 executive director and CEO of Jawonio. And
23 Jawonio is a premier organization in serving
24 people living with developmental disabilities as
25 well as mental health issues.

1 And what Jill Warner has done is
2 really has led this organization, led Jawonio
3 into the 21st century in dealing with so many
4 different complex issues that we have to deal
5 with today. And not using the silos of the past
6 but using a service where we know that there's
7 dual diagnosis, that people that are living with
8 developmental disabilities might also have a
9 mental health issue.

10 And they've really broken down those
11 barriers to make sure they're delivering the best
12 quality care possible to our most vulnerable
13 populations.

14 So it's such an honor and really
15 it's a great privilege to be able to recognize
16 such a true public servant as Jill Warner, who's
17 not only really walked the footsteps of Senator
18 Morahan by not just talking the talk but walking
19 the walk, and not just doing this as a job but
20 really as a passion for her life.

21 So I want to thank you for your
22 contributions, and it's an honor to have Jill
23 Warner here with us today.

24 Thank you.

25 ACTING PRESIDENT GRIFFO: Jill, we

1 want to extend our congratulations to you and our
2 best wishes as you receive this award named in
3 honor of the esteemed late member of the Senate,
4 Senator Tom Morahan. So congratulations.
5 Welcome to the chamber.

6 (Applause.)

7 ACTING PRESIDENT GRIFFO: The
8 question is on the resolution. All in favor
9 signify by saying aye.

10 (Response of "Aye.")

11 ACTING PRESIDENT GRIFFO: Opposed?

12 (No response.)

13 ACTING PRESIDENT GRIFFO: The
14 resolution is adopted.

15 Senator Maziarz.

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

18 And as is our custom, we'll open up
19 the resolution for anyone. And those who wish
20 not to sponsor it can notify the desk.

21 ACTING PRESIDENT GRIFFO: So noted
22 and instructed.

23 SENATOR MAZIARZ: Thank you.

24 Mr. President, can we please take up
25 Senate Resolution Number 2419, by Senator Larkin,

1 read the title only.

2 ACTING PRESIDENT GRIFFO: The
3 Secretary will read.

4 THE SECRETARY: Legislative
5 Resolution Number 2419, by Senator Larkin,
6 commemorating the Amyotrophic Lateral Sclerosis
7 (ALS) Association's 5th Annual Hudson Valley Walk
8 to Defeat ALS on October 20, 2013, in New York
9 State.

10 ACTING PRESIDENT GRIFFO: The
11 question is on the resolution. All in favor
12 signify by saying aye.

13 (Response of "Aye.")

14 ACTING PRESIDENT GRIFFO: Opposed?

15 (No response.)

16 ACTING PRESIDENT GRIFFO: The
17 resolution is adopted.

18 Senator Maziarz.

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

21 Mr. President, I wish to call up
22 Senate Print Number 4567, which is now at the
23 desk.

24 ACTING PRESIDENT GRIFFO: The
25 Secretary will read.

1 THE SECRETARY: Calendar Number
2 292, by Senator Zeldin, Senate Print 4567, an act
3 to amend the Environmental Conservation Law.

4 SENATOR MAZIARZ: Mr. President, I
5 now move to reconsider the vote by which this
6 bill was passed.

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

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 58.

11 SENATOR MAZIARZ: I now move to
12 commit Senate Print Number 4567, Calendar Number
13 292 on the order of third reading, to the
14 Committee on Rules, with instructions to said
15 committee to strike the enacting clause.

16 ACTING PRESIDENT GRIFFO: So
17 ordered, as requested.

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

20 Mr. President, we are going to have
21 a Rules Committee meeting at 1:00 p.m. sharp, and
22 the Senate will stand at ease until that time.

23 ACTING PRESIDENT GRIFFO: There
24 will be a Rules Committee meeting in Room 332 at
25 1:00 p.m. sharp.

1 Until such time, the Senate stands
2 at ease.

3 (Whereupon, the Senate stood at ease
4 at 12:33 p.m.)

5 (Whereupon, the Senate reconvened at
6 1:51 p.m.)

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

9 Senator Maziarz.

10 SENATOR MAZIARZ: Thank you,
11 Mr. President.

12 Could we return to the reports of
13 standing committees.

14 ACTING PRESIDENT GRIFFO: We'll
15 return to reports of standing committees.

16 SENATOR MAZIARZ: Mr. President, I
17 believe there's a report of the Rules Committee
18 at the desk.

19 ACTING PRESIDENT GRIFFO: There is
20 a report of the Rules Committee before the desk.

21 The Secretary will read.

22 THE SECRETARY: Senator Skelos,
23 from the Committee on Rules, reports the
24 following bills:

25 Senate Print 20, by Senator Diaz, an

1 act to amend the Penal Law;
2 Senate 48, by Senator Peralta, an
3 act to amend the Penal Law;
4 Senate 769, by Senator LaValle, an
5 act to amend the Indian Law;
6 Senate 815, by Senator Adams, an act
7 to amend the Penal Law;
8 Senate 985, by Senator Martins, an
9 act to amend the Civil Practice Law and Rules;
10 Senate 1052, by Senator Maziarz, an
11 act to amend the Penal Law;
12 Senate 1187A, by Senator Maziarz, an
13 act to amend the Public Authorities Law;
14 Senate 1205, by Senator Carlucci, an
15 act to amend the Real Property Tax Law;
16 Senate 1591A, by Senator Grisanti,
17 an act to amend the General Business Law;
18 Senate 1980, by Senator Carlucci, an
19 act to amend the Agriculture and Markets Law;
20 Senate 2011, by Senator Ranzenhofer,
21 an act to amend the Education Law;
22 Senate 2186A, by Senator Robach, an
23 act to amend the Public Health Law;
24 Senate 2373, by Senator Klein, an
25 act to amend the Insurance Law;

1 Senate 2375B, by Senator Klein, an
2 act to amend the Public Health Law;

3 Senate 2433A, by Senator Klein, an
4 act to amend the Racing, Pari-Mutuel Wagering and
5 Breeding Law;

6 Senate 2443, by Senator Ranzenhofer,
7 an act to amend the General Obligations Law;

8 Senate 2665B, by Senator Ball, an
9 act to amend the Agriculture and Markets Law;

10 Senate 2753A, by Senator Marchione,
11 an act to amend the Education Law;

12 Senate 2901, by Senator Marchione,
13 an act to amend the Racing, Pari-Mutuel Wagering
14 and Breeding Law;

15 Senate 2921A, by Senator LaValle, an
16 act authorizing;

17 Senate 3143, by Senator Krueger, an
18 act to amend the Social Services Law;

19 Senate 3465, by Senator Seward, an
20 act to amend the Insurance Law;

21 Senate 3642, by Senator LaValle, an
22 act to amend the Tax Law;

23 Senate 3678A, by Senator Gallivan,
24 an act to amend the Social Services Law;

25 Senate 4064, by Senator Marcellino,

1 an act to amend the Penal Law;

2 Senate 4216, by Senator Golden, an
3 act to amend the Penal Law;

4 Senate 4653B, by Senator
5 Stewart-Cousins, an act to authorize;

6 Senate 4728A, by the Committee on
7 Rules, an act to amend the Civil Practice Law and
8 Rules;

9 Senate 4730, by Senator Skelos, an
10 act to amend the Executive Law;

11 Senate 4735A, by Senator Farley, an
12 act to allow;

13 Senate 4777D, by Senator Golden, an
14 act making an appropriation;

15 Senate 4801A, by Senator Marcellino,
16 an act to amend the Civil Rights Law;

17 Senate 4829A, by Senator Lanza, an
18 act to amend the Penal Law;

19 Senate 4855A, by Senator Savino, an
20 act to amend the Navigation Law;

21 Senate 4929, by Senator Nozzolio, an
22 act to amend the Correction Law;

23 Senate 5144, by Senator Skelos, an
24 act to amend the Family Court Act;

25 Senate 5162B, by Senator Savino, an

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

3 Senate 5236, by Senator Seward, an
4 act to amend the Insurance Law;

5 Senate 5347, by Senator Golden, an
6 act to amend the Tax Law;

7 Senate 5422A, by Senator Ritchie, an
8 act to amend the Penal Law;

9 Senate 5426A, by Senator Gallivan,
10 an act to amend the Penal Law;

11 Senate 5489A, by Senator Grisanti,
12 an act directing;

13 Senate 5518A, by Senator Lanza, an
14 act to amend the Penal Law;

15 Senate 5556A, by Senator Flanagan,
16 an act to amend the Education Law;

17 Senate 5568A, by Senator Flanagan,
18 an act to amend the Education Law;

19 Senate 5588, by Senator Carlucci, an
20 act to amend the Real Property Tax Law;

21 Senate 5655A, by Senator Carlucci,
22 an act to authorize;

23 Senate 5666, by Senator Valesky, an
24 act authorizing;

25 Senate 5691, by Senator Farley, an

1 act to amend the Tax Law;

2 Senate 5698, by Senator DeFrancisco,
3 an act to amend the Public Authorities Law;

4 Senate 5706, by Senator Valesky, an
5 act to amend the Education Law;

6 Senate 5728, by Senator Ranzenhofer,
7 an act to amend the New York State Urban
8 Development Corporation Act;

9 Senate 5753, by Senator Breslin, an
10 act to authorize;

11 Senate 5774, by Senator Nozzolio, an
12 act to authorize;

13 Senate 5775, by Senator Klein, an
14 act to amend the Insurance Law;

15 Senate 5779A, by Senator Adams, an
16 act to amend the Social Services Law;

17 Senate 5799, by Senator Savino, an
18 act implementing;

19 Senate 5801, by Senator Carlucci, an
20 act to define;

21 Senate 5802, by Senator Griffo, an
22 act to amend the Mental Hygiene Law;

23 And Senate 5805, by Senator Farley,
24 an act to amend the Military Law.

25 All bills reported direct to third

1 reading.

2 SENATOR MAZIARZ: Mr. President,
3 could we have a motion to accept the report of
4 the Rules Committee.

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

8 (Response of "Aye.")

9 ACTING PRESIDENT GRIFFO: Opposed?

10 (No response.)

11 ACTING PRESIDENT GRIFFO: The
12 Committee on Rules report is accepted.

13 Senator Maziarz.

14 SENATOR MAZIARZ: Thank you very
15 much, Mr. President.

16 Mr. President, on behalf of Senator
17 Gallivan, on page number 27 I offer the following
18 amendments to Calendar Number 832, Senate Print
19 Number 4820, and ask that said bill retain its
20 place on Third Reading Calendar.

21 ACTING PRESIDENT GRIFFO: We will
22 return to motions and resolutions.

23 The amendments are accepted, and the
24 bill will retain its place on third reading,
25 Senator Maziarz.

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

3 Mr. President, I move to amend
4 Senate Bill Number 4998A by striking out the
5 amendments made on 6/17/2013 and restoring it to
6 its original printed, Number 4998. And that's on
7 behalf of Senator Lanza.

8 ACTING PRESIDENT GRIFFO: So
9 ordered.

10 SENATOR MAZIARZ: Thank you,
11 Mr. President.

12 Mr. President, would you please
13 recognize Senator Gianaris.

14 ACTING PRESIDENT GRIFFO: Senator
15 Gianaris.

16 SENATOR GIANARIS: Mr. President,
17 on behalf of Senator Stewart-Cousins, I move to
18 commit Senate Print 4241B, Calendar 491 on the
19 order of third reading, to the Committee on Rules
20 with instructions to said committee to strike out
21 the enacting clause.

22 ACTING PRESIDENT GRIFFO: So
23 ordered.

24 SENATOR GIANARIS: And on behalf of
25 Senator Dilan, I wish to call up Senate Print

1 391, recalled from the Assembly, which is now at
2 the desk.

3 ACTING PRESIDENT GRIFFO: The
4 Secretary will read.

5 THE SECRETARY: Calendar Number 11,
6 by Senator Dilan, Senate Print 391, an act to
7 amend the Vehicle and Traffic Law.

8 SENATOR GIANARIS: I move to
9 reconsider the vote by which the bill was passed.

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

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 60.

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

16 ACTING PRESIDENT GRIFFO: The
17 amendments are received.

18 Senator Maziarz.

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

21 Mr. President, can we at this time
22 take up the noncontroversial reading of today's
23 active list.

24 ACTING PRESIDENT GRIFFO: We will
25 now go to the active list, noncontroversial

1 reading.

2 The Secretary will read.

3 THE SECRETARY: Calendar Number 76,
4 by Senator Fuschillo, Senate Print 780A, an act
5 to authorize.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 59. Nays,
14 1. Senator Ball recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 176, substituted earlier by Member of the
19 Assembly Wright, Assembly Print 5900A, an act to
20 amend the Private Housing Finance Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: On page 7, Senator
7 Golden moves to discharge, from the Committee on
8 Rules, Assembly Bill Number 3180A and substitute
9 it for the identical Senate Bill Number 2098A,
10 Third Reading Calendar 194.

11 ACTING PRESIDENT GRIFFO:
12 Substitution so ordered.

13 The Secretary will read.

14 THE SECRETARY: Calendar Number
15 194, by Member of the Assembly Abbate, Assembly
16 Print Number 3180A, an act to amend the Penal
17 Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 231, substituted earlier by Member of the
5 Assembly Paulin, Assembly Print 2288A, an act in
6 relation to authorizing.

7 SENATOR GIANARIS: Lay it aside for
8 the day.

9 ACTING PRESIDENT GRIFFO: The bill
10 is laid aside for the day.

11 THE SECRETARY: Calendar Number
12 279, by Senator Bonacic, Senate Print 2042, an
13 act to amend the Labor Law.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 59. Nays,
22 1. Senator Hassell-Thompson recorded in the
23 negative.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 339, by Senator Fuschillo, Senate Print 3528A, an
3 act to amend the Vehicle and Traffic Law.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

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

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 401, by Senator Klein, Senate Print 4101A, an act
17 to amend the Alcoholic Beverage Control Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 60.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 435, substituted earlier by Member of the
5 Assembly Silver, Assembly Print 5438, an act to
6 amend the Private Housing Finance Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 ACTING PRESIDENT GRIFFO: Senator
15 Squadron to explain his vote.

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

18 We know that in New York City we
19 have a housing crunch, and that's true on
20 affordable housing, it's true on housing for
21 middle-class families. This bill, by working
22 with Mitchell-Lama communities, will expand the
23 number of middle-class families who have access
24 to affordable housing, which is exactly why the
25 Mitchell-Lama program was originally created.

1 It does it in a away that still
2 allows folks currently on the wait list to get in
3 but takes away a requirement that made it that
4 much harder for folks starting their careers and
5 starting their families to live in Mitchell-Lama
6 housing, and it's a great bill for that reason.

7 I want to thank Speaker Silver and
8 Assemblymember Millman in the other house,
9 Senator Golden in this house, and the rest of my
10 colleagues for their support of this bill.

11 And as we tackle a challenge that
12 needs so many solutions -- this is an important
13 piece of it -- I want to especially thank a
14 constituent -- well, a former constituent until
15 the new districts lines got drawn for us -- Toba
16 Potosky, who brought this issue to my attention
17 and has worked to bring citywide focus to it.

18 I vote aye, Mr. President.

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

21 Announce the results.

22 THE SECRETARY: Ayes, 57. Nays,
23 3. Senators Ball, Diaz and Maziarz recorded in
24 the negative.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 466, substituted earlier by Member of the
4 Assembly Titone, Assembly Print 7411, an act to
5 amend the Environmental Conservation Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 59. Nays,
14 1. Senator LaValle recorded in the negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 Calendar Number 491, the enacting
18 clause was stricken during motions so it's no
19 longer on the calendar. So we'll go to Calendar
20 Number 494.

21 THE SECRETARY: Calendar Number
22 494, by Senator Skelos, Senate Print 4295A, an
23 act to authorize.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 59. Nays,
7 1. Senator Bonacic recorded in the negative.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 528, by Senator Grisanti, Senate Print 904, an
12 act to authorize.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 597, substituted earlier by Member of the
25 Assembly Gunther, Assembly Print 7904, an act to

1 amend the Mental Hygiene Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

4 THE SECRETARY: Section 4. This
5 act shall take effect on the same date and in the
6 same manner as Part A of Chapter 501 of the Laws
7 of 2012.

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

11 THE SECRETARY: Ayes, 60.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 619, by Senator Flanagan, Senate Print 1528, an
16 act to amend the General Business Law.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 ACTING PRESIDENT GRIFFO: Announce
25 the results.

1 THE SECRETARY: In relation to
2 Calendar 619, those recorded in the negative are
3 Senators Ball, Gallivan, Hassell-Thompson,
4 Krueger and Marchione.

5 Ayes, 55. Nays, 5.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 625, by Senator Skelos, Senate Print 5069A, an
10 act to amend the Domestic Relations Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 60.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 714, by Senator Libous, Senate Print 966, an act
23 to amend the Social Services Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

1 THE SECRETARY: Section 4. This
2 act shall take effect February 22, 2014.

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 ACTING PRESIDENT GRIFFO: Announce
7 the results.

8 THE SECRETARY: In relation to
9 Calendar 714, those recorded in the negative are
10 Senators Adams, Hassell-Thompson, Hoylman,
11 Krueger, Montgomery, Parker, Perkins and Rivera.
12 Also Senators Sanders and Squadron.

13 Ayes, 50. Nays, 10.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 797, by Senator DeFrancisco, Senate Print 4512A,
18 an act to amend the Real Property Tax Law.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

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

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

1 THE SECRETARY: Ayes, 59. Nays,

2 1. Senator Ball recorded in the negative.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 803, by Senator DeFrancisco, Senate Print 552, an
7 act to amend the Social Services Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Senator
16 Krueger to explain her vote.

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

19 I wish that the sponsor had been
20 able to amend his bill in some way before it came
21 before us on the floor, because while I
22 understand the intention is to try to make
23 landlords pay their taxes -- and I want them to
24 pay their taxes. Because it sets it up that
25 public assistance should not pay the rent for

1 poor tenants if the landlord has failed to pay
2 the -- excuse me. It sets it up so that public
3 assistance social services shall not pay the rent
4 if the landlord is behind on his taxes.

5 The dilemma there is despite the way
6 the bill is written, advocates who represent poor
7 tenants in courts throughout the state are quite
8 sure that tenants are going to end up being
9 evicted through no fault of their own. Because
10 they did not not pay the rent, the public agency
11 was told not to pay the rent.

12 And so there could have been a way
13 perhaps to amend the bill so that the social
14 service agency paid the money towards the taxes
15 owed, rather than to the landlord, and had it
16 counted as such. But the bill is not written in
17 that way.

18 So my fear is even though the
19 intention is good, that if this were to become
20 law it would result in poor tenants who had done
21 no wrong ending up losing their homes. So I'll
22 be voting no.

23 Thank you, Mr. President.

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

1 Senator DeFrancisco to explain his
2 vote.

3 SENATOR DeFRANCISCO: Yes. In
4 Syracuse there was a situation last year, and I'm
5 sure it's continuing, where there were landlords
6 in the City of Syracuse that were receiving the
7 monies from the tenants directly through the
8 social services department and then not bothering
9 to pay their taxes, to the tune of hundreds of
10 thousands of dollars.

11 I certainly sympathize with tenants
12 who aren't having their landlords pay -- make
13 sure that the monies are being used to pay taxes
14 so they don't get evicted. But in the long run
15 what this is going to do is if the landlord wants
16 to stay in business, they've got to pay their
17 taxes like anybody else. And I'm sure that in
18 the long run that's going to happen.

19 And I guess, if you take a look at
20 these same landlords, they're probably the same
21 ones that are providing uninhabitable premises
22 because they don't care about their
23 responsibilities, making it difficult for tenants
24 to live in those places.

25 So I think in the long term this is

1 going to be a very beneficial thing for the City
2 of Syracuse, and I urge others to consider it for
3 their municipalities as well. Thank you.

4 ACTING PRESIDENT GRIFFO: Senator
5 DeFrancisco to be recorded in the affirmative.

6 Announce the results.

7 THE SECRETARY: In relation to
8 Calendar 803, those recorded in the negative are
9 Senators Adams, Avella, Breslin, Dilan,
10 Espaillat, Hassell-Thompson, Hoylman, Krueger,
11 Montgomery, Parker, Perkins, Rivera, Sanders,
12 Serrano, Squadron and Tkaczyk.

13 Ayes, 45. Nays, 16.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 838, substituted earlier by Member of the
18 Assembly Gottfried, Assembly Print Number 7262,
19 an act to amend the Tax Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 THE SECRETARY: Ayes, 62.

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 963, by Senator Bonacic, Senate Print 2015, an
7 act to amend the Education Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 58. Nays,
16 4. Senators Ball, Ranzenhofer, Tkaczyk and
17 Zeldin recorded in the negative.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1052, by Senator Martins, Senate Print 4211, an
22 act to authorize.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61. Nays,
6 1. Senator Bonacic recorded in the negative.

7 Also Senator Larkin in the
8 negative.

9 Ayes, 60. Nays, 2.

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1053, by Senator Martins, Senate Print 4212, an
14 act to authorize.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

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

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1065, by Senator Marcellino, Senate Print 5182A,
4 an act to authorize.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 60. Nays,
13 2. Senators Bonacic and Larkin recorded in the
14 negative.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 In relation to Calendar Number 1073,
18 a home-rule message has not been received. So as
19 a result, the bill will be laid aside for day.

20 The Secretary will go to Calendar
21 Number 1080.

22 THE SECRETARY: Calendar Number
23 1080, by Senator Latimer, Senate Print 4843, an
24 act to amend the State Technology Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 61. Nays,
8 1. Senator Griffo recorded in the negative.

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: Calendar Number
12 1207, by Senator Savino, Senate Print 5011A, an
13 act to amend Chapter 879 of the Laws of 1939.

14 ACTING PRESIDENT GRIFFO: Read the
15 last section.

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

18 ACTING PRESIDENT GRIFFO: Call the
19 roll.

20 (The Secretary called the roll.)

21 THE SECRETARY: Ayes, 62.

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: Calendar Number
25 1311, by Senator Libous, Senate Print 1913, an

1 act to amend the Highway Law.

2 ACTING PRESIDENT GRIFFO: Read the
3 last section.

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

6 ACTING PRESIDENT GRIFFO: Call the
7 roll.

8 (The Secretary called the roll.)

9 ACTING PRESIDENT GRIFFO: Senator
10 Krueger to explain your vote.

11 SENATOR KRUEGER: Thank you,
12 Mr. President.

13 I am voting no. The estimated price
14 on this bill is I believe approximately
15 \$23 million to \$25 million to change signage. We
16 could pay for the DREAM Act with that money this
17 year, not change signage. I'll vote no.

18 Thank you.

19 ACTING PRESIDENT GRIFFO: Senator
20 Krueger in the negative.

21 Announce the results.

22 THE SECRETARY: In relation to
23 Calendar Number 1311, those recorded in the
24 negative are Senators Ball, DeFrancisco, Dilan,
25 Espaillat, Gipson, Griffio, Hoylman, Krueger,

1 Montgomery, O'Brien, Peralta, Rivera, Serrano,
2 Stavisky and Tkaczyk.

3 Ayes, 47. Nays, 15.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1365, by Senator Libous, Senate Print --

8 SENATOR MAZIARZ: Lay the bill
9 aside for the day, please.

10 ACTING PRESIDENT GRIFFO: Lay the
11 bill aside for the day.

12 Senator Maziarz, that concludes the
13 reading of the active list and noncontroversial
14 calendar.

15 SENATOR MAZIARZ: Thank you very
16 much, Mr. President.

17 Could we now take up Senate
18 Supplemental Calendar Number 54A, please, the
19 noncontroversial reading.

20 ACTING PRESIDENT GRIFFO: We will
21 now take up Senate Supplemental Calendar 54A,
22 noncontroversial, and the Secretary will read.

23 THE SECRETARY: Calendar Number
24 1414, by Senator Diaz, Senate Print 20, an act to
25 amend the Penal Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 THE SECRETARY: Ayes, 60. Nays,
9 2. Senators Montgomery and Perkins recorded in
10 the negative.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: Calendar Number
14 1415, by Senator Peralta, Senate Print 48, an act
15 to amend the Penal Law.

16 ACTING PRESIDENT GRIFFO: Read the
17 last section.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 59. Nays,
24 3. Senators Hassell-Thompson, Montgomery and
25 Perkins recorded in the negative.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: In relation to
4 Calendar Number 1416, Senator LaValle moves to
5 discharge, from the Committee on Investigations
6 and Government Operations, Assembly Bill Number
7 73 and substitute it for the identical Senate
8 Bill Number 769, Third Reading Calendar 1416.

9 ACTING PRESIDENT GRIFFO:
10 Substitution so ordered.

11 The Secretary will read.

12 THE SECRETARY: Calendar Number
13 1416, by Member of the Assembly Thiele, Assembly
14 Print 73, an act to amend the Indian Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: Calendar Number

1 1417, by Senator Adams, Senate Print 815, an act
2 to amend the Penal Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

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

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1418, by Senator Martins, Senate Print 985, an
16 act to amend the Civil Practice Law and Rules.

17 ACTING PRESIDENT GRIFFO: Read the
18 last section.

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

21 ACTING PRESIDENT GRIFFO: Call the
22 roll.

23 (The Secretary called the roll.)

24 THE SECRETARY: Ayes, 62.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1419, by Senator Maziarz, Senate Print 1052, an
4 act to amend the Penal Law.

5 ACTING PRESIDENT GRIFFO: Read the
6 last section.

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

9 ACTING PRESIDENT GRIFFO: Call the
10 roll.

11 (The Secretary called the roll.)

12 THE SECRETARY: Ayes, 62.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1420, by Senator Maziarz, Senate Print 1187A, an
17 act to amend the Public Authorities Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61. Nays,

1 1. Senator Zeldin recorded in the negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1421, by Senator Carlucci, Senate Print 1205, an
6 act to amend the Real Property Tax Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 61. Nays,
15 1. Senator Diaz recorded in the negative.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 Calendar Number 1422 is high. The
19 Secretary will read Calendar Number 1423.

20 THE SECRETARY: Calendar Number
21 1423, by Senator Carlucci, Senate Print 1980, an
22 act to amend the Agriculture and Markets Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 6. This

1 act shall take effect on the first of January.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 60. Nays,
6 2. Senators Diaz and Espaillat recorded in the
7 negative.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1424, by Senator Ranzenhofer, Senate Print 2011,
12 an act to amend the Education Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

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

22 ACTING PRESIDENT GRIFFO: The bill
23 is passed.

24 THE SECRETARY: In relation to
25 Calendar Number 1425, Senator Robach moves to

1 discharge, from the Committee on Finance,
2 Assembly Bill Number 962A and substitute it for
3 the identical Senate Bill Number 2186A, Third
4 Reading Calendar 1425.

5 ACTING PRESIDENT GRIFFO:
6 Substitution so ordered.

7 The Secretary will read.

8 THE SECRETARY: Calendar Number
9 1425, by Member of the Assembly Kellner,
10 Assembly Print Number 962A, an act to amend the
11 Public Health Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1426, by Senator Klein, Senate Print 2373, an act
24 to amend the Insurance Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

2 THE SECRETARY: Section 14. This
3 act shall take effect on the 180th day.

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

7 THE SECRETARY: Ayes, 62.

8 ACTING PRESIDENT GRIFFO: The bill
9 is passed.

10 THE SECRETARY: Calendar Number
11 1427, by Senator Klein, Senate Print 2375B, an
12 act to amend the Public Health Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

15 THE SECRETARY: Section 2. This
16 act shall take effect after one year.

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: Ayes, 60. Nays,
21 2. Senators Ball and Montgomery recorded in the
22 negative.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: In relation to

1 Calendar Number 1428, Senator Klein moves to
2 discharge, from the Committee on Racing, Gaming
3 and Wagering, Assembly Bill Number 2329A and
4 substitute it for the identical Senate Bill
5 Number 2433A, Third Reading Calendar 1428.

6 ACTING PRESIDENT GRIFFO:
7 Substitution so ordered.

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1428, by Member of the Assembly Pretlow, Assembly
11 Print Number 2329A, an act to amend the Racing,
12 Pari-Mutuel Wagering and Breeding Law.

13 ACTING PRESIDENT GRIFFO: Read the
14 last section.

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

17 ACTING PRESIDENT GRIFFO: Call the
18 roll.

19 (The Secretary called the roll.)

20 THE SECRETARY: In relation to
21 Calendar 1428, those recorded in the negative are
22 Senators Ball, Diaz, Espaillat, Hoylman, Krueger,
23 Serrano and Squadron. Also Senator Parker.

24 Ayes, 54. Nays, 8.

25 ACTING PRESIDENT GRIFFO: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 1429, by Senator Ranzenhofer, Senate Print 2443,
4 an act to amend the General Obligations Law.

5 SENATOR GIANARIS: Lay it aside.

6 ACTING PRESIDENT GRIFFO: Lay the
7 bill aside.

8 THE SECRETARY: Calendar Number
9 1430, by Senator Ball, Senate Print 2665B, an act
10 to amend the Agriculture and Markets Law.

11 ACTING PRESIDENT GRIFFO: Read the
12 last section.

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

15 ACTING PRESIDENT GRIFFO: Call the
16 roll.

17 (The Secretary called the roll.)

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: Calendar Number
22 1431, by Senator Marchione, Senate Print 2753A,
23 an act to amend the Education Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: In relation to
10 Calendar Number 1432, Senator Marchione moves to
11 discharge, from the Committee on Racing, Gaming
12 and Wagering, Assembly Bill Number 7156, and
13 substitute it for the identical Senate Bill
14 Number 2901, Third Reading Calendar 1432.

15 ACTING PRESIDENT GRIFFO: The
16 substitution is so ordered.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1432, by Member of the Assembly Pretlow, Assembly
20 Print 7156, an act to amend the Racing,
21 Pari-Mutuel Wagering and Breeding Law.

22 ACTING PRESIDENT GRIFFO: Read the
23 last section.

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

1 ACTING PRESIDENT GRIFFO: Call the
2 roll.

3 (The Secretary called the roll.)

4 THE SECRETARY: Ayes, 60. Nays,
5 2. Senators Diaz and Espaillat recorded in the
6 negative.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1433, by Senator LaValle, Senate Print 2921A, an
11 act authorizing.

12 ACTING PRESIDENT GRIFFO: There is
13 no home rule at the desk. The bill shall be laid
14 aside for the day.

15 THE SECRETARY: Calendar Number
16 1434, by Senator Krueger, Senate Print 3143, an
17 act to amend the Social Services Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 61. Nays,

1 1. Senator Ball recorded in the negative.

2 ACTING PRESIDENT GRIFFO: The bill
3 is passed.

4 THE SECRETARY: Calendar Number
5 1435, by Senator Seward, Senate Print 3465, an
6 act to amend the Insurance Law.

7 ACTING PRESIDENT GRIFFO: Read the
8 last section.

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

11 ACTING PRESIDENT GRIFFO: Call the
12 roll.

13 (The Secretary called the roll.)

14 THE SECRETARY: Ayes, 62.

15 ACTING PRESIDENT GRIFFO: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 1436, by Senator LaValle, Senate Print 3642, an
19 act to amend the Tax Law.

20 ACTING PRESIDENT GRIFFO: Read the
21 last section.

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

24 ACTING PRESIDENT GRIFFO: Call the
25 roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT GRIFFO: Announce
3 the results.

4 THE SECRETARY: In relation to
5 Calendar Number 1436, those recorded in the
6 negative are Senators Adams, Addabbo, Avella,
7 Dilan, Espaillat, Gianaris, Hassell-Thompson,
8 Hoylman, Krueger, Montgomery, Parker, Peralta,
9 Perkins, Rivera, Sanders, Serrano, Squadron,
10 Stavisky and Tkaczyk.

11 Ayes, 43. Nays, 19.

12 ACTING PRESIDENT GRIFFO: The bill
13 is passed.

14 THE SECRETARY: Calendar Number
15 1437, by Senator Gallivan, Senate Print 3678A, an
16 act to amend the Social Services Law.

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

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

21 THE SECRETARY: Calendar Number
22 1438, by Senator Marcellino, Senate Print 4064,
23 an act to amend the Penal Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1439, by Senator Golden, Senate Print 4216, an
11 act to amend the Penal Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61. Nays,
20 1. Senator Montgomery recorded in the negative.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1440, by Senator Stewart-Cousins, Senate Print
25 4653B, an act to authorize.

1 ACTING PRESIDENT GRIFFO: There is
2 no home-rule message present at the desk. The
3 bill will be laid aside for the day.

4 THE SECRETARY: Calendar Number
5 1441, by the Committee on Rules, Senate Print
6 4728A, an act to amend the Civil Practice Law and
7 Rules.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

10 THE SECRETARY: Section 10. This
11 act shall take effect on the 270th day.

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1442, by Senator Skelos, Senate Print 4730, an
20 act to amend the Executive Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 62.

4 ACTING PRESIDENT GRIFFO: The bill
5 is passed.

6 THE SECRETARY: Calendar Number
7 1443, by Senator Farley, Senate Print 4735A, an
8 act to allow.

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

11 Read the last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: In relation to
21 Calendar Number 1444, Senator Golden moves to
22 discharge, from the Committee on Rules, Assembly
23 Bill Number 6692C and substitute it for the
24 identical Senate Bill Number 4777D, Third Reading
25 Calendar 1444.

1 ACTING PRESIDENT GRIFFO: The
2 substitution is ordered.

3 The Secretary will read.

4 THE SECRETARY: Calendar Number
5 1444, by Member of the Assembly Weisenberg,
6 Assembly Print 6692C, an act making an
7 appropriation.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 ACTING PRESIDENT GRIFFO: Senator
16 Golden to explain his vote.

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

19 I rise to thank all of my colleagues
20 here in this chamber for the good fight that we
21 put up for OPWDD. And I want to thank Harvey
22 Weisenberg and the Assembly for their good fight
23 in getting over 140 sponsors to sponsor this
24 bill. And of course our Governor for going along
25 with us to make sure that these changes were

1 made.

2 This bill will restore funding cuts
3 to the State Office for People With Developmental
4 Disabilities for the nonprofit service providers
5 and address the service reductions of federal
6 funds without undermining the care provided to
7 New Yorkers in need of OPWDD services.

8 Earlier this year I made a promise
9 to explore the ways that we could restore the
10 funding cuts associated with OPWDD nonprofit
11 service providers. And today I'm proud to be
12 able to say that I'm making good on that promise.

13 As I said the day we voted on the
14 2013-2014 New York State budget, that vote was
15 not the end of the conversation related to the
16 budget of the Office for People With
17 Developmental Disabilities. The people of our
18 state must have and their families deserve the
19 chances for us to provide the very best programs
20 to meet their needs and provide a respectable
21 quality of life to each and every one of those
22 families.

23 This legislation will guarantee that
24 the services available will not be affected by
25 those budget cuts. And again, this would not

1 have happened if it weren't for the championship
2 of the Assembly and Harvey Weisenberg and every
3 member here in this body that stood up and fought
4 for those people with disabilities.

5 So I thank my colleagues, and I vote
6 aye.

7 ACTING PRESIDENT GRIFFO: Senator
8 Golden to be recorded in the affirmative.

9 Senator DeFrancisco to explain his
10 vote.

11 SENATOR DeFRANCISCO: Yes. Of all
12 the issues this year in the budget deliberations
13 and the budget hearings, this was the most
14 difficult one to deal with.

15 The federal government had required
16 certain reimbursements for overpayments in this
17 area, and the Governor rightly made some cuts, as
18 was any necessary to show good faith to the
19 federal government. However, we were only able
20 to restore \$30 million of the cuts.

21 The Governor made a commitment that
22 the cuts would only go to the areas that dealt
23 with administrative costs, as opposed to direct
24 services, which was a wonderful commitment. What
25 this bill does is completely close the loop by

1 saying that to the extent that the reductions in
2 administrative costs do not cover the cuts, there
3 will be additional funding in order to make sure
4 all services to the recipients are able to be
5 paid.

6 So it's a great bill. It was a
7 fight that, as Senator Golden mentioned, all of
8 us fought. And it's important that this be done,
9 and it was done. So everybody cooperated, and we
10 really appreciate this final result.

11 I vote aye.

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

14 Senator Carlucci to explain his
15 vote.

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

18 I rise to support this legislation
19 and want to thank and echo what the previous
20 speakers had talked about in thanking the members
21 of the Senate and the Assembly.

22 It's so important that in these
23 changing times that we make sure there's a floor,
24 a foundation for our most vulnerable
25 populations. And I know in Rockland and

1 Westchester Counties we have so many service
2 providers that pour their heart and soul into
3 providing services for developmentally disabled.
4 And with facing those potential cuts, we were
5 facing the possibility of closing programs,
6 jeopardizing the quality of service that so many
7 people have become dependent on and expect.

8 And if we're going to continue to
9 improve the quality of life of people in New York
10 State that live with developmental disabilities,
11 both them and their families, this is an
12 important step to put our money where our mouth
13 is.

14 And I want to thank my colleagues in
15 the Senate and the Assembly, and the Governor,
16 for coming together, working with the advocates
17 to make sure we restored this essential funding.

18 So, Mr. President, I'm voting aye on
19 this bill. Thank you.

20 ACTING PRESIDENT GRIFFO: Senator
21 Carlucci to be recorded in the affirmative.

22 Senator LaValle to explain his vote.

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

25 I rise to congratulate Senator

1 Golden, Assemblyman Weisenberg, who have been
2 dogged in their fight to make sure that funding
3 was restored to deal with the most vulnerable
4 population.

5 It is also a great victory for our
6 system that we have protected the most vulnerable
7 in our society, and that people spoke out, we
8 listened, and the system worked.

9 Again, Senator Golden,
10 congratulations. Assemblyman Weisenberg,
11 congratulations to you.

12 I vote yes.

13 ACTING PRESIDENT GRIFFO: Senator
14 LaValle to be recorded in the affirmative.

15 Senator Marchione to explain her
16 vote.

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

19 You know, like probably everyone in
20 this room, there's a lot of tough pieces of
21 legislation that come before us. But that one
22 issue for me was the toughest, that we are
23 balancing the budget on the backs of our most
24 vulnerable. It was difficult when they came to
25 visit, it was difficult to think that we were

1 taking monies away from the vulnerable in our
2 state.

3 And I just want to compliment
4 Senator Golden and all of the Assembly and the
5 Senate who are working together, and the
6 Governor, on this particular bill to bring this
7 forward to make a wrong a right. And I will be
8 voting aye.

9 Thank you.

10 ACTING PRESIDENT GRIFFO: Senator
11 Marchione in the affirmative.

12 Senator Valesky to explain his vote.

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

15 I rise to enthusiastically support
16 this legislation. It's critically important.
17 And I want to thank Senator Golden, as the lead
18 sponsor. I want to thank Senator DeFrancisco,
19 through his efforts as chairman of the Finance
20 Committee.

21 But I especially want to thank my
22 colleague Senator Carlucci, who as chair of the
23 Mental Health Committee not only made this one of
24 his top priorities in the budget and beyond, but
25 came to my district after the budget was complete

1 and met with a number of service providers in
2 Central New York and made it very clear to them
3 that he wasn't going to give up the fight just
4 because the formal budget process had concluded
5 back in late March.

6 There is a lot of activity going on
7 here in Albany about what legislation may or may
8 not come up for a vote in these last few days of
9 session. But the bill that we're voting on today
10 may in fact be the most important thing we do
11 this week in terms of making a real difference in
12 the lives of hundreds and hundreds of citizens
13 all across New York State.

14 I vote in the affirmative. Thank
15 you.

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

18 Senator Tkaczyk to explain her vote.

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

21 I rise along with all of my
22 colleagues here in great support of this piece of
23 legislation. I know there's a lot of families
24 and individuals who were impacted by the cuts who
25 are going to sleep better tonight.

1 And I also want to acknowledge
2 Assemblyman Weisenberg, who's on the floor today,
3 and thank him for his leadership in helping us
4 get this through. And I am greatly thankful to
5 him and to the rest of our colleagues here.

6 Thank you.

7 ACTING PRESIDENT GRIFFO: Senator
8 Tkaczyk to be recorded in the affirmative.

9 Senator Grisanti to explain his
10 vote.

11 SENATOR GRISANTI: I want to thank
12 Senator Golden. I want to thank Assemblyman
13 Weisenberg, who's here. I want to thank Senator
14 Carlucci.

15 You know, we did something in the
16 budget where we made sure that OPWDD looked
17 in-house to make sure that they could look for
18 whatever funding that's available. And while
19 they may have done that, this legislation will
20 make sure that the cuts and the gaps aren't
21 there.

22 But the people that I want to thank
23 most of all are the advocates, the advocates who
24 are across this great state that traveled here.
25 From Buffalo and Long Island, they traveled up

1 here to Albany to let their vices be heard that
2 they could not tolerate the funding and the cuts,
3 the cuts that were going to happen.

4 And we all listened in this chamber,
5 they listened in the Assembly, the Governor
6 listened. And they are the true heroes that
7 actually deserve the praise to make sure that
8 that never happens again. And while the federal
9 government and the state has their problems, we
10 hopefully rectify this particular situation that
11 it will never happen again.

12 And there's other measures that we
13 are taking, especially today, by making sure we
14 stop fraud and abuse on Medicaid, to keep the
15 money for the people that actually need it and
16 deserve it. So these are the measures that we're
17 taking today.

18 It's important to respect those that
19 have developmental disabilities. And to all the
20 advocates out there, this one's for you.

21 I vote aye, Mr. President.

22 ACTING PRESIDENT GRIFFO: Senator
23 Grisanti to be recorded in the affirmative.

24 Announce the results.

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 (Appause from the gallery.)

4 ACTING PRESIDENT GRIFFO: Calendar
5 Number 1445 is high. We'll now go to Calendar
6 1446.

7 THE SECRETARY: Calendar Number
8 1446, by Senator Lanza, Senate Print 4829A, an
9 act to amend the Penal Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

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

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1447, by Senator Savino, Senate Print 4855A, an
24 act to amend the Navigation Law.

25 ACTING PRESIDENT GRIFFO: Read the

1 last section.

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

4 ACTING PRESIDENT GRIFFO: Call the
5 roll.

6 (The Secretary called the roll.)

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

9 ACTING PRESIDENT GRIFFO: The bill
10 is passed.

11 THE SECRETARY: In relation to
12 Calendar Number 1448, Senator Nozzolio moves to
13 discharge, from the Committee on Rules, Assembly
14 Bill Number 7385 and substitute it for the
15 identical Senate Bill Number 4929, Third Reading
16 Calendar 1448.

17 ACTING PRESIDENT GRIFFO: The
18 substitution is so ordered.

19 The Secretary will read.

20 THE SECRETARY: Calendar Number
21 1448, by Member of the Assembly Russell, Assembly
22 Print Number 7385, an act to amend the Correction
23 Law.

24 ACTING PRESIDENT GRIFFO: Read the
25 last section.

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

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1449, by Senator Skelos, Senate Print 5144, an
11 act to amend the Family Court Act.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

14 THE SECRETARY: Section 22. This
15 act shall take effect on the 180th day.

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: Calendar Number
23 1450, by Senator Savino, Senate Print 5162B, an
24 act to amend the Retirement and Social Security
25 Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

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

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1451, by Senator Seward, Senate Print 5236, an
14 act to amend the Insurance Law.

15 ACTING PRESIDENT GRIFFO: Read the
16 last section.

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

19 ACTING PRESIDENT GRIFFO: Call the
20 roll.

21 (The Secretary called the roll.)

22 THE SECRETARY: Ayes, 62.

23 ACTING PRESIDENT GRIFFO: The bill
24 is passed.

25 THE SECRETARY: In relation to

1 Calendar Number 1452, Senator Golden moves to
2 discharge, from the Committee on Investigations
3 and Government Operations, Assembly Bill Number
4 7557 and substitute it for the identical Senate
5 Bill Number 5347, Third Reading Calendar 1452.

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

8 The Secretary will read.

9 THE SECRETARY: Calendar Number
10 1452, by Member of the Assembly Farrell, Assembly
11 Print 7557, an act to amend the Tax Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 61. Nays,
20 1. Senator Ball recorded in the negative.

21 ACTING PRESIDENT GRIFFO: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 1453, by Senator Ritchie, Senate Print 5422A, an
25 act to amend the Penal Law.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT GRIFFO: Senator
9 Ritchie to explain her vote.

10 SENATOR RITCHIE: On the evening of
11 Thursday, March 14th, 2013, David Renz, who was
12 subject to electronic monitoring while awaiting
13 trial on charges of possessing child pornography,
14 was able to tamper with his electronic monitoring
15 equipment by removing it and then putting it back
16 together. He violated his curfew by leaving his
17 mother's house without his electronic monitoring
18 equipment during the hours of 9 p.m. and 7 a.m.,
19 where he was ordered by the court to remain under
20 supervision.

21 It was on that evening, Thursday,
22 March 14, 2013, that he was able to follow Lori
23 Bresnahan and a 10-year-old girl from a
24 gymnastics class at a mall in Clay, New York.
25 Upon confronting them, he raped the young girl.

1 He then forced the woman into the car and drove
2 to Verplank Road, where he proceeded to kill Lori
3 Bresnahan and rape the 10-year-old girl.

4 This was an extremely heinous
5 crime. But for me what was even more
6 unbelievable was the fact that it could have been
7 prevented, that David Renz tampered with his
8 electronic monitoring device 46 times and was
9 allowed to get away with it.

10 So I want to thank Senator
11 DeFrancisco and Senator Valesky for cosponsoring
12 this bill with me that makes tampering a crime.

13 I vote yes on this bill. Thank you,
14 Mr. President.

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

17 Announce the results.

18 THE SECRETARY: Ayes, 62.

19 ACTING PRESIDENT GRIFFO: The bill
20 is passed.

21 THE SECRETARY: In relation to
22 Calendar Number 1454, Senator Gallivan moves to
23 discharge, from the Committee on Codes, Assembly
24 Bill Number 5008B and substitute it for the
25 identical Senate Bill Number 5426A, Third Reading

1 Calendar 1454.

2 ACTING PRESIDENT GRIFFO: The
3 substitution is so ordered.

4 The Secretary will read.

5 THE SECRETARY: Calendar Number
6 1454, by Member of the Assembly Ryan, Assembly
7 Print 5008B, an act to amend the Penal Law.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1455, by Senator Grisanti, Senate Print 5489A, an
20 act directing.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 THE SECRETARY: Ayes, 60. Nays,
3 2. Senators Ball and Marchione recorded in the
4 negative.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1456, by Senator Lanza, Senate Print 5518A, an
9 act to amend the Penal Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: Calendar Number
21 1457, by Senator Flanagan, Senate Print 5556A, an
22 act to amend the Education Law.

23 ACTING PRESIDENT GRIFFO: Read the
24 last section.

25 THE SECRETARY: Section 34. This

1 act shall take effect on the 180th day after it
2 shall have become law.

3 ACTING PRESIDENT GRIFFO: Call the
4 roll.

5 (The Secretary called the roll.)

6 THE SECRETARY: Ayes, 62.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: Calendar Number
10 1458, by Senator Flanagan, Senate Print 5568A, an
11 act to amend the Education Law.

12 ACTING PRESIDENT GRIFFO: Read the
13 last section.

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

16 ACTING PRESIDENT GRIFFO: Call the
17 roll.

18 (The Secretary called the roll.)

19 THE SECRETARY: Ayes, 62.

20 ACTING PRESIDENT GRIFFO: The bill
21 is passed.

22 THE SECRETARY: In relation to
23 Calendar Number 1459, Senator Carlucci moves to
24 discharge, from the Committee on Investigations
25 and Government Operations, Assembly Bill Number

1 1324 and substitute it for the identical Senate
2 Bill Number 5588, Third Reading Calendar 1459.

3 ACTING PRESIDENT GRIFFO: The
4 substitution is so ordered.

5 The Secretary will read.

6 THE SECRETARY: Calendar Number
7 1459, by Member of the Assembly Zebrowski,
8 Assembly Print 1324, an act to amend the Real
9 Property Tax Law.

10 ACTING PRESIDENT GRIFFO: Read the
11 last section.

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

14 ACTING PRESIDENT GRIFFO: Call the
15 roll.

16 (The Secretary called the roll.)

17 THE SECRETARY: Ayes, 62.

18 ACTING PRESIDENT GRIFFO: The bill
19 is passed.

20 THE SECRETARY: In relation to
21 Calendar Number 1460, Senator Carlucci moves to
22 discharge, from the Committee on Rules, Assembly
23 Bill Number 7699A and substitute it for the
24 identical Senate Bill Number 5655A, Third Reading
25 Calendar 1460.

1 ACTING PRESIDENT GRIFFO: The
2 substitution is so ordered.

3 The Secretary will read.

4 THE SECRETARY: Calendar Number
5 1460, by Member of the Assembly Galef, Assembly
6 Print Number 7699A, an act to authorize.

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

9 Read the last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 61. Nays,
16 1. Senator Ball recorded in the negative.

17 ACTING PRESIDENT GRIFFO: The bill
18 is passed.

19 THE SECRETARY: Calendar Number
20 1461, by Senator Valesky, Senate Print 5666, an
21 act authorizing.

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

24 Read the last section.

25 THE SECRETARY: Section 7. This

1 act shall take effect immediately.

2 ACTING PRESIDENT GRIFFO: Call the
3 roll.

4 (The Secretary called the roll.)

5 THE SECRETARY: Ayes, 61. Nays,
6 1. Senator Ball recorded in the negative.

7 ACTING PRESIDENT GRIFFO: The bill
8 is passed.

9 THE SECRETARY: In relation to
10 Calendar Number 1462, Senator Farley moves to
11 discharge, from the Committee on Rules, Assembly
12 Bill Number 7425 and substitute it for the
13 identical Senate Bill Number 5691, Third Reading
14 Calendar 1462.

15 ACTING PRESIDENT GRIFFO: The
16 substitution is so ordered.

17 The Secretary will read.

18 THE SECRETARY: Calendar Number
19 1462, by Member of the Assembly Santabarbara,
20 Assembly Print 7425, an act to amend the Tax Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 61. Nays, 1.

4 Senator Gallivan recorded in the negative.

5 ACTING PRESIDENT GRIFFO: The bill
6 is passed.

7 THE SECRETARY: Calendar Number
8 1463, by Senator DeFrancisco, Senate Print 5698,
9 an act to amend the Public Authorities Law.

10 SENATOR LaVALLE: Lay the bill
11 aside for the day.

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

14 Calendar Number 1464.

15 THE SECRETARY: In relation to
16 Calendar Number 1464, Senator Valesky moves to
17 discharge, from the Committee on Education,
18 Assembly Bill Number 1398A and substitute it for
19 the identical Senate Bill Number 5706, Third
20 Reading Calendar 1464.

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

23 The Secretary will read.

24 THE SECRETARY: Calendar Number
25 1464, by Member of the Assembly Gunther, Assembly

1 Print Number 1398A, an act to amend the Education
2 Law.

3 ACTING PRESIDENT GRIFFO: Read the
4 last section.

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

7 ACTING PRESIDENT GRIFFO: Call the
8 roll.

9 (The Secretary called the roll.)

10 THE SECRETARY: Ayes, 62.

11 ACTING PRESIDENT GRIFFO: The bill
12 is passed.

13 THE SECRETARY: In relation to
14 Calendar Number 1465, Senator Ranzenhofer moves
15 to discharge, from the Committee on Corporations,
16 Authorities and Commissions, Assembly Bill Number
17 7629 and substitute it for the identical Senate
18 Bill Number 5728, Third Reading Calendar 1465.

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

21 The Secretary will read.

22 THE SECRETARY: Calendar Number
23 1465, by Member of the Assembly Schimminger,
24 Assembly Print Number 7629, an act to amend the
25 New York State Urban Development Corporation Act.

1 ACTING PRESIDENT GRIFFO: Read the
2 last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

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

10 ACTING PRESIDENT GRIFFO: The bill
11 is passed.

12 THE SECRETARY: Calendar Number
13 1466, by Senator Breslin, Senate Print 5753, an
14 act to authorize.

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

17 The Secretary will read.

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

20 ACTING PRESIDENT GRIFFO: Call the
21 roll.

22 (The Secretary called the roll.)

23 THE SECRETARY: Ayes, 62.

24 ACTING PRESIDENT GRIFFO: The bill
25 is passed.

1 THE SECRETARY: Calendar Number
2 1467, by Senator Nozzolio, Senate Print 5774, an
3 act to authorize.

4 ACTING PRESIDENT GRIFFO: Read the
5 last section.

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

8 ACTING PRESIDENT GRIFFO: Call the
9 roll.

10 (The Secretary called the roll.)

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

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 THE SECRETARY: Calendar Number
16 1468, by Senator Klein, Senate Print 5775, an act
17 to amend the Insurance Law.

18 ACTING PRESIDENT GRIFFO: Read the
19 last section.

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

22 ACTING PRESIDENT GRIFFO: Call the
23 roll.

24 (The Secretary called the roll.)

25 THE SECRETARY: Ayes, 62.

1 ACTING PRESIDENT GRIFFO: The bill
2 is passed.

3 THE SECRETARY: Calendar Number
4 1469, by Senator Adams, Senate Print 5779A, an
5 act to amend the Social Services Law.

6 ACTING PRESIDENT GRIFFO: Read the
7 last section.

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

10 ACTING PRESIDENT GRIFFO: Call the
11 roll.

12 (The Secretary called the roll.)

13 THE SECRETARY: Ayes, 62.

14 ACTING PRESIDENT GRIFFO: The bill
15 is passed.

16 THE SECRETARY: Calendar Number
17 1470, by Senator Savino, Senate Print 5799, an
18 act implementing.

19 ACTING PRESIDENT GRIFFO: Read the
20 last section.

21 THE SECRETARY: Section 18. This
22 act shall take effect immediately.

23 ACTING PRESIDENT GRIFFO: Call the
24 roll.

25 (The Secretary called the roll.)

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

3 ACTING PRESIDENT GRIFFO: The bill
4 is passed.

5 THE SECRETARY: Calendar Number
6 1471, by Senator Carlucci, Senate Print 5801, an
7 act to define.

8 ACTING PRESIDENT GRIFFO: Read the
9 last section.

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

12 ACTING PRESIDENT GRIFFO: Call the
13 roll.

14 (The Secretary called the roll.)

15 THE SECRETARY: Ayes, 62.

16 ACTING PRESIDENT GRIFFO: The bill
17 is passed.

18 THE SECRETARY: Calendar Number
19 1472, by Senator Griffio, Senate Print 5802, an
20 act to amend the Mental Hygiene Law.

21 ACTING PRESIDENT GRIFFO: Read the
22 last section.

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

25 ACTING PRESIDENT GRIFFO: Call the

1 roll.

2 (The Secretary called the roll.)

3 THE SECRETARY: Ayes, 60. Nays,
4 2. Senators Krueger and Tkaczyk recorded in the
5 negative.

6 ACTING PRESIDENT GRIFFO: The bill
7 is passed.

8 Calendar Number 1473 is high.

9 Senator LaValle, that completes the
10 noncontroversial reading of Supplemental Calendar
11 54A.

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

14 Can we take up the previously
15 adopted resolution -- it was adopted on
16 6/11/13 -- by Senator Avella, Resolution 2124.
17 Would you read it in its entirety, and Senator
18 Avella will speak on that resolution.

19 ACTING PRESIDENT GRIFFO: Thank
20 you, Senator LaValle.

21 We will return to motions and
22 resolutions, and the Secretary will read
23 Resolution Number 2124, which was adopted by the
24 house on June 11th.

25 The Secretary will read.

1 THE SECRETARY: Legislative
2 Resolution Number 2124, by Senator Avella,
3 congratulating Arvind Mahankali upon the occasion
4 of being crowned the 2013 Scripps National
5 Spelling Bee Champion on May 30, 2013.

6 "WHEREAS, It is the intent of this
7 Legislative Body to commend and pay tribute to
8 those young people who, by achieving outstanding
9 success in educational competition, have inspired
10 and brought pride to our majestic Empire State;
11 and

12 "WHEREAS, Attendant to such concern,
13 and in full accord with its long-standing
14 traditions, this Legislative Body is justly proud
15 to congratulate Arvind Mahankali upon the
16 occasion of being crowned the 2013 Scripps
17 National Spelling Bee Champion on Thursday,
18 May 30, 2013, at the Gaylord National Resort and
19 Convention Center in National Harbor, Maryland;
20 and

21 "WHEREAS, Arvind Mahankali, a
22 13-year-old from Bayside Hills, Queens, is an
23 eighth-grade student at Nathaniel Hawthorne
24 Middle School 74 in Bayside, New York, who enjoys
25 tennis, basketball, and drama; he loves math and

1 science, and hopes to one day pursue a career as
2 a physicist; and

3 "WHEREAS, A speaker of Telugu and
4 Spanish, this was Arvind Mahankali's fourth
5 consecutive trip to the Scripps National Spelling
6 Bee; he placed ninth in 2010, and finished in
7 third place in both 2011 and 2012; and

8 "WHEREAS, The 2013 Scripps National
9 Spelling Bee was broadcast nationwide on ESPN,
10 and welcomed 281 spellers from around the world;
11 the spellers ranged in age from 8-14 years old,
12 and were all vying for the esteemed title of
13 champion; and

14 "WHEREAS, This astute young scholar
15 was sponsored by The Daily News, and won top
16 honors after 16 rounds of competition by
17 correctly spelling the word 'knaidel', a
18 German-Yiddish word that means matzo dumpling;
19 and

20 "WHEREAS, Known as the pride of
21 Bayside, Arvind Mahankali was urged on by his
22 proud parents, Srinivas and Bhavani, and younger
23 brother Srinath; Principal Anthony Armstrong was
24 also in attendance to support his student; and

25 "WHEREAS, Arvind Mahankali, in

1 achieving this high honor, may take just pride in
2 the inspiration and contribution to the spirit of
3 excellence he brings to his family, friends,
4 school and region; and

5 "WHEREAS, Educational competitions
6 which serve to better prepare our students for
7 their future participation in the marketplace of
8 ideas are worthy of praise and support; and

9 "WHEREAS, Poised with enthusiasm and
10 determined purpose, this scholar now stands
11 honorably, in eager anticipation of future
12 challenges, understanding and appreciating the
13 caring counsel and support provided by his
14 teachers and parents; now, therefore, be it

15 "RESOLVED, That this Legislative
16 Body pause in its deliberations to congratulate
17 Arvind Mahankali upon the occasion of being
18 crowned the 2013 Scripps National Spelling Bee
19 Champion on May 30, 2013; and be it further

20 "RESOLVED, That a copy of this
21 resolution, suitably engrossed, be transmitted to
22 Arvind Mahankali."

23 ACTING PRESIDENT GRIFFO: Senator
24 Avella.

25 SENATOR AVELLA: Thank you,

1 Mr. President.

2 I rise today to honor and welcome
3 Arvind Mahankali as the 2013 National Spelling
4 Bee champion.

5 What a tremendous achievement,
6 ladies and gentlemen. He told me that he spent
7 four hours a day for years memorizing, learning
8 how to spell. And for somebody who in elementary
9 school I never got past the first round in a
10 spelling bee, I'm just in awe of this young man.

11 He is the first winner of the
12 National Spelling Bee from New York City and
13 New York State in 16 years. A tremendous
14 achievement.

15 He's an aspiring physicist. And I
16 know if he applies the same dedication and
17 persistence to physics, you're probably going to
18 solve the mysteries of the universe.

19 So we look forward to your great
20 career in the future. It is a tremendous
21 achievement for you, your family. And this body
22 welcomes you for making sure that New York City
23 and New York State is among the national winners.

24 And I have to tell you, just to show
25 you his perseverance, he won, in 2010, fourth;

1 2011, third; 2012, third. And this year he
2 became the National Champion. That is
3 perseverance.

4 Congratulations.

5 (Standing ovation.)

6 ACTING PRESIDENT GRIFFO: Arvind,
7 we welcome you to the Senate. We congratulate
8 you. We welcome and extend the courtesies of the
9 house to your family.

10 It's great, in the waning days of
11 session, to have the National Spelling Bee
12 champion here. I think that can be motivational
13 and inspirational. Right?

14 Thank you again for being here, and
15 congratulations.

16 Senator LaValle.

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

19 Can we have the controversial
20 reading of the supplemental calendar and go to
21 Senator Ranzenhofer's bill, Calendar Number 1429,
22 Senate Bill 2443.

23 ACTING PRESIDENT GRIFFO: The
24 Secretary will ring the bell.

25 The Secretary will read.

1 THE SECRETARY: Calendar Number
2 1429, by Senator Ranzenhofer, Senate Print 2443,
3 an act to amend the General Obligations Law.

4 SENATOR SQUADRON: Explanation.

5 ACTING PRESIDENT GRIFFO: An
6 explanation has been requested of Senator
7 Ranzenhofer by Senator Squadron.

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

10 ACTING PRESIDENT GRIFFO: Excuse
11 me, Senator Ranzenhofer.

12 I'm going to ask for some order in
13 the house. I know we're trying to get some
14 photos, but we also have members that will now be
15 debating. So if we can just have some order in
16 the house.

17 And, Senator Ranzenhofer, an
18 explanation has been requested.

19 SENATOR RANZENHOFER: This would
20 amend the current law that exists right now,
21 doing away with the requirement that a person be
22 given notice by certified mail of the extension
23 of a contract only for life, safety or electronic
24 alarm services where that person has already
25 received notice of the renewal and paid the

1 invoice that indicates that the payment would
2 continue the contract for those particular
3 services.

4 ACTING PRESIDENT GRIFFO: Senator
5 Squadron.

6 SENATOR SQUADRON: Thank you. If
7 the sponsor would yield.

8 ACTING PRESIDENT GRIFFO: Senator,
9 do you yield?

10 SENATOR RANZENHOFER: Yes,
11 Mr. President.

12 ACTING PRESIDENT GRIFFO: The
13 sponsor does yield.

14 SENATOR SQUADRON: Just to make
15 sure I fully understand this. Currently, if you
16 are an elderly or vulnerable person and you have
17 a life alert system and you sign up for a
18 contract, what is the company required to do
19 before you are on the hook to extend that
20 contract?

21 SENATOR RANZENHOFER: Currently
22 what you have to do -- and again, this just
23 doesn't apply to elderly individuals or infirm
24 individuals, this would apply to anybody that had
25 an electronic system or life safety system which

1 would protect your life or protect your
2 property.

3 The law right now requires certified
4 mail to be given 15 to 30 days in advance before
5 you renew your contract. That's the current
6 state of the law right now.

7 ACTING PRESIDENT GRIFFO: Senator
8 Squadron.

9 SENATOR SQUADRON: Thank you. If
10 the sponsor would continue to yield.

11 ACTING PRESIDENT GRIFFO: Does the
12 sponsor yield?

13 SENATOR RANZENHOFER: Yes,
14 Mr. President.

15 ACTING PRESIDENT GRIFFO: Senator
16 Squadron.

17 SENATOR SQUADRON: And under this
18 bill, what would it take in order to put such a
19 vulnerable person or elderly person who has a
20 life alert system on the hook for an additional
21 contract term of up to a year?

22 SENATOR RANZENHOFER: I didn't
23 quite catch the comment. There's a little too
24 much noise.

25 SENATOR SQUADRON: Through you,

1 I'll repeat it, Mr. President.

2 Under this bill, if it were to
3 become law, what would be required of a company
4 to put an elderly or vulnerable person who had a
5 life alert system on the hook for up to an
6 additional year?

7 SENATOR RANZENHOFER: Someone who
8 has decided that they feel it's important that
9 they have life safety equipment or electronic
10 equipment, under this bill they would still
11 receive notice from the company that they can
12 continue to receive the service which they
13 elected to have in the first place and which is
14 there to protect their life and their safety. If
15 they want to continue with this equipment and
16 this system, that they can pay that bill and that
17 would continue that service that they had
18 originally opted to purchase.

19 SENATOR SQUADRON: If the sponsor
20 would continue to yield.

21 SENATOR RANZENHOFER: Yes,
22 Mr. President.

23 ACTING PRESIDENT GRIFFO: The
24 sponsor yields.

25 SENATOR SQUADRON: Within the term

1 of a contract, what is the obligation of an
2 elderly or vulnerable person who has a life alert
3 system to pay a bill that is sent in a timely
4 fashion by the company?

5 SENATOR RANZENHOFER: I'm sorry,
6 can you repeat that question again?

7 SENATOR SQUADRON: Through you,
8 Mr. President. Within an existing contract, if
9 an elderly or vulnerable person with a life alert
10 system receives a bill in a timely fashion, what
11 is their obligation in relation to that bill?

12 SENATOR RANZENHOFER: With any
13 bill, whether it's for this service or any
14 service, if the person was to receive a bill any
15 time during the contract and they wanted to
16 continue with the service, they would pay their
17 bill.

18 So if they got a bill, they signed
19 up for the service on January 1st -- and again,
20 you could either have it paid through -- you
21 know, a lot of people pay their bills
22 electronically, a lot of people pay them by check
23 through the mail or whatever means you want. But
24 if they signed up for the service on January 1st
25 and they signed up for monthly billing, when they

1 got a billing for the month of February, they
2 would then pay that bill if they wanted to
3 continue with their service.

4 SENATOR SQUADRON: If the sponsor
5 would continue to yield.

6 SENATOR RANZENHOFER: Yes,
7 Mr. President.

8 ACTING PRESIDENT GRIFFO: The
9 sponsor yields.

10 SENATOR SQUADRON: Thank you,
11 Mr. President.

12 I appreciate that answer and where
13 you took it. So just to be very clear, if this
14 bill were to become law and an elderly or
15 vulnerable person who had a life alert system
16 received a bill outside of their contract, what
17 would be their obligation relative to that bill?

18 SENATOR RANZENHOFER: I can't
19 imagine a situation where a person would receive
20 a bill if they did not have a contract for the
21 service.

22 SENATOR SQUADRON: If the sponsor
23 would continue to yield.

24 SENATOR RANZENHOFER: Yes,
25 Mr. President.

1 ACTING PRESIDENT GRIFFO: The
2 sponsor yields.

3 SENATOR SQUADRON: It's an
4 interesting point the sponsor makes, that it
5 would be strange to be sent a bill if you had a
6 prior contract that had expired.

7 But in the sponsor's bill it says
8 payment by the person receiving the service or
9 invoice on a contract for electronic and life
10 safety alarm services after expiration of the
11 term of the contract shall be considered
12 acknowledgment by the person receiving the
13 service that the term of the contract has been
14 extended or renewed. An invoice, another term
15 for a bill.

16 So it seems that the sponsor has
17 contemplated exactly such an instance in which
18 someone, an elderly or vulnerable person in the
19 example we're talking about, out of contract,
20 would receive an invoice for a service that
21 they're no longer under contract to pay.

22 SENATOR RANZENHOFER: You've got it
23 actually backwards. That's not the way it would
24 work.

25 This is actually a bill which

1 actually protects elderly and vulnerable
2 individuals because it gives them the option that
3 if they want to continue with the service when
4 they get this invoice for services that they've
5 already purchased, if they want to continue with
6 the services, they can pay their last bill and
7 renew that contract.

8 What often happens right now is
9 people that have this type of system, whether
10 they're traveling, whether they don't get the
11 certified letter, what happens is this service
12 lapses and these people are no longer protected.

13 So what they're doing is this really
14 protects the elderly, the infirm, because if for
15 some reason they don't get the certified mail --
16 whether they are traveling, whether they are
17 unable to get to the post office, which would
18 require them to pick up the certified letter --
19 these people are now exposed.

20 And I don't think that they should
21 be exposed. I think they should be able to be
22 protected, and this bill does protect them.

23 SENATOR SQUADRON: If the sponsor
24 will yield for a final question.

25 SENATOR RANZENHOFER: Absolutely.

1 ACTING PRESIDENT GRIFFO: The
2 sponsor yields for a final question.

3 SENATOR SQUADRON: Under this bill,
4 would there be any requirement that the invoice
5 that would obligate the elderly or vulnerable
6 person to an additional year of service be any
7 different, would that invoice be required to be
8 any different than the invoice that was sent
9 during the period of the contract?

10 SENATOR RANZENHOFER: Yes, this
11 invoice would be different than the other
12 invoices. The earlier invoice would be an
13 invoice which would have your monthly amount.
14 This invoice would be much different because it
15 would say on the invoice that if you want to
16 renew -- it's very much like the invoice that
17 they get right now, or the notice that they get
18 right now.

19 The difference is right now they get
20 it by certified mail, which sometimes results in
21 lapse of service. So they would now get an
22 invoice which would say the -- which would have
23 the exact same contents to the invoices that they
24 are receiving right now.

25 SENATOR SQUADRON: On the bill,

1 Mr. President.

2 ACTING PRESIDENT GRIFFO: Senator
3 Squadron on the bill.

4 SENATOR SQUADRON: Unfortunately, I
5 don't think the final answer is how these
6 companies would end up putting this bill into
7 practice.

8 What the bill does require is notice
9 that payment would extend the contract. But what
10 we would see there is the same thing that we see
11 in other instances where automatic extensions are
12 allowed on contracts where every single month the
13 notice is put on the invoice that payment could
14 extend the contract. Which would, as I read it,
15 comply with the requirements in the bill.

16 Which would mean that you're the
17 sort of person who has a life alert system, you
18 probably have it because you are either elderly
19 or vulnerable or you have some other reason that
20 you feel you might need some help in your home --
21 exactly the kind of population that we shouldn't
22 put in the position of being forced to have
23 obligations, up to a year-long obligations, or
24 have to figure out in the fine print of a bill
25 that they're actually not meeting the obligation

1 they've already kept and have their credit rating
2 and their to have a life alert system or fire
3 safety system in the future called into question.

4 You know, this is -- the certified
5 mail issue that the sponsor raises does seem to
6 be an issue. This is an issue we've debated
7 before. I know Senator Diaz and others would
8 like us to debate this further.

9 But in the interests of time, I
10 would simply say to replace a system that's not
11 working with a system that ensures perpetual
12 obligations for those folks who can least afford
13 them is a bad bill for consumers and in this case
14 a bad bill for the sorts of consumers who we
15 should do our most work to protect -- elderly,
16 vulnerable, others who depend on these sorts of
17 systems.

18 So I urge my colleagues to vote no.
19 Thank you, Mr. President.

20 ACTING PRESIDENT GRIFFO: Any other
21 Senator wishing to be heard?

22 Senator Ranzenhofer.

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

25 This is a pro-consumer bill. This

1 helps consumers. What you have right now is --
2 again, whether you're elderly or young, if you
3 have decided that you want a certain service --
4 okay? This is not something that is forced upon
5 you, this is something that's optional.

6 This is not like a utility bill
7 where every single home or every single apartment
8 has utilities. You have chosen, you have gone
9 out and you have decided that you want to protect
10 your family, you want to protect yourself. If
11 you're on a life alert system and if you fall
12 down, you want a company to be notified. You
13 want your home protected; you have a burglary
14 system. This is something that you have decided
15 on your own that you feel is important to protect
16 your safety and to protect your life.

17 What this bill does, it allows for a
18 continuation of the service so that the service
19 doesn't lapse for a service that you have chosen
20 that you want to protect yourself.

21 What is happening right now is you
22 are having lapses and you are leaving these
23 people unprotected with a very antiquated system
24 that does not work and does not protect, whether
25 young or old, whoever they are, someone who has

1 decided to purchase this system for the
2 protection of their own home and their own
3 person.

4 This is a very important bill. This
5 would provide a continuation of that service for
6 someone who chooses to continue that service.

7 For someone who determines that they
8 no longer want to be protected or they don't want
9 to have their property protected, they no longer
10 want to have their life protected, they have the
11 option to do that, to not continue with that
12 service.

13 But this is pro-consumer, this is
14 pro-homeowner, this is pro-young, this is
15 pro-old. Whoever decides to have this service,
16 this protects that individual from continuing the
17 service that they have originally decided is
18 important to them.

19 ACTING PRESIDENT GRIFFO: Senator
20 Squadron, why do you rise?

21 SENATOR SQUADRON: If the sponsor
22 would yield for a final, final question based on
23 that.

24 ACTING PRESIDENT GRIFFO: Senator
25 Ranzenhofer, do you yield to a final, final

1 question?

2 SENATOR RANZENHOFER: For another
3 final, final question? Absolutely.

4 ACTING PRESIDENT GRIFFO: Senator
5 Squadron.

6 SENATOR SQUADRON: This one is
7 dedicated to Senator Diaz.

8 If the clear goal here is to simply
9 ensure that the sort of folks who have these
10 sorts of service, elderly and vulnerable folks,
11 don't have a discontinuation in service, why
12 would the bill obligate folks to a new contract
13 simply by paying for up to a year, rather than
14 just allow them to get continued service for any
15 bill they pay?

16 SENATOR RANZENHOFER: Right now you
17 have service contracts that go for a period of
18 time. I don't know anybody that purchases a
19 security system for one month. I mean, if that
20 was the premise, then you would have a different
21 type of contract. It would be like purchasing an
22 automobile for one month.

23 That's not the way people purchase
24 these type of services. People want to be
25 protected. People want to have a system in their

1 home that's going to protect their life and going
2 to protect their property, not for a month. It
3 would be silly and ridiculous, quite frankly, to
4 purchase a burglar alarm system for one month. I
5 can't imagine anybody purchasing that type of
6 protection for one month. That's not the way
7 that people operate. They don't purchase those
8 systems for that length of time.

9 SENATOR SQUADRON: On the bill.

10 ACTING PRESIDENT GRIFFO: Senator
11 Squadron on the bill.

12 SENATOR SQUADRON: Thank you.

13 We're not talking about a purchase,
14 we're talking about a continuation of an existing
15 service. And if the fear is that folks are going
16 to lose the service, let them extend it for a
17 period of one month at a time. If it's about
18 tricking folks into obligations that they
19 wouldn't otherwise make, then this bill is a
20 perfect.

21 I still vote no, and I urge my
22 colleagues to do the same. Thank you.

23 ACTING PRESIDENT GRIFFO: Is there
24 any other Senator that wishes to be heard?

25 Seeing none, hearing none, debate is

1 closed. The Secretary will ring the bell.

2 Read the last section.

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

5 ACTING PRESIDENT GRIFFO: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT GRIFFO: Senator
9 Diaz to explain his vote.

10 SENATOR DIAZ: Thank you,
11 Mr. President.

12 You look good there. Always I say
13 that. Say hello to your father and your mother
14 for me.

15 Mr. President, I just rise up to
16 support this bill, to congratulate Senator
17 Ranzenhofer for this magnificent piece of
18 legislation.

19 At the same time I will take this
20 opportunity to invite my colleagues for tonight's
21 celebration of Bronx Night in the Egg. So I hope
22 all of you and the staff members could join the
23 Bronx Borough President, Ruben Diaz, Jr., and the
24 Bronx elected officials here in Albany,
25 celebrating Bronx Night after 5:30 p.m. in the

1 Egg.

2 Thank you.

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

5 Announce the results.

6 THE SECRETARY: In relation to
7 Calendar Number 1429, those recorded in the
8 negative are Senators Avella, Bonacic, Breslin,
9 Felder, Fuschillo, Gianaris, Hoylman, Krueger,
10 Latimer, Martins, Parker, Perkins, Rivera,
11 Serrano, Squadron, Stavisky and Tkaczyk.

12 Ayes, 45. Nays, 17.

13 ACTING PRESIDENT GRIFFO: The bill
14 is passed.

15 Senator Libous, that completes the
16 controversial reading.

17 SENATOR LIBOUS: Mr. President, is
18 there any further business at the desk?

19 ACTING PRESIDENT GRIFFO: There is
20 no further business, Senator Libous.

21 SENATOR LIBOUS: Mr. President,
22 there being no further business, I move that the
23 Senate -- I'm sorry, there is further business.

24 Would you recognize Senator Serrano,
25 please.

1 ACTING PRESIDENT GRIFFO: Can I
2 have some order in the chamber, please.

3 Senator Serrano.

4 SENATOR SERRANO: There will be an
5 immediate meeting of the Democratic Conference in
6 Room 315.

7 ACTING PRESIDENT GRIFFO: There
8 will be an immediate meeting of the Democrat
9 Conference in Room 315.

10 Senator Libous.

11 SENATOR LIBOUS: Is there any
12 further business at the desk?

13 ACTING PRESIDENT GRIFFO: There is
14 no further business before the desk.

15 SENATOR LIBOUS: Mr. President,
16 there being no further business, I move that the
17 Senate adjourn until Wednesday, June 19th, at
18 1:00 p.m.

19 ACTING PRESIDENT GRIFFO: On
20 motion, the Senate stands adjourned until
21 Wednesday, June 19th, at 1:00 p.m.

22 Senate adjourned.

23 (Whereupon, at 3:22 p.m., the Senate
24 adjourned.)

25